

THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



Department of Agricultural Resources
State Reclamation and Mosquito Control Board
251 Causeway Street, Suite 500, Boston, MA 02114
617-626-1700 fax: 617-626-1850 www.mass.gov/agr



DEVAL L. PATRICK
Governor

TIMOTHY P. MURRAY
Lieutenant Governor

RICHARD K. SULLIVAN JR
Secretary

SCOTT J. SOARES
Commissioner

MEMBERS

Lee Corte-Real, **Chairman**
Department of Agricultural
Resources (DAR)

Anne Carroll
Department of Conservation
And Recreation (DCR)

Gary Gonyea
Department of Environmental
Protection (DEP)

ADMINISTRATION

Mark S. Buffone
Executive Director

Alisha Bouchard
Project Administrator

MOSQUITO CONTROL PROJECTS & DISTRICTS

Berkshire County Mosquito
Control Project

Bristol County Mosquito
Control Project

Central Massachusetts
Mosquito Control Project

Cape Cod Mosquito
Control Project

East Middlesex Mosquito
Control Project

Norfolk County Mosquito
Control Project

Northeast Massachusetts
Mosquito & Wetland
Management District

Plymouth County Mosquito
Control Project

Suffolk County Mosquito
Control Project

DATE: **Friday, June 3, 2011**

TIME: 10:00 AM-NOON

LOCATION: MassDEP Boston Office, 1 Winter Street, **2nd Floor
Conference Room**, Boston, Massachusetts 02108

Meeting Agenda

- A. **Start:** Call to Order by Chairman Corte-Real, and Attendance.
- B. **Minutes/Summary:** The Board will consider approval the meeting minutes of the May 25, 2011 meeting. **(Voting item)**
- C. **FY 12 Mosquito Control Budgets:** The Board will consider approval/ certification of FY 12 budgets for Bristol County, Cape Cod, Norfolk County, Plymouth County as well as the Board administration. **(Voting Item)**
- D. **Public comment/input period:** The Board will provide an opportunity for the general public to speak and listen to their concerns.
- E. **Adjournment and Next Meeting Date:** The Board will announce next meeting date and officially adjourn the meeting.

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Suffolk County Mosquito
Control Project

Subject: Meeting Minutes

Date: Friday, June 3, 2011

Place: MADEP Boston Office, 1 Winter Street, *2nd Floor Conference Room*, Boston, Massachusetts 02108

Present for the: Board and Administration:

Lee Corte-Real, Department of Agricultural Resources, Chairman
Anne Carroll, Department of Conservation and Recreation, Member
Gary Gonyea, Department of Environmental Protection, Member
Mark Buffone, Executive Director
Alisha Bouchard, Project Administrator

Mosquito Control Project Commissioners:

Carolyn Brennan, Plymouth County
Bob Davis, Bristol County
Norman P. Jacques, Norfolk County
Kimberly King, Plymouth County
Richard Pollack, Norfolk County
Arthur Tobin, Bristol County

Mosquito Control Project Directors/ Superintendents /Assistants:

Wayne Andrews, Bristol County Mosquito Control Project
John Doane, Cape Cod Mosquito Control Project
Bruce A. Landers, Suffolk County Mosquito Control Project
Dave Lawson, Norfolk County Mosquito Control Project
Priscilla Matton, Bristol County Mosquito Control Project
Gabrielle Sakolsky, Cape Cod Mosquito Control Project
John Smith, Norfolk County Mosquito Control Project

Others:

Anika Clark, New Bedford Standard Times Reporter
Cathleen Drinan, Halifax Board of Health
Jo Ann M. Fawcett, Plymouth County Mosquito Control Project
Representative Denise C. Garlick, 13th Norfolk District
Barbara Johnson, Bristol County Mosquito Control Project
Elizabeth Thomas, Citizen
Alison Robles, Representative Patricia Haddad

- A. **Start: Call to Order by Chairman Corte-Real, and Attendance.** Chairman Lee Corte-Real called the meeting to order at 10:03 AM. The Chairman proceeded to conduct a roll call of members. Present were Gary Gonyea representing Commissioner Kenneth L. Kimmel of the Department of Environmental Protection, Anne Carroll representing Commissioner Edward M. Lambert Jr. of the Department of Conservation and Recreation and Chairman Lee Corte-Real recognized himself stating that he represented Commissioner Soares, of the Department of Agricultural Resources thereby announcing there was a quorum. Chairman Corte-Real stated in his opening remarks that the Board is cognizant of the difficult fiscal situation and would be making hard choices regarding certifying budget increases. He thanked everyone for submitting supplemental budget information and commented that the Board would use all the information to pose questions. For the record, he noted that a reporter from the New Bedford Standard Times was in attendance and that Bristol County Mosquito Control Project Commissioner, Arthur Tobin was recording the proceedings. The Chairman asked that all called upon to make comments to speak up, and if anyone wanted to ask questions or make a comment to raise their hand, state their name, and affiliation. With that being said, he proceeded to move onto the next agenda item which was the minutes of May 25th.
- B. **Minutes/Summary:** The Board will consider for approval the meeting minutes of the May 25, 2011 meeting. (Vote Item)
- B.1: **Background:** The Chairman asked members if they have read the minutes. The Chairman had not completed his review of the minutes and he suggested that this item be tabled until another time. He entertained a motion to table the minutes of May 25, 2011.
- B.2: **Questions and Discussions:** None.
- B.3: **Action Taken:** A. Carroll moved to table the May 25, 2011 meeting minutes. The motion was seconded by G. Gonyea and the motion voted unanimously 3-0.
- C: **FY 12 Mosquito Control Budgets:** The Board will consider approval/ certification of FY 12 budgets for Bristol County, Cape Cod, Norfolk County, and Plymouth County as well as the Administration budget of the Board. (Voting Item)
- C.1: **Cape Cod Mosquito Control Project Background:** Chairman Corte-Real moved swiftly remarking that the priority order of business was to consider those mosquito control budgets submitted above level funding, specifically those projects requesting increases for FY 12. The Cape Cod Budget was considered first.
- C.2: **Questions and Discussion:** The Board discussed the reason for the proposed FY 12 increases amounting to an increase of \$40,009 dollars that would cover a 3% salary increase for current active employees. However, the Board questioned Cape Cod representatives and the projects administrator about the amount of their trust account rolling over/ balance of funds moving forward which was estimated to be \$114,044 dollars, originally in the supplemental information to be \$51,200 dollars, a revised estimate. The Chairman suggested that the increase being requested could be absorbed by the balance forward amount of funding. The Project defended its proposed increase stating it was a onetime cost. The final figures for roll-over funds will not be determined until September since specific encumbrances will be made from the trust account until the end of the fiscal year.

- C.3: Actions Taken:** G. Gonyea moved to approve the Cape Cod Mosquito Control Project Budget for FY 12 in the amount of \$1,678,270 representing a 2.4% increase from FY 11. The motion was seconded by A. Carroll. The vote was 2-1 as the Chairman representing DAR was in opposition.
- C.1: Plymouth County Mosquito Control Project Background:** The Plymouth County Mosquito Control Budget was considered next.
- C.2: Questions and Discussion:** The Board discussed the reason for the proposed budget increases for Plymouth amounting to an increase of \$105,533 dollars, approximately an 8% increase for FY 12. Board members questioned Plymouth representatives and the projects administrator about the amount of their trust account rolling over/ balance moving forward which was estimated to be \$75,000 dollars, and other funding such as supplemental funding from the state because of the 2010 EEEv aerial spray operation in parts of Plymouth and Bristol Counties. Project representatives told the Board that their project has spent down significantly the excess rollovers of the past and that is what they had been surviving on to meet core objectives of mosquito control. The project representatives reported that the rollover was closer to a balance of \$5,000 dollars. Other representatives including a health agent from Halifax and private citizen expressed their support to increase Plymouth County budget. There was consensus by them that increases were necessary to prevent EEEv later in the summer. Kimberly King, Commissioner from Plymouth County Mosquito Control Project stated that the project vehicles currently used were extremely old and repairs were costly. Also, representatives stated that if the Board did not see fit to approve an 8% increase, those parts of their services would need to be curtailed such as scrapping spring mosquito aerial larvicide service.

The Board discussed a number of options that could be utilized before proceeding to certify the budgets. Options included but not limited to looking at what was certified last year, factoring what the balance forward was, and the best estimate for their actual FY 11 expenditure, and that would be the number that gets certified. For Plymouth, the amount would equal \$1,389,146.

Some members argued that the Board should certify the final amounts looking at the entire budget in the trust account. M. Buffone stated that if the Board might need to revisit the budget policy since the options discussed would set a precedent. He noted the Board has always certified the budgets based on the amount proposed and compared to the amount certified in the prior year.

State representative Garlick made some remarks. She thanked the Board for the memorandum that was mailed to her. She stated that it was really helpful. However, she emphasized a specific sentence in the memorandum.

The Board has a statutory obligation to insure that state funds expended for mosquito control are adequate to carry out the core services of mosquito control and at the same time balance or reduce the fiscal pain to member communities during these times of unprecedented economic uncertainty and hardship.

She strongly stated that it was not the Board's statutory obligation to balance or reduce the fiscal pain to member communities during these times of unprecedented economic uncertainty and hardship. She noted that the Board needed to insure budgets for health and safety. She contended that Board member Anne Carroll's position was more consistent with the Board statutory obligation. Her concern was that by not increasing budgets, the Board might be aggravating an untenable situation if conditions later in the summer warranted aerial spraying which is also a concern to health and safety and is a public relations nightmare.

She asked the Board to increase the budgets. She said she would ask the Board not to make a decision pertaining to reduction of fiscal pain to member communities which is not the Board's responsibility. The representative was adamant about the fact that prevention makes all the difference and that by approving increases, the Board would be fulfilling its statutory obligation.

There was a discussion that ensued about whether or not the early spring mosquito control project control efforts actually prevent mosquito borne diseases that appear later in the summer. M. Buffone expressed concern about this sentiment and wanted to make sure everyone understood that controlling early season mosquito species in June would not likely impact arboviruses such as WNV and EEEV transmission dynamics later in the summer. He requested that if anyone had objective information on this subject he would like to review it. He further stated, that if the projects were targeting *Culiseta melanura*, he would be more inclined to agree with the sentiment about prevention. However, M. Buffone remarked that this species is a typical bird biting species so controlling it is contrary to the current mosquito statute that mandates nuisance control. Finally, he opined that the habitat for this particular species, in many cases, is delineated as priority habitat protected under Natural Heritage Endangered Species regulations. Dr. Rich Pollack noted that the ongoing and current mosquito control project efforts are a vital public health function even though he acknowledged that the current control efforts are centered on quality of life or annoyance alleviation for the numerous calls received by the projects in June.

After back and forth lengthy discussions, a motion was cited by Anne Carroll and seconded by Gary Gonyea to certify the Plymouth County Mosquito Control Budget in the amount of \$1,389,146 dollars which would represent a 6% increase. The motion did not carry because there was only one member, Anne Carroll, the DCR member who supported the motion, and the other two members, G. Gonyea of DEP, and L. Corte-Real of MDAR voted no.

After the motion failed, state representative Garlick was acknowledged again. She commented that it was her impression that the reason for this particular meeting location was to have the Board members respective state Commissioners present. Each Board member cited a reason for their Commissioner's absence and apologized for their not being able to attend. Chairman Corte-Real stated that each member received instructions from their Commissioners as their representative concerning the proposed budget increases.

Another motion was placed on the table by G. Gonyea to approve/certify the Plymouth County Mosquito Control Budget at no more than 2 and ½% above the amount certified in FY 11 which was \$1,319,167 totaling \$1,352,146, an increase of \$32,979 dollars. There was no second of this motion.

Due to the impasse and length of the discussion, Chairman Corte-Real suggested the Board break for 10 minutes.

C.3: Actions Taken: G. Gonyea moved to have the Board take a ten minute recess. The motion was seconded by A. Carroll and motion voted unanimously 3-0.

The Board was reconvened by Chairman Corte-Real calling the meeting to order at 12:31 P.M.

Immediately, G. Gonyea moved to approve/certify the Plymouth County Mosquito Control Budget at an increase of 3 % above the amount certified in FY 11 which was \$1,319, 167 totaling \$1,358,742, an increase of \$39,575 dollars. A. Carroll seconded the motion. The motion failed after voting with one Aye from G. Gonyea and two abstentions from A. Carroll and L. Corte-Real.

- C.3: Actions Taken:** After further extended discussion, A. Carrol requested a reconsideration of G. Gonyea above stated motion, and seconded by G. Gonyea. This time the motion to approve/certify the Plymouth County Mosquito Control Budget at an increase of 3% representing the final figure for FY 12 of \$1,358,742 passed 2-0 with one abstention. Both G. Gonyea and L. Corte-Real voted in the affirmative and A. Carroll abstained.
- C.1: Norfolk Mosquito Control Project Background:** The Norfolk County Mosquito Control Budget was considered next.
- C.2: Questions and Discussion:** The Board discussed the reason for the proposed increases amounting to an increase of \$193, 298 dollars that would equate to a 13.4 % increase in the Norfolk County Mosquito Control Project budget for FY 12. Chairman Corte-Real asked a number of questions as to why the project needed such a significant increase for FY 12. Much of the response centered on the fact that the MCD cannot predict the weather during any mosquito season, akin to predicting snow removal budgets. The Norfolk mosquito professionals stated that they budget for proactive response to weather events such as summertime heavy precipitation with helicopter larvicide spraying using a biorational pesticide called Bti. This is an ideal way to control mosquitoes, when they are immature and confined, in wetlands. Their concern was specifically floodplains since these areas can develop a myriad of mosquitoes in a short period of time under the right conditions. The summer larvicide usually coincides with the time to suppress the adult mosquito when virus is more likely circulating in birds. The operation is expensive due to helicopter contracts and cost of biological insecticides.

The Norfolk representatives noted that research they conducted on the effective spray zone for helicopter applications of Bti indicated they needed to decrease the swath size from 100 feet to 70 feet. This operational adjustment demonstrated a 97% efficacy and more complete coverage of the treatment areas. With additional passes of the helicopter required to cover the treat areas, it takes longer to do the job, and costs more, but the treatment efficacy is much improved. A discussion about the definition of nuisance versus vector ensued. J. Smith, Norfolk Superintendent noted that if you can keep the human biters controlled it will help prevent arbovirus. He highlighted that he could never reduce his rollover funding to zero and praised the Board for allowing at least a 10% rollover. Mr. Smith noted that if he has the funding to conduct both spring and summer larvicide operations, it will reduce the need of ground adult spraying. He finished by saying the extra funding is an insurance policy. Chairman Corte-Real noted that the summer larvicide operation component is an unknown and if there is no need for the expenditure, then the rollover funds increase for the next year. He also mentioned that Norfolk had on the table personnel step increases totaling \$18,000 dollars and pointed out this is an area for the project to save if it became necessary. During the budget discussion, Representative Garlick remarked that if the Board could not agree to approve the proposed increases to the Norfolk County Mosquito Control Project budget, which the Board note in the minutes that she is on record that she asked the Board to recommend what services should be cut since the increase is not approved. After hearing additional testimony, the Chairman entertained a motion on the Norfolk Project budget amount.

- C.3: Actions Taken:** A. Carroll moved to approve/certify the Norfolk County Mosquito Control Project Budget for FY 12 in the amount of \$1,480,292 representing a 3 % increase from FY 11. The motion was seconded by G. Gonyea and motion voted unanimously 3-0.

- C.1: Bristol Mosquito Control Project Background:** The Bristol County Mosquito Control Budget was considered next.
- C.2: Questions and Discussion:** The Board discussed the level of funding that should be increased since over the past two years, the Board has voted to certify Bristol's budget at a significantly reduced amount to compel the expenditure of excessive surplus funds in the projects trust account which at one point exceeded \$600,000. In FY10, the Board certified a reduced assessment amount of \$794,612 which was a 29% e.g. \$322,257 cut against the prior year assessment amount. This action was necessary in order for the Project to spend down an accumulated, excessive rollover balance in the trust account of \$595,145 dollars. For FY10 the Project's total funds were \$794,612 dollars plus a rollover amount of \$322,257 dollars equating to a total account of \$1,116,869 dollars. Throughout FY10 the Project did not demonstrate the ability or need to spend down its total funds and thus rolled forward into FY11 \$341,833 of unspent funds. Again, during the FY11 budget certification, the Board maintained level assessments to member communities by certifying \$794,609 in order for the Project to continue to spend down an excessive rollover of \$341,833. For FY11 the Project's total funds were \$794,609 dollars plus a rollover amount equal to \$341,833 dollars or \$1,136,442. This was the figure that the Board believed was fair to increase by 3% making the total FY 12 budget equate to \$1,170,535 dollars. This figure was a correction or adjustment necessary in order for the project to adequately maintain core services in an endemic EEEv area and also prone to WNV too. The Board emphasized and requested that Bristol provide a written plan as to how balance forward funds will be expended. The Board also noted that the proposed funding level will allow Bristol County to increase staff to address increased requests for services.
- C.3: Actions Taken:** A. Carroll moved to approve/certify the Bristol County Mosquito Control Project Budget for FY 12 in the amount of \$1,170,535 representing a 3 % increase along with a condition that the project submit to the Board a written plan for capital planning of surplus balance forwards or unexpended funds during FY 12. The motion was seconded by G. Gonyea and motion voted unanimously 3-0.
- C.1: Board Administration Budget Background:** The Board administration budget was the last budget to be considered and review.
- C.2: Questions and Discussion:** Similar to the Bristol County budget discussion, a correction to the Board's budget is needed since the Board reduced its budget last year by 24%. Additionally, the Board experienced a lapse in revenue collection by one of the projects, and increases in charge backs for administrative services the Board provides to the MCDs. Given these considerations, the Board felt the level of funding should be increased by 3%. The projects administrator answered all the members' questions and gave a detailed review of the budget numbers and impacts if the request correction was not approved.
- C.3: Actions Taken:** G. Gonyea moved to approve/certify the Board's Budget for FY 12 in the amount of \$249,266 representing a 3 % increase as described by the project administrator A. Bouchard. The motion was seconded by A. Carroll and motion voted unanimously 3-0.

- D:** *Public comment/input period:* The Board then provided an opportunity for the general public to speak.
- D.1:** **Background:** Chairman Corte-Real asked if there was any one present who wished to speak.
- D.2:** **Questions and Discussions:** A. Tobin, Bristol County Commission Chairman thanked the Board the increase in their budget for FY 12. He also asked if the Board planned to reappoint Commissioners since his term expired in November of 2011. Chairman Corte-Real stated that the Board needed to start with the new appointments first and this would be the Board's first priority. He expected that the Board will be working on this especially for the Commissions that currently do not have quorums.
- Kimberly King, Commissioner from Plymouth County read a statement regarding the cost associated with EEEV illness and survivors. She stated that the Board needs to find common ground and look out for the families of EEEV victims.
- D.3:** **Action Taken:** None.
- E:** *Adjournment and Next Meeting Date:* The Board will announce next meeting date and officially adjourn the meeting.
- E.1:** **Background:** Chairman Corte-Real asked if there was a motion to adjourn the June 3rd meeting.
- E.2:** **Questions and Discussions:** None.
- E.3:** **Action Taken:** A. Carroll made motion to adjourn the meeting at 1:30 PM seconded by G. Gonyea and unanimously voted 3-0.

Respectfully submitted,



Mark S. Buffone
Executive Director