



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 02114-2151



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STATE RECLAMATION AND MOSQUITO CONTROL BOARD (SRMCB)

**Subject:** Summary Meeting Minutes

**Date:** Friday, October 24, 2008

**Place:** 251 Causeway Street, 5<sup>th</sup> floor Conference Room  
Boston, MA 02114

**Attendees:** Mark Buffone, Department of Agricultural Resources /SRMCB, Chairman  
Gary Gonyea, Department of Environmental Protection / SRMCB Member

**Other:** Alisha Bouchard, SRMCB, Projects Administrator  
Michael Rock, DAR, Chief Financial Officer  
Gabrielle Sakolsky, Cape Cod Mosquito Control Project

1.0: **Call to Order and Attendance.** Chairman, Mark Buffone officially called the meeting of the State Reclamation and Mosquito Control Board to order at 11:15AM on Friday, October 24, 2008 at 251 Causeway Street, 5<sup>th</sup> floor Conference Room A, Boston, MA

He stated that today's meeting was posted at both the Secretary of States office and Executive Office of Administration and Finance pursuant to the Open meeting Law. Also, he remarked that today's meeting was posted on the Board's website.

He introduced himself as Chairman and the fact that he was representing the Department of Agricultural Resources (DAR). He also recognized Gary Gonyea who represents the Department of Environmental Protection (DEP).

He remarked that the Board did have a quorum for voting purposes.

Finally, he acknowledged the Board's Projects Administrator, Alisha Bouchard, Michael Rock, DAR, Chief Fiscal Officer, and Gabrielle Sakolsky, Cape Cod MCD as they entered the meeting.

- 1.2: **Opening Remarks:** Chairman Buffone noted that all present had signed the attendance sheet. The Chairman went on to agenda item 2 to approve the cover letter and documents for the MEPA GEIR filing.
- 2.0: **MEPA Filing Update:** Mark Buffone stated that the purpose of today's meeting is to vote to approve MEPA Mosquito Control Special Review procedure filing. The SRMCB has been instructed by MEPA to submit a specific filing to them by November 3, 2008. This filing will contain the following documents to satisfy the requirements of the EIR update:
  - 1) Updated Guidance for Freshwater Mosquito Control (BMP Manual). This document was revised based on public comments received. Specifically, minor changes were made in the sections pertaining to: Rare & Endangered Species, Stormwater BMP Operation and Maintenance, and pre and post-monitoring for mosquito control.
  - 2) Responses to Public Comments on the November 2007 MEPA filing. Most of the issues raised were on matters other than the Guidance for Freshwater Mosquito Control and were concerned with mosquito control in general.
  - 3) SRMCB Final report on the 2006 Aerial Spraying;
  - 4) 2006 EPA final report on the use of Anvil 10 + 10;
  - 5) DPH Workgroup memo on the choice of Anvil 10 + 10 for mosquito control.
  - 6) Request for Responses for Consultant Services to assist in completing the requirements of the MEPA certificate.
  - 7) Other documents as requested in the Public comment letters received on the November 2007 filing.
- 2.1: **Questions and Discussions:** There was no further discussion. Gary Gonyea commented that in prior conversations with Anne Monnelly, she indicated her support for filing these documents at this time. Mark Buffone also noted that another MEPA filing consisting of the OMWM Standards and a ten year summary report on OMWM is due by the end of December. Additional documents to satisfy MEPA requirements will be due by the end of March - before the start of the next mosquito season. Mark Buffone also mentioned that in this filing we will request an extension from MEPA until the end of March.
- 2.2: **Action Taken:** Motion was made by Gary Gonyea to approve, sign, and submit the Special Filing letter and backup documents to MEPA. The motion was seconded by Mark Buffone. Vote to approve and submit was unanimous.

Before proceeding to next agenda item, Chairman Buffone noted that Gabrielle Sakolsky, Michael Rock, and Alisha Bouchard were present to discuss specific budget concerns and shortfalls of the Cape Cod Mosquito Control Project. After evaluating the concerns and shortfalls, it was recommended that the DAR CFO and the Board project administrator would work toward producing monthly and quarterly spending reports for the Cape so that they could more accurately track their expenditures and available balances.

### 3.0: Temporary Moratorium on Pay Increases

3.1. **Background:** At the October 15, 2008 SRMCB meeting many concerns were raised by MCD staff concerning the moratorium on pay raises. Specifically, several MCDs mentioned they had employees who are now working out of grade or in new positions and that the moratorium blocks any pay increases. Mark Buffone mentioned that initially the Moratorium was enacted on September 17, 2007 in anticipation of a reclassification of MCD personnel by HRD. The reclassification however, has not been resolved. The SRMCB believes it is unfair for MCD staff to bear the consequences of this delay. Additionally, the 2009 MCD budgets, as certified by SRMCB, included pay increases for the new job titles and employees with new responsibilities. Mark Buffone recommended that the SRMCB consider accepting requests for pay raises on a case-by-case basis as long as the requests were: consistent with HRD guidelines; the reasons for the increase thoroughly documented; justification including performance appraisals were provided; and statement from MCD Commissioners that their FY09 budget can absorb the pay increase including fringe rate costs. Mark Buffone requested that the MCDs provide information to Alisha Bouchard on a spreadsheet including the Employee name, ID, current salary, new salary, difference, effective date and total cost of the upgrade including fringe. Providing the justification and documentation upfront will speed up the processing of these requests.

### 3.2 Questions and Discussion:

Gary Gonyea enquired if the pay raises were retroactive or from this point forward. Mark Buffone responded that he thought the raises would be retroactive but would pertain to just FY 09. Chairman Buffone would defer this matter to DAR HRD.

The SRMCB will continue to pursue reclassification since the one of the reasons Districts for staff working in similar job titles. The SRMCB does not believe it is fair for MCD staff in similar titles to receive different pay and different annual increases.

Gabrielle Sakolsky asked if the MCDs will be involved in the reclassification process. Chairman Buffone responded that the MCDs have provided resumes and job descriptions and that HRD would contact the Districts if they needed more information.

Gary Gonyea stated the Moratorium made sense. However, since we do not have a schedule for the reclassification process, it also makes sense to revoke the Moratorium. Restated that all MCDs must provide thorough documentation and demonstrate their budgets can absorb the increases. Chairman Buffone stated the MCDs should also provide an evaluation of their staff person that justifies their request. Gary Gonyea also noted that Anne Monnelly, DCR indicated her agreement with revoking the moratorium.

Chairman Buffone stated that the MCDs must use restraint in preparing their 2010 budgets since the State is facing a multi-year fiscal problem. The Districts need to take a long hard look at their budgets - including using temporary positions for peak times when help is most needed and to reduce their fringe costs. The Chairman also stated that Trust accounts are not immune from budget cuts since MCD are state entities and as such need to abide by state regulations.

**3.3: Action Taken:** Mark Buffone made a motion that the SRMCB vote today to revoke the temporary moratorium on pay increases enacted on September 17, 2007. The moratorium would be rescinded until such time that the Board receives additional information on the reclassification process. Gary Gonyea seconded the motion. Vote to revoke the moratorium was unanimous.

**3.4: Other Action and points made after the vote:** Chairman Buffone stated he would send out the notice of the moratorium being revoked electronically this afternoon and hardcopies would be sent out next week. Gabrielle Sakolsky stated that MCDs are aware of budget issues facing their communities and are looking at ways to cut costs.

#### **4.0 Annual Reports**

##### **4.1 Background and Discussion**

Due to time constraints, one item left that was not discussed at the October 15<sup>th</sup> SRMCB meeting was the MCDs Annual Operation Reports. These reports must be filed with the Board no later than February 28, 2009. The Board needs to include these reports with the March MEPA filing. The Board will send out a request soon to the MCD to start compiling information for these reports. Gary Gonyea mentioned that the initial reports produced by the MCDs are a good start and that he would contact Tim Deschamps at the Central MA Mosquito Control Project to discuss including additional information in next year's summary reports.

**4.2: Action Taken:** None

**5.0: Other Business:** Gabrielle Sakolsky requested that the Board contact the Districts to notify them of SRMCB meetings. The Chairman stated that the Board posts notices of their meetings as required with the Secretary of A&F and on our web site. Further, the Board reserves the right to meet as needed to discuss and gather information on various issues. The Board typically schedules all votes on issues of interest at one of the four prescheduled Board meetings. In this specific case, the Board felt it was not fair to delay a vote to revoke the Moratorium until our next meeting in January.

**6.0: Adjournment.**

**6.1: Background:** The Chairman asked if there were any other comments or questions before the Board officially adjourned the meeting.

**6.2: Questions and Discussions:** None.

**6.3: Action Taken:** Gary Gonyea made a motion to adjourn the meeting at 12:07 PM. The motion was seconded by Mark Buffone and voted unanimously.

Respectfully submitted,

Mark S. Buffone  
Chairman