

Minutes
Executive Committee Meeting
Massachusetts Clean Water Trust

DATE: May 20, 2015

START TIME: 1:35

PLACE: State House Room 372

NOTICE: Due public notice given

MEMBERS OF THE EXECUTIVE COMMITTEE –

PRESENT: Sue Perez, Executive Director of the Trust
Rachel Madden, Director of Finance & Administration of the Trust
Steve McCurdy, Director of Program Development of the Trust

ALSO PRESENT: Bernard Greene, Senior Legal Counsel of the Trust
Nate Keenan, Program Manager of the Trust

SUMMARY OF DISCUSSIONS (INCLUDING DECISIONS MADE/ACTIONS TAKEN/ VOTES):

1. ARRA. Mr. Keenan distributed a list of AARA loans that have not been closed. The Committee discussed ways of getting borrowers to finalize their projects and submit closing certificates to DEP. While the treasurers should be motivated to do so, since the loans will remain on the borrowers' books until they are completed, it is not a priority of the engineers who have to certify completion. Ms. Perez suggested that we send a letter to the treasurers with a deadline of the end of the fiscal year to get the project completion certificates to DEP.
2. Best Management Practices. Mr. Keenan reported on the best management practices guidelines being developed by the Trust's consultant, the Abrahams Group, and distributed a timeline for completion of this project. He stated that he expects to have the guidelines ready for approval at the August board meeting, but, if necessary, the approval can be pushed back to September. He expects to receive comments back from the consultant next week. The Trust and DEP will then begin to obtain input from stakeholders, including representatives of municipal and district drinking water, wastewater, and storm-water systems, financial managers of such systems, and environmental organizations, as required by Chapter 259, Acts of 2014, §53. We will also work with the Department of Revenue's division of local services. Sean Cronin is the contact at DOR. The final statutory deadline to establish and publish the guidelines is January 5, 2016, which is one year after the issuance of sustainability criteria by EPA.
3. Small Borrowers. Mr. Keenan distributed a timeline for completion of the review of the application process for communities with less than 10,000 population, as required by c. 259, Acts of 2014, §59. The Committee discussed various ideas for

assisting such borrowers to reduce their costs, including waiving the interim loan fee and allowing such communities to finance their bond counsel fees with their bonds. Recommendations from DEP are due to the legislature by June 15, 2015.

4. Rounding Payments. The EPA has suggested that the Trust formulate a policy on rounding payments to the nearest dollar, in order to address problems that arise with loans that are swapped, the loan agreement payment calculations, and other issues.
5. Fall River. Messrs. McCurdy and Keenan reported on meetings they attended with certain officials of Fall River to discuss the City's financial difficulties. They also reported on a letter that the Board of Trustees of the Trust received from the City's legislative delegation. The officials and the legislators are asking the Trust to waive the administrative fee on all of the city's loans and to give it a grant of \$1 million from the Trust's administration fund. Ms. Perez noted that the Trust could not use the administration fund for a grant because of federal guidelines and that it would be bad practice to waive the administrative fees for Fall River because of the precedent it would set. The Committee decided that the June Board meeting should include a discussion of how to respond to the letter. Ms. Madden suggested incorporating any steps that can be taken by the Department of Revenue to assist the city.
6. Mansfield Norton Foxborough. The Committee discussed the steps necessary to finalize the transfer of certain Trust loans from the City of Mansfield to the newly formed Mansfield Norton Foxborough Wastewater District. Mr. Delaney stated that the IUP will not have to be amended but that the file should show what steps were taken. EPA should also be notified and the changes incorporated into the federal National Information Management System.
7. Budget. Ms. Perez reported that the Trust will have to pass a temporary budget in June covering 2/12th of the fiscal year. This will give the Trust additional time to complete the full budget by August.
8. Replacement Loans. Mr. Keenan reported on replacement loans for Barnstable and Northampton for projects financed with interim loans that have been rolled over from years ago. The Trust will send these towns and other cities and towns a letter stating that all of their interim loans will expire in 2016.
9. Board Meeting with Cape Cod Commission. Ms. Perez reported that there will be a second Board meeting in June that will be held on June 29. The meeting will be in the State Treasurer's office and will include the other *ex officio* members of the Trust's Board and the primary agenda item will be an update from the Cape Cod Commission on its Section 208 Plan.
10. Greater Lawrence Sanitary District. Mr. Keenan reported on discussions he had with the Greater Lawrence Sanitary District regarding its cogeneration project that is on the 2015 IUP as a DEP priority project.

LIST OF DOCUMENTS AND EXHIBITS USED:

1. List of Outstanding ARRA Loans
2. Small Borrower Completion Timeline
3. Best Management Practices Project Timeline

The meeting adjourned at 2:30 p.m.

Approved: July 1, 2015