

Minutes
Executive Committee Meeting
Massachusetts Clean Water Trust

DATE: May 24, 2017

START TIME: 1:30 p.m.

PLACE: State House, Room 327

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, Deputy Director of the Trust
Jane Peirce, Department of Environmental Protection

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

1. Cape Cod Commission. The Committee discussed an amendment to the Senate budget submitted by Senator Cyr that would create a new funding entity called the Cape Cod Clean Water Trust (“CCCWT”). The CCCWT would have authority to issue bonds with a pledge of the Commonwealth’s credit. The purpose of the CCCWT would be to provide financial assistance to Cape Cod cities and towns for clean water projects on the Cape. Although the amendment was withdrawn, the Committee was of the opinion that the ideas in the amendment could return. There was discussion of the Cape Cod Commission’s thinking and it was reported that the Trust will be meeting with the Commission next week.
2. Disadvantaged Business Enterprise Objectives. Mr. McCurdy reported that Kristin LaCroix sent the letter on the Trust’s disadvantage business enterprise objectives to Larry Wells of EPA’s Region One. She has not yet received a response.
3. Holyoke. Mr. McCurdy reported that DEP’s regional office has inquired about the Holyoke application to the EPA for funding under the Water Infrastructure Finance and Innovation Act, but has not heard back. They last talked to Holyoke Water in the fall concerning permitting issues. Mr. Keenan said he will call the person who did the application.
4. Grant Application. Mr. Keenan reported that the Trust is working on its federal grant application but the final grant amount has not been determined. The Trust and DEP plan to complete the federal grant application using 2016 grant allocation amounts and expect to submit in Mid-June. Jaime Bourne, EPA’s regional director said that the 2016 grant numbers can be used and when the final numbers are

available for 2017, EPA will correct the application. Mr. McCurdy reported that they have received the Attorney General's letter, but they have not completed the determination of the "group of projects" (those projects expected to draw the federal grant funds) to be listed in the application.

5. Budget. Mr. McCurdy reported that DEP may have to do a temporary budget covering 1/12 of the fiscal year because the state budget is not yet settled.
6. Payment Requests. Mr. McCurdy reported that DEP is considering allowing borrowers to submit payment requisitions electronically. The Committee discussed whether the signature can be in a PDF or whether a wet signature is required in accordance with the Trust policies. Ms. Perez stated that the Trust can accept a PDF.
7. Contract Assistance. Mr. Keenan distributed a Contract Assistance Discussion document to the Committee and gave an overview of the Trust's contract assistance line item amounts since 2010 and projecting the fiscal year 2018 line-item and expected subsidy into the future. He noted that the contract assistance line-item in the budget has declined from \$68 million in 2010 to \$57.9 million in the fiscal year 2018 budget. As a result, the contract assistance amount will not be sufficient to provide a substantial additional subsidy funding pursuant to the 2014 legislation (chapter 259, Acts of 2014). The Committee also discussed the language to be used in the IUP to address how borrowers can demonstrate their adoption of best management practices, which is a condition of receipt of additional subsidy according to the 2014 legislation.

LIST OF DOCUMENTS AND EXHIBITS USED:

1. Contract Assistance Discussion
2. General Laws, Chapter 29C, §6
3. Chapter 259, Acts of 2014, §55

The meeting adjourned at 2:20 p.m.

Approved: August 9, 2017