

**MEETING OF THE MASSACHUSETTS  
CLEAN WATER TRUST  
BOARD OF TRUSTEES**

February 2, 2022  
1:30 PM

**Location: Remote\***

**NOTICE & AGENDA**

**CALL TO ORDER**

Item #1 **MOTION- VOTE REQUESTED**

Acceptance and approval of minutes of the meeting held on January 5, 2022.

Item #2 **REPORT OF THE EXECUTIVE COMMITTEE**

Item #3 **MOTION- VOTE REQUESTED**

***Establishment of a Prequalified List of Firms for Legal Services***

1. That the recommendation of the Procurement Management Team, established pursuant to the Trust's Request for Responses for Pre-Qualification for Legal Services, dated November 29, 2021 (the "PreQual-RFR"), distributed to the Board, to prequalify firms for legal services, is hereby approved.
2. That the Board hereby delegates to the Executive Director all necessary power and authority to negotiate and to take any such further action as necessary to finalize the prequalification of the selected firms for three years with an option of a one-year extension, and to execute and deliver such contracts or agreements supplementing the Contract Documents of the PreQual-RFR, and to take all such further steps and actions necessary to finalize the prequalified list of firms.
3. That the Board hereby further delegates to the Executive Director all necessary power and authority to engage prequalified firms, as needed, as outside counsel on an ad-hoc basis for the services listed below:
  - a. Outside General Counsel
  - b. Bond Counsel
  - c. Underwriters' Counsel

Item #4

**MOTION- VOTE REQUESTED**

***Use of ARPA Funds to Provide Additional Subsidies in the Form of Principal Forgiveness***

1. That the Board approves the submission of a report, in substantially the form presented at this meeting (the “Report”), to the Executive Office for Administration and Finance, the Joint Committee on Environment, Natural Resources and Agriculture and the House and Senate Committees on Ways and Means, as required by Chapter 102 of the Acts of 2021 (“Chapter 102”), on proposed allocations and spending plans for programs to be funded with American Rescue Plan Act (“ARPA”) funds appropriated by Chapter 102, including program criteria and guidelines for the distribution of such funds.
2. That the Board approves the use of ARPA funds appropriated under Chapter 102 to provide additional subsidies in the form of principal forgiveness for certain Drinking Water projects based on the eligible costs presented in the Report, including: for per- and poly-fluoroalkyl substances (PFAS) remediation projects, 20% principal forgiveness; for small systems, 15% principal forgiveness; and for other Drinking Water projects, 10% principal forgiveness.
3. That the Board approves the use of ARPA funds appropriated under Chapter 102 to provide additional subsidies in the form of principal forgiveness for certain Clean Water projects based on the eligible costs presented in the Report, including: for combined sewer overflow (CSO) projects, 15% principal forgiveness; and for other Clean Water projects, 7.5% principal forgiveness.
4. That the Executive Director and such other officers of the Trust as the Executive Director may delegate are hereby authorized to execute and deliver such certifications, reports and notices and perform all such further steps and actions as necessary or convenient under Chapter 102, MGL c.29C and otherwise with respect to the ARPA funds appropriated under Chapter 102 and to provide the additional subsidies referenced in this vote.

Item #5

**MOTION- VOTE REQUESTED**

***Approval of Drinking Water Commitments***

<b><u>PAC No.</u></b>	<b><u>Borrower</u></b>	<b><u>Amount</u></b>	<b><u>Interest Rate</u></b>
DW-22-01	North Attleborough	\$4,541,545	0% <sup>1</sup>
DW-21-06	Westfield	\$15,548,617 <sup>2</sup>	2%

Item #6

**MOTION- VOTE REQUESTED**

***Approval of the Clean Water Loan/Local Government Obligation and Financing Agreement***

<b><u>PRA No.</u></b>	<b><u>Borrower</u></b>	<b><u>Amount</u></b>	<b><u>Interest Rate</u></b>
CW-21-28	Weymouth	\$591,000	1.5% <sup>3</sup>

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<sup>1</sup> PFAS Remediation Loan

<sup>2</sup> First Revision. Original PAC amount was \$14,827,450.

<sup>3</sup> Housing Choice Loan

Item #7

**MOTION- VOTE REQUESTED**

*Approval of the Drinking Water Loans/Local Government Obligations and Financing Agreements*

<u>PRA No.</u>	<u>Borrower</u>	<u>Amount</u>	<u>Interest Rate</u>
DWP-22-01	North Attleborough	\$4,541,545	0% <sup>4</sup>
DWP-21-06	Westfield	\$15,548,617	0% <sup>5</sup>

**OTHER BUSINESS**

*(Items not reasonably anticipated by the Chair 48 hours in advance of the meeting)*

**ADJOURN**

**\*Location: Remote:** Pursuant to Chapter 20 of the Acts of 2021: Notice is hereby given in accordance with M.G.L.c.30A, § 20, that the Wednesday, February 2, 2022 meeting of the Massachusetts Clean Water Trust's Board of Trustees will be held through remote participation. Pittsfield CWP-18-12 qualifies for a 0% interest rate loan due to the project remediating nutrient loading in surrounding water bodies.

Those interested in attending the online meeting can do so by visiting <https://zoom.us/j/93515986199?pwd=Qm9TWElPR3VMTUlkeUxVZlBaalA0dz09>. The Meeting ID is 935 1598 6199 and the password is 143459.

Alternatively, if you wish to participate just by telephone, call (646)558-8656 and then enter the attendee Access Code 935-1598-6199 followed by the pound (#) sign.

To ensure that the audio is clear to all attendees, unless you are actively participating in the meeting, please mute your audio. If you have technical difficulties joining the meeting, please email Joshua Derouen at [jderouen@tre.state.ma.us](mailto:jderouen@tre.state.ma.us)

**Please Note:** There will be no physical meeting at the offices of the Massachusetts Clean Water Trust.

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<sup>4</sup> PFAS Remediation Loan

<sup>5</sup> PFAS Remediation Loan