

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

June 1, 2022
1:30 PM

Location: Remote*

Minutes

Attendees: James MacDonald, First Deputy Treasurer, Office of the State Treasurer, Designee
Martin Suuberg, Commissioner of MassDEP
Timur Yontar, Assistant Budget Director for Capital, Executive Office for
Administration & Finance, Designee

Also Present: Susan Perez, Executive Director, MCWT
Nate Keenan, Deputy Director, MCWT
My Tran, Treasurer, MCWT
Sally Peacock, Controller, MCWT
Pam Booker, Accountant, MCWT
Sunkarie Konteh, Accountant, MCWT
Nicole Munchbach, Accountant, MCWT
William Kalivas, Treasury Specialist, MCWT
Rachel Stanton, Investor Relations and Communications Graphic Designer,
MCWT
Jonathan Maple, Senior Policy Analyst, MCWT
Joshua Derouen, Senior Program Associate, MCWT
Kailyn Fellmeth, Program Associate, MCWT
Julian Honey, Program Associate, MCWT
Kathleen Baskin, Assistant Commissioner, MassDEP
Maria Pinaud, Director of Municipal Services, MassDEP
Robin McNamara, Deputy Director of Municipal Services, MassDEP
Jennifer Pederson, Executive Director, Massachusetts Water Works Association

CALL TO ORDER: The meeting was called to order by Mr. MacDonald at 1:30 p.m.

Item #1

MOTION- VOTE

Acceptance and Approval of May 4, 2022 Minutes

The motion was made by Mr. Yontar and seconded by Commissioner Suuberg and voted unanimously in favor of acceptance and approval of the minutes of the meeting of the Board held on May 4, 2022.

Item #2

REPORT OF THE EXECUTIVE COMMITTEE

Ms. Perez said that next week, the Trust will have a booth in the exhibitor hall at the Annual Massachusetts Collectors & Treasurer's Associate Conference. Mr. Derouen will be giving a presentation on the Trust's financing programs.

The final 2022 Intended Use Plans (IUPs) have been published.

The Trust is working on applying for its annual EPA and Bipartisan Infrastructure Law (BIL) grants. We are looking to use funds from these grants for new initiatives such as a new lead service line planning program which is up for Board approval at this meeting. Working groups will meet to discuss other grant fund uses.

The next Board meeting will be on June 29th rather than July 6th.

Item #3

MOTION- VOTE

The motion was made by Commissioner Suuberg and seconded by Mr. Yontar.

Ms. Perez said that another response was received for the ongoing prequalification of consulting engineering firms for the development of asset management plants request for responses. The responding firm was GZA GeoEnvironmental Inc. The procurement management team met and evaluated the response according to the memo that has been presented to the Board.

The motion was voted unanimously in favor of acceptance and approval of the following:

Prequalification of Consulting Engineering Firm for the Development of Asset Management Plans for Eligible Borrowers

That the recommendation of the procurement management team, established pursuant to the Trust's request for responses, dated June 2, 2021, distributed to the Board, to prequalify a firm to provide consulting engineering services to "eligible entities" that are Massachusetts cities, towns, and utility districts for the development of asset management plans, is hereby approved.

That the Board hereby delegates to the Executive Director, and/or other authorized officers of the Trust, all necessary power and authority to take any such further action as necessary to finalize the prequalification of the selected firm.

MOTION- VOTE

The motion was made by Mr. Yontar and seconded by Commissioner Suuberg.

Mr. Keenan said that this program has been in development since BIL was signed. The latest EPA guidelines gave us what we needed to finalize this program.

The goal of the program is to be free to the communities but due to EPA regulations, grants are more administratively burdensome than running the program as 100% loan forgiveness.

We are hoping to see communities complete the planning process through our new program and then apply for loans for capital projects to come into compliance with the Lead and Copper Rule Revisions.

The motion was voted unanimously in favor of acceptance and approval of the following:

Lead Service Line (LSL) Planning Program

1. The Trust hereby approves the establishment of a program (the “LSL Planning Program”) to provide financial assistance in the form of loans subject to 100% principal forgiveness, to assist eligible borrowers to inventory and plan for the replacement of lead service lines within and connecting to such borrowers’ drinking water systems. LSL Planning Program Loans are authorized in an aggregate amount of up to \$20 million to be funded from, and subject to the terms and conditions of, federal Supplemental Lead Service Line Capitalization Grants made pursuant to the Bipartisan Infrastructure Law and available federal grant moneys under the Water Infrastructure Transfer Act.
2. The Trust authorizes and directs the Executive Director, and such other officers of the Trust as the Executive Director may delegate, to develop such additional LSL Planning Program description and documentation (including without limitation financing agreements), to cooperate with the Department of Environmental Protection to solicit proposals for loans eligible for the LSL Planning Program, to deliver such certifications, agreements and notices and to perform all such further steps and actions as necessary or convenient to effect implementation of the LSL Planning Program.

Item #5

MOTION- VOTE

The motion was made by Commissioner Suuberg and seconded by Mr. Yontar.

Mr. Keenan said that the MassDEP Drinking Water Program identified small public water suppliers (PWSs) that may not have the administrative capabilities to access the 100% loan forgiveness program through the Trust. The \$1.3 million from the approval of this motion will help provide technical assistance to those small PWSs to complete the same lead identification and planning work as the loan forgiveness program.

Mr. MacDonald asked if MassDEP will be conducting outreach.

Ms. Pinaud said that the MassDEP Drinking Water Program works with small PWSs regularly. They will do a multi-channel outreach to the small PWSs. The 2022 Drinking Water Intended Use Plan (IUP) will be amended to inform the public of this opportunity. E-mail announcements will go out to all communities when the 2023 IUP SRF project solicitation opens in July.

The motion was voted unanimously in favor of acceptance and approval of the following:

Fund LSL Small System Technical Assistance

1. The Trust hereby approves the transfer to the Department of Environmental Protection (DEP) of up to \$1.3 million of Small System Technical Assistance set-asides under federal Supplemental Lead Service Line Capitalization Grants made pursuant to the Bipartisan Infrastructure Law, for use by DEP, subject to the terms and conditions of such federal grants, in providing direct technical assistance to small drinking water systems to inventory and plan for the replacement of lead service lines within and connecting to such small drinking water systems.

Item #6

MOTION- VOTE

The motion was made by Mr. Yontar and seconded by Commissioner Suuberg and voted unanimously in favor of acceptance and approval of the following:

Approval of Asset Management Program Commitments

<u>PAC No.</u>	<u>Recipient</u>	<u>Amount</u>
DW-22-10	Avon	\$150,000
CW-22-04	Montague	\$150,000

Item #7

MOTION- VOTE

The motion was made by Commissioner Suuberg and seconded by Mr. Yontar and voted unanimously in favor of acceptance and approval of the following:

Approval of Clean Water Commitments

<u>PAC No.</u>	<u>Borrower</u>	<u>Amount</u>	<u>Interest Rate</u>
CW-21-42	Barnstable	\$2,761,225 ¹	1.5% ²
CW-22-09	MWRA	\$1,434,000	2%

Item #8

MOTION- VOTE

The motion was made by Mr. Yontar and seconded by Commissioner Suuberg and voted unanimously in favor of acceptance and approval of the following:

Approval of Drinking Water Commitments

<u>PAC No.</u>	<u>Borrower</u>	<u>Amount</u>	<u>Interest Rate</u>
DW-22-02	Mansfield	\$6,999,694	0% ³
DW-22-04	Orange	\$1,351,700	2%
DW-22-05	Sudbury Water District	\$3,984,969	2%

Item #9

MOTION- VOTE

The motion was made by Commissioner Suuberg and seconded by Mr. Yontar and voted unanimously in favor of acceptance and approval of the following:

Approval of Asset Management Program Agreements

<u>PRA No.</u>	<u>Recipient</u>	<u>Amount</u>
DWA-22-10	Avon	\$150,000
CWA-22-04	Montague	\$150,000
CWA-21-29	Wellesley	\$71,520

Item #10

MOTION- VOTE

The motion was made by Mr. Yontar and seconded by Commissioner Suuberg and voted unanimously in favor of acceptance and approval of the following:

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

<u>PRA No.</u>	<u>Borrower</u>	<u>Amount</u>	<u>Interest Rate</u>
CWP-21-42	Barnstable	\$2,761,225 ⁴	1.5% ⁵
CWP-21-25	Lawrence	\$2,625,000	1.5% ⁶
CW-21-34	Revere	\$1,500,000	2%
CWP-21-11	Springfield Water & Sewer Commission	\$33,692,134	2%

¹ First Revision. Previous PAC amount was \$2,100,000.

² Housing Choice Loan

³ PFAS Remediation Loan

⁴ First Revision. Previous PRA amount was \$2,100,000.

⁵ Housing Choice Loan

⁶ Housing Choice Loan

Item #11

MOTION- VOTE

The motion was made by Commissioner Suuberg and seconded by Mr. Yontar and voted unanimously in favor of acceptance and approval of the following:

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

<u>PRA No.</u>	<u>Borrower</u>	<u>Amount</u>	<u>Interest Rate</u>
DWP-22-02	Mansfield	\$6,999,694	0% ⁷

⁷ PFAS Remediation Loan

MOTION- VOTE

The motion was made by Mr. Yontar and seconded by Commissioner Suuberg.

Mr. MacDonald asked if this round is the first to offer grants beyond public schools.

Mr. Maple confirmed that this and the previous vote included projects for private facilities. These projects are funded from a grant awarded by the US EPA in 2021 to expand SWIG eligibility. With this motion, the Trust will have awarded four grants to private facilities.

The motion was voted unanimously in favor of acceptance and approval of the following:

School Water Improvement Grant (SWIG) Program

On January 8, 2020, the Board approved the establishment of a School Water Improvement Grant (SWIG) program to provide assistance in the form of grants (including, without limitation, an additional subsidy equivalent to a loan at an interest rate of zero percent and principal forgiveness, as provided in Section 6(c) of the Enabling Act) to eligible borrowers for the procurement and installation of point-of-use filtered water bottle-filling stations in eligible educational facilities where there are known lead exceedances (as determined by the Department of Environmental Protection).

The following vote approves the awarding of grants to recipients and in the amounts as specified in such vote, subject to the terms of the applicable grant agreement.

Approval of SWIG Program Grants

That School Water Improvement Grants, numbered, to the grantees and in the amounts as follows are hereby approved, subject to the terms of the applicable grant agreement:

<u>Grant No.</u>	<u>Grantee</u>	<u>Grant Amount</u>
SWIG-22-07	Amherst-Pelham Regional School District	\$30,000
SWIG-22-08	Christ Church Parish Day School	\$3,000
SWIG-22-09	Easton Public Schools	\$3,000
SWIG-22-10	Hampden-Wilbraham Regional School District	\$3,000
SWIG-22-11	Lunenburg Public Schools	\$6,000
SWIG-22-05	Medway Public Schools	\$36,000⁸
SWIG-22-12	MetroWest Jewish Day School	\$3,000

OTHER BUSINESS: None

ADJOURN: The motion was made by Mr. Yontar and seconded by Commissioner Suuberg and voted unanimously in favor of adjourning the meeting at 1:44 p.m.

⁸ First Revision. Previous award amount was \$15,000.

LIST OF DOCUMENTS AND EXHIBITS USED:

1. Minutes, May 4, 2022
2. Memorandum of Prequalified Consulting Engineering Firms Recommendations
3. Project Descriptions

***Location: Remote:** Notice is hereby given that the Wednesday, June 1, 2022 meeting of the Massachusetts Clean Water Trust's Board of Trustees will be held through remote participation in accordance with M.G.L.c.30A, §20, as modified by c.20 of the Acts of 2021 and c.22 of the Acts of 2022.

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

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