

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

September 2, 2015
1:30 PM

Conference Room
3 Center Plaza, Suite 430
Boston, Massachusetts

Minutes

Attendees: Treasurer Deborah Goldberg, Chair
Steven McCurdy, Director of Municipal Services, MassDEP
Rachel Madden, Executive Office for Administration and Finance Designee

Also Present: David Falcone, Chief of Staff, Office of the Treasurer and Receiver General
James A. MacDonald, First Deputy Treasurer
Sue Perez, Executive Director, MCWT
Nathaniel Keenan, Deputy Director, MCWT
My Tran, Treasurer, MCWT
Bernard Greene, Senior Legal Counsel, MCWT
Sally Peacock, Controller, MCWT
William Kalivas, Treasury Specialist, MCWT
Pamela Booker, Accountant, MCWT
Shahrima Hussain, Accountant, MCWT
Heather Saxelby O'Donnell, Program Specialist, MCWT
Joe Delaney, Deputy Director of Municipal Services, MassDEP

CALL TO ORDER: The meeting was called to order by Treasurer Goldberg at 1:41 PM.

Item #1

MOTION- VOTE

The motion was made by Rachel Madden, seconded by Steven McCurdy and **voted unanimously in favor** of acceptance and approval of the minutes of the meeting held on August 5, 2015.

Item #2

REPORT OF THE EXECUTIVE COMMITTEE

Ms. Perez reported on the following:

1. The Trust staff has worked on affordability criteria, which is now out for public comment. Adoption of new criteria is a requirement under 2014 amendments to the Clean Water Act.
2. Mr. Keenan reported that the new criteria for affordability will include per capita income, unemployment and population trends from 2010-2014. Each community in the Commonwealth will be compared to the statewide average. There will be three tiers, the first being those communities under 60% of the statewide average, the next being 60-80% of the statewide average and the last being above 80% of the statewide average. The three tiers will receive different allocations of principal forgiveness, with the communities below 60% receiving the most. One written response has been provided to the Trust to date. The deadline for public comment is Friday, September 4th. A special Board of Trustees meeting will need to be scheduled by the end of September to approve the criteria. Treasurer Goldberg noted that the meeting would need to be put on her calendar soon.
3. Ms. Madden complemented the Trust staff and Mr. McCurdy for their work on the affordability criteria. She stated that the product was very thoughtful and well put together. The criteria could be used elsewhere in the Commonwealth.
4. Ms. Perez noted that Best Practices are another requirement of the 2014 amendments to the Clean Water Act. Those must be completed by January.

Item #3

MOTION- VOTE

The motion was made by Rachel Madden, seconded by Steven McCurdy and **voted unanimously in favor** of acceptance of the following:

Engagement of Program Counsel

1. That the Recommendation of the Procurement Management Team, established pursuant to the Trust's Request for Responses: Legal Services- Program Counsel dated July 28, 2015 (the "RFR") is hereby approved.
2. The Board hereby delegates authority to the Executive Director to negotiate, reach agreement and execute a contract or contracts with the selected program counsel in accordance with the RFR and to take all such further actions necessary to finalize the engagement of said program counsel.

Item#4

MOTION- VOTE

The motion was made by Steven McCurdy, seconded by Rachel Madden and **voted unanimously in favor** of acceptance of the following:

Clean Water Loan Commitment

<u>PAC No.</u>	<u>Borrower</u>	<u>Amount</u>	<u>Equivalent Interest Rate</u>
CW-12-01	Fitchburg	\$6,534,905 ¹	2%

Item #5

MOTION- VOTE

The motion was made by Steven McCurdy, seconded by Rachel Madden and **voted unanimously in favor** of acceptance of the following:

Drinking Water Loan Commitment

<u>PAC No.</u>	<u>Borrower</u>	<u>Amount</u>	<u>Equivalent Interest Rate</u>
DW-11-21	Lowell	\$5,700,720 ²	2%

Item #6

MOTION- VOTE

The motion was made by Steven McCurdy, seconded by Rachel Madden and **voted unanimously in favor** of acceptance of the following:

Clean Water Loans/Local Government Obligations and Financing Agreements

<u>Project/PAC No.</u>	<u>Borrower</u>	<u>Loan/LGO Amount</u>	<u>Equivalent Interest Rate</u>
CWP-12-01-A	Fitchburg	\$721,649	2%
CWP-15-01 ³	Lynn Water & Sewer Commission	\$5,268,266	2%
CWP-13-16 ⁴	Revere	\$7,378,232	2%

¹First Revision. Original PAC amount was \$5,813,257.

²This loan was originally voted as \$5,611,768 at the August 5, 2015 Board of Trustee Meeting in error. This vote reflects the corrected amount.

³Previously voted June 3, 2015. Now being voted with environmental justice designation.

⁴Previously voted June 3, 2015. Now being voted with environmental justice designation.

Item #7

MOTION- VOTE

The motion was made by Steven McCurdy, seconded by Rachel Madden and **voted unanimously in favor** of acceptance of the following:

Drinking Water Loans/Local Government Obligations and Financing Agreements

<u>Project/PAC No.</u>	<u>Borrower</u>	<u>Loan/LGO Amount</u>	<u>Equivalent Interest Rate</u>
DWP-15-01	Eastham	\$13,651,429⁵	2%
DW-14-03	Manchester-by- the-Sea	\$1,440,000	2%

OTHER BUSINESS: None.

ADJOURN: Seeing no other business, at 1:58 PM, the motion to adjourn was made by Steven McCurdy and voted unanimously in favor.

⁵First Revision. Original PRA amount was \$2,979,493.