



Water Supply District of Acton

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Board of Water Commissioners and Finance Committee Meeting Agenda

Monday, July 10, 2023 @ 3:00 PM

Due to the COVID-19 Pandemic, meetings are being held virtually via Zoom

Please click the link below to join the webinar:

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Webinar ID: 856 1009 6189

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- **Comments from the public**

OLD BUSINESS:

- Update on BALDCO Acquisition
- Update on 549 Main Street

NEW BUSINESS:

- Vote to approve the issuance and details to a loan from the Massachusetts Clean water Trust for Loan No. DW-23-01 and sign related closing documents
- Waiver of Fees for Powder Mill Place 40B Project

Any agenda item(s) which did not come to the attention of the Board of Water Commissioners 48 hours prior to this meeting and were not reasonably anticipated.

EXECUTIVE SESSION: -- To consider the purchase, exchange, lease of real property as an open meeting may have a detrimental effect on the negotiating position of the District

VOTE OF THE BOARD OF WATER COMMISSIONERS

I, the District Clerk of the Board of Water Commissioners (the "Board") of the Water Supply District of Acton, Massachusetts (the "District"), certify that at a meeting of the Board held July 10, 2023, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appear upon the official record of the board in my custody:

- VOTED:
- (1) that the District shall issue a bond or bonds in an aggregate principal amount not to exceed \$1,000,000 (the "Bonds") pursuant to Chapters 29C and 44 of the General Laws and a vote of the District passed April 13, 2022 (Article 17), which authorized a total borrowing of \$1,000,000, for the drinking water project identified in such votes (the "Project");
 - (2) that in anticipation of the issuance of the Bonds the Treasurer is authorized to issue an interim loan note or notes (the "Notes") from time to time in an aggregate principal amount not to exceed \$1,000,000;
 - (3) that each Bond or Note shall be issued as a single registered security, and sold to the Massachusetts Clean Water Trust (the "Trust") at a price determined pursuant to the Financing Agreement;
 - (4) that the Treasurer is authorized to determine the date, the form, the maximum interest rate and the principal maturities of each Bond and Note, and to execute a Financing Agreement (or Agreements) with the Trust with respect to the sale of the Bonds and Notes, such date, form and maturities and the specific interest rate or rates of the Bonds and Notes to be approved by a majority of the Board and the Treasurer and evidenced by their execution of the Bonds or Notes;
 - (5) that any certificates or documents relating to the Bonds (collectively, the "Documents"), may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same document; delivery of an executed counterpart of a signature page to a Document by electronic mail in a ".pdf" file or by other electronic transmission shall be as effective as delivery of a manually executed counterpart signature page to such Document; and electronic signatures on any of the Documents shall be deemed original signatures for the purposes of the Documents and all matters relating thereto, having the same legal effect as original signatures.
 - (6) that all action taken to date by the District and its officers and agents to carry out the Project and its financing, including the execution of any loan commitment or agreement by the Treasurer, are hereby ratified, approved and confirmed; and

- (7) that the Treasurer and the other appropriate District officials are each hereby authorized to take any and all actions necessary or convenient to carry out the provisions of this vote, including execution and delivery of the Financing Agreement(s) and the Project Regulatory Agreement(s) relating to the Project.

I further certify that the vote was adopted at a meeting open to the public, that no vote was taken by secret ballot, that notice stating the place, date, time and agenda of the meeting (which agenda included the adoption of the above vote) was filed with the District Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the District Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decisions in connection with the sale of the Bonds or Notes were taken in executive session, and that the official record of the meeting was made available to the public promptly and remains available to the public, all in accordance with G.L. c.30A, §§18-25, as amended. I further certify that the vote has not been amended, supplemented or revoked and remains in effect on this date.

Dated: July 10, 2023

Clerk of the Board of Water Commissioners