

**Massachusetts School Building Authority
Board Meeting Minutes of April 14, 2021**

A meeting of the Massachusetts School Building Authority (the “Authority” or “MSBA”) was held on April 14, 2021. The meeting was held remotely via Zoom.

Members Present: Deborah Goldberg, State Treasurer and Chair; Sean Cronin, Designee of the Secretary of Administration and Finance; Matt Deninger, Designee of the Commissioner of Education; Anne Brockelman, appointed member; Terry Kwan, appointed member; Greg Sullivan, appointed member; and Sheila Vanderhoef, appointed member.

Others Present: James MacDonald, Chief Executive Officer; Jack McCarthy, Executive Director/Deputy Chief Executive Officer; Mary Pichetti; Laura Guadagno; Christine Nolan; Matt Donovan; Maria Puopolo; Stacy Patino; Barbara Hansberry; Diane Sullivan; Brian Kelley; Colleen Smith; Mike Bergquist; Siobhan Tolman; Karl Brown; Katie DeCristofaro; John Jumpe; Mike McGurl; Christy Murray; municipal representatives; legislative representatives; local elected officials; and other members of the MSBA and the public.

Call to Order

The Chair called the meeting to order at 10:00 a.m. and asked if anyone is recording the meeting. No one announced that they were recording the meeting.

She then explained that the meeting is being held under an “Order Suspending Certain Provisions of the Open Meeting Law” that was issued by Governor Baker on March 12, 2020, which permits remote participation by all Board members and allows the MSBA to use adequate alternative means, such as a conference call line, to ensure public access to the deliberations of the Board.

Next, the Chair provided a brief overview of the items on the agenda for the meeting. She explained that the Board will be voting to: approve minutes from the February 11, 2021 Board meeting; invite fifteen 2020 Core Program Statements of Interest into the Eligibility Period; invite three districts into Feasibility Study; and authorize four proposed projects to proceed into Preferred Schematic Design, with a combined estimated \$478.9 million in total project costs. The Board will also be voting to invite three districts to enter into Project Scope and Budget Agreements, with a combined Estimated Maximum Total Facilities Grant of approximately \$85.9 million. Additionally, the Board will be voting to approve nine final audits from six districts with a combined Final Total Facilities Grant amount of approximately \$37.5 million. Finally, the Board will vote on authorizing a defeasance of outstanding bonds.

Acceptance of the February 11, 2021 Minutes

The Chair asked for a motion to accept the minutes of the February 11, 2021 Board meeting. A motion was made by Ms. Kwan and seconded by Mr. Deninger:

Approval of the Minutes of the February 11, 2021 Board Meeting

VOTED: That the Board of Directors of the Massachusetts School Building Authority hereby approves the Minutes of the February 11, 2021 Board meeting.

The April 14, 2021 Board Meeting minutes were approved by the MSBA's Board of Directors at the May 24, 2021 meeting.

There being no Board discussion, the Chair asked for a roll call vote of the Board.

Roll Call Vote:

Anne Brockelman – Yes
Terry Kwan – Yes
Sheila Vanderhoef – Yes
Sean Cronin – Yes
Matt Deninger – Yes
Greg Sullivan – Yes
Deborah Goldberg – Yes

The motion passed – 7 in favor, 0 against, 0 abstaining.

Invitation to Eligibility Period

MSBA Capital Program Manager Katie DeCristofaro explained that the Board will be asked to vote to invite the following districts into the Eligibility Period: the Town of Agawam for the Agawam High School, the Town of Belchertown for the Jabish Brook Middle School, the Town of Berkley for the Berkley Community School, the Town of Burlington for the Fox Hill Elementary School, the Town of Clinton for the Clinton Middle School, the Town of Dedham for the Oakdale Elementary School, the City of Holyoke for the William R. Peck School, the Town of Hopkinton for the Elmwood Elementary School, the City of Lynn for the Pickering Middle School, the City of New Bedford for the John B. Devalles Elementary School, the City of Newton for the Countryside Elementary School, the City of Quincy for the Squantum Elementary School, the Town of Scituate for the Hatherly Elementary School, the Town of Stoughton for the South Elementary School and the Town of Wilmington for the Wildwood Elementary School.

She explained that the MSBA received 161 Statements of Interest (SOIs) in 2020. Ninety were received for the Accelerated Repair Program and 71 were received for the Core Program. Accelerated Repair Program conclusions and invitations are complete with today's focus on the Core SOI submissions.

At the December 2, 2020 Facilities Assessment Subcommittee (FAS) meeting, MSBA staff reported that the 2020 Statement of Interest due diligence commenced when the SOI system closed on May 6, 2020. Having had the opportunity to speak with districts after school started in the fall of 2020, MSBA staff were better able to understand their school operations. At the December 2, 2020 FAS meeting, MSBA staff recommended 30 further review SOIs, 15 of which were senior study candidates to be conducted in late January/early February.

MSBA staff completed the 15 senior studies in two parts this year: (1) a virtual meeting, and (2) either a live virtual tour (for three of the 15) or a pre-recorded virtual tour (12 of the 15). The live virtual tours and pre-recorded tours were not originally planned but were implemented to obtain the most information possible in the safest manner. The MSBA wants to acknowledge the ingenuity and effort of all the Districts in providing these recordings within a short timeframe and without much notice.

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At the March 24, 2021 Facilities Assessment Subcommittee meeting, MSBA staff recommended the following: 15 Statements of Interest for invitation into Eligibility Period, resulting in 41 “No Further Review” recommendations as established at the December 2, 2020 FAS meeting, and an additional 15 post-senior study to the category of “No Further Review Recommended” for an overall outcome of 56 No Further Review Recommendations and 15 Further Review Recommendations.

She then provided a summary of the 15 SOIs that staff are recommending for the Board to invite into Eligibility Period.

The Chair asked for a motion, and the following motion was made by Mr. Sullivan and seconded by Ms. Vanderhoef:

Vote on Inviting Communities to the Eligibility Period

VOTED: That the Board approves each District and School that is listed on Exhibit A for invitation into the Eligibility Period subject to the conditions that are set forth in Exhibit A; that the Executive Director is hereby authorized to commence the Eligibility Period for each such District and School upon the date of such District's and School's separate Eligibility Period Commencement Date as set forth in Exhibit A; and that the Executive Director is hereby further authorized to do all acts and things, to execute and deliver any and all documents and agreements, and to expend funds necessary or desirable in connection with inviting each of these communities into the Eligibility Period and to commence the Eligibility Period.

Ms. Kwan commented on the competitiveness of the MSBA grant program, noting that the MSBA is unable to fund many schools that are in dire need of assistance due to funding limits.

Mr. Deninger welcomed the districts into the Eligibility Period. He congratulated Katie DeCristofaro and her team on a wonderful job. He commented that this is a partnership with the MSBA, and districts should be prepared to work hard and to be pushed by MSBA staff and the Board. He noted that districts will have to make tough decisions. He noted that the MSBA has a great team and districts should listen to their guidance. He commented that developing the educational plan is one of the first tasks districts will be asked to do. He noted that districts should be thinking about their educational vision. He encouraged districts to make sure the educators and the community are engaged when developing their educational plans. He commented that the districts have the support of the Board and the MSBA. He again congratulated the districts.

Ms. Vanderhoef commented that, although the MSBA cannot fund projects for all communities, the MSBA process is a better system than what the Commonwealth had in the past.

The Chair commented that the MSBA process is a more fair and comprehensive process than the process used before the MSBA existed.

Mr. Cronin agreed with the Chair's comments. He then commented that districts should not use the reimbursement rates given at the start of the project to calculate the debt service because the effective reimbursement rate for a project will be less when applied to eligible project costs. He noted that the consultants can help districts work through the effective reimbursement rate and understand the potential tax impact. He suggested that districts should be careful when discussing numbers with the community until the numbers are finalized.

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Mr. Cronin then commented on his involvement with the City of Lynn as its fiscal stability officer. He noted that the Mayor and the Chief Financial Officer put together a plan for a proposed project at the Pickering Middle School with fiscal discipline. He noted that communities need to look at their ability to afford a proposed project and if communities exercise long term planning, they can make it work.

The Chair welcomed Senate President Karen Spilka to the meeting.

Senate President Karen Spilka, who represents Hopkinton and the Tri-County Regional School District, thanked the Chair for the opportunity to speak. She commented that it is an honor to represent the MetroWest area. She thanked the Chair, Jack McCarthy, the Board and the MSBA, noting that they work so hard for students across the Commonwealth. She thanked the Board for their consideration.

State Senator John Velis, who represents Agawam, thanked the Board and MSBA for this opportunity. He commented that he is here today to show his support for the community, adding that he sent the MSBA a letter of support for the proposed project at the Agawam High School.

Agawam Mayor William Sapelli thanked the Board and MSBA for all their hard work and consideration. He commented that the MSBA is doing a terrific job continuing to operate during the pandemic. He noted that the Agawam High School is in dire need of a project and the Town greatly appreciates the assistance.

Agawam Superintendent Sheila Hoffman commented that the high school has outgrown the needs of the current curriculum. She noted that she is thankful to be a part of the process and thanked the Board for their consideration.

The Executive Director noted that State Senator John Velis sent a letter offering his support for the proposed project at the Agawam High School in Agawam.

Belchertown Superintendent Brian Cameron thanked the Board and the MSBA for the invitation. He introduced other local officials who were on the call. He commented that he wants to express his gratitude to the Board, adding that he is excited to be considered.

Berkley Superintendent Thomas Lynch commented that he wants to express his gratitude to the Board, and thanked Katie DeCristofaro and Diane Sullivan. He introduced other local officials who were on the call. He thanked the Board and the MSBA, noting that he appreciates the assistance.

The Executive Director noted that State Senator Marc Pacheco sent a letter offering his support for the proposed project at the Berkley Community School in the Town of Berkley.

State Representative Kenneth Gordon, who represents Burlington, thanked the Chair, the Board and the MSBA for their consideration. He commented that he sent a letter to the MSBA offering his support for the project at the Fox Hill Elementary School in Burlington and asked that the project be considered favorably.

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Burlington School Committee Chair Tom Murphy thanked the MSBA on behalf of the Superintendent. He also thanked State Representative Ken Gordon and State Senator Cindy Friedman for their support.

Clinton Superintendent Steve Meyer introduced other local officials who were on the call. He thanked the Board and the MSBA for their consideration. He commented that he appreciates the efforts of the MSBA staff during COVID-19. He noted that the current configuration of the Clinton Middle School does not meet the needs of the students.

The Executive Director noted that State Representative Meghan Kilcoyne sent a letter offering her support for the proposed project at the Clinton Middle School in Clinton.

State Representative Paul McMurtry, who represents Dedham, thanked the Board and the MSBA. He introduced other local officials who were on the call. He commented that he sent a letter to the MSBA in support of the proposed project at the Oakdale Elementary School in Dedham. He noted that he welcomes this opportunity on behalf of a grateful community. He commented that he applauds the MSBA's efforts and that the project has his continued support in the legislature.

Dedham Superintendent Michael Welch thanked the State Representative, the Board and the MSBA. He thanked Diane Sullivan, Katie DeCristofaro and Jennifer Flynn, noting that they have provided tremendous customer service. He introduced other local officials who were on the call. He commented that the Oakdale Elementary School has outlived its useful life. He thanked the Board and the MSBA for this opportunity and support, adding that he looks forward to working together.

The Executive Director noted that State Representative Paul McMurtry and State Senator Michael Rush sent letters offering their support for the proposed project at the Oakdale Elementary School in Dedham.

State Senator John Velis, who represents Holyoke, thanked the Board and MSBA staff for their consideration. He also sent a letter offering his support for the proposed project.

State Representative Patricia Duffy, who represents Holyoke, commented that she wants to express her gratitude to the Chair, the Board, and the MSBA. She commented that there is a robust attendance at the meeting today in support of Holyoke. She thanked the Board for their consideration, adding that she appreciates this opportunity.

Holyoke Acting Mayor Terry Murphy commented that the community is on board for the proposed project and the City has the financial resources together. He noted that he looks forward to the proposed project.

Holyoke Acting Receiver/Superintendent Anthony Soto thanked the Board and the MSBA for their consideration. He commented that he wants to express his gratitude. He noted that this project started over ten years ago and on April 6th there was a unanimous vote in support of a project from the City Council. He explained that a proposed project would not require a debt exclusion.

Hopkinton Superintendent Carol Cavanaugh commented that she wants to echo the accolades for the MSBA, adding that the communication from the MSBA is wonderful. She thanked Senate President Karen Spilka and introduced other local officials who were on the call. She also thanked the Hopkinton School Committee and Select Board. She commented that the Town of Hopkinton has

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had 600 new students in the community in five years. She noted that she is hoping to be invited into the Eligibility Period today and she looks forward to working with the MSBA.

Lynn Mayor Thomas McGee thanked the Board and the MSBA and commented that he is thrilled to be invited into the Eligibility Period. He noted that the proposed project at the Pickering Middle School is important to the community and thanked the Chair, Jack McCarthy and the MSBA team for working with the City of Lynn. He introduced other local officials who were present on the call and thanked the project team and legislative delegation. He commented that he appreciates the comments from Mr. Cronin earlier in the meeting. He noted that the City of Lynn had substantial financial problems years ago and the City has worked hard to get to where it is today. He thanked the Board and the MSBA for their support and commented that he looks forward to working together.

The Chair commented that she is sorry to see the Mayor retire from the City of Lynn. She noted that the Pickering Middle School was one of the first schools she toured before becoming Treasurer and she is excited to see it back in the MSBA's pipeline.

The Executive Director noted that State Senator Brendan Crighton, State Representative Daniel Cahill, State Representative Peter Capano, and State Representative Donald Wong sent a letter offering their support for the proposed project in Lynn.

New Bedford Assistant Superintendent of Finance and Operations Andrew O'Leary thanked the Chair, the Board and the MSBA. He commented that the MSBA has been so supportive in guiding the City through the MSBA's process. He noted that the City and the MSBA have had a successful partnership thus far and he is excited to continue the partnership.

Newton Mayor Ruthanne Fuller commented that she is grateful for the productive and longstanding partnership with the MSBA. She noted that the City is excited to get to work on the proposed project.

Newton Superintendent Dr. David Fleishman commented that this has been a tough year and this Board meeting is the most hopeful and optimistic meeting he has attended recently. He noted that the entire City has trust and confidence in the MSBA. He thanked the Board, noting that he is thankful for this opportunity.

State Representative Bruce Ayers, who represents Quincy, thanked the Chair, Jack McCarthy, the Board and the MSBA. He commented that he is here today to speak in favor of the proposed project at the Squantum Elementary School in Quincy. He noted that he sent a letter of support to the MSBA for the proposed project. He thanked the City for their work on the project and for prioritizing the project. He thanked the Board for their consideration.

State Senator John Keenan, who represents Quincy, thanked the Chair, Board, the MSBA, the City and the project team. He commented that the MSBA is impacting communities and changing lives.

Quincy Mayor Thomas Koch thanked the Chair for her leadership. He thanked the Board, James MacDonald, Jack McCarthy, and the MSBA team. He commented that he appreciates the interest, efforts and ongoing relationship with the MSBA, adding that he looks forward to continuing the relationship and looks forward to the process. He thanked the Board for this opportunity.

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The Executive Director noted that State Representative Bruce Ayers also sent a letter offering his support for the proposed project at the Squantum Elementary School in Quincy.

State Senator Patrick O'Connor, who represents Scituate, commented that he is here today to speak on behalf of the legislative delegation for Scituate. He thanked the Board and the MSBA staff, noting that he appreciates all of the work they do. He thanked the Chair for spearheading the Board and for the invitation today.

Scituate Superintendent William Burkhead thanked the Board for this opportunity. He thanked the Scituate School Committee and the legislative delegation, adding that he appreciates their commitment. He thanked the Board and the MSBA for their consideration. He commented that the MSBA is a professional, collaborative organization that produces high quality, professional work and he looks forward to the process.

A staff member from State Senator Walter Timilty's office, who represents Stoughton, commented that she wants to thank the Board for their consideration on behalf of the Senator.

Stoughton Superintendent Dr. John Marcus thanked the Board for this opportunity. He introduced other local officials who were on the call. He thanked the Board and the MSBA for their commitment. He thanked Diane Sullivan, Katie DeCristofaro and Jennifer Flynn for their professionalism. He commented that he is excited for this invitation. He thanked the legislative delegation, the Stoughton administration, and the facility and staff members. He noted that he looks forward to working with the MSBA.

Wilmington Superintendent Glenn Brand thanked the Board and MSBA for this opportunity and invitation. He introduced other local officials that were on the call. He commented he is excited about the prospect of partnering with the MSBA. He thanked the Wilmington Board of Selectmen and School Committee, noting that he looks forward to the opportunity that lies ahead.

The Chair wished the districts good luck.

There being no more discussion, the Chair asked for a roll call vote of the Board.

Roll Call Vote:

Anne Brockelman – Yes
Terry Kwan – Yes
Sheila Vanderhoef – Yes
Sean Cronin – Yes
Matt Deninger – Yes
Greg Sullivan – Yes
Deborah Goldberg – Yes

The motion passed – 7 in favor, 0 against, 0 abstaining.

MSBA Chief Executive Officer James MacDonald commented that he wants to acknowledge and thank the State Legislature for increasing the MSBA's funding cap. He noted that he also wants to acknowledge and thank the districts for their hard work during the health crisis.

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Then, the Chief Executive Officer presented a PowerPoint presentation that showed pictures of building deficiencies from the 2020 SOI site visits. These deficiencies were in districts that could not enter the MSBA's pipeline because the MSBA is limited in how many projects it can fund. He explained that the MSBA has to choose the most urgent and needy of all applications, adding that it is a difficult process and decision to make.

The Chair thanked Mr. MacDonald for articulating this, adding that this is one of her greatest frustrations. She noted that she wishes the MSBA had the resources to be able to invite more districts into the pipeline each year. She commented that the MSBA has created the most equitable way to assess the schools and distribute the resources available across the entire state. She welcomed the districts to the Eligibility Period, noting that it is a lot of work.

Mr. Sullivan commented that he wants to express to the communities that the process used by the MSBA to assess districts for invitation into the Eligibility Period is robust and fair. He also commented that he is impressed by the professionalism of the officials speaking before the MSBA today.

Invitation to Feasibility Study

MSBA Capital Program Manager Katie DeCristofaro explained that staff are recommending that the Board vote to invite the Nashoba Regional School District, the Tri-County Regional Vocational Technical School District, and the Whitman-Hanson Regional School District into Feasibility Study. The three districts were invited into the Eligibility Period on December 11, 2019 and have completed all of the necessary prerequisites including: the filing of their educational profile questionnaire, finalizing enrollment, and securing feasibility study/schematic funds to proceed.

The first district for consideration is the Nashoba Regional High School in the Nashoba Regional School District. The MSBA will be working with the District to study options that maintain their current grade 9-12 configuration for 925 students.

The second district for consideration is the Tri-County Regional Vocational Technical High School in the Tri-County Regional Vocational Technical School District. The MSBA will be working with the District to study options that maintain their current grade 9-12 configuration for up to 1,000 students.

The third district for consideration is the Whitman Middle School in the Whitman-Hanson Regional School District. The MSBA will be working with the District to study the following two options: 515 students in the facility's current configuration of 6-8 and 675 students in grades 5-8 in the Town of Whitman only, which removes grade 5 from the Town of Whitman's two elementary schools.

Based on the completion of the Eligibility Period requirements, staff recommend that the Board vote to authorize these three districts to proceed into Feasibility Study.

The Chair asked for a motion, and the following motion was made by Ms. Kwan and seconded by Ms. Vanderhoef:

**Vote on Inviting Communities to Collaborate with the MSBA
to Conduct a Feasibility Study**

VOTED: That the Executive Director is hereby authorized to invite certain communities to collaborate with the MSBA to conduct and/or review a Feasibility Study, as described in 963 CMR 2.00 *et seq.*, and subject to any conditions set forth in Exhibit B, for each of the schools listed in Exhibit B attached hereto.

VOTED: That the Executive Director is hereby authorized to do all acts, to execute and deliver any and all documents and agreements, and to expend all funds necessary or desirable in connection with conducting and/or reviewing a Feasibility Study for each of the schools listed in Exhibit B.

Mr. Cronin commented that he wants to encourage the districts to have discussions with their local leaders regarding financing their proposed projects.

Nashoba Regional School District Superintendent Brooke Clenchy thanked the local legislators, the School Committee, the District staff, the Board and the MSBA. She commented that she is excited and proud for the project at the Nashoba Regional High School to move forward. She thanked Brittany Gomes and Diane Sullivan, adding that she is grateful for the support of the MSBA. She also sent a letter to the MSBA in support of the proposed project.

Tri-County Regional Vocational Technical School District Superintendent Stephen Dockray commented that he is excited to be invited into Feasibility Study today. He introduced other local officials who were on the call. He thanked the Chair, the Board and the MSBA for their support and noted that he is excited to begin the process.

Whitman-Hanson Regional School District Superintendent Jeffrey Szymaniak commented that he is excited and thankful to be here today. He then introduced other local officials who were on the call.

The Executive Director noted that State Representative Alyson Sullivan and State Senator Michael Brady sent a letter offering their support for the proposed project at the Whitman Middle School in the Whitman-Hanson Regional School District.

The Chief Executive Officer commented that he wants to acknowledge the work of the SOI team, including Diane Sullivan, Katie DeCristofaro, Mary Pichetti, and Jennifer Flynn. He noted that the team did an amazing job.

The Chair commented that she is consistently amazed by the work of the MSBA.

There being no more discussion, the Chair asked for a roll call vote of the Board.

Roll Call Vote:

Anne Brockelman – Yes
Terry Kwan – Yes
Sheila Vanderhoef – Yes
Sean Cronin – Yes
Matt Deninger – Yes

Greg Sullivan – Yes
Deborah Goldberg – Yes

The motion passed – 7 in favor, 0 against, 0 abstaining.

Recommendation for Preferred Schematic Design

The MSBA's Director of Project Management, John Jumpe, explained that the Board is being asked to approve the Preferred Schematic Design for the Diman Regional Vocational Technical High School in the Greater Fall River Vocational School District. The recommendation is to replace the existing high school with a new high school on the existing site. The proposed project is designed to provide 19 vocational programs to 1,500 students in grades 9-12 and has an estimated construction budget of approximately \$260 million; however, subsequent to posting of the Board materials on diligent, further review and updated information from the District's OPM indicate an estimated construction budget closer to \$231 million while the estimated total project cost remains at approximately \$281 million as presented. Staff are and will continue to work with the District during the schematic design phase to further understand the submitted budgets.

The Chair asked for a motion, and the following motion was made by Ms. Vanderhoef and seconded by Ms. Kwan:

Vote on Moving the Greater Fall River Vocational School District to Schematic Design

VOTED: That the Board of Directors hereby authorizes the Executive Director to do all acts necessary, execute and deliver any and all documents and agreements, and expend funds as deemed appropriate by the Executive Director to assist the Greater Fall River Vocational School District with, in concept, the development of schematic designs to replace the existing Diman Regional Vocational Technical High School with a new facility serving grades 9-12 on the existing site, as further described in the materials presented to the Board and attached hereto, in accordance with G.L. c. 70B and 963 CMR 2.00 *et seq.* and all other guidelines and policies of the Authority.

Greater Fall River Vocational School District Superintendent Elvio Ferreira thanked the Board and the MSBA. He commented that he is tremendously excited to be here today, adding that the proposed project will greatly assist the District.

Mr. Cronin asked if a debt exclusion is necessary for the project.

The Superintendent explained that the District has reached out to all four of the member communities and they are all leaning towards needing a debt exclusion.

There being no more discussion, the Chair asked for a roll call vote of the Board.

Roll Call Vote:

Anne Brockelman – Yes
Terry Kwan – Yes
Sheila Vanderhoef – Yes

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Sean Cronin – Yes
Matt Deninger – Yes
Greg Sullivan – Yes
Deborah Goldberg – Yes

The motion passed – 7 in favor, 0 against, 0 abstaining.

Next, the Director of Project Management explained that the Board is being asked to approve the Preferred Schematic Design for the William A. Welch Elementary School in the City of Peabody. The recommendation is for an addition and renovation project to the Welch Elementary School. The proposed project, which includes Pre-K, is designed to serve 390 students in grades K-5 and has an estimated construction budget of approximately \$22 million.

The Chair asked for a motion, and the following motion was made by Ms. Vanderhoef and seconded by Mr. Deninger:

Vote on Moving the City of Peabody to Schematic Design

VOTED: That the Board of Directors hereby authorizes the Executive Director to do all acts necessary, execute and deliver any and all documents and agreements, and expend funds as deemed appropriate by the Executive Director to assist the City of Peabody with, in concept, the development of schematic designs for an addition and renovation project at the William A. Welch Elementary School, as further described in the materials presented to the Board and attached hereto, in accordance with G.L. c. 70B and 963 CMR 2.00 *et seq.* and all other guidelines and policies of the Authority.

Peabody Superintendent Josh Vadala spoke on behalf of the Mayor and thanked the Chair, the Board and the MSBA team. He commented that the MSBA has provided great feedback that has been very helpful. He noted that he is thankful for the help and support.

There being no more discussion, the Chair asked for a roll call vote of the Board.

Roll Call Vote:

Anne Brockelman – Yes
Terry Kwan – Yes
Sheila Vanderhoef – Yes
Sean Cronin – Yes
Matt Deninger – Yes
Greg Sullivan – Yes
Deborah Goldberg – Yes

The motion passed – 7 in favor, 0 against, 0 abstaining.

Next, the Director of Project Management explained that the Board is being asked to approve the Preferred Schematic Design for the Elizabeth G. Lyons Elementary School in the Town of Randolph. The recommendation is to replace the existing Elizabeth G. Lyons Elementary School with a new school on the site of the former Charles G. Devine Elementary School. This recommendation is

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contingent upon the District documenting full ownership, control, and exclusive use of the proposed site. The proposed project, which includes Pre-K is designed to serve 315 students in grades K-5 and has an estimated construction budget of approximately \$40 million.

The Chair asked for a motion, and the following motion was made by Ms. Vanderhoef and seconded by Mr. Deninger:

Vote on Moving the Town of Randolph to Schematic Design

VOTED: That the Board of Directors hereby authorizes the Executive Director to do all acts necessary, execute and deliver any and all documents and agreements, and expend funds as deemed appropriate by the Executive Director to assist the Town of Randolph with, in concept, the development of schematic designs to replace the existing Elizabeth G. Lyons Elementary School with a new facility serving grades PK-5 on the site of the former Charles G. Devine Elementary School, contingent upon the District gaining full ownership, control, and exclusive use of the proposed site, as further described in the materials presented to the Board and attached hereto, in accordance with G.L. c. 70B and 963 CMR 2.00 *et seq.* and all other guidelines and policies of the Authority.

Randolph Superintendent Thea Stovell thanked the Board and the MSBA. She thanked Jennifer Flynn and Fenton Bradley for their support. She also thanked the Randolph School Committee and Town Council. She then introduced other local officials who were on the call. She commented that this is an exciting milestone for Randolph today and she is thankful for this opportunity. She noted that credit should go the MSBA, not only for their help financially, but also for their guidance. She commented that she is grateful for the Board and the MSBA's time, partnership, and consideration.

There being no more discussion, the Chair asked for a roll call vote of the Board.

Roll Call Vote:

Anne Brockelman – Yes
Terry Kwan – Yes
Sheila Vanderhoef – Yes
Sean Cronin – Yes
Matt Deninger – Yes
Greg Sullivan – Yes
Deborah Goldberg – Yes

The motion passed – 7 in favor, 0 against, 0 abstaining.

Then, the Director of Project Management explained that the Board is being asked to approve the Preferred Schematic Design for the Bird Middle School in the Town of Walpole. The recommendation is to replace the existing Bird and Eleanor Johnson Middle Schools with a new single middle school on the existing Bird Middle School site. The proposed project is designed to serve 905 students in grades 6-8 and has an estimated construction budget of approximately \$92.8 million.

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The Chair asked for a motion, and the following motion was made by Ms. Kwan and seconded by Ms. Vanderhoef:

Vote on Moving the Town of Walpole to Schematic Design

VOTED: That the Board of Directors hereby authorizes the Executive Director to do all acts necessary, execute and deliver any and all documents and agreements, and expend funds as deemed appropriate by the Executive Director to assist the Town of Walpole with, in concept, the development of schematic designs to replace the existing Bird Middle School and Eleanor Johnson Middle School with a new facility serving students in grades 6-8 (district-wide) on the existing Bird Middle School site, as further described in the materials presented to the Board and attached hereto, in accordance with G.L. c. 70B and 963 CMR 2.00 *et seq.* and all other guidelines and policies of the Authority.

State Representative Paul McMurtry thanked the Chair, James MacDonald, Jack McCarthy, and the MSBA for their continued support. He also sent a letter to the MSBA in support of the proposed project.

A staff member from State Senator Paul Feeney's office commented that the Senator sends his regrets that he could not be here today and noted that he supports the proposed project at the Bird Middle School in Walpole.

Walpole Superintendent Bridget Gough thanked the MSBA for the collaborative and transparent process. She thanked the Board and the MSBA for their support and commented that she looks forward to the continued collaboration.

There being no more discussion, the Chair asked for a roll call vote of the Board.

Roll Call Vote:

Anne Brockelman – Yes
Terry Kwan – Yes
Sheila Vanderhoef – Yes
Sean Cronin – Yes
Matt Deninger – Yes
Greg Sullivan – Yes
Deborah Goldberg – Yes

The motion passed – 7 in favor, 0 against, 0 abstaining.

The Chair's designee, James MacDonald, presided over a brief portion of the meeting.

Approval of Project Scope and Budget Agreement and Authorization for Project Funding Agreement

The MSBA's Design Director, Karl Brown, explained that the Board is now being asked to approve a Project Scope and Budget Agreement and to authorize the MSBA to enter into a Project Funding Agreement for a project at the West Elementary School in the Town of Andover. The

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recommendation is to replace the existing West Elementary School with a new facility serving grades PK-5 on the existing site. The proposed project has a design enrollment of 925 students. The District provided a Total Project Budget of approximately \$151.7 million, which includes an estimated construction cost of approximately \$119.2 million.

The Acting Chair asked for a motion, and the following motion was made by Ms. Vanderhoef and seconded by Ms. Kwan:

Vote to Authorize the Executive Director to Execute a Project Scope and Budget Agreement and Project Funding Agreement with the Town of Andover

VOTED: That the Board of Directors of the Massachusetts School Building Authority hereby approves the Potential Project to replace the existing West Elementary School with a new facility serving grades PK-5 on the site of the existing West Elementary School, as further described in the materials presented to the Board and attached hereto and as such Proposed Project shall be further defined in the Project Scope and Budget Agreement, and authorizes the Executive Director to take all steps necessary to execute and deliver a Project Scope and Budget Agreement and Project Funding Agreement with the Town of Andover, in such forms as he may determine to be acceptable, for the West Elementary School project at a reimbursement rate of forty-five and eighty-five hundredths percent (45.85%) of approved, eligible costs, up to an Estimated Maximum Total Facilities Grant of \$37,457,769, which shall not include any funds for owner's or construction contingency expenditures; that the Board of Directors hereby further authorizes the Executive Director to increase the Estimated Maximum Total Facilities Grant up to a Maximum Total Facilities Grant of \$38,442,820, in the event that the MSBA determines, in its sole discretion, that any owner's and/or construction contingency expenditures are eligible for reimbursement pursuant to MSBA regulations, guidelines, or policies; that the Board of Directors hereby further authorizes the Executive Director to expend funds in accordance with such Project Funding Agreement.

Andover Town Manager Andrew Flanagan thanked the Board and the MSBA for their support. He then introduced other local officials who were on the call. He commented that the community is very excited and noted that he looks forward to the continued collaboration.

The Executive Director noted that State Senator Barry Finegold, State Representative Frank Moran, and State Representative Tram Nguyen sent a letter offering their support for the project at the West Elementary School in Andover.

There being no more discussion, the Acting Chair asked for a roll call vote of the Board.

Roll Call Vote:

Anne Brockelman – Yes
Terry Kwan – Yes
Sheila Vanderhoef – Yes
Sean Cronin – Yes
Matt Deninger – Yes
Greg Sullivan – Yes

James MacDonald – Yes

The motion passed – 7 in favor, 0 against, 0 abstaining.

Next, the Design Director explained that the Board is now being asked to approve a Project Scope and Budget Agreement and to authorize the MSBA to enter into a Project Funding Agreement for a project at the Somerset Middle School in the Town of Somerset. The recommendation is to replace the existing Somerset Middle School with a new facility serving students in grades 6-8 on the existing site. The proposed project has a design enrollment of 590 students. The District provided a Total Project Budget of \$85 million, which includes an estimated construction cost of approximately \$68.9 million.

The Acting Chair asked for a motion, and the following motion was made by Ms. Vanderhoef and seconded by Mr. Deninger:

Vote to Authorize the Executive Director to Execute a Project Scope and Budget Agreement and Project Funding Agreement with the Town of Somerset

VOTED: That the Board of Directors of the Massachusetts School Building Authority hereby approves the Potential Project to replace the existing Somerset Middle School with a new facility serving students in grades 6-8 on the existing site, as further described in the materials presented to the Board and attached hereto and as such Proposed Project shall be further defined in the Project Scope and Budget Agreement, and authorizes the Executive Director to take all steps necessary to execute and deliver a Project Scope and Budget Agreement and Project Funding Agreement with the Town of Somerset, in such forms as he may determine to be acceptable, for the Somerset Middle School project at a reimbursement rate of sixty-one and fifty-nine hundredths percent (61.59%) of approved, eligible costs, up to an Estimated Maximum Total Facilities Grant of \$30,759,152, which shall not include any funds for owner's or construction contingency expenditures; that the Board of Directors hereby further authorizes the Executive Director to increase the Estimated Maximum Total Facilities Grant up to a Maximum Total Facilities Grant of \$31,799,754, in the event that the MSBA determines, in its sole discretion, that any owner's and/or construction contingency expenditures are eligible for reimbursement pursuant to MSBA regulations, guidelines, or policies; that the Board of Directors hereby further authorizes the Executive Director to expend funds in accordance with such Project Funding Agreement.

Somerset Superintendent Jeffrey Schoonover introduced other local officials who were on the call. He commented that he is very excited for the students and residents of Somerset. He thanked the MSBA for their partnership and support.

The Chair returned and continued to preside over the meeting.

There being no more discussion, the Chair asked for a roll call vote of the Board.

Roll Call Vote:

Anne Brockelman – Yes

Terry Kwan – Yes
Sheila Vanderhoef – Yes
Sean Cronin – Yes
Matt Deninger – Yes
Greg Sullivan – Yes
Deborah Goldberg – Yes

The motion passed – 7 in favor, 0 against, 0 abstaining.

Then, the Design Director explained that the Board is now being asked to approve a Project Scope and Budget Agreement and to authorize the MSBA to enter into a Project Funding Agreement for a project at the Paul R. Hanlon Elementary School in the Town of Westwood. The recommendation is to replace the existing Paul R. Hanlon Elementary School and the existing Deerfield Elementary School with a new facility serving grades K-5 on the existing Paul R. Hanlon School site. The proposed project has a design enrollment of 560 students. The District provided a Total Project Budget of \$87.8 million, which includes an estimated construction cost of approximately \$70.4 million. This approval would be contingent upon the District obtaining full ownership, control, and exclusive use of the proposed project site. Additionally, as noted in the Board memo, MSBA staff recommend that the Executive Director be authorized to allow the District 230 days to appropriate funds, extending the typical 120-day target date of August 12, 2021 to November 30, 2021.

The Chair asked for a motion, and the following motion was made by Mr. Sullivan and seconded by Ms. Vanderhoef:

Vote to Authorize the Executive Director to Execute a Project Scope and Budget Agreement and Project Funding Agreement with the Town of Westwood

VOTED: That the Board of Directors of the Massachusetts School Building Authority hereby approves the Potential Project to replace the existing Paul R. Hanlon Elementary School and the existing Deerfield Elementary School with a new facility serving grades K-5 on the site of the existing Paul R. Hanlon Elementary School, contingent upon the District gaining full ownership, control, and exclusive use of the proposed site, as further described in the materials presented to the Board and attached hereto and as such Proposed Project shall be further defined in the Project Scope and Budget Agreement, and authorizes the Executive Director to take all steps necessary to execute and deliver a Project Scope and Budget Agreement and Project Funding Agreement with the Town of Westwood, in such forms as he may determine to be acceptable, for the Paul R. Hanlon Elementary School project at a reimbursement rate of thirty-nine and thirty-five hundredths percent (39.35%) of approved, eligible costs, up to an Estimated Maximum Total Facilities Grant of \$17,683,327, which shall not include any funds for owner's or construction contingency expenditures; that the Board of Directors hereby further authorizes the Executive Director to increase the Estimated Maximum Total Facilities Grant up to a Maximum Total Facilities Grant of \$18,235,725, in the event that the MSBA determines, in its sole discretion, that any owner's and/or construction contingency expenditures are eligible for reimbursement pursuant to MSBA regulations, guidelines, or policies; that the Board of Directors hereby further authorizes the Executive Director to expend funds in accordance with such Project Funding Agreement.

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State Representative Paul McMurtry thanked the Board and MSBA and commented that he is here to show support for the Paul R. Hanlon Elementary School.

Westwood Select Board Member Nancy Hyde thanked the MSBA for the support and introduced others on the call.

The Executive Director noted that State Representative Paul McMurtry also sent a letter offering his support for the project at the Paul R. Hanlon Elementary School in Westwood.

The Executive Director noted that State Senator Michael Rush sent a letter offering his support for the project at the Paul R. Hanlon Elementary School in Westwood.

There being no more discussion, the Chair asked for a roll call vote of the Board.

Roll Call Vote:

Anne Brockelman – Yes
Terry Kwan – Yes
Sheila Vanderhoef – Yes
Sean Cronin – Yes
Matt Deninger – Yes
Greg Sullivan – Yes
Deborah Goldberg – Yes

The motion passed – 7 in favor, 0 against, 0 abstaining.

Mr. Sullivan left the meeting.

Audit

The MSBA's Chief Financial Officer, Laura Guadagno, thanked Tamia Buckingham, Wei Xu, and the Audit team for their hard work. She also thanked Erin Sullivan. She began her audit update by explaining that the MSBA has completed final audits for 564 Capital Pipeline Program projects plus the nine projects that are being presented for final approval to the Board today, all together representing approximately \$6.6 billion in submitted and audited costs.

She continued, explaining that the MSBA has also audited approximately \$4.6 billion in submitted costs for the 232 projects currently submitting monthly requests for reimbursement. Based on the Total Project Budget information and submitted costs to date of approved projects, the MSBA estimates that approximately \$4.0 billion in additional costs will be submitted for audit for these projects.

The Chief Financial Officer then explained that monthly submitted costs have averaged \$118.7 million over the 12 months preceding this Board meeting, and the total amount submitted and audited in this 12-month period equals approximately \$1.42 billion.

Approval of Audits, New Program

The Chief Financial Officer explained that the Board is being asked to approve nine Capital Pipeline Program audits listed on Exhibit C. She explained that the total combined grant amount for these nine projects is \$37,548,075.

The Chair asked for a motion, and the following motion was made by Ms. Vanderhoef and seconded by Mr. Deninger:

Approval of Audit Costs for Several Projects

VOTED: That the Board of Directors of the Massachusetts School Building Authority hereby approves the final audited approved grant amounts for the projects listed in the spreadsheet attached hereto as Exhibit C and authorizes the Executive Director to make payments consistent with this vote.

There being no Board discussion, the Chair asked for a roll call vote of the Board.

Roll Call Vote:

Anne Brockelman – Yes
Terry Kwan – Yes
Sheila Vanderhoef – Yes
Sean Cronin – Yes
Matt Deninger – Yes
Deborah Goldberg – Yes

The motion passed – 6 in favor, 0 against, 0 abstaining.

MSBA Updates

Executive Director's Report

The Executive Director began his report by thanking MSBA staff members for their hard work in preparing for the Board meeting, especially during the current health crisis. He noted that, since the February 11, 2021 Board meeting, the MSBA has visited or had meetings with individuals from 24 projects. As of April 9, 2021, two districts have voted affirmatively to appropriate feasibility study funds or full project funds. He explained that the MSBA anticipates 18 project visits or meetings in April, May and June and presented a list of upcoming district outreach plans as part of his PowerPoint presentation. He noted that since the last Board meeting, he has participated in eight outreach events and presented a list of the events as part of his PowerPoint presentation. The Executive Director then explained that the MSBA held an OPM Roundtable on March 22, 2021 regarding the Value in Value Engineering and a Superintendent Roundtable on April 8, 2021.

Next, the Executive Director provided an update on the 2021 Core Program Statement of Interest (SOI) opening process. He thanked Mary Pichetti, Katie DeCristofaro, Diane Sullivan and the Capital Planning team for all of their efforts. He explained that the filing period will open for Core and ARP on Tuesday, April 20, 2021. The filing period for ARP will close on Tuesday, June 1, 2021 and the filing period for Core will close on Friday, June 25, 2021. He explained that the MSBA

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issued the first notice on April 5, 2021 and will send additional reminders throughout the filing period.

Next, the Executive Director explained that the Town of Orange conducted their Project Scope and Budget vote at the Ralph C. Mahar Regional High School football field on June 16, 2020 with approximately 376 residents participating. The Town of Wakefield conducted their Feasibility Study/Schematic Design vote at the Wakefield Memorial High School gymnasium on November 7, 2020, with approximately 252 residents participating. He presented photos of the Town Meetings showing the residents of both towns maintaining social distance as part of his PowerPoint presentation.

Next, the Executive Director welcomed the following new hires: Horacio Valdez as Project Manager II FS/SD, Robin McElaney as Project Assistant to Capital Planning, and Samantha Beaton as Project Assistant for the Post Occupancy Evaluation Program. He then congratulated Simone Ward on earning her Certified Fraud Examiner Certification.

Project Status Updates

The MSBA's Deputy Director of Capital Planning, Mike McGurl, provided an update on substantially completed projects. He explained that eight projects were scheduled to achieve substantial completion in 2020. Of the remaining eight, six have achieved substantial completion (Lexington, Marlborough, Saugus, Taunton, Cape Cod Regional Vocational Technical High School, and Natick). The MSBA anticipates the receipt of two additional certificates. Both projects are reporting pending revisions to their substantial completion dates (Braintree and Somerville). Meanwhile, eighteen projects are scheduled to achieve substantial completion in 2021. Staff will continue to monitor these projects.

Project Overview Report

The Deputy Director of Capital Planning then provided bid data for the MSBA's Accelerated Repair Program. He explained that for the 2019 Accelerated Repair Program, 30 of the 30 reported projects bid within the estimated budget. An additional six projects are anticipated to be reported by the June Board meeting.

Next, the Deputy Director of Capital Planning presented a PowerPoint, including a summary of bid results for the Core Program. He reported that of the 22 Core Program projects scheduled to receive sub-bids in 2019, 21 have reported DBB bids or GMP executions to date. Nineteen of the reported bids came in within the estimated budget. Next, he reported that of the thirteen Core Program projects scheduled to receive sub-bids in 2020, thirteen have reported DBB bids or GMP executions to date. Ten reported bids came in within the estimated budget. Then, he reported that of the 14 projects scheduled to receive bids in 2021, five have reported DBB bids or GMP executions to date. All five of the reported bids came in within the estimated budget.

Then, the Deputy Director of Capital Planning presented a PowerPoint, including a bid summary for the Core Program. He summarized available data for anticipated Sub-Bids in April, May and June and anticipated DBB Bids or GMP Executions in April, May and June.

Next, MSBA Project Manager Christy Murray presented an interactive map using Tableau for bidding information regarding MSBA projects. She explained that the MSBA is currently tracking

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24 projects for filed sub bidding over the next three years. This includes all projects that have been approved for Preferred Schematic Design prior to today. The 24 projects have a total estimated construction budget of approximately \$2.9 billion.

For 2021, six projects have already filed sub bids, most recently Amesbury, leaving eight projects remaining for the year. Those eight projects have an estimated construction budget of \$1.1 billion. The MSBA is tracking sub bids for the Lowell High School project in April. After that, staff anticipate bidding activity to resume over the summer with Orange, Braintree, and Waltham High School.

Moving into 2022, the MSBA is currently tracking 12 projects for filed sub bids. These totals include all projects approved for Preferred Schematic Design. Those 12 projects have a total estimated construction budget of just over \$1.1 billion. Four projects were already approved for Project Scope and Budget: the Josiah Quincy Upper School in Boston, the Nauset Regional High School, the Florence Roche School in the Groton-Dunstable Regional School District, and the Oliver Partnership School in Lawrence.

She explained that for 2023, the MSBA now has four projects scheduled to bid with an estimated construction budget of \$622 million. This includes the Northeast Metropolitan Technical High School in the Northeast Metropolitan Regional Vocational School District, the Upham Elementary School in Wellesley, the Dale Street Elementary School in Medfield, and the Bristol-Plymouth Vocational Technical High School in the Bristol-Plymouth Vocational Technical School District. The 2023 map will continue to fill in as the MSBA adds the projects that were approved for Preferred Schematic Design at today's meeting and additional projects to be approved at future Board meetings. She explained that the interactive Bid Map has been added to the MSBA website for anyone to access. MSBA staff are preparing a Project Advisory to get the word out and share the link.

Finance

Sales Tax Collection Update

The Chief Financial Officer thanked the MSBA's Director of Budget and Finance Administration, Julie Leonard, and the Finance team for their hard work. She presented a PowerPoint and provided an FY2021 SMART Collections update. The FY2021 Revenue Estimate of \$976 million would represent growth of 2.3% over the FY2020 Revenue Estimate of \$954 million. The FY2021 unaudited collections for July 2020 through March 2021 are \$54.3 million (8.62%) higher than FY2020 audited collections for the same period.

She presented a slide with a graphical depiction of FY2017 – FY2021 Monthly SMART collections, and then year-to-date SMART collections by year from FY2017 – FY2021.

Grant Payments Update

The Chief Financial Officer thanked the MSBA's Treasurer, Gianpiero Tirella, for his hard work and provided an update regarding MSBA grant payments for projects, noting that the MSBA has made \$561,999,364 in grant payments to date in Fiscal Year 2021. This is for 214 Capital Pipeline Program projects in 132 districts.

FY21 Budget Update and FY21 Year-End Spending Projections

Next, the Chief Financial Officer thanked the MSBA's Director of Budget and Finance Administration, Julie Leonard, and provided the Board with a FY2021 budget update. She presented a PowerPoint with the FY2021 Year to Date Spending and provided an update on salaries and benefits, administrative expenses, and grant program expenditures. Then, she provided the Board with the FY2021 year-end spending projections.

Authorization for a Defeasance of Outstanding Bonds

Then, the Chief Financial Officer explained that the Board is being asked to authorize the cash defeasance of outstanding bonds of the Authority for up to \$200 million.

The Chair asked for a motion, and the following motion was made by Ms. Vanderhoef and seconded by Mr. Deninger:

Authorization for Cash Defeasance of Outstanding Bonds

VOTED: To authorize the Executive Director to apply available moneys of the Authority to the cash defeasance of prior bonds issued by the Authority, as determined by the Executive Director in a principal amount not to exceed \$200,000,000, and in furtherance thereof the Executive Director, with respect to the cash defeasance, is hereby delegated all powers of the Authority under Section 3B of Chapter 70B of the Massachusetts General Laws.

VOTED: To authorize the Executive Director and such other officers of the Authority as the Executive Director may designate, acting singly, upon the advice of the Authority's bond counsel or disclosure counsel, to do all acts and things and to execute and deliver any and all documents, certificates and other instruments necessary or desirable in connection with the cash defeasance, including without limitation a defeasance escrow agreement.

There being no Board discussion, the Chair asked for a roll call vote of the Board.

Roll Call Vote:

Anne Brockelman – Yes
Terry Kwan – Yes
Sheila Vanderhoef – Yes
Sean Cronin – Yes
Matt Deninger – Yes
Deborah Goldberg – Yes

The motion passed – 6 in favor, 0 against, 0 abstaining.

Legal

Litigation Update

MSBA General Counsel Christine Nolan provided an update on three projects in the MSBA's pipeline that have been affected by project related litigation. She explained that at the February Board meeting the Executive Director reported that reimbursement payments for the Waltham High School project have been put on hold because of pending litigation related to the project site. Placing payments on hold is standard when there is pending litigation related to a project. The City of Waltham decided to proceed with the project at its own risk and without receiving reimbursement payments. During this time the MSBA agreed to work with the City to receive project submittals and provide feedback. Today, the MSBA is happy to report that the litigation has been resolved and we are just waiting for some final documentation from the City to resume payments.

Next, the General Counsel explained that since the February Board meeting, the MSBA discovered that the City of Worcester was named as a defendant in a lawsuit related to the Doherty High School project site in Worcester. The MSBA has met with the City and notified officials that reimbursement payments are on hold pending the outcome of the litigation. The MSBA explained to the City that if the City proceeds with the project it will be at its own risk. The MSBA has agreed to receive and review project submittals while reimbursement payments are on hold. The City has not yet notified the MSBA whether it will proceed with the project while the litigation is pending. MSBA staff will continue to provide updates to the Board regarding the status of the Doherty High School project.

Then, the General Counsel explained that the Executive Director reported at the February Board meeting that the MSBA has been named as a defendant in a lawsuit related to the East Gloucester Elementary School project in the City of Gloucester. The City of Gloucester and the Massachusetts Executive Office of Energy and Environmental Affairs have also been named as defendants. The plaintiffs are not seeking monetary relief against the MSBA and the suit appears aimed solely at stopping the project. In accordance with MSBA policy, the MSBA has placed reimbursement payments on hold while the litigation is pending. The City has decided to proceed with the project at its own risk and the MSBA has agreed, as it does with other projects with pending litigation, to continue to review project related submittals. The MSBA has worked with outside counsel to file an answer to the complaint, and we are working to develop our defense strategy. MSBA staff will continue to provide updates to the Board.

The Chair asked for a motion to adjourn the meeting. A motion was made by Ms. Vanderhoef and seconded by Mr. Deninger.

There being no discussion, the Chair asked for a roll call vote of the Board.

Roll Call Vote:

Anne Brockelman – Yes
Terry Kwan – Yes
Sheila Vanderhoef – Yes
Sean Cronin – Yes
Matt Deninger – Yes
Deborah Goldberg – Yes

The April 14, 2021 Board Meeting minutes were approved by the MSBA's Board of Directors at the May 24, 2021 meeting.

The motion passed – 6 in favor, 0 against, 0 abstaining.

The meeting was adjourned at 12:28 p.m.

List of documents and exhibits used at the meeting:

- PowerPoint Presentation
- February 11, 2021 Board Meeting Minutes
- Invitation to Eligibility Period
- Invitation to Feasibility Study
- Recommendations for Preferred Schematic Design
- Invitations to Project Scope and Budget
- Audit Status Report
- Recommendation for Approval of Final Audits, Capital Pipeline Program
- Executive Director Report
- Project Overview Report
- Sales Tax Collection Update
- Grant Payments Update
- FY21 Budget Update and FY21 Year-End Spending Projections
- Authorization for a Defeasance of Outstanding Bonds