

FINANCE PROGRAMS

MASSDEVELOPMENT

July 12, 2012

*City of Somerville*

*Brownfields Site Assessment/Remediation Grant*

WHEREAS, Pursuant to M.G.L. c. 23G, Section 29A (the “Brownfields Act”), Massachusetts Development Finance Agency (the “Agency”) administers the Brownfields Redevelopment Fund (the “Fund”), which is intended to stimulate economic development in economically distressed areas of the Commonwealth by providing loans and grants for environmental site assessments and cleanup actions;

WHEREAS, the Agency has received an application from the City of Somerville (the "Applicant") for an additional \$950,000, for a total of up to One Million Three Hundred Forty Two Thousand Four Hundred Dollars (\$1,342,400) in financial assistance from the Fund for a grant to cover costs of an environmental cleanup action at 20-22 Prospect Street, Somerville, Massachusetts (the “Project”);

WHEREAS, the Applicant has requested that the Project be designated by the Agency as a priority project that qualifies under the Brownfields Act for Fund assistance in excess of \$500,000, and for such designation the Applicant must demonstrate to the Agency that the municipality in which the Project is located has made available substantial funds in the form of grants, loans, or abated property taxes for the Project;

WHEREAS, the Applicant has demonstrated to the Agency that the City of Somerville has pledged and provided substantial loans and grants and other financial assistance to the Project;

WHEREAS, in reviewing the Application, the Agency has made the following further findings, as required by M.G.L. c. 23G, Section 29A, to determine that the Project and Applicant are eligible for financial assistance from the Fund:

- (1) the Project site is located in an Economically Distressed Area;
- (2) the Project will result in a significant economic impact in terms of the number of jobs and/or housing units to be created or will contribute to the economic or physical revitalization of the Economically Distressed Area and a significant level of community benefits will be associated with the Project;
- (3) assistance from the Fund is necessary to make the Project financially feasible;

- (4) the Applicant has certified that the Applicant (i) would be liable for the environmental contamination solely pursuant to its status as an innocent owner; (ii) did not cause or contribute to the release of oil or hazardous material at the site; (iii) did not own or operate the site at the time of the release; and (iv) does not have a familial relationship or any direct or indirect business relationship with a potentially responsible party;
- (5) the Applicant is not subject to any outstanding administrative environmental enforcement action or judicial environmental enforcement action.

NOW THEREFORE  
IT IS HEREBY

VOTED: to designate the Project as a priority project under the Brownfields Act and to approve this grant to the Applicant upon the terms set forth in the memorandum of David J. Bancroft, dated July 12, 2012, a copy of which is attached hereto, submitted to this Board ("Memorandum");

VOTED: that each of the officers listed in Article 504 of the Agency's bylaws be and each hereby is authorized, acting alone, to execute, sign, seal, acknowledge, deliver, accept and receive in the name of the Agency any letter, agreement, instrument, or instruments as such person deems necessary or desirable to effectuate the transaction contemplated hereunder and that any of said actions shall be conclusive evidence that the same is authorized hereby.