

TOWN OF BOYLSTON 221 MAIN STREET BOYLSTON, MA 01505

Town Administrator's Report May 24, 2021

1. *Cool Science:* A young artist from Boylston has been selected as a Cool Science honoree. The Cool Science Team will be holding a Virtual Art Exhibition Celebration to honor the youth and their artwork on Wednesday, June 23rd at 6:30 PM. If you would like to attend the virtual meeting, please let me know and I will RSVP on your behalf.

There is additional guidance available which I have provided for you in your packet.

- **2.** Annual Town Meeting Warrant: Most of the last two weeks I have been wrapping up the warrant and sending the warrant and Annual Town Report to the printers. Both are back in house and ready to be sent out. The warrant for annual town meeting will be mailed out this week. Residents should be anticipating receiving them by this weekend.
- **3.** American Rescue Plan Act: The Commonwealth of MA has issued more guidance on ARPA funds. I have included the information in your packet. The funds need to be used by the end of calendar year 2024 and can be used to help replace lost public sector revenue, which may be a growing problem for municipalities over the next several years.

Apríl C. Steward

April C. Steward Town Administrator



The American Rescue Plan will deliver \$350 billion for state, local, territorial, and Tribal governments to respond to the COVID-19 emergency and bring back jobs.

The Coronavirus State and Local Fiscal Recovery Funds provide a substantial infusion of resources to help turn the tide on the pandemic, address its economic fallout, and lay the foundation for a strong and equitable recovery.

Funding Objectives

- Support urgent COVID-19 response efforts to continue to decrease spread of the virus and bring the pandemic under control
- Replace lost public sector revenue to strengthen support for vital public services and help retain jobs
- Support immediate economic stabilization for households and businesses
- Address systemic public health and economic challenges that have contributed to the inequal impact of the pandemic

Eligible Jurisdictions & Allocations

Direct Recipients

- States and District of Columbia (\$195.3 billion)
- Counties (\$65.1 billion)
- Metropolitan cities (\$45.6 billion)
- Tribal governments (\$20.0 billion)
- Territories (\$4.5 billion)

Indirect Recipients

Non-entitlement units (\$19.5 billion)



Support Public Health Response

Fund COVID-19 mitigation efforts, medical expenses, behavioral healthcare, and certain public health and safety staff



Replace Public Sector Revenue Loss

Use funds to provide government services to the extent of the reduction in revenue experienced due to the pandemic



Water and Sewer Infrastructure

Make necessary investments to improve access to clean drinking water and invest in wastewater and stormwater infrastructure



Address Negative Economic Impacts

Respond to economic harms to workers, families, small businesses, impacted industries, and the public sector



Premium Pay for Essential Workers

Offer additional support to those who have and will bear the greatest health risks because of their service in critical infrastructure sectors



Broadband Infrastructure

Make necessary investments to provide unserved or underserved locations with new or expanded broadband access



For More Information: Please visit www.treasury.gov/SLFRP

For Media Inquiries: Please contact the U.S. Treasury Press Office at (202) 622-2960
For General Inquiries: Please email SLFRP@treasury.gov for additional information



Example Uses of Funds

Support Public Health Response

- Services to contain and mitigate the spread of COVID-19, including vaccination, medical expenses, testing, contact tracing, quarantine costs, capacity enhancements, and many related activities
- Behavioral healthcare services, including mental health or substance misuse treatment, crisis intervention, and related services
- Payroll and covered benefits for public health, healthcare, human services, and public safety staff to the extent that they work on the COVID-19 response

A Replace Public Sector Revenue Loss

- Ensure continuity of vital government services by filling budget shortfalls
- Revenue loss is calculated relative to the expected trend, beginning with the last full fiscal year prepandemic and adjusted annually for growth
- Recipients may re-calculate revenue loss at multiple points during the program, supporting those entities that experience revenue loss with a lag

🖏 Water & Sewer Infrastructure

- Includes improvements to infrastructure, such as building or upgrading facilities and transmission, distribution, and storage systems
- Eligible uses aligned to Environmental Protection Agency project categories for the Clean Water State Revolving Fund and Drinking Water State Revolving Fund

Equity-Focused Services

- Additional flexibility for the hardest-hit communities and families to address health disparities, invest in housing, address educational disparities, and promote healthy childhood environments
- Broadly applicable to Qualified Census Tracts, other disproportionately impacted areas, and when provided by Tribal governments

Address Negative Economic Impacts

- Deliver assistance to workers and families, including support for unemployed workers, aid to households, and survivor's benefits for families of COVID-19 victims
- Support small businesses with loans, grants, in-kind assistance, and counseling programs
- Speed the recovery of impacted industries, including the tourism, travel, and hospitality sectors
- Rebuild public sector capacity by rehiring staff, replenishing state unemployment insurance funds, and implementing economic relief programs

Premium Pay for Essential Workers

- Provide premium pay to essential workers, both directly and through grants to third-party employers
- Prioritize low- and moderate-income workers, who face the greatest mismatch between employmentrelated health risks and compensation
- Key sectors include healthcare, grocery and food services, education, childcare, sanitation, and transit
- · Must be fully additive to a worker's wages

Broadband Infrastructure

- Focus on households and businesses without access to broadband and those with connections that do not provide minimally acceptable speeds
- Fund projects that deliver reliable service with minimum 100 Mbps download / 100 Mbps upload speeds unless impracticable
- Complement broadband investments made through the Capital Projects Fund

○ Ineligible Uses

- Changes that reduce net tax revenue must not be offset with American Rescue Plan funds
- Extraordinary payments into a pension fund are a prohibited use of this funding
- · Other restrictions apply to eligible uses

The examples listed in this document are non-exhaustive, do not describe all terms and conditions associated with the use of this funding, and do not describe all the restrictions on use that may apply. The U.S. Department of the Treasury provides this document, the State and Local contact channels, and other resources for informational purposes. Although efforts have been made to ensure the accuracy of the information provided, the information is subject to change or correction. Any Coronavirus State and Local Fiscal Recovery Funds received will be subject to the terms and conditions of the agreement entered into by Treasury and the respective jurisdiction, which shall incorporate the provisions of the Interim Final Rule and/or Final Rule that implements this program.

ARPA Local Relief Frequently Asked Questions

After the American Rescue Plan Act was signed into law by President Biden on March 11, 2021, it guaranteed direct relief to all 19,000 cities, towns and villages in the United States (Sec. 9901: Coronavirus State and Local Fiscal Recovery Funds). The U.S. Department of the Treasury is responsible for distributing this unprecedented program, and they are currently developing methods and guidance for the allocation and oversight process. NLC is sharing information about municipal allocations by state and city leaders' questions with the Treasury.

NLC has identified your frequently asked questions about Coronavirus Local Fiscal Recovery Fund grants, and we have provided answers based on available information to help you prepare while we all wait for official guidance. These answers will be updated when additional information becomes available.

When can we expect more guidance?

The American Rescue Plan Act gives the U.S. Department of Treasury 60 days from enactment on March 11, 2021, to make their allocations to state and local governments. Considering the complexity of distributing these funds to 19,000 cities, towns and village, the Treasury may take close to 60 days to develop guidance.

What should my city do while we wait for more guidance?

The US Department of the Treasury has released information about preliminary steps that municipalities should take to facilitate quick receipt of funds. Metropolitan cities (populations over 50,000) need a valid DUNS number, an active SAM registration, and payment information whereas Non-Entitlement Units of Local Government (populations under 50,000) need a valid DUNS number to meet reporting requirements.

Municipalities should also take informal steps to prepare for these funds. Assess government operations AND community needs to develop a plan for recovery. Gather your team and include internal and external stakeholders. Include resident voices. Get to know the community's needs at all levels: individuals, families, organizations and businesses, and each level of government. Think about building connections across systems and levels. Solicit input from valuable staff and stakeholders to help create a comprehensive needs assessment. Make racial equity a part of your plan and ensure that you have set targets to support those who are often excluded.

The federal government has prioritized the timely distribution of funds, so do not wait to get started. The sooner that you develop a recovery plan, the faster you can get people back to work, stabilize your operations, and support those most impacted by COVID-19. As you put your plan together, consider the benchmarks of success including key metrics that will help you tell the story of how the American Rescue Plan Act has helped your city, town, or village.

NLC has created principles to help guide your planning and use of the Coronavirus Local Fiscal Recovery Fund grants. You can view those principles here.

What does my city need to do to receive funds?

The Coronavirus Local Fiscal Recovery Fund grants are *formula grants* and under the formula every municipal government is entitled to receive a calculated share of the \$65.1 billion for cities, towns, and villages. These are not *competitive grants* and local governments will NOT have to submit an application or certification or justify their needs in advance. Municipalities do need to take certain steps to make sure they receive their grants, however.

Metropolitan cities (population greater than 50,000) should ensure they have a valid DUNS number, an active SAM registration, and payment information – including Entity Identification Number (EIN), name, and contact information; name and title of authorized representative of the entity; and financial institution information.

Non-entitlement Units of Local Government (population less than 50,000) must have a valid DUNS number to meet reporting requirements. Since they will be receiving their grants through their state government, they do not need an active SAM registration.

What is a DUNS number?

Metropolitan cities (populations over 50,000) and Non-Entitlement Units of Local Government (populations under 50,000) must have a valid DUNS number to meet reporting requirements in the Coronavirus Local Fiscal Recovery Fund.

A DUNS number is a unique nine-character number used to identify an organization and is issued by Dun & Bradstreet. The federal government uses the DUNS number to track how federal money is allocated. A DUNS number is required prior to registering with the SAM database, which is outlined below. Registering for a DUNS number is free of charge. If an entity does not have a valid DUNS number, please visit https://fedgov.dnb.com/webform/or call 1-866-705-5711 to begin the registration process.

What is an active SAM registration?

Since they will receive their funds directly from the federal government, Metropolitan cities (populations over 50,000) will need an active SAM registration, whereas Non-Entitlement Units of Local Government (populations under 50,000) will not need this registration since they will receive their funds through their state governments.

SAM is the official government-wide database to register with in order to do business with the U.S. government. All Federal financial assistance recipients must register on SAM.gov and renew their SAM registration annually to maintain an active status to be eligible to receive Federal financial assistance. There is no charge to register or maintain your entity SAM registration.

If an entity does not have an active SAM registration, please visit, SAM.gov to begin the entity registration or renewal process. Please note that SAM registration can take up to three weeks; delay in registering in SAM could impact timely payment of funds.

How will my city receive its funds?

More than 19,000 municipalities will receive direct funding under the America Rescue Plan Act. Direct funding means:

- 1. All cities, towns, and villages are entitled to a federal grant from the new Coronavirus Local Fiscal Recovery Fund.
- 2. Aid obligated to municipalities is not in any way mingled with aid obligated to state or county governments.
- 3. Aid for municipalities is protected from state our county interference by iron-clad statutes compelling states to comply, including penalties for states that fail to carry out their responsibilities to small cities and towns.

The Act designates the approximately 1,000 cities with more than 50,000 residents as Metropolitan cities, and those cities will receive their funds directly from the U.S. Department of Treasury. The act designates the approximately 18,000 cities, towns and villages with less than 50,000 residents as non-metro, non-county units of local government and makes the states responsible for passing through all federal funds that non-metro localities are entitled to.

What will I need to report to the Treasury?

Cities should prepare to report how they spent their funds. NLC is waiting on guidance from the U.S. Department of Treasury to know what details need to be included and in what format they will need to be reported.

Cities will need a valid DUNS number to meet the reporting requirements for the Coronavirus Local Fiscal Recovery Fund.

When will I need to report to the Treasury?

Cities will need to make "periodic" reports to the U.S. Department of Treasury, according to the statute. Cities should plan to report how these funds are spent. Audits might go on for years after 2024, the date by which the money will remain available. Therefore, it is important to maintain good records.

How much money will my city receive?

Accurate grant calculations depend on a perfected list of eligible municipalities. The Treasury department is finalizing a list of all local governments to accurately calculate the share each municipality will receive from the \$65.1 billion municipal fund. Existing estimates provided by Congress are not completely accurate or final. However, you can find those non-final estimates of your allocation on our <u>Estimated Local Allocations in the American Rescue Plan</u> webpage.

Of the \$65.1 billion total, \$45.57 billion, or 70% of funds, will be allocated to metro cities with more than 50,000 residents using a modified Community Development Block Grant formula calculation. The remaining \$19.53 billion, or 30% of funds, will be allocated non-metro cities with less than 50,000 residents using a simple per-capita calculation, with total grant size for non-metro cities capped at 75% of the locality's most recent budget as of January 27, 2020.

Why is my city missing from the estimated allocations?

The Congressional Research Service calculated the estimates to inform debate over the American rescue Plan Act. The estimates were based on incomplete Census data from the U.S. Department of Housing and Urban Development, the Census Bureau, and the Congressional Research

Service. However, as a result of incomplete data, some cities, towns and villages are missing or misclassified. The Act permits the Treasury Department to correct the estimates by supplementing federal data with state and locally- derived data. NLC is coordinating with the state municipal leagues to provide the U.S. Department of Treasury with lists of missing and misclassified cities.

When will my municipality receive funds?

Cities designated as "Metropolitan cities" will receive their money within 60 days of the laws signing (March 11, 2021). Cities, towns and villages considered non-metro units of local government will receive their money approximately 90 days after the signing of the law (March 11, 2021).

Funding will be released to state and local governments by Treasury in two tranches. Half the funding each city is entitled to will be released under the first tranche by May 10, 2021; and the second half of funds will be released under the second tranche one year after the disbursement of the first tranche.

Is there a deadline to use the funds?

We are waiting for the U.S. Department of Treasury to weigh in on this. The bill states that funds for local governments will "remain available through December 31, 2024." Treasury will need to decide whether this means spent by or obligated by that date.

Can recovery funds be used for stormwater projects and expenses?

At this point, it is unclear if stormwater or wastewater projects and expenses are eligible expenses under the statute. <u>In a letter to Treasury</u>, NLC made a push for a liberal interpretation of the statute to include stormwater and wastewater projects and expenses.

Can my city decrease taxes after receiving these funds?

The rule that would prohibit tax decreases is a restriction only on States. The local government section of the bill contains no prohibition on lowering taxes.

If fiscal recovery funds are used for infrastructure projects, does my municipality need to comply with typical federal requirements like NEPA?

NLC raised this issue with the U.S. Department of Treasury during a call and the Department of Treasury said it is an issue it is looking in to.

What infrastructure projects can funds be used on?

The statute states that the allowable infrastructure includes water, sewer, or broadband. It is unclear at this point if waste and stormwater are allowable uses. As for other infrastructure projects, we will have to wait for Treasury guidance to see what is considered a permissible use.

Can recovery funds be used for pensions?

No, the statute states explicitly that cities receiving funds may not "use funds made available under this section for deposit into any pension fund."

Can cities transfer their allotted funds to counties?

The statute provides four categories in which a city can transfer funds.

- 1. A private nonprofit organization
- 2. A public benefit corporation involved in the transportation of passengers or cargo
- 3. A special-purpose unit of State or local government
- 4. A state government

The statute is silent on transferring funds to a county.

Can Governors or state legislatures interfere with the allocation or spending of Coronavirus Local Fiscal Recovery Funds?

The Act does not give states authority to change the amount of, or attach additional requirements to, the payments allocated to local government recipients.

Commonwealth of Massachusetts

Executive Office for Administration & Finance

Federal Funds Office (FFO)

American Rescue Plan Act of 2021 (ARPA):

Guidance Briefing

May 2021





Context

- US Treasury released materials associated with the launch of the Coronavirus State and Local Fiscal Recovery Funds (CSLFRF) on May 10, 2021
- > Updated state and local allocation amounts
- further definitions, restrictions, and reporting requirements on > Guidance in the form of an "Interim Final Rule" providing the funds
- > FAQ document

Data and policies updated frequently; current data as of May 11, 2021



Updated Allocations

- increase of approximately \$774 M versus the preliminary The Commonwealth now slated to receive \$5.3 B, an estimate of \$4.5 B
- Calculated based on more recent unemployment data relative to the rest of the country
- Local governments in Massachusetts to get \$3.4 B, similar to the preliminary estimate but with slightly different distribution among cities and towns
- In total, \$8.7 B for the state, counties, and municipalities in Massachusetts

Note

 Treasury is expected to release more information on local allocations in the coming days



Eligible Uses for the State and Local Aid



1. Respond to the public health emergency with respect to COVID-19 or its negative economic impacts



2. Provide premium pay to employees providing essential work during the COVID-19 public health emergency



3. Provide government services to the extent of the reduction in revenue due to COVID-19



4. Invest in water, sewer, or broadband infrastructure



Respond to the public health emergency with respect to COVID-19 or its negative economic impacts

Potential Eligible Uses Include:

- Direct COVID-related costs (testing, contact tracing, etc.)
- Public health and safety staff
- Hiring state and local government staff up to the number of employees to prepandemic levels
- Assistance to unemployed workers, including job training
- Contributions to UI systems
- Small business assistance
- Nonprofit assistance
- Assistance to households

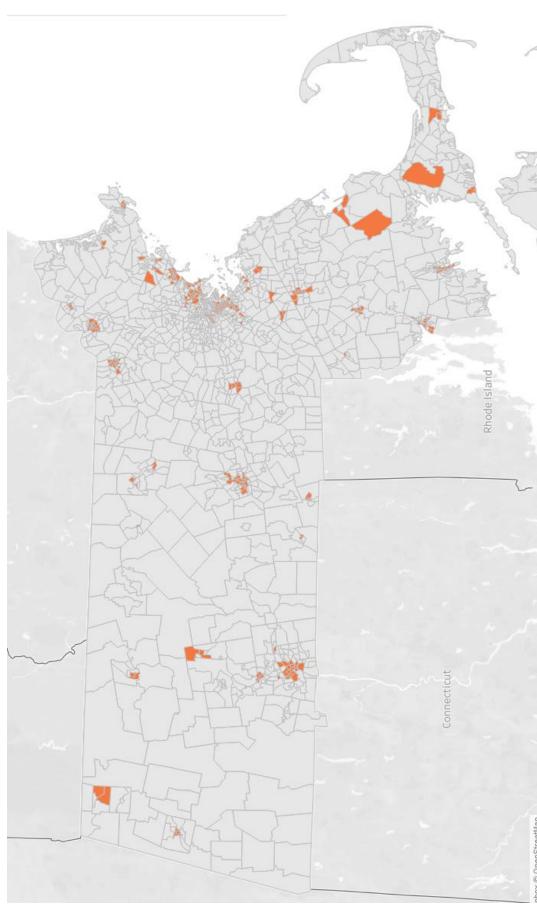
- Aid to impacted industries
- Expenses to improve efficacy of public health or economic relief programs
- Survivor's benefits
- Aid to disproportionately impacted populations or communities (see next slide)



Aid to Disproportionately Impacted Populations or Communities:

- > Two ways to define these populations or communities:
- »Generate our own definition of disproportionately impacted populations or communities
- »Qualified Census Tracts (QCTs) identified by HUD
- ➤ There are 312 QCTs in Massachusetts located within 49 municipalities
- ▼The QCTs represent approximately 1.3 M people





Stats on QCTs

- 312 QCTs in Massachusetts
- Represents

 approximately 19% of
 the population



Aid to Disproportionately Impacted Populations or Communities:

- > Potential eligible uses for disproportionately impacted populations or communities:
- »Programs that facilitate access to health and social services
- »Programs that address housing insecurity, lack of affordable housing, or homelessness
- »Programs that mitigate the impacts of COVID on education; and
- »Programs that mitigate the impacts of COVID on childhood health or welfare



Premium Pay

- Provide premium pay to eligible workers performing essential work during COVID-19
- > Eligible workers designated by chief executive
- > Up to \$13/hr, capped at \$25 K per worker
- > Can be for public, private, or non-profit workers
- Essential work defined as work involving regular in-person interactions or regular physical handling of items that were also handled by others
- Must prioritize lower income eligible workers
- Must provide written justification if premium pay increases the recipient's wages to more than 150% of the state's average annual wage for all occupations

Potential Eligible Workers

- Staff at nursing homes, hospitals, and home care settings
- Workers at farms, food production facilities, grocery stores, and restaurants
- Janitors and sanitation workers
- Truck drivers, transit staff, warehouse workers
- Public health and safety
 - Childcare workers
- Social service staff



Revenue replacement

- Helpful definition of revenue replacement:
- based on a set of assumptions described by Treasury > Create a counterfactual revenue collection scenario
- Compare actual experience to counterfactual
- Funds used for revenue replacement have broad ability to spend, but cannot be deposited in Stabilization Fund or use to support debt service costs

Covered Period

 Expenses must be obligated by December 31, 2024, but actual payments can lag to December 31, 2026



Water, Sewer, and Broadband Infrastructure

- > Wide discretion for projects eligible for Clean Water Trust programs
- > Dams and culverts are not explicitly prohibited, but do not seem to align with the guidance

Compliance and Reporting Obligations

- > Need to carefully document and describe the eligibility of each expenditure, with caveats noted above
- > Extensive list of reporting requirements
- » Also requires the development of a Key Performance Indicators framework (further guidance forthcoming)
- > These obligations will last until calendar year 2027



A&F Federal Funds Office (FFO)









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Brendan Sweeney:
Assistant Director
Federal Funds,
Municipalities



Brendan Dutch:

Assistant Director Federal Funds, Compliance



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Katie Berdy

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E-mail: ffoanf@mass.gov

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Funding will be released to state and local governments by Treasury in two tranches. Half the funding each city is entitled to will be released under the first tranche by May 10, 2021; and the second half of funds will be released under the second tranche one year after the disbursement of the first tranche.

Is there a deadline to use the funds?

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- > FAQ document

Data and policies updated frequently; current data as of May 11, 2021



Updated Allocations

- increase of approximately \$774 M versus the preliminary The Commonwealth now slated to receive \$5.3 B, an estimate of \$4.5 B
- Calculated based on more recent unemployment data relative to the rest of the country
- Local governments in Massachusetts to get \$3.4 B, similar to the preliminary estimate but with slightly different distribution among cities and towns
- In total, \$8.7 B for the state, counties, and municipalities in Massachusetts

Note

 Treasury is expected to release more information on local allocations in the coming days



Eligible Uses for the State and Local Aid



1. Respond to the public health emergency with respect to COVID-19 or its negative economic impacts



2. Provide premium pay to employees providing essential work during the COVID-19 public health emergency



3. Provide government services to the extent of the reduction in revenue due to COVID-19



4. Invest in water, sewer, or broadband infrastructure



Respond to the public health emergency with respect to COVID-19 or its negative economic impacts

Potential Eligible Uses Include:

- Direct COVID-related costs (testing, contact tracing, etc.)
- Public health and safety staff
- Hiring state and local government staff up to the number of employees to prepandemic levels
- Assistance to unemployed workers, including job training
- Contributions to UI systems
- Small business assistance
- Nonprofit assistance
- Assistance to households

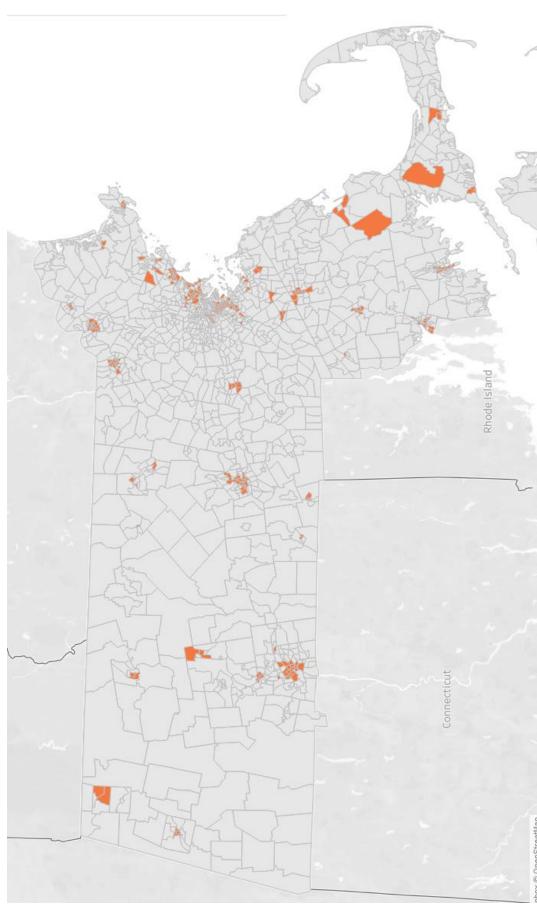
- Aid to impacted industries
- Expenses to improve efficacy of public health or economic relief programs
- Survivor's benefits
- Aid to disproportionately impacted populations or communities (see next slide)



Aid to Disproportionately Impacted Populations or Communities:

- > Two ways to define these populations or communities:
- »Generate our own definition of disproportionately impacted populations or communities
- »Qualified Census Tracts (QCTs) identified by HUD
- ➤ There are 312 QCTs in Massachusetts located within 49 municipalities
- ▼The QCTs represent approximately 1.3 M people





Stats on QCTs

- 312 QCTs in Massachusetts
- Represents

 approximately 19% of
 the population



Aid to Disproportionately Impacted Populations or Communities:

- > Potential eligible uses for disproportionately impacted populations or communities:
- »Programs that facilitate access to health and social services
- »Programs that address housing insecurity, lack of affordable housing, or homelessness
- »Programs that mitigate the impacts of COVID on education; and
- »Programs that mitigate the impacts of COVID on childhood health or welfare



Premium Pay

- Provide premium pay to eligible workers performing essential work during COVID-19
- > Eligible workers designated by chief executive
- > Up to \$13/hr, capped at \$25 K per worker
- > Can be for public, private, or non-profit workers
- Essential work defined as work involving regular in-person interactions or regular physical handling of items that were also handled by others
- Must prioritize lower income eligible workers
- Must provide written justification if premium pay increases the recipient's wages to more than 150% of the state's average annual wage for all occupations

Potential Eligible Workers

- Staff at nursing homes, hospitals, and home care settings
- Workers at farms, food production facilities, grocery stores, and restaurants
- Janitors and sanitation workers
- Truck drivers, transit staff, warehouse workers
- Public health and safety
 - Childcare workers
- Social service staff



Revenue replacement

- Helpful definition of revenue replacement:
- based on a set of assumptions described by Treasury > Create a counterfactual revenue collection scenario
- Compare actual experience to counterfactual
- Funds used for revenue replacement have broad ability to spend, but cannot be deposited in Stabilization Fund or use to support debt service costs

Covered Period

 Expenses must be obligated by December 31, 2024, but actual payments can lag to December 31, 2026



Water, Sewer, and Broadband Infrastructure

- > Wide discretion for projects eligible for Clean Water Trust programs
- > Dams and culverts are not explicitly prohibited, but do not seem to align with the guidance

Compliance and Reporting Obligations

- > Need to carefully document and describe the eligibility of each expenditure, with caveats noted above
- > Extensive list of reporting requirements
- » Also requires the development of a Key Performance Indicators framework (further guidance forthcoming)
- > These obligations will last until calendar year 2027



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