

Select Board / Affordable Housing Trust Agenda January 23, 2023



AGENDA
SELECT BOARD / AFFORDABLE HOUSING TRUST
MONDAY, JANUARY 23, 2023
WAQUOIT MEETING ROOM
MASHPEE TOWN HALL
16 GREAT NECK ROAD NORTH
MASHPEE, MA 02649

Broadcast Live on Local Cable Channel 18

Streamed Live on the Town of Mashpee Website: <https://www.mashpeema.gov/channel-18>

6:30 p.m. – Convene Select Board and Affordable Housing Trust in Open Session

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

- Discussion and Possible Approval of Amendment to the Affordable Housing Trust Community Preservation Funding Application for the May 2023 Town Meeting ("Transfer of Funds to the Affordable Housing Trust")

Adjourn Affordable Housing Trust Meeting

MINUTES

Approval of the Following Minutes: Monday, January 9, 2023 Regular Session

APPOINTMENTS & HEARINGS

- Public Comment
- Discussion and Possible Approval of Grant Application with Regard to Community Development Block Grant:
Town Planner Evan Lehrer
- Discussion and Approval of Town Manager Corresponding with State Officials with Regard to Speed Limits on Designated Roads
- Introduction and Information from Eversource: *Eversource Community Relations Specialist Ronit Goldstein*
- Discussion and Certification of the Hiring Process for the Following in the Fire Department:
Firefighter/Paramedic Timothy Houde; Administrative Assistant Jennifer Thomas
- Discussion and Approval of the Following Appointments and Resignations:
Resignations:
Community Preservation Act Committee Member at Large (Term Expires June 30, 2023): Edward Larkin
Appointments:
Economic Development Industrial Corporation Commercial Rep., (Term Expires June 30, 2023): Rick Cayer
Waterways Commission: Members at Large (Terms Expire June 30, 2024): Richard Santangelo; Ronald Marchessault
Capital Improvement Program Committee: Member at Large (Term Expires June 30, 2023): John Livingston
Conservation Commission:
Member at Large (Term Expires June 30, 2025): Erin Copeland
Associate Member (Term Expires June 30, 2023): Sandi Godfrey

COMMUNICATIONS & CORRESPONDENCE

OLD BUSINESS

- Discussion and Possible Action on Community Preservation Act Committee Disc Golf Application: *Drew McManus*
(Continued from January 9, 2023 Select Board Meeting)

NEW BUSINESS

- Update on Fiscal Year 2024 Budget: *Town Manager Rodney Collins*

ADDITIONAL TOPICS

(This space is reserved for topics that the Chair did not reasonably anticipate would be discussed)

LIAISON REPORTS

WATER QUALITY UPDATES

TOWN MANAGER UPDATES

EXECUTIVE SESSION

ADJOURNMENT

MASHPEE TOWN CLERK
JAN 19 '23 PM 4:19

Evan Lehrer
Town Planner
(508) 539-1414
elehrer@mashpee.ma.gov



Planning Department
Mashpee Town Hall
16 Great Neck Road North
Mashpee, MA 02649

To: David Weeden, Chair
Honorable Members of the Affordable Housing Trust
From: Evan Lehrer, Town Planner
Date: January 19, 2023
Re: Potential amendment of CPC funding request

At your meeting of November 7, 2022 you had voted to submit an application to the Community Preservation Committee for funding. That application requested a minimum of \$300,000 for affordable housing opportunities within the Trust's authority.

At their meeting of December 8, 2022 the CPC voted to submit an article to Town Meeting to fund this grant request.

At the same meeting the CPC reviewed an application submitted by private property owner for the acquisition of property he owns addressed as 31 Ashumet/474 Main Street who noted he would accept \$250,000 for the property.

Staff feel this is a good opportunity for a small affordable housing opportunity on Mashpee's Main Street where sewer access is planned for the future.

There are existing conditions on the site that need to be further evaluated, notably stumps, logs, rocks and other fill material buried on the site.

Given these existing conditions the CPC is not in a position to recommend an article go forward to fund this acquisition.

I have been asked by the CPC Chair to ask the Trust to consider modifying its funding request from \$300,000 to \$550,000 to provide the Trust with adequate funds to acquire this parcel for affordable housing purposes if further due diligence demonstrates that existing conditions on the site do not have a detrimental impact on the feasibility of an affordable housing project at this location. Amending its funding request would not compel the Trust to proceed with an acquisition if it felt the acquisition would not be advantageous in consideration of the Town's affordable housing goals.

Cc: Rodney Collins, Town Manager



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SELECT BOARD
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6:30 p.m. – Convene Meeting in Open Session

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

MINUTES

Approval of the Following Minutes: Monday, December 19, 2022 Regular & Executive Sessions

APPOINTMENTS & HEARINGS

- Public Comment
- 6:35 p.m. Public Hearing – Retail Alcoholic Beverages License Amendment Application, Change of Manager: *QVCC Inc. dba Quashnet Valley Country Club*
- Pole Hearing – Verizon/ Eversource Petition #MA 2022-31 for Red Brook Road (875 feet west of centerline of Brian's Lane)
- Discussion and Approval of 2023 Seasonal Population Estimate: *Town Planner Evan Lehrer*
- Discussion and Possible Action on Community Preservation Act Committee Disc Golf Application: *Drew McManus*
- Presentation and Discussion of Potential Bylaw Amendment Warrant Article with Regard to Horsepower and Speed Restrictions on Santuit Pond: *Department of Natural Resources Director Ashley Fisher; Fuss & O'Neill Representatives*
- Discussion and Approval of the Following Resignations:
 - Community Preservation Act Committee: *Dawn M. Thayer, Member At-Large, Resignation to be Effective February 13, 2023 (Term Expires June 30, 2023)*
 - Council on Aging: *Virginia McIntyre, Member At-Large (Term Expires June 30, 2024)*
 - Planning and Construction Committee: *Joseph Brait, Construction Representative (Term Expires June 30, 2023)*

COMMUNICATIONS & CORRESPONDENCE

NEW BUSINESS

OLD BUSINESS

Discussion and Approval of Letter to the Sandwich Board of Selectmen with Regard to the NSG Village Green-1 Project (Continued from December 19, 2022 Meeting)

ADDITIONAL TOPICS

(This space is reserved for topics that the Chair did not reasonably anticipate would be discussed)

LIAISON REPORTS

WATER QUALITY UPDATES

- Discussion and Approval of Select Board Representative: *Cape Cod Water Protection Management Board*
- Discussion and Approval of Select Board Representative: *Intermunicipal Agreement Popponesset Watershed*
- Discussion and Approval of Letter to Support Special Legislation with Regard to Joint Base Cape Cod Wastewater Solutions

TOWN MANAGER UPDATES

EXECUTIVE SESSION

ADJOURNMENT

Mashpee Select Board
Minutes
January 9, 2023

Present: Selectman David W. Weeden, Selectman John J. Cotton, Selectman Thomas F. O'Hara
Selectman Carol A. Sherman, Selectman Michaela Wyman-Colombo
Town Manager Rodney C. Collins
Assistant Town Manager Wayne E. Taylor

Meeting Called to Order by Chairman Weeden at 6:30 p.m.
Mashpee Town Hall, Waquoit Meeting Room

MINUTES

Monday, December 19, 2022 Regular & Executive Sessions:

Motion made by Selectman Cotton to approve the Regular Session minutes of Monday; December 19, 2022 as presented.

Motion seconded by Selectman O'Hara.

VOTE: Unanimous. 3-0-2.

Roll Call Vote:

Selectman Weeden, abstained	Selectman Cotton, yes	Selectman O'Hara, yes
Selectman Sherman, abstained	Selectman Wyman-Colombo, yes	Opposed, none

Motion made by Selectman Cotton to approve the Executive Session minutes of Monday; December 19, 2022 as presented.

Motion seconded by Selectman O'Hara.

VOTE: Unanimous. 3-0-2.

Roll Call Vote:

Selectman Weeden, abstained	Selectman Cotton, yes	Selectman O'Hara, yes
Selectman Sherman, abstained	Selectman Wyman-Colombo, yes	Opposed, none

APPOINTMENTS & HEARINGS

Public Comment:

Richard Klein commented on a recent article which appeared in the *New York Times* about Mashpee and its water conditions. Mr. Klein made note of a former presentation made by the late Dr. Brian Howes on the dire state of Mashpee waters due to nitrogen impairment. To progress on a faster pace Mr. Klein recommended the Town move forward with a moratorium on Title V systems to allow for rejuvenation with less nitrogen input.

Allen Waxman: Mr. Waxman's comments were held for the Santuit Pond discussion.

Susan Dangel a resident of Cotuit Road and President of the Save Mashpee Wakeby Pond Alliance commented on a somber note about Mashpee waters as the towns primary natural resource. Water and housing are the highest priorities facing the Mashpee community. Ms. Dangel indicated the Town of Mashpee has reached a milestone with wastewater. However, the *New York Times* article has exposed Mashpee as a toxic stew to a worldwide audience.

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APPOINTMENTS & HEARINGS

Public Comment: (continued)

Ms. Dangel informed the Board that Mashpee environmental groups have gathered to discuss this crisis. The Town has made momentum in 2021 with a unanimous vote to approve sewerage, but we seem to be floundering. It is essential for the various groups to work in concert to be successful in cleaning our waters. Previously, the Select Board held several round table discussions, however, there have not been any further round table gatherings. There appears to be too much confusion over articles and the impacts. Our citizens are confused.

Ms. Dangel indicated the key is having reliable information, and the Town needs to provide it. At a recent Sewer Commission meeting there were discussions regarding the changes to the wastewater phases. It was stated a new study may take 1.5 to 2 years to complete. Thereafter it is the design phase, and then the funding. These decisions are delaying the entire project. With new and stringent regulations imposed by the DEP, we must do better, we must move faster, and we need to understand our goals. Can we adhere to a 75% reduction in 20 years? Ms. Dangel urged the Select Board to follow their lead as time is of the essence.

George Schmidt: Comments were deferred for the Santuit Pond discussion.

Mary Waygan, Ashumet Road announced a forum is being sponsored by the Salty Sport Fishing Club on Wednesday, January 11, 2023 regarding the plan of Holtec to discharge waste from the nuclear power plant into Cape Cod Bay. The meeting will be held at the Yarmouth Senior Center at 6:30 p.m. All are welcome.

Ms. Waygan also offered comment on the recent *New York Times* article and is seriously concerned the Town of Mashpee is being branded as a smelly place. It is hopeful the Town will declare 2023 as Mashpee's Clean Water Area by sewerage, imposing stronger stormwater management, and other initiatives such as fertilizer use, low impact development, setbacks, etc.

Brian Everett: deferred comment.

Paul Cononi: deferred comment.

Jason Fisher: deferred comment.

Joe Appleman: deferred comment.

Nathan Adams: deferred comment.

Lynne Barbee a resident of Surf Drive echoed some of the comments that have been mentioned. Ms. Barbee indicated that many residents in the Mashpee community earn a living selling real estate. Many are multi-million dollar homes. However, there are many residents who are trying very hard to address our waters. Realtors have been resistant to clean water measures such as setbacks, powerboats, etc. Ms. Barbee indicated that it is important to look at the long term vision to address the water crisis so people can earn a living and the rest of us can enjoy the waters.

Paul Pocins: deferred comment.

Eric Horne: deferred comment.

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Public Hearing – Retail Alcoholic Beverages License Amendment Application, Change of Manager:
QVCC Inc. dba Quashnet Valley Country Club:

The Select Board acting as the Local Licensing Authority opened the Public Hearing on the Retail Alcoholic Beverages License Amendment Application of QVCC, Inc. d/b/a Quashnet Valley Country Club, 309 Old Barnstable Road, Mashpee for a Change of Manager. In accordance with posting procedures, the hearing notice was read aloud into the record. The new manager of record is Dawn Tormey. All necessary paperwork is in order for the Select Board's approval.

The Select Board opened the hearing to solicit comment. Being none, the following action was taken;

Motion made by Selectman Sherman to close the Public Hearing.

Motion seconded by Selectman Cotton.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Weeden, yes	Selectman Cotton, yes	Selectman O'Hara, yes
Selectman Sherman, yes	Selectman Wyman-Colombo, yes	Opposed, none

Motion made by Selectman Sherman to approve the Retail Alcoholic Beverages License Amendment Application of QVCC, Inc. d/b/a Quashnet Valley Country Club, 309 Old Barnstable Road, Mashpee for a Change of Manager to Dawn Tormey.

Motion seconded by Selectman O'Hara.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Weeden, yes	Selectman Cotton, yes	Selectman O'Hara, yes
Selectman Sherman, yes	Selectman Wyman-Colombo, yes	Opposed, none

Pole Hearing – Verizon/ Eversource Petition #MA 2022-31 for Red Brook Road
(875 feet west of centerline of Brian's Lane):

The Select Board met with representation from Verizon/Eversource to review Petition #MA 2022-31 to install (1) Joint Pole on the northerly side of Red Brook Road, 875' west of the centerline of Brian's Lane to support the existing pole line and to provide for the distribution of intelligence and telecommunications and the transmission of high and low voltage electric current. The space shall be reserved and maintained for the limited purpose of attaching one-way low voltage fire and police signaling wires owned by the municipality for public safety purposes.

Motion made by Selectman Sherman to accept and approve Verizon New England, Inc. and NSTAR Electric Company d/b/a Eversource Energy Petition #MA 2022-31 for (1) Joint Owned pole as presented.

Motion seconded by Selectman Cotton.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Weeden, yes	Selectman Cotton, yes	Selectman O'Hara, yes
Selectman Sherman, yes	Selectman Wyman-Colombo, yes	Opposed, none

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APPOINTMENTS & HEARINGS

Discussion and Approval of 2023 Seasonal Population Estimate: Town Planner Evan Lehrer:

Correspondence was received from Evan Lehrer, Town Planner dated December 15, 2022 estimating a peak population of 36,825 persons in the 2023 summer season. This represents an increase of 574 persons.

Motion made by Selectman Cotton to approve the estimated Seasonal Population of 36,825 persons as projected by the Town Planner.

Motion seconded by Selectman O'Hara.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Weeden, yes	Selectman Cotton, yes	Selectman O'Hara, yes
Selectman Sherman, yes	Selectman Wyman-Colombo, yes	Opposed, none

Discussion and Possible Action on Community Preservation Act Committee Disc Golf Application: Drew McManus:

Andrew McManus was in attendance on behalf of the Cape Cod Disc Golf Club to request the Select Board support the proposal to bring the disc golf sport to the Town of Mashpee, and assist in identifying a site conducive for a disc golf course. It was noted the project is before the Community Preservation Committee for funding at the May Town Meeting.

The Community Preservation Committee has reviewed the application and has tabled their recommendation until such time the Select Board reviews the proposal and approves/recommends a site location for a disc golf course.

Sites under consideration include two adjoining parcels of town-owned open space totaling 15.9 acres located at 0 Great Neck Road North/37 Goodspeed Road. There are no rare species habitat, no wetlands and there is established parking at the Town Hall and the Community Park. An additional site is 101 Redbrook Road, a 24 acre site of town-owned open space. There is limited parking with the Fire Substation and cell phone tower, but there is room for expansion. A 4.1 acre town-owned open space site identified as 400 Main Street is located between the Community Park and the Community Gardens. Since this site is smaller, a 5-6 hole course versus a 9 or 19 hole layout would be developed at this location.

Previously 156 Ashumet Road was considered for a 9 hole disc golf course on 16 acres of town-owned property. The site is located in the area of the pickleball courts and dog park. Also under review was the wooded areas behind the athletic fields of the Mashpee High/Middle School.

Mr. McManus indicated that disc golf does not require an extensive alteration of the land. The course is blended into a natural setting similar to a trail system, but slightly modified. The rules are the same as regular golf without the club. The target is baskets. It is a very environmentally friendly activity for all skills and ages. This is a year round sport and a great way to get people outdoors for healthy exercise.

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Discussion and Possible Action on Community Preservation Act Committee Disc Golf Application: Drew McManus: (continued)

In considering the parcels proposed for the disc golf course, the Select Board was in agreement to concentrate recreational activities in the hub of the Town's recreational area on Ashumet Road. There is established parking, and additional gravel parking could be added at the site to alleviate parking at the dog park or pickleball court areas. Additional signage could make parking delineations clear to the recreational users.

It was also noted this is a very quiet activity with a minor noise level. Disc golfers tend to have the same etiquette as regular golfers.

In an effort to further review site selections with the DPW Director who oversees buildings and grounds, Town Manager Rodney C. Collins recommended the Select Board defer approval to the next meeting.

Motion made by Selectman Wyman-Colombo to table the Disc Golf project to the Select Board meeting on January 23, 2023.

Motion seconded by Selectman Cotton.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Weeden, yes	Selectman Cotton, yes	Selectman O'Hara, yes
Selectman Sherman, yes	Selectman Wyman-Colombo, yes	Opposed, none

Presentation and Discussion of Potential Bylaw Amendment Warrant Article with Regard to Horsepower and Speed Restrictions on Santuit Pond: Department of Natural Resources Director Ashley Fisher; Fuss & O'Neill Representatives:

Ashley Fisher, Director of Natural Resources was in attendance with representatives from the engineering firm; Fuss & O'Neill to discuss a potential waterways bylaw amendment planned for the remediation of Santuit Pond. This is the first of a series of public engagement sessions planned to educate and to seek comment on Santuit Pond.

An article is planned for the May Town Meeting warrant to restrict vessel use on Santuit Pond by prohibiting the use of internal combustion engines and electric engines in excess of 5 horsepower (hp). This action would limit potential disturbance and the resuspension of sediment into the water column, and preserve water quality in the pond to support other forms of recreation. This would also be protective of public health and safety.

The Department of Natural Resources in conjunction with the Mashpee Wampanoag Tribe's Natural Resource Department, engineering consultants Fuss & O'Neill and The Southeastern New England Partnership Program (SNEPP) recommend the approval of the proposed article for the May 2023 Town Meeting warrant.

Fuss & O'Neill consultants Diane Mas and Erik Mas have been working under the Municipal Vulnerability Preparedness Program grant for the Town of Mashpee.

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Presentation and Discussion of Potential Bylaw Amendment Warrant Article with Regard to Horsepower and Speed Restrictions on Santuit Pond: Department of Natural Resources Director Ashley Fisher; Fuss & O'Neill Representatives: (continued)

Diane Mas updated the Select Board and interested public on the history of the harmful cyanobacteria blooms in Santuit Pond that have contributed to potential environmental and human health impacts. There is a direct relationship between the severity of the algal blooms and the concentration of phosphorus that increases dramatically during the warm summer months.

Phosphorus is noted to derive from the watershed, from septic systems, fertilizer, waterfowl and stormwater runoff. Most of the phosphorus entering the pond is accumulated in the top layer of sediment. A significant portion of the phosphorus is not readily available for uptake by the algae however, the mixing of the sediment releases a considerable amount which is made available for use in the eutrophication process. Mixing processes include swimming, motor boat activity and other activities of like. The majority of the suspension of phosphorus derives from motor boat activity.

The top 1.6" is the active layer for phosphorus. In phosphorus-rich waters studies have shown that 78-80% of phosphorus is within the top layer of the sediment. The majority of the suspension or mixing can be related to motor boat activity if the lake has a high level of motor boat activity and if the water body is considered shallow with resistance to wind and pressure changes. Santuit Pond is a shallow pond with depths ranging from 5 to 9 feet.

Motors as small as 10hp cause a mixing depth of 1.8 meters or approximately 6 feet. It is therefore recommended the use of internal combustion motor boats in Santuit Pond be restricted to 5hp.

Ms. Mas stressed the need to use the tools within the tool box that are available for use. To address the sources of phosphorus internally you would minimize resuspension, especially at the top layer of sediment, limit phosphorus release using alum and remove sediment by dredging. External measures include watershed management, stormwater runoff practices, fertilizer reduction measures, septic system functions, sewerage and the use of solar bees.

In addition, bylaws, regulations and policies must be reviewed. This would include identifying opportunities and recommendation as well as water quality protection and enhancing climate resilience.

The recommendation in this outreach session to remediate Santuit Pond plans to reduce the potential for resuspension by limiting horsepower on Santuit Pond. Studies have shown a suspension depth of 6 feet with 10 hp engines, and a mixing depth of 10 feet with 28 hp engines. Electric motors at or below the threshold would be allowed on the pond as would non-motorized boats.

As a community, actions to remediate Santuit Pond would require a variety of procedures and trials. The issues within the pond did not happen overnight, and they will not go away overnight. Engagements may take decades to improve upon the pond for future generations.

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APPOINTMENTS & HEARINGS

Presentation and Discussion of Potential Bylaw Amendment Warrant Article with Regard to Horsepower and Speed Restrictions on Santuit Pond: Department of Natural Resources Director Ashley Fisher; Fuss & O'Neill Representatives: (continued)

Discussion continued with respect to the external sources of phosphorus; 78% and the need to remove the failed septic systems, and cesspools. The Town is moving forward with this issue nearing compliance. Sewering is advancing. At the last Town Meeting funds were appropriated to develop a plan to inventory, assess, and recommend improvements to the Town's stormwater infrastructure, and amendments were made to the nutrient control bylaw. And, the Town with the current warrant article to prohibit engines in excess of 5 hp to reduce the resuspension of the sediments is making further advancements towards remediation.

With regards to dredging, it was noted that portions of the pond can be dredged and spoils could possibly be used to create artificial wetlands for habitat restoration. In other areas, the spoils would have to be removed to an offsite location. This may prove costly even with grant funding. Through the Federal Clean Water Act grant funds are being sought in collaboration with the Tribe.

It was recommended that long and short term objectives be itemized. There are no quick solutions. Several objectives include outreach to review homeowner practices, low impact development, fertilizer usage control and controls for other nutrients entering the pond, the maintenance and upgrade of septic systems and larger options such as limited dredging.

The Select Board opened the discussion to solicit comment.

Allen Waxman of Santuit Pond Way indicated he is strongly in favor of the 5 hp limit. As a member of the Mashpee Ponds Coalition and Friends of Santuit Pond Mr. Waxman submitted a detailed memo in support of the bylaw amendment. Mr. Waxman indicated Santuit Pond is very shallow with an average depth of only 5 feet. The top 4" of sediment is laden with phosphorus. It is critical the sediment not be disturbed by the action of motor boats in order to prevent the release of phosphorus from pond sediments. Mr. Waxman noted that it is not unusual to place limitations on horsepower. Resuspension of the top layer is a critical problem.

George Schmidt spoke on behalf of the Briant's Neck Association, owners of homes and cottages on the southern shore of Santuit Pond. The association members are in full support of the proposal to amend the Town's bylaws as referenced. The amendment itself makes it clear as to why the restriction is appropriate to assist in the restoration of the pond's water quality and promote public health.

Brian Everett stated if boats with large motors are so harmful then why not limit all horsepower. The residents have suffered enough with past burdens for the recreational opportunities the pond has to offer. It was suggested the Town have more police presence to enforce the dawn to dusk rules at the landing. Trash receptacles are needed for the littering, and signage stating do not feed the waterfowl would help, these are contributors to the degradation of the pond.

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Presentation and Discussion of Potential Bylaw Amendment Warrant Article with Regard to Horsepower and Speed Restrictions on Santuit Pond: Department of Natural Resources Director Ashley Fisher; Fuss & O'Neill Representatives: (continued)

Joe Appleman a resident of Edgewater Road commented on the *New York Times* article. The problem lies with climate change, septic systems, and over population. There was nothing stated about boating. In reality, what makes Santuit Pond so special, it's the 3-5 boaters on the pond, fishing and enjoying the scenery. The pond was noted to be beautiful with fish, turtles, swans and otters. Its an amazing place to live. Boating, fishing, and recreation are important when living on the pond. Mr. Appleman noted there may be other viable solutions to consider. Perhaps, reducing engine speed and possibly with sewer line the Town would grandfather those who live on the pond. Regular septic maintenance is important. Mr. Appleman stated he is willing to work with the town to develop solutions. In closing he said the pond is tough, it keeps coming back and it is not as bad as those who are making it out to be.

Edgewater Road resident Paul Cononi indicated if the boats are eliminated it would devalue property. There are approximately 8-10 docks on the pond. In his opinion traffic is minimal. The survey did not state how much boat traffic is on the pond. Santuit Pond is an outlet for bass tournaments held twice per year with an estimated 7-8 boats. It is believed the cranberry bogs have been a contributing factor to the degradation of the pond. With the enforcement to re-do his septic Mr. Cononi indicated he complied and in his opinion the water quality has improved. It was recommended the town defer action on the horsepower for two years to determine the water quality results of the upgrades and system replacements.

Nathan Adams also residing on Edgewater Road stated it is unfortunate we are all concerned about the pond. He was not aware the town is making strides in septic and road runoff. Mr. Adams stated if the horsepower is kicking up the sediment, then why don't we limit the horsepower. The concern is water quality. At the most recent bass tournament more than 20 boats participated. Mr. Adams conducted water sampling at various times per day, and believes there is no correlation between boat traffic and phosphorus. The report states that each lake will be different, it depends on the sediment and boat traffic. On a normal weekend Santuit Pond has about 5 boats in the water. In his opinion we are scapegoats to make people feel better. Mr. Adams stated let's go for the real solutions and not just the feel good stuff.

Paul Pocins deferred comment.

Eric Horme of Timberlane Drive indicated that he is a newcomer residing in Mashpee for the past 1.5 years. He realizes there is a problem with the pond. However, the treatment guidance for the homeowners on the pond has been minimal. Mr. Horme stated he has not received any information from the town such as guidelines for fertilizer to see how he can help. Mr. Horme has grown up on the Cape, and has fished this pond with his father. The pond is a good recreational resource for the town, and Mr. Horme desires to raise his children boating on the pond.

Andrew McManus, Park Place Way offered comment regarding the horsepower restriction. Mr. McManus indicated the pond is infested with invasive species. If the invasives are disbursed in the water column, it would only take one seed for it to disburse itself. There are also impacts to the erosion on the banks from exceeding boat wakes. Mr. McManus indicated he is in favor of the restriction. It is not a ban. How much is this really impacting the fishing on the pond? There is no impact to the fish, it is just restricting the horsepower.

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APPOINTMENTS & HEARINGS

Presentation and Discussion of Potential Bylaw Amendment Warrant Article with Regard to Horsepower and Speed Restrictions on Santuit Pond: Department of Natural Resources Director Ashley Fisher; Fuss & O'Neill Representatives: (continued)

Diane Shield of Santuit Lane indicated she grew up on Santuit Pond. In her opinion boating is being used as a scapegoat. The Town needs to take on the sewerage. There was never a problem until there was further development and everyone had the perfect lawn. The wildlife on the pond is amazing and the sunsets are beautiful. Ms. Shields requested the Town fast track the assessment for sewerage. Bring it in, let's fix this the right way.

Discussion and Approval of the Following Resignations:

Community Preservation Act Committee: Dawn M. Thayer, Member At-Large; Resignation to be Effective February 13, 2023 (Term Expires June 30, 2023):

Correspondence was received from Dawn M. Thayer dated December 2, 2022 resigning from the Community Preservation Committee as a Member At-Large effective February 13, 2023.

Motion made by Selectman Sherman to accept with regret, the resignation of Dawn M. Thayer from the Community Preservation Committee effective February 13, 2023.

Motion seconded by Selectman O'Hara.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Weeden, yes	Selectman Cotton, yes	Selectman O'Hara, yes
Selectman Sherman, yes	Selectman Wyman-Colombo, yes	Opposed, none

Council on Aging: Virginia McIntyre, Member At-Large (Term Expires June 30, 2024):

A letter of resignation dated December 15, 2022 was received from Virginia McIntyre from the Council on Aging Board.

Motion made by Selectman Sherman to accept the resignation of Virginia McIntyre from the Council on Aging Board with regret.

Motion seconded by Selectman Wyman-Colombo.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Weeden, yes	Selectman Cotton, yes	Selectman O'Hara, yes
Selectman Sherman, yes	Selectman Wyman-Colombo, yes	Opposed, none

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Discussion and Approval of the Following Resignations: (continued)

Planning and Construction Committee: Joseph Brait, Construction Representative (Term Expires June 30, 2023):

Communication received from Joseph Brait dated December 5, 2022 announced his resignation from the Planning & Construction Committee as the Construction Representative.

Motion made by Selectman Sherman to accept the resignation of Joseph Brait from the Planning & Construction Committee with regret.

Motion seconded by Selectman O'Hara.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Weeden, yes	Selectman Cotton, yes	Selectman O'Hara, yes
Selectman Sherman, yes	Selectman Wyman-Colombo, yes	Opposed, none

OLD BUSINESS

Discussion and Approval of Letter to the Sandwich Board of Selectmen with Regard to the NSG Village Green-1 Project (Continued from December 19, 2022 Meeting):

A brief discussion followed with regards to the NSG Village Green-1 project in the Town of Sandwich. A draft letter of communication highlighting the Select Board's concern to the anticipated environmental and developmental impacts to the residents of the Town of Mashpee that would result from the impacts of the proposed housing development project was disseminated for review.

Although the Town of Mashpee has made contact with the Town of Sandwich regarding this matter, it was agreed the letter of concern would be transmitted to the respective Town Manager and Board of Selectmen to document Mashpee's interests that may influence pending decisions. It is recognized there is a critical need for affordable and attainable housing, however, any such development proposal must mitigate environmental impacts, particularly those relating to the fragile water and aquifer resources as well as public infrastructure and existing residents in the planned development area.

Motion made by Selectman Sherman to approve the transmission of the letter to the Town of Sandwich as drafted.

Motion seconded by Selectman O'Hara.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Weeden, yes	Selectman Cotton, yes	Selectman O'Hara, yes
Selectman Sherman, yes	Selectman Wyman-Colombo, yes	Opposed, none

Minutes
January 9, 2023

Discussion and Approval of Letter to the Sandwich Board of Selectmen with Regard to the NSG Village Green-1 Project (Continued from December 19, 2022 Meeting): (continued)

The Sandwich Board of Selectmen was noted to have the same concerns as the Town of Mashpee. They appreciate the interest in the Town of Mashpee and will maintain an open line of communication on this matter. Selectman Wyman-Colombo will be meeting with their Health Agent and Town Manager to keep abreast of this concern on behalf of the Town of Mashpee.

Additional comments recommended in the draft letter include; the vote of the Select Board was unanimous to highlight their concerns, and on page two to add the proposal is a development of regional impact (DRI).

Motion made by Selectman Sherman to approve the transmission of the letter as drafted to the Town of Sandwich with the edits as recommended by Selectman Wyman-Colombo.

Motion seconded by Selectman Wyman-Colombo.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Weeden, yes	Selectman Cotton, yes	Selectman O'Hara, yes
Selectman Sherman, yes	Selectman Wyman-Colombo, yes	Opposed, none

LIAISON REPORTS

Assembly of Delegates:

Pending before the Assembly of Delegates is the use of ARPA funds, an estimated \$11 million to address the range of housing needs on Cape Cod. When finalized it is anticipated this would be a competitive grant favoring projects that are shovel ready.

WATER QUALITY UPDATES

Discussion and Approval of Select Board Representative: Cape Cod Water Protection Management Board:

Selectman Wyman-Colombo offered to serve as Mashpee's representative to the Cape Cod Water Protection Management Board to fill the vacancy created by the resignation of former Selectman Andrew R. Gottlieb.

Motion made by Selectman Sherman to appoint Selectman Wyman-Colombo to the Cape Cod Water Protection Management Board.

Motion seconded by Selectman Cotton.

VOTE: 4-1.

Roll Call Vote:

Selectman Weeden, yes	Selectman Cotton, yes	Selectman O'Hara, no
Selectman Sherman, yes	Selectman Wyman-Colombo, yes	Opposed, (1)

Minutes

January 9, 2023

Leadership Stance Required:

In response to the article which appeared in the *New York Times* last Sunday Selectman Michaela Wyman-Colombo read aloud a statement requesting leadership in a time of crisis.

Selectman Wyman-Colombo indicated most importantly we as leaders owe our future generations water that sustains life. The Select Board was requested to act upon the following measurable items;

- Approve the clean water bylaws for inclusion on the May 2023 Town warrant. The includes an increase in the buffer zone and a ban on residential fertilizer.
- Develop a concrete education plan to help Mashpee residents understand how these bylaws would work and why they are necessary. With the approval and support of the Select Board the Town Manager would assign this task to employees who have requisite expertise who would meet with the Select Board at their next meeting for review and support.
- To work together to develop a clear and cohesive watershed plan to address water quality. Elicit the support of consultants if necessary to ensure a comprehensive and detailed plan for the removal of nitrogen and phosphorus from our waters with urgency.
- Work with towns who share our watershed. Call the Intermunicipal Agreement with the Towns of Barnstable and Sandwich to action.
- Develop a clear and cohesive plan to work together as thoughtful leaders to seek and secure state and federal government funding to address water quality on Cape Cod.
- Communicate ongoing progress as well as challenges to the residents of Mashpee during each Select Board meeting.

Discussion and Approval of Select Board Representative: Intermunicipal Agreement Popponesset Watershed:

Motion made by Selectman Sherman to appoint Selectman Wyman-Colombo as Mashpee's representative in accordance with the Intermunicipal Agreement for the Popponesset Watershed.

Motion seconded by Selectman Cotton.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Weeden, yes	Selectman Cotton, yes	Selectman O'Hara, yes
Selectman Sherman, yes	Selectman Wyman-Colombo, yes	Opposed, none

Discussion and Approval of Letter to Support Special Legislation with Regard to Joint Base Cape Cod Wastewater Solutions:

A draft letter in support of Special Legislation proposed by the Town of Sandwich to create a municipal wastewater treatment and disposal solutions at Joint Base Cape Cod (JBCC) was presented to the Select Board for review. The act would specifically authorize the Town of Sandwich to contract for the services to make necessary improvements for the municipal use of JBCC infrastructure eligible for State Revolving Funds.

A regional wastewater treatment facility would benefit all Upper Cape communities enhancing ground and surface water resources to ensure the safety of drinking water, the protection of public health and the development of more resilient communities.

Minutes
January 9, 2023

Discussion and Approval of Letter to Support Special Legislation with Regard to Joint Base Cape Cod Wastewater Solutions: (continued)

Motion made by Selectman Sherman to send a letter of support to the Town Manager of the Town of Sandwich for the Special Legislation as described.

Motion seconded by Selectman Cotton.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Weeden, yes	Selectman Cotton, yes	Selectman O'Hara, yes
Selectman Sherman, yes	Selectman Wyman-Colombo, yes	Opposed, none

TOWN MANAGER UPDATES

The change of name from the Board of Selectmen to the Select Board has become official as of January 5, 2023,

The Town Planner is currently working on a community block fund grant which may be suited for a partnership to construct 440 homes of which 35% or 110 would qualify as affordable units. The deadline for the grant submission is March 3, 2023. The Town is anticipated to work with the Housing Assistance Corporation (HAC) on this endeavor. Further information will be provided to the Select Board prior to their execution of the grant application.

ADJOURNMENT

Motion made by Selectman Sherman to adjourn at 8:50 p.m.

Motion seconded by Selectman Cotton.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Weeden, yes	Selectman Cotton, yes	Selectman O'Hara, yes
Selectman Sherman, yes	Selectman Wyman-Colombo, yes	Opposed, none

Respectfully submitted,

Kathleen M. Soares
Secretary to the Select Board

Evan Lehrer
Town Planner
(508) 539-1414
elehrer@mashpeema.gov



Planning Department
Mashpee Town Hall
16 Great Neck Road North
Mashpee, MA 02649

To: Rodney C. Collins, Town Manager
Mr. David Weeden, Chair
Honorable Members of the Select Board
From: Evan Lehrer, Town Planner
Date: January 12, 2023
Re: PY2022/2023 Community Development Block Grant Funds

As the Town proceeds with its efforts to construct its wastewater collection system and its wastewater treatment facility property owners in Phase I of the Sewer Service Area will be confronted with the requirement to connect to that system.

That connection will come with costs including design/engineering and construction.

There are approximately 440 households in Phase 1 Sewer Service Area

In addition to the loan programs available to property owners through Barnstable County and conventional home equity programs from local lenders, there are available funds that the Town could access through the competitive Community Development Block Grant (CDBG) Program administered for the federal government via the Massachusetts Department of Housing and Community Development (DHCD)

Applications for the next CDBG funding round, which combines FY2022 and FY2023 funds, are due on March 3, 2023. DHCD staff have made clear that the project timeline is an important consideration when contemplating which program year is most advantageous to seek funds for. For this FFY22/23 combined application – the period of performance is 24 months (usually 18) and applicants need to show the activities can be completed within that timeframe. DHCD looks at whether or not an activity would be ready to proceed upon award so understanding the timeframe in which property owners will be required to make the connection is important.

The deadline of the FFY24 CDBG application is expected to be early March of 2024

The Town may consider submitting an application to the competitive CDBG grant round to provide assistance to qualifying low/moderate income households in this program year or next program year specifically for the purposes of connecting households to the wastewater collection system. DHCD confirms that sewer connections are an eligible activity as a housing rehabilitation program.

Barnstable administers an identical program currently and details can be found on Barnstable's town website.

The Town may consider establishing a program similar to Barnstable whereas qualifying households in the Sewer Service Area may access funds to assist with the costs of making that connection either in total or in part depending on availability of funds and the numbers of qualifying households.

I have contacted the Housing Assistance Corporation as a potential partner in this endeavor to provide monitoring and income verification services, etc. if the Town opts not to monitor and administer this program itself. A portion of the grant award can be dedicated to administration.

This is a competitive grant application so staff seek the Select Board's support and approval of the endeavor if applying for this program year is determined to be advantageous. If this program year is not determined to be advantageous than I would suggest mobilizing for an application to this program in 2024 right now.

Attached are some DHCD provided materials relative to this grant round.

Evan Lehrer
Town Planner
(508) 539-1414
elehrer@mashpeema.gov



Planning Department
Mashpee Town Hall
16 Great Neck Road North
Mashpee, MA 02649

To: David Weeden, Chair
Honorable Members of the Select Board
From: Evan Lehrer, Town Planner
Date: January 19, 2023
Re: Supplement to 1/12/2023 Memo re: CDBG

After exchanging multiple correspondence with Massachusetts Department of Housing and Community Development (DHCD) staff about the application and with Ray Jack relative to expected completion timeframes for the wastewater collection system and treatment facility I have significant reservations about the competitiveness of any grant submission made in this upcoming program year.

DHCD staff write, "This is a competitive application. One of the areas that is measured competitively is readiness to proceed at the time of award. If this program is not going to be ready to start until late 2024, dependent on construction of the sewer/wastewater system, that is 18 months into a maximum 24 month grant period and the application will lose points based on this. This would not be the case for the March 2024 round based on the same information."

Ray Jack estimates that in a best case scenario the treatment facility and the collection system may be operational in early Summer 2024.

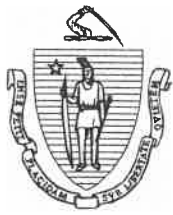
Once operational, property owners in the Phase 1 service have 90 days to connect to that system.

Preparing an application for the March 2024 round would put the Town in a much more competitive position to receive a funding award without compromising a homeowner's ability to obtain assistance for making the connection to the sewer when available.

"If a municipality (or group of municipalities) has not received a Massachusetts CDBG grant in three prior years, up to \$9,000 for grant application preparation can be charged as an allowable expense to the grant"

It is too late in this grant round to procure a consultant to assist with the preparation of an application for this upcoming March however if you opt to target the March 2024 submission it may be beneficial to procure a consultant for this endeavor sooner rather than later to put us in the most advantageous position for success.

Cc: Rodney Collins, Town Manager



Commonwealth of Massachusetts
**DEPARTMENT OF HOUSING &
COMMUNITY DEVELOPMENT**
Charles D. Baker, Governor ♦ Karyn E. Polito, Lt. Governor ♦ Jennifer D. Maddox, Undersecretary

**CDBG One-Year Action Plan
FFY 2023 Proposed Changes**

The Department of Housing and Community Development (DHCD) is proposing the following changes to the MA CDBG program for FFY 2023.

As explained in the FFY 2022 CDBG One Year Plan, DHCD has delayed the availability of FFY 2022 CDBG funds and is issuing them through a combined application with FFY 2023 funds.

TIMELY EXPENDITURE:

Mass CDBG requires that all applicants – including lead applicants and joint participants – with open CDBG grants comply with a timely expenditure threshold. In order to apply for combined FFY 2022 and 2023 CDBG¹ funding, a community must demonstrate, using the most recent financial status report produced by DHCD's grant management system, at the time of application that 100% of all grant funds awarded for FFY 2019 and earlier have been fully expended; 65% of all grant funds awarded for FFY 2020 have been expended and for FFY 2021 grant funds all required procedural clearances (environmental review, special conditions and administrative services procurement(s)) have been completed at the time of an application for FFY 2022/2023 funds. On a case-by-case basis, DHCD reserves the right to waive strict compliance with this threshold for events beyond the control of grantees. Communities must submit the timely expenditure waiver no later than February 3, 2023, otherwise, it may not be considered.

All lead applicants and participating applicants must meet this threshold at the time of application for all MA CDBG components. Communities that do not meet this threshold will be eliminated from further MA CDBG funding consideration. *Active grants* include those for which project activities have yet to be completed and payments are outstanding. *Unexpended CDBG funds* are defined as funds awarded for eligible Massachusetts CDBG program costs but not expended.

Applicants who received a 2021 grant must also submit an updated timeline for activities for that program year along with their application, noting whether an extension beyond December 31, 2023 may be necessary.

A Mini-Entitlement community that cannot meet this threshold may have its award amount reduced based on defined grant limitations.

Housing Rehabilitation Funds – Prior Performance

Applicants must provide a one-page rationale, including status update of recent HR programs², if applicable, to justify the requested amount. The rationale should be uploaded as an attachment to the miscellaneous tab.

¹ CDBG includes CDF, Mini-Entitlement, and Reserves, but for the purposes of this calculation excludes CDBG-CV and Section 108 guarantees. Planning-only grants of \$50,000 or less are also excluded from this calculation.

² The status update should be organized by grant year (if multiple years of funding remain) and include original budget, commitments, expenditures, original goals, status of projects to date, reasons for any delays in implementation, revised timeline for completion and approach to resolve if delayed.

Applicants should ensure that the amount requested does not exceed the funding required for a 24-month implementation period and that the amount of funding identified connects to an existing, defined need.

If an applicant is applying for a Housing Rehabilitation activity, DHCD reserves the right to reduce the amount requested. DHCD will consider the past performance in the management of state grants, including but not limited to CDBG, by the applicant community and its administering agency or project sponsor, including continuing prior performance issues such as program extension requests, program amendments and requests to re-program past grant funds due to inability to complete the originally awarded activities. DHCD may also reduce an award based on the amount of HR funds remaining in previous grants.

ALLOCATION OF CDBG FUNDS:

DHCD intends to combine FFY 2022 and FFY 2023 allocations into a single application round and proposes the following allocation of 2022 funds based on a 2022 agreement with HUD.

The federal Fiscal Year 2022 HUD allocation to the Commonwealth of Massachusetts is \$34,276,029. DHCD's funds are subject to availability from the federal government, which is contingent on the federal budget and appropriations process and the HUD allocation process. In addition to the HUD allocation, DHCD expects to receive approximately \$50,000 in program income, for a total of \$34,326,029 available for FFY 2022. Based on level funding, the combined 2022 and 2023 available funds are anticipated to be \$68,652,058. These funds will be distributed during the program year to eligible cities and towns in accordance with the allocation among program components outlined below. As the state does not yet have an allocation from HUD for federal fiscal year 2023, this chart is showing the FFY 2023 allocation as level funding with FFY 2022. The breakdown by component for the 2023 allocation is consistent with 2022.

MA CDBG PROGRAM COMPONENT	FFY 22/23 ALLOCATION
Community Development Fund	\$48,722,253
Mini-Entitlement Program	\$16,500,000
-Section 108 Loan Guarantee*	\$20,000,000
Reserves	\$ 500,000
Section 108 Loan Repayments** (No. Adams, Everett)	\$ 673,244
Administration and Technical Assistance	\$ 2,256,561
TOTAL AVAILABLE (includes \$68,552,058 allocation plus up to \$100,000 in program income)	\$68,652,058
*Section 108 Loan Program allocation does not impact the FFY 2022 Allocation **Section 108 Loan Repayments are budgeted but not necessarily required. This is an "up to" amount. Amounts not required for repayment to HUD will be reallocated to other components.	

Reallocation of funds among program components:

For the combined FFY 2022 and 2023 application, DHCD reserves the right to allocate funds in a manner that it deems best for the effective administration of the combined funds. For instance, this could include but not be limited to allocating funds to an application from a single year source or a combination of years. It could also include an

initial allocation of a portion of the funds with a subsequent allocation at a later date. DHCD will make this determination dependent on the federal budget process and other considerations.

Based on feedback through the FFY 2022 One Year Plan process, DHCD understands that some communities are concerned that they may experience a funding gap due to the delay of the FFY 2022 application in combining it with the FFY 2023 allocation. While funding is not guaranteed from one year to the next, with the exception of Mini-Entitlement grantees, DHCD will accept arguments from grantees to address this possibility. This will be handled through the 2022/2023 CDBG Application. Details will be provided in the application guidance.

PUBLIC PARTICIPATION:

DHCD will hold a virtual public information session on November 16, 2022 at 10:00am on the proposed changes for the FFY23 One Year Action plan. The meeting link will be provided upon release of this memo. There will also be a public hearing to receive comments on the FFY 2023 One Year Action Plan prior to its submission to the US Department of Housing and Urban Development (HUD). Interested parties are encouraged to submit comments, in writing or via email, in advance of the public session and also by December 1, 2022. Comments will continue to be accepted directly to DHCD any time prior to, or at the scheduled hearing. Comments must be sent by email to Kathryn McNelis, Community Development Manager, at kathryn.mcnelis@mass.gov.

One Year Action Plan

FFY 2022

Massachusetts Community Development Block Grant Program



Commonwealth of Massachusetts

Charles D. Baker, Governor

Karyn E. Polito, Lt. Governor

Department of Housing and Community Development

Jennifer D. Maddox, Undersecretary

FFY 2022 One Year Action Plan - Preface

The U.S. Department of Housing and Urban Development (HUD) requires the Commonwealth of Massachusetts, and all other Formula Grantees, to prepare a Five-Year Consolidated Plan. The state's Consolidated Plan sets forth long term priorities for the use of funds received from HUD's Community Development Block Grant (CDBG), HOME, Emergency Shelter Grant (ESG), Housing Trust Fund (HTF) and Housing Opportunities for People with AIDS (HOPWA) programs, and from other state and federal sources.

The preparation of this One Year Action Plan has considered and been informed by the development of the FFY -2020 - 2024 Five-Year Consolidated Plan. Publication of this draft Massachusetts CDBG One-Year Action Plan is taking place concurrent with the Five-Year Consolidated Plan/Annual Update public participation schedule that incorporates the HOME, ESG, HTF and HOPWA programs. DHCD posted a proposed changes memo on Friday, June 10, 2022 and widely disseminated to interested parties and potential stakeholders thereafter. A formal hearing was held on July 8, 2022. Comments were accepted through July 22, 2022. The Annual Action Plan and changes to the CDBG One Year Action Plan were presented in advance of that hearing.

<p style="text-align: center;">MASSACHUSETTS CDBG ONE-YEAR ACTION PLAN FOR FEDERAL FISCAL YEAR 2022</p>

INTRODUCTION:

This One Year Action Plan describes the proposed use of Community Development Block Grant (CDBG) funding received by the Commonwealth of Massachusetts. The CDBG Program is a significant source of federal funding administered by the Department of Housing and Community Development, supporting a variety of community development efforts to revitalize our communities, meet the housing and service needs of our low and moderate-income population, build and repair infrastructure vital to the health and safety of residents, and support business development and retention. The One Year Plan addresses the basic features of the state's CDBG program, the applicable federal regulations and requirements governing state and local administration of this program, and the state's policies, administration responsibilities, and description of the program components.

In its administration of CDBG funding, DHCD is committed to:

- Programs and funding that primarily target populations of low- and moderate-incomes, and those with special needs;
- Addressing the most urgent needs and interests of communities;
- Programs and technical assistance designed to facilitate informed decision-making about community development opportunities at the local level, and to encourage self-sufficiency of residents and communities;
- Projects that are consistent with the Commonwealth's Sustainable Development Principles; and
- Sound business practices that ensure the highest standards of public accountability and responsibility.

For FFY 2022, DHCD will continue to implement HUD's Outcome Performance Measurement System. The proposed system incorporates the following three Objectives set forth in the Housing and Community Development Act of 1974: 1) create suitable living environments, 2) provide decent housing, and 3) create economic opportunities. The system directs applicants/grantees to select an Objective coupled with one of the following three Outcomes to help define the intent of the activity: 1) availability/accessibility, 2) affordability, and 3) sustainability - promoting livable or viable communities. Therefore, for each proposed activity the applicant will select one of nine Outcome Statements. The proposed system will not change the nature of the program or its regulations. The Massachusetts CDBG Program currently asks applicants to describe the need the activity addresses, as well as the anticipated impact. This system creates a framework that allows for consistent reporting to HUD on a national level.

The One Year Action Plan is organized into the following sections:

- | | | |
|---------|----|--|
| SECTION | A. | Massachusetts CDBG Priorities |
| | B. | Eligible Municipalities |
| | C. | Eligible Projects/Use of CDBG Program Funds |
| | D. | Applicant/Project Threshold Criteria |
| | E. | Allocation of CDBG Funds to the Commonwealth |
| | F. | Availability of CDBG Program Funds |
| | G. | Evaluation Criteria for All Program Components |
| | H. | Program Sanctions |
| | I. | Citizen Participation Requirements for Applicants and Grantees |
| | J. | CDBG Program Components (description) |

A. MASSACHUSETTS CDBG PRIORITIES

The Community Development Block Grant (CDBG Program) was authorized by Congress, and is funded under Title I of the Housing and Community Development Act of 1974, as amended. The Commonwealth of Massachusetts has designated the Department of Housing and Community Development (DHCD) as the state's administering agency for CDBG funding. The primary objective of the federal statute creating the CDBG Program is: "...to develop viable, urban communities by providing decent housing and suitable living environment and expanding economic opportunities principally for low- and moderate-income persons." DHCD will fund eligible projects designed to meet this objective, and that are consistent with the Commonwealth's sustainable development principles listed in Exhibit 5. DHCD encourages:

- development and preservation of affordable housing;
- proactive and coordinated planning oriented towards both resource protection and sustainable economic activity;
- community revitalization that is integral to community development;
- public social services designed to build economic security and self-sufficiency, address homelessness and workforce development; and
- local participation in community-based planning that assesses needs and identifies strategies for addressing those needs

The Act requires that at least 70 percent of CDBG assistance shall be used to support activities that directly benefit low- and moderate-income citizens of the Commonwealth. In addition, the Massachusetts CDBG Program encourages joint or regional applications so that program funds will be used to benefit a greater number of municipalities.

B. ELIGIBLE MUNICIPALITIES

There are 351 municipalities incorporated in Massachusetts. The U.S. Department of Housing and Urban Development (HUD) has designated 37 as CDBG *entitlement* communities; in general, these communities exceed 50,000 in population and receive CDBG funds directly from HUD. Any city or town **not** designated as an entitlement community by HUD may apply for and receive Massachusetts Community Development Block Grant funds. (Refer to Exhibit 1 for a listing of Massachusetts' entitlement communities.)

C. ELIGIBLE PROJECTS

The following projects are eligible for funding under the Massachusetts Community Development Block Grant Program:

- planning;
- housing rehabilitation and creation of affordable housing;
- economic development projects;
- efforts directed toward rehabilitation and stabilization of existing neighborhoods, commercial areas and downtowns;
- infrastructure;
- construction and/or rehabilitation of community facilities; and
- public social services

DHCD will accept applications through two distinct funds. The rules and program guidelines for these are set forth in Section J: *PROGRAM COMPONENTS*.

LIMITATIONS ON USE OF PROGRAM FUNDS

- ❖ **Buildings used for the general conduct of government** - Assistance related to buildings used for the general conduct of government is specifically excluded from the program by federal statute, except for the removal of existing architectural barriers to improve access for people with disabilities. Such work is permitted on municipal buildings such as city or town halls, public works structures, public safety buildings, etc.; however the use of CDBG funds is limited to the relevant barrier removal work. The funds must be directed to the removal of material and architectural barriers, which restrict the mobility, and accessibility of elderly and severely disabled adults. While all building codes must be met in a construction project, compliance with most codes cannot be considered as directly related to removing existing architectural barriers. In most instances, work required to meet these codes, even though it may be closely associated with or required in order to receive a permit for the barrier removal project, is not eligible as an ABR project under Section 105(a)(5). Applicants must include a funding commitment letter with the application to show that there is funding set-aside for the work that is ineligible for CDBG funding. All cost estimates must clearly break-out the CDBG/Non-CDBG eligible expenses.

- ❖ **Public Social Services**

Public Social Services projects are not eligible as a “stand-alone” application under the Community Development Fund or Mini Entitlement Program.

Public Social Services cannot exceed 20% of a Community Development Fund, or Mini- Entitlement grant. DHCD encourages communities to pursue activities that build economic security and self-sufficiency as well as Public Social Services activities that address homelessness and workforce development and seek to build social capital, increase economic mobility and enhance civic engagement. The following are Public Social Services that meet this definition:

- ABE/GED classes
- Citizenship Training
- Domestic Violence Prevention
- Earned Income Tax Credit (EITC) Counseling and Preparation
- Elder Self-Sufficiency
- English for Speakers of Other Languages (ESOL)
- Family Stabilization
- Financial Literacy
- Homebuyer Counseling and First Time Home Buyer (FTHB) programs
- Individual Development Accounts (IDAs)
- Immigrant services
- Job Training
- Job-Related Childcare Assistance
- Job-Related Transportation Assistance
- Literacy Programs and Training
- Mortgage Foreclosure Prevention Counseling
- Substance Abuse Services

In describing a requested Public Social Services activity, applicants must demonstrate that the activities have been prioritized at the local level in order to determine the request for services. Such prioritizing must demonstrate an understanding of the needs assessment undertaken by the community's Community Action Agency and not be inconsistent with such Agency's assessment of service needs.

Applicants may apply for no more than five Public Social Services activities.

Communities must demonstrate that, in accordance with Section 105(a)(8) of the Housing and Community Development Act, proposed social service activities have not been funded by the community using municipal and/or state funds within 12 months prior to the application.

DHCD will fund public social service projects that are not provided by other state or federal agencies, or are currently provided but are not available to CDBG-eligible residents in the applicant communities.

Applicants proposing projects for the modernization of public housing facilities must provide evidence that the project has been reviewed and approved as it is described in the application by staff of the Bureau of Public Housing and Construction at DHCD.

Planning funds may not be used to plan for public social service programs except as part of a broader community development planning project.

- ❖ **Downtown/commercial target area related projects** – Communities may apply for funds for downtown or commercial district related projects under the Community Development Fund or the Mini Entitlement Program. Such projects may include sign/facade programs and streetscape improvements, or other infrastructure improvements located in a downtown or commercial district delineated in the slums and blight documentation. Communities may also apply through the Community Development Fund and Mini Entitlement Program for funds for rehabilitation or adaptive re-use of mixed-use buildings located in downtown or commercial center areas. Applicants should contact CDBG staff prior to submitting an application for these types of projects. Funds may be used for acquisition, demolition, and building rehabilitation activities when clearly linked to economic development and jobs.

DHCD may fund projects that support physical downtown and commercial area revitalization efforts; however, communities may apply to Mass CDBG for downtown/commercial target area related projects in their downtown or commercial target areas only if they have satisfactorily demonstrated to DHCD that the proposed project is located in an area meeting National Objective compliance requirements set forth in the Application Guidance.

CDBG funds **cannot** be used to fund overhead costs or management salaries related to the operation of a downtown organization, nor can they be used for any organizational development for a downtown organization or committee.

- ❖ **15 Year Housing Affordability Term** – In an effort to increase the supply of affordable housing, all projects supporting the creation, preservation, and rehabilitation of rental and owner-occupied housing units must be affordable to low- and moderate- income households for a 15-year period. Forgiveness should be at least 1/15th per year and DHCD encourages a faster schedule for those who are elderly. Rehabilitation assistance for owner-occupied properties must be secured by a mortgage or lien on the subject property that includes language restricting rent levels in low- and moderate- income units for a period of fifteen years. Rehabilitation assistance for investor-owned properties must be secured by a mortgage or lien, and the affordability requirements must be secured by an **Affordable Housing Restriction** [provided by DHCD] on the subject property that runs with the land, and that includes language restricting rent levels in low- and moderate- income units for fifteen years. “Owner-occupied” is defined as a property of no more than four (4) units, one of which is occupied by the owner. All other properties are considered “investor owned.”

D. APPLICANT/PROJECT THRESHOLDS

It is the responsibility of the applicant to ensure adherence to the applicable threshold(s). The following standard threshold criteria (#1 through #7) apply to all applications:

1. **Eligibility** – The project must be eligible as defined in §105(a) of Title I of the Housing and Community Development Act, as amended.

2. **National Objective** – Each project must meet one of three federal national objectives as defined below and in federal regulations 24 CFR 570.483:

- a. benefit a majority of low- and moderate-income persons;
- b. aid in the prevention or elimination of slums or blight; or
- c. meet an urgent condition posing a serious threat to the health and welfare of the community and where other financial resources are not available to meet such needs. This objective is extremely difficult to meet and is generally limited to unexpected events such as natural disasters. Prior approval from Massachusetts CDBG must be obtained to use this national objective.

3. **Timely Expenditure** -

Mass CDBG requires that all applicants – including lead applicants and joint participants – who have received grants comply with a timely expenditure threshold. In order to apply for combined FFY 2022 and 2023 CDBG¹ funding, a community must demonstrate, using the most recent financial status report produced by DHCD's grant management system, at the time of application that 80% of all grant funds awarded for FFY year 2020 and earlier have been fully expended and 10% of funds awarded for FFY 2021 have been expended. On a case-by-case basis, DHCD reserves the right to waive strict compliance with this threshold for events beyond the control of grantees.

All lead applicants and participating applicants must meet this standard at the time of application for all MA CDBG components. Communities that do not meet this threshold will be eliminated from further MA CDBG funding consideration. *Active grants* include those for which project activities have yet to be completed and payments are outstanding. *Unexpended CDBG funds* are defined as funds awarded for eligible Massachusetts CDBG program costs but not expended.

A Mini-Entitlement community that cannot meet this threshold may have its award amount reduced based on defined grant limitations.

4. **Displacement of Non-CDBG Funds** – Applicants shall certify in the application that CDBG funds will not be used to displace non-CDBG funds already appropriated by or to the community for a specific project. DHCD will reduce an award, deny a grant, or impose special conditions in a grant contract with that community to assure compliance with this requirement.

5. **Sustainable Development** – In order to receive funding a project or activity must be consistent with the Sustainable Development principles. Additional guidance on this threshold may be found in Exhibit 3. This threshold does not apply to Public Social Services, business assistance for projects not requiring construction, or projects that eliminate a public health or safety risk.

¹ CDBG includes CDF, Mini-Entitlement, and Reserves, but for the purposes of this calculation excludes CDBG-CV and Section 108 guarantees. Planning-only grants of \$50,000 or less are also excluded from this calculation.

In addition, housing rehabilitation programs and public facilities projects are required to use Energy Star building performance standards. Those standards are found at www.energystar.gov. Streetlights installed as part of a road or streetscape improvement project must be “full cut-off” or “semi cut-off” fixtures.

6. **Community-Based Planning Requirement** – The Department supports municipal efforts to engage in community-based planning, conduct needs assessments, and identify strategies for addressing those needs. DHCD seeks to fund projects identified through meaningful, public community-based planning and priority setting processes. Therefore, projects must be consistent with community efforts to identify needs and engage in strategic planning for addressing those needs. *This helps to ensure that local needs have been identified and priorities determined in a comprehensive manner, and public resources are directed toward projects that address needs the community has identified as high priority.* All applicants and participants² should have engaged in a community-based planning process and be able to demonstrate project development as a result of this process. Applicants will be asked to address community planning through responses to scored questions in the application. Mini-Entitlement communities, must also be able to demonstrate project consistency with a Community Development Strategy, (not to exceed three pages), that must be submitted with the application.

The Strategy is based on various planning documents used by a community, and outlines a plan of action intended to accomplish specific community development goals that will have an impact on the community. A community's Strategy will identify the goals and objectives of community development efforts over a 3 to 5 year period and explain how the community expects to address the priorities with CDBG and non-CDBG funds.

Each activity included in a Massachusetts CDBG Mini Entitlement application must relate to and be reflected in the Strategy.

The Strategy must be discussed in a public forum, meeting, or hearing held at three (3) months prior to the submission of a Mass CDBG application.

The Strategy should be forwarded to DHCD two weeks prior to the aforementioned public forum, meeting or hearing. If a Strategy is found not to be adequate based on the review, DHCD will contact the community to make the necessary corrections.

- a. The CD Strategy must clearly identify the goals for community development and describe the manner in which a community will accomplish projects and activities which include, but are not limited to, the subject CDBG application.
- b. The CD Strategy must conclude with a list of projects and activities in order of the priority in which the community intends to undertake them, and provide specific goals and annual timelines for accomplishing its goals.

CDBG Mini Entitlement applications must document that a CD Strategy and its priority list were discussed at a separate public forum, meeting or hearing, held at least three (3) months prior to the submission of a CDBG application in order to allow for timely community input. Compliance with this requirement must be documented by copies of meeting announcements, attendance lists and minutes. Minutes must reflect that the CD Strategy and priority list have been presented and that discussion has occurred. CD Strategies are a requirement of the annual application for Mini-Entitlement communities.

7. **Outcome Performance Measurement System** – HUD issued a Final Notice on March 7, 2006 on its Outcome Performance Measurement System. Through the system HUD will collect information on activities

²This includes regional applicants.

undertaken in the following programs: HOME, CDBG, HOPWA and ESG, and aggregate that data at the national, state, and local level. The outcome measures framework contained herein will satisfy the requirements contained in the HUD notice, along with any revisions adopted by HUD.

The system incorporates the following three objectives set forth in the Housing and Community Development Act of 1974: 1) create suitable living environments, 2) provide decent housing, and 3) create economic opportunities. Beyond that, the system directs applicants/grantees to select from one of the following three outcomes to help define the intent of the activity: 1) availability/accessibility, 2) affordability, and 3) sustainability - promoting livable or viable communities.

Based on the applicant's purpose for undertaking a project or activity, the applicant will determine and state in the application what the intent of the project is with one of the nine Outcome Statements.

The system will not change the nature of the program or its regulations. The Massachusetts CDBG Program currently asks applicants to describe the need the activity addresses, as well as the anticipated impact. This system creates a framework that allows for a consistent reporting to HUD on a national level.

Each outcome category can be connected to each of the overarching statutory objectives, resulting in a total of nine groups of outcomes/objective statements under which the grantees would report the activity or project data to document the results of their activities or projects. Each activity will provide one of the following statements, although sometimes an adjective such as new, improved, or corrective may be appropriate to refine the outcome statement.

- Accessibility for the purpose of creating suitable living environments
- Accessibility for the purpose of providing decent affordable housing
- Accessibility for the purpose of creating economic opportunities
- Affordability for the purpose of creating suitable living environments
- Affordability for the purpose of providing decent affordable housing
- Affordability for the purpose of creating economic opportunities
- Sustainability for the purpose of creating suitable living environments
- Sustainability for the purpose of providing decent affordable housing
- Sustainability for the purpose of creating economic opportunities

In addition, there are certain data elements commonly reported by all programs, although each of the four programs may require different specificity or may not require each element listed below. Grantees will only report the information required for each program, as currently required. No new reporting elements have been imposed for program activities that do not currently collect these data elements. The elements include:

- Amount of money leveraged (from other federal, state, local, and private sources) per activity;
- Number of persons, households, units, or beds assisted, as appropriate;
- Income levels of persons or households by: 30 percent, 50 percent, 60 percent, or 80 percent of area median income, per applicable program requirements. However, if a CDBG activity benefits a target area, that activity will show the total number of persons served and the percentage of low/mod persons served. Note that this requirement is not applicable for economic development activities awarding funding on a "made available basis;"
- Race, ethnicity, and disability (for activities in programs that currently report these data elements)

Finally, grantees will report on several other indicators, required as applicable for each activity type. These will be established in each program component application, and within the grant management system.

HUD will combine the objectives, outcomes, and data reported for the indicators to produce outcome narratives that will be comprehensive and will demonstrate the benefits that result from the expenditure of these federal funds.

8. **Regional Applications** – Each community in a regional application must comply with the same requirements as individual communities in individual applications, in order to participate in a regional grant. For example, each participating community must have been identified and be part of the required public participation/hearing process and the community must submit all required signatures. Communities that fail to comply will be dropped from consideration as a regional participant and the application will be reviewed on the basis of those communities that have complied with the requirements. As a result, the number of participating communities and/or the dollar amount requested in a regional application may be reduced during the review process.

Additional threshold criteria #9 through #12 apply to specific program applications or types of projects.

9. **Public Benefit Standards** – Economic development projects that are eligible under Title I of the Housing and Community Development Act of 1974, Sections (14), (15) and (17) must meet CDBG standards of underwriting and public benefit. Eligible projects under 105(a)(2) may also be required to meet public benefit standards when undertaken for Economic Development purposes.

10. **Senior Center Projects** – Applicants for Senior Center projects must meet the following threshold requirements to have their applications reviewed and scored:

- (i) provide evidence of site control³ by the municipality, as attested to by the Mayor or Board of Selectmen,
- (ii) provide documentation of the availability and commitment of any other funds necessary to complete the project, and
- (iii) provide one copy of the bid-ready plans⁴ prepared by a licensed architect or engineer, a table of contents for the bid specifications and a letter signed by the project architect or engineer attesting to the fact that a complete set of specifications has been prepared and is bid-ready (modular construction may require a lesser standard – see Project Threshold Criteria #12).

CDBG-assisted senior center projects may not receive subsequent CDBG assistance for additional construction or reconstruction until five (5) years have passed since the grant closeout date.

Senior Centers, as with other types of public facilities, may not change the use of the facility for a period of five years without prior consultation with DHCD to ensure that the change of use is consistent with federal regulations.

11. **ADA Self Evaluation Survey and Transition Plan and Architectural Barrier Removal** – All municipalities applying for CDBG funds must submit a copy of its ADA Transition Plan or provide a statement that the municipality does not have one. If a municipality does not have a current ADA Transition Plan, it will be referred to the Massachusetts Office on Disability (MOD) for execution of an MOU towards development of a Plan. All lead applicants and joint applicants that applied to the 2017, 2018, 2019, 2020 and 2021 CDBG funding rounds have met this requirement.

³ Evidence of site control may include but is not limited to a deed, long-term lease agreement, purchase and sale agreement, or other contract or legal document.

⁴ Bid-ready plans and specifications are those construction documents that constitute a presentation of the complete concept of the work including all major elements of the building and site design. The bid documents shall set forth in detail and prescribe the work to be done by the construction specifications; the materials, workmanship, finishes and equipment required for the architectural, structural, mechanical, electrical and site work; and the necessary solicitation information. Drawings shall include the following: a) Site plan showing the location and type of building; b) Scale plans of the building; c) Wall sections, details, and elevations in sufficient detail to serve as a basis for a construction estimate; d) All other required architectural, civil, structural, mechanical and electrical documents necessary to complete the project.

Regardless of the above requirement, a municipality applying for assistance with an architectural barrier removal (ABR) project must submit a copy of its locally approved Americans with Disabilities Act (ADA) Self Evaluation Survey and Transition Plan. If a municipality does not have an approved Transition Plan, it may not receive funding for an ABR project. The ADA was enacted in 1990 and requires local governments to evaluate for accessibility all of its programs and services that had not previously been reviewed under Section 504 of the Rehabilitation Act of 1973. The Act also required preparation of a Transition Plan for removal of programmatic and structural barriers to its programs and services, and set forth a process for involving the community in the development of the Self Evaluation Survey and Transition Plan. Programmatic removal of barriers must be fully explored before considering CDBG funding for structural barrier removal. Submission of the Transition Plan is a required threshold for Architectural Barrier Removal applications. Also, the proposed project must appear in the Transition Plan.

It is the responsibility of each community to ensure that its Transition Plan is consistent with federal regulations. A community's request for Mass CDBG funding must be consistent with the priorities set forth in these locally developed documents. Communities may wish to contact the Massachusetts Office on Disability or the U.S. Department of Justice for specific questions regarding the ADA and the Rehabilitation Act of 1973.

Applications for Architectural Barrier Removal projects with a total construction cost of \$100,000 or more require bid-ready plans and a letter signed by the project architect or engineer attesting to the fact that a complete set of specifications has been prepared and is bid-ready in each copy of the application. Projects less than \$100,000 but more than \$25,000, require design development drawings.

Finally, when used for Architectural Barrier Removal, CDBG funds may be used only for the relevant barrier removal work (i.e. -directly related and required for ABR). CDBG funds cannot be used to address building code or local requirements that are not directly part of the removal of the architectural barrier.

12. **Bid-ready Plans and Specifications** - Bid-ready plans and a letter signed by the project architect or engineer attesting to the fact that a complete set of specifications has been prepared and is bid-ready are required for all public facilities and architectural barrier removal projects with a construction cost of \$100,000 or more (see definition in footnote #4). Design development drawings are required for public facilities and architectural barrier removal projects or equivalent site and landscaping plans for Playground/Park projects, with a total construction cost of more than \$25,000 but less than \$100,000.

In addition, DHCD recognizes that this requirement may be problematic for communities considering modular construction projects. To satisfy these concerns, in order to apply for assistance to undertake modular construction a community may instead provide DHCD with a reasonable cost estimate for the project. Detailed backup for the total costs for modular construction projects must include the cost of site preparation, off-site construction of the modular unit, and the cost of delivering and assembling the modular unit including all work necessary - including but not limited to all utility work and sub-trades - to result in the issuance of an occupancy permit. To accomplish this, the community must provide the following: the program for the building; plans, specs, and prices of comparable unit(s) from a manufacturer; evidence of the manufacturer's ability to deliver the unit during the timeframe for construction identified in the grant application; and a site plan.

13. **Project Consistency with Application** - All communities (including both CDF and Mini-Entitlements), upon award and subject to applicable clearances, should proceed with the projects that were submitted and reviewed as part of the application submission. DHCD reserves the right to waive this requirement if there are extenuating circumstances, such as feasibility or funding issues that were discovered post-submission. DHCD will consider the level of citizen participation and feedback from community stakeholders in determining need before approving any new proposed project. In the event that a new activity is added to a grant, it must comply with all application requirements.

14. **Housing Rehabilitation Funds – Prior Performance** - If an applicant is applying for a Housing Rehabilitation activity, DHCD reserves the right to reduce the amount requested. Applicants must provide a rationale, including status update of recent HR programs, if applicable, to justify requested amount. Only in extenuating circumstances, will DHCD consider future Housing Rehabilitation budget amendments that result in a reduction of the scope and/or original goals. Applicants should ensure that the amount requested does not exceed the funding required for a 24-month implementation period.

E. ALLOCATION OF CDBG FUNDS TO THE COMMONWEALTH

DHCD intends to combine FFY 2022 and FFY 2023 allocations into a single application round and proposes the following allocation of 2022 funds based on a 2022 agreement with HUD.

The federal Fiscal Year 2022 HUD allocation to the Commonwealth of Massachusetts is \$34,276,029. DHCD's funds are subject to availability from the federal government, which is contingent on the federal budget and appropriations process and the HUD allocation process. In addition to the HUD allocation, DHCD expects to receive approximately \$50,000 in program income, for a total of \$34,326,029 available for FFY 2022. Based on level funding, the combined 2022 and 2023 available funds are anticipated to be \$68,652,058. These funds will be distributed during the program year to eligible cities and towns in accordance with the allocation among program components outlined below. As the state does not yet have an allocation from HUD for federal Fiscal Year 2023, this chart is showing the FFY2022 allocations only. It is expected that the breakdown by component for the 2023 allocation will be consistent with 2022.

MA CDBG PROGRAM COMPONENT	FFY 2022 ALLOCATION
Community Development Fund	\$24,361,127
Mini-Entitlement Program	\$ 8,250,000
-Section 108 Loan Guarantee*	\$ 10,000,000
Reserves	\$ 250,000
Section 108 Loan Repayments** (No. Adams, Everett)	\$ 336,622
Administration and Technical Assistance	\$ 1,128,280
TOTAL AVAILABLE (includes \$34,326,029 allocation plus \$50,000 in program income)	\$34,326,029
*Section 108 Loan Program allocation does not impact the FFY 2021 Allocation **Section 108 Loan Repayments are budgeted but not necessarily required. This is an "up to" amount. Amounts not required for repayment to HUD will be reallocated to other components.	

Reallocation of funds among program components: During the year, DHCD may have cause to recapture earlier program year funds from non-performing grantees; or there may be small amounts of program funds from prior years that have yet to be used; or there may be opportunities to recapture program income generated by communities from earlier projects; or there may be extreme demand for one program component; or there may be

minimal demand for one component. Funds will be reallocated depending on the timing of other components and the apparent demand for funds or to address emergency situations during the program year. When awarding those funds DHCD will use current program guidelines as established in the most recent One Year Plan. DHCD reserves the right to increase or decrease the allocation of a program component. When these cumulative changes meet the threshold criteria of an amendment, DHCD will follow the process in accordance with the State's Consolidated Plan and regulations at 24 CFR 91.505. DHCD may also have cause to fund from any allocation or resources to respond to corrective actions after program closeouts or as a result of other administrative errors.

DHCD estimates that it will receive approximately \$300,000 in funds returned from prior year activities. These funds will be allocated through the Community Development Fund. In addition, DHCD estimates that up to \$500,000 in locally held program income will be applied to activities including housing rehabilitation and infrastructure improvements.

Prior to the award of FFY 2022 funds, DHCD may have the opportunity to transfer program income funds from NSP grantees to the State CDBG Program. It is DHCD's intent to add these funds, if they become available, to the FFY 2022 allocation and made available to FFY 2022 applicants. At this time, DHCD does not have an estimate of the amount of funds that may become available.

For the combined FFY 2022 and 2023 application, DHCD reserves the right to allocate funds in a manner that it deems best for the effective administration of the combined funds. For instance, this could include but not be limited to allocating funds to an application from a single year source or a combination of years. It could also include an initial allocation of a portion of the funds with a subsequent allocation at a later date. DHCD will work to address any gaps in funding with available resources, including FFY 2022 funds, subject to other limitations. DHCD will investigate the potential, for instance, to add funds to existing grants. More detail will be provided in the FFY 2023 One Year Action Plan.

F. AVAILABILITY OF CDBG PROGRAM FUNDS

All CDBG program funds will be available to eligible grant recipients based on application-guidance for Massachusetts Community Development Block Grant funds and/or Notices of Funding Availability. These documents will make communities aware of the requirements of each particular component and will be available to allow communities adequate time to prepare grant applications for each program. The availability of FFY 2022 CDBG program funds will be delayed and made available in combination with Massachusetts FFY 2023 CDBG allocation.

A single community may receive no more than \$1.35 million from any combination of federal FY 2022 and 2023 Community Development Funds.

Additionally, the policy that a single community may receive no more than \$1.35 million from the Community Development Fund within two successive years is waived for FFY 2022. Applicants to the FFY 2022 program will not have the two-year limitation applied based on FFY 2021 awards. DHCD will review the policy going forward in subsequent One Year Plans.

Listed below are application distribution dates for each program and the corresponding due dates. A Notice of Availability of Funds will be issued, as appropriate, prior to release of each Application subject to the availability of federal funds.

Program Components ⁵	Application Issued	FFY 2022 Applications Due
Community Development	December 2022	Friday, March 3, 2023
Mini Entitlement Program	December 2022	Friday, March 3, 2023

G. EVALUATION CRITERIA APPLICABLE TO ALL CDBG PROGRAMS

DHCD reserves the right to incorporate any or all of the following Evaluation, Regulatory and Performance criteria in its award decisions:

Evaluation:

- solicit and verify information from any local, state or federal agencies and other entities, and based on that information, reduce, increase or deny an award to a community.
- conduct site visits for any proposed CDBG project or solicit additional information from applicants in order to confirm or clarify factual or procedural responses to application requirements such as copies of legal advertisements, minutes, survey instruments, letters, etc. Acceptance of these materials is subject to DHCD's satisfaction that the omitted material was in existence at the time of application and submission of the requested documents within a specified timeframe. Additional information regarding responses to competitive questions will not be accepted.
- reduce or increase an award to a community to assure that a grant budget is reasonable.
- fund, fully or partially, a project from other state resources.
- reduce or deny a grant, or place special conditions on a grant, based on the management capacity of the municipality or the current or proposed administering agency.
- reduce an award to a community with an uncommitted program income balance. The program income account balance in DHCD's Grant Management System must be maintained to match the bank program income account statement balances. Grantees must update the program income account on a regular basis and at a minimum quarterly. Upon award, grantees must add the committed program income funds to the cited grant activity(ies) through the grant amendment process.
- resolve tie scores in a competitive fund by applying the criteria below in the following order:
 1. Applications from communities that have not received funding in the prior three years;
 2. Applications for projects that increase the community's supply of affordable housing units;
 3. Regional applications;
 4. Applications for housing and/or economic development projects that are consistent with the goals of the Administration; and
 5. If scores remain tied after the application of steps #1 through 4, DHCD will conduct a lottery at which a representative from HUD will be present.

⁵ The FFY 2022 applications will be operative upon their release. Actual release of funds is contingent on HUD approval of the state's One Year Plan, and will be dictated by the date the state receives HUD approval on its Plan.

Regulatory:

- ensure that at least 70 percent of CDBG assistance, as per federal statute, is used to support projects that directly benefit low- and moderate-income persons of the Commonwealth.
- ensure that no more than 15 percent of the FFY 2022 Massachusetts CDBG allocation is for public social service activities as per federal regulation.
- deny a grant, or a portion thereof, to ensure that no more than 20 percent of the FFY 2022 Massachusetts CDBG allocation is for planning and administration as per federal regulation.
- not review an application unless signed by the municipality's Chief Elected Official.

Performance:

- reduce an award, deny a grant, or impose special conditions on a community with prior year grants with a low rate of committed or expended dollars. This includes reductions in awards for projects funded in previous rounds for which unexpended funds remain.
- reduce an award, deny a grant, or impose special conditions on a community with outstanding, major findings that are unresolved at the time application decisions are being made; or which have otherwise had a history of significant, repeat findings. These findings could have resulted from any grant program offered by DHCD.

Major findings means non-compliance with a statutory requirement which, if not satisfactorily resolved by the community, would require that the federal funds be repaid by the municipality, or result in other serious sanctions.

History of significant, repeat findings means non-compliance with statutory or regulatory requirements in more than one grant cycle, where the community may have resolved those findings but with an unacceptably slow response.

- consider the past performance in the management of state grants, including but not limited to CDBG, by the applicant community and its administering agency or project sponsor, including continuing prior performance issues such as the number of program extension requests, program amendments and requests to re-program past grant funds due to inability to complete the originally awarded activities.

Awarding of Grants

Based on the scores produced through the review process, grant award recommendations are made to the Undersecretary of DHCD, whose decision is final. In the competitive program, grants are awarded for projects to municipalities that received the highest activity scores and which meet applicable thresholds until all available funds are distributed. DHCD reserves the right to award a grant in whole or in part, or to reject any and all proposals received.

Grievance Procedure

Within forty-five (45) days of the date of the Undersecretary's written notice of grant determinations to applicant cities and towns, any municipality aggrieved by DHCD's decision may challenge the denial of its grant by submitting a letter of appeal from the Chief Elected Official of the municipality to the Undersecretary, who shall respond no later than forty-five (45) days from the date of receipt of the municipality's appeal.

H. PROGRAM SANCTIONS

DHCD reserves the right to suspend or terminate grant awards made to eligible communities should there be instances of fraud, abuse, poor performance, misrepresentation, or extreme mismanagement, or in the event a grantee is unable to carry out a project as approved in an application. DHCD reserves the right to apply this standard to any entity involved in grant management activities on behalf of a municipality. Communities should be aware that in the event that a project budget is found to be inadequate to fully implement the project as approved, DHCD reserves the right to review and approve any change in project scope to make a project fundable and may opt for recapturing the funds instead of authorizing a project with a reduced scope of work. In addition, if excess funds remain from an activity, either due to budgetary reasons or because of less demand for the activity than projected, the community must return the funds or request DHCD approval to reprogram the awarded funds. In the event that a new activity is added to a grant, it must comply with all application requirements.

DHCD's preference is to approve reprogramming for the following purposes and in the following order:

- Funds will be used for eligible housing activities, including, but not limited to, housing rehabilitation, aging in place programs, code enforcement and first-time homebuyer assistance
- Other existing activities

If the excess funds cannot be used consistent with these preferences, DHCD will require a detailed request describing the reprogramming and may require that the funds be returned. Requests to reprogram funds should be submitted in a timely manner, and meet all application requirements. DHCD will not be inclined to extend grants beyond a three year period.

The community staff and Chief Elected Officials will have the opportunity to discuss possible sanctions prior to any formal action. If formal sanctions are recommended, grantees will be provided a full opportunity to appeal such decisions to the Undersecretary of DHCD before any final action is taken.

All program funds recaptured through the sanctions process will be re-programmed consistent with the procedures in (E) *Allocation of CDBG Funds* and (J) *CDBG Program Components*. Based on the significance of the issues involved in any such determination, DHCD may suspend, for a period of up to three (3) years or until final resolution is achieved, a community's eligibility to participate in any Massachusetts CDBG component. Such action will only be taken in extreme circumstances and only after all alternatives have been exhausted.

I. CITIZEN PARTICIPATION REQUIREMENTS FOR APPLICANTS AND GRANTEES

All applicants for funding under the FFY 2022 Massachusetts CDBG Program must comply with the citizen participation requirements contained in Section 508 of the Housing and Community Development Act of 1987. DHCD expects citizen involvement in the identification of community development needs, the development of applications, program assessment and evaluation. Communities must include in their Massachusetts CDBG application a local citizen participation plan detailing how the community will provide:

1. citizen participation, with particular emphasis on participation by persons of low- and moderate-income, residents of slums and blighted areas and of areas in the state where CDBG funds are proposed to be used, particularly residents of a proposed target area;
2. reasonable and timely access to local meetings, information, and records relating to the grantee's proposed use of funds, and relating to the actual use of funds;
3. information on the amount of state CDBG funds available during the year; the range of eligible CDBG activities; and how activities will benefit low- and moderate-income persons;
4. technical assistance to groups representative of persons of low- and moderate-income that request such assistance in developing proposals;
5. a minimum of 2 public hearings, each at a different stage of the program (development and implementation), to obtain citizen views and to respond to proposals and questions at all stages of the community development program, including at a minimum (a) the development of needs, (b) the review of proposed activities, and (c) review of program performance. These hearings shall be held after adequate notice, at times and accessible locations convenient to potential or actual beneficiaries, and with accommodations for persons with disabilities, and allow for written comments to be submitted. In cases of joint applications, all applicant communities must be included in the notice and participate in the public hearing. At least one public hearing must be held prior to submittal of an application; a second must be held during the course of the grant year; both must provide for the submission of written comments;
6. a timely written answer to written complaints and grievances, within 15 working days of receipt where practical; and
7. the plan must also identify how all residents and beneficiaries, including minorities and non-English speaking persons, as well as persons with disabilities can be reasonably expected to participate in the program in general, and at public hearings in particular

J. CDBG PROGRAM COMPONENTS

This section briefly describes the components of the Massachusetts CDBG Program. Each program component description includes eligible uses, grant award amounts, and evaluation and award criteria. In the event of conflicting language, this One Year Action Plan takes precedence over language in all program component applications. The program components are:

1. Community Development Fund
2. Mini-Entitlement Program

3. Section 108 Loan Guarantees
4. Reserves
5. Administration and Technical Assistance by DHCD

- All applications to MA CDBG are submitted online and will only be accepted using DHCD's web-based system. Further details and training information will be available as application materials and details are released.

1. COMMUNITY DEVELOPMENT FUND

Program Description

The Community Development Fund (CDF) awards grants to communities throughout the Commonwealth. This program helps eligible cities and towns to meet a broad range of community development needs in housing, infrastructure, downtown revitalization, economic development and public social services. It supports CDBG-eligible activities and encourages applicants to develop coordinated, integrated and creative solutions to local problems. The CDF is available to all communities and will make all CDBG eligible activities available.

From its federal FY 2022, DHCD expects to award approximately \$24,361,127 in CDF grant funds and approximately an additional \$300,000 in funds returned from prior year activities, depending upon Massachusetts' federal allocation. It is anticipated that a similar amount will be available through the FFY 2023 program for a combined CDF allocation of approximately \$48.7million.

Grant Award Amounts

DHCD proposes the following grant limits below; although, we reserve the right to modify these limits and will provide final amounts in the FFY 2023 One Year Plan.

Applicants for a CDBG grant will be eligible to receive up to the following amounts based on the type of application submitted:

Category	Minimum Grant from Competitive Round:	Maximum Grant from Competitive Round:
Single Community	\$ 100,000	\$ 1,350,000
Two Communities (Regional)	\$ 100,000	\$1,500,000
Three or More Communities (Regional)	\$ 100,000	\$1,700,000
Planning- or Design-only grants	\$ 10,000	/////

Requirements:

1. CDF grants are Single Year Grants have historically been based on an 18-month implementation period. There will be a 24-month implementation period for the FFY 2022/2023 grants. For FFY 2022/2023 grants it is anticipated that the period will be from 07/01/2023 to 06/30/2025. Communities must perform due diligence regarding all critical consultations and feasibility determinations prior to an application submission.

2. Two or more communities may apply **regionally**. *"Regional" is not limited to geographically contiguous cities and towns.* In order to comply with federal requirements governing such applications, each participating community would:
 - enter into an inter-local agreement that will allow a lead community to conduct grant activities within other communities;
 - sign the joint authorization form; and
 - demonstrate in the application how the requested funds will be allocated among all participants.
3. A community may apply in either one individual CDF application or in one regional application (including as a lead applicant), or in one of each. In addition, a municipality may not receive funds for the same activity in two different applications for the combined FFY 2022/2023 round.
4. All CDBG applications must be received by DHCD's web-based application system by **Friday, March 3, 2023, at 11:59 PM**. A signed copy of the Application Cover Page must be attached in the Miscellaneous Attachments link of the application. DHCD does not require a hard copy of the cover page to be submitted by mail.

Evaluation and Award Criteria

Application review and awards will be governed by the criteria and procedures as described above (Sections A through I), and the following criteria, process rules and special requirements. Additional detail on evaluation criteria and the review process will be in the FFY 2022/2023 Application Guidance.

Each criterion is described below. Please be advised that applicants must meet a minimum threshold for Project Feasibility -- i.e., **each project must appear to be feasible to undertake and complete in the 24-month grant period, or the other criteria will not be scored.** Projects must demonstrate financial feasibility, including adequate sources available for all costs based on reasonable cost estimates and financial need. Sources and uses of funds are limited to actual documented cash/expenditures specific to the proposed project. Proposals must also demonstrate site control, major permit approval, and other information that demonstrates the project is feasible and ready to go forward upon grant award. All projects must also meet threshold consistency with the Sustainable Development Principles.

Project Need - requires applicants to document and describe the particular needs that will be addressed by each proposed project and the severity of those needs. Applicants will also be asked to describe community input into the determination of the needs and projects identified to satisfy the need. Project Need will be evaluated based on the documented severity of need and the impact the project will have on those needs, as well as, the community's efforts to include beneficiaries and other residents in the application and project development process.

Project Feasibility - requires applicants to document and describe an understanding of the permitting and project management tasks necessary for the project, the procurement processes required of the project, the status of design and site control, the availability of all necessary funds and the readiness of the project to proceed, including completeness of environmental review requirements, and completeness and reasonableness of timeline. Project Feasibility will be evaluated on the applicant's ability to demonstrate the overall readiness of the project, management capacity and the ability of the applicant to complete the project within the 24-month grant implementation period.

2. MINI-ENTITLEMENT PROGRAM

Program Description

Municipalities were selected to be Mini-Entitlement communities if they met the three following criteria: (1) The percentage of low and moderate income residents is 40% or greater; (2) a poverty rate higher than the state average of 9.8% and (3) population over 12,000. This program helps larger non-entitlement urban communities with the highest needs improve conditions for their low- and moderate-income residents through comprehensive planning and predictable funding. Through this program, identified cities and towns can meet a broad range of community development needs in housing, business development, physical development, downtown revitalization, and public social services. It supports all CDBG-eligible activities and encourages applicants to develop comprehensive, creative solutions to local problems.

DHCD expects to award up to \$16,500,000 from the combined FFY 2022/2023 Mini-Entitlement Program allocation to ten (10) designated Mini-Entitlement municipalities, listed below

Amherst
Chelsea
Everett
Gardner
Greenfield
North Adams
Southbridge
Wareham
Webster
West Springfield

DHCD requires Mini-Entitlement communities to approach CDBG projects in a comprehensive and integrated manner and is directing these communities to target their CDBG funds to particular geographic areas in order to impact and effect change within neighborhoods. Housing Rehabilitation programs may be designed to allow up to 20% of the funds to be used for emergency purposes outside the target area.

DHCD will offer technical assistance to Mini-Entitlement communities, including planning, priority setting, and project evaluation and development.

Grant Award Amounts and Requirements

Mini-Entitlement communities are eligible for an award of up to \$1,650,000 based upon prior performance including effective implementation of activities, timely expenditure of funds and performance as indicated in monitoring reports, along with, the community's ability to identify eligible, feasible activities that can be completed in a timely manner. Mini-Entitlement applications will contain a 24-month implementation plan. Mini-Entitlement grantees must comply with standards for timely expenditure and available program income (see Applicant/Project Thresholds above and 3 directly below). FFY 2022/2023 Mini-Entitlement awards to Grantees that do not meet the required standards will be reduced by an amount necessary to bring the grantee into compliance.

Mini-Entitlement communities were guaranteed an annual commitment of funds for a three-year period that ended with FFY 2021. The Mini Entitlement program and the formula to determine communities selected for the program was reevaluated for the FFY 2022 program, which will be in place for the next three-year period.

Evaluation and Award Criteria

The following requirements apply to the Mini-Entitlement Program:

1. Mini-Entitlement grants are Single Year Grants have historically been based on an 18-month implementation period. There will be a 24-month implementation period for the FFY 2022/2023 grants. For FFY 2022/2023 grants it is anticipated that the period will be from 07/01/2023 to 06/30/2025. Communities must perform due diligence regarding all critical consultations and feasibility determinations prior to an application submission.
2. In accordance with the Massachusetts CDBG Priorities listed in Section A, DHCD seeks to fund projects identified through meaningful community-based planning and priority setting processes as described in SECTION D. 6. Mini-Entitlement communities will be required to submit a Community Development Strategy with the application (refer back to section D.6 for more detail)
3. Activity packets must be completed and will be scored to ensure that activities are feasible and ready to proceed at the time of award. Activities will be scored in accordance with the project feasibility question of the application as detailed above in the CDF section. Activity packets must receive a minimum 50% score of each item in the feasibility question. All FFY 2022/2023 Mini-Entitlement applications must describe how CDBG funds will be allocated; include goals and performance measures for each activity; demonstrate compliance with a federal national objective and all federal/state requirements; and provide a management plan. The project packets will be reviewed for compliance with these evaluation criteria.
4. Mini Entitlement applicants that can't comply with the timely expenditure threshold as described above will have a 2022/2023 award reduced by the amount over the threshold.
5. All activities that are eligible under Section 105(a) of Title I of the Housing and Community Development Act of 1974, as amended, will be considered for funding with the exception of organizational activities of downtown partnerships.
6. Mini-Entitlement communities may not join with other communities as joint applicants.
7. For FFY 2022/2023, Mini Entitlement Communities will submit a list of proposed activities to DHCD within one week after the application has been made available. Applicants will provide the name of the activity, demonstration of eligibility including national objective, a brief description, proposed accomplishments and proposed budget.
8. Mini-Entitlements that can demonstrate a readiness to proceed with activities may be able to receive a grant contract in advance of the July 1, 2023 implementation period.
9. Mini Entitlement communities may not request funding for more than three activities in addition to public social services.
10. Mini Entitlement communities must proceed with the projects submitted in the application, subject to feasibility and grant clearance considerations. The community cannot propose a new activity to replace an already approved activity except in limited circumstances.

The town of Palmer will be guaranteed a transition grant of \$675,000 in FFY 2022. The town may compete in the Community Development Fund for a full award as allowed by the CDF rules.

All Mini-Entitlement applications must be received by DHCD's web-based application system by no later than Friday, March 3, 2023, at 11:59 PM. DHCD will accept Mini-Entitlement applications prior to the March 3, 2023 deadline. A signed PDF of the Application Cover Page must be attached in the Miscellaneous Attachments link of the application. DHCD no longer requires a hard copy of the cover page to be submitted by mail.

3. SECTION 108 LOAN GUARANTEES

Section 108 Loan Guarantees allow eligible communities to access federal loan funds for the purpose of aiding revenue-producing development activities. The Massachusetts program provides communities with a source of loan financing for a specific range of community and economic development activities. Funding is provided to the community to loan to a business or other entity. The Commonwealth guarantees repayment of the HUD loan, and pledges its future CDBG allocation as collateral. Actual funding will be provided through the sale of notes by the federal Department of Housing and Urban Development.

Loan Guarantees will be available to support the rehabilitation of, or conversion to, mixed-use or investor owner-residential buildings (5 or more units) located in downtown or commercial center areas. Residential projects should include mixed-income, affordable and market rate units. Housing unit rehabilitation will be limited to a maximum per unit CDBG cost of \$125,000. The entire building façade must be appropriately addressed, regardless of the portions of the building assisted. Section 108 loan assistance of \$1 million to \$5 million will be available for residential or mixed-use projects meeting these qualifications. For most housing project components, Section 108 loan funds plus all federal and state grants combined shall not exceed 75 percent of total actual project costs. Section 108 loans may also assist public facilities/infrastructure improvements that generate sufficient revenues and support downtown mixed-use or investor-owned, mixed-income residential projects.

Assistance to non-profit organizations for public services, capitalization of loan funds or business technical assistance, or direct assistance to individual businesses or other entities will also not be considered in Section 108.

This year the Commonwealth will pledge up to \$10 million in future CDBG allocations in support of these eligible activities.

Grant Award Amounts and Requirements

- The minimum award is \$1,000,000 and the maximum is \$5 million. The loan amount will not be included in the \$1 million annual limit that grantees may receive from the Commonwealth's annual CDBG allocation.
- In general, awards from the Section 108 Loan cannot exceed 40% of the total project costs. However, DHCD will consider guaranteeing public infrastructure projects to a percentage greater than 40% on a case by case basis;
- Privately owned, non-residential real estate activities where the scope exceeds exterior façade improvements must be undertaken as economic development activities and must meet CDBG underwriting criteria. These criteria limit assistance to gap financing, which may be less than the 40% program limit;
- All Section 108 applications must include evidence that the proposed project needs grant assistance to be feasible;
- DHCD is willing to consider phased projects, with the caveat that the time frame for full implementation is a maximum of five years or less;
- DHCD or HUD may disapprove applications, or approve a reduced guarantee or approve the request with conditions, such as but not limited to additional collateral and guarantees depending on the structure of the proposal; and

- Depending on the nature of the project, the community may be required to pledge its full faith and credit.

Evaluation and Award Criteria for Section 108 Applications

Applicants must contact DHCD prior to submission of an application. A two-stage process for evaluating potential applications is in effect, consisting of a preliminary screening and a formal application. DHCD staff will provide information on the evaluation and review process at the appropriate time. Applications will be reviewed on a first come, first served basis, provided that threshold criteria are met and funds are available.

Successful applicants will receive a loan from HUD, but the Commonwealth guarantees the repayment of the loan. The Commonwealth pledges its future CDBG grant funds to repay the federal government should a non-entitlement recipient of a Section 108 Loan default. DHCD will not pledge other collateral of the Commonwealth in support of proposals. Any additional security required by HUD must come from another source.

DHCD will provide guidance to applicants on how to submit preliminary and formal applications. However, the format of any final loan application will be determined by HUD.

Active Section 108 Loan Activities

Everett – \$1 million Section 108 loan for roadwork (right-of-way & construction) for the Norman St./Internet Dr. intersection and entryway into the Rivers Edge (previously Telecom City) project area. The debt service for years 1-8 (FFY 2007 – 2014) is funded with a \$1.2 million Brownfield's Economic Development Initiative (BEDI) grant.

North Adams - Massachusetts Museum of Contemporary Art (MASS MoCA): Approximate \$4.3 million loan to partially fund real estate development by the non-profit museum foundation. The \$13 million project involved rehabilitation of two buildings. This project was Phase II of the City and MASS MoCA's revitalization plan for one of North Adams' most distressed neighborhoods.

Loan Default

In the event of loan default, DHCD must be prepared to repay the Section 108 loans to HUD out of the Commonwealth's annual CDBG allocation. In addition to a pledge of future CDBG funds, collateral is provided from other sources. The possibility exists, however, that the loan defaults and will need to be repaid from the annual allocation. In FFY 2021 the potential liability, or repayment total, could be up to \$336,662 in the event of loan default.

If the loans do not default, or if there is default but the collateral is sufficient to cover the loan repayment (or a portion thereof), then DHCD will reallocate the budgeted default amount among other program components.

Please note that DHCD and HUD scrutinize Section 108 projects very carefully since any loan defaults are guaranteed by future CDBG funds and therefore could significantly affect availability of funds in future years.

4. RESERVES

An initial allocation of \$250,000 will be available for the Reserves component. Consistent with *Section E. ALLOCATION OF CDBG FUNDS TO THE COMMONWEALTH*, funds may be recaptured by or returned to DHCD at any time during the program year, or reallocated to and from program components including the Reserves component. This may result in an increase or decrease to the initial allocation.

On occasion applications, or portions thereof, that were not funded during a competitive process, including direct technical assistance to eligible communities, may be considered by the Undersecretary of DHCD to be particularly worthy, innovative, or address an overarching local, regional, or statewide need. Such projects may be funded through the Reserves.

Funds may also be made available for projects throughout the program year that are consistent with Massachusetts' CDBG priorities, as outlined in *Section A.*, particularly those that address the Administration's goals of developing and/or preserving affordable workforce housing opportunities, infrastructure improvements in support of the development of new housing and projects that seek to return vacant and blighted properties to a viable use.

The application materials for Reserves will provide guidance to potential grantees on how to structure their applications. The Department's interest in providing Reserves funding for projects will be determined by a review of the proposed project to determine consistency with the goals and priorities cited above and that the activity is eligible, feasible and ready to proceed. Once complete, applications will be funded in the order in which they are received.

All Projects funded under Reserves must meet, at a minimum, CDBG national objective and eligibility requirements, applicable rules and regulations, and project feasibility thresholds. Please contact Louis Martin, Associate Director of the Division of Community Services, at 617 573-1402 with any inquiries about Reserves.

5. ADMINISTRATION AND TECHNICAL ASSISTANCE BY DHCD

The Commonwealth of Massachusetts uses CDBG funds for administrative costs incurred by DHCD during the operation of the Massachusetts CDBG Program. As allowed by federal statute, this amount will equal two percent (2%) of the entire annual grant allocation, plus \$100,000.

An additional one percent (1%) of the allocation will be used for direct technical assistance to eligible municipalities for guidance relating to housing, economic development, including downtown revitalization, community development strategy and plan preparation and use, technical assistance training for non-entitlement communities, fair housing training, and additional assistance determined necessary during the program year.

During this fiscal year DHCD will continue to support and upgrade its software and reporting systems. Technical assistance will be available to communities for downtown revitalization planning activities.

In addition, two percent (2%) of program income generated by state CDBG grantees shall be returned to the Mass CDBG Program on a bi-annual basis.

A review of all users accessing DHCD program grant management systems shall be conducted annually to determine the accuracy of user access designations. If necessary, action shall be taken to change, revoke, or grant user access to reflect the appropriate designation.

ONE-YEAR ACTION PLAN FOR FEDERAL FISCAL YEAR 2022

EXHIBITS

1. LIST OF ENTITLEMENT COMMUNITIES IN MASSACHUSETTS
2. MUNICIPALITIES ELIGIBILITY TO APPLY TO COMMUNITY DEVELOPMENT FUND (CDF) IN FFY 2022/2023
3. SUSTAINABLE DEVELOPMENT PRINCIPLES
4. GUIDANCE ON MEETING THE SUSTAINABLE DEVELOPMENT THRESHOLD
5. MASSACHUSETTS FAIR HOUSING MISSION STATEMENT AND PRINCIPLES

EXHIBIT 1

LIST OF ENTITLEMENT COMMUNITIES IN MASSACHUSETTS
as of Federal Fiscal Year 2022

ARLINGTON	MALDEN
ATTLEBORO	MEDFORD
BARNSTABLE	NEW BEDFORD
BOSTON	NEWTON
BROCKTON	NORTHAMPTON
BROOKLINE	PEABODY
CAMBRIDGE	PITTSFIELD
CHICOPEE	PLYMOUTH
FALL RIVER	QUINCY
FITCHBURG	REVERE
FRAMINGHAM	SALEM
GLOUCESTER	SOMERVILLE
HAVERHILL	SPRINGFIELD
HOLYOKE	TAUNTON
LAWRENCE	WALTHAM
LEOMINSTER	WESTFIELD
LOWELL	WEYMOUTH
LYNN	WORCESTER
	YARMOUTH

EXHIBIT 2

MUNICIPAL ELIGIBILITY TO APPLY FOR CDBG PROGRAM FUNDS IN FFY 2022

Historically, a single Community Development Fund community may receive no more than \$1.35 million from two successive years. This limit was waived for the FFY 2021 program and DHCD is waiving it again for the FFY2022 program. As a result, applicants to the FFY 2022/2023 program will not be limited by FFY 2021 awards.

EXHIBIT 3

Sustainable Development Principles

The Commonwealth of Massachusetts shall care for the built and natural environment by promoting sustainable development through integrated energy and environment, housing and economic development, transportation, public health and safety, and other policies, programs, investments, and regulations. The Commonwealth will encourage the coordination and cooperation of all agencies; invest public funds wisely in smart growth and equitable development; and give priority to investments that will deliver good jobs and wages, transit access, housing, and open space, in accordance with the following Sustainable Development Principles. Furthermore, the Commonwealth shall seek, through incentives and assistance, to advance these Principles in partnership with regional and municipal governments, non-profit organizations, businesses, and other stakeholders.

1. Concentrate Development and Mix Uses

Support the revitalization of city and town centers and neighborhoods by promoting development that is compact, conserves land, reduces infrastructure and service costs, protects historic resources, integrates uses, enables pedestrian and bicycle access, and connects to transit. Encourage remediation, restoration, and reuse of existing sites, structures, and infrastructure rather than new construction on farm, forest, or other undeveloped land. Create pedestrian and bicycle friendly districts and neighborhoods that mix commercial, civic, cultural, educational, and recreational activities with open spaces and homes. Promote the creation of vibrant public spaces that facilitate strong civic and social engagement, through deliberate planning, design, construction, and management.

2. Advance Equity

Promote, through plans, regulations, and investments, equitable sharing of the benefits and burdens of development including access to housing, recreational opportunities, and transportation choices. Provide technical and strategic support for inclusive community planning and decision making to ensure social, economic, and environmental justice. Ensure that the interests of our most vulnerable populations and future generations are not compromised by today's decisions.

3. Make Efficient Decisions

Make state and local regulatory, investment, and permitting processes clear, predictable, coordinated, and timely. Ensure that zoning and other development guidelines and regulations result in projects that align with the goals of smart growth, environmental stewardship, and healthy communities. Set goals and track performance to enhance consistency with these Principles.

4. Protect Land and Ecosystems

Protect and restore environmentally sensitive lands, natural resources, productive forest and agricultural lands, critical habitats, wetlands and water resources, and cultural and historic landscapes. Increase the quantity, connectivity, quality and accessibility of open spaces and recreational opportunities.

5. Use Natural Resources Wisely

Site, design, construct, and promote developments, buildings, and infrastructure that conserve natural resources by reducing waste and pollution through efficient use of land, energy, water, and materials. Operate fleets, facilities, and other assets in a manner that reduces greenhouse gas emissions, costs, and resource consumption. Advance the use and reuse of durable, sustainable materials considering their production, transportation, use, and disposal. Protect, enhance, and restore natural infrastructure and promote ecological design.

6. Expand Housing Opportunities

Support the construction and rehabilitation of homes to meet the needs of people of all abilities, income levels, and household types. Build homes near jobs, transit, and where services are available. Encourage energy-efficient design, the use of sustainable materials, and consideration of resiliency to climate change and extreme weather. Foster the development of housing, particularly multifamily and smaller single-family homes, in a way that is compatible with the community's character and vision, while providing new housing choices for people of all means.

7. Provide Transportation Choice

Maintain and expand transportation options to enhance mobility, maximize access, promote healthy and active lifestyles, reduce congestion, minimize fuel consumption, improve air quality, reduce greenhouse gas emissions, and ensure the safety of those traveling by all modes. Prioritize rail, bus, boat, rapid and surface transit, shared-vehicle and shared-ride services, bicycling, and walking in order to increase travel by these modes. Consider climate change impacts in transportation planning, project selection, and prioritization, ensuring infrastructure resilience and provision of transportation options during extreme weather events. Distribute resources equitably. Invest strategically in existing and new passenger and freight transportation infrastructure that supports sound economic development and housing construction consistent with smart growth objectives.

8. Increase Job and Business Opportunities

Encourage businesses to locate near housing, infrastructure, and transportation options. Promote economic development through policies and programs intended to enhance the business climate in Massachusetts across industry sectors. Expand access to education, training, and entrepreneurial opportunities. Support the growth of local businesses, including sustainable natural resource-based businesses, such as agriculture, forestry, clean energy technology, and fisheries. Protect and enhance the basis of natural resource economies.

9. Mitigate and Adapt to Climate Change

Endeavor to limit and prepare for climate change. Reduce greenhouse gas emissions from buildings, electricity generation, transportation, and other sources through decreased consumption of fossil fuels. Maximize energy efficiency and renewable energy opportunities. Support energy conservation strategies, local clean power generation, distributed generation technologies, and innovative industries. Encourage ecological siting and design before mechanical solutions. Protect against hazards in order to enhance resilience and decrease vulnerability to climate change and natural disasters in the natural and built environment. Promote redundancy of critical systems and coordinated regional, state, and local resilience planning in response to climate change and extreme weather events.

10. Plan Regionally

Support the collaborative development and implementation of local, regional, state, and interstate plans that are consistent with these Principles. Foster development projects, land and water conservation, transportation and housing that have a regional or multi-community benefit. Consider the long-term ecological, economic, and social costs, benefits, and impacts to the residents and natural resources of the Commonwealth.

EXHIBIT 4

Guidelines for Project Consistency with the Commonwealth's Sustainable Development Principles

Important choices about where and how Massachusetts will grow are made every day. These decisions have profound implications. While the Commonwealth has made progress, more needs to be done to ensure that the interests of future generations are not compromised by today's decisions.

It will take our cooperative efforts to build a greater quantity and diversity of housing, develop the businesses we need to provide jobs and increase revenue, and do a better job of acting as stewards of our natural resources for future generations. The administration is interested in working in partnership with the development community and municipalities to improve our conservation and development practices. State policies, programs, and investments must encourage smart growth and development interests and municipalities must do the same. The Commonwealth has established a framework to insure a strong economic future for the state and a high quality of life for its residents by undertaking a comprehensive approach to housing and community investment in a way that respects landscape and natural resources. The administration believes that sustainable development can and should take place in all communities. To be successful, our investments must bring the housing market into equilibrium and enable the state to attract new businesses while making strategic land use choices. In order to achieve our housing and community development goals, we rely on our strategic partners to develop projects that enable us to optimize our limited natural and financial resources.

The administration has refined its 10 Principles of Sustainable Development as a way to articulate and describe this vision to our strategic partners and to guide our investment decisions. Projects seeking funding from DHCD's **Community Development Block Grant (CDBG)** programs must be consistent with the Principles of Sustainable Development in the manner described below. A community development project must adhere to Method 1, Method 2 or Method 3.

Method 1

Be consistent with **Concentrate Development and Mix Uses**. Support the revitalization of city and town centers and neighborhoods by promoting development that is compact, conserves land, protects historic resources, and integrates uses. Encourage reuse and rehabilitation of existing sites, structures, and infrastructure rather than new construction in undeveloped areas. Create pedestrian friendly districts and neighborhoods that mix commercial, civic, cultural, educational, and recreational activities with open space and homes.

In order to demonstrate consistency with this principle for Method 1, a project must:

- a. Involve the rehabilitation or redevelopment of, or improvements to, vacant or occupied, existing structures or infrastructure; or
- b. If new construction, contribute to the revitalization of a town center or neighborhood and/or be walkable to transit; the downtown; a village center; a school; a multiple activity retail, services or employment center; or be located in a municipally-approved growth center.

Method 2

Be consistent with at least five (5) of the Sustainable Development Principles, of which one must be either **Protect Land and Ecosystems** or **Use Natural Resources Wisely**.

Method 3

If a housing project involving new construction is sited on municipally owned or municipally provided land, involves municipal funding or is supported by a letter from the chief elected official of the municipality at the time of Project Eligibility or an application for funding, only four (4) of the Principles must be met, of which one must be **Concentrate Development and Mix Uses**, **Protect Land and Ecosystems** or **Use Natural Resources Wisely**. See Further Guidance below for examples of ways in which a project can be consistent with **Concentrate Development and Mix Uses** beyond the characteristics used in Method 1.

Further Guidance

Each Principle is listed below with examples of ways projects may demonstrate consistency. Projects need to satisfy only one of the examples, not all those listed; other ways to satisfy the Principles will also be considered.

Concentrate Development and Mix Uses: Support development that is compact, conserves land, integrates uses, and fosters a sense of place. Create walkable districts mixing commercial, civic, cultural, educational and recreational activities with open space and housing for diverse communities.

Examples of ways to demonstrate consistency:

- ☐ The project creates or supports mixed use that serves a diversity of needs informed by inclusive community engagement efforts.
- ☐ The project rehabilitates or redevelops existing structures or infrastructure, including rehabilitation of housing that will expand housing choice through greater accessibility or lead paint removal.
- ☐ The project involves new construction that contributes to town or center revitalization, including projects that will improve access to jobs, educational opportunities, or health and human services.
- ☐ The project is at a higher density than the surrounding area.
- ☐ The project adds new uses to an existing neighborhood that improves access to commercial, civic, cultural, educational, and recreational activities.
- ☐ The project produces multi-family housing that serves diverse household types and populations, including families with children, elders, and persons with disabilities.
- ☐ The project utilizes existing water and/or sewer infrastructure.
- ☐ The project is compact and/or clustered so as to preserve undeveloped land.

Advance Equity: Promote equitable sharing of the benefits and burdens of development. Provide technical and strategic support for inclusive community planning to ensure social, economic, and environmental justice. Ensure that the interests of future generations are not compromised by today's decisions.

Examples of ways to demonstrate consistency:

- ☐ The project involves a concerted public participation effort (beyond the minimally required public hearing), including the involvement of community members, residents/potential residents of the

development and/or key stakeholders in the equitable planning and design of the project, that is inclusive of racial/ethnic minority groups, persons with disabilities, and a range of household types and income levels.

- ☐ The project conforms to Universal Design standards and/or incorporates features that allow for “visitability”.
- ☐ The project creates affordable family housing in a neighborhood or community whose residents are predominantly middle to upper income and/or meets a regional need.
- ☐ The project targets investment in a high-poverty area and makes available affordable homeownership and rental opportunities, particularly preservation of affordable housing opportunities to prevent resident displacement.
- ☐ The project promotes diversity and social equity and improves the neighborhood.
- ☐ The project supports at least one of DHCD’s Affirmatively Furthering Fair Housing (“AFFH”) goals and/or addresses barriers identified in DHCD’s Analysis of Impediments to Fair Housing. (See list of AFFH goals and impediments/contributing factors to fair housing Issues outlined at <https://www.mass.gov/doc/analysis-of-impediments-action-steps-table-2019/download>.)

Make Efficient Decisions: Make regulatory and permitting processes for development clear, transparent, cost-effective, and oriented to encourage smart growth and regional equity.

- ☐ The project involves a streamlined permitting process, such as found in Ch. 40B, 40R or 43D.

Protect Land and Ecosystems: Protect and restore environmentally sensitive lands, natural resources, agricultural lands, critical habitats, wetlands and water resources, and cultural and historic landscapes. Increase the quantity, quality and accessibility of open spaces and recreational opportunities.

Examples of ways to demonstrate consistency:

- ☐ The project involves the creation or preservation of open space or passive recreational facilities. he project furthers equitable distribution of environmental benefits and serves Environmental Justice Populations.⁶
- ☐ The project protects sensitive land, including prime agricultural land, and/or resources from development.
- ☐ The project involves environmental remediation or clean up.
- ☐ The project is part of the response to a state or federal mandate (e.g., clean drinking water, drainage).
- ☐ The project eliminates/reduces neighborhood blight.
- ☐ The project addresses a public health and safety risk.
- ☐ The project increases the accessibility of open spaces and recreational opportunities.
- ☐ The project significantly enhances an existing community or neighborhood by restoring an historic landscape.

Use Natural Resources Wisely: Construct and promote developments, buildings, and infrastructure that conserve natural resources by reducing waste and pollution through efficient use of land, energy, water, and materials.

Examples of ways to demonstrate consistency:

⁶ Environmental Justice Policy of the Executive Office of Energy and Environmental Affairs at <https://www.mass.gov/doc/environmental-justice-policy6242021-update/download>

- ☐ The project uses alternative technologies for water and/or wastewater treatment that result in land or water conservation.
- ☐ The project uses low impact development (LID) or other innovative techniques for storm water management that result in land or water conservation.
- ☐ The project repairs or rehabilitates sewer or water infrastructure to conserve resources.

Expand Housing Opportunities: Support the construction and rehabilitation of homes to meet the needs of people of all abilities, income levels, and household types. Build homes near jobs, transit, and where services are available. Foster the development of housing, particularly multifamily and smaller single-family homes, in a way that is compatible with a community's character and vision and with providing new housing choices for people of all means.

Examples of ways to demonstrate consistency:

- ☐ The project increases the number of rental units available to residents of the Commonwealth, including rental voucher holders, other low- or moderate-income households, and families with children.
- ☐ The project increases the number of homeownership units available to residents of the Commonwealth, including low- or moderate-income households, particularly in areas impacted by disinvestment and that have lower homeownership rates.
- ☐ The project increases the number of affordable and accessible housing options for special needs populations and people with disabilities.
- ☐ The project expands the term of affordability
- ☐ The project supports at least one of DHCD's Affirmatively Furthering Fair Housing ("AFFH") goals and/or addresses barriers identified in DHCD's Analysis of Impediments to Fair Housing. (See list of AFFH goals and impediments/contributing factors to fair housing Issues outlined at <https://www.mass.gov/doc/analysis-of-impediments-action-steps-table-2019/download> .)

Provide Transportation Choice: Maintain and expand transportation options that maximize mobility, reduce congestion, conserve fuel and improve air quality. Prioritize rail, bus, boat, rapid and surface transit, shared-vehicle and shared-ride services, bicycling, and walking. Invest strategically in existing and new passenger and freight transportation infrastructure that supports sound economic development consistent with smart growth objectives.

Examples of ways to demonstrate consistency:

- ☐ The project is walkable to public transportation.
- ☐ The project reduces dependence on private automobiles (e.g., provides previously unavailable shared transportation (such as Zip Car or shuttle buses).
- ☐ The project reduces dependence on automobiles by providing increased pedestrian and bicycle access.
- ☐ For rural areas, the project is located in close proximity (i.e., approximately 1 mile) to a transportation corridor that provides employment centers, retail/commercial centers, civic or cultural destinations.

Increase Job and Business Opportunities: Attract businesses and jobs to locations near housing, infrastructure, and transportation options. Promote economic development in industry clusters. Expand access to education, training, and entrepreneurial opportunities. Support the growth of local businesses, including sustainable natural resource-based businesses, such as agriculture, forestry, clean energy technology, and fisheries.

Examples of ways to demonstrate consistency:

- ☐ The project creates or retains permanent jobs.

- ☐ The project creates or retains permanent jobs for low- or moderate-income persons.
- ☐ The project locates jobs near housing, service or transit.
- ☐ The project supports natural resource-based businesses, such as farming, forestry, or aquaculture.
- ☐ The project involves the manufacture of resource-efficient materials, such as recycled or low toxicity materials.
- ☐ The project supports businesses which utilize locally produced resources such as locally harvested wood or agricultural products.

Mitigate and Adapt to Climate Change: Maximize energy efficiency and renewable energy opportunities. Support energy conservation strategies, local clean power generation, distributed generation technologies, and innovative industries. Reduce greenhouse gas emissions and consumption of fossil fuels.

Examples of ways to demonstrate consistency:

- ☐ The project complies with EPA's Energy Star guidelines or with a similar system.
- ☐ The project uses a renewable energy source, recycled and/or non-/low-toxic materials, exceeds the state energy code, is configured to optimize solar access, and/or otherwise results in waste reduction and conservation of resources.
- ☐ The project reuses or recycles materials from a local or regional industry's waste stream.

Plan Regionally: Support the development and implementation of local and regional, state and interstate plans that have broad public support and are consistent with these principles. Foster development projects, land and water conservation, transportation and housing that have a regional or multi-community benefit. Consider the long-term costs and benefits to the Commonwealth.

Examples of ways to demonstrate consistency:

- ☐ The project is consistent with a municipally supported regional plan that identifies sub region, area or location, and the number and type of housing units or jobs needed that are responsive to regional needs and consistent with DHCD's AFFH goals.
- ☐ The project supports at least one of DHCD's Affirmatively Furthering Fair Housing ("AFFH") goals and/or addresses the barriers identified in a regional Analysis of Impediments to Fair Housing Choice. (See list of AFFH goals and impediments/contributing factors to fair housing Issues outlined at [https://www.mass.gov/doc/analysis-of-impediments-action-steps-table-2019/download.](https://www.mass.gov/doc/analysis-of-impediments-action-steps-table-2019/download))
- ☐ The project has a measurable public benefit beyond the applicant community.

NOTES:

Projects that entirely serve to eliminate a public health or safety risk (e.g., demolition of a blighted structure) are exempt from the Sustainable Development threshold. In addition, CDBG-funded Public Social Service and business assistance for projects not requiring construction are also exempt. Projects seeking funding from the state's community development programs remain subject to the specific programmatic requirements. Similarly, projects proposed under c. 40B are governed by MGL c. 40B Sections 20-23, and applicable regulations, as well as all Fair Housing Laws. Projects should also demonstrate consistency with the Commonwealth's Fair Housing Principles, attached at the end of this document.

EXHIBIT 5

Massachusetts Fair Housing Mission Statement and Principles

The mission of DHCD through its programs and partnerships is to be a leader in creating housing choice and providing opportunities for inclusive patterns of housing occupancy to all residents of the Commonwealth, regardless of income, race, religious creed, color, national origin, sex, sexual orientation, age, ancestry, familial status, veteran status, or physical or mental impairment.

It shall be our objective to ensure that new and ongoing programs and policies affirmatively advance fair housing, promote equity, and maximize choice. In order to achieve our objective, we shall be guided by the following principles:

1. **Encourage Equity.** Support public and private housing and community investment proposals that promote equality and opportunity for all residents of the Commonwealth. Increase diversity and bridge differences among residents regardless of race, disability, social, economic, educational, or cultural background, and provide integrated social, educational, and recreational experiences.
2. **Be Affirmative.** Direct resources to promote the goals of fair housing. Educate all housing partners of their responsibilities under the law and how to meet this important state and federal mandate.
3. **Promote Housing Choice.** Create quality affordable housing opportunities that are geographically and architecturally accessible to all residents of the commonwealth. Establish policies and mechanisms to ensure fair housing practices in all aspects of marketing.
4. **Enhance Mobility.** Enable all residents to make informed choices about the range of communities in which to live. Target high-poverty areas and provide information and assistance to residents with respect to availability of affordable homeownership and rental opportunities throughout Massachusetts and how to access them.
5. **Promote Greater Opportunity.** Utilize resources to stimulate private investment that will create diverse communities that are positive, desirable destinations. Foster neighborhoods that will improve the quality of life for existing residents. Make each community a place where any resident could choose to live, regardless of income.
6. **Reduce Concentrations of Poverty.** Ensure an equitable geographic distribution of housing and community development resources. Coordinate allocation of housing resources with employment opportunities, as well as availability of public transportation and services.
7. **Preserve and Produce Affordable Housing Choices.** Encourage and support rehabilitation of existing affordable housing while ensuring that investment in new housing promotes diversity, and economic, educational, and social opportunity. Make housing preservation and production investments that will create a path to social and economic mobility.
8. **Balance Housing Needs.** Coordinate the allocation of resources to address local and regional housing need, as identified by state and community stakeholders. Ensure that affordable housing preservation and production initiatives and investment of other housing resources promote diversity and social equity and improve neighborhoods while limiting displacement of current residents.
9. **Measure Outcomes.** Collect and analyze data on households throughout the housing delivery system, including the number of applicants and households served. Utilize data to assess the fair housing impact of housing policies and their effect over time, and to guide future housing development policies.
10. **Rigorously Enforce All Fair Housing and Anti-Discrimination Laws and Policies.** Direct resources only to projects that adhere to the spirit, intent, and letter of applicable fair housing laws, civil rights laws, disability laws, and architectural accessibility laws. Ensure that policies allow resources to be invested only in projects that are wholly compliant with such laws.

APPLICATION GUIDANCE INFORMATION

This Application Guidance package explains how to apply to the Massachusetts Community Development Block Grant (CDBG) Program, including information on what to submit, deadlines, special eligibility standards, and the application review processes. This guidance material should be read in conjunction with the FFY 2021 One Year Action Plan, which should be read first. *The One Year Action Plan takes precedence over language in all program components within this application guidance.* The draft FFY 2021 Action Plan is available on DHCD's website at www.mass.gov/dhcd/.

The Department of Housing and Community Development (DHCD) provides technical assistance to cities and towns interested in applying to the Massachusetts CDBG program. Applicants are strongly encouraged to call email program staff with questions. In addition, Technical Assistance Memos will be available online. These documents describe program design options and the regulations governing projects.

DHCD reserves the right at any time and without penalty to cancel or recommence this Notice of Funding Availability (NOFA), narrow or amend its scope, or reject any and all responses if DHCD determines that a fair and open competitive procurement has been compromised or that doing so is in the best interest of the Commonwealth. DHCD reserves the right to use this NOFA and responsive applications to allocate CDBG awards without further notice.

APPLICATION SUBMISSION REQUIREMENTS

Community Development Fund / Mini-Entitlement Program

The Community Development Fund is a competitive program that is available to all municipalities that are not Entitlement Communities as identified by the United States Department of Housing and Urban Development (HUD) or Mini-Entitlement communities as identified by DHCD. A complete description of the Community Development Fund can be found in the Draft FFY 2021 One Year Action Plan.

The Mini-Entitlement program description in the Draft FFY 2021 One Year Action Plan details the program and basis for the designation of communities.

All applications must be received by DHCD's web-based application system by Friday, September 10, 2021 at 11:59 PM. A signed copy of the required Application Cover page, and Joint Authorization page (if applicable), must be attached in the Miscellaneous Attachments link of the application.

APPLICATION TRAINING AND TECHNICAL ASSISTANCE

Local officials or their designees are welcome to examine previously funded applications on-line. Communities that seek DHCD assistance generally write more competitive applications than those that do not. We strongly recommend that if a municipality plans to apply to the Massachusetts CDBG Program, a representative contact Massachusetts CDBG staff at 617-573-1400.

It is extremely important for municipalities to understand that because the grant programs contained in this application are competitive, *Massachusetts CDBG does not discuss applications with local officials or their agents after the application deadline.* Therefore, please be sure that your application is accurate and complete before submission.

The Appendices referred to throughout this guidance are available on DHCD's website. See the list of Available Appendices for details on how to access the information.

ELIGIBLE PROJECTS

Massachusetts CDBG grants can fund any project that is eligible under federal statute in Title I of the 1974 Housing and Community Development Act, as amended. Traditionally, communities use Massachusetts CDBG resources to carry out the following types of programs or projects through these programs. This is only a partial list:

Housing assistance: rehabilitation of substandard dwelling units, repairs to maintain livability including minor repairs designed to help elderly residents stay in their homes, lead paint abatement, rehabilitation of shelters or transitional housing, site development costs for new housing projects (in very limited instances, new housing construction), and relocation.

Housing development: includes projects involving the rehabilitation of existing housing units in downtown and village center buildings, or the conversion to housing of upper story space in downtown and village center buildings, as well as other adaptive reuse projects (applicants thinking of this type of project must contact CDBG staff prior to submitting an application). Total cost should not exceed \$125,000 per unit. Design development drawings for the project must be included in an application (see appendix I for further guidance) The One-Stop application will not be required for these types of projects however, detailed cost estimates and budgets must include a description of both sources and uses of funds.

Economic development/commercial rehabilitation: sign and facade improvements and other economic development related projects (applicants considering an economic development project for FFY 2021 must contact CDBG staff before moving forward).

Public facilities: senior centers, neighborhood centers, parks and playgrounds, youth centers, architectural barrier removal, and other types of facilities that serve the needs of low- and moderate-income persons.

Infrastructure: reconstruction of streets and sidewalks, drainage improvements, upgrade of water supply and distribution systems, and construction or repair of sewer lines, including infrastructure to housing projects.

Public social services: day care subsidies, substance abuse counseling, community policing, elder services, first-time homebuyer counseling and down payment assistance, assistance for the homeless, disabled, illiterate adults, abused children, battered spouses and other predominantly low- and moderate-income clientele. Applicants should review the Limitations on the Use of Program Funds section of the FFY 2021 One Year Plan for more details regarding DHCD's preference for services that are designed to build economic security and self-sufficiency and overall requirements for public social services. No more than five services may be requested in an application.

Planning Projects: planning and pre-development assistance; it must be demonstrated that upon implementation the planned activities will meet a national objective.

Appendix A provides the complete list of eligible projects. The list of eligible projects reveals the flexible design of the Community Development Block Grant program. *However, a project retains*

*its eligibility only if it meets one of the three national objectives of the CDBG program: (a) benefit low- and moderate-income persons; (b) prevent or eliminate conditions of slums or blight; or (c) address an urgent or critical community need. **If it is not clear that the project, as presented in the application can meet a National Objective then the project cannot be funded** regardless of inclusion of the activity on the eligibility list. Detailed information about national objectives, including minimum compliance documentation, begins on page 8 of this Application Guidance.*

GRANT ADMINISTRATION GUIDANCE

The Commonwealth is not responsible for a recipient's grant management. Every municipality that receives a Massachusetts CDBG award is responsible for hiring qualified staff or consultants, supervising these individuals, and ensuring that grant programs are implemented in accordance with federal, state and, where applicable, local requirements. Chief elected officials or executive officers in municipalities considering a Massachusetts CDBG application should determine how much additional staff capacity the municipality will need to implement the grant and then either budget for qualified personnel in the application, or provide for compensation from locally appropriated resources. For further information see the section on Management Plans.

Municipalities may propose one or more projects in an application. Applicants may also include requests for funds to cover both administration and program delivery costs, as follows:

General Administration

Up to 15% of the total grant amount can be used for general administrative expenses. These include such personnel costs as financial/secretarial support and a grant manager to oversee program operations; and certain non-personnel expenses such as telephone, copying charges, an audit and other "overhead" types of costs.

Program Delivery

The cost of delivering a program service, such as the time spent by a housing rehabilitation specialist to inspect dwelling units, develop work write-ups, obtain bids for homeowners, and supervise construction work, is a program delivery cost which is not included in the general administration cap of 15%. The total administrative costs combined (General Administration and Program Delivery) must not exceed 27% of the total grant amount.

Grant Preparation Costs

If a municipality (or group of municipalities) has not received a Massachusetts CDBG grant in three prior years, up to \$6,000 for grant application preparation can be charged as an allowable expense to the grant. For all other communities the maximum allowable expense for grant application preparation is \$3,000. During application development, technical assistance is available to guide local officials in determining appropriate costs.

Determining Reasonable Administrative Costs

The Administrative and Program Delivery budgets are designed to allocate grant management charges between general administration and service delivery costs. However, grantees have the ability to perform grant responsibilities through municipal staff, a consultant or a sub-contractor. In any case, a city or town assumes the responsibility, through its Procurement Officer, of conducting procurement in accordance with applicable federal and state requirements. It is ultimately the responsibility of the municipality's Procurement Officer to establish procedures and monitor procurement operations to ensure that procurements are done properly.

Grant Awards and Administrative Costs

Municipalities that receive Massachusetts CDBG awards must comply with all applicable federal and state laws, regulations, guidelines, and executive orders, as may be further delineated in a contract with DHCD and guidance that may be issued or amended from time to time by DHCD.

DHCD reserves the right to increase or decrease the award of funds for a program when either the delivery or general administration costs are insufficient or unreasonably high. Further, as we monitor a grant for federal compliance, municipalities must maintain sufficient documentation to show that costs charged to a program were actually service-related and not overhead or general administration-related. In any case it will be the grant recipient's burden to prove the reasonableness and eligibility of program delivery costs in both the application, and later, in actual practice.

APPLICATION INSTRUCTIONS

This part of the Application Package provides guidance and instructions for completing the on-line application. Each on-line form includes specific instructions.

General Writing Guidelines and Page Limits for Applications

- There is a **four (4) page limit for responses to the scored questions** contained in each packet, except for a two (2) page limit for the planning packet. **Reviewers will not read beyond the page limit for any section.** Responses to the scored questions must use Times New Roman style with 12 pt font size and three-quarter (3/4) inch margins. **Responses with smaller margins will be considered to have exceeded the page limit. Applicants should also use reasonable (1.04) line spacing in developing the narrative.**

Page limits do not include the application cover sheets, threshold question responses, budget forms, project description summaries, or pertinent information that can be included in attachments or the appendix.

- Responses must be submitted on-line using the Department's web-based application system. **The easiest way to do this is to prepare, in advance, electronic versions of all narrative responses and then attach them to the corresponding section of the on-line application.**
- Several application questions allow for attachments. Applicants should use descriptive names for the attached documents e.g. "Public hearing minutes", "Waiting list summary" (do not include resident names on waiting lists). Attachments will be accessible through dropdown lists. If the attachments carry only file names, it is more difficult to locate the information. If more than five files are attached, applicants should create a list of attachments so that it is clear what information is available in the attachments. Do not use any symbols in the attachment file names. **Be sure that attachment names match the name provided in the text. See page 21 for further guidance on the use of attachments.**

MASSACHUSETTS CDBG's FFY 2021 web-based application forms will be available at <http://madhcd.intelligrants.com>. When they are, DHCD will post a notice on the web site.

The opening page should look like this:



If your community is a current grantee or applied for funds last year online, this page should be familiar. If not, follow the instructions for New Users and contact Mark Southard via email at Mark.Southard@mass.gov or by phone at (617) 573-1436.

After successfully logging on to the system, applicants should select the View Opportunities button. Find the Community Development Fund (CDF) or ME application for FFY 2021 and click the Apply Now button. Agree to create a new application when prompted and click on the View Forms button which will bring up the application forms.

APPLICATION MENU

The application menu consists of a series of Forms which are the content of an application. The appropriate forms must be completed and **saved** in order to assemble a complete application.

COMPONENT SELECTION

At the top of the application menu screen is a link to the component selection form. The application packet materials for an activity - Construction, Rehabilitation, etc. will appear on screen only after the activity is selected on the component selection form. Select the activity(ies) that are the subject of the application by checking the "Selected" box next to the activity title. If the application has more than one of the same activity, applicants will create additional packets later.

APPLICATION COVER

The Application Cover Sheet must be **printed and signed by the Chief Elected Official** or by the Chief Executive Officer (if so authorized by the city or town). The individual who signs the cover sheet must be the official who is authorized to obligate the city or town to legal contracts. If this is not the Chief Elected Official (i.e., Chairman of the Board of Selectmen or Mayor), furnish the appropriate documentation in an appendix, which verifies the contractual authority of the person who signs the application cover sheet. For joint applications, this would be the Chief Elected Official or Chief Executive Officer in the lead municipality.

The Application Cover Sheet includes a checklist of certifications. The text of each Certification appears as a separate form within the online application. Applicants must check the boxes on the cover page to indicate their compliance with the requirements of the certification forms. The applicant must submit the Print Version (click on the button at the top of the page) form of the Cover Sheet. **Applicants do not need to complete any of the forms associated with the certifications nor do they need to submit the forms.**

Municipalities seeking a joint or regional grant, i.e., two or more communities, must also submit the Joint Authorization Form. It must be signed by the Chief Elected Official of *every* municipality participating except for the Chief Elected Official of the lead municipality. The Chief Elected Official of the lead municipality signs the Application Cover Sheet.

The individual who signs the Joint Application Authorization sheet must be the official who is authorized to obligate the city or town to legal contracts. If this is not the Chief Elected Official (i.e., Chairman of the Board of Selectmen or Mayor), furnish the appropriate documentation in an appendix, which verifies the contractual authority of the person who signs the sheet.

TIMELY EXPENDITURE THRESHOLD STANDARDS (For current Massachusetts CDBG grantees)

In accordance with the FFY 2021 Draft One-Year Plan, Massachusetts CDBG requires that lead applicants who have received grants comply with a timely expenditure threshold in order to apply for FFY 2021 programs. If a joint participant has been a lead grantee in a CDBG grant that joint participant will be included in the analysis of this threshold. In order to apply for CDBG¹ funding, a community must demonstrate, using the most recent financial status report at the time of application that 100% of all grant funds awarded for FFY year 2018 and earlier have been fully expended, 70% of funds awarded in FFY 2019 have been expended and for funds awarded in FFY 2020 all required procedural clearances (environmental review, special conditions and administrative services² procurement(s)) have been completed at the time of an application for FFY 2021 funds. On a case-by-case basis, DHCD reserves the right to waive strict compliance with this threshold for events beyond the control of grantees.

¹ CDBG includes Community Development Fund, Mini-Entitlement, and Reserves, but for the purposes of this calculation excludes CDBG – DR, Section 108 and planning-only grants of \$50,000 or less.

² Administrative services procurements include grant management services and other services that may be necessary to ensure the grant is ready to proceed but do not include engineering or rehabilitation specialist services. Town's must be under contract for these services to meet the threshold.

AMERICANS WITH DISABILITIES ACT SELF EVALUATION SURVEY AND TRANSITION PLAN

For FFY 2021, all municipalities participating in an application for CDBG funds that did not participate in an application between 2017 and 2020 will submit as part of the application, a copy of the municipality's Americans with Disabilities Act (ADA) required Self Evaluation Survey and Transition Plan (Plan). If a municipality does not have a Plan, it will submit as part of the application a statement to this effect on Municipal letterhead. All municipalities that do not have a Plan will be referred to Massachusetts Office on Disability (MOD) for execution of a Memorandum of Understanding (MOU) toward the development of a Plan. The Plan or the letterhead should be attached on the forms page of the application under Miscellaneous Attachments. Specific questions regarding the Plan should be directed to:

Director
Massachusetts Office on Disability
One Ashburton Place, Room 1305
Boston, MA 02108
Phone: (617) 979-7317

PROJECT PACKETS:

Communities apply for funds for specific activities by submitting information in project packets specific to the type of activity requested. There are five project packets. For each project proposed, an applicant must use a separate packet.

- Construction Activities: Architectural Barrier Removal, Demolition/Clearance, Infrastructure & Public Facilities
- Design Activities (stand-alone)
- Planning Activities
- Public Services Activities
- Rehabilitation Activities (includes Housing or Commercial, and Other Housing)

A complete project packet is comprised of the following information:

- General information
 - Participating Municipalities
 - Name of Project
 - Eligible Activity description
- National Objective information including beneficiaries
- Threshold Requirements
 - Consistency with Sustainable Development Principles (if applicable)
 - Additional Project Thresholds (project specific)
- Project Description
 - Project Location Information
- Project Budget Information including project and administrative costs and an attached, detailed budget.
- Competitive Questions (2)
 - Project Need
 - Project Feasibility

The following information will provide the applicant with guidance on how to complete the project packet component of the CDBG application. Applicants should use the project packets to provide detailed information regarding proposed projects. Project Packets are first reviewed for compliance with the threshold requirements, and then for competitiveness. **Not all packets require the same responses, please review the on-line packets carefully.**

General Information

The first section of a Project Packet requests information to identify the participating community(ies), the project name and the eligibility of the activity requested. Based on this selection and the Project Description, DHCD staff will confirm the eligibility of the requested activity.

The proposed project must be eligible for funding under the rules of the CDBG program. Both Appendix A and pages 2 to 3 of this guidance list various types of CDBG-eligible projects. Applicants should review this list to ensure that the proposed project is an eligible activity. Eligibility will be evaluated based on accordance with Title I, Section 105(a). Ineligible activities will not be scored.

National Objective Compliance

Each project must meet a national objective. National objectives and related documentation are discussed in detail in this section. National Objective responses will not be scored. The response will be evaluated as described below.

- a) Identification of the national objective that will be met. Explain how it will be met in as much detail as possible. For example, a project could meet a national objective by benefiting low- and moderate-income persons *on an area-wide basis*.
- b) Description of appropriate type(s) of documentation available to show that the project meets a national objective. Demonstrate how you will determine that you have met the national objective. See the guidance below.

National objectives are discussed in the CDBG Regulations for State Programs at 24 CFR Part 570.483. Each project must meet one of three national objectives:

- 1. Benefit to low- and moderate-income persons; or
- 2. Prevention or elimination of slums or blight; or
- 3. Urgent or critical community need.

Minimum requirements for documenting each type of national objective compliance are discussed below.

Benefit to Low- and Moderate-Income Persons

Documenting one of the following can satisfy this threshold:

A. Area-wide Benefit - A project will meet the national objective of benefit to low- and moderate-income persons if its benefits extend generally to all of the residents of the area in which the project is located, and 51% or more of those residents are low- and moderate-income persons. It is critical, however, that the service area determined by the grantee is the entire area served by the project. In addition, the service area must be primarily residential. Area-wide benefit is

often used to meet national objective requirements for certain types of infrastructure projects, such as street repairs in a largely low-income neighborhood. In any case, the application must clearly document and explain how this requirement will be met.

1. Explain the methodology for establishing geographical boundaries of the service area and the percentage of low- and moderate-income persons.

2. Applicants must prove the 51% low- and moderate-income residency standard by using either HUD-supplied low- and moderate-income data, which are based on the 2011-2015 American Community Survey 5-year estimates found online at <https://www.hudexchange.info/programs/acs-low-mod-summary-data/>; or a survey and its results consistent with the survey methodology included in Appendix C and available online at: http://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/hudclips/notices/cpd (go to Notice #14-013)

- If a community believes their project's compliance with this National Objective can be based upon the statistics for the Block Group in which the project will occur and is considering the use of American Community Survey data to substantiate a low and moderate income (LMI) area, please contact Massachusetts CDBG for further discussion. The use of block group statistics to support compliance with national objective must be approved by DHCD prior to submission of an application.
- If a survey is used to substantiate a low- and moderate-income (LMI) area, a copy of the blank survey document and summary survey results must be included with the project packet. **Applicants must also include the survey data broken down by street (total number of households on each street and the income distribution for LMI households and all other households for each street).** *Surveys must demonstrate an adequate sample size and response rate based on HUD's guidance or they cannot be considered valid by DHCD.*
- A valid survey is no older than three years. If the survey is between three and five years old, DHCD will consider the survey if the applicant demonstrates that the surveyed households are the same as when originally surveyed, and that no additional residences have been added to cause the survey to become statistically unreliable. Applicants should seek DHCD's advice in advance of using older surveys.

□ **Note: surveys must be worded to not bias the results. For example, it is not appropriate to say, "In order for the municipality to receive desired funding, a survey must be conducted to show that most of the residents of the area have low- and moderate-income."**

3. Applicants must furnish a parcel map of the service area, showing:

- If applicable, the Census Block Groups and the corresponding LMI statistics;
- If applicable, surveyed streets and surrounding area;
- The dominant land uses; and
- If applicable, current and proposed sewer or water lines, direction of flow, storage tanks, pump stations, treatment plants and well fields.

4. If the residential target area contains vacant land, applicants must;

- Show each vacant parcel of land on a parcel map; and
- Describe the potential future use of the land for the next five to seven years.
- Consider current zoning, subdivision plans, planning documents etc.; and
- Describe how potential future use could have an impact upon the national objective.

B. **“Direct” Benefit for Housing Projects** - CDBG-assisted housing projects (not to be confused with a “public housing project”) will meet the national objective if they predominantly benefit low- and moderate-income persons by providing them with safe, decent and sanitary housing. Housing projects include rehabilitation loans or grants, first-time homebuyer loans, etc. For such projects, grantees must collect and maintain information on household size and income to demonstrate that a low- or moderate-income household occupies assisted housing units. For buildings with two units, at least one eligible household must occupy one of the assisted units. For three or more units, at least 51% of the assisted units must be occupied by low- and moderate-income persons. Applicants must describe the specific steps to be taken to ensure compliance with this requirement, including the income information that will be obtained from clients, and the standards used to determine eligibility at the time of application.

C. **Limited Clientele Benefit.** A CDBG-assisted project will meet this national objective if it can be demonstrated that the project is designed so that the benefits are limited to certain groups with characteristics, such as:

1. Groups presumed by HUD to be low- and moderate-income.³ These include the elderly; severely disabled adults,⁴ abused children, battered spouses, homeless persons, persons with HIV/AIDS, illiterate persons, and migrant farm workers. No income verification is required for these groups unless an “income payment,” such as fuel assistance, childcare subsidies or tuition payments, is being provided. Projects limited in scope to the removal of architectural barriers for severely disabled adult(s) or elderly persons categorically meet national objective requirements.

2. Groups of persons already documented as low- and moderate-income. For example, a recreation program for the exclusive use of residents in a low-income housing development complies. Usually no further income documentation is required for this type of project.

3. Groups whose composition is such that it can be concluded that a majority of their clientele will be low- and moderate-income persons. For example, projects involving homeless shelters will usually qualify under this provision without further proof of income eligibility. For

³ HUD accepts these presumptions unless there is evidence to the contrary.

⁴ Persons are classified as having a severe disability if they: (a) used a wheel-chair or had used another special aid for six months or longer; (b) are unable to perform one or more “functional activities” or need assistance with an “ADL or IADL”; (c) are prevented from working at a job or doing housework; or (d) have a selected condition including autism, cerebral palsy, Alzheimer’s disease, senility or dementia, or mental retardation. Also, persons who are under 65 years of age and who are covered by Medicare or who receive SSI are considered to have a severe disability.

NOTE: For purposes of this definition, the term “functional activities” includes seeing, hearing, having one’s speech understood, lifting and carrying, walking up a flight of stairs, and walking. An ADL is an “activity of daily living” which includes getting around inside the home, getting in or out of bed or a chair, bathing, dressing, eating, and toileting. An IADL is an “instrumental activity of daily living” and includes going outside the home, keeping track of money or bills, preparing meals, doing light housework, and using the telephone.

application purposes, the clientele must be profiled so it is clear that beneficiaries of CDBG assistance will be low- and moderate-income persons.

4. Groups that can be documented to be predominantly low- and moderate-income (at least 51%). Such projects must be designed to collect information on household size and income so that the program will document clientele income eligibility. For example, a project that provides well-child medical care would meet the national objective if the program will collect income data to determine eligibility to receive CDBG-assisted services.

Limited clientele projects must document compliance by one of the following methods:

- For projects that do not provide “income payment” forms of assistance, beneficiaries may “self-declare” their eligibility, generally by completing and signing a form declaring household sizes and income ranges.
- For projects that offer income payments or subsidies, income must be documented.
- For projects where the user profile will be low- and moderate-income, a description of the profile must be presented so that the conclusion, without a doubt, will be to benefit low- and moderate- income persons.

D. Planning Projects. An activity involving planning will meet a national objective if it is demonstrated that at least 51% of the persons who would benefit from implementation of the plan are low- and moderate-income.

Prevention or Elimination of Slums and Blight

A. Area basis - This national objective may be used for any activity designed to eliminate or prevent slum/blight on an area wide basis. Approval of the area will be based on documentation of all of the following criteria and submitted to DHCD for approval at least 30 calendar days prior to the application deadline. Communities who have their designated slum and blight area approved prior to the application deadline should include the approval letter as documentation in the application.

1. The community must determine that the area meets the state’s definition of substandard, blighted or decadent areas as stated in MGL ch.121A and ch.121B. The community must describe how the conditions in the target area are consistent with these definitions. Please refer to MGL ch. 121A and ch. 121B. The Chief Elected Official or other authorized official must determine in writing that the area is in disrepair or there is a pattern of recognizable disinvestments thereby meeting one of the definitions ascribed above.

2. The community must also document that at least 25% of the properties throughout the area experience one or more of the following conditions:

Physical deterioration of buildings or improvements; Abandonment of properties;
Chronic high occupancy turnover rates or chronic high vacancy rates in commercial or industrial buildings; Significant declines in property values or abnormally low property values relative to other areas in the community or; Known or suspected environmental contamination OR the public improvements throughout the area are in a general state of deterioration.

Definitions

- 1) Physical deterioration of buildings and improvements are those buildings whose condition meets the definition of fair or poor under the rating criteria listed below. Public Improvements must demonstrate that they are in a general state of deterioration. Please refer to the Public Improvements guidance below.**

Excellent: Buildings that require little or no exterior work.

Buildings that are in excellent condition may be of any age or style. They demonstrate consistent, planned maintenance and repair, components appear to be code-compliant and energy efficient.

Public Improvements: Infrastructure is newer and/or improved and updated to meet current need and demand, is compliant with all applicable codes and requirements, and has no visual or physical evidence of deterioration or needed repair.

Good: Buildings that have cosmetic deficiencies or other early signs of aging and wear.

Building components appear to meet code, but energy efficiency improvements such as storm doors and windows and caulking may be needed. Decorative features may need to be secured, but items are in place. Materials do not need replacement, but do need some minor maintenance and repair. For example, roofs may be of older composition, but not yet deteriorated or leaking; siding may need spot painting or other "touch-up"; foundations and chimneys appear structurally sound but may show beginning signs of voids or loose mortar joints.

Public Improvements: Infrastructure such as streets and sidewalks show minor cracks, unevenness and patching. No visible or known evidence of deficiencies with water, sewer, or drainage systems.

Fair: A determination of fair for a building component means that the extent of defective conditions or deficiencies applies to a least 25% of the component.

Buildings with this designation show clear signs of deterioration indicative of a property that has not been maintained for 5 to 10 years. Some building components may be nearing the end of their serviceable life. Small wood and metal trim pieces of buildings may be lifting away from primary surfaces. At least 25% of roofing and related surfaces, including roofline, trim, flashing, and chimneys may be brittle, curled, cracked, and missing, with overall signs of aging, and exhibit levels of deterioration specific to this category. At least 25% of doors and windows may be old and worn, loose, ill-fitting, drafty, and otherwise energy inefficient and may have peeling paint or deteriorating vinyl or other surfaces. Exterior walls have at least 25% of surfaces with missing, broken or otherwise deteriorated siding, painted surfaces in progressed state of peeling, or brick surfaces needing repointing. At least 25% of porches, stairs, and decking show early signs of deterioration including worn, cracked, and warped components affecting components such as treads, balusters, rails, jousts, and support posts. Foundations have cracks and voids over at least 25% of surface area. Storefronts and signage are aging, with architectural features that may have been covered with sheet metal, asbestos, asphalt, or other materials from renovations of earlier decades. These covering materials, as well as any exposed original surfaces, are now showing signs of deterioration over at least 25% of their surfaces.

Public Improvements: Infrastructure, including parks, playgrounds, and parking facilities, is older and needs regular maintenance and repair. Streets and sidewalks are cracked, uneven, patched, and not conducive to convenient pedestrian and or vehicular travel. Slow drainage causes some ponding to occur during heavy rains.

Poor: A determination of poor for a building component means that the extent of defective conditions or deficiencies applies to a least 50% of the component.

This category includes buildings that appear not to have been maintained for at least 10 years and have components which are beyond the end of their useful life. Exterior trim is missing altogether. One or more major building systems may be in danger of failure. The roof may be sagging with areas of extensive wear, exposed sheathing, and evidence of leaks over at least 50% of surfaces. Roofline trim, flashing, and chimneys exhibit levels of deterioration specific to this category. At least 50% of doors and windows may be rotted, broken, missing, and/or boarded up, with peeling paint or deteriorating vinyl or other surfaces. Exterior walls have at least 50% of surfaces with missing, broken, or otherwise deteriorated siding; painted surfaces rotted or in advanced state of peeling paint or brick or other masonry surfaces needing repair or repointing. At least 50% of porches, stairs, and decking exhibit hazardous and unsafe conditions including sagging, rotted, and missing components, and separation from the main structure. Foundations are extensively cracked with missing stone or masonry over at least 50% of areas; indications of structural instability, and may require replacement and shoring up, including sill work. Storefronts and signage are nearing end of useful life with original or old replacement materials which are extensively deteriorated over at least 50% of their surfaces.

Public Improvements: Infrastructure, including parks, playgrounds, and parking facilities, show advanced stages of deterioration and appears not to have been maintained for an extensive period of time. Streets and sidewalks and other paved surfaces are rutted, cracked, heaving, and appear to require full reconstruction. Curb reveals are minimal or nonexistent. Conditions may pose hazards to pedestrian and or vehicular travel. Some surfaces are severely deteriorated and infrastructure is generally antiquated, undersized, or obsolete. Regular street flooding occurs due to poor drainage.

2) Abandonment of Properties: are defined as residential, commercial or industrial buildings or lots that for the previous 24 months:

- Have been completely vacant;
- With owners who have not paid property taxes, utility bills or mortgage; or
- With owners who have not been responsive to notices or citations concerning the property from the municipality.

3) Chronic high occupancy turnover rates: refers to commercial or industrial buildings in which all commercial or industrial units have turned over 2 times within the previous 24 months. **Chronic high vacancy rates:** refers to commercial or industrial buildings that have been completely unoccupied for a total of 12 out of the previous 24 months.

4) Significant decline in property values relative to other areas in the community refers to buildings or lots in which assessed or market values, on a square foot basis, have declined by 25% relative to the change in average property values of other districts in the community with similar zoning or land uses. **Abnormally low property values** relative to other areas in the community refers to buildings or lots in which assessed or market values, on a square

foot basis, are 25% lower than the average values of other districts in the community with similar zoning or land uses.

5) Known or suspected environmental contamination refers to real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant or contaminant.

3. Because communities will receive a ten year designation of their target area if DHCD accepts the supporting documentation, DHCD requires both the submission of the building inventory and the infrastructure inventory regardless of which will qualify the area as meeting the criterion. In addition to the determination by local inspection, applicants must provide each of the following items in a separate attachment:

- A map clearly delineating the geographic area that is designated as slum/blighted and which shows the location of all buildings, properties and public improvements that are deteriorated or meet one of the criteria of disinvestment listed above.
- A parcel inventory of all buildings and properties in the slum/blight area. This inventory must include a Property Rating Sheet for each building and property located in the slum/blight area. The rating sheet consists of a photograph of each building, a description of the condition of major building components and an overall property condition rating. The conditions are based upon definitions of standard criteria for classifying buildings as poor, fair, good and excellent as defined above.
- An infrastructure inventory that describes and quantifies the deterioration for each type of public improvement identified, e.g. linear feet of sidewalk, roadways, number of light fixtures. An Infrastructure Rating Sheet must be included with applicable photographs and description of conditions. The conditions are based upon the definitions as defined above.
- Appendix J that provides a summary of properties for the entire target area. This must include the total number of buildings, the type of buildings, and the percentage of buildings that are deteriorated in the area as a whole. Sidewalks, parking and other public improvements must be listed. The table must also include vacancy rates and the level of disinvestments, which has contributed to the deterioration of the area.

Rating criteria for buildings and public improvements

For buildings and infrastructure, the community must utilize DHCD's rating scale for measuring physical conditions in the slum/blight area. Communities must also use DHCD's Property Rating Sheet and Infrastructure Rating Sheet found in Appendix K of this guidance.

If you are qualifying a building or improvement using the criteria other than "physical deterioration" please provide information or appropriate documentation that meets the definition. This should be explained on the property rating sheet.

- To meet federal regulations, the assisted project/activity must address one or more of the conditions that contributed to the deterioration of the area. In accordance with DHCD policy, a project that directly addresses the elimination of deteriorated/blighted conditions identified

in an inventory for a target area will have a scoring advantage over those that merely address prevention of blight.

- Applicants seeking to qualify area under slum/blight based solely on deterioration of public improvements must document that the public improvements throughout the area taken as a whole are in a general state of deterioration. Deterioration of a single element of infrastructure such as a roadway or sidewalk does not meet this criterion. If you qualify the area solely based upon deterioration of public improvements then you are limited to addressing blight of public improvements.

Other Considerations:

Please note that HUD does not consider transitory conditions such as graffiti sprayed walls and litter strewn, vacant lots to be long-term blighting influences.

HUD does not accept inappropriate zoning, the absence of infrastructure, or the presence of vacant or undeveloped land as prima facie evidence of blighted conditions.

For further information about Slums and Blight please see the Technical Assistance Guide - Commercial Rehabilitation

B. Spot basis – Improvements or rehabilitation to eliminate blight on a spot basis is limited to addressing conditions that are detrimental to public health and welfare. Applicants must provide a complete description of the site, showing why the building or property is deteriorated or deteriorating. This description must include indicators of serious health and safety concerns, structural decay, or historic significance. Projects such as acquisition, clearance, and rehabilitation may be undertaken on a spot basis. A project will not qualify on a spot basis if the project is located in an area that meets the definitions of a deteriorated, substandard or blighted area.

C. Planning Project - A planning project will meet this national objective if implementation of the plan will meet the criteria of elimination of slums or blight in items A or B above.

Urgent or Critical Community Need

Prior approval from Massachusetts CDBG must be obtained to use this national objective. It is imperative that communities contact DHCD immediately if thinking of using this national objective during the 2020 application round.

Special Public Facilities Rule for State CDBG Program Recipients

HUD requires recipients of State CDBG Program grants to retain the use for which CDBG funds were expended on behalf of a public facility project for a minimum of five years after the closeout of the grant. The purpose of this rule [24 CFR Part 570.489(j)] is to ensure a long-term low and moderate-income benefit from the use of federal funds. This means a community cannot receive CDBG funds to rehabilitate a former school building for use as a senior center, and then convert the facility to a town hall three years later.

If retaining the approved use for five years becomes impractical, a community can request permission to change the use. However, the new use must also benefit low and moderate-income persons and a plan for complying with the national objective is an integral part of any

use conversion. A change of use that no longer achieves a national objective can result in the need to repay grant funds to the Massachusetts CDBG Program. Communities planning to apply for public facility projects need to consider the feasibility of meeting this requirement.

Threshold Requirements

Additional Thresholds

In addition to CDBG thresholds for Eligibility and National Objective, additional threshold questions must be answered for each proposed project. Threshold questions are not scored. However, failure to answer or meet a threshold question will result in the rejection of the project packet. Each project must:

- (1) be consistent with the Commonwealth's Sustainable Development principles. Consistency with the Sustainable Development principles is determined according to the Guidance found in the FFY 2021 Draft One-Year Action Plan and in Exhibits 3 and 4; and,
- (2) meet any Additional Project Thresholds as required below. The Construction and the Public Service packets, for example, have very specific threshold questions that must be answered.

1. **Senior Center Projects** – Applicants for Senior Center projects must meet the following threshold requirements to have their applications reviewed and scored:

- (i) provide evidence of site control⁵ by the municipality, as attested to by the Mayor or Board of Selectmen,
- (ii) provide documentation of the availability and commitment of any other funds necessary to complete the project, and
- (iii) provide one copy of the bid-ready plans and specifications.⁶ Applicants can demonstrate compliance for specifications by submitting a table of contents for the specifications and a signed letter by the project's licensed architect or engineer attesting to the fact that a complete set of specifications has been prepared and is bid-ready (modular construction may require a lesser standard – see Project Threshold Criteria #3).

CDBG-assisted senior center projects may not receive subsequent CDBG assistance for additional construction or reconstruction until five (5) years have passed since the grant closeout date.

2. **Architectural Barrier Removal** – A municipality applying for assistance with an architectural barrier removal project (including design only activities) must submit a copy of its locally approved Americans with Disabilities Act (ADA) Self Evaluation Survey and Transition Plan. The ADA was enacted in 1990 and requires local governments to evaluate for accessibility all of its programs and services that had not previously been reviewed under

⁵ Evidence of site control may include but is not limited to a deed, long-term lease agreement, purchase and sale agreement, or other contract or legal document.

⁶ Bid-ready plans and specifications are those construction documents that constitute a presentation of the complete concept of the work including all major elements of the building and site design. The bid documents shall set forth in detail and prescribe the work to be done by the construction specifications; the materials, workmanship, finishes and equipment required for the architectural, structural, mechanical, electrical and site work; and the necessary solicitation information. Drawings shall include the following: a) Site plan showing the location and type of building; b) Scale plans of the building; c) Wall sections, details, and elevations in sufficient detail to serve as a basis for a construction estimate; d) All other required architectural, civil, structural, mechanical and electrical documents necessary to complete the project.

Section 504 of the Rehabilitation Act of 1973. The Act also required preparation of a Transition Plan for removal of programmatic and structural barriers to its programs and services, and set forth a process for involving the community in the development of the Self Evaluation Survey and Transition Plan. Programmatic removal of barriers must be fully explored before considering CDBG funding for structural barrier removal. Completion of the Transition Plan is a required threshold for Architectural Barrier Removal applications.

It is the responsibility of each community to ensure that its Transition Plan is consistent with federal regulations. A community's request for Mass CDBG funding must be consistent with the priorities set forth in these locally developed documents. Communities may wish to contact the Massachusetts Office on Disability or the U.S. Department of Justice for specific questions regarding the ADA and the Rehabilitation Act of 1973.

Applications for Architectural Barrier Removal projects with construction costs of \$100,000 or more require bid-ready plans and specifications. Projects with construction costs less than \$100,000 but more than \$25,000 require design development drawings.

Finally, when used for Architectural Barrier Removal, CDBG funds may be used only for the relevant barrier removal work and directly related and required construction. CDBG funds cannot be used to address building code or local requirements that are not directly part of the removal of the architectural barrier. Please refer to the Architectural Barrier Removal Technical Assistance Guide for further information.

3. Bid-ready Plans and Specifications - Bid-ready plans and specifications are required for all public facilities and architectural barrier removal projects with construction costs of \$100,000 or more (see definition in footnote #5). See above subsection (iii) under 1. Senior Center Projects for guidance regarding submittal requirements. Design development drawings are required for public facilities and architectural barrier removal projects or equivalent site and landscaping plans for Playground/Park projects with a total construction cost of more than \$25,000 but less than \$100,000.

In addition, DHCD recognizes that this requirement may be problematic for communities considering modular construction projects. To satisfy these concerns, in order to apply for assistance to undertake modular construction a community may instead provide DHCD with a reasonable cost estimate for the project. Detailed backup for the total costs for modular construction projects must include the cost of site preparation, off-site construction of the modular unit, and the cost of delivering and assembling the modular unit including all work necessary - including but not limited to all utility work and sub-trades - to result in the issuance of an occupancy permit. To accomplish this, the community must provide the following: the program for the building; plans, specs, and prices of comparable unit(s) from a manufacturer; evidence of the manufacturer's ability to deliver the unit during the timeframe for construction identified in the grant application; and a site plan.

Project Description

Provide a summary of the proposed project explaining the entire scope and essential elements of the project. If the CDBG funded project is part of a larger project include a description of the non-CDBG funded components. The project description, although not scored, is critical in helping reviewers to understand the entire proposed project/program and its eligibility. This description should be consistent with all packet information and may be used by DHCD to assess and insure project feasibility. **The project description should not include a repeat of the answers to the scored questions.**

For projects involving renovation of buildings used for CDBG-eligible and non-eligible activities, applicants must describe how space is allocated within the building and how the project will be pro-rated to address the mix of uses. For housing rehabilitation programs, include a summary description of the program design. This will be used to help assess feasibility of the project.

Public Social Service (PSS) activities will not be scored. Please review the on-line instructions for the project description for PSS packets for required information. Public Social Service packets will be rated on pass/fail basis dependent on the information provided in the project description. In describing a requested Public Social Services activity, applicants must demonstrate that the activities have been prioritized at the local level in order to determine the request for services. Such prioritizing must demonstrate an understanding of the needs assessment undertaken by the community's Community Action Agency and not be inconsistent with such Agency's assessment of service needs. **Do not answer the scored questions in the description. We are not asking for that.**

Budget Forms

All project packets include separate budget forms. Applicants should ensure that all dollar amounts included in the budget form are consistent with the cover sheet and all other associated information (including Summary Budget Sheet) in the application. The budget information provided will be used to confirm overall project feasibility.

Competitive Questions

There are two competitive scored questions in each project packet with several sub questions for each totaling 65 points. The questions ask for narrative responses as well as supporting documentation to back up the narrative. Examples of documentation may include but are not limited to photographs, windshield surveys, maps, architectural or engineering reports/ surveys, studies, demographic data, wait lists, letters of commitment or support, certification of votes, certified minutes or other verified actions. Failure to provide supporting documentation, when requested by the applicable question, will result in a score reduction. In each packet, the applicant has the opportunity to justify the need for the project, and the feasibility of the project.

Applicants should review the Competitive Questions carefully and be sure that they are directly responding to the questions and items as they are written. Further, applicants should be clear in their descriptions and ensure that the descriptions are directly supported by the attached documents.

Within the Need and Feasibility questions are the criteria that will be used to score the responses. **Note: A project that is considered not feasible will be eliminated from review and will not be scored.**

The two competitive questions are generally structured as indicated below. Some activity packets may contain variations on these specifics.

Question #1: Project Need (40) - What is the need for the proposed project/program?

Describe, define and quantify the need to be addressed by the proposed project/program. Include the current conditions/deficiencies resulting in the request for the proposed project/program. Include sourced information to support the need and sourced demographic information for the population (beneficiaries) of the project. Explain how the activity will address the need, what the impact on the need will be, and how community based planning helped determine the need. The response will be evaluated based on the following:

- A clear definition of the need – Clearly describes the current issues or problem to be addressed, the needs/characteristics of the impacted population and how community based planning helped to determine the need. 15 Points
- Severity of the need – Provides relevant and current description and documentation of the extent of the need and current conditions. Strength of the documentation will be considered. Documentation must be specifically referenced. 10 Points
- Impact of the project on the defined need – 5 Points
- LMI Score, up to – 10 points (assigned by DHCD)

The need for the project will be evaluated upon the extent to which the response clearly describes the need and the community's involvement in determining the need; demonstrates the severity of the need; and the strength of documentation provided to support both, as well as, demonstration of the impact the project will have on the need.

For projects involving construction or rehabilitation, photographs must be included as attachments.

Question #2: Project Feasibility and Readiness (25 pts)

Demonstrate that the activity proposed is feasible and ready to proceed by providing the following:

1. Describe the present status of the project design and project readiness to proceed. Identify the procurement processes used or applicable to the project. Rehabilitation activities should summarize the operational program design and readiness to proceed. (10 pts)
2. Project Budget and Project Oversight – Project budgets and staffing plans will be reviewed to ensure cost reasonableness and adequate management. Provide information to describe how the budget was developed and that the costs are reasonable and the staffing plan for the project is sound. Project staffing and operation structures should provide for adequate internal controls, compliance systems, delegation of duties and staff oversight. (8 pts total: 4 pts budget, 4pts staffing)
3. Describe and document the current status of environmental review and the timeline for completion of the process. Identify all necessary federal, state, and local permits, including state and local environmental permits, and the timeframe for obtaining them. Include the appropriate checklist(s). (3 pts)
4. List each milestone/action necessary to complete this project. As applicable, describe the milestone/action provide the month it will be completed, and describe how the milestone/action will be achieved. For housing rehabilitation programs, address overall program implementation and specific case management. Projects have an 18 month implementation period beginning on January 1, 2022. (4 pts)

Project feasibility will be evaluated on the extent to which the project is capable of proceeding at the time of award, can be effectively managed, and can be physically and financially accomplished within the grant period.

Different activity packets may require different responses to some questions. Be sure to read the activity packets carefully and respond to the questions asked.

Attachment Requirements:

- **Attachments must be placed in the section of the application that is applicable. All attachments related to the Competitive Questions should be in the Competitive Questions Attachments link for example.**
- **Do not include multiple copies of the same attachment.**
- **Attachments should support and document what is said in the narrative. Do not merely refer to the attachment and leave it up to the reader to discern the meaning of information contained in the attachment.**
- **Attachments should be clearly named and identified in the text. The name in the text should match exactly the name of the attachment. If the attachment is a long document, please direct the reviewer to the appropriate section.**
- **Do not attach unnecessary documentation. Reviewers will only look at attachments that are referenced and described in the narratives.**

Unutilized Award funds

- It is DHCD policy that if excess funds remain from an activity, either due to budgetary reasons or because of less demand for the activity than projected, the community must return the funds or request DHCD approval to reprogram the awarded funds. DHCD will approve reprogramming for the following purposes and in the following order:

- Funds will be used for eligible housing activities,
- Other existing activities

If the excess funds cannot be used consistent with these preferences, DHCD will require a detailed request describing the reprogramming and may require that the funds be returned. Reprogramming requests should be presented to DHCD three (3) months prior to the grant expiration period at a minimum. Requests submitted later than that may not be able to be approved resulting in funds returned to DHCD.

PLANS, CERTIFICATIONS AND BUDGETS

Applicants are required to submit a series of plans, budgets and certifications regarding their proposed CDBG activities. Applicants will attach plans to the application as directed. Applicants will attest to certifications on the cover page and will not be required to complete certification forms or to submit them.

ANTI-DISPLACEMENT AND RELOCATION PLAN SUMMARY

Every recipient of CDBG funds must maintain and enforce an anti-displacement and relocation assistance plan that (a) describes how the design and implementation of its activities will minimize displacement and (b) identifies benefits to be provided in case of relocation, both permanent and temporary. The plan must encompass requirements of the Uniform Relocation Act and Section 104(d) of Title I, Housing and Community Development Act of 1974, as amended.

The applicant must develop a relocation plan that includes provisions for relocation protection, payments and other assistance for any CDBG-assisted activity that will temporarily or permanently displace low- and moderate-income persons or businesses. The following form requests a *summary* of the information that should be included in the Relocation Plan. The community's actual plan must be maintained on file throughout the life of the grant.

- I. Identify the officer (name or position) who will be responsible for the task of overseeing compliance with relocation assistance. Indicate also the number where he/she can be reached.
- II. Check off the activity that will result in relocation or displacement. If not indicated here, please describe the activity.
- III. Indicate the type(s) of relocation assistance to be provided. Assistance is required under both Title I of the Housing and Community Development Act and the Uniform Relocation Act and is an eligible CDBG expense. The plan must identify the activity, which may cause the displacement, the number of individuals or businesses to be affected; the likely cause of these actions; and the timing of such actions.
- IV. Indicate whether permanent displacement is anticipated for any of the proposed activities. It is DHCD policy to discourage projects that will cause the permanent displacement of persons, regardless of income. This is why it is important to explain what steps the community will take to minimize displacement during the implementation of proposed activities.
- V. Describe the grievance procedure to be followed relative to relocation and displacement. Communities should include the procedures they will follow when removing lead paint and asbestos. The Massachusetts law on lead paint removal requires temporary displacement of occupants during the abatement process.
- VI. When undertaking housing and economic development activities, the requirements of Section 104(d) of Title I (i.e., for one-for-one replacement unit and relocation assistance discussed above) apply.

Federal FFY 2021 Massachusetts Community Development Block Grant Programs ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN

Each grantee must submit a residential and business relocation assistance plan including provisions for relocation protection, payments, and other assistance. The plan should take into consideration: the types of CDBG-funded activities that will/may lead to displacement, the availability and location of vacant replacement/temporary housing or business units, the special needs of displaced occupants (e.g., children, elderly handicapped, and etc.), and an evaluation of the local resources available to carry out timely and orderly relocation activities.

1. Relocation Officer _____ Telephone # _____

2. FFY 2021 activities that will/may result in temporary displacement:

Property Rehabilitation _____

	Lead Paint Removal	_____
	Asbestos Removal	_____
	Other (explain)	_____
3.	Types of relocation assistance offered (housing, meals, transportation, etc.), sources (Community Development Block Grant, landlord, in-lieu of rent, allowance, etc.) and methods of payment (reimbursement, advance, direct payment to provider, etc. (attach separate sheet if necessary):	

4.	Do you anticipate any permanent displacement? If yes, please explain below:	

5.	What is your grievance procedure?	

6.	Procedures to be followed when removing lead paint and asbestos:	

CITIZEN PARTICIPATION PLAN (NARRATIVE)

To comply with Title I, grantees must provide for wide citizen participation in conducting their planning, implementation and completion of CDBG-funded programs.

Instructions Applicants must submit a local citizen participation plan which encourages and provides for participation by citizens (and in particular by low- and moderate-income persons) during the development of the application, and if funded, during the implementation and evaluation of the program.

1. The community's plan must incorporate:
 - a. how its citizens, or organized groups like community or neighborhood based organizations, human and social service groups, downtown businesses, merchants and other potential interested parties, participated in the identification of needs and the development of the proposed activities was accomplished, particularly for low- and moderate-income persons;
 - b. how the applicant will provide technical assistance to groups who represent low- and moderate-income persons throughout the grant term;
 - c. how review of program performance will be accomplished during the grant year;
 - d. the procedures and hierarchy for resolving complaints and grievances for each project type that is proposed;
 - e. the mechanism through which the needs of handicapped and non-English speaking residents will be accommodated during the citizen participation process.
2. As part of a community's citizen participation process, the applicant is required to hold at least one formal public hearing before submitting an application for CDBG funds. This hearing must be held during a time (times) that the public can reasonably be expected to

attend, and must allow for written comments from the public to be received. The meeting date must also allow sufficient time for the applicant to make changes in the proposal if public input so warrants.

3. If funded, the community must also hold at least one public hearing during the grant cycle to obtain citizen comments on the outcome and effectiveness of CDBG programs and ways they could be improved upon in the future.
4. If during the grant cycle the municipality decides to amend its grant contract in order to substantially alter the design of a funded activity, delete an activity or add a new one, it must hold a public hearing before petitioning DHCD for a contract amendment. The public hearing notice must provide an opportunity for the public to submit written comments.

MANAGEMENT PLAN

The Grantee has overall responsibility for grant administration. All applicants must demonstrate that they currently have, or will be able to obtain, the management capacity to administer a CDBG grant. Describe the plan for grant administration, including the following:

1. In order to document this capacity, each applicant is required to describe a management plan for the administration of this grant. The plan must provide a system of checks and balances and adequate internal controls for delegation and oversight of all grant management activities.
2. Provide a grant management organizational chart which (a) identifies the relative position of the public office or official within the local government who will have primary responsibility for oversight of the Community Development Block grant; (b) indicates how the CDBG administrative structure fits into the general municipal administration.
3. If any portion of this grant is to be sub-contracted to another local agency for implementation, that agency should be identified and its relationship to the local government fully explained. If any portion of this grant is to be sub-contracted to a private firm or organization, the applicant should explain exactly what that organization will do and what its relationship will be with the local government.
4. List the staff positions assigned to grant management including project delivery.
5. Describe the responsibilities for each position listed by each project such as monitoring individual projects for timely implementation and compliance with applicable regulations, compiling and submitting grant reports, supervising personnel, initiating and obtaining approval for program and budget amendments, and processing requests for payment and ensuring that appropriate financial records are maintained.
6. Estimate the amount of time needed for each staff to perform these functions (% FTE). Demonstrate that the time allotted is sufficient given the responsibilities assigned.
7. Demonstrate that existing staff assigned these responsibilities is qualified to perform them or if the position is not filled, provide a list of qualifications needed for the person who will fill the position.

8. All staff positions must be consistent with the Program Delivery and Administrative Cost Breakdown Part A in the following section.

PROGRAM INCOME PLAN

Any community that expects to realize or currently retains program income as a result of their Massachusetts CDBG program (through loan repayments, recapture, and the like) must indicate in this section how they propose to use their program income. The proposed Program Income plan should follow these guidelines:

1. All applicants (including all regional participants) must estimate how much program income they expect to have on hand as of the application due date.
2. All applicants will describe how they intend to utilize the program income they have on hand as of the application due date. The plan should identify which activities and the amounts for each in the 2021 application to which the applicants intend to direct the program income.
3. If awarded a grant, the program income will be added to the grant as described above. If not awarded a grant, applicants will be contacted by DHCD to decide how to utilize the program income.
4. Applicants with program income must provide, as part of this plan, the following information.
 - Name of community
 - Name of contact person for the community
 - Amount of program income as described above
 - Activities to which program income will be applied
 - Accomplishments associated with the use of the program income
 - If the program income is to be used for an activity that is not part of the application, provide a project description, eligibility and national objective information.

ANTI-SPECULATION AND RECAPTURE PLAN (NARRATIVE)

Applicants must provide a plan that describes how they will discourage real estate speculation and ensure housing affordability when using federal funds to rehabilitate private property (**both housing and commercial properties**).

Instructions: The Anti-Speculation and Recapture Plan describes the community's policy and procedures to discourage real estate speculation and ensure continued housing affordability. Communities shall design and implement policy and procedures that are consistent with local conditions. In the case of housing rehabilitation projects, Plans shall specify how the community will ensure the terms of affordability, method and procedure for monitoring affordability, and corrective actions in the event of noncompliance. The plan must also include policy and procedures for grievances and or hardship appeals. In addition, the following shall apply in Housing Rehabilitation Programs:

1. **Term of Affordability-** All housing units assisted with CDBG funding will carry an affordability term of fifteen years (15) from the date of rehabilitation completion.

Rentals – Both owner-occupied and investor-owned properties shall execute an Affordable Housing Restriction and Rental Agreement identifying the specific number of units restricted to low and moderate income occupants, the term of affordability (fifteen years), maximum allowable rents to be charged for restricted units, maximum allowable rent increases, and process by which tenants will be notified of rent increases.

Rents shall not exceed the lesser of the Section 8 Existing Housing Program Fair Market Rents as established by the U.S. Department of Housing and Urban Development (HUD) for the area pursuant to 24 CFR 888 or the High HOME Rents established by HUD pursuant to CFR 92.252(a)(2). In instances of rehabilitation of occupied units, initial rent increases may not occur prior to the expiration of the existing lease. For all restricted units, the maximum allowable rent increase shall be consistent with the current Section 8 Annual Adjustment Factor.

Single – Unit Homeowner Properties - A Deferred Payment Lien with a fifteen year period shall be recorded against properties rehabilitated with CDBG funds. Deferred Payment Liens are an example of a mechanism by which communities may provide funding to low and moderate homeowners while ensuring continued affordability. Programs designed to assist seniors to stay in their homes are not required to place a lien on the property.

2. The Plan must describe procedures for recapture of program funds in instances of rental agreement, lien provision, and/or other program violations by property-owners.
3. The Plan must describe the community's method by which it will monitor compliance with Affordable Housing Restrictions, Rental Agreements, and liens, as applicable. Descriptions shall include designation of responsible staff person(s) and corrective action to be taken in case of non-compliance with the provisions of the Plan. For example, use of lien ledger sheets, monitoring lien discharges, specification for instances in which forgiveness will be exercised (serious illness, etc.), and review and compliance of rental leases.
4. The Plan must include the community's policy for subordination and refinancing of loans.

PROGRAM CONTINGENCY PLAN

Describe in detail the Community's contingency plans, for all of the activities requested in this Application, to address cost overruns, change orders, bids in excess of available funding or other situations that threaten the completion of activities on time and within budget.

Re-programming of CDBG program funds may not be included as an option. ***Program Income may not be used as a contingency.***

CHIEF ELECTED OFFICIAL (CEO) CERTIFICATION FORM

FFY 2021 MASSACHUSETTS CDBG PROGRAM

CHIEF ELECTED OFFICIAL (CEO) CERTIFICATION FORM

On behalf of the applicant, of which I am a duly authorized local official empowered to sign such documents, I certify that the following actions have or will be taken:

1. The applicant possesses the legal authority to make a grant submission.
2. The applicant will minimize displacement resulting from CDBG-funded projects whenever possible, and comply with relocation requirements governing the CDBG program.
3. The project will be conducted in accordance with Title VI and Title VIII of the Civil Rights Act and, further, the applicant will affirmatively further fair housing consistent with 24 CFR 570.487(b).
4. The applicant has provided opportunities for citizen participation, has conducted a public hearing, and has provided information to citizens regarding the project that is to be submitted for CDBG funding consistent with Section 104(a) (2) of Title I of the Housing and Community Development Act of 1974, as amended.
5. The applicant will not attempt to recover any capital costs of public improvements assisted in whole or in part with CDBG funds by assessing properties owned and occupied by low- and moderate-income persons unless: (A) CDBG funds are used to pay the portion of such assessment that relates to non-CDBG funding or; (B) the applicant certifies to the State that, for the purposes of assessing properties owned and occupied by low- and moderate-income persons who are not very low-income, the applicant does not have sufficient CDBG funds to comply with the provisions of "A" above.
6. In applying for this grant from the Massachusetts Community Development Block Grant Program, the applicant understands that its Chief Elected Official is ultimately responsible for compliance with all requirements of the Program, including providing sufficient management oversight to carry out the activities requested hereunder.

Certification Regarding the Use of Force

The Community further certifies that:

1. The applicant will adopt/has adopted and will enforce a policy to prohibit the use of excessive force by law enforcement agencies within their jurisdiction against any individuals engaged in nonviolent civil rights demonstrations.
2. The policy to be adopted or has been adopted is contained in:

- a. a local legislative act (such as an ordinance); or
 - b. a local administrative act (such as a written statement of policy by the local chief elected official); or,
 - c. an executive order; or,
 - d. a regulation within the police department.
3. The community understands that a new policy need not be adopted if they have and are enforcing a written policy that meets the requirements of Section 519 of the Housing and Community Development act of 1974, as amended.

Certification Regarding Lobbying

The Community further certifies that:

1. No federal appropriated funds have been paid or will be paid by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, and officer or employee of Congress, in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, or renewal, amendment or modification of any federal contract, grant, loan or cooperative agreement.
2. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an employee or officer of congress, or an employee of a member of congress in connection with this shall complete and submit standard form - III, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers, (including subcontracts, sub-grants, and contracts under grants, loans and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

Certification Regarding Disclosure Requirements for Activities Receiving \$200,000 or More

The undersigned shall comply with the requirements of full disclosure for any project or activity proposed for and receiving funding equal to \$200,000 or more. Disclosure will include providing information regarding:

assistance from other government sources in connection with the project;

financial interests of persons involved in the project (from planning to development to

implementation of the project or activity), such financial interests exceeding \$50,000 or 10% of the project assistance requested, whichever is lower; and

sources and uses of other funds involved in the project.

Federal FFY 2021 Massachusetts CDF/ME Program

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, Title 31, US Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

By: _____
Signature, Chief Elected Official
(Lead Applicant Only)

Typed Name

Title

Date

CHIEF FINANCIAL OFFICER'S CERTIFICATION

The Chief Financial Officer of the city/town must review the grant budget and determine whether it includes all costs that must be accounted for, given municipal budget procedures that apply to other, non-CDBG funded departments and operations. The Chief Financial Officer is usually the city auditor/town accountant, treasurer or director of finance. CEO certification is attesting to this.

**MASSACHUSETTS CDBG PROGRAM FFY 2021
CHIEF FINANCIAL OFFICER CERTIFICATION**

Budget Summary/Administrative Cost Breakdown:

This is to certify that the Budget Summary and Administrative Cost Breakdown forms included in the City/Town of _____'s application to the Massachusetts CDBG Program have been reviewed and determined to be a fair and accurate accounting of allowable and reasonable costs.

The costs identified compare consistently with those described for each requested program activity identified in this application.

By: Chief Financial Officer

DISPLACEMENT OF NON-CDBG FUNDS CERTIFICATION

The Chief Elected Officer of the city/town must certify that CDBG funds are not used to displace non-CDBG funds under the control of the municipality.

MASSACHUSETTS CDBG PROGRAM FFY 2021 CDBG FUNDING DISPLACEMENT CERTIFICATION

This is to certify that CDBG funds shall not be used to displace non-CDBG funds under the control of the Municipality:

By: Chief Elected Official

ANTI-DISPLACEMENT AND RELOCATION CERTIFICATION

All applicants must complete and submit the following form to certify that the community (lead) will be in compliance with the requirements of the Section 104(d) of Title I, Housing and Community Development Act of 1974, as amended.

The applicant community, based on its Relocation Plan, must certify that they (and joint applicants, when applicable) will comply with the requirements of Title I.

1. This certification is based on the Relocation Plan established by the applicant or leads community and obligates all participants to comply with the requirements of the Uniform Relocation Act and Section 104(d) of Title I of the Housing and Community Development Act of 1974, as amended.
2. This certification form may be signed by the Community Development or the Planning Director, or by the Administrative Assistant, or Executive Secretary to the Chief Elected Official, or the Chief Elected Official of the lead municipality.

MASSACHUSETTS FFY 2021 CDBG PROGRAM

ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE CERTIFICATION
(Under Section 104(d) of the HUD Act of 1974, as amended)

The Town/City of _____ will replace all occupiable and vacant (for at least 3 months) low-moderate income dwelling units demolished or converted to a use other than as low/moderate income dwelling units as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974, as amended, described in 24 CFR 570.496(a) and (b)(1).

All replacement housing will be provided within three (3) years of the commencement of the demolition or rehabilitation related to conversion. Before obligating or expending funds that will directly result in such demolition or conversion, the town/city of _____ will make public and submit to the DHCD, if requested, the following information, in writing:

1. A description of the proposed CDBG-assisted activity.
2. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low-moderate income dwelling units as a direct result of the CDBG-assisted activities.
3. A time schedule for the commencement and completion of the demolition or conversion.
4. The general location, on a map, and approximate number of dwelling units, by size (number of bedrooms), that will be provided as replacement dwelling units.
5. The source of funding and a time schedule for the provision of replacement dwelling units.
6. The basis for concluding that each replacement dwelling unit will remain a low moderate income dwelling unit for, at least, ten (10) years from the date of the initial occupancy.

The Town/City of _____ will provide relocation assistance, as described in 24 CFR 570.496 (a)(b) to each low-moderate income household displaced by demolition of housing or by the conversion of a low-moderate income dwelling unit to another use as a direct result of CDBG-assisted activities. Consistent with the goals and objectives of activities assisted under the Act, the Town/City of _____ will take steps to minimize displacement of persons from their homes.

Signature

Name

PUBLIC HEARING DOCUMENTATION

Applicants are required to hold at least *two* formal public hearings *during a CDBG grant cycle*. At least *one must be held before submitting an application* for CDBG funds. DHCD encourages but does not require applicants to hold more than one public hearing during the application process.

1. Public hearings should be held at least two (2) weeks prior to the submittal of the application. The hearings must be held during times that the public can reasonably be expected to attend. The meetings dates must also allow sufficient time for the applicant to make changes in the proposal if public input so warrants.
2. Advance notice must be sufficient to reasonably allow for attendance. Notices should include:
 - a. Identify the public body that is to hold the hearing;
 - b. Identify the project area(s) and proposed activities;
 - c. The names of each community participating in the proposed activities;
 - d. Identify the agency that is to undertake the project(s);
 - e. Identify the date, time, and place of the hearing;
 - f. State that any person or organization wishing to be heard will be afforded an opportunity to be heard; and
 - g. Allowance for submittal of written comments by those wishing to do so.
3. Public notification can include the following: newspaper articles notices; public service spots on radio or cable television; brochures/flyers at various locations within each of the communities participating in a joint activity or program; bulletin boards, and legal advertisements.
4. Public Notice Documentation: Describe and attach a copy of the notices, articles, etc., which informed the public of hearing.
5. Minutes: Attach a copy of the minutes of any hearings. Minutes must include presentations and concerns raised or comments made by those in attendance, and a list of persons who attended the hearing.
6. If this FFY 2021 application proposes to continue a previously funded CDBG project/program, please attach a copy of the minutes from the public hearing that includes citizens' views on the outcomes and the effectiveness of the CDBG project/program and ways of improving these projects/programs.

**Federal FFY 2021 Massachusetts CDBG Grant Programs
PUBLIC HEARING DOCUMENTATION**

PUBLIC HEARING INFORMATION:

Date/Time Held:	_____
Number of Attendees:	_____
Location:	_____
Hearing Officer:	_____
Hearing Outreach: (List all sources)	_____ _____ _____
Dates published:	_____
Where Published?	_____

HEARING NOTICE AND MINUTES DOCUMENTATION:

Attach a copy of the public hearing notice as it appeared in the newspaper(s) listed above, or a copy of the notice as was posted in the appropriate public buildings. In addition, you must attach a copy of the minutes from the public hearing. This documentation should only be placed in the Public Hearing link of the Forms page of the application.

Applicants that do not meet the requirements for Public Hearing as described here will not be considered for funding.

OUTCOME PERFORMANCE SUMMARY CHART

Please insert the number corresponding to your selections, in each activity category for which you are applying, in the Summary chart.

Select a Performance Measures Objective:

Choose the Objective that best describes the purpose of the activity.

1. Create suitable living environments
2. Provide decent affordable housing
3. Create economic opportunities

Select a Performance Measures Outcome:

Choose the Outcome that reflects what achievements are expected.

1. Availability/accessibility
2. Affordability
3. Sustainability

For example, an application requesting Housing Rehabilitation loans and grants might select Objective 2. – Provide decent affordable housing, and Outcome 2. – Affordability. The chart would be filled in as follows:

PROGRAM/PROJECT/ACTIVITY		Objective	Outcome
4	HOUSING REHABILITATION		
B	Unit Development/Creation		
C	Rehabilitation Loans/Grants	2	2

Further information regarding the Outcome Performance Measurement System can be found in the Draft FFY 2021 One Year Action Plan.

PROGRAM DELIVERY AND GENERAL ADMINISTRATIVE COSTS BREAKDOWN

Part A: Personnel and Fringe Benefit costs must be allocated by position and corresponding budget activity. Costs must be consistent with those described in the project packets. Refer to Appendix F for guidance.

Part B: Non-personnel costs consist of those sundry items needed in support of office overhead and program operation. Some costs have been classified as solely General Administrative costs and cannot be charged otherwise.

- 1) Membership, Publication(s), etc.: Dues for professional associations and subscriptions relating to overall information and guidelines administering a CDBG program.
- 2) Training and Education: Conferences, seminars, etc., relating to the management of the grantee's CDBG program.
- 3) Travel: Mileage, parking and tolls charged by an employee when using their own car for overall management functions, or on-site inspections of CDBG activities. This may also include travel costs for conferences and seminars.
- 4) Accounting, Disbursement Services: Those services provided by an accounting firm to create and/or maintain accounting records for the grantee's program. Check writing, payroll service costs charged by banks.
- 5) Legal Services: Attorney's fees for guidance relating directly to the grant projects.
- 6) Advertising: Publicized announcements relating to public hearings, procurement, hiring, and program outreach for a specific activity.
- 7) Reproduction/Printing: Brochures, forms, photographs, etc., needed in either the promotion or overall management of the grant.
- 8) Communications: Telephone, postal, and messenger services.
- 9) Supplies and Materials: General office supplies used in overall management of the program.
- 10) Maintenance and Repairs: Those costs that are necessary for the upkeep of property but do not add to the permanent value or prolong the intended life of the property. Administrative costs might consist of a Community Development Office, equipment maintenance/repair agreements and other general repair within the Community Development Office.
- 11) Audit: Single audits required to be performed on all federal funds at the recipient level, (excludes agency-level audits of sub-recipients) in accordance with 24 CFR Part 85. The ratio of CDBG funds expended to other federal funds expended determines the CDBG contribution to the cost of the Single Audit.
- 12) Computers and related equipment: Lease or purchase of computer services.

NOTE: Municipalities that do not have computers available to operate the CDBG grants management/accounting software MUST budget for the purchase or lease of an IBM compatible PC, current hardware, e-mail and/or Internet access.

- 13) Equipment: Lease or purchase of general office equipment, such as typewriters, desks, copiers, chairs, file cabinets, etc.
- 14) Professional Services: Professional services rendered by individuals or organizations not a part of the grantee department administering the grant program. The type of professional services must be identified on the budget page.
- 15) Application Preparation: Communities who have not received a Massachusetts CDBG Grant in prior years may budget up to \$6,000 for CDBG funds. Otherwise, up to \$3,000 is allowed.
- 16) Other: Specify miscellaneous costs related to the grant program.

The Indirect Percent Rate charged by an administering entity (if the grantee will engage in the services of such an entity) must be in accordance with a certified Indirect Cost Allocation Plan prepared by a CPA firm (include as an attachment in the application). This percentage is an assessment of total indirect costs, which cannot be clearly attributable to a particular program (e.g., space, heat, utilities, maintenance are some examples).

Please note that General Administration cannot exceed 15% of the total grant request, and must be reasonable.

BUDGET SUMMARY SHEET

The Budget Summary Sheet is filled in automatically from the packet budget forms and General Administration Parts A and B, as they are entered.

ATTACHMENTS

If appendices are submitted with your application, please adhere to these requirements:

- Attachments may not be a substitute for information that should be included in the project packets. Attachments may only be used to corroborate information that is included in one of the narratives.
- Please limit your attachments. Do not include such information as state and federal wage rates, program forms, housing rehabilitation work write-ups, boilerplate contracts. DO NOT include names of homeowners on waiting lists, or of respondents to surveys.
- Label every attached document.

APPLICATION REVIEW PROCESS

The Application Review process is designed to ensure that Massachusetts Community Development Block Grant funds are awarded to communities for projects that meet all threshold requirements, have demonstrated significant needs, and will have a noticeable impact on those needs. The application contains the evaluation criteria that will be used to score the application. The evaluation criteria can be found within each scored question.

Carefully consider the evaluation criteria while writing the grant proposal. The application also contains explicit information about how national objective and other threshold requirements must be met for various types of projects.

Each project will be evaluated to determine whether the proposed projects meet all Massachusetts CDBG threshold tests. Failure to meet any one of these tests eliminates the project from review and it will not be scored. **Projects that do not meet the threshold for feasibility will not be scored further or averaged with other projects that meet the feasibility threshold.** The application is evaluated on the information it contains.

Projects meeting all threshold tests are fully reviewed and scored by two reviewers. Reviewer scores are averaged and rounded to achieve final scores. Each of the competitive questions in an application will be scored in accordance with the description contained in the One-Year Action Plan and the criteria included in the project packet questions. Once initial reviews have been completed, reviewers meet with review team leaders to discuss applications and reach consensus on scoring. DHCD reserves the right to conduct site visits and or verify information from state, federal or other entities.

A single-purpose application (one project) will receive a Project Need and Project Feasibility score (up to 65 points) that is based on the score for the one project included in the grant proposal. For applications with several projects, the final score is calculated by averaging scores of all projects (except for planning and public services activities) that met thresholds and were therefore reviewed and scored. To be considered for funding, projects in a Community Development Fund application must meet all threshold criteria and must receive at least 39 out of 65 points in combined for Project Need and Project Feasibility. The following example illustrates possible scoring of a Community Development Fund application:

<u>Project</u>	<u>Project Feasibility</u>	<u>Score</u>	<u>Score</u>	<u>Fundable</u>
Housing Rehabilitation	Yes	47	47	Yes
Design	Yes	45	45	Yes
Construction				
Streets	Yes	55	55	Yes
Water line	Yes	38	n/a	No
Subtotal Project Scores			147	

Total Project Need and Feasibility Score: $(147/3) = 49$

Planning activity packets will be scored using Project Need criterion only and must receive at least half the available points for the criterion. Public Social Service activity packets will not be scored and will be evaluated as pass/fail based on the project description. Planning and Public Social Service packet activity scores will not be included in the averaging of activity scores. Planning-only applications will be pro-rated to determine a corresponding application score.

The entire review process takes approximately three months, depending on the number of applications received.

APPENDICES AVAILABLE

On
DHCD's website:

www.mass.gov/dhcd/components/cs/1PrgApps/CDBG/default.HTM

- A. Eligible Community Development Block Grant Activities
- B. HUD Low and Moderate Income Census Data by City and Town
- C. HUD Survey Methodology
- D. Fiscal Year 2021 Low and Moderate Income Limits
- E. Primary Federal Regulations
- F. MA Entitlement Communities
- G. Public Facilities Projects-Phases of Design
- H. Base-line Information Form for CDBG Activities re: slums or blight
- I. Property Rating Sheet and Infrastructure Rating Sheet re: slums or blight
- J. Green/Sustainable Building and Energy Star Guidance



20 Frank Hicks Drive
Mashpee, MA 02649
V 508.539.1457
F 508.539.1453

RECEIVED

JAN 11 2023

Human Resources Department

- Comprehensive background investigation
- Physical examination by the Town Appointed Physician
- Psychological assessment by the Town Appointed Psychologist
- The Firefighter must reside within 15 miles of the Town of Mashpee within one year from the hire date.
- The Firefighter must be a Nationally Registered Paramedic.



Town of Mashpee

Fire & Rescue Department

20 Frank Hicks Drive
Mashpee, MA 02649
V 508.539.1457
F 508.539.1453

I affirm that all phases of the entry-level selection process have been completed and that the entry-level process was monitored and reviewed by the Department of Human Resources.

Mr. Houde is a Massachusetts Fire Academy Graduate with six years of experience working full-time as a Firefighter/Paramedic in another community. Therefore, I respectfully request certification of the selection process with the appointment of *Timothy Houde* as a step 2 Firefighter/Paramedic on January 24, 2023.

John F. Phelan, Fire Chief

TOWN OF MASHPEE POSITION APPOINTMENT/REAPPOINTMENT REQUEST

Effective: September 1, 2016

JOB TITLE: Firefighter / Paramedic DEPARTMENT: Fire

EMPLOYEE: Timothy Houde UNION/UNIT: IAFF Local 2519

STATUS: Regular Full-time ☒ Temporary Full-time ☐ Temporary Part-time ☐
Standard Part-time ☐ Non-Standard Part-time ☐ Seasonal ☐

LABOR GRADE: NA STEP: 2 RATE OF PAY: \$31.7265 Per Hour
Per Week \$69,290.87 Per Year/Base

I attest that this position was posted and/or advertised through the following:

Existing Eligibility List ☐ Town Posting ☒ Local Employment Opportunity ☒
Regional/State/National Opportunity ☐ Other Posting ☐

I also attest that all policies and procedures of the Town have been satisfied regarding this appointment, including: application review ☒ written examination ☒ oral interview ☒ appointing authority interview ☒ physical agility exam ☐ medical examination ☒ psychological examination ☒ comprehensive background investigation, including a CORI check ☒ or other _____.

I further attest that the search and initial screening for this position was based upon minimum requirements, knowledge, skills, abilities, essential functions and responsibilities outlined in a job description approved by the Town Manager. (Attach job description) I further attest that the employee's driver's license status, if applicable to the position, was verified.

Kimi Landry _____
Human Resources Director Signature Date 1-11-23

I request this appointment/promotion to be effective on: January 24, 2023

Appointing Authority Signature Date

This position may be filled upon confirmation and/or certification of this selection process, if a full-time new employee; or compliance with Town policies and procedures, if a promotion.

[Signature] _____
Town Manager Signature Date 1/12/23

Chairman of Board of Selectmen (or Designee) Signature
Review of Appointment and Certification of Selection Process Date

Copies To: White – Human Resources Canary – Town Clerk Pink – Town Manager

JAN 19 2023



Town of Mashpee

Human Resources Department

Fire & Rescue Department

20 Frank Hicks Drive
Mashpee, MA 02649
V 508.539.1457
F 508.539.1453

Date: January 19, 2023

From: Fire Chief John F. Phelan

To: Rodney Collins, Town Manager

Re: Administrative Assistant Hire Certified Process

Mr. Collins:

In December the Administrative Assistant position was advertised both internally and externally by the Human Resources Department. Nine (9) applications were received and based on a review of the applications, four (4) were offered interviews and ultimately three (3) candidates were interviewed on January 9th, 2023.

A panel consisting of the Assistant Town Manager, Human Resources Director and the Deputy Fire Chief interviewed the candidates. Upon completion of the interview, the candidates were ranked by the panel and recommended two (2) to the Fire Chief for further review.

Both Candidates were interviewed by Chief Phelan on January 13th, 2023 and candidate *Jennifer Thomas*, was given an offer of employment from the Fire Chief through the Human Resources Department.

I affirm all phases of the selection process were completed with the assistance, monitoring and review by the Department of Human Resources.

I respectfully request certification of the selection process and appointment of *Jennifer Thomas* to Administrative Assistant as of *January 30th, 2023* to a step 3 of the Clerical Union Contract.

John F. Phelan, Fire Chief

TOWN OF MASHPEE POSITION APPOINTMENT/REAPPOINTMENT REQUEST

Effective: September 1, 2016

JOB TITLE: Administrative Assistant DEPARTMENT: Fire

EMPLOYEE: Jennifer Thomas UNION/UNIT: SEIU 888 Clerical

STATUS: Regular Full-time ☒ Temporary Full-time ☐ Temporary Part-time ☐
Standard Part-time ☐ Non-Standard Part-time ☐ Seasonal ☐

LABOR GRADE: VI STEP: 3 RATE OF PAY: \$26.89 Per Hour
\$1,008.38 Per Week \$52,435.76 Per Year/Base

I attest that this position was posted and/or advertised through the following:

Existing Eligibility List ☐ Town Posting ☒ Local Employment Opportunity ☒
Regional/State/National Opportunity ☐ Other Posting ☐

I also attest that all policies and procedures of the Town have been satisfied regarding this appointment, including: application review ☒ written examination ☐ oral interview ☒ appointing authority interview ☒
physical agility exam ☐ medical examination ☐ psychological examination ☐ comprehensive background investigation, including a CORI check ☐ or other _____.

I further attest that the search and initial screening for this position was based upon minimum requirements, knowledge, skills, abilities, essential functions and responsibilities outlined in a job description approved by the Town Manager. (Attach job description) I further attest that the employee's driver's license status, if applicable to the position, was verified.

Kim Landry 1-18-23
Human Resources Director Signature Date

I request this appointment/promotion to be effective on: January 30, 2023

[Signature] January 19, 2023
Appointing Authority Signature Date

This position may be filled upon confirmation and/or certification of this selection process, if a full-time new employee; or compliance with Town policies and procedures, if a promotion.

Town Manager Signature Date

Chairman of Board of Selectmen (or Designee) Signature Date
Review of Appointment and Certification of Selection Process

Copies To: White – Human Resources Canary – Town Clerk Pink – Town Manager



TOWN OF MASHPEE

OFFICE OF THE SELECT BOARD

16 Great Neck Road North
Mashpee, Massachusetts 02649
Telephone – (508) 539-1401
bos@mashpeema.gov

MEMORANDUM

Date: January 19, 2023

To: Rodney C. Collins, Town Manager and
Honorable Members of the Select Board

From: Stephanie A. Coleman, Administrative Secretary

Re: Board, Committee and Commission: Resignation

Description

Discussion and acceptance of the following resignation:

Community preservation Act Committee: Member at Large, Term Expires June 30, 2023: Edward Larkin

Thank you.

January 7, 2023

TO: Board of Selectmen
Terrie Cook, Administrative Assistant

I am reluctantly resigning from my position on the Mashpee Community Preservation Committee.

I do appreciate my time serving on this committee for the past 18 years, which was when the Community Preservation Committee was created. I've enjoyed my time and the accomplishments of the committee for the town.

This resignation will in no way affect my current appointments to other town committees that I currently serve on.

Sincerely,

Ed Larkin

cc: Arden Russell, Chair
Community Preservation Committee

TOWN MANAGERS OFFICE
JAN 9 '23 AM 11:47



TOWN OF MASHPEE

OFFICE OF THE SELECT BOARD

16 Great Neck Road North
Mashpee, Massachusetts 02649
Telephone – (508) 539-1401
bos@mashpeema.gov

MEMORANDUM

Date: January 19, 2023

To: Rodney C. Collins, Town Manager and
Honorable Members of the Select Board

From: Stephanie A. Coleman, Administrative Secretary 

Re: Board, Committee and Commission Appointments

Description

Discussion and approval of the following appointments:

- Economic Development and Industrial Corporation: Commercial Rep, Term Expires June 30, 2023: Rick Cayer
- Waterways Commission: Member at Large, Term Expires June 30, 2024: Richard Santangelo
- Waterways Commission: Member at Large, Term Expires June 30, 2024: Ronald Marchessault
- Capital Improvement Program Committee: Member at Large, Term Expires June 30, 2023:
- Conservation Commission: Member at Large, Term Expires June 30, 2025: Erin Copeland
- Conservation Commission: Associate Member, Term Expires June 30, 2023: Sandra Godfrey

Recommendation

Attached are the recommendations for appointment.

From: Carol A. Sherman <csherman@mashpeeema.gov>

Sent: Friday, December 2, 2022 1:10 PM

To: Terrie Cook <tmcook@mashpeeema.gov>

Subject: Fwd: EDIC

At its meeting on November 29, 2022, the EDIC Board met and interviewed Rick Cayer and recommend that the Select Board appoint him as representative of commercial interests (Term Expires June 30, 2023) at the Select Board's December 19th meeting.

Thank you.

Carol Sherman

Begin forwarded message:

From: Rick Cayer <

Date: December 2, 2022 at 1:07:05 PM EST

To: "Carol A. Sherman" <csherman@mashpeeema.gov>

Subject: Re: EDIC

Hi Carol,

It was a pleasure to meet you the other night.

See below for the Select Board:

My name is Rick Cayer, and I would like to express my interest in joining the Economic Development and Industrial Corporation Committee. Myself, my wife, and two young children moved to Mashpee in 2020. As a fairly new resident of Mashpee, I have been closely following the updates of various projects being embarked on in the town. I am interested in positively contributing to those visions and believe joining the EDIC would be a perfect place to start.

I am a full time real estate investor who owns a company that purchases, renovates, and rents out residential properties throughout the United States. I personally self manage all of our tenant occupied properties as well as any renovation projects of our vacant properties, so I have an appreciation for what an owner goes through to get a dwelling unit move-in ready and maintain it as such.

When you have a moment, please let me know if there is any additional information that I can provide. Thank you for your time and consideration.

Rick Cayer

Rick Cayer

• Mashpee, MA 02649

SUMMARY:

Rick Cayer has been a real estate investor since 2012. He owns and manages single family homes in the Tampa/St Petersburg, FL, Atlanta, GA, and Columbia/Charleston, SC areas. Additionally, he has experience renovating distressed, unoccupied properties, then selling or renting them at an affordable price point.

Rick graduated from Fairfield University with a Bachelor of Science in Finance and Marketing. He enjoys running throughout Mashpee's conservation land and as a guide for visually impaired runners with Achilles International. He loves to travel, at this point having been to 43 states and 11 countries. On a more day-to-day basis though, he is navigating the adventure that comes with being a parent to his 3 year old son and 1 year old daughter.

REAL ESTATE EXPERIENCE:

RC3 Real Estate LLC

Tampa/St Petersburg, FL Atlanta, GA Columbia/Charleston, SC
February 2012-Present

Real Estate Investor

- Buy, renovate, and rent single family residential properties.
- Manage existing single family residential properties including, but not limited to:
 - Advertising vacancies, arranging showings, and screening prospective tenants.
 - Liaising with tenants and service techs for repairs.
 - Bookkeeping tasks, including making sure each tenant is current on their rent.
 - Semiannual trips to each property to inspect and identify preventative repairs.
- Continually building relationships with lenders to ensure the proper amounts of liquidity are available.

FINANCIAL SERVICES EXPERIENCE:

Bank of America Corporation (acquired Merrill Lynch & Co., Inc. in 2008)

New York, NY

Equity Derivatives Trader Support - Assistant Vice President

March 2011-December 2014

- Responsible for fully supporting the sales and trading teams on the Equity Derivatives desks, including booking and allocating their trades.

Equity Derivatives Documentation and Affirmations - Specialist

October 2008-October 2010

- Drafted confirmations and affirmed trades for swaps, options, and structured trades.

UBS AG (USA)

Stamford, CT

Equity Derivatives Confirmations - Consultant

July 2007-October 2008

- Trained and administered related testing to the confirmations offshore teams on standard operating procedures, basic product knowledge of swaps and options, systems, and client relation skills.

EDUCATION:

Fairfield University

Bachelor of Science in Finance and Marketing

Fairfield, CT

May 2007

Lorenzo de Medici School

Early Renaissance Art in Italy

Florence, Italy

Winter 2006



Town of Mashpee
Waterways Commission

*16 Great Neck Rd North
Mashpee, MA 02649*

MEMORANDUM

January 12, 2023

TO: Select Board

FROM: Stephen Mone, Mashpee Waterways Chairman

RE: *Mashpee Waterways Commission Representatives*

Select Board,

The Mashpee Waterways Commission on January 11, 2023 interviewed and voted to recommend to the Select Board the following 2 persons to the Town of Mashpee Waterways Commission.

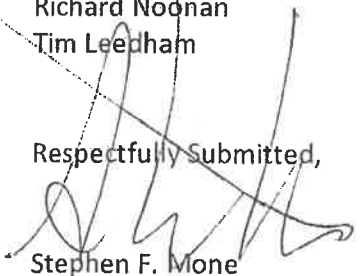
Ron Marchessault and Rick Santangelo

MOTION: By Gregg Fraser, 2nd Tim Leedham, the roll call vote was unanimous.

Members Present,

Stephen Mone
Gregg Fraser
Richard Noonan
Tim Leedham

Respectfully Submitted,


Stephen F. Mone
Mashpee Waterways Commission Chairman
Email
Phone

RONALD G. MARCHESSAULT

Mashpee, MA 02649

SALES AND MARKET ACCESS LEADERSHIP

More than 30 years of expertise within the healthcare industry, with a record of promotions to positions of increasing responsibility. Highly skilled at building collaborative, effective and trusting relationships with key internal and external customers. Outstanding credibility and influence with senior executive leadership, peers, and other internal and external stakeholder groups.

An energetic, focused leader and motivator who provides the vision required to attract, develop and motivate high performance teams. Successful at developing people and producing innovative strategies and programs, while maintaining a "Big Picture" view.

CAREER HISTORY AND HIGHLIGHTS

HEAD, MARKET ACCESS, SPECIALTY CARE Sanofi

September 2016- Present

- Responsible for the overall Market Access function for the Specialty Care within Sanofi.
- Recognized as the "Best Market Access Team" for 7 years in a row (HIRC research)
- Built a talented team of Value and Access Marketing professionals.
- Collaborated with Brand Marketing, Sales teams, Medical, HEVA and other stakeholders to develop strategies and tactics to optimize MSOI potential business.
- Partner with Sales, Marketing, Medical Affairs, and other internal functions to assure market access and the current payer landscape are appropriately represented in, short and long term, planning.
- Work closely with stakeholders within US Market Access to ensure the goal of profitable access.
- Lead and challenge the Value and Access Team to develop market access goals, objectives, strategies, and related tactics for launch brands.
- Successfully prepared the market and launched Dupixent and Kevzara in 2017 in the payer marketplace.
- Oversee and ensure alignment with all pricing / contracting strategies, tactics and initiatives for Dupixent and Kevzara to maximize profitability goals and add value to the organization.

VICE PRESIDENT, MARKET ACCESS, Specialty Care Sanofi Genzyme

January 2016- September 2016

Value and Access Lead, Rare Diseases:

- Responsible for the overall market access strategy for the Rare Diseases and Endocrine franchises.
- Led the organizational development and implementation of the value proposition, Budget Impact Model and contracting approach within the payer channels for the Gaucher Franchise.
- Collaborated with Marketing, Sales teams, and other stakeholders to develop comprehensive strategies and tactics that will optimize business.
- Partnered with Sales, Marketing, Medical Affairs and other internal functions to assure market access and the current payer landscape are appropriately represented in, short and long term, planning.
- Worked closely with stakeholders within US Market Access to ensure the goal of profitable access.

Account Management:

- Led a team of Senior Directors with national responsibility for coverage, reimbursement and contract strategy for Sanofi Genzyme's, Multiple Sclerosis, Immunology, Oncology, Rare Disease and Endocrinology therapeutic areas within the commercial and government payer segments.
- Provided leadership and vision as it related to structure, payer strategy, sales collaboration, and execution of market access strategies.
- Collaborated with Marketing, Sales teams, and other stakeholders to develop comprehensive strategies to partner with key payers and providers.
- Instrumental in leading the team to create account plans that are crisp, clear and actionable to deliver results.

- Fostered a matrix team approach in planning and pull through of contract agreements with advantaged and challenged customers.

VICE PRESIDENT, Patient & Market Access
Genzyme, a Sanofi Company

March 2014 – December 2015

- Provided leadership and vision as it related to structure, payer strategy, sales collaboration, and patient and market access strategies.
- Led a team of Senior Directors with national responsibility for coverage, reimbursement and contract strategy for Genzyme's Rare Disease, Multiple Sclerosis, Cardiology and Endocrinology products within the commercial and government payer segments.
- Provided leadership and vision for Patient and Product Services group of more than 70 Case Managers to educate individual patients in resolving access barriers and optimize treatment protocols.
- Provided leadership and vision for Patient Education Liaison team of Genetic Councilors and Registered Nurses to support appropriate healthcare provider and patient expectations in diagnoses, treatment protocols and optimal health maintenance.
- Collaborated with Marketing, Sales teams, and other stakeholders to develop comprehensive strategies to partner with our key payers and providers.
- Partnered with Sales, Marketing, Medical Affairs and other internal functions to assure patient and market access and the current payer landscape were appropriately represented in, short and long term, planning.
- Recipient of the Frank Ollington Courageous Leadership award for 2015.

VICE PRESIDENT, Corporate Accounts
Genzyme, a Sanofi Company

2010 – 2014

- National responsibility for coverage, reimbursement and contract strategy for Genzyme's Rare Disease products within the commercial and government payer segments.
- Led a team of Corporate Account Directors to represent the Enzyme Replacement Therapies, Endocrine and cardiovascular products with the payer and distribution customers.
- Provided leadership and vision as it relates to structure, payer strategy, sales collaboration, and market access strategies.
- Collaborated with Marketing, Sales teams, and other stakeholders to develop comprehensive strategies to partner with our key payers and providers.
- Partnered with Sales, Marketing, Medical Affairs and other internal functions to assure payer representation in short and long term planning.

VICE PRESIDENT, Managed Markets
Genzyme Corporation (Biosurgery Division)

2005 – 2010

Selected to create a new managed markets team for the orthopaedic business unit of the Biosurgery Division.

Payer:

- Created a payer team to provide coverage and reimbursement strategy for Synvisc Franchise and Carticel with private and public payers; recruited, hired and trained 20 people in 90 days.
- Developed and successfully implemented a contract strategy for Synvisc in a highly competitive marketplace.
- Created an account team process to facilitate teamwork and push/pull through campaigns.
- Developed a Synvisc strategy for the VA and DoD marketplace.

Distribution Channel:

- Responsible for the relationship and management of Synvisc with the primary and secondary wholesalers.
- Successfully led the negotiation of the distribution service agreement (DSA) with the big three wholesalers and 18 secondary wholesalers.
- Responsible for the relationship and interaction with specialty pharmacies and specialty distributors.

VICE PRESIDENT OF U.S. SALES
PGH Business Unit

2002 – 2005

Recruited to provide leadership to the U.S. Personalized Genetic Health Sales Team.

Sales:

- Instrumental in the pre and post launch planning/implementation for two successful product launches in the Spring of 2003, Fabrazyme and Aldurazyme.
- Played an instrumental role in the re-organization of the U.S Sales team by hiring ZS Associates, providing guidance and metrics to bring the project to a successful outcome.
- Provided Sales Management feedback and development for Area Directors via 1:1 mentoring and formal training.
- Involved in all Human Resources related activities such as performance issues, year end performance ratings and merit process.
- Alpine award recipient: Led the sales team who was recognized in 2004 the highly coveted Alpine Award for the successful launches of Aldurazyme, Fabrazyme while growing the Gaucher business.

Payer:

- Created payer team to provide coverage and reimbursement strategy for the PGH products and Thyrogen.
- Provided strategy and direction to Corporate Account Directors to ensure favorable medical policy for the PGH products.
- Created pre and post launch plans for the successful launch of Aldurazyme and Fabrazyme with the commercial and public payers.
- Established a National Steering Committee of payers to provide feedback on our strategy and tactics.
 - Published an Article on Ultra Orphan Rare Disease accepted for publication in P&T journal.
- Invited to speak on Overcoming Barriers to Access for Patients with Rare Genetic Disease at a Specialty Injectable Conference in Philadelphia, July 27, 2004.

Operations:

- Coordinated and directed the activities of 50+ personnel involved in a variety of reimbursement and payor functions. Specifically oversaw and managed the Patient Products Service Group and Corporate Accounts.
- Managed cost center budget for Therapeutic Sales including internal as well as field based budgets.
- Liaison for Specialty Pharmacy Providers NovaFactor and TheraCom.
- Interacted with sales, CADs, finance, PPS, marketing, and other internal/external customers to bring efficiency to the PGH Therapeutic Business Unit.

EXECUTIVE BUSINESS DIRECTOR

1997 – 2002

NOVARTIS PHARMACEUTICALS CORPORATION (Geigy/Sandoz Division)

Selected to lead and motivate 12 District Managers and 110 Sales Representatives for the Northeast Region.

- Successfully launched products for the treatment of hypertension(Diovan), Alzheimer's Disease(Exelon)
- Grew share of Diovan under fierce competition from Merk and BMS.
- Turned around Lamisil sales trend from an average ranking nationally to finish #1 in 2000.
- Strengthened the organization by developing and promoting 7 District Managers, and over 20 representatives to assume positions of greater responsibility in 2000.
- Played an integral role in the merger integration of Sandoz and Ciba.

SANDOZ PHARMACEUTICALS CORPORATION

1984 - 1997

DIRECTOR OF SALES, S2, Region V

1995-1997

Promoted to build, manage and motivate eight District Managers and 90 Sales Representatives for this newly created division in the Southwest.

- Recruited, hired and trained 8 District Managers and 90 Sales Representatives in 90 days.
- Developed innovative training approach to successfully launch Lamisil Tablets, #1 national rank.
- Reversed negative trend for Lescol market share, holding #1 position nationally.
- Recognized for Outstanding Leadership, 1996.

MANAGER, REGIONAL ACCOUNTS, Managed Care Division

1994-1995

Selected to develop strategic and tactical plans for Managed Care Organizations in the Southern California and Las Vegas markets. Responsible for contract negotiations, formulary availability of key products, new business development, and customer relations.

- Key player in growing the 1995 FHP market share of Lescol from 18% in January to 60% year end.
- Initiated aggressive marketing campaign for the Health Plan of Nevada to educate physicians on converting their Mevacor patients to Lescol, with a projected yearly sales gain of \$250,000.
- Received numerous letters of recognition for commitment to customer quality.
- Received "Core Team" award for outstanding achievement in Lescol market share during 1995.

DIRECTOR, AREA SALES-WESTERN AREA, Dorsey Division

1992-1994

Promoted to lead and motivate 10 Regional Manager and 110 part-time sales representatives for a startup organization with markets which include Pediatrics, Primary Care and Dermatology.

- Increased sales and market share for select prescription and over the counter lines, yielding over \$300 million per year.
- Maintained the #1 cough cold claim for Triaminic, under fierce competition from much larger companies.
- Increased Pediatric recommendations for Tavist 1 by 43% in 1993 vs. 1992.
- Maintained sales team turn-over rate of only 15% vs. the industry average of 30-40%, due to successful morale-building and training efforts.

REGIONAL MANAGER, Immunology/Oncology Division

1989-1992

Promoted to manage and lead 8 Hospital Specialists to sell high-tech products in the hospital marketplace. Markets included Transplantation, Gastroenterology, Oncology, Nephrology, Cardiology and Immunology.

- Commended for Sales Vision, Decision Making, Influence and Personal ability in a confidential survey conducted to assess sales leadership.
- Selected to represent the Eastern Sales Area on the Sales Advisory Council, a select group of managers chosen to represent each region.
- Increased sales and market shares of such high-tech products as Sandimmune, due to development of successful action plans.

REGIONAL MANAGER, Pediatric Division

1987-1989

Promoted to manage and lead 11 Sales Representatives in selling prescription and over-the-counter products to the pediatric marketplace.

- Played a major role in the start-up of the division, including hiring, training, and developing policies and procedures.
- Led Division in receiving Region of the year award in 1988 for overall performance.
- Collaborated with the American Academy of Pediatrics (AAP) in the development of such child safety programs as *Kidsafe-The Video* and *The Injury Prevention Program(TIPP)*.

EDUCATION

Bachelor of Business Administration, Marketing, University of Massachusetts, Amherst, MA

From: Carol A. Sherman <csherman@mashpeema.gov>
Sent: Tuesday, August 23, 2022 11:10 AM
To: Wayne E. Taylor <wtaylor@mashpeema.gov>; Rodney C. Collins <rccollins@mashpeema.gov>
Subject: Fwd: Form submission from: Ask the Select Board

Carol Sherman

Begin forwarded message:

From: Town of Mashpee MA via Town of Mashpee MA <cmsmailer@civicplus.com>
Date: August 23, 2022 at 11:05:42 AM EDT
To: "Carol A. Sherman" <csherman@mashpeema.gov>
Subject: Form submission from: Ask the Select Board
Reply-To: Town of Mashpee MA

WARNING! EXTERNAL EMAIL: : This message originated outside the Town of Mashpee mail system and could be harmful. PLEASE DO NOT CLICK ON LINKS OR ATTACHMENTS unless you are absolutely certain the content is safe.

Submitted on Tuesday, August 23, 2022 - 11:05am

Submitted values are:

To Whom would you like to direct your comments & questions? All Select Board Members
Please include any questions or comments: Good morning. My name is Rick Santangelo and I am currently a part-time assistant Harbormaster working under Mashpee natural resource dept. I am contacting the select board to express my interest in becoming a member of the waterways commission. Thank you for your consideration.

Name: Richard Santangelo

E-mail Address:

Address:

City: Mashpee

State: Ma

Zip: 02649

Phone:

Organization:

The results of this submission may be viewed at:

<https://www.mashpeema.gov/node/6129/submission/5411>

January 15th, 2023

Select Board of the Town of Mashpee
bos@mashpeema.gov

RE: Member of Capital Improvement Committee

Dear Select Board Member

As the newly appointed Vice Chairman of the Board of Health, I have found that I have additional time that I can give in service to the Town of Mashpee. I hope you will consider me for the At Large opening on the Capital Improvement Program Committee. I would be honored to serve on another committee, to help keep our town moving forward.

As the long serving General Manager of the Sea Mist Resort timeshare property here in Mashpee. I have extensive experience in the budgeting process for a large property. This includes our Reserves (capital Improvements) Planning and Budgeting. Our process involves a 30 Year Reserve Study, which we then use to produce our own 5-year plan. I also have experience with overseeing major capital programs, some of which include HVAC, construction, roofing, major equipment purchases, refurbishments and renovations. I do believe I can be an asset to the CIP Committee.

I thank you for allowing me to pursue an additional voluntary position with the Town of Mashpee. As I stated when applying for the BOH position, I do believe it is time to give back to the town that has given so much to me and my family.

Thank you for your time and consideration of my application for an at large seat on the Capital Improvement Program Committee.

Sincerely,

A handwritten signature in dark ink, appearing to read 'J. Livingston', written over a horizontal line.

John Livingston

JOHN LIVINGSTON

Mashpee, MA 02649

SeaMistGM@aol.com

PROFESSIONAL SUMMARY

Forward-thinking General Manager with extensive knowledge of the Hospitality Industry. Known for success in the Timeshare industry and leading employees to complete tasks. Dedicated to efficient conflict resolution and excellent services. Also well versed in all aspects of property management, not limited to renovations, exterior upkeep, repair and replacement of vital systems, and one on one customer interactions.

SKILLS

- Hiring and Onboarding
- Problem Anticipation and Resolution
- Department Oversight
- Administrative Management
- Performance Monitoring and Evaluation
- Human Resources Oversight
- Policy Development and Enforcement
- Focus and Follow-Through
- Financial Statement Review
- Government Rules and Regulations
- Supervision and Training
- Facility Renovation

WORK HISTORY

07/2001 to Current **General Manager**

Sea Mist Resort Condominium Trust – Mashpee, MA

- Managed budget implementations, employee reviews, training, schedules and contract negotiations.
- Set, enforced and optimized internal policies to maintain responsiveness to demands.
- Enhanced operational efficiency and productivity by managing budgets, accounts and costs.
- Established and administered annual budget.
- Maximized efficiency by coaching and mentoring personnel on management principles, industry practices, company procedures and technology systems.
- Implemented operational strategies and effectively built customer and employee loyalty.
- Delivered business strategy and developed systems and procedures to improve operational quality and team efficiency

04/2016 to 07/2001 **Assistant General Manager**

John Carver Inn – Plymouth, MA

- Resolved problems promptly to elevate customer approval.
- Handled cash accurately and prepared deposits.
- Motivated, trained and disciplined employees to maximize performance.
- Managed team schedule with eye for coverage needs and individual strengths.
- Maintained secure cash drawers, promptly resolving discrepancies in daily totals.
- Mentored and motivated team members to achieve challenging business goals.

EDUCATION

05/1979

Associate of Arts: Culinary Arts

Johnson & Wales University - Providence, RI

CERTIFICATIONS

- Certified Pool Operator License - Current thru 4/10/2024
- ServSafe Training - 5/24/2007 - 5/24/2017
- Allergen Awareness Training - 5/14/2012 -5/14/2017
- TIPS Training - mid 1990's



Town of Mashpee

*16 Great Neck Rd North
Mashpee, MA 02649*

Conservation Commission

1-13-23

TO: Mashpee Select Board
Town of Mashpee
16 Great Neck Rd North
Mashpee, MA 02649

FROM: Drew McManus
Conservation Agent
Town of Mashpee

RE: **Letter of Endorsement: Erin Copeland Full Time Commissioner**

Dear Chairman David Weeden & Members of the Mashpee Select Board,

The Mashpee Conservation Commission voted unanimously to endorse Associate Commissioner Erin Copeland for full time commissioner status. Erin has been an active Associate Member of the Commission for the last year and has consistently played an active role in reviewing permit applications and learning the nuances of the local and state wetland protection acts. The Commission feels that Erin would make a welcome addition as a full time Commissioner. This full time seat was vacated by the resignation of former full time Commissioner Thomas J. O'Neill. This vote of endorsement took place at the Commission's public meeting on Thursday, January 12th, 2023. The Commission recommends that the Mashpee Select Board endorse Erin for full time status

Sincerely,

-Drew

Drew McManus

cc:

Rodney Collins, Town Manager
Wayne Taylor, Assistant Town Manager
Paul Colombo, Chairman, Mashpee Conservation Commission
Deborah Kaye, Town Clerk

ERIN COPELAND

Mashpee, MA 02649

Board of Selectmen
Town of Mashpee
16 Great Neck Road North
Mashpee, MA 02649

Dear Selectmen

I'm writing to express my interest in the Commissioner vacancy on the Conservation Commission.

I've enjoyed my time as Associate Commissioner and would like to "move up" as it were, to a full Commissioner role. I very much enjoy getting out on site visits, learning from Drew and Dan, and have made it a goal to attend every meeting in person, barring illness or absence from town.

Thank you.

Best,

A handwritten signature in dark ink, appearing to be 'Erin Copeland', with a long, sweeping horizontal line extending to the right.

Erin Copeland



Town of Mashpee

16 Great Neck Rd North
Mashpee, MA 02649

Conservation Commission

1-13-23

TO: Mashpee Select Board
Town of Mashpee
16 Great Neck Rd North
Mashpee, MA 02649

FROM: Drew McManus
Conservation Agent
Town of Mashpee

RE: **Letter of Endorsement: Sandi Godfrey-Associate Commissioner**

Dear Chairman David Weeden & Members of the Mashpee Select Board,

The Mashpee Conservation Commission voted unanimously to endorse Mashpee resident, **Sandi Godfrey** to join the Conservation Commission as an Associate Member. Mrs. Godfrey brings significant administrative experience to the commission based on work history with Harvard University. Sandra displays a passion for environmental issues facing Mashpee and would be a welcome addition to the Commission. This vote of endorsement took place at the Commission's public meeting on Thursday, January 12th, 2023

Sincerely,

Drew McManus

cc:

Rodney Collins, Town Manager
Wayne Taylor, Assistant Town Manager
Paul Colombo, Chairman, Mashpee Conservation Commission
Deborah Kaye, Town Clerk

December 10, 2022

Dear Chairperson Weeden and Honorable Select Board Members,

I am writing to express my interest in the vacancy on the Conservation Commission. I am interested in serving as either Full or Associate Commissioner. I have owned my home in Mashpee since 1990 and have been a full-time resident since 2008.

I bring 37 years of administrative experience at Harvard University that would be immediately transferrable to work on the Conservation Commission. For example, at Harvard I regularly organized and facilitated meetings for faculty and administration. I have experience with Robert's Rules of Order and am thus ready to participate in Conservation Commission meetings. At Harvard, I also conducted preliminary reviews of student entrance applications and transcripts based on University standards. This skill set will directly transfer to the careful and thoughtful review of applicants' proposals to the Conservation Commission based on Massachusetts and local wetlands regulations.

As an environmentalist and an avid distance walker, I am intimately familiar with most areas of Mashpee. Further, I have the time and energy to participate in site visits for proposed projects.

Yours truly,

Sandra Godfrey

cc: Andrew McManus, Conservation Agent

Paul Colombo, Conservation Commission Chair



Town of Mashpee

16 Great Neck Rd North
Mashpee, MA 02649

Conservation Department

1-18-22

TO: Chairman David Weeden & Members of the Mashpee Select Board

FROM: Drew McManus
Conservation Agent

RE: Request for hearing on Select Board Agenda- Disc golf course proposal.

Dear Chairman Weeden & Members of the Mashpee Select Board,

I am in the process of proposing a disc golf course for the Town of Mashpee along with the Mashpee Recreation Department and the Cape Cod Disc Golf Club. I have provided a project description which details the sport of disc golf, the Cape Cod Disc Golf Club and the overall proposal.

We recently submitted an application for Community Preservation Act funding. The CPA application is requesting an amount of \$200,000 to cover the costs of selective vegetation clearing/pruning, purchase of course materials and course design consulting services. The CPA Committee has reviewed the application and has tabled their recommendation until such time as the Select Board has reviewed this proposal and approves/recommends a location for a disc golf course.

The preferred/recommended location for a disc golf course (either 9 or 18 holes) is the parcel at 156 Ashumet Rd. This is the location of the Mashpee Dog Park and outdoor pickle ball courts with associated parking at each facility. There is approximately 15 acres of wooded land behind and around these facilities that could be used to implement a disc golf course. (*see attached GIS map for details*). This parcel is mapped as rare species habitat by the MA Natural Heritage and Endangered Species Program (NHESP) for the Eastern Box Turtle. It is noteworthy that NHESP issued a letter of "no take" for an endangered species in their review of these two facilities and thus signed off on both projects.

Disc golf courses are designed to blend with the natural environment to the greatest extent possible, thus reducing overall impacts to the land. While the land cited for a course is 15 acres, the actual area of selective clearing will likely be less than 5 acres. There is no clear cutting whatsoever, only highly selective clearing to establish fairways and connecting walking paths. Creating a disc golf course is akin to creating an expanded network of trails in the woods. If one were to drive by a wooded disc golf course, you would likely not even know it's there unless you got out of your car and actively searched for it. The impact on the land is minimal. We would encourage proactive outreach to abutters and residents of the area to address any potential issues with this proposal.

In summary, we believe that 156 Ashumet Rd is a perfect location for a disc golf course for the following reasons:

1. The site already contains popular recreational activities. The addition of a disc golf course would enhance this area as a recreational destination hub in town.
2. There is established parking across the street from this area at Heritage Park. This back parking lot of the park is rarely filled from other uses and could thus serve as dedicated parking for the disc golf course. The established parking for the dog park and pickle ball courts would remain dedicated to those facilities only.

All efforts would be made in the course design process to provide sufficient vegetated buffers to the abutting road and neighbors so that the course and use thereof would not become either a visual or noise nuisance.

We are requesting to have this revised proposal placed on the January 23rd Agenda for the Select Board to review and consider.

Respectfully submitted,

-Drew McManus
Conservation Agent
Town of Mashpee
amcmanus@mashpeema.gov
508-539-1400 X8539

156 ASHUMET RD: PROPOSED LOCATION/CONCEPT LAYOUT FOR A DISC GOLF COURSE

