

APPENDIX 4

LEGAL NOTICE

CHICOPEE

It's on to second phase of City Hall renovation work

Initial repairs shored up structural problems at facility

By JEANETTE DEFORGE
jdeforge@repub.com

The city officially closed out the first phase of the City Hall renovation project with a series of financial moves and is now moving on to the second phase.

The City Council voted in 2018 to borrow up to \$16 million for renovation project that included critical work to make structural repairs to the brick façade that was bowing out, fix eroded sandstone columns and shore up poor-quality brick-work in the tower.

The project also included complete rebuilding of the auditorium, including repairing stained-glass windows, replacing failing plaster and installing a modern audio and video recording system. The project renovated all restrooms to make them accessible to the disabled.

"The City Council authorized \$16 million the city has only used \$14 million of that because of creativity in finding grants for certain parts of this project," Mayor John L. Vieau said.

The \$16 million authorization is only on paper. The city only borrowed money as needed throughout the project so \$2 million was never withdrawn. The request to rescind authorization is an accounting detail and needed to be done so it does not drag down the city's bond rating, Vieau said. But he also requested two amounts, about \$290,000 and an additional nearly \$8,000 that was borrowed but ended up not being used be transferred to the project's second phase.

"You can't return it because it is long-term borrow. You can't put it in free cash because that would be illegal, so the solution is to find another



Panoramic view of the restored auditorium at Chicopee City Hall. (DON TREGER / THE REPUBLICAN, FILE)

capital project with a longer useful life or a similar useful life," Vieau said. It also cannot be used to pay principal or interest from the loan.

The \$290,000 was borrowed as part of the last amount needed to complete first phase renovations. When the final accounting was completed, credits from contractors created the surplus, City Planner Lee Pouliot said.

The City Council last week approved both transactions in 12-0 votes.

"Mass. General Law allows us to transfer the \$290,000 to phase 2 of the project. I think it is reflective of the city's commitment to do things as cost-effectively as possible," City Councilor Shane Brooks said.

The city should learn the cost estimates for the second phase of the project once the 40% design phase is completed, which is expected in the next few weeks, Vieau said.

Initial estimates for the project were between \$5 million to \$7 million but those prices are years old and were prelimi-

nary. Some work has changed since then and construction costs have increased, he said.

While the first phase repaired the structure and made the building more energy efficient by upgrading the heating system and replacing the windows, the second phase will modernize the interior of the building and make some cosmetic improvements, he said.

"The employees who work here deserve to be in a nice space," he said.

The project is expected to move some offices and reconfigure others so those frequently used by the public will be closer to entrances, making it more efficient and easier for the public. A long-standing problem with a lack of handicap accessibility to some offices, including the City Clerk, will also be corrected with a small elevator between two floors.

A lot of cosmetic work is expected to be done, such as replacing worn and stained carpet and ceiling tiles and painting, Vieau said.



Northampton's "Summer on Strong" outdoor dining and entertainment venue, set up on Strong Avenue in the summer of 2021. The space will return for its third run this summer. (JACKSON COTE / MASSLIVE.COM, FILE)

NORTHAMPTON

New outdoor summer music stage planned downtown

Dining, entertainment options will be expanding

By WILL KATCHER
wkatcher@masslive.com

Expanding on a popular outdoor dining and entertainment program that first emerged during the pandemic, the city of Northampton will set up a new downtown live music stage this summer in hopes of drawing more people to the city center.

The stage, behind the Northampton Brewery, will join performance spaces established in recent summers on Strong Avenue and Masonic Street. Once set up around Memorial Day, they will form a triangle of outdoor arts and entertainment venues spread across the Paradise City's business core.

"I think it's a great idea," said Ward 3 City Councilor James Nash, who represents about half of the center of Northampton. "Anything that gets people downtown and moving around downtown adds to the vibrancy."

In the summer of 2021, as indoor dining rebounded from the first stage of the pandemic, the city cordoned off two blocks of Strong Avenue, which juts off Main Street near the east-end entrance to downtown Northampton.

Strong Avenue restaurants set up tables in the pedestrian-only space, city officials added public seating, and performers graced a small stage multiple days each week.

Billed as "Summer on Strong," the space was a hit.

Last year, the city added another outdoor dining and performance and events space at the other end of downtown, outside Iconica Social Club in the Masonic Street Parking Lot. They dubbed it Masonic Street Live.

There too, the city set up public tables and chairs for people to use whether they were dining at Iconica or not.

SEE STAGE, PAGE A6

Public Announcement Concerning a Proposed Health Care Project

Encompass Health Corporation (the "Applicant"), with a principal place of business at 9001 Liberty Parkway, Birmingham, AL 35242, intends to file a Notice of Determination of Need ("Application") with the Massachusetts Department of Public Health with respect to Encompass Health Rehabilitation Hospital of Western Massachusetts located at 222 State Street, Ludlow, MA 01056 ("Hospital"). The Hospital plans to add 17 beds to its existing facility through the build out of shell space ("Proposed Project"). The total value of the Proposed Project based on the maximum capital expenditure is \$5,862,759. The Applicant does not anticipate any price or service impacts on the Applicant's existing patient panel as a result of the Proposed Project. Any ten Taxpayers of Massachusetts may register in connection with the intended Application by no later than June 25, 2023 or 30 days from the Filing Date, whichever is later, by contacting the Department of Public Health, Determination of Need Program, 67 Forest Street, Marlborough, MA 01752.

MEMORIAL DAY
COUNTDOWN SALE

50%
OFF
INSTALLATION

\$0
DOWN
FINANCING

PLUS
FREE
SHOWER
DOOR
for the first
25 baths sold!

BATHS & WALK-IN SHOWERS

KITCHEN RESTYLING

WINDOWS

ENTRY DOORS & SLIDERS

OLD GR-OUT

DUCT TAPE

HIGH THRESHOLD

BEFORE

Safe

low maintenance

NEVER CATTYWAMPS

100% SATISFIED

Kerry and her parents are thrilled with their new, safe, ONE DAY walk-in-shower transformation!

AFTER

"The Marios are excellent workers, very professional as well as friendly and attention to all details. We were happy to have them as guests in our home!"

★★★★★ -KATHY & BEN G. | BROAD BROOK, CT

"Roberto & Alex were excellent! Their workmanship & demeanor was top tier!"

★★★★★ -JEAN & ERIC T. | MIDDLETOWN, CT

Mario Jr.

Mario Sr.

Roberto

Alex

ONE DAY BATHS
INSTALLED
AS SOON AS
NEXT WEEK
BY OUR
IN-HOUSE TEAM OF
★★★★★
INSTALLERS!

YANKEE HOME

yankeehome.com

BBB

A+

ACCREDITED

CALL NOW

413-362-7631

Offer expires 5/31/23. Offer may not be combined with any other offers. Some restrictions apply. Some products may not qualify for special offers. 50% off of installation is equal to 7.5% off retail. maximum discount may not exceed 15% off retail price. Financing is subject to third party approval. All communication with Yankee Home may be recorded for quality and training purposes. MA # 160584 CT #HIC.0673924

The Republican.

APPENDIX 7

ARTICLES OF INCORPORATION

https://corp.sec.state.ma.us/CorpWeb/CorpSearch/CorpSearchRedirector.aspx?Action=PDF&Path=CORP_DRIVE1/2015/0605/000671361/0697/020502087723_1.pdf

https://corp.sec.state.ma.us/CorpWeb/CorpSearch/CorpSearchRedirector.aspx?Action=PDF&Path=CORP_DRIVE1/2018/0112/001368836/0001/201874269270_1.pdf

APPENDIX 8

AFFIDAVIT



Massachusetts Department of Public Health
Determination of Need
Affidavit of Truthfulness and Compliance
with Law and Disclosure Form 100.405(B)

Version: 7-6-17

Instructions: Complete Information below. When complete check the box "This document is ready to print:". This will date stamp and lock the form. Print Form. Each person must sign and date the form. When all signatures have been collected, scan the document and e-mail to: **dph.don@state.ma.us** Include all attachments as requested.

Application Number: 23050511-HE Original Application Date: 08/25/2023

Applicant Name: Encompass Health Corporation

Application Type:]

Applicant's Business Type: ☒ Corporation ☐ Limited Partnership ☐ Partnership ☐ Trust ☐ LLC ☐ Other

Is the Applicant the sole member or sole shareholder of the Health Facility(ies) that are the subject of this Application? ☐ Yes ☐ No

The undersigned certifies under the pains and penalties of perjury:

1. The Applicant is the sole corporate member or sole shareholder of the Health Facility[ies] that are the subject of this Application;
2. I have ~~read~~ ^{*} 105 CMR 100.000, the Massachusetts Determination of Need Regulation;
3. I understand and agree to the expected and appropriate conduct of the Applicant pursuant to 105 CMR 100.800;
4. I have ~~read~~ ^{*} this application for Determination of Need including all exhibits and attachments, and ~~certify that~~ ^{**} all of the information contained herein is accurate and true;
5. I have submitted the correct Filing Fee and understand it is nonrefundable pursuant to 105 CMR 100.405(B);
6. I have submitted the required copies of this application to the Determination of Need Program, and, as applicable, to all Parties of Record and other parties as required pursuant to 105 CMR 100.405(B);
7. I have caused, as required, notices of intent to be published and duplicate copies to be submitted to all Parties of Record, and all carriers or third-party administrators, public and commercial, for the payment of health care services with which the Applicant contracts, and with Medicare and Medicaid, as required by 105 CMR 100.405(C), et seq.;
8. ~~I have caused~~ ^{**} proper notification and submissions to the Secretary of Environmental Affairs pursuant to 105 CMR 100.405(E) and 301 CMR 11.00; will be made if applicable
9. If subject to M.G.L. c. 6D, § 13 and 958 CMR 7.00, I have submitted such Notice of Material Change to the HPC - in accordance with 105 CMR 100.405(G);
10. Pursuant to 105 CMR 100.210(A)(3), I certify that both the Applicant and the Proposed Project are in material and substantial compliance and good standing with relevant federal, state, and local laws and regulations, as well as with all ~~previously issued~~ ^{***} Notices of Determination of Need ~~and the terms and Conditions attached therein;~~
11. I have ~~read~~ ^{*} and understand the limitations on solicitation of funding from the general public prior to receiving a Notice of Determination of Need as established in 105 CMR 100.415;
12. I understand that, if Approved, the Applicant, as Holder of the DoN, shall become obligated to all Standard Conditions pursuant to 105 CMR 100.310, as well as any applicable Other Conditions as outlined within 105 CMR 100.000 or that otherwise become a part of the Final Action pursuant to 105 CMR 100.360;
13. Pursuant to 105 CMR 100.705(A), I certify that the Applicant has Sufficient Interest in the Site or facility; and
14. Pursuant to 105 CMR 100.705(A), I certify that the Proposed Project is authorized under applicable zoning by-laws or ordinances, whether or not a special permit is required; or,
 - a. If the Proposed Project is not authorized under applicable zoning by-laws or ordinances, a variance has been received to permit such Proposed Project; or,
 - b. The Proposed Project is exempt from zoning by-laws or ordinances.

Corporation:

Attach a copy of Articles of Organization/Incorporation, as amended

Mark Tarr *Mark Tarr* 7/26/2023
Signature Date

Patrick Darby *Patrick Darby* 7/26/2023
General Counsel, EVP & Secretary Name Signature Date

*been informed of the contents of

**have been informed that

***issued in compliance with 105 CMR 100.00, the Massachusetts Determination of Need Regulation effective January 27, 2017 and amended December 28, 2018

This document is ready to print: ☒

Date/time Stamp:

APPENDIX 9

FILING FEE

HUSCH BLACKWELL

Crystal M. Bloom
Partner

One Beacon Street, Suite 1320
Boston, MA 02108
Direct: 617.598.6783
Fax: 617.720.5092
crystal.bloom@huschblackwell.com

August 25, 2023

Via Email and FedEx

Dennis Renaud
Director, Determination of Need Program
Department of Public Health
250 Washington Street
Boston, MA 02108

Re: Encompass Health Rehabilitation Hospital of Western Massachusetts
Determination of Need Application # -23050511-HE

Dear Mr. Renaud:

We write to provide additional documentation for the above-captioned Determination of Need ("DoN") Application submitted to your office electronically on August 25, 2023. Please find enclosed the filing fee for the Encompass Health Rehabilitation Hospital for Western Massachusetts. Determination of Need Application (Application # -23050511-HE).

We thank you for your assistance with this matter. Please do not hesitate to contact Kasey Ciolfi, Esq. or me if you have any questions or require additional information.

Sincerely

HUSCH BLACKWELL LLP



Crystal M. Bloom

Enclosure

cc: dph.don@mass.gov

