

A publication of the Massachusetts Department of Revenue's Division of Local Services



August 15th, 2024



Register Today for the 2024 "What's New in Municipal Law" Seminars

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Important Dates & Information

FY2025 Telephone Company Central Valuations

Local boards of assessors will find the fiscal year 2025 telephone company central valuations pursuant to M.G.L. Chapter 59, Section 39 on our [website](#) effective Friday, June 14, 2024 including a memorandum to assessors about the FY2025 valuation, the new growth figures, a list of company billing addresses, and the *Additional Landline Telephone Personality by FCC Code* for each of the centrally valued telephone companies by community.

FY2025 Pipeline Company Central Valuations

Local boards of assessors will find the fiscal year 2025 pipeline company central valuations pursuant to M.G.L. Chapter 59, Section 38A on our [website](#) effective June 14, 2024 including a memorandum to

The Division of Local Services legal staff will offer its annual seminar "What's New in Municipal Law" for local officials on Monday, **September 23rd, 2024 at Bentley University Conference Center** in Waltham and Thursday, **September 26th, 2024 at the Log Cabin Banquet & Meeting House** in Holyoke. These two seminars will be held in person. A third seminar will be held virtually on Thursday, October 10, 2024. The virtual seminar will be an abridged version of the in-person seminars. The seminars will run from 9am to 3pm. Event check-in for the in-person seminars opens at 8:15am. Lunch will be provided for the in-person seminars.

The seminar kicks off with a condensed general session highlighting new legislation, recent court decisions pertaining to local government, and DLS updates, followed by three concurrent workshops that will discuss the Municipal Empowerment Act and Appellate Tax Board cases and court cases. The afternoon session will consist of three concurrent workshops that will discuss current and recurring issues of interest related to: (1) assessing water rights, pro forma, pro rata and supplemental assessments, property coming on or off the tax rolls, and unique situations involving exemptions; (2) accepting tax payments, applying partial tax payments to outstanding bills, waiving interest on tax bills, cash availability and borrowing; and (3) municipal finance issues related to the anti-aid amendment, public purpose doctrine, characterization of unique receipts, and budget appropriation issues.

assessors about the FY2025 valuation as well as the new growth figures and a list of company billing addresses.

Annual End-of-Year Letters

The Division of Local Services has posted on its website the FY2024 Bureau of Accounts Annual End-of-Year Letters for:

- [Accountants and Auditors](#)
- [Clerks](#)
- [Treasurers](#)
- [Collectors](#)
- [Regional School Business Officials](#)

Reimbursement for Certain Transportation Costs Available to Municipalities

Under the *Every Student Succeeds Act* (ESSA), children in foster care are required to remain in their "School of Origin" as long as it is deemed to be in the best interest of the child. The School of Origin is responsible for funding the cost of this transportation.

The Executive Office of Health and Human Services (EOHHS), in a partnership with Department of Children and Families (DCF) and Department of Elementary and Secondary Education (DESE), has developed a methodology that can reimburse a share of these transportation costs through Title IV-E (a section of the Social Security Act that provides federal reimbursement to states for services provided to children in foster care).

This voluntary program allows Local Education Agencies (LEAs) to report their eligible transportation expenditures for children in foster care to the state to be claimed for federal reimbursement. LEAs typically receive around 18% of total reported costs.

In FY23, 59 LEAs received a total of \$1.4M in reimbursement. Three items are required to claim reimbursement:

1) a Memorandum of Understanding between the City/Town/Regional School District, EOHHS, DESE, and DCF

2) Annual cost report

3) Annual cost report attestation.

The Massachusetts Association Assessing Officers (MAAO) will grant four (4) hours of continuing education credits to assessors attending this program.

Space is limited so [register](#) now! The registration fee for each seminar (including the virtual seminar) is \$100.

New this year: Payments will only be accepted using the online payment system in order to streamline the registration process for Municipal Law Seminar participants and ensure prompt payment from attendees. This new digital process also provides greater efficiencies and safeguards against potential fraud. Registrations for the Bentley and Log Cabin seminars must be received by September 13th, 2024. DLS will not process cancellations or provide refunds for the Bentley and Log Cabin seminars after September 13th, 2024.

Registrations for the virtual seminar must be received by October 3rd, 2024. DLS will not process cancellations or provide refunds after October 3rd, 2024.

To view the registration form and to make a payment, please [click here](#). Any questions regarding the seminars should be directed to dlsregistration@dor.state.ma.us.

[Click here to register.](#)

Ask DLS: Filling Board Vacancies

This month's *Ask DLS* features frequently asked questions on filling vacancies for boards of assessors, treasurers and accountants.

Please let us know if you have other areas of interest or send a question to cityandtown@dor.state.ma.us. We would like to hear from you.

What happens when there is a vacancy in a town office?

For more information, contact ESSAClaiming@pcgus.com or [click here](#).

BULLETIN-2024-3: G.L. c. 44, § 53 Clause 4 - Connect America Fund Phase II (CAF II) Auction Proceeds Received Pursuant to the Westfield Gas And Electric Winning Bid

The DLS Director of Accounts has issued [Bulletin 2024-3](#).

On December 4, 2023, Governor Healey signed [Chapter 77 of the Acts of 2023](#). Section 9 of the law provides, in part, for an exception to the legal requirement that all receipts are to be recorded as general fund revenue per [G.L. c. 44, § 53](#). Municipalities now have the option to account for CAF II Auction Proceeds in a special revenue fund.

[BUL-2024-3 – G.L. c. 44, § 53 Clause 4: Connect America Fund Phase II \(CAF II\) Auction Proceeds Received Pursuant to the Westfield Gas And Electric Winning Bid](#)

To access IGRs, LFOs and Bulletins, please visit this [webpage](#).

MassGIS' Statewide Geospatial Strategic Planning Initiative

MassGIS is undertaking an update of the state's geospatial strategy, last updated in 2007. MassGIS would like all geospatial data and technology users in municipal and regional government, state government, federal agencies, non-profit organizations, higher education, utilities, and the private sector to participate in the development of the strategy.

The strategy will lay out the strategic direction for all geospatial activities in the Commonwealth. MassGIS will lead the strategy development. Applied Geographics (AppGeo), a national company that has done such work for dozens of states, is under contract to assist with this update. The work will begin with distribution of a [survey](#) to capture initial input and feedback. The survey is intended for anyone who uses geospatial data or technology.

[Click here to take the survey](#)

Cyber Resilient Massachusetts Grant Program

The MassCyberCenter at Massachusetts Technology Collaborative (MassTech) is currently

There are two relevant statutes: [G.L. c. 41, § 11](#) and [G.L. c. 41, § 10](#).

What is the process for filling a vacancy for an elected member of the board of assessors?

The remaining members must give written notice of the vacancy to the selectboard within one month of the vacancy. After providing at least one week's notice of their intent to fill the vacancy, the selectboard and the remaining members of the board of assessors are to fill the vacancy by roll call vote. If the assessors fail to give the selectboard the required notice, then the selectboard alone shall appoint a person to serve until the next election. A majority of the officials entitled to vote shall be necessary to appoint. The replacement must be a registered voter in the town.

What is the process for filling a vacancy for an appointed member of the board of assessors?

If a vacancy were to occur in an appointed position, a new appointment could be made under the procedures described in [G.L. c. 41, § 11](#). Additionally, it is recommended that communities consult with local counsel to review any charter provision or special act that might be applicable to ensure compliance with any other requirements.

What happens if there is a vacancy in the office of the treasurer?

Under [G.L. c. 41, § 40](#), the selectboard shall in writing, appoint a temporary officer to hold the position and exercise the powers and perform the duties of the office until another is duly elected or appointed or the officer who vacated the seat returns and resumes their duties.

What happens if there is a vacancy in the office of the collector?

accepting applications to the Cyber Resilient Massachusetts Grant Program from municipalities across the state to boost their cybersecurity infrastructure. Cities and towns that apply to the program are eligible for up to \$25,000 to fund narrowly focused cybersecurity technology upgrades, which will be identified through a cybersecurity vulnerability assessment.

The grants may fund capital equipment, technology and infrastructure for cybersecurity improvement projects including vendors/contractors or IT related staff costs of the municipality performing the upgrades.

Applications are open and reviewed quarterly. The next review deadline is September 30th.

Grants will build up municipalities' defenses against cybersecurity threats. [A total of \\$1.4 million in funding is available.](#)

Latest Issue of *Buy the Way* Now Available

Don't miss [Issue #27 of *Buy the Way*](#), the official magazine of the Operational Services Division (OSD).

[Click here](#) to get news and updates from OSD delivered to your inbox.

Informational Resource Page for City/Town Clerks

The Division of Local Services is pleased to announce the availability of materials on the Municipal Finance Training & Resource Center under [resources by position](#) to assist city or town clerks. A city or town clerk is an integral member of the municipal management team and a central information point for residents. While the job responsibilities may vary from community to community in Massachusetts, the clerk is a bonded official who is the municipality's record keeper and often the chief election officer. The new page is one stop shopping for the following topics important to clerks:

- Overview of responsibilities
- Adopting local option excise
- Local elections and town meeting
- Local Officials Directory
- Municipal debt and borrowing
- Proposition 2 ½ votes
- Record legislative action
- Tax rate setting process

The provisions for filing a vacancy in the office of the collector in a city is outlined in [G.L. 41, § 69A](#) and in a town it is outlined in [G.L. 41, § 40](#).

For cities, the mayor appoints a temporary officer until another is elected or appointed and is qualified according to the law or the officer who was disabled or incapacitated resumes their duties. The mayor may appoint a temporary officer without confirmation of city council. Any provisions in a city charter which are inconsistent with the statute are abrogated. Under this section, this temporary appointment cannot last longer than sixty days. If the temporary appointment fails to be sworn and give bond for the faithful performance of his duties within ten days of his appointment, the mayor shall rescind the appointment and appoint another.

For towns, the selectboard may in a writing signed by them, or by a majority, which shall be filed with the town clerk, appoint a temporary officer until another is elected or appointed and is qualified according to the law or the officer who was disabled or incapacitated resumes their duties. If the temporary appointment fails to be sworn and give bond for the faithful performance of their duties within ten days of his appointment, the selectmen shall rescind the appointment and appoint another.

In a city, can an assistant Collector act as the collector until a vacancy is filled?

Yes, but there are limitations under [G.L. c. 41, § 39C](#). Assistant collectors can act for collectors during a vacancy but may not sign instruments of taking. The mayor makes the interim appointment; no confirmation vote is taken, and any provisions in a city charter which are inconsistent with the statute are null and void.

Heads Up! With Approved State Budget, Monthly Local Aid Distribution Changes

Christopher Ketchen - Bureau of Local Payments Chief

Be sure to bookmark the [Municipal Finance Training and Resource Center](#) page and subscribe to our [YouTube channel](#).

DLS Links:

[Events & Training Calendar](#)

[Municipal Finance Training and Resource Center](#)

[Local Officials Directory](#)

[Municipal Databank](#)

[Informational Guideline Releases \(IGRs\)](#)

[Bulletins](#)

[Tools and Financial Calculators](#)



With the adoption of the Commonwealth's FY2025 budget occurring at the end of July, the final local aid ("Cherry Sheet") figures for the current fiscal year were posted [here](#) on August 1st. Whereas, July's local aid payments were transmitted prior to approval, communities received their net distributions for July based on a 1/12th budget. This means that, for most communities, the distributions for August 2024 through June 2025 will look different from the first distribution of the new fiscal year. This is the result of certain appropriations being larger than assumed in the 1/12th budget.

Another change to FY2025 distributions is the inclusion of Veterans, Blind, and Surviving Spouse (VBS) payments in the monthly distribution. In prior years, these reimbursements were made via lump sum payment. In FY2025, the Commonwealth will make these payments to cities and towns on a monthly basis along with the reimbursement for elderly property tax exemptions.

On the assessment/charges side, we want to note that the final Cherry Sheet reflects RMV Non-Renewal assessment data from the Department of Transportation that was reported in July. These final figures are different than those used on earlier iterations of the Cherry Sheet. Communities should review both final receipts and final charges on the Cherry Sheet prior to completing the Tax Recapitulation Worksheet and setting tax rates for FY2025.

We encourage local officials to contact the Bureau of Local Payments if you have any local aid-related questions. Our email contact is localaid@dor.state.ma.us.

The Massachusetts Qualified Bond Program

Bill Arrigal – Bureau of Accounts Public Finance Section

Tony Rassias - Deputy Director of Accounts

The Qualified Bond Act, incorporated into [G.L. c. 44A](#), has offered Massachusetts cities, towns and regional school districts an opportunity to enhance their debt's credit rating to at or near that of the Massachusetts Qualified Bond Program's thereby enhancing the

marketability of their bonds and lowering their overall debt cost. Since 1980, this program has been highly successful and here is how it works.

The city, town or regional school district votes to incur debt as allowed by law. For program purposes, in accordance with [G.L. c. 44A, § 5](#), either the original authorization vote or one subsequent must indicate clear authorization to issue bonds under G.L. c. 44A. The entity budgets the annual debt service payment as usual but, after proper program approval is granted, does not make direct payment as will be explained below. The local treasurer with approval of the city council and city manager, if any, or otherwise the mayor in a city, the board of selectmen in a town or the regional school district committee may apply to the [Municipal Finance Oversight Board](#) (MFOB) to “qualify” that debt, a process where the state treasurer pays debt service costs from the entity’s state aid to the Depository Trust & Clearing Corporation (DTC) which then pays the bondholders. MFOB, composed of the auditor, treasurer, attorney general and Division of Local Services Bureau of Accounts Director (or their designees), receives the application which must include certified copies of the vote to authorize the debt and other documents required by the Board.

MFOB then is by law required to investigate, taking into consideration:

- the need for the improvements to be financed from the debt proceeds;
- the entity’s ability to provide other essential public improvements and services;
- the entity’s ability to pay when due principal and interest on its debt;
- whether the request is for a legal borrowing purpose;
- the reasonableness of the amounts to be expended for the intended purposes;
- the amount of State aid likely to be distributed to the entity;
- other factors that the Board may deem necessary or advisable including the estimated cost savings from having the bonds issued as state qualified.

The Division of Local Services provide MFOB and the entity with a “coverage analysis” to ensure that there is sufficient State aid to pay for all debt service, qualified and non-qualified, and for all other potential deductions from that aid. Coverage analysis is a standard financial tool used by rating agencies and other analysts in evaluating the sale of bonds. After MFOB’s investigation and within 60 days of the application’s submission, it may, by majority vote, qualify the debt which may include other restrictions and limitations it deems necessary. The qualified bonds may be issued for any legal borrowing purpose from ten to 30 years. However, one or more purposes within the authorized borrowing could have a purpose as short as five years. During the same 60-day period, MFOB may vote not to “qualify” the debt; a failure to take this vote is a deemed denial. The debt may still be issued but without the state’s qualification.

After MFOB’s final action is taken, or after the request to qualify is deemed denied, the Auditor’s Office notifies the Treasurer’s Office, certain local officials, the entity’s Financial Advisor, Local Aid and BOA’s Public Finance Section of the result. The Treasurer’s Office is notified of the entity’s maturity schedule, interest rate and dates of the debt service payable. Monthly, DLS reconciles its notification of MFOB qualified debt with the Treasurer’s Office. Using this system creates added security that the payment will be made in whole and on time. The treasurer, or another authorized to do so, will act as paying agent and make debt service payments directly to the DTC from the entity’s state aid or, if necessary, from any other amounts due to the entity. The entity’s accounting officer must record as revenue both the actual amount of state aid received and the state aid used to pay the debt service and charge the debt service payment to the appropriation.

In 2019, Moody’s announced a Program rating of ‘Aa2’ Stable and in 2023, Standard & Poor’s (S&P Global) announced a Program rating of ‘AA+’ Stable. For more information on the Municipal Finance Oversight Board and the Qualified Bond Act, [click here](#).

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Contact *City & Town* with questions, comments and feedback by emailing us at cityandtown@dor.state.ma.us. To view previous editions, please [click here](#).

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