

Groton Finance Committee meeting
Legion Hall
75 Hollis Street Groton, MA
July 10, 2018

Present: Chair Gary Green, Vice Chair Bud Robertson, Clerk Dave Manugian, Lorraine Leonard
(7:42 pm)

Absent: Arthur Prest, Scott Whitefield Others

present:

Patricia Dufresne, Town Accountant

Beth Faxon, per diem minute taker, Town of Groton

Becky Pine, Board of Selectmen

Barry Pease (7:28 pm)

Members of the Trustees of the Groton Public Library

Chair Green called the finance committee (the Committee) meeting to order at 7:00 pm B. Robertson moved to approve the minutes of June 5, 2018. D. Manugian seconded. All in favor. The motion passed unanimously..

Chair Zeiler called the Trustees of the GPL meeting to order at 7:10 pm

Chair Zeiler introduced the reason for the Library Building presentation and explained that the goal is to understand, strategize and completely correct ongoing problems with roof leaks which have resulted in damage to the library building. Past issues include leaks resulting from ice dams, incorrect sizing of gutters and downspouts, and shingles approaching the end of their useful life. CPA applications have been filed and insurance payments have been utilized to mitigate the roof leak issues and now interested parties wish to address the problem more comprehensively. An architect has been contracted to assess the library and propose a solution. He then turned over the floor to the presenters.

Presenting

Mr. Chris Paszki, Gorman, Richardson, Lewis Architects

Mr. Kevin Buckley, Gorman, Richardson, Lewis Architects

Mr. Paszki presented a powerpoint presentation including findings from the preliminary site inspection and results of the site design/study conducted by the firm.

Major findings included

- loose and cracked slate tiles, slate tiles are approaching the end of useful life
- Unsatisfactory performance of synthetic slate shingling added with the building addition in 1999
- Incorrect gutter sizes - too small for the drainage requirements
- Seams are not tightly sealed and may be a safety issue due to falling ice and snow.
- Flashing and gutters of downspout have broken solder joints causing ice build up

- Connection seam of the old building and the addition is unsatisfactory due to material installed
- Rubber roof area has cracks allowing water to enter and is at end of its useful life
- Windows need some maintenance to frames and hardware

The report concluded the preliminary cost estimate is \$1,125,000 inclusive of all recommended repairs. An itemized breakdown of individual tasks was also provided. Mr. Paszki stated that GRLA architects recommends following up this one-day analysis with a more involved study. Chair Green asked if replacement of the gutter is included in the roof replacement cost estimate and heard yes.

B. Robertson commented that heat escape is problematic. B. Pine asked if insulation is included in the estimate and heard it is not. The architects recommend improving the flashing to improve runoff and mitigate the problem of ice build up. Discussion ensued as to the appropriate involvement of the Historical commission and the historic districts commission, with consensus towards this being more in the purview of the Historic districts commission. Chair Green added that funding sources for library roof repairs came out of CPA funds for FY18 and state aid as did the consultant fees for the cost estimate provided here. If there are other issues with the building, Chair Green suggested assembling a library building committee as part of the Trustees to work in tandem to consider all issues in a comprehensive catalog of what repairs and maintenance the building needs.

D.Manugian asked about the cost of the original addition. A question was asked regarding whether solar panels can be included, if a comprehensive approach to the project was adopted. Chair Zeiler was skeptical and noted the small amount of roof area able to sustain solar infrastructure. B.Robertson stated he is in favor of having the roof all done at one time and would like to consider having the gutters removed. He agreed that using real slate tiles versus synthetic with this repair was a sensible choice. He favored hiring a firm to design a new roof, as well as perform an additional evaluation, provide documentation and an accurate cost estimate. Discussion focused on the source of funding for such a redesign and the procurement process normally followed. B. Pine comments that this is a good start and is in favor of understanding what the other issues are. The discussion concluded with the consensus that the roof repair will preserve the building and stop further deterioration.

****most of the audience leaves the meeting****

The finance committee moves on to agenda item "Review of overall Financial Management policies"

P. Dufresne updates the committee regarding the March 26, 2018 revisions to the document. The following language had been changed on Page 2 in #4 "at least 5% of the Town's current line item budget". She explained that this exact change was made throughout the document for consistency. Barry Pease commented that approval of the Financial Management Policies should be completed by Dec. 31st. G. Green noted that it will be approved by Dec. 31st and B. Robertson updated the Committee that the free cash policy is complete creating a significant policy change.

B.Robertson motioned to approve the Financial Management Policies as written in the document distributed to the Committee at this meeting.. L. Leonard seconded.

Discussion on the motion: D. Manugian asked about qualifying debt strategies on Page 6 and noted a misspelled word on page 8 "publicly" to replace "publically". The Vote: 4-0-0. The motion passed unanimously.

Chair Green noted that this document was approved on March 13, and offered to send it back before the Board of Selectmen for another review. Barry Pease then endorsed the financial policy document.

The Committee then continued with agenda item Finance Committee Activities and goals.

Discussion of activities and goals included

- Issuing town emails to all finance committee members
- Formulation of best practices manual
- Funding at financial items at fall town meeting
- Focus on debt management, bond ratings and interest rate awareness
- Chair Green expressed interest in use of a "wiki" or similar tool to track changes and disseminate updates via computer instantaneously
- Discuss and work on some revisions to the Capital Planning committee plan

The Committee then moved on to FY18 year end line item transfers. The Committee reviewed a document of proposed line item transfers for June 30, 2018: Select Board/Fincom. P.

Dufresne explained the rationale for the line item transfers. The "funding needed" itemized list included seven accounts to be replenished with a total of \$18,549 from four accounts with unspent revenue. L. Leonard asked about the additional funds needed for tax title foreclosure and asked for clarification of foreclosure activity.

L. Leonard moved to approve the line item transfers for June 30, 2018. B. Robertson seconded. The Vote: 4-0-0. The motion passed unanimously.

The Committee then moved to discuss the Prescott school RFP. Some present expressed concern that the RFP process did not require applicants to provide a business plan as part of the proposal. Revision and standardization of the RFP proposal process was suggested by member A. Prest (absent). Discussion continued regarding how the original RFP was reviewed by the Prescott school committee which has since disbanded. Barry Pease stated he is in favor of having the RFP reviewed for competency and is interested in scrutinizing the process. He stated he would request this be added to the Board of Selectmen's next meeting and, he will advocate for a member of the fincomm be on the selection committee with the responsibility of scoring and prioritizing the proposals. He added some history surrounding how the RFP process currently occurs

- Applicant is selected
- Negotiating committee is created
- Business plan is negotiated with recipient.

B. Robertson added that in the case of the Prescott school, he and Mr. Petropoulos will be on the lease negotiation team moving forward. He reported that previously, due to Ch. 40 limitations, negotiations with the recipient and the team encountered blocks and became difficult. He added that due to building code requirements and desired facility use, plus the

\$35,000 threshold, the negotiations were unable to proceed. He contended that the appointment of knowledgeable people to the committee is essential for a more practicable RFP process for Prescott school. L. Leonard asked to table the discussion until A. Prest is present. Chair Green asked for a Florence Roche building committee volunteer. He stated the critical need for someone from the Committee to serve on multiple phase projects such as this. L. Leonard agreed to take the appointment.

The Finance committee then formally welcomed Mr. Doody for an interview to fill a committee vacancy. Mr. Doody introduced himself to the Committee and shared his relevant professional experience with accounting and finance. He described himself as a CPA and has held many positions in accounting and finance both in the municipal and private sector. He has extensive experience in budgeting and forecast analysis, procurement RFPs, RFQs. He stated as a citizen he pays attention to major projects and realizes the need for proper budgeting for success. He recognized the peak work demand times for the Committee and affirmed he can be available to attend meetings. Mr. Doody left the meeting at 8:35pm. Chair Green stated that the Committee would like to move ahead with appointment of the new member at the next Board of Selectmen's meeting. The Committee discussed other potential candidates previously interviewed and surmised that Mr. Doody has the most relevant background experience and skill set for the position.

B. Robertson moved to appoint Colby Doody as the new finance committee member. L. Leonard seconded. The Vote: 4-0-0. The motion passed unanimously.

Chair Green agreed to reach out to candidates and to extend an offer of the position to Mr. Doody. He agreed to make arrangements for his appointment at the next Board of Selectmen's meeting. It was noted that Becky Pine is an alternate finance committee liaison.

B. Robertson moved to adjourn the meeting at 8:51 pm. L. Leonard seconded. The Vote: 4-0-0. The motion passed unanimously.

Next meeting is scheduled for September 11, 2018 at 7:00 pm. Votes may occur.

Items on file:

1. Gorman, Richardson, Lewis Architects cost estimate and presentation slides for Library roof repair project
2. Town of Groton Overall Financial Management Policies document
3. Proposed line item transfers for June 30, 2018: Select Board/Fincom

Respectfully submitted,
Beth Faxon, per Diem minute taker, Town of Groton

PROPOSED LINE ITEM TRANSFERS FOR June 30, 2018: SELECT BOARD/FINCOM

FUNDING NEEDED

<u>Line Item Number</u>	<u>Account</u>	<u>Amount Needed</u>
	Tax Title Foreclosure	\$ 5,000
	Solid Waste Tipping Fees	\$ 5,000
	Country Club Expenses	\$ 4,400
	Mechanical Inspectors Salaries	\$ 3,300
	Building Inspector Wages	\$ 75
	ZBA Wages	\$ 700
	Water Safety Wages	\$ 74
	TOTAL	\$ 18,549

FUNDING FROM

Assessor's Salaries	\$ 10,149
Planning Board Salaries	\$ 5,000
Country Club Wages	\$ 1,400
Mechanical Inspectors General Expenses	\$ 2,000
TOTAL	\$ 18,549

Proposed Reserve Fund Transfers:

Voted:	Starting Balance	\$ 150,000	
1/27/2018	Accounting Expenses	\$ (3,000)	Fire Department Payroll Audit Acctg.
3/19/2018	Municipal Buildings Wages	\$ (32,000)	Custodial Position Reclass
4/25/2018	Human Resources	\$ (11,806)	Police Chief's Assessment Ctr/Advertising
4/25/2018	Country Club Expenses	\$ (8,000)	Function Hall Expenses
6/5/2018	Town Manager's Expenses	\$ (20,000)	Prescott Engineering Study
6/5/2018	Police Expenses	\$ (7,000)	Police Dept Sergeant's Assessment Ctr
6/5/2018	Police Salaries	\$ (5,000)	Police Chief Retirement PayOut Estimate
	Reserve Fund Balance Ending	\$ 63,194	

TOWN OF GROTON OVERALL FINANCIAL MANAGEMENT POLICIES

Introduction

The Board of Selectmen sets forth the following financial principles consistent with its responsibilities in Groton's Home Rule Charter. These principles provide a broad framework for overall fiscal planning and management of the Town of Groton's resources. In addition, these principles address both current activities and long-term planning. The principles are intended to be advisory in nature and serve as a point of reference for all policy-makers, administrators and advisors. It is fully understood that Town Meeting retains the full right to appropriate funds and incur debt at levels it deems appropriate, subject, of course, to statutory limits such as Proposition 2 1/2.

The principles outlined in this policy are designed to ensure the Town's sound financial condition, and seek to be in the best economic interest of the Town now and in the future. Sound Financial Condition may be defined as:

- Cash Solvency - the ability to pay bills in a timely fashion.
- Budgetary Solvency - the ability to balance the budget annually.
- Long-Term Solvency - the ability to pay future costs.
- Service Level Solvency - the ability to provide needed and desired services.
- Public Confidence - the ability to garner public support for decisions that promote financial stability.

It is equally important that the Town maintain flexibility in its finances to ensure that the Town is in a position to react and respond to changes in the economy and new service challenges without measurable financial stress.

General Financial Guidelines

1. Financial discussions shall be open and inclusive. The Town is committed to regular financial forecasting, independent audit, and periodic public review of financial details and ratification of decisions by Town Meeting.
2. The Town will avoid budgetary procedures that balance current obligations at the expense of meeting future years' needs, such as postponing expenditures or accruing future years' revenues. Long and short term debt will be scheduled with careful attention to the Town's capital needs plan, and managed in such a way as to avoid excessive issuance costs.
3. Ongoing operating costs will be funded by ongoing operating revenue sources. This protects the Town from fluctuating service levels and avoids concern when one-time revenues are reduced or removed.

The Town Manager and the Department of Finance shall collaborate with the Finance Committee to prepare, maintain and present to the Board of Selectmen and Town Meeting a five-year financial plan for the Town.

4. The Town will maintain a Stabilization Fund as one of its two primary financial reserves. It shall be the goal of the Town to achieve and maintain a balance of at least 5% of the Town's current line item budget.
5. The Town will maintain a Municipal Capital Stabilization Fund to defray the cost of new equipment, building maintenance, and capital improvements to town land and buildings to the extent that these costs may be funded by the Fund's balance. (See Debt Management Policies for costs exceeding the Fund's balance, which may be funded by borrowing.) It shall be the goal of the Town to maintain a balance in this fund of a minimum of 1.5% of the Town's current line item budget, with the objective to grow the fund to support near term and cover longer term needs.
6. The Town will continue to maintain a Conservation Fund to be used in part for the purchase of land, or conservation restrictions or agricultural preservation restrictions on lands that exhibit high value for protection because they contain important natural resources. The Conservation Commission is responsible for formulating and prioritizing a list of such parcels so that a plan may be established for future purchases. It shall be the goal to maintain a balance in the Conservation Fund of at least 2% of the Town's current line item budget, exclusive of Enterprises and the Community Preservation Fund; and to the extent possible, deposits to the Conservation Fund should come from the Community Preservation Surtax.
7. The Town shall maintain a Community Preservation Fund in accordance with the current law. The fund will be managed in a manner that will guarantee payment of current debt service prior to approving new capital costs. Borrowing shall be managed in order to assure that no more than a total 75% of CPA receipts, not including annual contributions to the fund by the Commonwealth, are dedicated to debt service in compliance with Massachusetts Department of Revenue IGR 00-209 and File #2004-464.
8. The Town shall monitor its Special Revenue Funds (Gifts, Grants, and Trusts) and its Enterprise Funds to assure the solvency of these funds and avoid undue stress on the general fund. To this end, a) Enterprise policies shall require that rates be set to ensure revenues are sufficient to fund all operating costs and debt service and fund retained earnings, unless there is an explicit policy implemented by the Town to provide General Fund support to the Enterprise. In addition, b) Enterprise policies shall include a goal for the targeted amount of retained earnings. The goal shall include amounts considered appropriate to fund unexpected occurrences and emergencies and expenditures necessary to meet change in law requirements, to fund capital and operating reserves, and to serve as a rate stabilization reserve. The policies shall also include a goal for debt limitations consistent with the Town's general goals. In addition, c) the Town shall not enter into contracts for reimbursable and/or matching grant liabilities whose aggregate total exceeds 1.5% of the Town's current line item budget, unless the Town Manager receives prior approval from the Board of Selectmen and Finance Committee.

9. The Board of Selectmen and the Finance Committee shall review the financial policies annually, seeking input from financial staff and advisors. This review should take place by December 31st of each year.

10. Investment practices will be in accordance with the Town's "Investment Policy".

TOWN OF GROTON FREE CASH POLICY

I. PURPOSE AND SCOPE

The Town's Excess and Deficiency (E&D) Fund "Free Cash" is the result of the calculation, as of July 1, of Groton's remaining, unrestricted funds from its operations of the previous fiscal year based on the balance sheet as of June 30. It typically includes receipts in excess of revenue estimates and unspent amounts in departmental budget line items for the year just ended, plus unexpended free cash from previous years. Free Cash plays an important role in allowing Groton to sustain a strong credit rating. The purpose of this policy is to provide guidance on the use of Free Cash to fund certain expenditures

II. POLICY

1. As a nonrecurring revenue source, spending from the E&D account is allowed for any lawful municipal purpose, however, it should be restricted to paying one-time expenditures, funding capital projects, or replenishing other reserves.
2. The Town should strive to maintain an E&D account balance in an amount equal to one (1%) percent of its current Town's current line item budget. This amount is in addition to the policy of having the Stabilization Fund equal five (5%) percent of the Town's current line item budget.
3. The Town should strive to maintain a Municipal Capital Stabilization Fund (excluding the Town created GDRSD Capital Stabilization Fund) balance at 1.5% of the Town's current line item budget with the goal to grow the fund to support near term and cover longer term needs.
4. The E&D account balance shall be maintained through the use of fiscally responsible revenue projections and departmental spending.
5. The E&D account balance can be expended at the discretion of Town Meeting for the following purposes:
 - a. To Replenish the Stabilization Fund, replenish and grow the Capital Stabilization Fund and fund the Town created Groton-Dunstable Regional School District's Capital Stabilization Fund.
 - b. To pay employee incentives (i.e. health savings accounts, health reimbursement accounts, merit increases) contingent on the availability of a sufficient E&D account balance.
 - c. To fund an annual contribution to the Other Post-Employment Benefits (OPEB) liability trust fund.
 - d. To fund one-time projects proposed by the Board of Selectmen and Finance Committee.
 - e. Offset the Tax Rate.

TOWN OF GROTON DEBT MANAGEMENT POLICY

Introduction

The use of long-term debt is a common and often necessary way for a community to address major infrastructure and equipment needs. It is also a means of spreading the cost of large capital projects over a larger, changing population base. However, when a local government incurs long-term debt, it establishes a fixed obligation for many years. Accumulation of such fixed burdens can become so great that a local government finds it difficult to pay both its operational costs and debt service charges. Great care and planning must therefore be taken when incurring long-term debt to avoid placing a strain on future revenues. The purpose of this policy is to establish guidelines governing the use of long-term debt. Massachusetts General Laws, Chapter 44, Sections 7 & 8 regulate the purposes for which municipalities may incur debt and the maximum maturity for bonds issued for each purpose. Massachusetts General Laws, Chapter 44, Section 10, specifies that the debt limit for towns is 5% of Equalized Valuation.

Capital Funding Guidelines

The Town's long-term debt strategies will be structured to reflect its capital needs and ability to pay. The Capital Stabilization Fund (see "Overall Financial Policies", #5) will be used in conjunction with regular financial forecasting to maintain overall borrowing costs at a reasonable level (see Debt Limitations below). The Town will not, in general, bond projects or aggregate funding of multiple projects/purchases that fall within the funding ability of the Capital Stabilization Fund. Except for emergency needs, the Town will plan its funding for major capital purchases or improvements by utilizing both the timing of debt acquisition and the length of term for debt repayment in a manner which allows the Town to remain within the guidelines for annual debt service (see Debt Limitations below).

Bond Rating

The community's bond rating is important because it determines the rate of interest it pays when selling bonds and notes. Other things being equal, the higher the bond rating, the lower the interest rate. Bond analysts (Moody's, Standard & Poor's, Fitch) typically look at four sets of factors in assigning a credit rating:

- Debt Factors: debt per capita, debt as a percentage of equalized valuation and rate debt amortization.
- Financial Factors: operating surpluses or deficits, free cash as a percent of revenue, state aid reliance, property tax collection rates, and unfunded pension liability.
- Economic Factors: property values, personal income levels, tax base growth, tax and economic base diversity, unemployment rates and population growth.
- Management Factors: governmental structure, the existence of a capital improvement plan, the quality of accounting and financial reporting, etc.

The Town will continually strive to improve its bond rating through sound financial management, improved receivables management, accounting and financial reporting and increased reserves, such as the Stabilization Fund.

Debt Limitations

General Fund Debt Service: A limit on debt service costs as a percent of the Town's total budget is especially important because of Proposition 2½ constraints on town's budget. At the same time, the community's regular and well-structured use of long-term debt symbolizes the municipality's commitment to maintaining and improving its infrastructure. The Town of Groton is committed to a debt service budget equal to 5% of the Town's current line item budget, exclusive of Enterprise funded debt, Community Preservation funded debt and debt service excluded from Proposition 2 1/2. The Town will also, by policy, establish a debt service "floor" of 3% of the Town's current line item budget, as an expression of support for continued investment in the town's roads, utilities, public facilities and other capital assets. In order to maintain these benchmarks, the Town should schedule future debt service to coincide with maturing debt service. To maintain this floor, if debt service is projected to fall below 3% of the Town's current line item budget, that amount below shall be expended on one-time pay-as-you-go capital or shall be appropriated to the Capital Stabilization Fund.

Debt Maturity Schedule: As previously stated, Chapter 44 of the General Laws specifies the maximum maturity for bonds issued for various purposes. However, a town may choose to borrow for periods less than the statutory limit. The Town of Groton is committed to establishing an average debt maturity goal of 10 years. This can be accomplished through more aggressive amortization of new debt service and shortening terms for existing debt when the option to refinance a bond becomes available. (It should be noted that revenue supported debt service for water and sewer projects will not be subject to this objective.)

Debt Strategies

Alternative Financing Strategies: The Town will continually pursue opportunities to acquire capital by means other than conventional borrowing; such as grants and low- or zero-interest loans from state agencies, such as the Mass Water Pollution Abatement trust (MWPAT) or the MWRA.

Debt Issuance: The Town will work closely with the Town's Financial Advisor and Bond Counsel to ensure that all legal requirements are met and that the lowest possible interest rate can be obtained.

Enterprises: Any debt issued for the benefit of the Town's enterprise funds is to be paid from service revenues, unless there is an explicit direction from Town Meeting to contribute General Fund support of the debt service.

Capital Planning: No projects are to be funded by debt authorized by Town Meeting unless those projects have been incorporated in to and vetted by the Town's capital planning process.

Lease-Purchase Financings - any lease purchase agreements, financings, etc., utilized by the Town shall be considered debt for the purposes of this policy and shall be subject to all the constraints cited herein.

TOWN OF GROTON POLICY FOR THE FUNDING OF OTHER OBLIGATIONS

Introduction

Under Massachusetts General Laws, the Town is currently funding its unfunded pension liability through its participation in the Middlesex County Regional Retirement System.

The Town also has the responsibility to fund its Other Post-Employment Benefits (OPEB) liability.

The Town will utilize the following policy towards that end:

Policy Guidelines

Independent Evaluation of Liability: The Town will have its liability measured by an outside consultant every second year; with interim evaluations done yearly for the purposes of updating the total liability.

20 Limitation of Retiree Health Care Costs: The Town has adopted the requirements of Section 18 of Chapter 32B, which serves to limit liability for retiree health insurance by utilizing the benefits of Medicare and thereby shifting some of the cost away from local funding.

OPEB Funding Plan: The Town is committed to reducing its Post-Employment Benefits liability as follows:

- The Town has established an OPEB Trust.
- The Town enterprises will incorporate into their rate structures the goal of funding their respective Annual Required Contributions (ARC).
- The Town will implement a schedule of funding to reach its ARC by a schedule of increasing annual appropriations. The Town will appropriate at least \$200,000 to the OPEB Trust each Fiscal Year from the Town's current line item budget appropriation for Health Insurance to cover that year's retiree health insurance obligation. Beginning in Fiscal Year 2018, the Town shall add, as funding allows, an additional amount of money from the Excess and Deficiency Fund each fiscal year and will increase that appropriation as finances allow until it reaches its ARC.

TOWN OF GROTON POLICY FOR THE REVIEW OF BUDGET PERFORMANCE

Introduction

The Town Charter requires the Town Manager to present a balanced budget to the Board of Selectmen and the Finance Committee six months prior to the beginning of each fiscal year; in effect by January 1st. Prior to the formulation of the Budget, the Board of Selectmen, Finance Committee and Town Manager shall meet prior to October 1st to determine budgetary goals for the ensuing Fiscal Year. The initial budget is developed in conjunction with the Town's Department Managers and reviewed in several public meetings as well as formal public hearings, culminating in ratification by Town Meeting. The Town utilizes specific line items for its budget, each line considered a separate and distinct appropriation. In order to monitor expenditures and assure the integrity of the overall budget, regular review and management direction is required, as outlined in the policy guidelines below.

Policy Guidelines

Line Item Appropriation Review: Each Department Manager or elected/appointed Board/Commission is required to monitor expenditures, and local receipts revenue if applicable, relevant to that governmental area's operation. The Accounting Department will provide budget variance reports at least monthly as a management tool to aid periodic monitoring.

Total Budget Review: The Town Manager will review the monthly variance reports for all departments/cost centers; and the Town Accountant will provide ongoing oversight. There will be periodic presentation of the budget status to the Board of Selectmen and Finance Committee; this presentation to occur at least quarterly.

Reserve Fund: The Town will include a budgetary reserve fund equal to approximately 1% of the total general fund appropriations less the assessments to the district schools which will be under the management of the Finance Committee to account for extraordinary or unforeseen expenses.

Line Item Transfer: The budget will be reviewed twice each year by the Town Manager in conjunction with the Town Accountant and the Finance Committee for opportunities to re-balance the original budget. Such reviews will take place prior to the fall and spring annual town meetings and any transfers will be publically debated and subsequently ratified by Town Meeting.

TOWN OF GROTON POST ISSUANCE COMPLIANCE POLICY

OBJECTIVE OF THE POLICY

The objective of this policy is to ensure compliance with federal tax law and regulations pertaining to the use of tax-exempt governmental purpose bonds and to the use of property, projects and equipment funded with tax-exempt governmental purpose bonds.

This document is to encompass the following:

- The use of bond proceeds (and the term "bond", except as otherwise indicated, includes notes, bonds and tax-exempt lease purchases issued by the Town);
 - The use of property, projects, equipment, etc. funded with tax-exempt bond proceeds;
 - The timely expenditure of bond proceeds;
 - Compliance with arbitrage yield restriction rules and with the calculation and timely payment of arbitrage rebate payments, as required;
 - Filing requirements;
-
- The reserve of funds in anticipation of a rebate payment requirement;
 - Collection and retention of necessary documentation; and
 - Resolution of problems.

RESPONSIBILITIES OF THE PARTIES INVOLVED

The Town Treasurer shall be responsible for implementing this policy. The Treasurer will be assisted by:

- The Town Accountant, who is responsible for recording expenditures and interest earnings and for reviewing and approving contracts entered into by the Town;
 - The Town Manager, who is the Chief Procurement Officer, or a designated subordinate has ultimate responsibility for the implementation of Town capital projects and disposition of Town property; and
 - The Chief Procurement Officer, if other than the Town Manager, who has the responsibility for procuring service and management contracts and overseeing the acquisition and disposition of Town property.
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It is the Treasurer's responsibility to convey to each party the Treasurer's expectations as to their performance relating to project implementation, project expenditures, documentation, and information required by the Treasurer to remain in compliance with applicable tax law. Since all the responsible parties participate in the issuance of Town bonds, the Treasurer will provide direction to those responsible parties during the process of issuing bonds, at the time of the delivery of bond proceeds, and after the delivery of bond proceeds but prior to the final maturity of the bonds.

SCOPE OF THE POLICY AND PROCEDURES

The following sections outline the scope of the policy and procedures for which the Treasurer is responsible:

Use of bond proceeds and bond funded property -

It is the Treasurer's responsibility to monitor and ensure the proper use of bond proceeds and bond funded property.

The proper use of tax-exempt bond proceeds and the proper use of bond-funded property, projects, equipment, etc., (hereafter "property"), will be confirmed and documented through Bond Counsel's review prior to the issuance of tax-exempt bonds and will be addressed in the legal opinion issued by Bond Counsel and in the Tax Certificate (or Non-Arbitrage Certificate) prepared by Bond Counsel as part of the final bond transcript.

There are further requirements associated with the proper use of bond financed projects and of the use of bond proceeds included in the Massachusetts General Laws and in the regulations imposed by the Department of Revenue regulations. Although these requirements are not part of federal tax law, the requirements do dictate how bond funded property is to be disposed of or how it might be used in a manner other than originally contemplated.

The continued proper use of property funded with tax-exempt bond proceeds will be monitored by the Treasurer through an annual reminder of such to appropriate Town officials and through the review of any Town proposals considering the change in use of the property or Town procurements relating to such property. The procurement of service contracts, management contracts and leases for the limited use of Town property should also be reviewed by the Treasurer. The Treasurer will be responsible for managing any remedial actions, if required,

Timely expenditure of bond proceeds -

The Federal Tax Code sets explicit expectations relating to the expenditure of bond proceeds. There are certain "safe harbors" for small issuers. If expenditure expectations for small issuers are not met, the unexpended bond proceeds must be yield restricted. There are also expenditure thresholds to be satisfied for bonds issued where the Town cannot use the "small issuer" exemption. If these thresholds are not met, the Town may be required to rebate its positive arbitrage earnings to the Federal Treasury.

It is the responsibility of the Treasurer to review the expenditure requirements cited in the Tax Certificate and to monitor the expenditure of bond proceeds until all funds are expended.

Arbitrage yield restriction and rebate -

It is the responsibility of the Treasurer to manage yield restricted investments. It is the responsibility of the Treasurer to determine rebate exposure; to procure arbitrage calculation services; to make rebate payments, as required, to the Federal Treasury; and to prepare 8038-T forms for such purposes. It is also the responsibility of the Treasurer to reserve funds for such rebate payments, as appropriate, and to report the rebate liability to the Town's Independent Financial Auditor.

Filing requirements -

The proper filings of forms 8038-G and 8038-GC are essential with every tax-exempt financing. All 8038-G's and 8038-GC's are to be signed by the Town Treasurer. No other official in the Town is authorized to execute these forms.

It is the responsibility of the Treasurer to ensure rebate payments, if required, are made on a timely basis. Such payments must be made within 60 days of the maturity of a note; within 60 days of the fifth anniversary, and multiples thereof, of the issue of a bond; and within 60 days of the final maturity of a bond. The payment of a rebate is to be accompanied by and documented on the form 8038-T.

Documentation -

It is the responsibility of the Treasurer to ensure all proper documentation is produced and retained as required. Such documentation will include, but not necessarily be limited to, the following:

- Tax Certificates or Non-Arbitrage Certificates.
- Note and Bond transcripts.
- Form 8038-G's and 8038-GC's.
- Projected expenditure cash flows prepared for each financing prior to issue.
- The record of the expenditure of funds.
- The record of the investment earnings on unexpended bond proceeds prior to full expenditure.
- Yield restricted investments, as required.
- Rebate calculations, rebate payments, and Form 8038-T, as required.
- The list of projected tax-exempt financings during each calendar-year.
- Management contracts.

If a problem occurs -

It is the responsibility of the Treasurer to address violations associated with any tax-exempt financing when violations are discovered. The violation may be addressed through the Voluntary Compliance Agreement Program (VCAP). Alternatively, remedial action may be required under Section 1.141-12 of the Internal Revenue Service regulations. The Treasurer shall consult with the Town's Bond Counsel and/or Financial Advisor as appropriate.

PROCEDURES TO BE FOLLOWED BY THE TREASURER

The following procedures are to be followed by the Treasurer. Procedures to ensure proper use of tax-exempt funds:

In the process of preparing for a bond or note sale, the Treasurer will provide information to Bond Counsel pertaining to the proper use of the property being acquired with tax-exempt funds.

Prior to the distribution of the Preliminary Official Statement, the Treasurer shall meet with appropriate Town officials, including at minimum the Town Manager and the Board of Selectmen, to review the information provided to Bond Counsel, to review the intended use of the bond proceeds and the property funded and to determine whether there are any contemplated uses of the property that might be inconsistent with the use of tax-exempt funds. The Treasurer shall document this meeting in a memorandum to file.

Procedures to ensure compliance with the use and expenditure of note and bond proceeds at the time of sale:

At the time of the sale of notes and bonds, it is assumed that the projected use of proceeds and the use of the property being funded are in compliance with the Federal tax code. It is reasonable to rely on the scrutiny of Bond Counsel and the documentation that accompanies each financing, based on the information provided to Bond Counsel.

With the completion of a financing, the Treasurer is to compile and maintain a separate file associated with the financing. This documentation will typically include the following:

- The bids results, the final numbers, and the quantitative rationale for the use of credit enhancement.
- The transcript for the financing, which, at minimum, should include the tax certificate (non-arbitrage certificate). The tax certificate should include a description of use of funds, the identification of the expenditure test to which the bonds are subject, and the arbitrage yield.
- The form 8038-G or 8038-GC.
- The projected expenditure cash flow by purpose, as provided to Bond Counsel prior to the issuance of the bonds. The cash flow is to be for each purpose, projecting the expenditure of funds on at least a semi-annual basis, until all funds are expended. If the bonds are subject to certain expenditure thresholds, the cash flow should present the amount of proceeds that should be expended at each threshold. The cash flow should be adjusted to reflect an issue amount that might be in excess of the amount originally included in the cash flow (for example, a large original issue premium).

- Any other notes prepared by the Treasurer, as applicable, relating to the monitoring of the expenditure of funds and use of the property.

The Treasurer shall establish one or more bank accounts for the purposes funded to allow for the tracking of the expenditure of fund so it is necessary that the account documentation be able to show every payment made by amount and date and every credit of interest earnings by amount and date. If all the purposes are co-mingled in one account, there should be a separate recording of expenditures and investment earnings by purpose by the Town Accountant.

As required under the Massachusetts General Laws, all interest earnings shall be credited and released to the General Fund when earned.

All such account documentation should be maintained for six years after final maturity of bonds.

Procedures to monitor the rate of expenditure of bonds -

To monitor the expenditure of bond proceeds, the Treasurer shall perform the following review:

- At the end of each fiscal year, and within thirty days of the final maturity of any note or bond, the Treasurer shall review the expenditure account and check for compliance with the required expenditure thresholds.
- The Treasurer shall assess the likelihood of continued compliance with the expenditure thresholds, or if a threshold has not been met, assess the likelihood of positive arbitrage.
- If the Treasurer believes the expenditure thresholds have not been met and/or will not be met, and also expects there will be investment earnings in excess of the arbitrage yield, then the Treasurer is to reserve an amount estimated to represent a future rebate payment or, as applicable, to request an appropriation of Town Meeting for the rebate payment.
- The Treasurer is to continue to monitor expenditures at the end of each fiscal year, or at the maturity of an issue, until all funds are expended.
- If after the maturity of a note or bond, the Treasurer determines that a rebate is likely payable to the Federal Treasury, the Treasurer shall procure the services of a firm to calculate the rebate and thereafter make payment in a timely fashion.

Thus, in addition to the documentation compiled at the closing of the bond, the Treasurer shall add the following additional documentation:

- The record documenting expenditures until the next time a review is performed.
- As applicable, any rebate calculations performed.
- As applicable, any Forms 8038-T prepared.

When all the funds are expended, the Treasurer shall accumulate all appropriate documentation and retain it until six years after the final maturity of the financings that funded the property.

Procedures associated with the investment of bond proceeds -

Unless funds are subject to yield restriction, the Treasurer shall be responsible for the investment of bond proceeds as deemed appropriate. If investment contracts are purchased at the time of the delivery of bond proceeds, such contracts shall be procured under the scrutiny of Bond Counsel.

Procedures associated with procurement of investments associated with a bond issue -

It is the responsibility of the Treasurer to ensure other investments made relating to a bond issue (such as investments purchased to fund an escrow for a current or advance refunding) are procured in accordance with applicable tax regulations.

Procedures to ensure compliance with the use of service contracts and management contracts -

The Chief Procurement Officer shall forward all Requests for Proposals for service and/or management contracts for review by the Treasurer. The Treasurer shall provide appropriate direction to the Chief Procurement Officer relating to private activity issues associated with service and management contracts. As required, the Treasurer shall request advice from the Town's Bond Counsel and/or Financial Advisor.

Procedures to ensure compliance with lease purchases -

At the beginning of each fiscal year, the Treasurer shall inform all Town Department Heads and other Town officials that no lease purchase contracts are to be entered into without the approval of the Treasurer. In addition, the Treasurer shall inform them that the forms 8038-G and 8038-GC are only to be signed by the Treasurer.

Procedures to ensure compliance with the change of use of tax-exempt bond funded property -

At the beginning of each fiscal year, the Treasurer shall present a memorandum to the Town Manager, to the Town Accountant, and to Town Department Heads reviewing the expected proper use of bond funded property and requesting any information as to the possible change in use or disposition of property. At any time during the fiscal year, if there is a change in use or disposition of property contemplated, the Town Manager shall inform the Treasurer of the proposal. As needed, the Treasurer shall consult with Bond Counsel and/or the Town's financial advisor relating to such proposal.

In the case where change in use is subject to Town Meeting approval, the Town Manager shall forward all Town Meeting articles relating to the change in use or sale of Town tax-exempt bond funded property for review by the Treasurer. The Treasurer shall provide appropriate direction to the Chief Procurement Officer relating to issues associated with the change in use of tax-exempt bond funded property. As required, the Treasurer shall request advice from the Town's Bond Counsel and/or Financial Advisor.

Procedures to project calendar year schedule of note and bond issues -

At the beginning of each calendar year, the Treasurer shall prepare and/or update a list of all projected tax exempt financings issued and expected to be issued during the then current calendar year. This record shall document representations made by the Town relating to the

small issuer safe harbor status and/or the Bank Qualification of tax-exempt issues of the Town. At the beginning of the following fiscal year, the Treasurer shall review the list of financings and shall revise it accordingly.

Documentation attached hereto -

The following documentation is attached to assist in the direction, training, etc., of those parties identified with responsibilities:

- IRS Publication 4078, Tax-exempt Private Activity Bonds
- IRS Publication 4079, Tax-exempt Governmental Bonds

Town of Groton Investment Policy

Introduction

Massachusetts General Laws, Chapter 44, Section 55B requires the municipal treasurer to invest all public funds except those required to be kept uninvested for the purpose of immediate distribution. These guidelines are intended to further the objective of securing the highest return that is consistent with safety of principal while meeting the daily cash requirements for the operation of Town's business, according to the following objectives:

Safety of principal is the foremost objective of the investment program. Investments will be undertaken in a manner that seeks to ensure the preservation of capital through the mitigation of credit risk and interest rate risk. These risks shall be lessened by diversification and prudent selection of investment of the security issuer or backer. Interest rate risk is the risk that the market value of the security will fall due to changes in general interest rates.

Liquidity is the next most important objective. The overall investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated. Since all possible cash demands cannot be anticipated, the treasurer shall carry out investment activities in a manner that provides for meeting unusual cash demands without the liquidation of investments that could result in forfeiture of accrued interest earnings, and loss of principal in some cases.

Yield is the third, and last, objective. Investments shall be made so as to achieve the best rate of return, taking into account safety and liquidity constraints, as well as all legal requirements.

Investment Instruments

The Treasurer shall negotiate for the highest rates possible, consistent with safety principles, avoiding uncollateralized investment products. Unsecured bank deposits of any kind will be limited to no more than 1% of an institution's assets and no more than 10% of the Town's cash.

Diversification

Diversification should be interpreted in two ways: In terms of maturity, as well as instrument type and issuer. The diversification concept should include prohibition against over concentration of maturities, as well as concentration in a specific institution. With the exception of U.S. Treasuries or agencies, no more than 10% of the Town's investments should be invested in a single financial institution, except with the prior approval of the Town Manager and Board of Selectmen.

Authorization

The Treasurer has authority to invest the Town's funds, subject to the statutes of the Commonwealth cited above.

Ethics

The Town Treasurer (and Assistant Treasurer) shall refrain from any personal activity that may conflict with the proper execution of the investment program or which could impair ability to make impartial investment decisions. Said individuals shall disclose to the Town Manager any material financial interest in financial institutions that do business with the Town. They shall also disclose any large personal financial investment positions or loans that could be related to the performance of the Town's investments.

Relationship with Financial Institutions

Financial institutions should be selected first and foremost with regard to safety. The Town should subscribe to and use one or more of the recognized bank rating services, such as Veribanc or Sheshunoff. Brokers should be recognized, reputable dealers.

The Town shall require any brokerage houses and broker/dealers, wishing to do business with the municipality, to supply information and references sufficient to assure entering into a banking relationship.

The Investment of Trust Funds and Bonds Proceeds

Scope

This section of the policy applies only to funds that could be invested long-term (i.e. bond proceeds, trust funds and stabilization funds).

Bond Proceeds

Investment of Bond proceeds is governed by the same restrictions as general funds, with the additional caveat of arbitrage regulations.

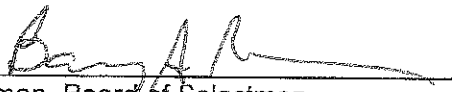
Trust Funds

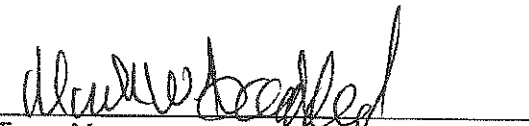
Trust Funds may be co-mingled and invested in any instruments allowed by Legal List issued by the Banking Commissioner. Each trust fund must be accounted for separately.


Stabilization Funds

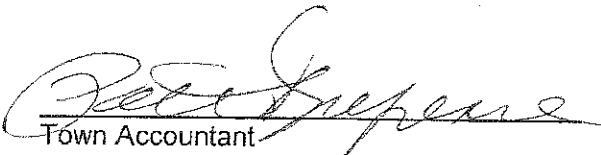
The Stabilization Fund shall not exceed ten percent of the equalized valuation of the Town, and any interest shall be added to and become a part of the fund.

POLICY ENDORSEMENT:


Chairman, Board of Selectmen


Town Manager


Town Treasurer


Town Accountant


Chairman, Finance Committee

Adopted: April 12, 2004, revised December 2012, revised June 22, 2015, revised January 3, 2017, revised March 26, 2018