



Massachusetts Municipal Association

## **MMA BEST PRACTICES SERIES**

*Recommendations for Effective Local Government Administration and Management from MMA Policy Committees*

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### **MMA Fiscal Policy Committee Best Practice Recommendation: Tax Exemptions and Abatements for Economic Development Purposes**

**BEST PRACTICE:** Adopt formal written policies and rules governing the evaluation and use of property tax reductions as incentives for economic development and growth.

The use of property tax exemptions, abatements and deferrals by cities and towns to spur economic activity is widespread and has increased substantially as a practice over the past decade. It is estimated that property tax abatements in 2015 totaled approximately \$12 billion nationwide.

In Massachusetts, cities and towns are allowed by law to provide property tax abatements through a variety of programs, including Tax Increment Financing (TIF), Special Tax Assessments (STA), District Improvement Financing (DIF), and the new Urban Center Housing Tax Increment Financing (UCH-TIF) Program. These programs can provide an incentive for investment that creates jobs and economic growth. These benefits may be offset by the loss of municipal revenues needed for public investment in services such as education and public safety. It is important for municipal officials to have policies to help balance these sometimes conflicting objectives.

Formal rules can be helpful in evaluating decisions to adopt particular property tax incentive programs, approve specific tax-benefit applications and monitor compliance.

The Government Finance Officers Association (GFOA) recommends that cities and towns “create a policy on the appropriate parameters for use of economic development incentives.” A policy should include goals and objectives for the use of incentives, the types of incentives available and any limitation on their use, and a clearly defined evaluation process.

#### **Resources:**

From Government Finance Officers Association: [www.gfoa.org/economic-development-incentive-policies](http://www.gfoa.org/economic-development-incentive-policies)

From Lincoln Institute of Land Policy: [www.lincolninst.edu/publications/articles/muni-finance-1](http://www.lincolninst.edu/publications/articles/muni-finance-1)



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## MMA BEST PRACTICES SERIES

*Recommendations for Effective Local Government Administration and Management from MMA Policy Committees*

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### **MMA Policy Committee on Municipal and Regional Administration Best Practice Recommendation: Recreational Marijuana Strategy**

**BEST PRACTICE:** Adopt a strategy for addressing issues regarding recreational marijuana in your community. Early planning and action will be vital to ensuring effective outcomes.

In 2016, voters approved a ballot question legalizing the sale of recreational marijuana in Massachusetts, and in 2017 the Legislature refined the law to integrate the administrative, procedural and policy issues. The result is that commercial cannabis operations will begin later this year. The law provides that – unless communities take action locally – cities and towns must allow a certain number of recreational marijuana facilities (a minimum of 20 percent of the number of “package store” liquor licenses issued by the community). For cities and towns looking to enact a ban or to limit the number of recreational facilities below 20 percent of the number of “package store” liquor licenses, local officials need to keep in mind that the Cannabis Control Commission (CCC) is mandated by law to begin accepting applications on April 1, 2018.

The Office of the Attorney General has recommended that cities and towns act as quickly as possible on the local decision-making process. Given ambiguity in the law, it is recommended that cities and towns enact both a zoning and a general bylaw if they wish to limit or prohibit recreational sales. When considering prohibition, cities and towns can differentiate between the types of facilities prohibited. For instance, they may ban recreational shops while allowing for cultivation.

Municipalities that choose not to pursue prohibition of recreational sales or other facilities are still advised to pursue and implement proactive zoning policies prior to the date that license applications can first be submitted to the CCC. Although the state will not issue licenses until June 1, 2018, adopting zoning changes by April 1 will minimize the possibility that the changes would impact applications pending before the CCC.

Municipalities have the right to zone for location of cannabis facilities, as well as determining the “time, place, and manner of operations.” This can include time of operations, advertising, and zoning locations. Those communities wishing to create distinct zoning locations or districts for either recreational facilities or cultivation facilities, separate from existing allowances for commercial and agricultural activities, are encouraged to act as quickly as possible.

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Many communities in Massachusetts have enacted a temporary moratorium because their planning process, the timing of Town Meeting or municipal council sessions, or other factors would make it difficult to navigate through all of the zoning or local-approval steps by April 1 or June 1. This is an option that communities should weigh if their process would extend beyond the state's licensing cycle.

As part of the planning process, local governments are now required under Chapter 94G of the General Laws to complete a Host Community Agreement. This requirement now extends to existing Registered Medical Dispensaries, as well. The CCC plans to provide templates for host agreements. This will include the community impact agreement, not to exceed 3 percent of gross sales. Cities and towns that wish to enact the local sales tax must accept Section 3 of Chapter 94G by a vote of the local legislative body. Once approved, a new vote will be required to change the initially approved rate.

For all of these actions, communities should consult closely with their legal counsel throughout the process.

**Resources:**

Cannabis Control Commission: [www.mass.gov/orgs/cannabis-control-commission](http://www.mass.gov/orgs/cannabis-control-commission)

Chapter 55 of the Acts of 2017 – An Act to Ensure Safe Access to Marijuana:

[malegislature.gov/Laws/SessionLaws/Acts/2017/Chapter55](http://malegislature.gov/Laws/SessionLaws/Acts/2017/Chapter55)



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## MMA BEST PRACTICES SERIES

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### **MMA Policy Committee on Energy and the Environment Best Practice Recommendation: Municipal Climate Adaptation Plans**

**BEST PRACTICE:** Adopt a municipal climate adaptation plan that focuses on community resiliency in order to prepare for the effects of climate change.

Climate change presents a serious long-term threat to the cities and towns of the Commonwealth. It will have impacts not only on the environment but on all aspects of local government, including economic development, planning, zoning and housing, public health and safety.

As the climate changes, municipalities will need to focus on adaptation and resiliency planning, as well as thinking about mitigating the effects of climate change. Adaptation refers to actions that can be taken to help reduce the impacts of climate change. It is one part of an overall strategy to combat climate change. Cities and towns will become more resilient by developing strategies to withstand the stress and impacts of climate change. In 2016, Gov. Charlie Baker signed Executive Order 569, Establishing an Integrated Climate Change Strategy for the Commonwealth, which calls for collaboration between state and local government to combat climate change and to assist communities in assessing their vulnerabilities.

Here are the first steps that cities and towns can take to develop a municipal climate adaptation plan:

- Bring in all stakeholders for internal meetings with all municipal departments, particularly public safety, public works, energy managers, and municipal utilities. Hold public meetings for residents, environmental advocates, utility companies and other stakeholders. Initial meetings can be used to gather ideas and information, while later meetings can be held to develop an adaptation plan. Consider assembling a task force to assist in developing the plan.
- Consult state officials to gather climate data for your community and to gather information about state grants that could help your community. Take advantage of grants and programs that aid municipalities in resiliency planning. These include the state Municipal Vulnerability Preparedness program, Coastal Resiliency Grant Program, and Culvert Replacement Municipal Assistance grant program, and grants from nonprofit groups.
- Inventory and map infrastructure, such as roads, bridges, culverts and coastal infrastructure, so that your community can assess vulnerabilities and hazards to sea-level rise, flooding, storms, erosion, extreme temperatures and related effects.

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- Make sure you have an emergency management plan, in coordination with public safety, MEMA, FEMA, regional partners, public works, etc.
- Increase awareness in your community by posting resources and information on climate change, potential impacts on your community, and progress on developing an adaptation plan online so residents can stay updated.

Municipalities that already have a climate adaptation plan can take these additional steps to build on their progress:

- Consider amending local zoning bylaws and ordinances to encourage climate-adaptable development and protect vulnerable areas; consider adding green infrastructure and low-impact development.
- Develop a long-term plan to upgrade infrastructure over time and create more resilient infrastructure, such as culverts, drainage improvements, coastal infrastructure, local roads and electrical infrastructure.
- Provide additional outreach and resources to residents, especially vulnerable populations, such as elderly and low-income residents, non-English speakers, and individuals with special health care needs.
- Integrate your municipality's climate adaptation plan with your climate mitigation plan and your municipal energy plan to take into account reducing greenhouse gas emissions, renewable energy, energy efficiency and energy conservation programs for municipal buildings and for residents.
- Consider hiring a sustainability manager, identify an employee to serve as the point person in your community, or form a sustainability committee to work on implementation of your climate adaptation and mitigation plans.
- Work with utility companies and local stakeholders on a policy to repair gas leaks, which are harmful to the environment.

### **Resources:**

- Executive Order No. 569: Establishing an Integrated Climate Change Strategy for the Commonwealth: [www.mass.gov/governor/legislationexecorder/execorders/executive-order-no-569.html](http://www.mass.gov/governor/legislationexecorder/execorders/executive-order-no-569.html)
- Executive Office of Energy and Environmental Affairs: [www.mass.gov/eea/air-water-climate-change/climate-change](http://www.mass.gov/eea/air-water-climate-change/climate-change)
- Massachusetts State Hazard Mitigation and Climate Adaptation Plan: [resilientma.com](http://resilientma.com)
- Municipal Vulnerability Preparedness Program: [www.mass.gov/municipal-vulnerability-preparedness-program](http://www.mass.gov/municipal-vulnerability-preparedness-program)
- National League of Cities and EcoAmerica, resources on communications and messaging on climate change: [nlc.org/program-initiative/nlc-ecoamerica-elevating-local-climate-action](http://nlc.org/program-initiative/nlc-ecoamerica-elevating-local-climate-action)
- Climate Adaptation Guidebook for Municipalities in the Chicago Region: [www.cmap.illinois.gov/documents/10180/14193/FY13-0119+Climate+Adaptation+toolkit+lowres.pdf](http://www.cmap.illinois.gov/documents/10180/14193/FY13-0119+Climate+Adaptation+toolkit+lowres.pdf)
- Climate Ready Boston: [www.boston.gov/departments/environment/climate-ready-boston](http://www.boston.gov/departments/environment/climate-ready-boston)
- National Oceanic and Atmospheric Administration: US Climate Resilience Toolkit: [toolkit.climate.gov](http://toolkit.climate.gov)



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## **MMA BEST PRACTICES SERIES**

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### **MMA Policy Committee on Transportation, Public Works and Public Utilities Best Practice Recommendation: Emergency Management and Preparedness for Public Works**

**BEST PRACTICE:** Develop a strategy for your community's public works department to coordinate with other agencies and stakeholders on emergency management and disaster preparedness during emergencies, disasters and severe weather events.

It takes a wide range of municipal departments, regional, state, and federal agencies, and other community stakeholders to be prepared for emergencies and disasters that may occur in your community. It is important for each municipal department to be clear on their role and how to best coordinate with others involved in the process. Due to climate change, municipalities are experiencing severe weather events with increased frequency. Knowing how to work with others and how to coordinate mutual aid in advance will help municipalities in the event of an emergency.

Communities are advised to take steps to identify the role of the public works department in their emergency management and disaster preparedness plan and prepare their public works department to assist in the event of a disaster or emergency.

Here are some recommended actions:

- Hold meetings to ensure that each municipal department's role in emergency management and preparedness is clearly defined. Identify objectives, responsibilities and key points of contact. Meetings should be held at least annually, or more frequently based on the community's needs.
- Have a specific emergency management and emergency preparedness plan for the municipal public works department that lays out how the department is expected to respond in the event of an emergency. Clarify how the public works department's plan fits into the municipality's overall plan and how it will help the municipality to meet its goals and objectives.
- Review the statewide mutual aid agreement and public works mutual aid agreement to be aware of when and what kind of emergency response assistance your community is able to request from other participating communities. Encourage a dialogue with neighboring communities to share aid and equipment in the event of an emergency.

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- Coordinate with regional partners on emergency preparedness. This could include making and maintaining key contacts, working on best practices with a regional agency, conducting drills and trainings, and discussing mutual aid.
- Identify contacts at the Federal Emergency Management Agency and the Massachusetts Emergency Management Agency and make sure that you know what each agency's role is, what assistance you can expect them to provide, and what the timeline will look like.
- Make sure your community's utility providers have a municipal liaison for emergencies. Discuss their emergency management plan for your community and learn what information and maps will be provided to your community and how best to receive updates on service outages during an emergency.
- Work with groups that promote regional, interdisciplinary collaboration and best-practice sharing relative to public safety efforts, such as the Northeast Homeland Security Regional Advisory Council.

## **Resources:**

- MEMA Resources for Public Officials: [www.mass.gov/topics/mema-resources-for-public-officials](http://www.mass.gov/topics/mema-resources-for-public-officials)
- Executive Office of Public Safety and Security Guidance on Mutual Aid: [www.mass.gov/eopss/agencies/mema/resources/response/mutual-aid](http://www.mass.gov/eopss/agencies/mema/resources/response/mutual-aid)
- American Public Works Association Guidance on Public Works and Statewide Mutual Aid Agreements: [www2.apwa.net/Documents/Advocacy/\(EM\)%20PW%20&%20Statewide%20Mutual%20Aid%20Agreements%20\(Switched%20to%20guidance%202014\).pdf](http://www2.apwa.net/Documents/Advocacy/(EM)%20PW%20&%20Statewide%20Mutual%20Aid%20Agreements%20(Switched%20to%20guidance%202014).pdf)
- FEMA Emergency Management for Public Works Toolkit: [emilms.fema.gov/is554/lesson1/Toolkit.pdf](http://emilms.fema.gov/is554/lesson1/Toolkit.pdf)
- M.G.L. Ch. 164, Sec. 85B – Emergency response plans; submission for review and approval; contents; penalties for failure to file; denial of recovery of service restoration costs for failure to implement emergency response plan: [malegislature.gov/Laws/GeneralLaws/PartI/TitleXXII/Chapter164/Section85B](http://malegislature.gov/Laws/GeneralLaws/PartI/TitleXXII/Chapter164/Section85B)
- FEMA National Response Framework: [www.fema.gov/media-library-data/1466014682982-9bcf8245ba4c60c120aa915abe74e15d/National\\_Response\\_Framework3rd.pdf](http://www.fema.gov/media-library-data/1466014682982-9bcf8245ba4c60c120aa915abe74e15d/National_Response_Framework3rd.pdf)
- Northeast Homeland Security Regional Advisory Council (NERAC): [www.nerac.us](http://www.nerac.us)



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## **MMA BEST PRACTICES SERIES**

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### **MMA Policy Committee on Municipal and Regional Administration Best Practice Recommendation: Age- and Dementia-Friendly Community Commitments**

**BEST PRACTICE:** Engage in the continuous improvement process of the Age- and Dementia-Friendly Community Movement.

In less than two decades, at least 30 percent of the residents of most cities and towns in Massachusetts will be at least 60 years old. A national demographic trend that will result – for the first time in this country’s history – in a greater number of people over the age of 65 than under 18 by 2030 has already occurred in parts of the Commonwealth. A corresponding development is that there will also be more individuals living with dementia above the current 120,000 Massachusetts citizens with Alzheimer’s, which is the most common type of dementia.

Meanwhile, municipalities are creating master plans or at least eyeing long-range sustainability for housing, infrastructure, local economy and overall growth.

Age- and Dementia-Friendly Community efforts are a means of addressing these and other concerns as they pertain to an aging population and those living with dementia, but they also encompass all ages and ability levels. The World Health Organization began the Age-Friendly Communities movement in 2006, and AARP became the WHO affiliate in the U.S. in 2010. In Massachusetts, Age-Friendly Community initiatives are encouraged to align in an active partnership with dementia-friendly work.

With a wealth of available resources, data and funding opportunities, communities should strongly consider joining this movement. Doing so requires the approval and participation of municipal leadership to ensure that all city or town departments consider the impact of their work on all residents. There are guideposts of livability and public awareness that communities may use as a guide to compartmentalize the work, and the toolkits and resources are fully customizable to allow every municipality to proceed at a pace that works for them.

Most municipalities already engage in some form of age- and dementia-friendly efforts, even if they are not an express motivation behind their policies. Communities that have established Complete Streets policies and projects, are a Mass in Motion Community, operate a farmers market with special allowances for older adults and the disabled, or provide special tax relief for those on a fixed income, have adopted practices that enhance the quality of life for their citizens and address an age- or dementia-related challenge.

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Communities can begin the “assessment” phase by convening a broad-based, community-focused task force to determine the best direction for the municipality and identify local strengths and opportunities. The task force can include older adults, city or town officials and departments, health service providers operating in the community, business groups, faith groups, housing authorities and any others who may be interested or the community deems relevant. The Dementia-Friendly Movement urges communities to include people living with dementia and their care partners in central roles. Aside from available data, the task force can review and disseminate surveys to community residents (focusing on older adults, family caregivers), which will help inform further phases of creating an action plan and implementing that plan.

The goals of this movement broadly include creating a more livable community where there is an awareness of and appreciation for older adults, those living with dementia and the people who care about them, through proper support services and opportunities for engagement, inclusion and contribution back to the municipality.

### **Resources:**

- Massachusetts Healthy Aging Collaborative, Data Reports and Toolkits: [mahealthyagingcollaborative.org](http://mahealthyagingcollaborative.org)

Contact: James Fuccione at [James.Fuccione@mahealthyaging.org](mailto:James.Fuccione@mahealthyaging.org)

- AARP Network of Age-Friendly Communities and Toolkits: [www.aarp.org/livable-communities/network-age-friendly-communities](http://www.aarp.org/livable-communities/network-age-friendly-communities)

Contact: Kara Cohen, Community Outreach Director, at [KCohen@aarp.org](mailto:KCohen@aarp.org)

- “Better Together” Report for Aligning Age- and Dementia-Friendly Work: [www.aarp.org/content/dam/aarp/livable-communities/documents-2016/Better-Together-Research-Report.pdf](http://www.aarp.org/content/dam/aarp/livable-communities/documents-2016/Better-Together-Research-Report.pdf)

Contact: Kara Cohen, Community Outreach Director, at [KCohen@aarp.org](mailto:KCohen@aarp.org)

- Dementia Friendly Massachusetts – Toolkit and Resources: [www.dfmassachusetts.org](http://www.dfmassachusetts.org)

Contact: Emily Kearns, Dementia Friendly Massachusetts Coordinator, at [emily@mcoaonline.com](mailto:emily@mcoaonline.com)