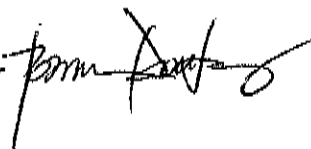




**MEMORANDUM**

**TO:** Selectboard  
**FROM:** Brannon Godfrey, Town Manager   
**DATE:** August 31, 2019  
**SUBJECT:** Potential Financial Impact of Local Ordinance and Federal Funding

A substantial portion of the Town's governmental and enterprise operations and capital improvements are funded by the Federal Government. Some of this funding is specifically quantifiable dollar amounts in the form of one-time and ongoing grants-in-aid and loans. The value of current and planned Town projects funded in part with federal dollars is in excess of \$24 million. The attached table totals the quantifiable dollar cost impacts. Although not specifically quantifiable, the Town also receives significant financial support from the federal government as in-kind program support and technical assistance. This memo and attachments comprise a summary of the quantifiable and unquantifiable programmatic support.

The direct grants-in-aid to the Police Department is a comparatively small amount of this total. However, the larger picture – which includes direct federal funding and in-kind program support and technical assistance to the PD and all other Town functions – illustrates Town's significant reliance on the Federal Government. As you will see in the memos, federal aid is essential for the Town to provide a broad array of services – everything from elections to abuse prevention for senior citizens.

The purpose of detailing the dollar and programmatic impact is to help understand the potential risk of financial loss if the Federal Government refuses to award or withholds funds for non-compliance with federal laws. Combined with the individual indemnification justification, this financial risk justification makes the Savings Clause an essential piece of any policy the Town will consider for adoption. Most grant and program agreements require recipient certification of compliance with federal law. There are numerous examples of these agreements. I have provided two fairly recent ones as attachments to this memo: US DOJ – OJP and the Vermont Clean Water State Revolving Loan Fund Agreement.

I respectfully request that you take the financial impact in consideration during your policy discussions concerning the Welcoming Hartford Ordinance. I want to thank our Town Department Heads for their careful and thorough analysis in the compilation of this report.

Attachments:

- Funding Impact Table
- Fire Department Memo
- Parks & Recreation Department Memo
- Town Clerk Memo
- Public Works Department Memo
- Planning and Development Department Memo
- Police Department Memo
- DOJ-OJP Certification forms
- Clean Water State Revolving Loan Fund Agreement

Potential Impact of Loss of Federal Grant Funding

Dept	One time	Annual/Ongoing	Future	Description and Source
Fire	\$97,500			FEMA/DHS new exhaust system @ Public Safety Building
Fire		\$794,520		FEMA/DHS SAFER grant - staffing 3 firefighters
Fire		\$236,059		Medicare/Medicaid reimbursements - charges for EMS
Fire		\$64,711		Veterans Administration reimbursements
Parks & Rec	\$12,000			Aquatic Nuisance Control - Dewey's Pond -US Dept. Interior/Vt. DEC
DPW		\$268,000		Town Highway Aid - Federal Highway Admin. (FHWA)/VTrans
DPW	\$157,500			Quechee/Main Box Culvert - VTrans Structures Grants - FHWA/VTrans)
DPW	3,546,554			Sykes Mtn. Ave. Roundabouts - FHWA/VTrans)
DPW	\$14,000,000			VA Cutoff Bridge - FHWA/VTrans)
DPW		\$500,000		Rt 4/14 Class 1 Hwy Paving FHWA/VTrans)
DPW	\$111,800		\$2,000,000	S. Main St. Improvements - Clean Water Act State Rev. Loan Fund (EPA)
Planning	\$300,000			Upper Sykes Sidewalk Ph 1 - FHWA/VTrans
Planning	\$363,565			Upper Sykes Sidewalk Ph 2 - FHWA/VTrans
Planning	\$275,000			North Hartland Rd. - FHWA/VTrans
Planning	\$613,000			Lower Sykes Sidewalk - FHWA/VTrans
Planning	\$369,900			Rts/191 Interchange sidewalk - FHWA/VTrans
Planning	\$27,800			Bugby Ctr. Roof - USDA grant
Planning		\$10,000		Certified Local Gov't Hist. Pres. - National Park Service
Police		\$395,000		Sr.Solutions Elder Abuse Prevention Regional Prog.-USDOJ
Police		\$3,150		Bullet Proof Vests - US Dept. of Justice
Police		\$125,000		COPS Hiring Program Grant (3 yrs.) - US Dept.of Justice
Police	\$71,627			STOP Violence Against Women Grant - USDOJ
				<u>Total All</u>
Total	\$19,946,246	\$2,396,440	\$2,000,000	\$24,342,686

## Brannon Godfrey

---

**From:** Scott Cooney  
**Sent:** Monday, August 26, 2019 1:34 PM  
**To:** Brannon Godfrey  
**Cc:** Gail Ostrout  
**Subject:** RE: Fire Dept.-Federal Funding  
**Attachments:** doc02083820190826122830.pdf

We also received Veterans Administration reimbursements of \$64,710.96 in FY 19 and \$47,574.62 in FY 18.

Scott D. Cooney  
Fire Chief  
Hartford Fire Department  
812 VA Cutoff Road  
White River Junction, VT 05001  
802-295-3232  
www.hartford-vt.org

Our Mission "Excellence in Service"

Please note that any response or reply to this electronic message may be subject to disclosure as a public record under the Vermont Public Records Act.

-----Original Message-----

**From:** Scott Cooney  
**Sent:** Monday, August 26, 2019 1:24 PM  
**To:** Brannon Godfrey <bgodfrey@hartford-vt.org>  
**Cc:** Gail Ostrout <gostrout@hartford-vt.org>  
**Subject:** Fire Dept.-Federal Funding

Brannon,

I looked at the last two years of federal funding:

1. In FY19 we received an Assistance to Firefighters Grant from FEMA/Homeland Security in the amount of \$97,500 with a 5% match for a new station exhaust system.
2. In the current 2018 Grants we have a Staffing for Adequate Fire & Emergency Response (SAFER) Grant pending from FEMA/Homeland for \$794,520 for three firefighters.
3. If we become ineligible for Medicare/Medicaid reimbursement we collected \$236,059 in FY 19, and \$244,830 in FY 18.

Scott D. Cooney

Fire Chief  
Hartford Fire Department  
812 VA Cutoff Road  
White River Junction, VT 05001  
802-295-3232  
www.hartford-vt.org

Our Mission "Excellence in Service"

Please note that any response or reply to this electronic message may be subject to disclosure as a public record under the Vermont Public Records Act.

-----Original Message-----

From: FireDeptCopier@hartford-vt.org [mailto:FireDeptCopier@hartford-vt.org]

Sent: Monday, August 26, 2019 1:12 PM

To: Scott Cooney <scooney@hartford-vt.org>

Subject:

[EXTERNAL EMAIL: DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

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## **Brannon Godfrey**

---

**From:** Scott Hausler  
**Sent:** Monday, August 26, 2019 5:01 PM  
**To:** Brannon Godfrey  
**Cc:** Gail Ostrout; Lisa O'Neil; Michelle Wilson; Lori Hirshfield; Phillip Kasten; Braedon Vail; Paula Nulty; Scott Cooney; Hannah Tyler  
**Subject:** Funding Impact

Brannon,

In regard to the conversation at Staff Meeting today, below is a list of potential funding impacts for Parks & Recreation.

**Funding impact this year if such an ordinance was in place:**

Aquatic Nuisance Control Grant-in-Aid – Potential \$12,000

**For Parks & Recreation there are multiple opportunities for grant funding, many of which are federal dollars that may or may not be funneled through the State.**

Funding for Parks & Recreation over the years continue to trend down nationally as communities work to find alternative ways to fund recreation services and community projects and facilities. I caution the Town's decision on the FIPP/Welcoming Hartford Ordinance as it will have a financial impact on future funding for many projects that rely on federal dollars. We as a Department may not currently have funded programs or projects in que outside the current Aquatic Nuisance Control Grant-in-Aid, but we most likely could. Each year, the Department looks for unconventional funding resources to keep up with the recreational trends and public demands on services and the many parks and amenities we provide. The current "Welcoming Hartford Ordinance" by far, eliminates our ability to seek alternative funding.

**Here are the Federal Funding Sources particularly important to Hartford Parks & Recreation:**

**United States Forest Service** – Cooperative Forestry Assistance/Urban and Community Forestry Programs and Projects. The Town has benefited from the Tree Canopy Grant and likely the Conservation Commission has utilized this program in the past but Planning would have to share their experiences with the program.

**Land Water & Conservation Fund** – The re-authorization of this fund is critical. Funding for land and water (LWCF) fund provides federal dollars through a state assisted program allocating several hundred thousand dollars to municipalities for projects that mitigate climate change through acquisition and protection of forested landscapes, protects water supplies, provides financial resources for park infrastructure and improvements to public access of our waterways to name a few. State assisted funding has provided resources dating back to the BOR building now known as the WABA. Funding has constructed pavilions, playgrounds and other park amenities in our community.

**CDBG Community Development Block Grant** – Provides annual grants to entitled towns to develop affordable housing. What is of interest to Parks & Recreation is the financial ability to obtain funding for public facilities. This is really the only funding resources that has brick and mortar funding options for recreational facilities. This fund is also a primary federal funding resource for the Town's Planning & Development Office.

**Department of Health and Human Services** – Not directly a P&R recipient but we are vitally impacted by the Dept. of Health and Human Services programs. Concerned that services provided by the Health and Human Services may decide not to fund programs in the Town of Hartford as most block grants are made to the state who then decides who is eligible to receive funding services.

**Department of Justice Programs** – P&R has not directly been involved in recent grants awards but I can tell you that professionally, I have reaped the benefits of a Bureau of Justice Assistance Grant in a previous position where we received nearly a quarter million dollars that developed a teen adventure program and provided recreational opportunities and resources for a community at risk. The program features available to P&R through the (JAG) Edward Byrne Justice Assistance Grant would support prevention and education programs. This would no longer be available to us and likely other collaborative agencies and their services.

**Recreation Trails Program (RTP)** – Provides funding to the State of Vermont for the purpose of developing and maintaining recreational trails and event facilities that might be part of a motorized or non-motorized trail system. The program is run through the Department of Transportation’s Federal Highway Administration. Funding for projects that maintain trails, trail system, create linkages to the community and provide alternative connections for communities seeking alternative modes of transportation. Funds are also available for hiking trails, water based trail use, cross country skiing, snowmobiling and more. This resource is vital to our community and having it available for assistance with current trail maintenance and future projects is imperative.

**USDA Summer Food Program** - Not directly a financial impact to our program, but it does have a trickledown impact on our participants. Parks & Recreation collaborates with Take-A-Bite Out of Hunger who provides a healthy snack and lunch program for 80 campers per-day for 8 weeks out of the summer. That is 3200 healthy lunches and daily snacks that have assistance from the USDA. Our camp would no longer qualify as a collaborative agency. It is also a concern that the entire program would no longer be available to the community. We do not have a clear answer to the USDA funding question that impacts what this organization has done. 800 volunteer hours for the Take-A-Bite Out of Hunger program producing and delivered 14,000 lunches for children and families in our area this summer.

**What is the impact on our schools?** Serious consideration must be given to the impact of federal dollars on the Hartford School District.

I’m sure I have missed an alternative resource or two. I appreciate the opportunity to share the probable financial impact this issue has on Parks & Recreation Services.



Scott Hausler, CPRP  
Director of Parks & Recreation  
Hartford Parks & Recreation  
171 Bridge Street  
White River Junction, VT 05001  
P - (802) 295-5036 C-(802) 299-8757  
F - (802) 295-6382

[www.hartford-vt.org](http://www.hartford-vt.org)



## “Five Villages, Three Rivers, One Town”

Hartford Parks & Recreation is leading the community to improve **Health & Wellness** through parks and recreation - Hartford Parks & Recreation pledges to protect open space, connect children to nature, and engage our community in **Conservation** practices - Hartford Parks & Recreation is committed to **Social Equity** by ensuring all people have access to the benefits of our parks and recreation programming.

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## Brannon Godfrey

---

**From:** Lisa O'Neil  
**Sent:** Tuesday, August 27, 2019 8:31 AM  
**To:** Brannon Godfrey  
**Subject:** Federal Funding

Hi, Brannon,

Thank you for working with department heads to try to determine the possible financial impacts due to potential loss of federal funding if a change to the FIPP occurs. The Town Clerk's office does not directly receive federal funding. The Secretary of State's Office, Election Division, receives federal funding to benefit the State as a whole regarding elections.

Lisa

Lisa M. O'Neil  
Hartford Town Clerk  
171 Bridge St.  
White River Jct., VT 05001  
802-295-2785  
[loneil@hartford-vt.org](mailto:loneil@hartford-vt.org)

**Please note that any response or reply to this electronic message may be subject to disclosure as a public record under the Vermont Public Records Act.**



## **Brannon Godfrey**

---

**From:** Hannah Tyler  
**Sent:** Thursday, August 29, 2019 10:34 AM  
**To:** Brannon Godfrey  
**Subject:** Federal Funding for Public Works

Brannon,

At this time, all the divisions of the Department of Public Works rely heavily on federal funding sources for daily operations, capital planning and improvements, and emergency recovery. Becoming ineligible for any or all of these funding sources would decimate the amount of work we are able to do across all of our divisions. Below is a list of the programs we rely on which are federally funded:

### **Town Highway Aid**

First and foremost is our annual Town Highway Aid that is distributed to the Town on a quarterly basis and totals approximately \$268,000 annually (slight fluctuations due to legislative process). This is an annual 'gimme' from the state of Vermont and mandated by V.S.A. Title 19, Chapter 3, sections 305 and 306. This is an essential annual funding source for the Town that contributes directly to our ability maintain our Town Highway infrastructure in accordance with State of Vermont statutes, standards, and best management practices.

### **Two Rivers Ottauquechee Regional Planning Commission**

As a federally funded organization, our relationship with TRORC would be jeopardized. We rely on the services of TRORC to assist us with grant applications and implementation, MGRP related items, disaster relief and assistance, mapping, regional transportation planning and initiatives, training opportunities, project management, and acts as an essential liaison between municipalities and State agencies.

### **FEMA**

As a federal agency, FEMA provides support and funding in two capacities to the Town of Hartford:

1. In the aftermath of federally declared disasters or emergencies, FEMA provides administrative support to determine the extent of damage, provide cost estimates and scoping, and ultimately nearly 100% reimbursement to restore damaged infrastructure. For disasters at the scale of Tropical Storm Irene, the damage can easily exceed the \$100 million dollar mark.
2. They also supply substantial amounts of funding through their hazard mitigation program. This program provides funding to improve infrastructure that is regularly damaged during storms even if they aren't ultimately declared as a disaster. This is funding that we are currently investigating to stabilize the banks of the Ottauquechee River on Quechee Main Street that wash away nearly every large event. Funding would cover nearly 100% of the design, permitting, and implementation of that essential repair.

### **FHWA**

As a federal agency, FHWA provides support and funding (100%) for designated FAS routes during disaster recovery. Currently, our roads that would be funded by FHWA-ER (and would NOT be covered by FEMA in a disaster event are Deweys Mills Road, Maple Street, North Main Street, Pomfret Road, Quechee Main Street, Quechee West Hartford Road, Railroad Row, Sykes Mountain Avenue, and Waterman Hill Road. These are critical roadways that would most likely require high-dollar repairs to restore them.

### **VTRANS BETTER BACK ROADS GRANTS**

The VTrans Better Roads grants are grants available to provide technical support and funding to municipalities for planning, design, and construction to address 'small scale' erosion, stabilization, and stormwater improvement projects. Funding amounts range from \$8,000 to \$60,000 (with a 20% local match which is usually in-kind) and towns are eligible to receive multiple grants per year. As we have already completed our culvert inventory and road erosion inventory in accordance with MGRP permitting timelines, this will be an essential source of funding for us to implement the improvements that will keep us in compliance with that permit.

### **GRANTS-IN-AID PROGRAM**

The Vermont Association of Planning and Development and Vermont Department of Environmental Conservation is in its third year of funding (\$2.9 million in the program) to provide Vermont Municipalities 80% of their documented expenses and in-kind support to implement best management practices on hydrologically connected roads. Previously the Town has used this funding to supplement our road erosion inventory and this year we will take advantage of this funding to address EITHER design for erosion issues on Christian Street or High Pastures. We are also using the funds to purchase a leaf blower for our tractor for drainage ditch maintenance.

### **VERMONT LOCAL ROADS**

The Vermont Local Roads is a program sponsored by VTrans and FHWA to provide free training, seminars, and workshops to Vermont Municipalities for safety, construction, flagging, equipment operation, management, and administrative items among a variety of other resources. The VLR program is an essential aspect of our operations as they provide training that is mandatory such as OSHA10 and Flagger Training. VLR also offers 'custom' training when a request is made. This year, they provided three days of classroom and hands on grader training to our highway staff at no charge to our department.

### **VTRANS STRUCTURES GRANTS**

On an annual basis, VTrans offers municipalities funding for design and/or construction of culverts, bridges, and retaining walls. These grants are up to \$175,000 with a 10% town match. We currently have two active structures grants with VTrans: design for Quechee Main Box and construction for Quechee Main Box. Many towns in Vermont, including us, take advantage of this easy to manage funding source to support our construction and maintenance operations on an annual basis.

### **VTRANS CLASS 2 HIGHWAY GRANTS**

This is another grant program administered by the Vermont Agency of Transportation which provides funding for Towns to repair or maintain Class 2 roadways. This funding is available annually and we rely heavily on it to supplement the funding for our pavement maintenance program.

### **SYKES MOUNTAIN ROUNDABOUT**

The Sykes Mountain Roundabout project is 100% federally funded for the ROW and Construction phases. There is a 6% town match for design and engineering. This project is currently estimated at \$4-5 million dollars and is a critical piece of the puzzle that will provide traffic safety improvements, pedestrian connectivity, and improved stormwater infrastructure among other positive changes. Furthermore, due to the existing grant agreement, if the project does not move forward due to action of the Town, the Town must pay back any federal dollars that have been spent up to this time, which is several hundreds of thousands of dollars.

### **VA CUTOFF BRIDGE**

The VA Cutoff Bridge is a municipally owned bridge that the State of Vermont has scheduled for replacement in approximately five years. The cost for this project is estimated to be approximately \$12m with a 5% town match.

### **ROUTE 4/14 PAVING**

The State of Vermont, through their Class 1 town highway funding, is repaving and potentially installing new traffic lights on Route 4/14 from the New Hampshire state line to Hartford Village (approximately 1.8 miles). This project would cost the Town nearly \$500,000. There is no town match.

**CLASS 2 HIGHWAY CENTERLINE PAINTING**

Annually, the State of Vermont paints centerlines on Class II Town Highways at no expense to the Town. This would cost us several thousands of dollars a year to maintain.

**HIGH RISK RURAL ROADS PROGRAM**

The HRRR Program is funded by FHWA and is intended to provide funding to municipalities for low cost safety improvements (signs and lines). This is a program that we work with TRORC to administer.

**MUNICIPAL ASSISTANCE BUREAU FUNDS**

The Municipal Assistance Bureau within VTrans offers a long list of grants available to Towns that primarily fund pedestrian safety improvements and stormwater improvements. At this time, the Town has several grants with the MAB, I believe the Planning Department will be covering that.

**REVOLVING LOAN FUNDS**

There are two RLF's (Clean Water and Drinking Water) that the Town relies on heavily to provide low or no interest loans, that often come with substantial amounts of loan forgiveness (up to 50%). These loans are federally funded and currently being used for the design and engineering for the South Main Street improvements and our infrastructure mapping initiative.

**SOLID WASTE GRANTS**

Our Solid Waste Department currently receives funding for hosting Household Hazardous Waste events that we rely on.

**PAYMENTS RECEIVED FROM FEDERALLY FUNDED ORGANIZATIONS**

Lastly, there may be complications from any organization that receives federal funding and pays us for services (water and sewer) including the VA Hospital, schools, the Haven, to name a few.

Hannah Tyler  
Town of Hartford, Vermont  
Director of Public Works  
Office: (802) 295 - 3622  
Cell: (802) 369 - 9269

**Department of Planning and Development Services**  
**Current List of Federally Funded Grants**  
**August 29, 2019**

Most of the grants coming to the Town related to programs administered from the Planning and Development Department are federal dollars. Most of these come through state agencies, a few through Two Rivers Ottauquechee Regional Commission, and a few directly from a federal agency.

**Federal Highway Funds:** These funds come through the VT Agency of Transportation (VTrans) The following are the current projects underway:

• Upper Sykes Mountain Avenue Sidewalk Project	\$300,000
• Upper Sykes Mountain Avenue Sidewalk Project	\$363,565
• North Hartland Road Sidewalk Project	\$275,000
• Lower Sykes Mountain Avenue Sidewalk Project	\$613,000
• Hartford STP BP14(4) Route 5/I-91 Interchange Sidewalk Project	\$369,900

**USDA Rural Development Community Facilities Grant:** This is a direct \$27,800 grant that the Town recently received help towards replacement of the roof on the Bugbee Senior Center.

**TIF Bond Funds:** All of the TIF bonds the Town receives through the VT Bond Bank are categorized as federal funds. Total TIF budget is \$13,000,000 for road, sidewalk, retaining wall, landscaping, lighting, drainage, water and wastewater improvements in Downtown WRJ.

**Vermont Clean Water Revolving Loan Funds (CWRLF):** This program provides loans for engineering and construction of water wastewater and stormwater improvements through very low interest bond funds (less than regular bond bank) with up to 50% rebates to the Town for certain improvements. The Town recently was awarded \$111,800 for engineering and potential for another \$2,000,000 towards the \$13,000,000 of TIF projects. The Town also has benefitted from this program in other parts of Hartford over the years.

**Vermont Community Development Program (VCDP):** This program has been essential for providing funds for affordable housing projects and economic development projects in Hartford. These include most recently the new construction of 30 units of housing off Sykes Mt Ave (Wentworth), 26 units of new and rehabbed affordable housing units scattered in five properties across town, and 17 units of housing in downtown WRJ, and job creation for low- and moderate-income persons. In the past 5 years, the Town has received grants of over \$1,500,000. These funds also were helpful in property owner buyouts in flood zones after Tropical Storm Irene.

**Hazard Mitigation Grant Program (HMGP)** – These are Federal Homeland Security funds that come through the state to assist the Town and property owners with recovery from natural disasters. The Town have benefitted significantly over the years to recover/rebuild from major

road, bridges, parks, Town library and other infrastructure damages, and to buyout substantially damaged properties in flood zones to eliminate future damages.

**Brownfield Funds:** The Town has benefited from receipt of these funds, often through the state or Two Rivers Ottawaquechee Regional Commission, to help property owners, businesses and residents to investigate and remediate harmful chemical contaminations on properties.

**Certified Local Government (CLG) Grant:** This is federal money through the state that the Town has received for over 20 years for a wide variety of historic preservation projects, including inventories and national register documentation of buildings, historic districts and cemeteries, public education programs, and oral histories. Annually receive between \$8,000 – \$10,000 per year. The current grant is an intensive survey of older communities in the Taft's Flat area.

## **Brannon Godfrey**

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**From:** Phillip Kasten  
**Sent:** Friday, August 30, 2019 7:17 PM  
**To:** Brannon Godfrey  
**Subject:** Funding Impact

Brannon, potential funding impacts related to current programs are:

### **Enhanced Training And Services To End Abuse In Later Life, Department of Justice Office on Violence Against Women - \$395,000**

The Hartford Police Department is a co-grantee along with Senior Solutions/Council on Aging for Southeastern Vermont, the Windsor County State's Attorney's Office, and Windsor County Special Investigations Unit/Family Place. This three-year program provides funding to hire a coordinator with Senior Solutions and, provides training and information on the connection between domestic violence, sexual assault, and elder abuse and neglect to law enforcement and stakeholder groups in Windsor County and statewide.

### **STOP Violence Against Women Formula Grant Program, Department of Justice -**

The Hartford Police Department is an MOU and Project Partner with Women's Information Service, Inc. (WISE), Windsor County State's Attorney, and the Windsor County Special Investigative Unit (SIU), the Woodstock in a STOP grant funded in July 2019 for a period of one year to fully fund a Forensic Interviewer position to improve the investigation and prosecution of domestic violence felony cases. The possibility emerged earlier in 2018 of establishing a White River Junction based WISE office to house dedicated WISE staff for the purpose of conducting Forensic Experiential Trauma Interviews (FETI) for felony cases involving domestic violence in Windsor County. A STOP Grant opportunity accelerated and evolved these discussions to focus on interviews, law enforcement training and developing a cadre of professionals to serve as expert witnesses, all with aim of improving investigation and prosecution of domestic violence.

### **Bulletproof Vest Partnership (BVP), Department of Justice - \$3150**

Funds are awarded to ensure the use of body armor to protect law enforcement officers and reduce line-of-duty deaths. This requirement ensures that vests purchased through the BVP program will be used to the maximum benefit in protecting officers. This is particularly important given that many agencies and officers cannot afford the total cost of protective vests and with limited BVP funding BJA has been unable to reimburse the maximum 50 percent for all requested vests.

In progress or future grant funded initiatives include:

**Edward Byrne Memorial Justice Assistance Grant (JAG) Program** - During early 2019, the Police Department was in discussions with Dartmouth College Human Resources Training Staff in creating an, Upper Valley specific training module to instruct staff on the topic of Procedural Justice. Recommended as part of the President's Task Force on 21<sup>st</sup> Century Policing and introduced to supervisory personnel as part of this past years promotional assessment center, Procedural Justice is a framework with which officers can build effective policing efforts in their communities as they interact with the public. It refers to the practice of treating the public in all encounters fairly, providing them with voice during the interaction, and ensuring the process is transparent and impartial, thus demonstrating a level of respect. When the principles of procedural justice are applied—in all interactions—there is a greater willingness by the public to voluntarily obey the law and cooperate with the police, consequently decreasing overall crime rates and enhancing officer safety. Implementation of such program is eligible for full Byrne Memorial Justice Assistance Funding, which is the next step in project completion.

**COPS Hiring Program (CHP)** - The Police Department will be recommending the hire of an additional police officer in the coming budget year to increase staffing coverage during peak the late afternoon, early evening peak demand period. CHP grants may be used to hire new officers. Provides 75 percent of the approved entry-level salaries and fringe benefits of each newly hired full-time officer, **up to \$125,000** per officer position, over the three year (36 month) grant period to implement community policing approaches to that

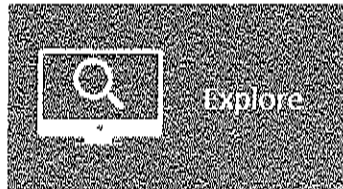
problem areas/approaches. The Police Department has previously been awarded funding under this grant program.

***Phillip S. Kasten, Chief  
Hartford Police Department  
812 VA Cutoff Road  
White River Junction, Vermont 05001  
802-295-9425, ext. 313***

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## Funding Resource Center



- [Current Funding Opportunities](#)
- [Past Funding Opportunities](#)
- [Legal Overview - FY2018 Awards](#)
- [Legal Overview - FY2019 Awards](#)
- [DOJ Program Plan](#)
- [OJP Award Data](#)
- [Legal Notices](#)



Not finding what you need?  
Contact us!

### Financial Questions?

- 1-800-458-0786 (TTY: 202-616-3867)
- [Email the Customer Service Branch](#)
- [DOJ Grants Financial Guide](#)
- [2014 OJP Financial Guide](#)

### Grant System Questions?

- 202-514-2024
- [Email the Grants Management System \(GMS\) Help Desk](#)

## Forms:

### Certifications relating to 8 U.S.C. § 1373 and certain other federal statutes related to immigration

Updated: November 2018

#### A. FY 2017 OJP Grant Programs

##### Form for certification from applicants to FY 2017 Byrne JAG Program

States and local governments that applied for awards under the FY 2017 Edward Byrne Justice Assistance Grant ("Byrne JAG") Program were required to submit specific certifications from the chief legal officer of the applicant government (e.g., the Attorney General of the State) and the chief executive officer of the applicant government (e.g., the Governor or the Mayor) regarding the applicant's compliance with 8 U.S.C. § 1373. (An Indian tribe was not considered a "local government" for purposes of this certification.) The required certifications were to be submitted using forms provided earlier. The required certifications may, instead, be provided using the following forms:

- [FY 2017 Byrne JAG - Chief Legal Officer Certification of Compliance with 8 U.S.C. § 1373](#) (rev. Aug. 10, 2018) (PDF Size: 110.17 KB)
- [FY 2017 Byrne JAG STATE - Chief Executive Officer Certification of Compliance with 8 U.S.C. § 1373](#) (rev. Aug. 10, 2018) (PDF Size: 16.54 KB)
- [FY 2017 Byrne JAG LOCAL - Chief Executive Officer Certification of Compliance with 8 U.S.C. § 1373](#) (rev. Aug. 10, 2018) (PDF Size: 18.83 KB)

##### Forms for certifications from prospective subrecipients under FY 2017 Byrne JAG Program

As set out more fully in the award document, a State or local government that received and accepted an award under the FY 2017 Byrne JAG Program must obtain a certification regarding compliance with 8 U.S.C. § 1373 from any prospective subrecipient that is a State, local government, or "public" institution of higher education. (An Indian tribe is not considered a "local government" for purposes of this requirement.)

The certification by the prospective subrecipient must be made on the appropriate USDOJ form. The form must reflect accurately both the type of entity that plans to make the subaward (e.g., a recipient State or a recipient local government) and the type of entity that would receive the subaward (e.g., a local government or a "public" institution of higher education). In most situations, one of the four forms below will be appropriate. If an FY 2017 Byrne JAG recipient plans a subaward covered by the certification requirement and none of these four forms is appropriate, the recipient is to contact OJP to request an appropriate form.

##### FY 2017 Byrne JAG: Forms for Certification of Compliance with 8 U.S.C. § 1373 by Prospective Subrecipient

- [FY 2017 Subrecipient Form 1: For use if the Recipient State plans a subaward to a Local Government](#) (rev. Nov. 28, 2018) (PDF Size: 115.91 KB)
- [FY 2017 Subrecipient Form 2: For use if the Recipient State plans a subaward to a "Public" Institution of Higher Education](#) (rev. Nov. 28, 2018) (PDF Size: 115.41 KB)
- [FY 2017 Subrecipient Form 3: For use if the Recipient Local Government plans a subaward to another Local Government](#) (rev. Nov. 28, 2018) (PDF Size: 116.32 KB)
- [FY 2017 Subrecipient Form 4: For use if the Recipient Local Government plans a subaward to a "Public" Institution of Higher Education](#) (rev. Nov. 28, 2018) (PDF Size: 114.19 KB)

#### B. FY 2018 OJP Grant Programs

Requirements for certifications regarding compliance with various federal statutes related to immigration will apply in certain FY 2018 OJP grant programs, with respect to States, local governments, and "public" institutions of higher education that are applicants and/or prospective subrecipients. When they apply, these certification requirements have been set out in the pertinent OJP program announcement ("solicitation"), and/or in the pertinent award document (if an award is made). **Applicants should be aware that the required certifications may, instead, be**



provided using the forms below. In addition, applicants that already have submitted certifications may re-certify, if they choose to do so, using the forms below; in that event, OJP will substitute the re-certification for the original certification in the award file.

Associated forms for required certifications from prospective subrecipients also will be posted on this webpage, at or about the time OJP makes awards under the pertinent program.

**Forms for required certifications from applicant to the FY 2018 Byrne JAG State program**

- [FY 2018 Byrne JAG – Certifications and Assurances by the Chief Executive of the Applicant State Government](#) (Rev. Aug. 22, 2018) (PDF Size: 49.15 KB)
- [FY 2018 Byrne JAG – State Government: Certification of Compliance with 8 U.S.C. §§ 1373 & 1644](#) (Rev. Aug. 16, 2018) (PDF Size: 83.32 KB)
- [FY 2018 Byrne JAG – State or Local Government: Certification Relating to 8 U.S.C. §§ 1226\(a\) & \(c\), 1231\(a\), 1324\(a\), 1357\(a\), & 1366\(1\) & \(3\)](#) (Rev. Oct. 25, 2018) (PDF Size: 152.37 KB)

**FY 2018 Byrne JAG State: Forms for Certification of Compliance with 8 U.S.C. §§ 1373 & 1644 by Prospective Subrecipient**

- [FY 2018 Subrecipient: For use if the Recipient State plans a subaward to a Local Government](#) (PDF Size: 97.39 KB)
- [FY 2018 Subrecipient: For use if the Recipient State plans a subaward to a "Public" Institution of Higher Education](#) (PDF Size: 91.52 KB)

**Forms for required certifications from applicant to the FY 2018 Byrne JAG Local program**

- [FY 2018 Byrne JAG – Certifications and Assurances by the Chief Executive of the Applicant Local Government](#) (Rev. Aug. 22, 2018) (PDF Size: 22.94 KB)
- [FY 2018 Byrne JAG – Local Government: Certification of Compliance with 8 U.S.C. §§ 1373 & 1644](#) (Rev. Aug. 28, 2018) (PDF Size: 108.88 KB)
- [FY 2018 Byrne JAG – Local Government: Certification Relating to 8 U.S.C. §§ 1226\(a\) & \(c\), 1231\(a\), 1324\(a\), 1357\(a\), & 1366\(1\) & \(3\)](#) (Rev. Oct. 25, 2018) (PDF Size: 154.12 KB)

**FY 2018 Byrne JAG Local: Forms for Certification of Compliance with 8 U.S.C. §§ 1373 & 1644 by Prospective Subrecipient**

- [FY 2018 Subrecipient: For use if the Recipient Local Government plans a subaward to another Local Government](#) (PDF Size: 99.11 KB)
- [FY 2018 Subrecipient: For use if the Recipient Local Government plans a subaward to a "Public" Institution of Higher Education](#) (PDF Size: 91.71 KB)

**Forms for required certifications from applicant to the FY 2018 Justice Reinvestment: Reducing Violent Crime by Improving Justice System Performance (BJA)**

- [FY 2018 Justice Reinvestment: Reducing Violent Crime by Improving Justice System Performance - Chief Legal Officer Certification Relating to 8 U.S.C. §§ 1373 & 1644](#) (Rev. Oct. 23, 2018) (PDF Size: 185.23 KB)
- [FY 2018 Justice Reinvestment: Reducing Violent Crime by Improving Justice System Performance - Chief Legal Officer Certification Relating to Various Statutes \(other than 8 U.S.C. §§ 1373 & 1644\)](#) (Rev. Oct. 25, 2018) (PDF Size: 186.14 KB)

**Forms for required certifications from applicant to FY 2018 Gang Suppression: A Law Enforcement and Prosecutorial Approach to Address Gang Recruitment of Unaccompanied Alien Children (OJJDP)**

- [State or Local Government: FY 2018 Chief Legal Officer Certification of Compliance with 8 U.S.C. §§ 1373 & 1644](#) (Rev. Aug. 16, 2018) (PDF Size: 82.92 KB)
- [State or Local Government: FY 2018 Chief Legal Officer Certification Relating to 8 U.S.C. §§ 1226\(a\) & \(c\), 1231\(a\), 1324\(a\), 1357\(a\), & 1366\(1\) & \(3\)](#) (Rev. Oct. 03, 2018) (PDF Size: 85.02 KB) (Rev. Oct. 25, 2018) (PDF Size: 154.47 KB)

**Forms for required certifications from applicant to FY 2018 Gang Suppression Planning Grants Program (OJJDP)**

- [State or Local Government: FY 2018 Chief Legal Officer Certification of Compliance with 8 U.S.C. §§ 1373 & 1644](#) (Rev. Aug. 16, 2018) (PDF Size: 82.924 KB)
- [State or Local Government: FY 2018 Chief Legal Officer Certification Relating to 8 U.S.C. §§ 1226\(a\) & \(c\), 1231\(a\), 1324\(a\), 1357\(a\), & 1366\(1\) & \(3\)](#) (Rev. Oct. 25, 2018) (PDF Size: 151.94 KB)

**Forms for required certifications from applicant to FY 2018 Supporting Innovation: Field-Initiated Programs to Improve Public Safety (BJA)**

- [State or Local Government: FY 2018 Chief Legal Officer Certification of Compliance with 8 U.S.C. §§ 1373 & 1644](#) (Rev. Aug. 16, 2018) (PDF Size: 101.60 KB)
- [State or Local Government: FY 2018 Chief Legal Officer Certification Relating to 8 U.S.C. § 1324\(a\)](#) (Rev. Oct. 03, 2018) (PDF Size: 78.57 KB)

**Forms for required certification from applicant to FY 2018 Project Safe Neighborhoods ("PSN") Program (BJA)**

- [FY 2018 Project Safe Neighborhoods \(PSN\) Program - Chief Legal Officer Certification of Compliance with 8 U.S.C. § 1373](#)  
(Rev. Aug. 16, 2018) (PDF Size: 80.80 KB)
- [FY 2018 Project Safe Neighborhoods \(PSN\) Program - Chief Legal Officer Certification of Compliance with 8 U.S.C. § 1373 by a "Public" Institution of Higher Education](#)  
(Rev. Nov. 20, 2018) (PDF Size: 149.83 KB)

**Forms for certifications from prospective subrecipients under FY 2018 Project Safe Neighborhoods ("PSN") Program (BJA)**

- [FY 2018 PSN Subrecipient Form 1: For use if the PSN Recipient plans a subaward to a Government Entity](#)  
(PDF Size: 84.96 KB)
- [FY 2018 PSN Subrecipient Form 2: For use if the PSN Recipient plans a subaward to a "Public" Institution of Higher Education](#)  
(PDF Size: 83.17 KB)

**Forms for certifications from prospective subrecipients under FY 2018 Title II Formula Grants ("Title II") Program (OJJDP)**

- [FY 2018 Title II Subrecipient Form 1: For use if the Title II Recipient plans a subaward to a Government Entity](#)  
(PDF Size: 85.08 KB)
- [FY 2018 Title II Subrecipient Form 2: For use if the Title II Recipient plans a subaward to a "Public" Institution of Higher Education](#)  
(PDF Size: 82.60 KB)

This page is updated on an ongoing basis, as needed.

**BUREAUS AND OFFICES**

- Bureau of Justice Assistance
- Bureau of Justice Statistics
- National Institute of Justice
- Office for Victims of Crime
- Office of Juvenile Justice and Delinquency Prevention
- Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking

**Office of Justice Programs**

810 Seventh Street, NW • Washington, DC 20531

- Accessibility
- Reasonable Accommodation Manual
- Archives
- Privacy Policy
- FOIA
- Legal Policies and Disclaimers
- Notice to Former OJP Employees

**STAY CONNECTED**



**U.S. DEPARTMENT OF JUSTICE  
OFFICE OF JUSTICE PROGRAMS**

**State or Local Government: FY 2017 Certification of Compliance with 8 U.S.C. § 1373**

On behalf of the applicant government entity named below, and in support of its application, I certify to the Office of Justice Programs ("OJP"), U.S. Department of Justice ("USDOJ"), that all of the following are true and correct:

(1) I am the chief legal officer of the State or local government of which the applicant entity named below is a part ("the jurisdiction"), and I have the authority to make this certification on behalf of the jurisdiction and the applicant entity (that is, the entity applying directly to OJP). I understand that OJP will rely upon this certification as a material representation in any decision to make an award to the applicant entity.

(2) I have carefully reviewed 8 U.S.C. § 1373(a) and (b), including the prohibitions on certain actions by State and local government entities, -agencies, and -officials regarding information regarding citizenship and immigration status. I also have reviewed the provisions set out at (or referenced in) 8 U.S.C. § 1551 note ("Abolition ... and Transfer of Functions"), pursuant to which references to the "Immigration and Naturalization Service" in 8 U.S.C. § 1373 are to be read, as a legal matter, as references to particular components of the U.S. Department of Homeland Security.

(3) I (and also the applicant entity) understand that the U.S. Department of Justice will require States and local governments (and agencies or other entities thereof) to comply with 8 U.S.C. § 1373, with respect to any "program or activity" funded in whole or in part with the federal financial assistance provided through the FY 2017 OJP program under which this certification is being submitted ("the FY 2017 OJP Program" identified below), specifically including any such "program or activity" of a governmental entity or -agency that is a subrecipient (at any tier) of funds under the FY 2017 OJP Program.

(4) I (and also the applicant entity) understand that, for purposes of this certification, "program or activity" means what it means under title VI of the Civil Rights Act of 1964 (see 42 U.S.C. § 2000d-4a), and that terms used in this certification that are defined in 8 U.S.C. § 1101 mean what they mean under that section 1101, except that the term "State" also shall include American Samoa (*cf.* 34 U.S.C. § 10251(a)(2)). Also, I understand that, for purposes of this certification, neither a "public" institution of higher education (*i.e.*, one that is owned, controlled, or directly funded by a State or local government) nor an Indian tribe is considered a State or local government entity or -agency.

(5) I have conducted (or caused to be conducted for me) a diligent inquiry and review concerning the following (which, for the specific purpose of this paragraph 5, shall not be understood to include any "program or activity" of any subrecipient at any tier):

- (a) the "program or activity" to be funded (in whole or in part) with the federal financial assistance sought by the applicant entity under this FY 2017 OJP Program; and
- (b) any prohibitions or restrictions potentially applicable to the "program or activity" sought to be funded under the FY 2017 OJP Program that deal with sending to, requesting or receiving from, maintaining, or exchanging information of the types described in 8 U.S.C. § 1373(a) or (b), whether imposed by a State or local government entity, -agency, or -official.

(6) As of the date of this certification, neither the jurisdiction nor any entity, agency, or official of the jurisdiction has in effect, purports to have in effect, or is subject to or bound by, any prohibition or any restriction that would apply to the "program or activity" to be funded in whole or in part under the FY 2017 OJP Program (which, for the specific purpose of this paragraph 6, shall not be understood to include any such "program or activity" of any subrecipient at any tier), and that deals with either— (1) a government entity or -official sending or receiving information regarding citizenship or immigration status as described in 8 U.S.C. § 1373(a); or (2) a government entity or -agency sending to, requesting or receiving from, maintaining, or exchanging information of the types (and with respect to the entities) described in 8 U.S.C. § 1373(b).

\_\_\_\_\_  
Signature of Chief Legal Officer of the Jurisdiction

\_\_\_\_\_  
Printed Name of Chief Legal Officer

\_\_\_\_\_  
Date of Certification

\_\_\_\_\_  
Title of Chief Legal Officer of the Jurisdiction

\_\_\_\_\_  
Name of Applicant Government Entity (*i.e.*, the applicant to the FY 2017 OJP Program identified below)

**FY 2017 OJP Program: Byrne Justice Assistance Grant ("JAG") Program**

**Vermont State Revolving Fund**

**Customer Distribution Authorization**



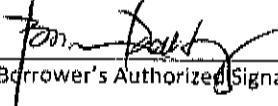
**Instructions:** To authorize recurring distributions from the VT EPA State Revolving Funds ("SRF") through Payment Requests filed with the Department of Environmental Conservation ("DEC") for your SRF loan, please complete this form, sign and date it, and return it along with your signed Loan Agreement to the Vermont Municipal Bond Bank ("VMBB").

Account Information	
Borrower's Name	Hartford Town
SRF Loan Number	RF1-222-2 0
"On-Request" distributions will be made to borrowers based on Payment Request(s) that have been filed with and approved by the DEC and VMBB.	

Distribution Information	
<input checked="" type="checkbox"/> By ACH Transfer To: Name of Receiving Bank	MASCOMA SAVINGS BANK
Receiving Bank Routing Number	[REDACTED]
Account Number at Receiving Bank	[REDACTED]
Account Type (Checking or Saving)	[REDACTED]
Account Name	[REDACTED]
<b>OR</b>	
<input type="checkbox"/> By Check Payable to (Name):	
Address:	

**Distribution Agreement & Signature**

Town of Hartford ("Borrower") hereby requests that funds be transferred or checks be issued from the appropriate State Revolving Fund Account in accordance with the instructions provided above. By signing below I, as an authorized representative of the Borrower, have verified the accuracy of the instructions. For any non-People's account, Borrower has provided a copy of a voided check or pre-printed deposit slip. Further, Borrower understands that the People's United Bank ("Bank") is not responsible for the correctness or timeliness of the posting of funds by the receiving financial institution, if other than the Bank. This authorization shall remain in effect until a new form is filed with the Bank, or until it is revoked by Borrower in writing. If Borrower has authorized "on-request" transfers above, the Bank may rely upon Borrower's authorized representative's direction to process a distribution based on the above instructions to my account. Borrower agrees to periodically review its bank account statement and bring any discrepancies to the Bank's attention.


BRANDON GODFREY
TOWN MANAGER
AUG 12, 2019  
 Borrower's Authorized Signature                      Print Name                      Date

**VMBB Distribution Acknowledgement & Signature**


MICHAEL GAUTHIER  
 Executive Director Signature                      Print Name                      Date

## Request for Taxpayer Identification Number and Certification

Give Form to the  
 requester. Do not  
 send to the IRS.

▶ Go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9) for instructions and the latest information.

Print or type.  
 See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. <b>TOWN OF HARTFORD</b>	
2 Business name/disregarded entity name, if different from above	
3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.  <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ <small>Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.</small> <input checked="" type="checkbox"/> Other (see instructions) ▶ <b>MUNICIPALITY</b>	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):  Exempt payee code (if any) <u>3</u>  Exemption from FATCA reporting code (if any) <u>C</u>  <small>(Applies to accounts maintained outside the U.S.)</small>
5 Address (number, street, and apt. or suite no.) See instructions. <b>171 BRIDGE STREET</b>	Requester's name and address (optional)
6 City, state, and ZIP code <b>WHITE RIVER JCT, VERMONT, 05001</b>	
7 List account number(s) here (optional)	

### Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number	
[ ] [ ] [ ] - [ ] [ ] - [ ] [ ] [ ] [ ]	
or	
Employer identification number	
0 3 - 6 0 0 0 5 0 5	

### Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification Instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

<b>Sign Here</b>	Signature of U.S. person ▶	Date ▶ <u>5/29/19</u>
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## General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9).

### Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See *What Is backup withholding*, later.

## LOAN AGREEMENT

Vermont State Revolving Fund

Loan RF1-222-2.0  
Loan Amount: \$111,800.00

1. Town of Hartford, the Municipality, hereby certifies to the Vermont Municipal Bond Bank ("Bond Bank") that:
  - (a) It will secure all state and federal permits, licenses and approvals necessary to construct and operate the improvements to be financed by the Loan (the "Project"), if any, as described in Exhibit A;
  - (b) It has established, or covenants with the Bond Bank to establish, by ordinance, rule or regulation, a rate charge or assessment schedule which will generate annually sufficient revenue to pay:
    - (i) Principal, administrative fees and interest of the Municipal Note, as the same becomes due; and
    - (ii) reasonably anticipated cost of operating and maintaining the improvements to be financed by the Loan, if any, and the system of which is a part;
  - (c) It has duly established a fund under Title 24 of the Vermont Statutes Annotated, or by other means permitted by law which, for so long as the Municipal Note shall remain outstanding, shall be maintained and replenished from time to time, and used solely to repair, replace, improve and enlarge the improvement to be financed by the Loan, if any.
2. The Municipality shall make funds sufficient to pay the principal, administrative fees and interest as the same matures (based upon the Maturity Schedule appended hereto as Exhibit C) available to the Bond Bank at least five business days prior to each principal payment date.
3. The Bond Bank and Municipality agree that Loan proceeds will be paid to the Municipality as Project costs are incurred and paid by the Municipality over the course of the Project, but in no event shall payments be made more often than monthly, and only on Municipality's certification, through its authorized representative, that such costs have been paid.
4. The Municipality is obligated to make the principal, administrative fee and interest portion of the Municipal Note payments scheduled by the Bond Bank on an annual basis. The Municipality may prepay the Loan at its option without penalty.
5. The Municipality shall be obligated to inform in writing to the Bond Bank, or such agent designated by the Bond Bank, at least thirty days prior to each principal payment date of any

changes to the name of the official or address to whom invoices for the payment of principal, administrative fees and interest should be sent.

6. The period of performance for this agreement begins upon execution and ends five years after execution.

7. Notwithstanding paragraph 14 hereof, prior to payment of the amount of the Loan, or any portion thereof, the Bond Bank shall have the right to cancel all or any part of its obligations hereunder and after payment of any portion thereof to require a refund of amounts paid if:

(a) Any representation made by the Municipality to the Bond Bank in connection with its application for a loan or additional loans shall be incorrect or incomplete in any material respect; or

(b) The Municipality has violated commitments made by it in its application and supporting documents or has violated any of the terms of this Loan Agreement.

8. The Municipality shall at all times comply with all applicable federal and state requirements pertaining to the Project, including but not limited to requirements of Federal Clean Water Act, Title 24 of the Vermont Statutes Annotated, and the list of Federal Laws and Authorities included as Exhibit B. The enumeration of the Federal Laws and Authorities in Exhibit B shall not be construed as a waiver by the Municipality of any exemption or exception, jurisdictional or otherwise.

9. If any provisions of this Loan Agreement shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such provision shall not affect any of the remaining provisions of this Loan Agreement and this Loan Agreement shall be construed and enforced as if such invalid or unenforceable provision had not been contained herein.

10. This Loan Agreement may be executed in one or more counterparts, any of which shall be regarded for all purposes as an original and all of which constitute but one and the same instrument. Each party agrees that it will execute any and all documents or other instruments, and take such other actions as are necessary, to give effect to the terms of this Loan Agreement.

11. No waiver by either party of any term or condition of the Loan Agreement shall be deemed or construed as a waiver of any other terms or conditions, nor shall a waiver of any breach be deemed to constitute a waiver of any subsequent breach, whether of the same or of a different section, subsection, paragraph, clause, phrase, or other provision of this Loan Agreement. Any delay in exercising rights or requirements of the Loan Agreement does not constitute a waiver of such rights or requirements.

12. The Municipality agrees to indemnify and hold the Bond Bank, the state, its officials, agents, and employees harmless from and against any and all claims, suits, actions, costs, and damages resulting from the negligent performance or non-performance by the Municipality or any of its officials, agents, or employees of the Municipality's obligations under this Agreement, as it

may be amended or supplemented from time to time. It is further understood that such indemnity shall not be limited by an insurance coverage.

13. The Municipality agrees that the Loan will be adjusted upon final audit to an amount equal to or less than the project costs determined eligible by the Department of Environmental Conservation and recommended to the Bond Bank for loan participation.

14. The Municipality agrees that if actual final eligible costs are less than the amount paid under the Loan Agreement, repayment of the excess funds will be made within sixty days of the request made by the Department of Environmental Conservation.

15. Increases, amendments, or modifications to the project during construction will be processed for record keeping purposes only, except for the addition of major approved Project Elements, Exhibit A. The Loan Agreement will also be amended upon completion of the project based upon final audited eligible costs, and any increases in the Loan will be made contingent upon availability of funds. All Project records will be retained by the Municipality and made available for state inspection upon request for three years after Project completion or until any audit questions have been resolved, whichever is later.

16. The Municipality will obtain flood insurance for any insurable portion of the Project.

17. The Municipality agrees to use the Loan proceeds solely for the Project for which the Loan is made and any approved amendments thereto. The Municipality further agrees to make prompt payment to the contractors and to apply any interest received to the Project. Once payment has been made to contractors, the applicant shall submit a payment request to the Department of Environmental Conservation (DEC). Funds will be disbursed from Federal Award ID Number CS500001## (## equals last two digits of award year). Upon disbursement, DEC will notify the Municipality of the standard terms and conditions applicable based on the exact amount of federal funds disbursed and relevant capitalization grant being drawn down. Please see <http://dec.vermont.gov/facilities-engineering/water-financing/srf/reimbursement-help> for the standard terms and conditions. If the foregoing link is not accessible, contact DEC for assistance.

18. The terms of this Loan Agreement shall be controlling over those of any prior Agreement with respect to this Loan Agreement. However, this Loan Agreement shall not otherwise supersede the terms of any other agreements between the Municipality and the State.

19. The Municipality agrees to furnish to the Bond Bank such financial statements as the Bond Bank may reasonably request, which statements and supporting records shall be prepared and maintained in accordance with Generally Accepted Accounting Principles (GAAP).

20. This agreement will be funded by approximately 80 percent federal funds. These funds are being awarded in accord with the Federal Clean Water State Revolving Fund, CFDA number 66.458, under the authority of the Environmental Protection Agency. This is not a research and development award. For any accounting year in which the Municipality expends Loan proceeds and other Federal funds of \$750,000.00 or more from all Federal sources, the Municipality shall



have an audit performed in accord with the Federal Single Audit Act and furnish a copy to the Vermont Department of Environmental Conservation within 9 months of the end of Municipality's accounting period.

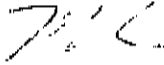
21. By acceptance of this Agreement, the Municipality agrees to complete a Subrecipient Annual Report as provided by the Department of Finance. Prior to submitting the Subrecipient Annual Report, the Municipality must review previous fiscal year disbursements from the Facilities Engineering Division to determine the actual amount of federal funds disbursed from the loan proceeds. The Subrecipient Annual Report must then be submitted to the State of Vermont Department of Finance within 45 days after its fiscal year end, informing the State whether or not a single audit is required for the prior fiscal year. If a single audit is required, the Municipality will submit a copy of the audit report to the Vermont Department of Environmental Conservation within 9 months of its fiscal year end. If a single audit is not required, only the Subrecipient Annual Report to the State Department of Finance is required.

22. The Municipality understands that the provisions of the Davis-Bacon Act, which is codified at Subchapter IV of Chapter 31 of Title 40 of the United States Code and U.S. Department of Labor Memorandum No. 208 ("Memorandum 208"), may apply to the Project, and the Municipality certifies and agrees that with respect to the Project, it has complied and will continue to comply with the requirements of the Davis-Bacon Act and Memorandum 208, as applicable.

23. The effective date of the Loan Agreement is the execution date of the General Obligation Note.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement.


Attest:

  
\_\_\_\_\_  
Secretary

VERMONT MUNICIPAL BOND BANK

By:   
\_\_\_\_\_  
Executive Director

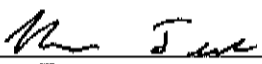
Attest:

  
\_\_\_\_\_  
Clerk

Town of Hartford

By:   
\_\_\_\_\_  
Chair of the Governing Body

And by:

  
\_\_\_\_\_  
Treasurer

List of Loan Exhibits

EXHIBIT A: Project description and conditions

EXHIBIT B: List of Federal Laws and Authorities

EXHIBIT C: General Obligation Note

EXHIBIT D: Resolution and Certificate

## EXHIBIT A

### PROJECT DESCRIPTION AND CONDITIONS FOR THIS AGREEMENT

#### Description:

This project loan is for the work necessary to complete a preliminary engineering and final design engineering for sewer and stormwater improvements on South Main St, Gates St, and North Main St.

#### Conditions:

- 1) Repayment of this loan shall commence five (5) years after the execution of the loan.
- 2) If this loan does not result in a constructed project by the anticipated repayment start date, repayment shall commence immediately.
- 3) The engineer will meet with the Facilities Engineering Division (FED) to present work summaries at 30% work completion, 60% work completion, and 90% work completion, or as otherwise directed by the FED engineer. Disbursements will not be made without each required meeting and disbursements above 90% of the loan amount will not be made until the final documents have been received, reviewed, and approved by FED.
- 4) If this project is funded by USDA/Rural Development or any other non-CWSRF funding, the applicant shall, within sixty (60) days of receiving the non-CWSRF funding, repay the entire portion of the CWSRF planning loan(s).
- 5) The Applicant shall, as a condition of the loan, provide the Department with a digitally formatted copy of any plan or surveys developed with funds awarded under the loan, if the Applicant or any subcontractor develops plans or surveys in digital format. By acceptance of the loan, the Applicant agrees to pass through this requirement to any subcontracts awarded and funded by the loan. This condition is included pursuant to Section 56 of Act 233 of 1994. Such digital formats are subject to the Federal Freedom of Information Act and the State Access to Public Records and Document Statute and, unless otherwise restricted, the Department will release copies of such information to the general public upon request. It shall be acceptable to submit read only copies or copies marked archival copies only. The Applicant, by acceptance of this loan agrees not to copyright any plans or surveys developed pursuant to this action. Acceptable electronic formats include pdf and pdf/A.

EXHIBIT B

LIST OF FEDERAL LAWS AND AUTHORITIES

ENVIRONMENTAL:

- "American Iron and Steel" requirements of P.L. 113-76 the Consolidated Appropriations Act of 2014
- Archeological and Historic Preservation Act of 1974, PL 93-291
- Clean Air Act, 42 U.S.C. 7506(c)
- Coastal Barrier Resources Act, 16 U.S.C. 3501, et seq.
- Coastal Zone Management Act of 1972, PL 92-583, as amended
- Davis-Bacon Act (40 CFR '31.36(i)(5))
- Davis Bacon and Related Acts Wage Rate Requirements (29 CFR 5.5)
- Endangered Species Act 16 U.S.C. 1531, et seq.
- Executive Order 11988, Floodplain Management
- Executive Order 11990, Protection of Wetlands
- Executive Order 12898, Environmental Justice
- Executive Order 15593, Protection and Enhancement of the Cultural Environment
- Farmland Protection Policy Act, 7 U.S.C. 4210, et seq.
- Fish and Wildlife Coordination Act, PL 85-624, as amended
- Magnuson-Stevens Fishery Conservation and Management Act – Essential Fish Habitat, 16 U.S.C. 1821 M-S Act § 201
- Migratory Bird Act 16 USC Chapter 7, Subchapter II: Migratory Bird Treaty
- National Historic Preservation Act of 1966, PL. 89-665, as amended
- Safe Drinking Water Act, essential section 1424(e), PL 92-523, as amended
- Wild and Scenic Rivers Act, PL-942, as amended

## EXHIBIT B

### ECONOMIC:

- Demonstration Cities and Metropolitan Development Act of 1966, PL 89-754 as amended
- Section 306 of the Clean Air Act and Section 508 of the Clean Water Act, including Executive Order 11738, Administration of the Clean Air Act and the Federal Water Pollution Control Act with Respect to Federal Contracts, Grants, or Loans

### SOCIAL LEGISLATION:

- Age Discrimination Act, PL 94-135
- Civil Rights Act of 1964, PL 88-352
- Disadvantaged Business Enterprise, 49 U.S. Code § 47113 - Minority and disadvantaged business participation
- Executive Order 11264, Equal Employment Opportunity
- Executive Orders 11625 and 12138, Women's and Minority Business Enterprise
- Section 13 of PL 92-500; Prohibition against sex discrimination under the Federal Water Pollution Control Act
- Rehabilitation Act of 1973, PL 93-112 (including Executive Orders 11914 and 11250)

### MISCELLANEOUS AUTHORITY:

- Executive Order 12549 - Debarment and Suspension
- Trafficking and Violence Protection Act of 2000 (P.L. 106-386)
- Uniform Relocation and Real Property Acquisition Policies Act of 1970, PL 91-646

EXHIBIT C

\$111,800.00

UNITED STATES OF AMERICA  
STATE OF VERMONT  
Town of Hartford  
GENERAL OBLIGATION NOTE

The Town of Hartford (hereinafter called the "Municipality"), a body corporate and a political subdivision of the State of Vermont, promises to pay to the Vermont Municipal Bond Bank, or registered assigns, the not-to-exceed sum of \$111,800.00 with a preliminary interest at the rate of 0.00% per annum and with a preliminary administrative fee of 0.00%, subject to change based on final disbursed value, beginning on 7/1/2024 as follows:

Hartford Town, Vermont  
Loan RF1-222-2.D  
Prepared on 5/16/2019  
Loan Terms  
Loan Amount: \$111,800.00  
Loan Term Year: 5  
Interest rate: 0.0000%  
Administrative Fee: 0.0000%

Repayment Date	Payment Number	Principal Due	Principal Payment	Principal Forgiven	Interest Payment	Administrative Fees	Total Payment
7/1/2024	1	111,800.00	11,180.00	55,900.00	0.00	0.00	11,180.00
7/1/2025	2	44,720.00	11,180.00	0.00	0.00	0.00	11,180.00
7/1/2026	3	33,540.00	11,180.00	0.00	0.00	0.00	11,180.00
7/1/2027	4	22,360.00	11,180.00	0.00	0.00	0.00	11,180.00
7/1/2028	5	11,180.00	11,180.00	0.00	0.00	0.00	11,180.00
			55,900.00	55,900.00	0.00	0.00	

These figures are subject to change based on actual disbursements at project completion

EXHIBIT C

This Note is payable in lawful money of the United States at People's United Bank in the City of Burlington, State of Vermont. Repayment terms shall comply with 24 V.S.A. Chapter 120, §4755 which prohibits deferral of payment. Final payment of this Bond shall be made upon surrender of this Bond for cancellation.

This Note is issued by the Municipality for the purpose of financing planning and design of infrastructure improvements under and by virtue of Title 24, Vermont Statutes Annotated, and a vote of the governing body of the Municipality duly passed on 5/7/2019.

This Note is transferable only upon presentation to the Treasurer of the Municipality with a written assignment duly acknowledged or proved. No transfer hereof shall be effectual unless made on the books of the Municipality kept by the Treasurer as transfer agent and noted hereon by the Treasurer with a record of payments as provided hereon.

It is hereby certified and recited that all acts, conditions and things required to be done precedent to and in the issuing of this Note have been done, have happened, and have been performed in regular and due form, as required by such law and vote, and for the assessment, collection and payment hereon of a tax to pay the same when due the full faith and credit of the Municipality are hereby irrevocably pledged.

IN TESTIMONY WHEREOF, the Municipality has caused this Note to be signed by its Treasurer, and a majority of its Selectboard and its seal to be affixed hereto.

Town of Hartford

By: *Sam Dennis*  
Selectboard Chair

\_\_\_\_\_  
\_\_\_\_\_  
Majority of its Governing Body

Date *5/29/19*

*M. Tull*  
Treasurer

EXHIBIT C

\$111,800.00

Town of Hartford

GENERAL OBLIGATION NOTE

CERTIFICATE OF REGISTRATION

It is hereby certified that this Note is a fully registered Note, payable only to the holder of record as appears of record in the office of the Treasurer of the issuing Municipality. This Note may be transferred by presentation of the same with an assignment in writing signed by the registered holder. Presentation shall be made to the Treasurer of the Municipality at his office and he shall record such transfer in his records and on the Note. The name and address of the original registered owner of this Note is Vermont Municipal Bond Bank, 20 Winooski Falls Way #305, Winooski, VT 05404.

  
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Treasurer



EXHIBIT D

RESOLUTION AND CERTIFICATE  
(General Obligation)  
(Vermont Clean Water State Revolving Fund)

WHEREAS, at meetings of the municipal legislative body of the Town of Hartford (herein called the "Municipality") at each of which all or a majority of the members were present and voting, which meetings were duly noticed, called and held as appears of record, it was found and determined that the public interest and necessity required certain public wastewater and stormwater system improvements described in Exhibit A, and it was further found and determined that the cost of making such public improvements would be too great to be paid out of ordinary annual income and revenue, and that a proposal for providing such improvements and the issuance of bonds of the Municipality to pay for its share of the cost of the same shall be submitted to the legal voters at meetings thereof, and it will be ordered, all of which action will be hereby ratified and confirmed; and

WHEREAS, the Municipality has applied for financial assistance in planning for the authorized improvements which application has been approved by the Department of Environmental Conservation and the Vermont Municipal Bond Bank, as evidenced by the Funding Application Approval, the terms and conditions of which are found in Exhibit A; and

WHEREAS, pursuant to powers vested in them by law the said governing board is about to enter into a Loan Agreement on behalf of the Municipality with the Vermont Municipal Bond Bank respecting a Loan from said Bank in the amount of \$111,800.00 to be discounted by the amount of \$55,900, repayable with interest at the rate of 0.00% per annum, together with an administrative fee of 0.00%.

AND WHEREAS, the Note to be given by the Municipality to the Vermont Municipal Bond Bank at the time of receiving the proceeds of said Loan shall be substantially in the form found in Exhibit C;

THEREFORE, be it resolved that the Governing Body proceed forthwith to cause said Note to be executed and delivered to the Vermont Municipal Bond Bank upon the price and terms stated, and be registered as the law provides; and

BE IT FURTHER RESOLVED, that the Note when issued and delivered pursuant to law and this Resolution shall be the valid and binding obligation of the said Municipality, payable according to law and the terms and tenor thereof from unlimited ad valorem taxes on the grand list of taxable property of said Municipality as established, assessed, apportioned and provided by law; and

BE IT FURTHER RESOLVED, that in addition to all other taxes, there shall annually be assessed and collected in the manner provided by law each year until the Note, or any bond or bonds issued to refund or replace the same, is fully paid, a tax, charge or assessment sufficient to pay the note and bond or bonds as the same shall become due; and

BE IT FURTHER RESOLVED, that execution of the above-referenced Loan Agreement between the Municipality and the Vermont Municipal Bond Bank is hereby authorized, the presiding officer of the legislative body and Treasurer of the borrower being directed to execute said Loan Agreement on behalf of the Municipality and the legislative branch thereof; and

EXHIBIT D

BE IT FURTHER RESOLVED, that the Municipality expressly incorporates into this Resolution each and every term, provision, covenant and representation set forth at length in Exhibit A to be delivered in connection with the issuance and sale of the Note, execution and delivery of each of which is hereby authorized, ratified and confirmed in all respects, and the covenants, representations and undertakings set forth at length in said Loan Agreement are incorporated herein by reference; and

BE IT FURTHER RESOLVED, that all acts and things heretofore done by the lawfully constituted officers of the Municipality, and any and all acts or proceedings of the Municipality and of its Governing Body, in, about or concerning the improvements hereinabove described and of the issuance of evidence of debt in connection therewith, are hereby ratified and confirmed.

BE IT FURTHER RESOLVED, that in connection with the pending sale of the Note in the face amount of \$111,800.00 to the Vermont Municipal Bond Bank, execution and delivery of the Note, this Resolution Certificate, Loan Agreement and incidental documents, all attached hereto, are authorized; and

BE IT FURTHER RESOLVED, that People's United Bank in the City of Burlington, Vermont, is hereby designated the Municipality's paying agent with respect to the Note and the Loan Agreement.

And we, the undersigned officers, as indicated, hereby certify that we as such officers have signed the Note payable as aforesaid, and reciting that it is issued under and pursuant to the vote herein above mentioned, and we also certify that the Note is duly registered in the office of the Treasurer of the Municipality as prescribed by law.

And we, the said officers of the Municipality, hereby certify that we are the duly chosen, qualified and acting officers of the Municipality as undersigned; that the Note is issued pursuant to said authority; that no other proceedings relating thereto have been taken; and that no such authority or proceeding has been repealed or amended.

We further certify that no litigation is pending or threatened affecting the validity of the Note nor the levy and collection of taxes, charges or assessments to pay it, nor the works of improvement financed by the proceeds of the Note, and that neither the corporate existence of the Municipality nor the title of any of us to our respective offices is being questioned.

EXHIBIT D

ATTEST:

\_\_\_\_\_  
Clerk

Town of Hartford

By: Simon Dennis  
Selectboard Chair.

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Majority of its Governing Body

And By:

Wm. T. ...  
Its Treasurer