

CHARLIE BAKER
Governor



KARYN POLITO
Lt. Governor

FOR IMMEDIATE RELEASE:

December 8, 2020

CONTACT

Sarah Finlaw

sarah.finlaw@state.ma.us



Baker-Polito Administration Announces Statewide Rollback to Phase Three, Step One, Additional Restrictions Effective December 13th

Governor Baker Announces New Restrictions Statewide for Capacity, Mask Compliance and Distancing Due to Increased Cases, Hospitalizations

BOSTON – Today, the Baker-Polito Administration announced that effective Sunday, December 13th, all communities in Massachusetts will return to Step 1 of Phase 3, of the Commonwealth’s reopening plan. This will reduce indoor capacities across a broad range of sectors of the economy and tighten several other workplace restrictions. The Administration announced the roll-back to respond to an increase in new COVID-19 infections and hospitalizations since the Thanksgiving holiday that is straining the health care system in Massachusetts.

The return to Step 1 will also require the closure of certain businesses designated as Step 2 industries. These include indoor performance venues and certain high-contact indoor recreational businesses. In addition, capacity limits will be reduced to 40% statewide for most industries, and the limit on outdoor gatherings will be reduced statewide from 100 persons to 50 persons. Additional safety measures will be applied to restaurant dining as well.

These new measures are designed to prevent infection and viral spread, especially in indoor settings. They will create stronger mask compliance, more social distancing, and limits to the time spent with people outside of your immediate household.

The Administration also announced additional guidance for certain sectors including restaurants, office spaces and gyms, to address activities where mask wearing is not possible at all times.

Phase III, Step I:

Effective December 13, all communities will roll back to Phase 3, Step 1 of Massachusetts’ re-opening plan, including the following restrictions:

- Outdoor gatherings at event venues will be limited to no more than 50 people
- Hosts of outdoor gatherings of greater than 25 people will be required to provide advance notice of the gathering their local board of health
- Indoor theaters and performance venues and higher contact indoor recreation businesses will be required to close to the public
- Outdoor theaters and performance venues will be limited to 25% capacity, and no more than 50 people

In all communities, capacity will be reduced from 50% to 40% for the following sectors:

- Arcades/Indoor and Outdoor Recreational Businesses
- Driving and Flight Schools
- Gyms/Health Clubs
- Libraries
- Museums
- Retail
- Offices
- Places of Worship
- Lodging (common areas)
- Golf facilities
- Movie Theaters (Maximum 50 people per theater)

This new capacity limit will not apply to sectors that do not currently have a percentage-based capacity limit, including restaurants, laboratories and close contact personal services.

[Click here to read the revised gatherings order.](#)

[Click here to read the order rolling Massachusetts back to Phase III, Step 1.](#)

Restaurants and Venues

The Administration also announced new guidelines for restaurants and other venues with seated dining, including:

- Patrons must wear masks at all times except when eating and drinking
- Restaurants must seat no more than six patrons per table
- Restaurants must impose a 90-minute time limit on tables
- Musical performances at restaurants will no longer be permitted
- Food court seating must be closed in malls

Customers are encouraged to dine only with members of the same household.

Offices and Gyms

The Administration announced new guidelines for workplaces and gyms, including:

- In offices, employees must wear masks at their place of work when not in their own workspace and alone
- Employers are encouraged to close or limit the use of break rooms
- Patrons must wear masks at all times in gyms

The Administration continues to encourage all employers to offer teleworking to their employees when possible.



OFFICE OF THE GOVERNOR
COMMONWEALTH OF MASSACHUSETTS
STATE HOUSE • BOSTON, MA 02133
(617) 725-4000

CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

**FURTHER REVISED ORDER REGULATING
GATHERINGS IN THE COMMONWEALTH**

COVID-19 Order No. 57

Superseding and Rescinding Order No. 54

WHEREAS, on March 10, 2020, I, Charles D. Baker, Governor of the Commonwealth of Massachusetts, acting pursuant to the powers provided by Chapter 639 of the Acts of 1950 and Section 2A of Chapter 17 of the General Laws, declared that there now exists in the Commonwealth of Massachusetts a state of emergency due to the outbreak of the 2019 novel Coronavirus (“COVID-19”);

WHEREAS, on March 11, 2020, the COVID-19 outbreak was characterized as a pandemic by the World Health Organization;

WHEREAS, the Federal Centers for Disease Control have determined that COVID-19 is spread mainly by person-to-person contact and that the best means of slowing the spread of the virus is through practicing social distancing and by minimizing personal contact with large groups and environments where the virus may be transmitted;

WHEREAS, the CDC has issued guidance for large gatherings and community events recognizing that gatherings can significantly contribute to the spread of COVID-19 and introduce the virus to new communities;

WHEREAS, that CDC guidance states that, while virtual-only activities are the safest, the risks associated with in-person events can be reduced if they are held outdoors, remain small, and participants maintain 6 feet of distance and wear face coverings;

WHEREAS, since March 13, 2020, I have issued a series of executive orders setting limitations on the numbers of persons who may gather in the Commonwealth and have adjusted those limitations periodically according to the public health data available at the time;

WHEREAS, acting pursuant to the authority of executive orders, the Department of Public Health, the Department of Labor Standards, the Executive Office of Energy and Environmental Affairs, and the Massachusetts Gaming Commission (each a “regulating agency”) have each issued sector-specific COVID-19 safety rules that set capacity limitations and other standards for safe operation of enterprises permitted to open their premises to the public under Phase I, II, or III of the Commonwealth’s Re-Opening Plan;

WHEREAS, the CDC, the Department of Public Health, and other public health authorities continue to improve their understanding of how COVID-19 is spread, where the risk of spread is greatest, and how best to mitigate the risk of transmission, all of which permit periodic adjustments to safety measures;

WHEREAS, as of December 7, 2020, the Department of Public Health has reported 250,022 confirmed cases of COVID-19 and the average daily rate of COVID-19 incidence per 100,000 is 35.7;

WHEREAS, the Commonwealth has seen a significant increase in its 7-day average of new daily confirmed cases of COVID-19: as of December 6, 2020, the daily average was 3,509 compared to 1,837 on November 8;

WHEREAS, the Commonwealth has likewise seen a significant increase in its 7-day weighted average of positive molecular test rate: as of December 6, 2020, the rate was 5.5% compared to 2.7% on November 8;

WHEREAS, between Thanksgiving and December 6, hospitalizations for COVID-19 in the Commonwealth increased 54% from 986 to 1,516 admissions;

WHEREAS, as of December 7, 2020, the Executive Office of Health and Human Services has moved all regions in Massachusetts to the Tier 3 designation of the Resurgence Planning and Response Framework due to decreasing hospital capacity and increasing community transmission of COVID-19;

WHEREAS, left unchecked, current COVID-19 case growth poses a risk to the Commonwealth’s healthcare system, and intervention is warranted to moderate case growth and preserve hospital capacity; and

WHEREAS, sections 7, 8, and 8A of Chapter 639 of the Acts of 1950 authorize the Governor, during the effective period of a declared emergency, to exercise any and all authority over persons and property necessary or expedient for meeting a state of emergency, including but

not limited to authority over assemblages in order to protect the health and safety of persons, transportation and travel by any means or mode, and policing, protection, and preservation of public and private property;

NOW, THEREFORE, I hereby Order the following:

1. **Entities Subject to Sector-Specific Rules:** With the exception of events and gatherings subject to the Indoor and Outdoor Events Guidance issued by the Department of Labor Standards, a Phase I, II, or III enterprise shall not be subject to the limitations in Section 3 of this Order if the enterprise is operating in compliance with applicable sector-specific COVID-19 safety rules and any applicable capacity limitations issued by a regulating agency under the authority of an executive order.

All indoor and outdoor events shall be required to comply with both the limitations and requirements in Section 3 of this Order and the sector-specific safety rules for Indoor and Outdoor Events, except if the gathering or event is exempt pursuant to Section 2.

2. **Gatherings for Political Expression and Religious Activities:** Gatherings for religious activities shall not be subject to the limitations in Section 3; provided, however, that such gatherings shall follow the COVID-19 safety rules and capacity limitations set forth in the Places of Worship sector-specific rules. Outdoor gatherings for the purpose of political expression shall also not be subject to the limitations of Section 3. Indoor gatherings for the purposes of political expression shall follow the indoor capacity limitations of Section 3.
3. **Otherwise Applicable Indoor and Outdoor Gathering Limits and Requirements:** The following limitations apply to indoor and outdoor gatherings not exempted by Sections 1 or 2 of this Order, including, without limitation, all social, community, civic, public, and leisure events, as well as conferences, conventions, fundraisers, and other similar events or assemblies. Members of the same household, when assembled together with no other non-household members present, do not constitute a gathering and shall not be subject to the capacity limitations in this Section. Workers and staff present to provide services to participants shall not count towards the capacity limitations in this Section.

For the purposes of this section, the term “event venue or public setting” shall include any setting open to the public and any event venue, club, park, or other venue or space, public or private, that is used or available for gatherings through lease, license, permit, contract, reservation, or similar arrangement

- a. *Required Social Distancing:* In addition to the capacity restrictions specified below, all participants in indoor and outdoor gatherings, including gatherings at private residences, must maintain at least 6 feet of physical distance from every other

participant in the gathering, except where participants are members of the same household. A gathering shall violate this provision where, no matter the number of participants present, conditions or activities at the gathering are such that it is not reasonably possible for all participants to maintain this degree of separation.

b. *Gatherings at Private Residences:*

1. Indoor gatherings at private residences and in any other place not falling within the definition of an event venue or public setting are limited to a maximum of 10 people.
2. Outdoor gatherings at private residences and in any other place not falling within the definition of an event venue or public setting are limited to a maximum of 25 people.

c. *Gatherings at Event Venues and in Public Settings:*

1. Indoor gatherings at event venues or in public settings are limited to a maximum of 25 people.
2. Outdoor gatherings at event venues or in public settings are limited to a maximum of 50 persons in a single venue or space.

d. *Notification to Local Boards of Health:* For outdoor gatherings where more than 25 attendees are anticipated, the operator of the event venue shall provide notice to the Local Board of Health in the municipality where the gathering is located at least 1 week before the event is scheduled, or otherwise as soon as possible where 1 week notice is not practicable due to the nature of the event (e.g., memorial services). For events held in public places like parks where more than 25 attendees are anticipated, the event organizer shall be responsible for providing this notice. The notification shall include, at minimum, the location and time of the planned event, the name and contact information of the event organizer, the number of anticipated attendees, and any other information reasonably requested by the Local Board of Health.

4. **Time Limitation:** All gatherings, no matter the size or location, must end and participants must disperse by 9:30 pm, with the exceptions of religious gatherings and political gatherings.
5. **Face Coverings:** Consistent with the Revised Order Requiring Face Coverings in Public Places (COVID-19 Order No. 55), all persons over the age of 5 must wear masks or cloth face coverings over their mouth and nose when in a public location, including at gatherings in public, except as provided in Section 2 of COVID-19 Order No. 55.

Masks or face coverings are encouraged at all indoor and outdoor gatherings at private homes, but are only required when such gatherings include more than 10 people and where attendees include non-household members.

6. **Contact Tracing:** If a host or event venue is notified that an event attendee or event worker has tested positive for COVID-19, the event host or event venue must immediately notify the Local Board of Health in the city or town where the event took place. Hosts and event venues must assist the Department of Public Health and Local Boards of Health with contact tracing and case investigations, including, upon request, providing lists of attendees at social gatherings and their contact information. Event hosts and venues who fail to timely report positive cases or cooperate with contact tracing and case investigations may be subject to the penalties listed in Section 8.
7. **Legal Exceptions:** This Order shall not apply to any of the following businesses, organizations, workplaces, or facilities:
 - a. Any municipal legislative body, the General Court, or the Judiciary
 - b. Federal governmental entities
 - c. Any health care facility or licensed health care provider
 - d. Any of the following workplaces or facilities with specialized functions and populations:
 - Polling places
 - Public and private elementary and secondary (K-12) schools
 - Residential and day schools for special needs students
 - Licensed, approved, or exempt child care programs and emergency residential programs operating under emergency authorization
 - Facilities operated by the Department of Correction or any Sheriff
 - Facilities operated, contracted, or licensed by the Department of Youth Services, Department of Mental Health, Department of Public Health, or the Department of Developmental Services
 - Facilities and programs that provide safe spaces for the unstably housed such as homeless and domestic violence shelters
 - Any other facility or workplace that the Commissioner of Public Health may exempt in writing from the terms of this Order
8. **Enforcement:** The Department of Public Health, Local Boards of Health and their authorized agents pursuant to G.L. c. 111, § 30, and State and municipal police are authorized to enforce this Order. Violation of the terms of this Order may result in a civil fine of up to \$500 per violation as provided in St. 1950, c. 639, § 8, to be assessed on any person, organization, or business responsible for organizing, hosting, or allowing a gathering conducted in violation of the Order, or, in the alternative, against the owner, lessee, or other

person who has legal control of the property where the gathering occurs. Each person over the permissible gathering limitation in Section 3 and each individual instance of non-compliance with the requirements of this Order may be treated as a separate violation. Any fine shall be administered in the manner provided for the non-criminal disposition of violations of municipal by-law, ordinance, rule, or regulation pursuant to G. L. c. 40, § 21D. This Order may also be enforced by injunction. A motion for an injunction to enforce this Order may be filed in the district court or any other court of competent jurisdiction for the municipality in which the violation has been charged.

The Alcoholic Beverages Control Commission or a local licensing authority may, after notice to the licensee and a reasonable opportunity to be heard, suspend, revoke, or cancel a license for the sale or service of alcoholic beverages or take other appropriate enforcement action upon satisfactory proof that the licensee has violated or permitted a violation of this Order.

9. **Effective Date:** This Order shall be effective 12:01 am on December 13, 2020 and shall remain in effect until rescinded or until the state of emergency is ended, whichever occurs first.

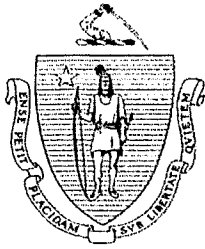
The Revised Order Further Regulating Gatherings in the Commonwealth (COVID-19 Order No. 54) is hereby rescinded effective 12:01 am on December 13, 2020.

If any provision of this Order or the application thereof to any person, entity, or circumstance is determined to be invalid by a court of competent jurisdiction, such determination shall not affect or impair the validity of the other provisions of this Order or its application to other persons, entities, and circumstances.

Given in Boston at 12:45 AM/PM this 8th day of December, two thousand and twenty



CHARLES D. BAKER
GOVERNOR
Commonwealth of Massachusetts



OFFICE OF THE GOVERNOR
COMMONWEALTH OF MASSACHUSETTS
STATE HOUSE • BOSTON, MA 02133
(617) 725-4000

CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

**ORDER RETURNING ALL MUNICIPALITIES TO
PHASE III, STEP 1 COVID-19 SAFETY RULES**

COVID-19 Order No. 58

Superseding and Rescinding Order No. 56

WHEREAS, on March 10, 2020, I, Charles D. Baker, Governor of the Commonwealth of Massachusetts, acting pursuant to the powers provided by Chapter 639 of the Acts of 1950 and Section 2A of Chapter 17 of the General Laws, declared that there now exists in the Commonwealth of Massachusetts a state of emergency due to the outbreak of the 2019 novel Coronavirus (“COVID-19”);

WHEREAS, on March 11, 2020, the COVID-19 outbreak was characterized as a pandemic by the World Health Organization;

WHEREAS, the Federal Centers for Disease Control and Prevention (“CDC”) have advised that COVID-19 is spread mainly by person-to-person contact and that the best means of slowing the spread of the virus is through practicing social distancing and by minimizing personal contact with large groups and with environments where this potentially deadly virus may be transmitted including, in particular, spaces that present enhanced risks because of the large number of persons present or passing through the area who may spread the virus through respiratory activity or surface contacts;

WHEREAS, on March 23, 2020, in order to restrict all non-essential person-to-person contact and movement outside the home and reduce opportunities for spreading the COVID-19 virus within the Commonwealth, I issued COVID-19 Order No. 13, which temporarily closed the brick-and-mortar premises of businesses and organizations that do not provide COVID-19 Essential Services;

WHEREAS, in response to gradual improvements in the public health data, on May 18, 2020, June 6, 2020, and July 2, 2020, I issued COVID-19 Orders No. 33, 37, and 43, respectively, which designated certain businesses and other organizations as Phase I, II, III, or IV enterprises and initiated a progressive, phased plan for re-opening workplaces and other facilities across the Commonwealth;

WHEREAS, on September 29 and November 6, 2020, I issued COVID-19 Order Nos. 51 and 56 which authorized the reopening of Phase III, Step 2 enterprises and the application of relaxed capacity rules and other allowances in municipalities determined to be “Lower-Risk Communities” based on a reduced incidence of COVID-19 infection;

WHEREAS, the CDC, the Department of Public Health, and other public health authorities continue to improve their understanding of how COVID-19 is spread, where the risk of spread is greatest, and how best to mitigate the risk of transmission, which permits periodic adjustments to safety measures addressing commercial, recreational, and social activities;

WHEREAS, as of December 7, 2020, the Department of Public Health has reported 250,022 confirmed cases of COVID-19 and the average daily rate of COVID-19 incidence per 100,000 is 35.7;

WHEREAS, the Commonwealth has seen a significant increase in its 7-day average of new daily confirmed cases of COVID-19: as of December 6, 2020, the daily average was 3,509 compared to 1,837 on November 8;

WHEREAS, the Commonwealth has likewise seen a significant increase in its 7-day weighted average of positive molecular test rate: as of December 6, 2020, the rate was 5.5% compared to 2.7% on November 8;

WHEREAS, between Thanksgiving and December 6, hospitalizations for COVID-19 in the Commonwealth increased 54% from 986 to 1,516 admissions;

WHEREAS, as of December 7, 2020, the Executive Office of Health and Human Services has moved all regions in Massachusetts to the Tier 3 designation of the Resurgence Planning and Response Framework due to decreasing hospital capacity and increasing community transmission of COVID-19;

WHEREAS, left unchecked, current COVID-19 case growth poses a risk to the Commonwealth’s healthcare system, and intervention is warranted to moderate case growth and preserve hospital capacity; and

WHEREAS, sections 7, 8, and 8A of Chapter 639 of the Acts of 1950 authorize the Governor, during the effective period of a declared emergency, to exercise any and all authority over persons and property necessary or expedient for meeting the state of emergency, including but not limited to authority over assemblages in order to protect the health and safety of persons, transportation and travel by any means or mode, regulating the sale of articles of food and

household articles, variance of the terms and conditions of licenses and permits issued by the Commonwealth or any of its agencies or political subdivisions, and policing, protection, and preservation of public and private property;

NOW, THEREFORE, I hereby Order the following:

1. Statewide Return to Phase III, Step 1 COVID-19 Safety Rules

Effective at 12:01 am on December 13, COVID-19 Order No. 56, is rescinded, and all enterprises authorized to open their brick-and-mortar premises to workers, customers, and the public under the Commonwealth's phased Re-Opening Plan must comply with rules applicable to Step 1 of Phase III of the Re-Opening Plan.

Accordingly, effective at 12:01 am on December 13, 2020, in every municipality in the Commonwealth:

- a. Businesses and other organizations identified as Phase III, Step 2 enterprises in Schedule A attached hereto must close their brick-and-mortar premises to workers, customers, and the public;
- b. Phase I and II enterprises, and Phase III, Step 1 enterprises, all as identified in Schedule A, may only operate pursuant to Step 1 Sector-Specific COVID-19 workplace safety rules issued pursuant to Section 2 of this Order. Earlier-issued Sector-Specific rules applicable to Step 2 of Phase III, which permitted enterprises located in "Lower-Risk Communities" to operate with increased capacity allowances and other adjustments, are hereby withdrawn; and
- c. Reduced capacity allowances for gatherings shall apply uniformly in every municipality as provided in COVID-19 Order No. 57, or as provided in any later Order further adjusting capacity allowances for gatherings.

2. Step 1 Adjustments to COVID-19 Workplace Safety Rules

The Director of the Department of Labor Standards and the Secretary of the Executive Office for Energy and Environmental Affairs shall issue, subject to my approval, revised Sector-Specific COVID-19 workplace safety rules for Phase I and II enterprises, and Phase III, Step 1 enterprises as necessary to respond to the increased prevalence of COVID-19 infections that has required the return to Step 1 rules across the Commonwealth.

The provisions of Sections 4 and 5 of COVID-19 Order No. 43 (and Section 4 of COVID-19 Order No. 37 as incorporated in COVID-19 Order No. 43), which set requirements for compliance with generally applicable and Sector-Specific COVID-19 safety rules and mechanisms for enforcement shall continue to apply to all Phase I, II, III enterprises authorized to open their brick-and-mortar premises.

Accordingly, any violation of the terms of this Order or any directives, regulations, or guidance issued pursuant to or to enforce this Order may result in a civil fine as provided in

Section 4 of COVID-19 Order No. 37, provided, however, that as provided in St. 1950, c. 639, § 8, a fine of up to \$500 per violation may apply. Each individual instance of non-compliance and each day of continuing non-compliance may be fined as a separate violation. Any penalties issued in an enforcement action shall be administered as provided in COVID-19 Order No. 48.

This Order is effective at 12:01 am on December 13, 2020 and shall remain in effect until rescinded or until the state of emergency is ended, whichever occurs first.

Given in Boston at 12:05 AM/PM this 8th
day of December, two thousand and twenty



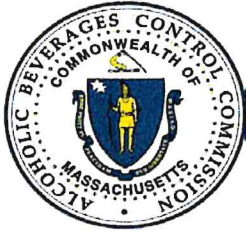
CHARLES D. BAKER
GOVERNOR
Commonwealth of Massachusetts

Schedule A
to COVID-19 Order No. 58 effective December 13, 2020

	All Phase I, II, III, and IV enterprises are required to comply with general and, where applicable, sector-specific COVID-19 workplace safety rules administered by DLS, DPH, EEA, and local boards of health. Workplace safety rules include a variety of mandatory context-specific COVID-19 safety measures such as occupancy limitations, operational modifications, social distancing rules, and specialized cleaning requirements.
Phase I	<p>As specified in COVID-19 Order No. 33:</p> <ul style="list-style-type: none"> • Businesses and other organizations providing products and services identified as “COVID-19 Essential Services” in COVID-19 Order No. 13 • Manufacturing • Construction • Places of Worship • Firearms retailers and shooting ranges • General Use Offices • Car Washes • Hair Salons and Barber Shops • Pet Groomers • Drive-In Movie Theaters • Laboratories • Certain Outdoor Recreational Facilities and Activities as specified in <u>Exhibit 1</u> to COVID-19 Order No. 33
Phase II	<p>As specified in COVID-19 Order No. 37 and including specifically:</p> <ul style="list-style-type: none"> • Retail Stores including stores in enclosed shopping malls • Restaurants providing seated food service prepared on-site and under retail food permits issued by municipal authorities pursuant to 105 CMR 590.000, including beer gardens/wineries/distilleries meeting these criteria <ul style="list-style-type: none"> ○ <u>Step 1</u>: outdoor table service ○ <u>Step 2</u>: indoor table service • Hotels, motels, inns, and other short-term lodgings (no events, functions, or meetings) • Limited organized youth and adult amateur sports activities and programs—no contact and no games or scrimmages, and indoor facilities limited to youth programs • Professional sports practice and training programs--no inter-team games and no admission for the public • Personal Services provided at a fixed place of business or at a client location <ul style="list-style-type: none"> ○ <u>Step 1</u>: Services involving no close personal contact (photography, window washers, individual tutoring, home cleaning, etc.) ○ <u>Step 2</u>: Services involving close personal contact (massage, nail salons, personal training for individuals or no more than 2 persons from same household, etc.) • Non-athletic instructional classes in arts/education/life skills for youths under 18 years of age in groups of fewer than 10 • Driving schools and flight schools • Outdoor historical spaces—no functions or gatherings and no guided tours • Funeral homes—increased capacity to permit 40% occupancy for one service at a time within the facility • Warehouses and distribution centers • Golf facilities including outdoor driving ranges • Other outdoor recreational facilities <ul style="list-style-type: none"> ○ pools, playgrounds and spray decks ○ mini golf, go karts, batting cages, climbing walls, ropes courses • Post-Secondary/Higher Ed/Vocational-Tech/Trade/Occupational Schools

	<ul style="list-style-type: none"> ○ for the limited purposes of permitting students to complete a degree, program, or prerequisite for employment, or other similar requirement for completion, for summer youth programming including athletic facilities, and any necessary supporting services • Day Camps including sports and arts camps • Public libraries
Phase III	<p><u>Step 1</u></p> <ul style="list-style-type: none"> • Post-Secondary/Higher Ed/Vocational-Tech/Trade/Occupational Schools—general operations • Casino gaming floors • Horse racing tracks and simulcast facilities • Indoor recreational and athletic facilities for general use (not limited to youth programs) • Fitness centers and health clubs including <ul style="list-style-type: none"> ○ cardio/weight rooms/locker rooms/inside facilities ○ fitness studios (yoga, barre, cross-fit, spin classes, general fitness studios) ○ indoor common areas ○ indoor swimming pools ○ indoor racquet courts and gymnasiums ○ locker rooms ○ excluding saunas, hot-tubs, steam rooms • Museums • Indoor historic spaces/sites • Aquariums • Outdoor theatres and other outdoor performance venues not designated as Phase IV enterprises • Movie theatres • Sightseeing and other organized tours (bus tours, duck tours, harbor cruises, whale watching) • Motion picture, television, and video streaming production • Fishing and hunting tournaments and other amateur or professional derbies • Outdoor event spaces used for gatherings and celebrations including those in parks, reservations, and other outdoor spaces not designated as Phase IV enterprises • Indoor event spaces such as meeting rooms, ballrooms, and private party rooms--only when used for functions or events permitted under Sector-Specific Rules for Indoor and Outdoor Events • Indoor non-athletic instructional classes in arts/education/life skills for persons 18 years or older • Indoor recreational activities with low potential for contact: batting cages, driving ranges, go karts, bowling alleys, rock-climbing walls • Indoor and outdoor gaming arcades and associated gaming devices <p><u>Step 2</u></p> <ul style="list-style-type: none"> • Indoor performance venues used for live performances such as concert halls, theaters, and other indoor performance spaces not designated as Phase IV enterprises • Indoor recreational activities with greater potential for contact: laser tag, roller skating, trampolines, obstacle courses
Phase IV	<ul style="list-style-type: none"> • Amusement parks, theme parks, indoor or outdoor water parks and indoor or outdoor ball pits • Saunas, hot-tubs, steam rooms at fitness centers, health clubs, and other facilities • Bars, dance clubs, and nightclubs—venues offering entertainment, beverages, or dancing and not providing seated food service prepared on-site and under retail food permits issued by municipal authorities pursuant to 105 CMR 590.000

	<ul style="list-style-type: none">• Beer gardens/breweries/wineries/distilleries not providing seated food service prepared on-site and under retail food permits issued by municipal authorities pursuant to 105 CMR 590.000• Large capacity venues used for group or spectator sports, entertainment, business, and cultural events including<ul style="list-style-type: none">○ Stadiums, arenas, and ballparks○ Dance floors○ Exhibition and convention halls• Street festivals and parades and agricultural festivals• Road races and other large, outdoor organized amateur or professional group athletic events• Overnight camps (Summer 2021) <p>This listing is subject to amendment.</p>
--	---



*Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
Chelsea, Massachusetts 02150*

Jean M. Lorizio, Esq.
Chairman

**ALCOHOLIC BEVERAGES CONTROL COMMISSION ADVISORY
REGARDING THE ROLLBACK OF THE COMMONWEALTH OF MASSACHUSETTS
TO PHASE 3, STEP 1, OF THE REOPENING PLAN**

On December 8, 2020, Governor Charlie Baker rolled back the Commonwealth of Massachusetts to Phase 3, Step 1 of the Reopening Plan. The Governor's Reopening Plan can be found [HERE](#).

Licensees should be aware that this rollback mandates the following for licensees that sell alcohol for on-premises consumption:

- 1) Patrons may be seated at a table for only up to ninety (90) minutes total;
- 2) Tables may only have a capacity of six (6) individuals;
- 3) All employees, including both those at the front of the house and the back of the house, must wear face coverings at all times, with no exceptions;
- 4) All patrons must wear face coverings at all times, except for eating and drinking;
- 5) No musical performances may be held; and
- 6) There can be no food court seating.

This rollback goes into effect on Sunday, December 13, 2020, and will remain in effect until rescinded or until the state of emergency is ended, whichever occurs first.

As always, all licensees must ensure that they comply with the laws of the Commonwealth of Massachusetts, and that sales of alcoholic beverages take place only as authorized by federal, state, and local law. All questions should be directed to the ABCC Executive Director Ralph Sacramone at rsacramone@tre.state.ma.us or (617) 727-3040 x 731.

(Issued December 9, 2020)



Town of Wilmington

Board of Health

121 Glen Road
Wilmington, Massachusetts 01887

To: Wilmington Board of Selectmen

From: Shelly Newhouse, R.S.
Director of Public Health

Date: December 11, 2020

Re: COVID-19 vaccine

Please accept this memo as an update on the COVID-19 vaccine.

In order to continue receiving vaccines from the Massachusetts Department of Public Health (MDPH) Vaccine Management Unit, Immunization Division providers (such as the Wilmington Board of Health) are required to re-enroll annually in the Massachusetts Immunization Information System (MIIS). Wilmington does this every year. The Town of Wilmington has successfully submitted a MCVP (Massachusetts COVID Vaccine Provider) Agreement and we are eligible to receive COVID-19 vaccine once it becomes available.

Please see attached infographic which I will have for the public at the meeting.

When can I get a COVID-19 vaccine in MA?



PHASE ONE

In order of priority

- Clinical and non-clinical healthcare workers doing direct and COVID-facing care
- Long term care facilities, rest homes and assisted living facilities
- Police, Fire and Emergency Medical Services
- Congregate care settings (including corrections and shelters)
- Home-based healthcare workers
- Healthcare workers doing non-COVID-facing care



PHASE TWO

In order of priority

- Individuals with 2+ comorbidities (high risk for COVID-19 complications)
- Early education, K-12, transit, grocery, utility, food and agriculture, sanitation, public works and public health workers
- Adults 65+
- Individuals with one comorbidity



PHASE THREE

Vaccine available to general public

December - February

Estimated timeframes

February - April

April - June

For more information on vaccine distribution visit [Mass.gov/COVIDvaccine](https://www.mass.gov/COVIDvaccine)





Wood Environment & Infrastructure Solutions, Inc.
271 Mill Road
Chelmsford, MA 01824
USA

Technical Memo

To: United States Environmental Protection Agency –
Melanie Morash

From: Olin Corporation
James Cashwell, Libby Bowen, Chinny Esakkiperumal

cc: Wood Environment and Infrastructure Solutions
Nelson Walter, John Rice, Rod Rustad, Brian Havens

Date: 30 November 2020

Re: Olin Wilmington – Maintenance of Temporary Containment Area Cap

Introduction

During the November 19, 2020 visit to the Olin Wilmington site, representatives of the United States Environmental Protection Agency (USEPA), Olin Corporation (Olin), and Wood Environment and Infrastructure Solutions (Wood) identified the need for maintenance to the temporary Containment Area cap. A tear in the scrim-reinforced plastic liner caused soil beneath the temporary cap to be exposed. The affected area is co-located with borings advanced as part of the focused Containment Area investigation conducted during fourth quarter 2019, which indicated minimal soil impacts in the area. As such, it is our opinion that the tear will not result in adverse transport of constituents of concern to groundwater either within or outside of the Containment Area. However, Olin takes its responsibility to maintain the cap seriously and intends to install a new, thicker temporary cap early in 2021. The following provides additional detail to this planned maintenance.

The initial temporary cap was installed in 2000 and was constructed of 6-mil polyethylene covering the entire Containment Area. In the spring of 2003, a new 8-mil polyethylene cover was placed over the existing 6-mil polyethylene cover. Additional repairs have been made periodically following wind events or when damage to the temporary cap is observed.

Because the seismic reflection survey of the Containment Area scheduled for the month of December 2020 will require geophones to be installed through the cover, short-term maintenance is scheduled for implementation immediately, and will be followed by installation of a new, 20-mil liner tentatively planned for January 2021. Note that the Proposed Plan published by the USEPA in August 2020 calls for a permanent cap to be installed over the Containment Area, so these measures are intended to inhibit infiltration until the final cap is designed and built.

Short-Term Maintenance

- During the week of November 30, 2020, Olin and Wood personnel cover the exposed soil with excess liner material currently maintained in storage at the Site and existing cap materials that has been blown out of place. The liner will be ballasted with sand.



- Starting in December 2020, Olin will initiate monthly inspections of the Containment Area cap. The inspections will document the condition of the cover, identify steps taken to resolve any problems, and include photographic documentation. Olin will forward findings of the inspections and any planned response actions to EPA via email in a monthly update.

New Liner Installation

- Installation of the new liner is tentatively scheduled for January 2021. Olin will engage a contractor to cover the Containment Area with a new polyethylene cover. The preliminary plan for new liner is to remove all sandbags, blocks, and vegetation, smooth out the existing polyethylene material and cover the Containment Area with a new 20-mil polyethylene geomembrane. The new liner will be installed with an anchor trench around the perimeter of the Containment Area, and the interior area of the liner will be sealed per specifications and ballasted with sandbags constructed of the same liner material. Olin will provide specifications for the cover materials to EPA for review prior to the installation.

Documentation

- In addition to the email updates described above, Olin will prepare an addendum to the Site Management Plan (SMP) that will include the details of the monthly Containment Area inspections. Olin will submit the addendum to the SMP to USEPA by January 31, 2021 for review.



GeoInsight®

Environmental Strategy & Engineering

One Monarch Drive, Suite 201
Littleton, Massachusetts 01460
Tel. (978) 679-1600
Fax (978) 679-1601

PROJECT MEMORANDUM

To: Melanie Morash, Environmental Protection Agency Date: December 9, 2020

From: Kevin Trainer GeoInsight Project 5611-003
Robert Reynolds
Michael Webster

Cc: Jeffrey Hull, Wilmington Town Manager

Re: Comments on Proposed Repair and Maintenance of Temporary Containment Area Cap
Olin Chemical Superfund Site (OCSS)
51 Eames Street
Wilmington, Massachusetts

GeoInsight, Inc. (GeoInsight) prepared this memorandum to provide comments on the proposed repair and maintenance plan for the temporary containment area cap at the Olin Chemical Superfund Site (OCSS). The repair and maintenance plan is described in a November 30, 2020 technical memo from Olin Corporation (Olin Memo). The Olin Memo indicates that the objective of the temporary cap is to inhibit infiltration into the containment area until the final cap is installed.

In general, we agree that the installation of a new geomembrane liner is warranted and the proposed 20-mil liner will be an improvement over the existing liner that is constructed of one layer of 8-mil polyethylene sheeting over one layer of 6-mil polyethylene sheeting. Our comments to the Olin Memo are presented below.

1. The memo indicates that the geomembrane will be constructed of polyethylene, but does not identify the specific type of polyethylene material that will be used (e.g., high density polyethylene [HDPE], linear low-density polyethylene [LLDPE], medium density polyethylene [MDPE]). It is important that the specific polyethylene material be identified because the different polyethylene materials have different characteristics regarding puncture resistance, flexibility, and ultraviolet (UV) resistance. For this project, GeoInsight suggests that HDPE be used, because of its toughness and UV resistance.
2. We note that, while the 20-mil geomembrane will be an improvement to the existing polyethylene sheeting, thicker geomembranes (e.g., 40-mil, 60-mil) are more resistant to

punctures and/or damage that may occur during construction/installation, by animals, or during maintenance activities. A soil cover (e.g., 6 to 8 inches of clean cover soil) over the geomembrane would also be beneficial in reducing potential damage to the geomembrane.

3. Geomembranes are typically installed in sections with individual sections are overlapped and/or joined together (using tape or welding methods). The Olin Memo indicates that “the interior area of the liner will be sealed per specifications.” However, the Olin Memo does not provide those specifications or information on how the sections will be sealed. Additional information should be provided on the overlap of individual sections and the fastening mechanism (tape or welding) that will be used to join sections together. The overlap and fastening methods must provide for sufficient connections between sections and to allow for proper testing. We note that welding methods may be difficult for the proposed 20-mil polyethylene geomembrane due to insufficient geomembrane thickness.
4. The Olin Memo notes that monthly inspections will be conducted after the installation of the new geomembrane. The details of the monthly inspections will be presented in a forthcoming Site Management Plan (SMP). Conducting inspections on a monthly basis is expected to be a reasonable approach for periodically evaluating the geomembrane. We note that, if the monthly inspections include walking on the geomembrane as part of a visual inspection, this activity has the potential to damage the proposed geomembrane via increased foot traffic and associated wear-and-tear. We note that a thicker geomembrane (e.g., 40-mil, 60-mil) and/or a soil cover above the geomembrane would be more resistant to damage from foot traffic.
5. Although the details of the monthly inspections will be included in the forthcoming SMP, periodic overhead imagery (e.g., obtained from a drone) would be beneficial to assist in visually evaluating the integrity of the new geomembrane.
6. The maintenance plan should include a provision to periodically conduct integrity testing of the geomembrane. Integrity testing can be conducted using several potential methods, including infrared thermography or electrical capacitance/voltage testing. Geomembrane integrity testing should be conducted at:
 - the completion of the installation activities to verify the geomembrane effectiveness; and
 - an appropriate periodic basis (e.g., annually) to supplement the monthly visual inspections.

From: Selectman Jomarie O'Mahony
Sent: Thursday, December 10, 2020 9:15 PM
To: Jeffrey Hull <jhull@wilmingtonma.gov>
Cc: Selectman Jonathan Eaton <jeaton@wilmingtonma.gov>
Subject: Re: Email Update on the MBTA Advisory Board

Hi Jeff,

I apologize for the delay in getting this to you. I was able to attend the 12/4 MBTA Advisory Board meeting and am attaching the minutes from it in case any board member is interested as well as the report submitted by the advisory board to the MBTA basically agreeing with the proposed changes that will be going into affect on Monday, 12/14. I am attaching the report for the board as it is interesting to see the budgetary issues they have been facing and how these changes will potentially save \$145 million. the impact to Wilmington residents are that the commuter rail will stop at 9 PM on weekdays and have no weekend service. there may be some changes and reductions in the scheduled times at non-peak hours. The subway system will also stop running at midnight, in case any residents also utilize that system.

Residents are encouraged to go tot he MBTA website to confirm their travel plans prior to using the system.

I believe that is all for the update but let me know if you want me to give more specifics on the budget component. thanks!



The MBTA Advisory Board

Meeting Minutes

MBTA Advisory Board

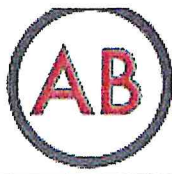
December 04, 2020 10:00 AM

- A. Call to order: Mayor Thomas Koch (Quincy), Chair, called the meeting to order at 10:05 AM via Zoom. Vice Chair Mayor Brian Arrigo (Revere) also in attendance.
- B. 11/04/20 Minutes: Dan Salvucci (Whitman) moved to approve the minutes of the 11/04/20 meeting minutes as amended. Alan Castaline (Brockton) seconded the motion. Motion carried unanimously.
- C. Forging Ahead Report: As required by MGL 161A, section 5 (d) the Advisory Board conducted an independent review of the MBTA's proposals. This review finds that no major service changes are warranted at this time. This review is recommended by the Executive Committee for approval by the full board. The Chair led a discussion, and many members had questions or comments. Following a thorough discussion, Glenn Cannon (Bourne) moved approval by the full board. Todd Kirrane (Brookline) seconded. Motion carried unanimously.
- D. Public Comment: There was none.
- E. New Business: Brian Kane reported that the full board will next meet in the Spring to review the MBTA's operating and capital budgets. Committees will meet over the winter and spring via Zoom.
- F. Adjourn: The Chair requesting a motion, Janie Dretler (Sudbury), moved to adjourn. Collete Aufranc (Wellesley) seconded. carried unanimously. Meeting adjourned at 10:58 AM.



The MBTA Advisory Board

12/4/20 Meeting Attendees			
Abington	Bob Toomey, Jr.	Foxborough	
Acton	Ben Bloomenthal	Framingham	
Amesbury		Franklin	
Andover		Freetown	
Arlington	Hon. Len Diggins	Georgetown	
Ashburnham		Gloucester	
Ashby		Grafton	
Ashland	Hon. Rob Scherer	Groton	
Attleboro		Groveland	
Auburn		Halifax	
Ayer		Hamilton	
Bedford	Hon Margot Fleischman	Hanover	
Bellingham		Hanson	
Belmont		Harvard	
Berkley		Haverhill	
Beverly		Hingham	
Billerica		Holbrook	
Boston		Holden	
Bourne	Glenn Cannon	Holliston	
Boxborough		Hopkinton	
Boxford		Hull	Hon. Jen Constable
Braintree		Ipswich	Hon. Linda Alexson
Bridgewater	Michael Dutton	Kingston	
Brockton		Lakeville	
Brookline	Todd Kirrane	Lancaster	
Burlington		Lawrence	
Cambridge	Susanne Rasmussen	Leicester	
Canton		Leominster	
Carlisle		Lexington	Susan Barrett
Carver		Lincoln	
Chelmsford		Littleton	
Chelsea		Lowell	
Cohasset		Lunenburg	
Concord		Lynn	Bill Bochnak
Danvers		Lynnfield	
Dedham		Malden	
Dover		Manchester	
Dracut		Mansfield	
Duxbury		Marblehead	
E. Bridgewater		Marlborough	
Easton	Hon. Dottie Fulginiti	Marshfield	Greg Guimond
Essex		Maynard	
Everett		Medford	Todd Blake
Fitchburg			



The MBTA Advisory Board

12/4/20 Meeting Attendees Continued			
Medway		Seekonk	
Melrose	Jonathan Berg Seth Holbrook	Sharon	
Merrimac		Sherborn	
Methuen		Shirley	
Middleborough		Shrewsbury	
Middleton		Somerville	Brad Rawson
Millbury		Southborough	
Millis		Sterling	
Milton	Mike Dennehy	Stoneham	
Nahant		Stoughton	Hon. Debra Roberts
Natick	Josh Ostroff	Stow	
Needham		Sudbury	Hon. Janie Dretler
Newbury		Sutton	
Newburyport		Swampscott	
Newton	David Koses	Taunton	
Norfolk		Tewksbury	
North Andover		Topsfield	
N. Attleborough		Townsend	
North Reading		Tyngsborough	
Northborough		Upton	
Northbridge		Wakefield	
Norton		Walpole	
Norwell		Waltham	
Norwood	Joe Collins	Wareham	
Paxton		Watertown	Laura Wiener
Peabody		Wayland	
Pembroke	Bill Cullity	Wellesley	Hon. Colette Aufranc
Plymouth		Wenham	
Plympton		West Boylston	
Princeton		W. Bridgewater	
Quincy		West Newbury	
Randolph		Westborough	
Raynham		Westford	
Reading		Westminster	
Rehoboth		Weston	
Revere	Hon. Brian Arrigo (Vice Chair) Juan Diego Jaramillo	Westwood	Steve Olanoff
Rochester		Weymouth	
Rockland		Whitman	Hon. Dan Salvucci
Rockport		Wilmington	Hon. Jomarie Mahoney
Rowley		Winchester	
Salem		Winthrop	
Salisbury		Woburn	
Saugus	Hon. Mike Serino	Worcester	
Scituate		Wrentham	



Forging Ahead Review

Approved by the Board
December 04, 2020

MBTA Advisory Board
177 Tremont Street, 4th Floor
Boston, MA 02111

617-426-6054
www.mbtaadvisoryboard.org

EXECUTIVE COMMITTEE

Hon. Thomas Koch, Chair	representing the City of Quincy
Hon. Brian Arrigo, Vice Chair	representing the City of Revere
Vineet Gupta, Secretary/Clerk	representing the City of Boston
Todd Kirrane, Treasurer	representing the Town of Brookline
Todd Blake	representing the City of Medford
William Bochnak	representing the City of Lynn
Glenn D. Cannon, P.E.	representing the Town of Bourne
Joseph Collins	representing the Town of Norwood
Hon. Jennifer Constable	representing the Town of Hull
Michael Dennehy	representing the Town of Milton
John DePriest	representing the City of Chelsea
Hon. Lenard Diggins	representing the Town of Arlington
Hon. Roy Epstein, PhD	representing the Town of Belmont
David Koses	representing the City of Newton
Yem Lip, P.E.	representing the City of Malden
Jay Monty	representing the City of Everett
Josh Ostroff	representing the Town of Natick
P. Christopher Podgurski	representing the Town of Canton
Susanne Rasmussen	representing the City of Cambridge
Brad Rawson (pending)	representing the City of Somerville
Hon. Robert Scherer	representing the Town of Ashland
Laura Wiener, AICP	representing the Town of Watertown

ADVISORY BOARD STAFF

Brian Kane	Acting Executive Director
Deborah Gaul	Office Manager/Executive Assistant

Contents

About the MBTA Advisory Board	1
Executive Summary.....	1
Introduction	4
Process Review	5
Projected FY22 Operating Budget Gap	7
Baseline FY22 Deficit.....	8
Identified Risks.....	8
FY22 Extra COVID Spending	8
FY22 Extra Overtime	9
Proposed FY22 Operating Budget Fixes	9
FY21 Carryover.....	10
Federal Funds Flex	11
Service Cuts.....	12
Bus	13
Heavy Rail and Light Rail	13
Commuter Rail	14
Ferry.....	15
Paratransit	15
Suburban Bus Program	17
Internal Savings.....	17
Capital Salaries.....	18
Analysis	18
COVID Cleaning	19
FEMA Reimbursement	19
Advisory Board Estimated FY22 Budget Gap.....	20
Recommendation	20
Conclusion	21
Appendices	23
Capital Projects effected by Federal Funds Flex.....	24
Bus routes proposed for consolidation	25
Bus routes proposed for truncation.....	26
Bus routes proposed for elimination	27
RIDE service area proposed changes	28



Preface

No proposal for a systemwide change in fares or decrease in systemwide service of 10 per cent or more shall be effective until said proposal shall first have been the subject of one or more public hearings and shall have been reviewed by the advisory board and, for a systemwide increase in fares of 10\% or more, the MBTA board has made findings on the environmental impact of such increase in fares and, for a systemwide decrease in service of 10\% or more, the decrease shall be the subject of an environmental notification form initiating review pursuant to sections 61 and 62H, inclusive, of chapter 30. Any systemwide increase in fares of 10 per cent or more shall conform to the fare policy established pursuant to paragraph (r). The authority shall increase fares only to provide needed revenue and shall not increase fares soley (*sic*) for the purpose of funding the stabilization fund established pursuant to section 19.

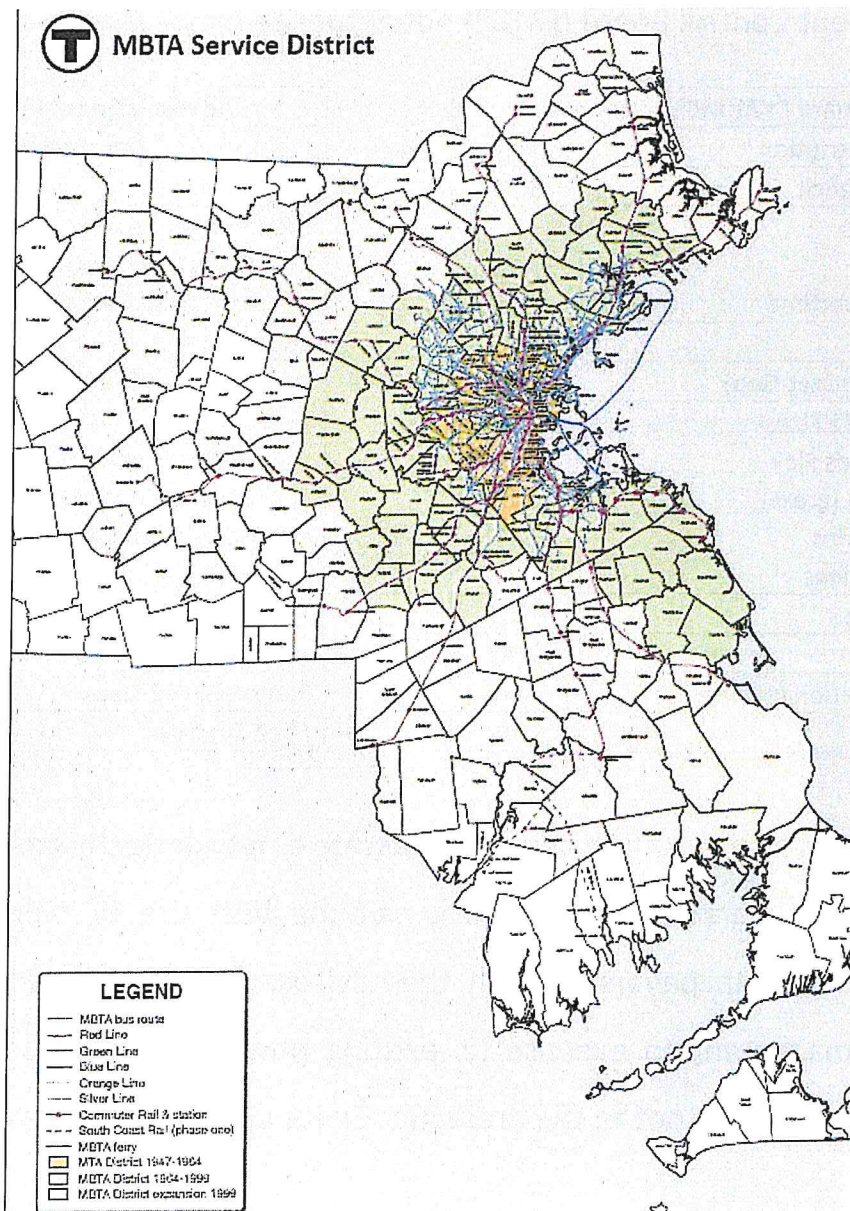
-Massachusetts General Law chapter 161A, section 5 (d)

The MBTA Advisory Board finds that the *Forging Ahead* proposals represents a decrease in systemwide service of 10% or more. This document constitutes the Advisory Board's review.

The MBTA Advisory Board

About the MBTA Advisory Board

The MBTA Advisory Board is an independent body organized under Massachusetts General Law to oversee the finances, operations, and activities of the Massachusetts Bay Transportation Authority. The Advisory Board represents the interests of the 176 cities and towns that constitute the MBTA Service District. In FY21 these municipalities are contributing over \$176 million in subsidies to the Authority via municipal assessments.



Executive Summary

The Advisory Board's independent analysis of the MBTA's *Forging Ahead* initiative finds no budgetary justification to cut so much public transportation service at this time. Our review finds that the projected fiscal year 2022 (FY22) deficit is smaller by \$124 million than stated by the MBTA. This negates the need to slash transit service to net \$112 million. In consideration of this, and the uncertainties of future commuting patterns, the Advisory Board recommends that the Fiscal and Management Control Board (FMCB) not authorize major service changes now.

Advisory Board FY21 MBTA Proposal	
Description	Millions
Projected FY21 Deficit	\$-54
FY21 Budget Risks	
COVID-19	\$-13
Increased Overtime	\$-12
Subtotal Risks	\$-25
Deficit + Risks (Budget Gap)	\$-79
FY21 Fixes	
Federal Funds Flex	\$171
Service Cuts (gross)	\$0
Capital Salaries	\$66
Internal Savings	\$64
Subtotal FY21 Fixes	\$301
Deficit less fixes	\$222
Sales Tax Acceleration (1-time)	\$40
FY21 Surplus	\$262

Advisory Board FY22 MBTA Proposal	
Description	Millions
Projected FY22 Deficit	\$-584
FY22 Budget Risks	
COVID-19 (6 months)	\$-29
Increased Overtime	\$-10
Subtotal Risks	\$-39
Deficit + Risks (Budget Gap)	\$-623
FY22 Fixes	
FY21 carryover	\$262
Federal Funds Flex	\$209
Service Cuts (gross)	\$0
FEMA Reimbursement (75%)	\$22
Internal Savings	\$74
Capital Salaries	\$68
Subtotal FY22 Fixes	\$635
FY22 Surplus	\$12

However, it is also clear that paying to operate empty or nearly empty buses, trains, boats, and/or paratransit vehicles is not the best use of money from riders, communities, or taxpayers. As such, the Advisory Board suggests that FMCB direct MBTA management to exercise its existing powers to make small, temporary, service changes, but not to the dramatic service cuts proposed by the MBTA.

The FY22 budget gap is still extraordinarily large, and action is required. To close this gap, the Advisory Board suggests that the FMCB move forward with the other parts of *Forging Ahead*: flexing federal formula funds, charging capital salaries to the capital budget where allowable, and finding internal savings. Given the information we have at this time, these budget actions should be enough to get the MBTA through FY22.

In addition, the Advisory Board also calls for the creation of a **Return to Service Commission** comprised of representatives of riders, employers, community leaders, municipalities, and others to monitor service changes, establish metrics for ending temporary service cuts, and recommend returning service to FMCB and successor MBTA Board of Directors.

The long-term impact of service cuts is dramatic for riders and communities alike. The short-term budget benefit of making them must be weighed carefully, and the assumptions underpinning them deserve thorough investigation. The Advisory Board's view is that risk of permanent loss of ridership, increased congestion, and other negative effects of service cuts to people and communities is too high a price to pay right now, just as a vaccine is on the horizon.

Finally, it cannot be overstated that this budget crisis precipitated by the global pandemic is a symptom of the MBTA's structural deficit. The MBTA has not truly had a balanced budget since 2001. The financial structure of the MBTA is broken. Over the last 20 years fixes such as studies, panels, commissions, committees, governance tweaks, merging agencies, financial engineering, and many other short-term remedies have been tried to solve the symptoms of this structural

deficit. Just as with COVID-19, treating symptoms alone does not save the patient. To stop the revolving door of regular MBTA budget crisis that we all find ourselves in, the MBTA's broken financial structure must be treated and cured- without doing this, nothing has been accomplished. The pandemic has laid bare, again, the MBTA's financial structural weakness- perhaps now is the time, finally, to fix the MBTA's structural and cyclical deficit once and for all.

Introduction

The impact of eliminating public transportation service, even temporarily, is devastating for riders and for cities and towns attempting to plan for their futures. That COVID-19 had reduced MBTA ridership is beyond doubt. That it also has forced the Authority to incur extra costs related to cleaning and equipment is also clear. The result of this reduced ridership and extra COVID costs, according to the Authority, is an estimated \$79 million budget gap for fiscal year 2021 (FY21), and a \$653 million gap for fiscal year 2022 (FY22). To close the FY22 gap, the MBTA announced its *Forging Ahead* initiative, a series of budget moves designed to produce surpluses in FY21 to carryover, paired with service cuts, transfers between the operating and capital budgets, and internal savings all designed to leave the MBTA with a \$73 million surplus in June 2022. The Advisory Board queries using service cuts to generate a major surplus- a the very least the service cuts package should be reduced by the surplus amount.

This report serves as the MBTA Advisory Board's independent review of the MBTA's proposals. It seeks to provide a record of proposed service cuts, and other budget proposals offered by the Authority. It also examines the assumptions underpinning the estimated budget gaps and offer recommendations to the Fiscal and Management Control Board (FMCB) for consideration. The Advisory Board estimates that the MBTA's budget gap for FY22 is \$528 million, and not \$653 million, and suggests that large-scale service cuts are not warranted at this time. This report explains the Advisory Board's approach and offers a path the FMCB can close this smaller budget gap while maintaining service.

While running nearly empty trains, buses, boats, and paratransit vehicles is far from ideal, for many MBTA customers their trip on that nearly empty vehicle is an essential one. However, it is also clear that paying the cost to operate nearly empty transit vehicles is not ideal. However, the MBTA has the ability already to make certain service changes to save money. Indeed, it already has consolidated several bus lines to reduce redundancy. The FMCB should direct the Authority's management to continue such actions- while still maintaining minimal levels of service on all modes and in all areas it currently serves.

Process Review

The MBTA began hinting at possible service reductions at its September 14, 2020 FMCB meeting. At this meeting, and at meetings on September 21 and October 5, the Authority suggested bleak financial prospects for FY22 due to lost ridership as a result of the global COVID-19 pandemic. On November 9, the full package of service reductions was announced. MBTA General Manager Steven Poftak appeared at the Advisory Board's November 16, 2020 meeting, and presented the Authority's proposals. The General Manager spent two hours answering questions from members and hearing member comments. In addition to this full board meeting, the Advisory Board's Service Committee met on November 13 for an in-depth consideration of proposals relating to light rail, heavy rail, the bus network, and THE RIDE. The Advisory Board's Ferry Committee met on November 20 in conjunction with members of the Water Transportation Advisory Council to consider the proposed elimination of all ferry service, and the Board's Commuter Rail Committee met on November 24 to consider proposes to this mode.

The MBTA also hosted ten public meetings and one public hearing to garner feedback about its service proposals. These meetings took place between November 12 and December 2. The Advisory Board's Acting Executive Director attended each of these meetings (hosted via Zoom) to monitor public feedback and hear public testimony. In addition, the Acting Executive Director engaged in multiple conversations with MBTA staff to transmit member questions, assemble financial and ridership information, and query assumptions embedded in the service reduction proposals.

The Advisory Board's Executive Committee met on December 01, 2020 to consider this report, and again on December 3, 2020 to vote on it. The full Advisory Board met on December 04, 2020. After discussion, the Executive Committee recommends approval of this report by the full board at its December 04, 2020 meeting. The FMCB originally scheduled its vote on the proposal on December 07, 2020, however this vote could take place on December 14, 2020 instead.

The Advisory Board thanks the many MassDOT and MBTA employees for their efforts and contributions in the preparation of this report: MBTA General Manager Steven Poftak; Chief of Staff David Abdoo; Chief Administrative Officer David Panagore; Deputy Chief Administrative Officer Samantha Silverberg; Chief Financial Officer Mary Ann O'Hara; Chief of Operations Strategy, Policy & Oversight Kat Benesh and Director of Special Projects Angel Donahue-Rodriguez are specifically thanked for their efforts. Special thanks, as well, to those members of the Fiscal and Management Control Board for attending many of the public meetings.

Projected FY22 Operating Budget Gap

The MBTA projects its FY22 budget gap at \$653 million, consisting of a \$584 million operating budget deficit due to low fare revenue from less ridership, and \$69 million in identified budget risks, principally from increased COVID-19 spending. The MBTA bases this estimate on the assumption that 55% of the pre-COVID fare revenue will return to the system by last month of FY22 (June 2022). To fill its budget gap, the Authority proposes a multi-pronged approach involving plans to re-utilize capital funds, find internal savings, cut transportation service, and carryover millions in savings from the current fiscal year into FY22. These efforts are expected to result in a \$73 million surplus at the end of FY22. Table 1 provides a high-level description of the Authority’s projected deficit, and its proposals to fix this budget gap.

MBTA FY22 Operating Budget Plan	
Description	millions
Projected FY22 Deficit	-\$584
FY22 Budget Risks	
COVID Vehicle cleaning (12 mo.)	-\$36
COVID Facility cleaning (12 mo.)	-\$12
COVID PPE (12 mo.)	-\$10
Increased Overtime	-\$10
Subtotal Risks	-\$69
Total Budget Gap	-\$653
FY22 Fixes	
FY21 carryover	\$276
Federal Funds Flex	\$209
Service Cuts (gross)	\$98
Internal Savings	\$74
Capital Salaries	\$68
Subtotal FY22 Fixes	\$725
Deficit less fixes	\$73

Table 1: Proposed FY22 MBTA operating budget plan

Baseline FY22 Deficit

The MBTA projects a FY22 operating budget deficit of \$584 million, due principally to the continued low ridership resulting from the COVID 19 pandemic, and anticipated commuter travel pattern disruptions as former-commuters continue to work from home, to remain unemployed, or to change travel modes. This deficit assumes that 55% of pre-pandemic commuters return to using the MBTA by June 2022 (aka scenario 3 of fare revenue). Should more former customers return, fare revenue will show a further increase, and the budget gap would shrink. For instance, under the MBTA's scenario 2 of fare revenue, if 68% of riders return by June 2022, the MBTA projects its deficit would shrink by \$101 million, to \$483 million.

Identified Risks

In addition to the baseline budget deficit, the Authority assumes \$69 million in extra spending in FY22, \$59 million of this is for COVID-19 related spending, and \$10 million in extra overtime.

FY22 Extra COVID Spending

The Authority projects the need to spend an additional \$59 million on COVID-19 related items in the period July 1, 2021 – June 30, 2022. This includes \$36 million for revenue vehicle cleaning, \$12 million extra for facility cleaning, and \$10 million more for personal protective equipment. These estimates are based on the spending trend through October 2020. Of the \$49 million extra for cleaning, 75% of these costs are potentially eligible for reimbursement from the Federal Emergency Management Agency (FEMA). However, due to the uncertainty of FEMA reimbursements, the Authority is not assuming any reimbursement of these costs in FY22.

FY22 Extra Overtime

Since 2011, overtime spending has exceeded its budgeted amount by an average of \$13 million per year. Year-to-date in FY21, overtime spending is \$3 million above budget. To account for this historical trend, the Authority is projecting overtime cost to be \$10 million more in FY22 than originally projected.

Proposed FY22 Operating Budget Fixes

To solve for its baseline budget gap, the MBTA proposes a multi-faceted approach involving carrying over operating budget savings from FY21 (\$276 million), flexing federal formula funds from its capital budget to its operating budget (\$209 million), service cuts (\$98 million), realizing internal savings from its departments and programs (\$74 million), and transferring certain salaries from the operating budget to the capital budget (\$68 million). These efforts are projected to generate \$725 million in cost reductions for FY22, resulting in an expected \$73 million. As stated above, there are risks associated with each of these proposals, including a risk of not achieving the targets. Table 1, above, details the proposed fixes in table form. Chart 1, below, shows this as a pie chart.

MBTA Proposed FY22 Budget Fixes (millions)

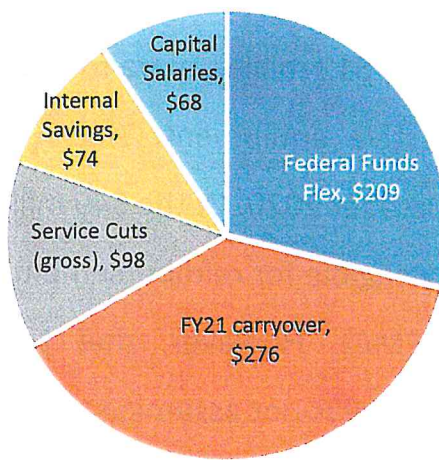


Chart 1: Proposed MBTA FY22 Operating Budget Fixes

FY21 Carryover

The largest component of the Authority's plan to fix its FY22 deficit is to carryover savings in its FY21 operating budget. FY21 is the current fiscal year, running from July 1, 2020 to June 30, 2021. The FY21 operating budget was adopted by the Fiscal and Management Control Board on May 21, 2020. This budget was provided to the Advisory Board on May 11, 2020 and reviewed by this body and its committees. The FY21 revised operating budget projected revenue of \$1.653 billion and expenses of \$2.29 billion this fiscal year. It was balanced with an influx of \$577 million in federal CARES Act funds, \$76 million in FY20 carryover, \$30 million in FEMA reimbursements, and \$27 million in other funds.

Year-to-date the FY21 budget is on target to be \$54 million in deficit at the end of the fiscal year, plus an additional \$25 million in extra COVID expenses and increased overtime, for a total expected budget gap of \$79 million. To solve this gap, the Authority proposes to use many of the same methods as it does for FY22: flex federal funds (\$171 million), transfer certain salaries from the operating budget to the capital budget (\$66 million), find internal savings (\$64 million), and cut service (\$14 million). These actions are expected to result in an FY21 operating budget surplus of \$236 million.

In addition to the actions described above, the Authority also proposes to take advantage of a one-time action permitted by recently enacted Massachusetts law. This one-time action will allow the MBTA to receive \$40 million in accelerated sales tax revenue from the Commonwealth. The law itself is procedural and has to do with the timing of sales tax payments by third party vendors, but the effect is the availability of these funds to the MBTA in FY21, and only once. The Authority first

planned to use these funds as part of its FY21 operating budget for capital programs. However, in its revised budget as approved, this was not included. It is included now as an action to take effect in FY21, but with the funds going instead to the MBTA’s operating budget deficiency fund.

MBTA FY21 Operating Budget Plan	
Description	Millions
Projected FY21 Deficit	-\$54
FY21 Budget Risks	
COVID-19 Cleaning/PPE	-\$13
Increased Overtime	-\$12
Subtotal Risks	-\$25
Total Budget Gap	-\$79
FY21 Solves	
Federal Funds Flex	\$171
Capital Salaries	\$66
Internal Savings	\$64
Service Cuts	\$14
Subtotal FY22 Fixes	\$315
Deficit less fixes	\$236
Sales Tax Acceleration (1-time)	\$40
Total FY21 Surplus	\$276

Table 2: Proposed FY21 MBTA Operating Budget Adjustments

Table 2 above shows the MBTA’s plan to modify its FY21 operating budget. All surplus funds will flow to its established operating budget deficiency fund for use as carryover in FY22.

Federal Funds Flex

The Authority proposes to reallocate \$380M in formula funds from capital projects to preventative maintenance in its operating budget across fiscal years 21 and 22. This is a combination of prior year formula funds that have been allocated to the MBTA but not yet expended and future year funds that it anticipates receiving from the FTA in the coming months. To implement the transfer the MBTA will bring an

amendment before the Boston Metropolitan Planning Organization (MPO) to amend the Transportation Improvement Program (TIP) to move these funds. This amendment requires a 21-day public comment period, before a vote, expected on January 7, 2021. The Advisory Board holds a seat on the Boston MPO.

Flexing these funds allows the MBTA to offset \$171 million in FY21, and \$209 million in FY22 in preventative maintenance initiatives which traditionally would be paid for by the operating budget, and instead pay for these initiatives with capital dollars. This results in freeing up funds in the operating budget for other uses. These federal funds must be accounted for separately and are restricted to preventative maintenance of infrastructure. Shifting these funds away from the capital budget will result in the loss of these funds for capital projects and infrastructure spending.

See Appendix 1 below for a list of all projects. The Commuter Rail procurement will be paused, and station projects in Lynn, Newton, South Attleboro, and Winchester slowed by this process.

Service Cuts

As part of its fixes to its budget gap, the Authority proposes to eliminate \$142 million in transportation services. The net of the \$142 million in service eliminations to the MBTA budget is between \$102 - \$122 million. Of this, \$14 million accrues to the FY21 budget, and \$98 million to FY22 budget; an average of \$112 million is used in the budget calculations. The \$30 million difference between the gross and net savings relates to forgone fare revenue from trips no longer offered. Savings are different for each MBTA service, as described below.

Bus

The MBTA plans to make several changes to bus routes. It currently operates 169 routes, but this number will reduce to 137 under the *Forging Ahead* plan. The following are the planned changes:

- End all bus service at midnight¹
- 5%-20% frequency reduction
- Consolidate 14 routes (see Appendix 2: for a list of routes)
- Shorten 5 routes (see Appendix 3 for a list of routes)
- Eliminate 25 bus routes (see Appendix 5:

An estimated 3,445 riders (based on September 2019 ridership) will lose access to the MBTA bus network under this plan, most of which are trips that are currently taken after midnight. As the plan for bus changes would take place next June, there are no savings estimated for FY21. \$38 million are estimated to be saved in FY22.

Heavy Rail and Light Rail

The MBTA proposes the following changes compared to its current schedule of service light rail and heavy rail (Red, Orange, Green, Blue, Mattapan lines)

- Stop all service at midnight
- Cease running Green Line E branch trains west of Brigham Circle
- 20% frequency reduction

These changes are expected to result in longer wait times for 120,000 riders, and the loss of less than 1000 current customers. It is projected to generate \$3 million in budget savings in FY21, and up to \$32 million in FY22 depending on timeline and sequencing. 350 MBTA employees will either be laid off, or their positions eliminated via attrition under this plan.² To achieve frequency reductions,

¹ The last scheduled bus trip of the night will continue to practice of waiting for the last heavy/light rail trip, perhaps beyond midnight.

² Number stated by Deputy General Manager J. Gonneville during Region 7 public meeting, 11/24/20 via Zoom.

headways, or the interval between trains, will be lengthened. Table 3 below details the proposed headway changes.

Line	Current Peak	Proposed Peak	Delta	Current Off-Peak	Proposed Off-Peak	Delta
Red Line	4:30	5:30	1:00	7:00	8:30	1:30
Orange Line	6:30	8:00	1:30	10:00	12:30	2:30
Blue Line	4:30	6:00	2:30	9:30	12:30	3:00
Green Line	6:00	9:30	3:30	9:30	13:00	4:30
Mattapan	5:00	6:00	1:00	7:30	7:30	0:00

Table 3: Headway differences under MBTA plan (minutes) compared to FY21

Commuter Rail

The MBTA also proposes to make the following changes to its commuter rail services:

- No scheduled service after 9PM (10PM for Fairmount)
- No weekend trains
- Decreased frequencies across all lines
- Close 6 stations
- Shorter trainsets
- Close Needham layover facility.

In total the number of trains operated by the Authority will reduce to 430 trains per day, compared to the 505 trains currently operated. Savings from these changes will be realized via the MBTA's contract with Keolis Commuter Services, a third-party vendor. Savings will come from reduced staffing of conductors, assistant conductors, and engineers, as well as maintenance personnel. There will also be some savings in fuel costs. Estimated savings in FY21 are up to \$8 million, and up to \$45 million in FY22. The MBTA proposes to make some of these changes as soon as Spring 2021.

As part of the cuts to commuter rail service, fewer coaches and locomotives will be utilized in the fleet, leading to an estimated cost of \$750,000 per year to mothball up to 100 coaches and 8 locomotives. The Authority also proposes closing 6 commuter rail stations Plimptonville in Walpole, Prides Crossing in Beverly, Silver Hill and Hastings in Weston, Plymouth Station in Plymouth, and Cedar Park in Melrose. Budgetary savings from these actions will result in some savings from forgone maintenance costs. Closing these stations may also result in improved travel times as dwell times on those lines with closed stations minimally decreases. In addition, the Needham Layover Facility will be closed. It has the capacity to store three trainsets for mid-day storage, however the MBTA believes it can find space for these trains at other existing facilities.

Ferry

The MBTA proposes to cease all Ferry operations, eliminating its current service in Boston (Charlestown – Long Wharf), Boston – Hingham, and Boston-Logan-Hull-Hingham. Savings will accrue from the elimination of all jobs related to the operation of this service by the MBTA's third party vendor, Hornblower Cruises and Events. There will also be some small savings in fuel costs. The estimated savings in FY21 is \$3.5 million, and an estimated \$13 million in FY22. The projected cost to mothball ferries owned by the Authority is \$650,000 per year. The MBTA proposes to implement this elimination as soon as Spring 2021.

Paratransit

THE RIDE is the MBTA's paratransit service. While direct changes are not proposed for the RIDE, its geographic coverage area will change as a result of changes to certain bus routes proposed in *Forging Ahead*. RIDE fares are based on location- a customer's location must be within 3/4th of a mile of a fixed route (bus line in the case of the MBTA). As bus lines change, some customers may find themselves

outside the 3/4th mile range of a bus line, resulting in a fare increase for these customers. Such customer's fares will increase from the base fare of \$3.35 per trip, to a premium fare of \$5.60 per trip. In addition, the scheduling window for all customers will increase by 10 minutes, from 30 minutes to 40 minutes. The scheduling window is the period of time when a RIDE customer's trip may begin. The Americans with Disabilities Act (ADA) allows a 2-hour scheduling window, meaning that the trip can move 1 hour in either direction from the requested time. THE RIDE currently uses a 30-minute window in a single direction. For instance, if a customer schedules a 9:00 AM pick up time, the pickup window can 9:00 AM – 9:30 AM or 8:30 AM to 9:00 AM. By increasing the scheduling window to 40 minutes, in this example, the trip may start anytime between 8:20 AM and 9:00 AM, or 9:00 AM and 9:40 AM. Customers will continue to be called the night before to confirm a smaller pick up window, and customers will continue to be able to negotiate a pick up time closer to their preference. Additionally, RIDE service hours will adjust to mirror the service hours of other modes. For instance, if the bus, heavy rail, and light rail proposal to end service at midnight takes place, RIDE service hours will also end at midnight. See Appendix 5: for a map of the changes to the service area.

The following cities and towns will be effected by the proposed RIDE changes (tied to bus routes), meaning that some residents of these municipalities may experience a more expensive RIDE fare: Bedford, Beverly, Billerica, Burlington, Canton, Cohasset, Danvers, Dedham, Hingham, Hull, Lexington, Lynnfield, Marblehead, Melrose, Milton, Needham, Newton, Norwood, Peabody, Reading,

Salem, Saugus, Sharon, Stoneham, Stoughton, Waltham, Walpole, Wakefield, Wenham, Weston, Westwood, Weymouth, and Woburn.

Changes to the scheduling window are expected to result in gross savings of \$400,000 to \$1.2 million in FY22. Changes in base fare versus premium fare trips are projected to gross \$300,000 - \$500,000.

Suburban Bus Program

The Authority proposes to eliminate the Suburban Bus Program, a program that currently provides subsidies to Bedford, Boston (Mission Hill), Beverly, Burlington, and Lexington to operate local bus networks. The budget for this program in FY21 is \$226,371, which is expected to be saved in FY22 should this program be eliminated. The budgeted amounts for communities are:

- Bedford \$11,357
- Beverly: \$56,784
- Burlington \$45,100
- Lexington \$56,784
- Mission Hill \$56,347

Internal Savings

The Authority proposes savings of \$64 million and \$74 million in FY21 and FY22 respectively. Among the initiatives announced by the MBTA to achieve these savings are the following:

- | | |
|--|------------|
| | (millions) |
| • Refinance parking bonds to reduce net interest payments | \$35-\$40 |
| • Headcount freeze that protects safety and operational jobs | \$20-\$40 |
| • Fuel savings | \$10-\$15 |
| • Reduce parking operations overhead | \$5-\$10 |
| • Reduced credit card fees due to fewer transactions | \$3-\$5 |
| • Wholesale fixed price electricity contract update | \$3-\$5 |

- Ordering fewer CharlieCards to align with demand \$1-\$2
- Paused unaffiliated staff merit pay program for FY20 \$1-\$2
- Renegotiated Block by Block contract \$0.5-\$2
- Centralized travel reimbursement spending \$0.1-\$0.5

Some of these initiatives are based on service reductions, fuel savings and fewer credit card transaction fees, for instance. Others, such as refinancing parking bonds and a headcount freeze are independent of service levels. It should be noted that the Advisory Board called upon the Authority to institute a hiring freeze on non-safety sensitive positions last May. It is also worth noting that other large transit agencies in the United States are planning furloughs, lay-offs, and wage cuts for employees, something the MBTA is not proposing.

Capital Salaries

A state law from 2015 forbid the MBTA for paying the wages or salaries of any employee using borrowed funds. This law was recently amended by the passage of H5102 on November 6, 2020 and signed by the Governor on November 10, 2020. This new law allows the MBTA to use borrowed federal funds, or its own borrowed bond funds to pay salaries, but not state borrowed funds. This change is expected to generate \$66 million in FY21 and \$68 million in FY22. Currently the MBTA charges the salaries of employees working 100% on capital projects to its so-called lockbox. Charging these salaries against the capital project the person is working on is allowable under generally accepted accounting practices.

Analysis

That ridership is down as a result of the COVID-19 pandemic is clearly true, and it is clearly affecting the MBTA as less fare revenue is collected. The current fiscal year's budget is only in balance because of \$710 million in one-time revenues from the federal CARES act. There is no guarantee that additional federal funds will be

forthcoming, and the MBTA is prudently planning for an FY22 without federal relief, and with declining ridership. However, there is such a thing as too much prudence, and the Advisory Board is concerned that the Authority's budget projection for FY22 may be overly pessimistic. This over-cautious approach risks projecting an overly large budget gap to be filled by potentially overly large service cuts. Furthermore, we note that the budget plan presented by the MBTA predicts a \$73 million surplus at the end of FY22 following service cuts, and the other measures contained in *Forging Ahead*³.

COVID Cleaning

One area that the FMCB would be wise to query is the total amount of identified risks that comprise the FY22 budget gap. The largest component of these risks is COVID-19 spending for additional cleaning and equipment. In FY22 (July 1, 2021 – June 20, 2022) the Authority predicts it will spend \$36 million extra to clean vehicles, \$12 million more to clean facilities, and \$10 million more on personal protective equipment (PPE). The FMCB should carefully consider this projection. What is the risk that the MBTA will continue its COVID-levels of cleaning 12 to 18 months from now? There certainly is a risk that the pandemic may remain with us through 2022, but is this risk worth the service cuts proposed in *Forging Ahead*? Even if the FMCB assumed COVID-levels of cleaning for another year (through December 2021), instead of for another 18 months (through June 2022), this would reduce the budget gap by \$29 million dollars.

FEMA Reimbursement

As discussed, the MBTA projects that it will spend \$59 million extra for COVID-19 related measures in FY22. Such costs are potentially eligible for partial

³ See slide 9 of the FY22 Budget Update presented at the November 23, 2020 FMCB meeting

reimbursement from the Federal Emergency Management Agency (FEMA). However, due to the uncertainty of FEMA reimbursements, especially into 2022, the Authority is assuming no reimbursement in their scenarios. FEMA traditionally reimburses agencies such as the MBTA up to 75% of such expenditures. Should FEMA reimbursements be realized, the funding would be counted as revenue in the FY22 budget, reducing the budget gap. While receiving the 75% reimbursement is a risk, should it be forthcoming the Authority’s budget gap could decrease by as much as \$44 million. If no COVID-style cleaning is assumed for calendar year 2022, then the potential FEMA reimbursement is reduced to \$22 million.

Advisory Board Estimated FY22 Budget Gap

The Advisory Board suggests that the FY22 budget gap is \$528 million and not \$652 as suggested by the MBTA. To get to \$528 million, the Advisory Board suggests that the FMCB forego the \$73 million surplus, assume only 6 months of intensive COVID cleaning through December 2021 instead of June 2022, and include the 75% FEMA reimbursement as part of these calculations. This is summarized in Table 4 below.

Option	Description	Budget Gap Reduction (millions)	New Gap Size (millions)
A	No Surplus	\$73	\$-579
B	Intensive cleaning for 6 months, not 12 months	\$29	\$-550
C	FEMA Reimburse Half Year (CY22)	\$22	\$-528
A + C + C	No Surplus + Half Year Clean + FEMA Reimburse. (CY22)	\$124	\$-528

Table 4: Advisory Board projected FY22 budget gap

Recommendation

The Advisory Board recommends that the FMCB base its budget gap projection on Option A+B+C as described above in Table 4, henceforth known as the Advisory Board Proposal. If this proposal is the baseline, then no service cuts are necessary.

The Advisory Board Proposal uses a two-year budget gap of \$528 million,

eliminating the need to find \$124 million in fixes for the FY22 budget. This scenario requires that the MBTA’s budget writers assume only 6 months of intensive COVID-level cleaning through to December 2021, and to assume that these costs will be reimbursed at the 75% rate by FEMA. While the Advisory Board’s proposal carries more risk than the MBTA’s, we believe that when these risks are weighed against the plans to eliminate service, they are risks worth taking. Tables 5 and 6 below detail the impact of the Advisory Board Proposal and no service cuts on the budgets.

Advisory Board Proposed MBTA FY21 Budget	
Description	Millions
Projected FY21 Deficit	\$-54
FY21 Budget Risks	
COVID-19	\$-13
Increased Overtime	\$-12
Subtotal Risks	\$-25
Deficit + Risks (Budget Gap)	\$-79
FY21 Fixes	
Federal Funds Flex	\$171
Service Cuts (gross)	\$0
Capital Salaries	\$66
Internal Savings	\$64
Subtotal FY22 Fixes	\$301
Deficit less fixes	\$222
Sales Tax Acceleration (1-time)	\$40
FY21 Surplus	\$262

Advisory Board Proposed MBTA FY22 Budget	
Description	Millions
Projected FY22 Deficit	\$-584
FY22 Budget Risks	
COVID-19 (6 months)	\$-29
Increased Overtime	\$-10
Subtotal Risks	\$-39
Deficit + Risks (Budget Gap)	\$-623
FY22 Fixes	
FY21 carryover	\$262
Federal Funds Flex	\$209
Service Cuts (gross)	\$0
FEMA Reimbursement (75%)	\$22
Internal Savings	\$74
Capital Salaries	\$68
Subtotal FY22 Fixes	\$635
FY22 Surplus	\$12

Tables 5 & 6: FFYs 21 and 22 under MBTA Advisory Board Proposal

Conclusion

The MBTA Advisory Board believes that now is not the time to inject more uncertainty into an already uncertain time by eliminating so much transit service, even temporarily. Instead, the Advisory Board suggests that the FMCB take a slightly less pessimistic approach to the FY22 budget, adopt the Advisory Board Proposal, and take only those steps necessary to close the FY22 budget gap without

major service reductions. This review offers a path forward to get the Authority to June 30, 2022 without major service cuts. MBTA management already has the tools to make scheduling changes to reduce frequency, operate shorter trainsets, and other related activities. To reduce the cost of operating scantily ridden transit vehicles, the Advisory Board suggests that the FMCB direct the Authority to exercise its abilities to do this where and when warranted. However, it is also clear that dramatic service reductions proposed in *Forging Ahead* is a step too far.

The FMCB is also requested to establish a Return to Service Commission to monitor MBTA management's service changes, establish metrics to bring service levels back to pre-pandemic levels in an open and transparent way, and recommend to the FMCB and its successor timing to return to service.

The Advisory Board member communities are aware of the need for the reform of many routes, lines, modes, etc. We urge the Authority and the FMCB to continue its Bus Network Redesign, Future of Commuter Rail, and other related initiatives and processes to reimagine public transit in Massachusetts. We look forward to working with the MBTA and MassDOT on these initiatives. We cannot stress that this is the only legitimate means to make these changes, openly and transparently, and not as part of a pandemic-response.

If, during the next 18 months, the MBTA finds that travel patterns are not returning to pre-pandemic levels, and that there are still numerous empty trains, buses, ferries, and paratransit vehicles operating, it has ample opportunity to make such changes. However, now is not the time to eliminate so much service, especially to the extent proposed in *Forging Ahead*.

Appendices

Appendix 1:

Capital Projects effected by Federal Funds Flex

Funds	TIP Program	Project Name	FFY20 and FFY21-25 TIP Change	TIP Amendment -Explanation
5307	Revenue Vehicles	Procurement of Bi-Level Commuter Rail Coaches	(\$92,340,000)	FFY21-25 funding reduced to reflect pause
5337	Signals and Systems	GL B-Branch Infrastructure Improvement	(\$5,257,022)	Project will be funded from non-federal sources
5337	Signals and Systems	GL C-Branch Surface Improve	(\$22,203,181)	Project will be funded from non-federal sources
5337	Signals and Systems	GL E-Branch Surface Improve	(\$24,178,583)	Project will be funded from non-federal sources
5337	Signals and Systems	Green Line (Non-GLX) Grade Crossing	(\$8,873,620)	Project will be funded from non-federal sources
5337	Signals and Systems	Green Line D Branch Track and Signal Replacement	(\$44,068,830)	Project will be funded from non-federal sources
5337	Stations and Facilities	Lynn Station & Parking Garage Improvements Phase II	(\$13,261,131)	FFY21-25 funding reduced to reflect pause
5337	Stations and Facilities	Newton Commuter Rail Stations Design	(\$12,031,947)	FFY21-25 funding reduced to reflect pause
5337	Stations and Facilities	South Attleboro Station Accessibility Improvements	(\$38,929,374)	FFY21-25 funding reduced to reflect pause
5337	Stations and Facilities	Winchester Center Station	(\$39,936,339)	Funding reduced to reflect pause
5337	Stations and Facilities	Worcester Union Station Accessibility Improvements	(\$46,885,361)	FRA discretionary grant award
		Technical Adjustments	(\$32,034,612)	
		TOTAL:	(\$380,000,000)	

Note:

- Procurement of new commuter rail fleet is paused as future ridership is examined.
- All Green Line projects will continue but funded by non-federal funds.
- Station work on Lynn, Newton, South Attleboro, and Winchester will be paused but not cancelled.
- Work on Worcester Union Station will continue but will be funded from elsewhere.

Appendix 2:
Bus routes proposed for consolidation

Routes	Municipalities	Description	Change
62 + 76	Cambridge, Arlington, Belmont, Lexington, Bedford, Lincoln	Bedford VA – Alewife via Hanscom Airport	76 suspended. Selected trips omit Hanscom
84 + 78	Cambridge, Arlington, Belmont	Arlmont Village - Harvard	84 suspended, Alewife omitted
88 + 90	Cambridge, Somerville, Boston, Medford	Davis Station – Assembly Row	88 suspended, 90 ends at Assembly
214 + 216	Quincy	Houghs Neck- Quincy Center	Routes combined; headways reduced
352 + 354	Boston, Woburn, Burlington	Woburn – Downtown (Express)	352 suspended. 354 runs North Burlington - Downtown
501 + 503	Boston, Newton	Brighton Center - Downtown	503 suspended. 501 ends at Copley Square
502 + 504	Boston, Newton, Watertown	Watertown Yard - Downtown	502 suspended. 504 ends at Franklin & Federal Streets.

Appendix 3:

Bus routes proposed for truncation

Route	Municipalities	Description	Change
230	Quincy, Braintree, Holbrook, Brockton	Montello Station to Quincy Center	End at Braintree Sta. Eliminate local service thru East Braintree and Quincy
553	Boston, Newton, Waltham	Roberts – Federal & Franklin Streets	Ends at Newton Corner, no downtown BOS service
554	Boston, Newton, Waltham, Belmont	Waverly Square – Federal & Franklin Streets	Ends at Newton Corner, no downtown Boston service
556	Boston, Newton, Waltham	Waltham Highlands – Federal & Franklin Streets.	Ends at Newton Corner, no downtown Boston service
558	Boston, Newton, Waltham	Riverside Station – Federal & Franklin Streets	Ends at Newton Corner, no downtown Boston service

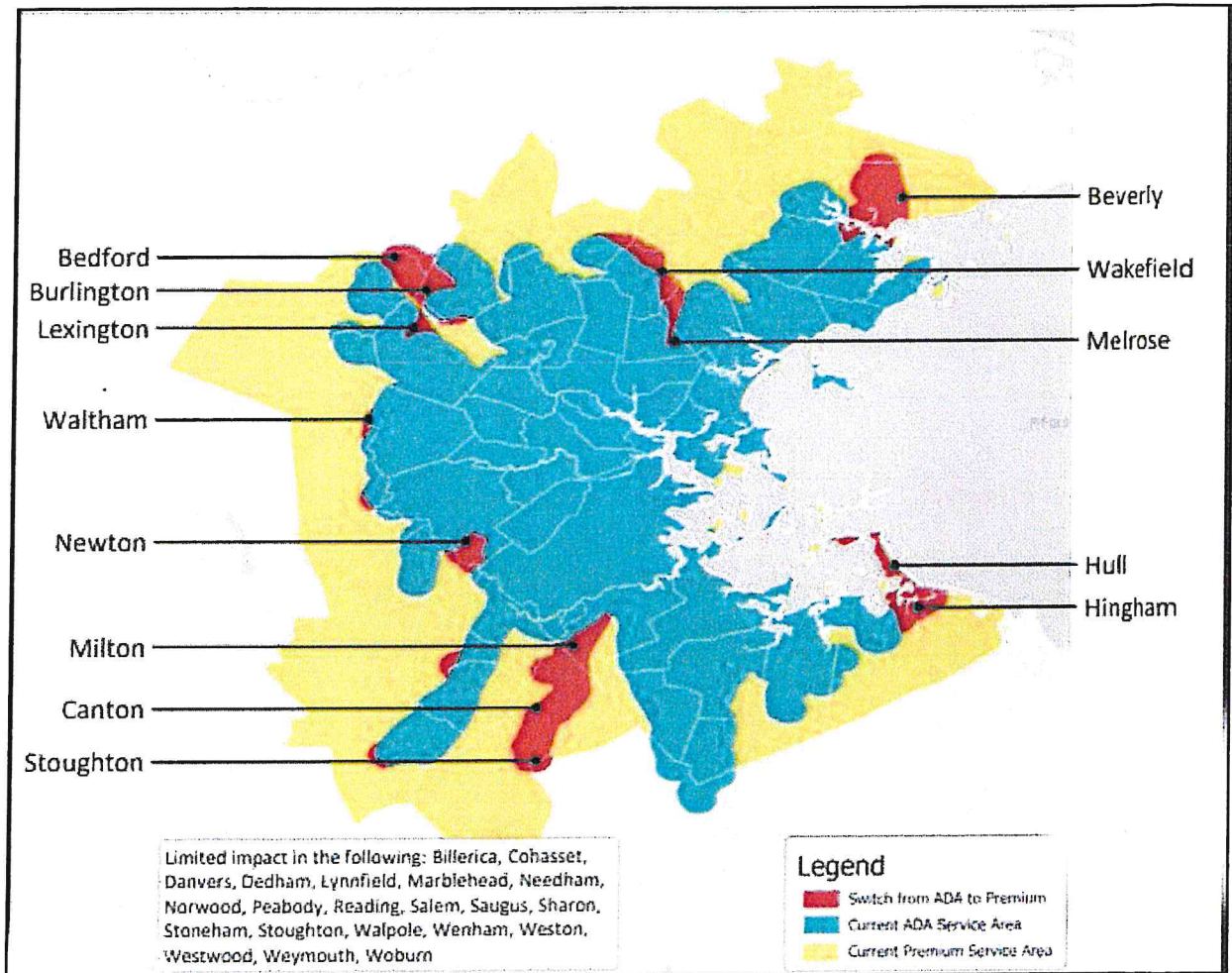
Appendix 4:

Bus routes proposed for elimination

RTE	Municipalities	Description	Rationale
18	Boston	Ashmont Station – Andrew Station	Redundant
43	Boston	Ruggles Station – Park St. Station	¼ mile of transit
52	Dedham, Boston, Newton, Watertown	Dedham Mall – Watertown Yard	Low transit critical ridership
55	Boston	Jersey/Queensbury Streets – Copley Station	¼ mile of transit
68	Cambridge	Harvard Station – Kendall/MIT	¼ mile of transit
72	Cambridge	Aberdeen Ave – Harvard Station	Low transit critical ridership
79	Arlington, Cambridge	Arlington Heights – Alewife Station	Low transit critical ridership
80	Arlington, Medford, Cambridge, Somerville	Arlington Center. – Lechmere	Low transit critical ridership
131	Malden, Melrose	Melrose Highlands – Oak Grove or Malden Center	Low transit critical ridership
136	Malden, Melrose, Wakefield, Reading	Reading Depot–Malden Center	Low transit critical ridership
170	Boston, Waltham	Waltham Center. - Nubian Station	Redundant
212	Quincy	Quincy Center – N. Quincy Station	Low transit critical ridership
221	Quincy	Fort Point – Quincy Center	Redundant
325	Medford, Boston	Elm St, Medford - Haymarket	¼ mile of transit
351	Bedford, Burlington, Lexington	Bedford Woods Dr. – Alewife	Low transit critical ridership
428	Wakefield, Saugus, Malden, Revere, Chelsea, Boston	Oaklandvale – Haymarket Station	Redundant
434	Peabody, Lynn, Revere, Boston	Main St Peabody - Haymarket	Redundant
451	Beverly, Salem	North Beverly Sta – Salem Depot	Redundant
505	Waltham, Newton, Boston	Waltham Ctr. – Federal & Franklin Streets	Low transit critical ridership
710	Malden, Medford	North Medford – Wellington Station	Low transit critical ridership
714	Hingham, Hull	Pemberton Point Hull – Hingham Station	Low transit critical ridership
716	Canton, Milton, Boston	Cobbs Corner – Mattapan Station	Redundant

Appendix 5:

RIDE service area proposed changes





RCVD TOWN MANAGER
20 NOV 30 AM 11:23

November 24, 2020

Ms. Terri Marciello , Director of Elderly Services
Wilmington Council on Aging
Buzzell Sr. Ctr., 15 School Street
Wilmington, MA 01887

Dear Terri,

I hope this letter finds you faring well and in good health. Given our partnership with your community to address the needs of residents, we wanted to share data with you regarding the services provided by Minuteman Senior Services (Minuteman) during the past fiscal year. This past year, unlike previous years, is certainly one that has been unprecedented as a result of the COVID-19 pandemic, which continues to impact our communities today.

In FY20, Minuteman Senior Services provided services to over 1,112 residents of Wilmington. Please find attached a breakdown of the services accessed. As an essential service, Minuteman continued to operate throughout the pandemic with all services, though there were programmatic changes to ensure the health and safety of consumers, families, employees, and volunteers. As the Commonwealth experienced the initial surge in COVID-19 incidence, we did note a decrease in terms of new referrals, and perhaps like you, an adjustment in the usual numbers of consumers served over this past fiscal year. Though the numbers of consumers served across our programs experienced fluctuations, our services became all that more vital as seniors and persons with disabilities were among the most vulnerable population impacted by COVID.

We are indebted and humbled by the collaboration with our municipal partners, particularly Councils on Aging and Human Services departments, to promote the health and safety of residents within your communities. Your teams helped deliver meals when volunteer capacity was reduced, enabled us to operate nutrition programs from your sites, and maintained regular and open communication as we all navigated this extraordinary time. On behalf of the entire team, we express our sincere gratitude for your partnership. We recognize that there are continued challenges ahead and look forward to working together to address the needs of seniors, persons with disabilities, and families during this time of extraordinary need.

Should you have any questions or concerns, please do not hesitate to contact me directly at 781-221-7087 or k.mageewright@minutemansenior.org.

Best wishes,

A handwritten signature in black ink that reads "Kelly Magee Wright". The signature is written in a cursive, flowing style.

Kelly Magee Wright
Executive Director

CC: Minuteman Board Member
Town Manager
Chairman of COA Board

Know us before you need us.

www.minutemansenior.org



FISCAL YEAR 2020 Service Report: Wilmington

Minuteman Senior Services has been committed to supporting seniors, people with disabilities, and families to for over 40 years. We offer over 20 programs and services to address varying and complex needs, and continually strive to deliver the highest quality of services to consumers and families.

In FY2020 1,112 WILMINGTON residents received Minuteman's services.

Note: Totals indicate unduplicated consumers served within each program unless noted. Consumers may be duplicated across programs given needs.

Care Management & In-Home Care: Care Managers offer expertise, advice and access to services which enable an older adult or person with disability to remain at home. They conduct assessments, develop care plans, coordinate services, and offer support to consumers and caregivers. **Consumers Served: 185**

Caregiver Support & Options Counseling: Specialists offer coaching and resources to help seniors, persons with disabilities, and family caregivers make informed choices regarding home and community-based, long-term care needs. This includes person-centered goal setting, caregiver training and education. **Consumers Served: 16**

Protective Services: Case workers investigate reports of abuse, neglect, and financial exploitation for people 60+ living in the community, and work towards resolution through service coordination, advocacy, and as needed, legal assistance. **Consumers Served: 51**

Information & Referral: Resource specialists provide advice and referrals from our extensive database of local, state, and national resources. **Total Calls: 409**

SHINE Health Benefits Assistance: Trained counselors provide seniors with free, accurate, unbiased information regarding health insurance and prescription drug options, either through individual counseling or community education. **Consumers Served: 159**

Meals on Wheels: A nutritious meal and daily check-in provided by a friendly driver for those 60+ who are homebound and unable to prepare their own food. **Consumers Served: 99**

Senior Dining: Centers in 12 locations offer seniors an opportunity to socialize while enjoying a nutritious lunch. **Consumers Served: 0**

Clinical Eligibility Screening: Registered Nurses determine clinical eligibility for long-term services for seniors on MassHealth and explore community options when appropriate and available. **Consumers Served: 68**

Long Term Care Ombudsman: Trained volunteers visit nursing facility residents to provide advocacy and assistance with resolving problems and concerns. **Total Resident Visits: 115**

Money Management Assistance: Trained volunteers assist with bill paying, budgeting, and banking activities. **Consumers Served: 2**

Transportation: Rides provided to medical appointments and adult day health centers for individuals with barriers to accessible transportation. **Consumers Served: 5**

Senior Citizens Law Project: Free legal assistance and education on issues such as public benefits and tenancy preservation. **Consumers Served: 3**

Acton – Arlington – Bedford – Boxborough – Burlington – Carlisle – Concord – Harvard
Lexington – Lincoln – Littleton – Maynard – Stow – Wilmington – Winchester – Woburn