

TOWN OF FOXBOROUGH
ADVISORY COMMITTEE
MINUTES
DATE 4/30/2014

Committee Members Present: Paul DeFazio, Tracey Vasile, Larry Thomas, Kevin Powers, Larry Stern, Thom Freeman, Sue Dring, Cal Calnan, Patrick Mosesso, John Chlebek, Heidi Krockta

Members Absent: Jeff Anderson

Others Present: Bill Keegan, Town Manager, Randy Scollins, Deb Stewart, Mike Stewart, Ginny Coppola, Sharon Wasson, Janet Kelley, Shannon Sylvia, Pattiann Malynn, John Spinney, Bill Grieder

Notes taken by: Kristin Meehan Papianou

The meeting was brought to order at 7:00PM by Paul DeFazio, Chairman. He introduced our new Town Manager, Bill Keegan, who expressed appreciation for the work that the Ad Comm does.

7:05PM – Article 6, Personnel By Law – Randy Scollins: This is standard year to year. Randy handed out the FY '15 Non-Union estimated COLAs and Pay Adjustments worksheet. Bill Keegan is going to meet with the HR manager and will come back to us with a plan, but he's asking for the Ad Comm to grant them the flexibility to make a plan. Also covers all administrative personnel which exist across all town departments. Discussion of the merit and pay plan, and the need to create a different plan. That's why only a COLA could be awarded at this time.

7:14PM Motion to accept article 6 as written by Tracey Vasile and seconded by Thom Freeman.

VOTE: 10-0-1

Heidi Krockta abstaining

7:15PM Fire Contract has been finalized. The Ad Comm has already voted no action because they didn't think there would be a contract. Ad Comm has a guideline that they don't vote on anything the first night it's presented, so someone would need to make a motion. Randy discussed the unique circumstances around the timing of the contract. The contract has been ratified by the Union and the Board of Selectmen. Clarification that the Board hasn't had a public vote, they did it in executive session so they still need to have a public vote for legal reasons. Larry Thomas discussed the Ad Comm rule regarding consideration of contracts and the timing for a vote. Randy reiterated that there were extraordinary circumstances and they are anxious to have this resolved.

The following documents were handed out: Proposed FY 2014 Incremental Fire Union Contract Cost and a Memorandum of Agreement for 2013-2014 Collective Bargaining Agreement between the Town of Foxborough Professional Firefighters Association, Local 2252 and Town of Foxborough.

Bill walked through the terms of the contract including the Educational Assistance and EMT stipend which is a large change. This was a trade off in terms of an overtime offset. He also mentioned that the Union was looking for a 9% base pay for EMT and 15% for paramedic stipend. Bill said that he wouldn't do it, but it was compelling to him that they've been receiving over time adjustments. So they agreed to adjust the stipend instead of the overtime. They also got the bi-weekly pay commitment. Discussion of the efficiency gains achieved by a bi-weekly pay cycle. Bill said that the next step is to get everyone on direct deposit.

Paul asked what the year of retro pay is going to be. Randy said that it's just over \$40,000 for FY 14. That's a planned number. Discussion of the over time savings and the importance of recertification. Discussion of the staff with designations: 19 of our staff are paramedics and 9 are EMTs.

Paul discussion the concern with stall tactics and the timing of contracts which happens every year. He stated that he knows this wasn't the issue with this contract, but it does happen every year. Bill Keegan said that he assures the Ad Comm that this is the message he will carry back to the departments. This won't happen again. He shares the Ad Comm concerns on this and he's enforced a two week rule in other towns as well. Ginny Coppola said that she truly believes that Bill is going to bring positive change to the Town in terms of the budgets.

7:36PM Larry Stern made a motion to re-vote on article 7. Larry Thomas seconded.

Vote: 11-0-0

7:37PM Tracey Vasile made a motion to accept Article 7 as written. Seconded by Larry Stern.

VOTE: 11-0-0

7:38PM – Article 17 Personnel By-law – Bill explained the COBRA change which is dictated by Federal Law. It went from 18 months – 36 months and our by-law has to reflect the Federal Law.

7:40PM Tracey Vasile made a motion to accept Article 17 as written. Seconded by Thom Freeman.

VOTE: 11-0-0

Article 18 – Amending Sr. Tax Program By-Law. Randy handed out two documents. One outlined Senior Tax Program By-Law and the Senior Property Tax Work-Off Program. Randy advised that this program has been in practice for over 15 years, but about a year and a half ago the IRS determined that the credits (up to \$1000 per statute, but \$750 here) that the seniors get on their taxes are considered income for federal tax withholding purposes which is not the way most communities treated it. Mansfield had to pay a six figure assessment because they weren't withholding, so Randy said that – despite the fact that we're opposed – we should come into compliance. Discussion of the Seniors reaction to this program change. Randy advised that they decided we would come into compliance by allowing for the full \$1000, bringing the wage up without raising the number of hours. Our legislative and congressional delegations have already been discussing this with legislators who all have a reaction

when they hear it. He is hopeful that they will be successful in changing the IRS approach but, until then, this is a work around.

Larry Thomas asked if these people are employees. Randy said for insurance purposes, they've always been employees. But now the Federal Government will also view them as employees. Discussion of whether this creates a discriminatory situation where this benefit is available to seniors only. Paul asked why we've had fewer people participating in the last few years. Randy said that there are fewer opportunities offered. Larry Stern asked what the cost to the Town for this change is. About \$10,000 per Randy and that comes out of taxation (the overlay account). John Chlebek asked if there were many people who wanted to participate and couldn't for lack of positions. Randy said there were at least 3 dozen. Discussion of how the number of positions are made available. Randy said that some communities do cap the number. Discussion of the hiring process. Heidi said that there seems to be some cost associated with coming into compliance and questioned whether we have to continue to program. General agreement that the program should continue.

Additional discussion of overlay surplus and how that money is managed and allocated. Discussion of whether our compliance with the law is contingent on the success of this article. Randy indicated that this article could fail and we would still become compliant, but at greater cost to the participants.

8:02PM Motion to accept article 18 as written brought by Tracey Vasile. Seconded by Sue Dring.

VOTE: 10-1-0

Heidi Krockta against

Ad Comm thanked Randy and Bill for their input.

8:05PM Article 26 Scenic Roads. Sharon Wasson and Bill Grieder handed out a document on Scenic Roads dated 4/30/14. They had a hearing at the Ahern School with close to 40 people in attendance and, at the close of that hearing; they voted positive action unanimously on a number of streets. There were four streets that weren't included because the decision couldn't be made that night. Sharon discussed their approach on those four streets. After they looked again, they recommended no action with regard to the four remaining streets (Garfield, Leonard, Sherman and West Leonard Streets).

Paul discussed Roger Hill's concerns and his own for his street. He asked what the benefit to the town? Bill Grieder said that the town has been cutting trees and hasn't replaced any. Discussion of Foxboro as a tree city in the past and the focus that the town used to put on planting. Bill Grieder advised that there's nothing in the scenic road act that requires replanting. It just starts a hearing process to have both the Town and developers are in compliance.

John Chlebek asked why Roger would ever want to take down a tree that wasn't an emergency (excepted from this process). Sharon discussed several possible scenarios. Discussion of a funding source from National Grid for tree replacement.

Discussion of whether this impacts private property. Sharon said it does not. It's only the public right of way (40 – 50 feet). Discussion of why we need this if, regardless of designation, homeowners can't cut trees down on the right of way. Bill said that this gives the town some teeth to enforce it. Discussion of the town workers failure to adhere to this rule historically and the impact to residents. Discussion of the Master Plan and the fact that this arises from the desires expressed by the master plan participants.

Larry Stern said that he's concerned about those that sent post cards back saying "no". How are they affected? Discussion of different possibilities for their concerns. Discussion of the vote needed at Town Meeting – it's a majority required.

Sharon said that the Planning Board put themselves through this review and approval process – they didn't have to do it. They could have just gone to the Board of Selectmen and gotten approval. They wanted to be sure that the Town people understood. Sharon said this is really a toothless article.

Larry Thomas discussed the Master Plan process and the money spent to develop that plan. This scenic roads article stemmed from the master plan. Discussion about whether the Ad Comm is required to support every aspect of the Master Plan as a result.

8:38PM Motion to accept Article 26 as written brought by Tracey Vasile. Seconded by Sue Dring.

VOTE: 0-10-1

Larry Thomas abstaining

Sharon advised that there will be a substitute motion which recommends positive action on Bentwood, Carpenter, Chestnut, Cross, Maple, South Cross and West Street from South Street to the Wrentham Town Line.

Tracey's recommendation as a liaison is against it as there are a lot of people who are against this and there isn't enough of benefit to outweigh the people who are saying no. She thinks there are a lot of other parts of the Master Plan that should be supported. Paul said that he truly believes this is costing us without benefit.

Sharon talked about the existing scenic roads in town. There's got to be some correlations between property value and the appearance of the street. Larry Stern, Tracey Vasile disagreed. Discussion of the historic vs the scenic streets. Heidi loves the concept of it but, when they say it has no teeth, she wonders why we're doing it.

Bill asked that the Ad Comm that we honor the process and get this to town meeting so that the people can vote on it. Heidi asked who is responsible for enforcement. Sharon advised that we have a Tree Warden.

Thom asked when the other streets in town became designated. Sharon advised it was during 1989.

8:54PM Motion to accept the substitute article 26 as amended brought by Tracey Vasile. Seconded by Heidi Krockta

VOTE: 4-6-1

Patrick Mosesso abstaining

8:55PM Kevin Powers left the meeting.

8:55PM Article 34, Non-conforming structures. The question previously was it footprint or volume. The answer was volume. Footprint is more restrictive. This gives the Planning the board the flexibility to say “yes with conditions” rather than “no”. Sue Dring, as liaison, said she supports the article. Cal said the language in there is square footage of habitable floor area. Sharon spoke to the Zoning Board’s desire to be flexible.

Motion to Accept Article 34 as written brought by Tracey Vasile. Seconded by John Chlebek.

VOTE: 10-0-0

Tracey advised that we don’t need a meeting next week. She also reminded everyone that there is an election next Monday. Discussion of the approach to presentations at Town Meeting. Discussion of the changes made to the Child Safety write up at the request of Town Hall. Larry Thomas said he would like to put the information back in for the copies that will be handed out at Town Meeting. Discussion of how to approach this. Paul is going to discuss with Frank Spillane and ask him to speak with Bill Keegan.

9:05PM Motion to accept the minutes of 4/16/14 as amended (to reflect Vasile) brought by Tracey Valise. Seconded by Cal Calnan

VOTE: 9-0-1

9:12PM Motion to Adjourn by Tracey Vasile. Seconded by Heidi Krockta.

Vote: 10-0-0

Minutes approved by Vote of the Advisory Committee.

Date of Meeting:

Vote:

Signature of Chairperson

Signature of Secretary