

**TOWN OF FOXBOROUGH  
ADVISORY COMMITTEE  
MINUTES  
March 04, 2009**

Committee Members Present: Lauren Bitar, Jim Devellis, John Dustin, Thom Freeman, Bob Garber, H Hardie, Jeff Rudd, Brian Walton, Gary Whitehouse.

Members Absent: Michael Ftizmaurice, Tim Kenneally, Jenna Strickland.

Others Present: Andy Gala, Town Manager and Randy Scollins, Finance Director.

The meeting was brought to order at 7:30 p.m. by Jim Devellis, Vice Chairperson.

**7:30 – Special Town Meeting Warrant** – Andy Gala explained that a STM would be held within the ATM in May. The STM Warrant is to address articles that have an affect on the present fiscal year budget. He said there are three articles on this Warrant and there may be another added relative to the Chestnut Green project for a 40R application. Andy explained that the Town would have to approve an overlay district for this development. He said if this is approved by the State and a positive vote by the Town, the Town would be eligible about \$300,000 from the State. Andy said 40R is a new State statute tied to public transportation and density increases.

Article 1 – This Article calls for a reduction of \$50,000 in account #760 – Debt – Expenses. Randy Scollins explained that the 2009 budget request was for \$125,000 for expenses but to help balance the budget, he is requesting that \$75,000 of that be moved into the general fund. Enough money would remain in that account to address any debt expenses. He pointed out that State aid this year is down by \$181,000 and this action would help to offset that reduction.

Dept. 241 – Inspection Salaries – Randy Scollins explained that an adjustment of \$50,000 is requested to address the increased number of inspections related to Patriot Place and therefore, the funding source for this increase is the Patriot Place Revolving Account. Randy went on to explain how and why the PP Revolving fund is set up. He said there is enough money in that account to fund this request. Andy Gala said a vote at Town Meeting is the only mechanism that can be used to transfer funds from that account to the general fund. Randy explained that no more money was being funneled into that account because the build out at Patriot Place has stopped and remaining funds would be adequate to address any future construction.

Article II – Dept. 450 – Water Enterprise. An adjustment of \$210,000 is requested to address expenses. Andy Gala said this is an Article submitted by Water & Sewer and he would rather W&S come before the Advisory Committee to explain the request. The only reason he could see for such an increase would be increased costs for chemicals. Andy said the next two requests are for a reduction in administrative costs and he does not see why it is necessary "to through the exercise". He said W&S historically come in under appropriation and the money goes directly into Retained Earnings.

Randy Scollins explained that the Enterprise Fund is self-sustaining and any funds going into that account stays there. In that way, W&S can point out that water rates are not being assessed through taxation. Randy said it is standard practice to "charge back" for Town resources amounting to approximately \$50,000 per year. Randy said customers could be looking at a big spike in water rates with the start up of the Witch Pond well.

**Annual Town Meeting Warrant** – Andy Gala said the first five articles of the ATM warrant are standard articles. Article 4 – Operating Budget is still being developed. Article 6 – High School

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Renovation Project – Andy said the School Dept. is waiting for State approval. A meeting with the BOS is scheduled for March 24, 2009. Article 7 is the Non-Union COLA article. He met with the Personnel Wage Board. A 3% cost of living increase was favorably voted on. This increase is in line with labor contracts for police, the library and teachers. Andy is still waiting for a vote by the Firemen's union; he had to bargain for two two-year contracts – retroactive from 07/2007 to 07/2011.

Articles 9, 10 and 11 are Revolving Accounts. Andy explained these accounts must be renewed on an annual basis by Town Meeting vote. Andy pointed out that Recreation receipts go into the revolving fund. It is through this fund that Recreation runs all the programs offered. Last year the account was set at \$110,000 but nearly \$120,000 was spent. The difference was made up from other sources – gifts, etc. Randy Scollins said the account should be set at \$120,000 this year.

Article 10 is the Police and Fire Revolving Accounts. Andy Gala explained these accounts were set up for vehicle repair and replacement. He said the Town has been allowed to charge private companies for the use of Town vehicles used on special duty assignments. Randy said this account usually amounts to about \$50,000 per year.

Article 11 – Patriot Place Revolving Account. Randy Scollins explained this account was created to address the increased number of permits and inspections related to the development of Patriot Place. He said the \$100,000 would be adequate to address any costs for inspections, etc. He pointed out that very little is going into that account at present because the build out of the project is at a standstill. He expects that account may be closed out in the next year.

Article 12 – Expend Highway Funds – This Article gives the Town permission to expend the Chapter 90 funds. Andy Gala said that some communities are petitioning the State to be allowed to use some of those funds for ice and snow removal. He feels the Towns that elect to do that should think it out clearly. Randy explained that Ice and Snow removal is the only area where the Town can deficit spend. The costs are then made up through the next year's real estate tax receipts.

Article 13 – Property Tax Exemptions – Andy Gala said this is a standard article to be voted on each year. He said nothing has changed over the years except that last year an income limit was added. Randy said this exemption costs the Town approximately \$120,000 per year, some of which is reimbursed by the State.

Article 14 – Health Trust Transfer - This Article would allow the Town to transfer from free cash to the Health Trust Fund in order to address future health insurance costs. Andy Gala explained that in 2008 the Town received \$112,678.00 from the U.S. Dept. of Health & Human Services because the Town offers a health plan with drug benefits to seniors – Medicare Part D. These funds are transferred into the Health Trust Fund to pay for health claims on a "pay as you go" basis. Randy explained that it is necessary to start funding this account as it is a "drop in the bucket" against liabilities. He feels it will take one more Town Meeting vote for funding in order to be able to automatically pay claims without a Town Meeting vote. At that time, Randy said, a new article would be brought forward at a future Town Meeting.

Article 15 – Amend Sewer Act – Andy Gala explained the present sewer act was adopted by the Town in 1996 and this amendment has been drafted by Town Counsel at the request of Water & Sewer. This amendment basically allows the creation of sewer districts. He said Town Counsel would meet with the BOS to explain the differences put forth in this article.

Article 16 – Right of Way By-Laws – This is a “place holder”. Town Counsel is still talking to Verizon on modifying the by-law.

Article 17 – General by-Law Changes – Andy Gala reminded the Committee that last December, Town Counsel drafted changes to three of the Town By-Laws. Changes in three more By-Laws are included in this Article. He distributed draft copies of the suggested changes for review. He suggested having Bob Swanson, Highway Superintendent, come before the Committee to discuss changes pertaining to the Highway Dept. He said for a number of years it has been the policy of the Highway Dept. not to allow street cutting into new pavement for a five-year period but this has never been part of the by-law.

#### Articles 18 through 23 – Street Acceptances

Bob Garber distributed copies of a memo from Leo Potter, W&S Superintendent, giving a response to questions previously submitted by the Committee. After discussing the responses, members of the Committee felt that Leo Potter should come back to the Committee for further discussion. Areas of particular concern include the 9% and 10% salary increases in the last couple of years, a request for a new full time employee related to the operation of the Witch Pond Wells, increase in water & sewer rates and the request for an additional truck needed for computer meter reading. Concerns were also raised regarding the sign revenue from the water tower. Randy Scollins pointed out that the Town’s share of that revenue should be 50% annually. Gary Whitehouse pointed out that income from the signage is not a negotiable issue. Bob Garber said he had been told that W&S had met with the Kraft organization regarding the need for the water treatment plant.

Jim Devellis pointed out that the W&S budget shows an increase of 2.5% or 1/2M more than last year. He said it is higher than any other Town budget. Bob Garber asked what options the Committee might have to accept or not accept the W&S budget. Randy Scollins explained that if the Committee wanted to reduce that number, somebody would have to make a motion to change it.

**Minutes** – The Minutes for the Advisory Committee meeting of January 28, 2009 were reviewed.

Motion by Gary Whitehouse to approve the Minutes of January 28, 2009 as submitted.  
Seconded by Bob Garber.

**Vote: 9-0-0**

The Minutes for the Advisory Committee meeting of February 04, 2009 were reviewed.

Jeff Rudd pointed out that after doing some of his own research he found some of the comments made during the meeting of Feb. 4<sup>th</sup> are inaccurate; specifically the comment by Larry Harrington that the Charter School does not have Special Needs enrollment. Jeff said that special needs students make up 6% of the enrollment. The comment by Beverly Lord that teachers at the Charter School do not have to be certified teachers; Jeff said he found out that they do actually have to be certified. He talked with Mark Logan who would be more than willing to come before the Committee to discuss these issues. Other comments were made pointing out that much of the discussion during that meeting came not from Dr. Martes or Debra Spinelli but from School Committee members.

Motion by Gary Whitehouse to approve the Minutes of the meeting of February 04, 2009 as submitted. Seconded by Bob Garber.

**Vote: 9-0-0**

The Minutes of the Advisory Committee meeting of February 25, 2009 were reviewed.

Bob Garber said he was very impressed with the presentation by Luis Lopes for the 2010 Budget for Southeastern Regional School. He said the school is going to be more important in the future as there are many really good courses to prepare students for technical jobs.

Motion by Gary Whitehouse to approve the Minutes of the meeting of February 25, 2009 as submitted. Seconded by Lauren Bitar.

**Vote: 9-0-0**

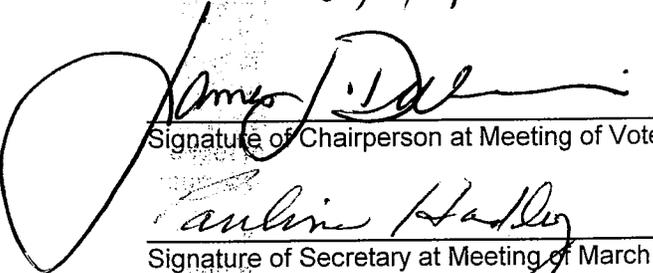
Motion to adjourn by Thom Freeman. Seconded by Lauren Bitar.

**Vote: 9-0-0**

Meeting adjourned at 9:30 p.m.

Minutes Approved by Vote of the Advisory Committee.

Date of Meeting: 3/11/09 Vote: 10-0-0



Signature of Chairperson at Meeting of Vote



Signature of Secretary at Meeting of March 04, 2009