

**ADVISORY COMMITTEE RECOMMENDATIONS  
FOR THE  
TOWN OF FOXBOROUGH'S  
TOWN MEETING**

**May 11, 2015**

## Foxborough Advisory Committee

### Mission Statement

The Foxborough Advisory Committee (also known as AdCom) is responsible for providing recommendations to the town residents on department budgets and Town Warrant articles as part of the Town Meeting process. In preparation for Town Meeting, the Advisory Committee reviews each department's budget and researches all Warrant Articles. This is done by meeting with each department head, holding public meetings for discussion and question opportunities and thoroughly researching each of the topics. Following this process, the committee then takes a vote and collectively puts forth a recommendation to the town residents prior to and at the Town Meeting.

### Members

Tracey Vasile (Chairman)	June 2015
Thom Freeman Jr. (Clerk)	June 2015
Larry Stern	June 2015
Monica Fisler	June 2015
Kristin Papianou	June 2015
Heidi Krockta	June 2016
Susan Dring	June 2016
Christopher Calnan	June 2016
Patrick Mosesso	June 2016
John Chlebek (Vice Chairman)	June 2017

## DEPARTMENT LIASION ASSIGNMENTS

<u>Department</u>	<u>Liaison Assignments (lead bolded)</u>
Capital Improvement Planning Comm.	<b>Vasile</b> , Freeman
Audit Committee	<b>Chlebek</b> , Mosesso
Personnel Wage Board	<b>Freeman</b> , Dring
Selectman, Administration	<b>Vasile</b> , Papianou
Finance, Legal	<b>Vasile</b> , Chlebek
Town Debt Service, Insurance	<b>Fisler</b> , Chlebek
Conservation, Planning Board	<b>Dring</b> , Vasile, Calnan
Education	<b>Krockta</b> , Vasile
Police, Central Dispatch & Animal Control	<b>Fisler</b> , Papianou, Stern
Fire	<b>Stern</b> , Papianou, Fisler
Highway, Tree & Park	<b>Calnan</b> , Freeman, Krockta
Board of Health, Veterans, COA	<b>Freeman</b> , Dring
Permanent Building Committee	<b>Mosesso</b> , Stern, Chlebek
Library, Recreation, Historical Comm.	<b>Papianou</b> , Stern, Dring
Water and Sewer	<b>Krockta</b> , Vasile, Calnan
Zoning	<b>Chlebek</b> , Freeman, Mosesso

**SUMMARY OF TOWN WARRANT RECOMMENDATIONS**  
**ANNUAL TOWN MEETING**  
**May 11, 2015**

<u>Article</u>	<u>Article (Presenter)</u>	<u>Recommendation</u>
Article 1	Annual Town Elections	
Article 2	Annual Town Reports	
Article 3	Reports of Committees	
Article 4	Operating Budget (Vasile)	Approval
Article 5	CIP Budget (Vasile)	Approval
Article 6	Non-Union Man. & Seasonal Pay Plan (Freeman)	Approval
Article 7	Fire Contract (Papianou)	Approval
Article 8	Dispatcher Contract (Papianou)	Approval
Article 9	Highway & Water Contract (Krockta)	Approval
Article 10	FY '15 Operating Budget Adj. (Calnan)	Approval
Article 11	FY '15 Capital Budget Adj. (Chlebek)	Approval
Article 12	Unpaid Bills from Prior Years (Freeman)	Approval
Article 13	Department Revolving Funds Auth. (Mosesso)	Approval
Article 14	Fund Qualified OPEB Trust (Chlebek)	Approval
Article 15	Expend Highway Funds (Calnan)	Approval
Article 16	Stabilization Fund for SE Regional School (Krockta)	Approval
Article 17	Revised General By-Laws (Fisler)	Approval
Article 18	Amend OSRD By-Law (Dring)	Approval

**SUMMARY OF TOWN WARRANT RECOMMENDATIONS**  
**ANNUAL TOWN MEETING**  
**May 11, 2015**

<u>Article</u>	<u>Article (Presenter)</u>	<u>Recommendation</u>
Article 19	Amend Flood By-Law (Dring)	Approval
Article 20	Accept McNamara Way (Dring)	Approval
Article 21	Accept Michelmore Way (Calnan)	Approval
Article 22	Land Acquisition (Chlebek)	Approval
Article 23	Amend Sewer Service Area Map (Vasile)	Approval
Article 24	Executive Power of W&S Commissioners (Vasile)	Approval

ARTICLE 1: ANNUAL TOWN ELECTIONS

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Please refer to the Town Warrant.

ARTICLE 2: ANNUAL TOWN REPORTS

Board of Selectman

Please refer to the Town Warrant.

ARTICLE 3: REPORTS OF COMMITTEES

Board of Selectman

Please refer to the Town Warrant.

ARTICLE 4: OPERATING BUDGET

Board of Selectman

**THE ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 4:                    MULTIPLE VOTES**

ARTICLE 5: CAPITAL IMPROVEMENT PLANNING (CIP) BUDGET

Board of Selectman

**THE ADVISORY COMMITTEE RECOMMEND APPROVAL OF ARTICLE 5:                    VOTE OF 8-1-0**

The Advisory Committee recommends approval of the Capital Improvement Planning (CIP) Budget which was developed by the CIP Committee (Bill Keegan – Town Manager, Lorraine Brue – Board of Selectmen Chairman, Tracey Vasile – Advisory Committee Chairman, Debra Spinelli – School Superintendent and Roger Hill – DPW Director). The CIP Committee is responsible for reviewing spend requests for major non-recurring tangible assets (greater than \$25,000) with a lifespan of greater than 5 years. The total amount of the FY '16 CIP Budget is \$2,400,455 which is a decrease from the FY '15 CIP Budget of \$5,585,973.

ARTICLE 6: NON-UNION MANAGERIAL & SEASONAL PAY PLAN

Board of Selectman

**THE ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 6:                    VOTE OF 9-0-1**

The Advisory Committee recommends approval of Article #6 (formerly known as the Personal By-Law article and changed to more accurately reflect what is covered by this document) which is to raise and appropriate a sum of money to supplement the wage and salary amounts voted for under Article #4 of this same FY 2016 Warrant (the Operating Budget article), in accordance with the terms and conditions put forth in the “Revised Consolidated Personnel By-Law 2016” document on file with the Town Clerk.

**THE ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 7: VOTE OF 10-0-1**

The purpose of this article is to secure the funding for the collective bargaining agreement negotiated by and between the Town of Foxborough and the Foxboro Permanent Firefighters Association.

The agreement was negotiated for a two-year term and will run from 7/1/14 to 6/30/16 (FY '15 and FY '16). The terms of the contract include a reorganization of the Department which will result in an increase in per shift minimum staffing from 6 to 7 people. The minimum staffing increase is an effort to bring the per shift staffing closer to the recommended level of 8 people per shift. The position being added is an Administrative (also known as a Day) Captain who will be responsible for various operational responsibilities at the station.

The agreement will add \$48,000 in additional cost to the FY '15 budget representing a 2% COLA increase. It will add \$297,540 to the FY '16 budget representing the anniversary of the COLA increase, a 2% COLA for FY '16, step increases and the reorganization. The total cost of the reorganization will be funded via ambulance receipts.

**THE ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 8: VOTE OF 8-0-0**

The purpose of this article is to secure the funding for the collective bargaining agreement negotiated by and between the Town of Foxborough and the Foxborough Public Safety Dispatchers Association.

The initial agreement with this new bargaining unit was negotiated for a one-year term and will run from 7/1/2014 to 6/30/2015 (FY '15). The language in the agreement retains significant Management Rights and mirrors the current Personal By-Law with the following exceptions: inclusion of a 6-month probationary period with extensions based on performance measurements, no agency fee for dues deduction, only one dispatcher per shift being allowed to be on vacation at one time, sick time accrual at 1.75 days per month (less than what is included in the Personal By-Law) and the use of seniority for vacation selection and shift bidding.

Under the agreement, the dispatchers will receive a 2% COLA increase which represents a total increase of \$10,500. This percentage amount is in keeping with other union contracts. In addition, a step increase, totaling \$17,637, will take effect on June 30, 2015 for dispatchers who have received at least a satisfactory performance evaluation.

**THE ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 9: VOTE OF 8-0-0**

The purpose of this article is to secure the funding for the collective bargaining agreement negotiated by and between the Town of Foxborough and the Foxborough Highway and Water Employees Union.

The agreement was negotiated for a two-year term and will run from 7/1/14 to 6/30/16 (FY' 15 and FY '16). The agreement includes the following changes and clarifications: the creation of a rotating roster for overtime determination, clarification regarding supervisors not performing bargaining unit work, clarification of holiday pay for the 12 designated holidays, an increase in the boot allowance & tool reimbursement amounts, clarification around receiving compensatory time in lieu of overtime pay and the introduction of a performance evaluation document for defining eligibility for step increases.

The Advisory Committee recommends approval of this article because of the much-needed clarifications provided within the new contract and the reasonableness of the fiscal aspect of the agreement (an annual 2% COLA increase and a one-time boot & tool allotments increase).

**THE ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 10: VOTE OF 8-1-1**

This article's purpose is to determine whether the town will vote to:

- Transfer \$100,000 to the Inspection Department for inspector's salaries from local receipts raised from inspection fees. These are existing funds that need to be transferred to pay part-time inspectors for services already rendered.
- Appropriate \$75,000 for Veteran Department Expenses. These funds are necessary to directly aid veteran benefits for citizens of Foxborough. A majority of these funds will be reimbursed by state aid.

A vote at Town meeting to approve this Article authorizes the Town Manager to amend the FY '15 Operating Budget to fund these expenses.



**THE ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 11: VOTE OF 7-0-0**

This Article is intended to Amend Article 5, approved in May of 2014, covering the 2015 Annual Capital Improvement budget. Three issues are resulting in either a reallocation or return of funds request as follows:

- Conservation: \$16,500 allocated towards improvements at the 89 North Street property is proposed to be reallocated towards the 120 Spring Street rental property. The North Street property was determined to not be salvageable, and the Spring Street property was next on Conservation's list of needed repairs.
- Water: \$310,000 out of an allocated amount of \$1M is proposed to be returned because the amount originally requested for the Hill Street Water Tank Rehabilitation are no longer needed. The Town has entered into a more advantageous approach to the project which minimizes the initial cost outlay.
- Historical Commission: \$175,000 allocated for several Memorial Hall repair initiatives on a line-item basis, is proposed to be reallocated to an "in total" amount to allow for estimates to be obtained in a more cost-effective and efficient manner.

**THE ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 12: VOTE OF 7-0-0**

The purpose of this article is to see if the Town will vote to pay for bills from the previous fiscal year. The reason for the request is that municipal finance laws do not allow for the current fiscal year budget to pay for expenses from a prior fiscal year.

The total unpaid amount is \$1,811.12 and reflects costs incurred by the Veteran's Services Department for various trainings, conferences, cell phone, meals and office supplies. It has been confirmed that the expenses were actually incurred and fall within the Town's financial guidelines. Also, not approving reimbursement of this amount has the potential to open the town up to potential law suits and other collection activity.

**THE ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 13: VOTE OF 8-0-0**

As required by State Law, an annual vote at Town Meeting is required to authorize the Spending Authority, Revenue Sources, Use of Funds and Spending Limits for established revolving funds. The Spending Limits, as listed, are in line with the projected balances of said accounts for FY '16.

**THE ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 14: VOTE OF 7-0-0**

The funding of the Town’s Qualified OPEB (Other Post-Employment Benefits) Trust fund is now a perennial warrant article at the Annual Town Meeting. Beginning at the ATM in May of 2010, the Town complied with the GASB (Governmental Account Standard Board) requirement that the unfunded liability for healthcare and other post-employment benefits, which had been extended to the employees of the Town of Foxborough, must be recorded in its financial statements. In order to prevent the cost of these promised benefits from growing larger and larger as a percentage of the Town’s annual budget, the OPEB Trust fund was established. As this fund grows, it will help to defray the costs of post-employment benefits in future years.

**THE ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 15: VOTE OF 7-0-0**

This article’s purpose is to determine whether the Town will authorize the Town Manager to expend any funds received from the State and/or County for construction, reconstruction, or any other highway improvements or related activities. A vote at Town Meeting to approve this Article authorizes the Town Manager to accept and spend funds provided by the State and/or County for highway expenditures. This vote is to ensure that the Town is able to receive the respective State/County funds for such expenditures and that the Town Manager spends these funds accordingly.

**THE ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 16: VOTE OF 7-0-0**

The purpose of this article is to establish a stabilization fund for the Southeastern Regional School. According to Massachusetts state law, this stabilization account may include in its annual budget for deposit in the stabilization fund an amount not exceeding 5% of the aggregate amount apportioned to the member municipalities for the preceding fiscal year, or, a larger amount approved by the director of accounts. Any interest shall be added to and become a part of the fund. The annual report submitted to the member municipalities shall include a statement of the balance in the stabilization fund along with all additions to and withdrawals from the fund.

The Advisory Committee recommends approval on this article as it will allow the school to set aside funds from their existing budget for later use on special projects. This reserve fund will not require additional funding from Foxborough and must be approved by all towns in the Southeastern Regional School district in order to be established.

**THE ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 17: VOTE OF 9-0-0**

The Advisory Committee recommends approval of amending the General By-Law which will allow the Town the option of providing electronic access to Town Warrants via a link on the Town's website. Providing electronic access to the Warrant will allow residents the opportunity to have quick access to the articles and will provide a more comprehensive review of the document. For those that desire them, hard copies will still be available at the Town Hall and at Town Meeting. In addition, the amending of this by-law would alleviate the Town from having to print the complete Warrant in the newspaper which, in the past, has resulted in costs of up to \$7,000 for each Town Warrant.

**THE ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 18: VOTE OF 6-0-1**

The purpose of this article is to see if the Town will vote to accept changes to the OPEN SPACE RESIDENTIAL DEVELOPMENT by-law. The open space by-law allows developers, with Planning Board approval, to build subdivisions that do not conform to current zoning by laws. These developments contain smaller house lots with open space to promote the most harmonious use of the land's natural features, resources and topography; to discourage sprawled development, minimize environmental disruption, and provide a shorter network of streets and utilities which will promote a more efficient distribution of services; and to encourage the permanent preservation of open space, agricultural land, forestry land, wildlife habitat, other natural resources including aquifers, water bodies and wetlands, and historical and archaeological resources.

There are three major changes being made to the Open Space by-law:

1. Elimination of the 7.5 minimum acre requirement. This change will allow smaller parcels of land to take advantage of open space development to preserve natural land features and minimize environmental disruption.
2. Elimination of the 50 foot buffer and screening requirement. The current zoning by-law calls for 50 feet of plantings and/or fences between the new development and their abutting neighbors. This buffer requirement is intended to "preserve the visual privacy between abutting dwellings and new lots within the OSRD". However, this buffer may create an excessive separation between the new development and the existing houses, and can lead to poor layouts. The Planning Board can still require a buffer for a new open space development, but would now have more flexibility in deciding when that is appropriate for each particular parcel.

3. Addition of a Homeowner's Association requirement. To receive approval from the Planning Board, a new developer will have to provide documentation that a Homeowner's Association has been created. This new requirement is to make sure the open space in the development remains on the tax rolls and does not become the responsibility of the Conservation Commission. The homeowners of the new development will be responsible for the open space within that development.

The Advisory Committee voted to recommend this article because of the added flexibility it gives the Planning Board to create subdivisions that will promote the most harmonious use of the land's natural features.

ARTICLE 19: AMEND FLOOD BYLAW Planning Board

**THE ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 19: VOTE OF 8-0-0**

The purpose of this article is to see if the Town will vote to accept an amendment to the Flood Bylaw to include two new map references. The Federal Emergency Management Agency (FEMA) issues new maps for the administration of the National Flood Insurance Policy. The Foxboro Flood Bylaw needs to reflect FEMA's maps, so that the residents in Foxboro can maintain eligibility for the National Flood Insurance Program. These changes will not alter the flood status of any parcel in town.

ARTICLE 20: ACCEPT MCNAMARA WAY AS A PUBLIC WAY Planning Board

**THE ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 20: VOTE OF 8-0-0**

The purpose of this article is to see if the Town will vote to accept McNamara Way as a public way. If this article is approved, the Town will accept responsibility for the maintenance of McNamara Way. Street acceptance requests are initiated by the developer then approved by The Planning Board if all obligations are met. These obligations include sufficient width, suitable grades, adequate construction and installation of municipal services. Currently, the grass strips on McNamara Way do not meet Planning Board standards. The Planning Board has retained \$500 from the developer to make sure these grass strips are completed properly.

ARTICLE 21: ACCEPT MICHELMORE WAY AS A PUBLIC WAY

Planning Board

**THE ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 21:**

**VOTE OF 8-0-0**

The purpose of this article is to see if the Town will vote to accept McNamara Way as a public way. If this article is approved, the Town will accept responsibility for the maintenance of Michelmores Way. Street acceptance requests are initiated by the developer then approved by The Planning Board if all obligations are met. These obligations include sufficient width, suitable grades, adequate construction and installation of municipal services. The town would then be responsible for maintenance of the roadway and all related infrastructure.

ARTICLE 22: LAND ACQUISITION

Board of Selectmen

**THE ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 22:**

**VOTE OF 7-0-0**

This Article will empower the Board of Selectmen to acquire, through Eminent Domain, a strip of land near the Town DPW garage in order to complete an easement agreement related to the power lines on the property. The easement for the power lines was initially agreed upon in 2014; however the originally-intended disposition of the property is not currently shown in any available records. The official transfer of the subject property will allow the Town to receive a recently negotiated one-time payment of \$30,000 for the easement.

ARTICLE 23: AMEND SEWER SERVICE AREA MAP

Water & Sewer Department

**THE ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 23:**

**VOTE OF 8-0-0**

The purpose of this article is to incorporate the parcels listed in the article into the Sewer Service Area and to amend the Sewer Service area map accordingly. This is in accordance with the vote taken on Article 5 at the May, 2013 Town Meeting which resulted in the town adopting a sewer service area and also authorized the Water & Sewer Commissioners to adopt rules and regulations for amending the Sewer Service Area map annually by vote of Town Meeting. Acceptance of this article will allow these addresses to tie into the town sewer system with all costs being born by the parcel owners.

**THE ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 24: VOTE OF 10-0-0**

The purpose of this article is to clarify the executive power of the Water & Sewer Commissioners. This article reaffirms that all executive powers will reside with the Water & Sewer Commissions with the exception of all personnel and collective bargaining powers (which will reside with the Town Manager) and the sale of sewer capacity outside the town borders (which will be subject to the joint approval of the Board of Selectman and the Water & Sewer Commissioners). Approval of the article is needed to clear up some ambiguity within the prior legislation's wording which was voted on and approved at the Special Town Meeting in the Fall of 2012.