

FOXBOROUGH
ADVISORY COMMITTEE
SPECIAL TOWN MEETING

November 4, 2013

Advisory Committee

Membership List

Fiscal Year 2014

<u>Member</u>	<u>Term Expires</u>
Paul C. DeFazio (Chairman)	June 2014
Kevin Powers	June 2014
Jeffrey Anderson	June 2014
Larry Thomas	June 2014
Tracey Metivier (Vice Chairman)	June 2015
Larry Stern	June 2015
Heidi Krockta	June 2016
Susan Dring	June 2016
Thomas Freeman	June 2016

TOWN OF FOXBOROUGH
2013-2014 ADVISORY COMMITTEE
COMMITTEE APPOINTMENTS
AND
LIASIONS ASSIGNMENTS

Committee	ADCOM Liaisons (Lead bolded)
Audit Committee	Powers, DeFazio, Haney
Capital Improvement Planning Committee	DeFazio, Metivier, Haney
Personnel Wage Board	Freeman, Anderson, Dring
Selectman, Administration	Thomas, DeFazio, Krockta
Finance, Legal	Metivier, Powers, Anderson
Town Debt Service, Insurance	Anderson, Haney
Conservation, Planning Board	Metivier, Dring
Education	Thomas, Stern, Krockta
Police, Central Dispatch & Animal Control	Stern, Haney
Fire	Freeman, Stern

Highway, Tree & Park

Anderson, Freeman

**Board of Health, Veterans,
Council on Aging**

Freeman, Thomas, Dring

Permanent Building Committee

Thomas, Anderson, Haney

**Library, Recreation,
Historical Commission**

Powers, Dring

Water and Sewer

DeFazio, Metiver, Krockta

Zoning

DeFazio, Thomas, Krockta

**ADVISORY COMMITTEE
SUMMARY OF TOWN WARRANT RECOMMENDATIONS
SPECIAL TOWN MEETING
NOVEMBER 4, 2013**

<u>Article</u>	<u>Topic</u>	<u>Recommendation</u>
Article #1	Budget Adjustments	
	Item #1	Approval
	Item #2	Disapproval
	Item #3	Approval
Article #2	Unpaid Bills (prior year)	Approval
Article #3	DPW Administrative Offices	Approval
Article #4	Town Hall Plans	Disapproval
Article #5	Sewer Service Area	Approval
Article #6	Grant Reimbursement	Approval
Article #7	Amend Zoning By-Laws	Approval

**ADVISORY COMMITTEE
TOWN WARRANT RECOMMENDATIONS
SPECIAL TOWN MEETING
NOVEMBER 4, 2013**

Article #1:

Article 1 Budget Adjustment

These budget amendments reflect several costs to be incurred by the Town during the 2013-2014 fiscal year:

Item 1: This cost reflects a \$28,000 bill from the Norfolk County Agricultural High School. It is a bill based on the number of students from the Town attending the school during this school year. The Town is obligated to pay this bill and we are therefore obligated to appropriate these funds.

The Advisory Committee voted Approval of Item #1 8-0-0

Item 2: This cost reflects the salary to be paid to a new Town Manager for the first six months of 2014--half a year's pay. The Advisory Committee has voted in favor of an appropriation for this line item, but at an amount less than that proposed in the original Warrant. Our explanation entails understanding both the need for an appropriation and the amount at which that appropriation should be made:

As to the need for an appropriation: At this time, we have an Acting/Interim Town Manager. Pursuant to Town bylaws, that position cannot continue in an Acting/Interim capacity past 6 months. That will leave us with 6 months next year during which a permanent hire must step into that role, or we will be without a Town Manager. It is neither feasible nor cost-efficient to hold a second Special Town Meeting after a contingent Town Manager hire is made. Therefore, we must appropriate funds for that position now.

As to the amount at which that appropriation should be made: The amount sought in the original Warrant is \$84,808, which would reflect a salary of \$169,616. The Advisory Committee considered that the final salary reached by the most recent former Town Manager was approximately \$151,000, and that a salary of \$169,616 would reflect an approximately \$18,000 increase. The Advisory Committee also considered salaries paid to town managers in other Massachusetts towns of comparable size and

relatively comparable demographics. Several surrounding towns pay town managers between \$132,000 and \$172,000. Most surrounding towns, however, averaged in the \$140,000 to \$149,000 range. The Advisory Committee considered that a modest increase from \$151,000 to \$154,000 would maintain the Town's position at the higher end of comparable towns without undertaking an \$18,000 increase.

The Advisory Committee voted Disapproval of Item #2

2-5-1

After considering this information, the Advisory Committee voted 2-5-1 against this line item at the \$84,808 amount. The Advisory Committee then voted 7-0-1 to reconsider this line item at an amended amount of \$77,000, which would reflect an annual salary of \$154,000. However, unless the salary amount is lowered the disapproved vote stands on item #2.

Item 3: This cost reflects the \$8,046 amount of insurance and other employee benefits to be paid to a new Town Manager for the first six months of 2014--half a year's benefits. This amount does not significantly vary based on the salary of the position, and is an unavoidable ancillary cost in filling a position.

The Advisory Committee voted for Approval of item #3

8-0-0

Article #2:

Article 2: Unpaid Bills from Prior Year

THE ADVISORY COMMITTEE RECOMMENDS APPROVAL

The purpose of this article is to see if the Town will vote to pay two bills from the previous fiscal year. The first bill is for a retroactive pay adjustment for the Acting Town Manager. The second bill is for post-closure landfill monitoring services. It has been confirmed that both of these services were performed as required. The reason for the request is that municipal finance laws do not allow for the current fiscal year budget to pay bills from a prior fiscal year.

Item #1 is requesting the funding for a retroactive pay adjustment for the Acting Town Manager for the last pay week of fiscal year 2013. The amount is \$1,126.40.

After review, the Advisory Committee recommends approving this item to retroactively pay the acting town manager as he was performing the Town Manager's duties at that time and filled an important void for the town. The amount requested is the difference between the Town Clerk salary and the Acting Town Manager salary for the last week of the 2013 fiscal year (6/23/13 to 6/30/13).

The Advisory Committee voted for Approval of Item #1 8-0-0

Item #2 is requesting the funding for unpaid bills from CDM Smith for post-closure landfill monitoring services rendered between June, 2012 and June, 2013 for a total of \$22,450.

Due to the pending solar farm negotiations related to the former landfill property, these invoices were not paid when they were received as it was assumed that the winner of the solar farm contract would assume responsibility for them as part of the contract. This was also the reason that they were not included in the 2014 fiscal year budget. As no contract was entered into for the solar project, these bills for monitoring services already rendered remain due. Moving forward, these costs will be paid for out of the DPW budget.

The Advisory Committee voted for Approval of Item #2 7-1-0

Article #3:

Article 3: Department of Public Works Administrative Offices

THE ADVISORY COMMITTEE RECOMMENDS APPROVAL

VOTE: 8-0-0

The purpose of this article is to see if the Town will transfer from available funds six hundred thousand dollars (\$600,000) for the construction of a modular building and appurtenances to house the Foxborough Department of Public Works administration staff at 70 Elm Street and to initially fund said appropriation with five hundred thirty-six thousand seven hundred ninety-one dollars (\$536,791) from Water Enterprise Retained Earnings and sixty-three thousand two hundred and nine dollars (\$63,209) from Sewer Enterprise Retained Earning. The General Fund will contribute two hundred thirteen thousand three hundred thirty-five dollars (\$213,335) over a five year period to cover its share of the building cost, associated with the Highway and Tree & Park administrative staff, The General Fund Reimbursement to the water Enterprise fund will be through an annual credit on the allocated General Fund overhead costs to the Water Enterprise fund in the following amounts: sixty-four thousand dollars (\$64,000) in FY 2015; fifty-three thousand (\$53,000) in FY 2016; Forty-three thousand dollars (\$43,000) in FY 2017; Thirty-two thousand dollars ((\$32,000) in FY 2018; and twenty-one thousand three hundred thirty-five dollars (\$21,335) in FY 2019; or take any other action related thereto.

After several meetings and many discussions, the Advisory Committee agreed that the DPW's proposal to move all Water Department staff from the Town Hall and relocate to a modular building, to be constructed on the DPW grounds, was a plan beneficial to the Town. Neither the existing Water & Sewer, in Town Hall nor the Highway/Tree & Park offices are adequate or effective as operational facilities. The W&S office does not have sufficient square footage to house staff, pertinent records, or necessary equipment, let alone customer space for the citizens of the Town seeking assistance. The design for the future Town Hall does not include the DPW in its plans and to add them back in would far exceed the cost of the modular building. And considering the present conditions of the office, remaining in its current location is not the best option.

Town meeting voters had approved the creation of the DPW to consolidate the fractured management structure in hopes of getting the best out of all existing departments. The placement of all W&S and Highway/Tree & Park employees and managers in one area will allow for cross training, better and more efficient use of staff.

As an enterprise account, the Water & Sewer pays rent to the Town. Along with that, a commissioned space study concluded that a modular building would be the most cost efficient route to pursue. Modular Buildings are practical, the best cost alternative to the Town, and have an approximate 40 year life span.

The Advisory Committee unanimously approved this article.

Article #4:

Article 4: Town Hall Plans

THE ADVISORY COMMITTEE RECOMMENDS DISAPPROVAL

VOTE: 4-4-0

The purpose of this article is to see if the Town will vote to transfer from available funds five hundred and fifty thousand dollars (\$550,000) to pay the cost of hiring engineers and architects, and/or consultants for the purpose of preparing design plans and specifications, to include contract/bid documents and estimates of probable work, demolition and construction relating thereto of the building known as Town Hall, located at 40 South St., Foxborough, MA; or take any action related thereto.

The Advisory Committee knowing that this Article was the catalyst for an accelerated Special Town Meeting assigned three liaisons to vet this warrant thoroughly. The Permanent Municipal Building Committee (PMBC) made several presentations to the ADCOM, as did the Ad Hoc Committee in their efforts to address a tired building. Although, these two Committees could not agree on the size or costs associated with either razing and building new or rehabbing the current structure, there was one thing they did agree; something must be done to fix the Town Hall.

The ADCOM listened to a representative from the architectural firm of Kaestle, Boos & Associates (KBA) who the PMBC enlisted to help with the plan. We listened to numerous employees who work in Town Hall who told us of the many issues within the building. No one came before the ADCOM indicating that nothing should be done about the conditions at Town Hall. So why is there a split vote with a recommendation to disapprove this Article?

- The total cost, with principal and interest, as currently designed would be approximately \$11 million dollars. This seems expensive in a building that employs upwards of 35 people, some who are part-time.
- Industry standards lean towards a more modest square footage of 250 sq. ft. per employee, while the PMBC's design calls for nearly double that measure. Consideration must be given to the fact that citizens of the Town also take up footage, within the building, each day, but at this time, there have been no decisions to reduce the design.
- Project ownership is a concern as we are currently without a permanent Town Manager to take hold of this venture. The Board of Selectmen and the PMBC have brought this article forward, yet no one person is in a position to take full and complete charge.

- There appears to have been little citizen input sought, as only Town employees have been queried on needs and thoughts in the new development. There may be citizens within our own community with ideas and innovation that could lead to cost savings and more optimization. No one doubts the expertise of the PMBC or their dedication and efforts, but it is, after all, the Foxborough taxpayer and businesses that are incurring the costs; and utilizing the building.
- Cost and taxes are another concern. Expert analysis has informed us that debt exclusion for \$2 million dollars, on this project will cost the average taxpayer an average of \$400 dollars over 20 years. This does not account for the \$6.5 million coming out of the operating budget. This will be taking away from other capital needs annually. With what the Town is currently being asked to support in the area of “needs” with taxes, a Town Hall with the size and expense projected may and will need to be revisited.
- Although half the ADCOM disagreed with the notion of spending millions to renovate the current building, leaving it with questionable working space in the lower basement, the other half found benefits. Comparing KBA’s rehab option with that of the Ad Hoc Committee finds KBA’s renovation cost approximately \$5,223,000, in line with the Ad Hoc. Both plans address all of the issues and problems within the building. KBA’s probable cost projection for the demolition and new construction is over \$8 million with a difference of nearly \$3.5 million and even greater with the full cost of financing at over \$11 million.
- Admittedly, the current Town Hall may not be modern or fancy, but the red brick, pillars, and classic New England charm is Foxborough. Appreciated by many and even loved. The Town Hall is a living symbol of the Town and maybe preserving it, rather than razing and building new should be considered. Maybe it can be built or rebuilt in a way that can retain that colonial feeling.
- The size and layout of the building may be able to be changed. The costs are all projections and the PMBC has a history of coming in under or on budget. Efforts can still be made to fix Town Hall. Like everyone who came to speak with us about the Town Hall, the ADCOM wishes to address the problems, too. The ADCOM listened to all sides and analyzed all available data, within the amount of time given, in efforts to make the best recommendations for those who work in Town Hall and utilize Town Hall. The ADCOM made every attempt, including trying to vote twice on this warrant, and worked tirelessly and with a collective open mind to make the best and most well informed recommendation possible. The vote was split, but all agree something must be done soon.

The Advisory committee voted 4-4-0 on this article.

Article #5:

ARTICLE 5: SEWER SERVICE AREA

THE ADVISORY COMMITTEE RECOMMENDS APPROVAL

VOTE: 8-0-0

The purpose of this article is to see if the Town will vote to adopt a sewer service area and to authorize the Town of Foxborough Water and Sewer Commissioners to adopt rules and regulations for amending the Sewer Service Area annually by vote of Town Meeting. The sewer service area would be defined as those properties currently hooked into the town's sewer system and a specific geographic area surrounding the town common and not currently on sewer as identified by the Planning Board and included in the Master Plan.

After careful consideration and discussion, the Advisory Committee recommends approving this Article for the following reasons:

- This is the next step in the process of establishing the inter-municipal agreement (IMA) which will enable the upgrading and expansion of the Mansfield wastewater treatment plant.
- The upgrading of the plant is required by both state law and federal regulation.
- The upgrade alone will cost Foxboro \$18,000,000. If the town does not join the IMA, the 934 current town sewer customers will be forced to shoulder the burden of these costs alone. At the household level, this would equate to \$19,000 in rate increase over time.
- The only way for the current sewer customers to not shoulder these costs exclusively is by freeing up the town's unused Title V capacity. The only way to free it up is for the town to join the IMA which would give the town access to both the unused Title V flow as well as an additional 170,000 gallons of new flow. The newly acquired flow would then be resold to fund the upgrading of the plant.
- No one will be forced to hook into the sewer system.
- No betterment charges will be imposed on land abutting sewer lines.
- Going forward, amendments to the map will require a vote of town meeting. This will insure that no betterment fees can be imposed in the future.
- From a commercial standpoint, it will assist in helping to develop the business area around the common by providing the flow needed for additional development & expansion.

The Advisory Committee unanimously approved this article.

Article #6:

ARTICLE 6: GRANT REIMBURSEMENT

THE ADVISORY COMMITTEE RECOMMENDS APPROVAL

VOTE: 9-0-0

The purpose of this article is to see if the Town will vote to accept a grant from the state in the amount of \$232,000 and to authorize the Board of Selectman to administer it if received. The grant would allow the town to improve the Payson Road Recreation Facility and would include handicap accessible paths, paved driveways, the creation of two fields and enhancements to the current playground. A condition of the grant is for the town to provide \$168,000 towards the project. These funds are already available and came from donations of moneys from developers of the State Hospital Redevelopment project in compliance with their permits from the Town.

The Advisory Committee unanimously approved this article.

Article #7:

ARTICLE 7: AMEND ZONING BY-LAWS

THE ADVISORY COMMITTEE RECOMMENDS APPROVAL

VOTE: 8-0-0

The purpose of this article is to see if the Town will vote to amend Foxboro Zoning By-Laws to allow for 1) dead-end roads in excess of 800 feet and 2) shared driveways both via a Special Permit process.

After careful consideration and discussion, the Advisory Committee recommends approving this Article for the following reasons:

- Dead-ends roads in excess of 800 feet are allowed today but via a different approval process.
- Shared driveways (a single driveway serving two residential lots of land) are currently not allowed. However, by allowing them, homeowners/builders would be able to avoid unnecessary costs while providing the town with a safer & more attractive driveway option.
- The current approval process used for dead-end roads (checklist waiver) has some downfalls that include fewer requirements and a mostly non-public process. The new process being proposed in this article for both dead-end roads and shared driveways (special permit) does not have these downfalls.
- Neither of these changes could result in an “over building” of the town as any currently unbuildable land would remain unbuildable.

The Advisory Committee unanimously approved this article.