

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

May 10th, 2021

Foxborough Advisory Committee

Mission Statement

The Foxborough Advisory Committee 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 at the Town Meeting.

Members

Term Expires

Larry B. Ooi (Chairman)	June 2021
Paul Ivanovskis (Vice Chairman)	June 2022
Bernard Dumont	June 2021
Thom H. Freeman	June 2021
Brian Guild	June 2021
Dennis Keefe	June 2022
Jack Martin	June 2022
Daniel Peterson	June 2022
Sharon E. Weiskerger	June 2022
Bradley Palter	June 2023
John T. Mahoney	June 2023

SUMMARY OF TOWN WARRANT RECOMMENDATIONS
ANNUAL TOWN MEETING
May 10, 2021

Article No.	Article (AdCom Presenter)	Recommendation
Article 1	Annual Town Elections	N/A
Article 2	Annual Town Reports	N/A
Article 3	Reports of Committees	N/A
Article 4	Operating Budget (Dumont)	Approval
Article 5	CIP Budget (Peterson)	Approval
Article 6	Citizen Petition – CIP Committee By-Law (Peterson)	Disapproval
Article 7	Citizen Petition – Tax Reimbursement (Ooi)	Approval
Article 8	Revolving Fund By-Law Amendment (Ivanovskis)	Approval
Article 9	Revolving Fund Annual Spending Limits (Ivanovskis)	Approval
Article 10	Amendment to Article 23 of 2019 (Ivanovskis)	Approval
Article 11	Steelworker’s Contract FY21 Unit A (Guild)	Approval
Article 12	Steelworker’s Contract FY21 Unit B (Guild)	Approval
Article 13	Police Contract FY21 (Guild)	Approval
Article 14	Steelworker’s Contract Unit A (Keefe)	Approval
Article 15	Steelworker’s Contract Unit B (Keefe)	Approval
Article 16	Police Contract (Keefe)	Approval
Article 17	DPW Contract (Mahoney)	Approval
Article 18	Library Contract (Mahoney)	Approval
Article 19	New Cingular Wireless PSC, LLC (Weiskerger)	Approval
Article 20	Land Transfer from the Town (Weiskerger)	Approval

Article 21	Land Transfer from Water Department (Freeman)	Approval
Article 22	Stretch Energy Code (Keefe)	Approval
Article 23	Sewer District Revision (Mahoney)	Approval
Article 24	Floodplain Bylaw Revision (Martin)	Approval
Article 25	Correction to Historic District Map (Palter)	Approval
Article 26	Correction to Table of Uses for Assisted Living (Freeman)	Approval
Article 27	Acceptance of Congdon Circle as a Public Way (Palter)	Approval

ARTICLE 4: Operating Budget **Board of Selectmen**

THE ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 4:
VOTE OF 9-0-0

The Town of Foxborough FY22 Total Operating Budget proposal of **\$86,538,161** is being **Recommended** by the Advisory Committee.

The 9-0-0 vote by the Advisory Committee during its session held on Wednesday, April 7th, 2021 at Town Hall, was unanimous for each of the Department noted below, without exception.

Following is the summary breakdown by department of the FY22 proposal vs. the FY2021 Budget:

<u>Department</u> <u>Budget</u>	<u>FY21</u> <u>Budget</u>	<u>FY22</u> <u>Recommended</u>	<u>Variance</u>	<u>FY22</u> <u>% of</u>
General Government	\$3,432,760	\$3,517,826	\$85,066 (2.48% increase)	4.1%
Public Safety	10,097,573	10,444,326	346,753 (3.43% increase)	12.1%
Education	38,182,233	39,349,829	1,167,596 (3.06% increase)	45.5%
Public Works	2,388,913	2,435,573	46,660 (1.95% increase)	2.8%
Health & Human Services	1,095,597	1,108,454	12,857 (1.17% increase)	1.3%
Culture & Recreation	1,271,847	1,236,010	(35,837) (2.82% decrease)	1.4%
Debt Service	3,713,923	3,637,570	(76,353) (2.06% decrease)	4.2%
Insurance & Other	<u>15,197,059</u>	<u>15,730,867</u>	<u>533,808 (3.51% increase)</u>	<u>18.1%</u>
Total General Fund	\$75,379,904	\$77,460,455	\$2,080,551 (2.76% increase)	89.5%
450 Water Enterprise Fund	6,778,667	7,382,361	603,694 (8.91% increase)	8.5%
460 Sewer Enterprise Fund	<u>1,694,354</u>	<u>1,695,345</u>	<u>991 (0.06% increase)</u>	<u>2.0%</u>
Total Enterprise Fund	\$8,473,021	\$9,077,706	\$604,685 (7.14% increase)	10.5%
Total Operating Budget	\$83,852,925	\$86,538,161	\$2,685,236 (3.2% increase)	100.0%

It should be noted that, given the unfavorable impact of the pandemic, there are no amounts being contributed neither into the Stabilization fund nor the OPEB Trust Fund in the FY22 Recommended Operating Budget.

In summary, the growth rates above highlight how the Total Operating Budget is increasing at levels that are consistent with the needs of the community. Any available funds not expended are turned back to help support future capital needs and to provide adequate reserves for the protection of the Town's long-term financial health.

This budget proposal is inclusive of Free Cash usage of \$900,000.

ARTICLE 5: CIP Budget

Board of Selectmen

THE ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 5:
VOTE OF 9-0-0

This Budget was developed by the CIP Committee and approved by the Board of Selectmen. The CIP Committee is responsible for reviewing spending requests for major, non-recurring tangible assets, including vehicles and equipment, which have a useful lifespan of at least 5 years AND cost over \$25,000. The total budgeted amount for the FY 2022 CIP is \$1,510,886, with \$652,230 coming from Free Cash, \$235,000 from Ambulance Receipts, and 623,656 from state Chapter 90 reimbursements. Please refer to Warrant Schedule A for individual departmental expenditures, description of assets, costs and the funding sources.

The Advisory Committee recommends approval of the Capital Improvement Planning Budget.

ARTICLE 6: CIP Committee By-Law

Citizen Petition

THE ADVISORY COMMITTEE RECOMMENDS DISAPPROVAL OF ARTICLE 6:
VOTE OF 5-4-0 AGAINST

The purpose of this citizens' petition as written create a new Article (Article X) under Foxborough Code Part I "Administrative Legislation", Chapter 20 "Finances" in order to restructure the Capital Improvement Planning Committee. The CIP Committee is responsible for evaluating capital projects or purchases including, but not limited to, major nonrecurring tangible assets and vehicles or equipment costing over \$25,000, purchased at intervals of not less than five years, and having a useful life of at least five years.

Major Points:

- Removes Town Manager, School Superintendent, and DPW Director from Board.
- Includes Two Members appointed by Moderator, one by the School Committee, one by the Board of Selectmen and one by the Board of Water and Sewer Commissioners.
- None of these voting members would be permitted to be employed by the Town.
- These appointees can be members of the nominating party
- 3 years terms with a Staggered to start so that Committee members rotate off appropriately
- Members limited to three consecutive terms

- Vacancies would be filled by the original nominating party
- Finance Director, Town Manager, and School Superintendent remain as non-voting members
- The Committee would operate under the same language currently in the Town Code

Arguments in Favor of Recommending the Warrant:

Only town voters should decide where money can be appropriated to; a lack of transparency in the current process; and no other CIP committees in the commonwealth being structured similarly.

Arguments Against Recommending of the Warrant:

The current system has served the Town of Foxborough with little complaint over the past decades, it's unclear what this is fixing; the new process as laid out doesn't address transparency any more than the prior one; and removal of CIP subject matter experts may not benefit long-term capital decisions.

ARTICLE 7: Tax Reimbursement

Citizen Petition

THE ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 7:

VOTE OF 7-0-0

The Advisory Committee agrees that the resident should be reimbursed for a real estate tax payment collected in error on a property where the resident is not the owner. This billing error started in FY 2006 thru' FY 2020. The aggregate principal amount is \$2,506.24.

ARTICLE 8: Revolving Fund By-Law Amendment

Town Manager

THE ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 8:

VOTE OF 7-0-0

The purpose of this article is to add two new revolving funds, reflecting the emergence of new town activities prompted by the emergence of COVID. The first is a revolving fund established for the Fire Department, which allows them to use moneys collected when providing inoculations or other public health services to purchase/fund further inoculations or public health services. The second new revolving fund allows the schools to pay the expenses of repairing or replacing computers using moneys collected through their computer protection plan.

The article also shows six other existing funds, which are already in place for the Recreation, Fire, and Highway Departments, as well as the Council on Aging.

Given these new activities taking place in the fire department and school operations, the Advisory Committee recommends approval of the new revolving funds.

ARTICLE 9: Revolving Fund Annual Spending Limits

Town Manager

THE ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 9:
VOTE OF 7-0-0

The purpose of this article is to authorize the annual spending limits for the Town’s eight revolving funds, including the two new ones established in Article 6. The proposed total limit for FY22 funds is \$975K, split between Recreation (\$375,000), Police and Fire Apparatus Utilization (\$100,000), Highway Department (\$40,000), Council on Aging Senior Trips & Programs (\$250,000), Council on Aging and Human Services (\$5,000), Council on Aging Community Events (\$5,000), and \$100,000 for each of the two new revolving fund accounts. The only change from the FY21 approved limits for existing accounts is the \$250,000 for the Council on Aging Senior Trips and Programs, up from \$120,000, reflecting the potential addition of a spring trip.

This article also includes FY21 limits of \$100,000 for each of the two new revolving funds, reflecting the unanticipated FY21 activities prompted by the emergence of COVID.

Thea Advisory Committee agrees these limits make sense, and recommends their approval.

ARTICLE 10: Amendment to Article 23 of 2019

Town Manager

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

The purpose of this article is to add a paragraph inadvertently excluded from Article 23 of the 2019 Warrant, which funded long-term water system improvements in the Town of Foxborough. This correction will allow premiums collected from the sale of bonds to be used to pay down bond costs, as is typical.

This Advisory Committee agree that it is appropriate to amend the 2019 Article as proposed.

ARTICLE 11: Steelworker’s Contract Unit A FY21

Board of Selectmen

ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 11:
VOTE OF 9-0-0

The purpose of this article is to see if the Town will vote to raise and appropriate, and/or transfer from available funds, a sum of money deemed necessary (\$35,000) to fund the cost items for a collective bargaining contract between the Town of Foxborough and the United Steelworkers, Unit A”, in accordance with Chapter 150E of the General Laws of the Commonwealth; or take any other action relative thereto.

The article is a normal extension of the previous year contract for FY21 and covers Cost of Living Adjustments (COLA) for the Steelworkers A Contract Unit. This unit represents our Town Department Heads and Supervisors.

The Advisory Committee recommends approval of this budget adjustment.

ARTICLE 12: Steelworker’s Contract Unit B FY21 **Board of Selectmen**

ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 12:
VOTE OF 9-0-0

The purpose of this article is to see if the Town will vote to raise and appropriate, and/or transfer from available funds, a sum of money deemed necessary (\$39,000) to fund the cost items for a collective bargaining contract between the Town of Foxborough and the United Steelworkers, Unit B”, in accordance with Chapter 150E of the General Laws of the Commonwealth; or take any other action relative thereto.

The article is a normal extension of the previous year contract for FY21 and covers Cost of Living Adjustments (COLA) for the Steelworkers B Contract Unit. This unit represents our Town Administrative Assistants, Clerks, and other positions.

The Advisory Committee recommends approval of this budget adjustment.

ARTICLE 13: Police Contract FY21 **Board of Selectmen**

ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 13:
VOTE OF 9-0-0

The purpose of this article is to see if the Town will vote to raise and appropriate, and/or transfer from available funds, a sum of money deemed necessary (\$70,000) to fund the cost items for a collective bargaining contract between the Town of Foxborough and the Foxborough Police Department, Massachusetts Coalition of Police, Local 379 AFL-CIO, in accordance with Chapter 150E of the General Laws of the Commonwealth; or take any other action relative thereto.

The article is a normal extension of the previous year contract for FY21 and covers Cost of Living Adjustments (COLA) for the Police Contract.

The Advisory Committee recommends approval of this budget adjustment.

ARTICLE 14: Steelworker's Contract Unit A

Board of Selectmen

ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 14:
VOTE OF 9-0-0

This article addresses the funding for the collective bargaining agreement negotiated with the Steelworkers Unit A by the Town of Foxborough. Negotiations are for the one-year period from July 1,2021 to June 30, 2022.

Major points of Agreement:

- Total Funding request is for \$37,000
- 17 employees in this unit (department directors and supervisors)
- 2% COLA increase (\$33,000)
- no new steps added
- Increase in weekend call pay (\$2,400)
- One day added to bereavement
- Other miscellaneous increases for stipends, certifications, and licenses
- Agreement on new performance evaluation system
- Costs covered through Salary Expense Reserve

The Advisory Committee feels that the contract has been negotiated to favorable terms for everyone involved on both sides and asks the citizens of Foxborough to support this funding article.

ARTICLE 15: Steelworker's Contract Unit B

Board of Selectmen

ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 15:
VOTE OF 9-0-0

This article addresses the funding for the collective bargaining agreement negotiated with the Steelworkers Unit B by the Town of Foxborough. Negotiations are for the one year period from July 1,2021 to June 30, 2022.

Major points of Agreement:

- Total Funding request is for \$41,000
- 38 employees in this unit (administrative assistants, clerks, social workers, drivers, others)
- 2% COLA increase (\$39,000)
- no new steps added
- Other miscellaneous increases for stipends, certifications, licenses, and allowances (shoes)
- Costs covered through Salary Expense Reserve

The Advisory Committee feels that the contract has been negotiated to favorable terms for everyone involved on both sides and asks the citizens of Foxborough to support this funding article.

ARTICLE 16: Police Contract

Board of Selectmen

ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 16:
VOTE OF 9-0-0

This article addresses the funding for the collective bargaining agreement negotiated with the Foxborough Police Department by the Town of Foxborough. Negotiations are for the one year period from July 1,2021 to June 30, 2022.

Major points of Agreement:

- Total Funding request is for \$73,000
- 35 employees in this unit
- 2% COLA increase (\$72,000)
- no new steps added
- increase for details (\$2/hr.) to achieve parity with other area police departments
- Changes to process for education reimbursement approval
- Costs covered through Salary Expense Reserve

The Advisory Committee feels that the contract has been negotiated to favorable terms for everyone involved on both sides and asks the citizens of Foxborough to support this funding article.

ARTICLE 17: DPW Contract

Board of Selectmen

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

This article addresses the funding for the collective bargaining agreement negotiated with the Department of Public Works Union by the Town of Foxborough. Negotiations are for the one-year period from July 1, 2021 to June 30, 2022.

Major points of Agreement:

- Total Funding request is for \$37,000
- 26 employees in this unit (front line employees from the Highway, Tree & Park, Equipment Mechanic and Water Divisions)
- 2% COLA increase
- no new steps added
- Increase in weekend call pay \$25 per employee per day
- The Existing Summer hour work schedule consisting of 9-hour work days from Monday to Thursday and a 4-hour day on Friday will be extended from the existing May 1st to October 1st Schedule to become April 1 to November 1.

The Advisory Committee feels that the contract has been negotiated to favorable terms for everyone involved on both sides and asks the citizens of Foxborough to support this funding article.

Article 18: Library Contract

Board of Selectmen

ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 18:
VOTE OF 9-0-0

This article addresses the funding for the collective bargaining agreement negotiated with the Library's union workforce by the Town of Foxborough. Negotiations are for the one-year period from July 1, 2021 to June 30, 2022.

Major points of Agreement:

- Total Funding request is for \$24,000
- 21 employees in this unit
- 2% COLA increase
- no new steps added
- no other significant changes from last contract

The Advisory Committee feels that the contract has been negotiated to favorable terms for everyone involved on both sides and asks the citizens of Foxborough to support this funding article.

ARTICLE 19: New Cingular Wireless PSC, LLC

Board of Selectmen

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

The purpose of this article is to request that the Town enter into a long-term lease agreement with AT&T, which will allow them to use our existing cell tower located behind the Public Safety Building. Because this is town-owned property, permission must be voted in at Town Meeting. AT&T will pay the town \$3,000/month for using the tower. The money will go into the General Fund. An escalator cost of 2 percent has been built into the 20-year lease. AT&T will assume all costs associated with installation.

The Advisory Committee recommends approval of this authorization.

ARTICLE 20: Land Transfer from Town

Board of Selectmen

ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 20:
VOTE OF 9-0-0

The purpose of this article is to request approval that a lot of Town-owned land located off Oak Street on Lamson Road, currently dedicated to a butterfly habitat, be transferred to the Foxborough Conservation Commission. This transfer will keep the land under ownership of the Town of Foxborough vs. under the jurisdiction of the State. Foxborough's Water Department will continue to maintain the property. This is the only town-owned butterfly habitat in the State of Massachusetts.

The Advisory Committee recommends approval of this authorization.

ARTICLE 21: Land Transfer from Water Department

Board of Selectmen

ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 21:
VOTE OF 7-0-0

The purpose of this article is to see if the town shall vote to transfer 4.1 acres of Water Department controlled land off of Oak Street to the Foxborough Conservation Commission. The intention of this transfer is to preserve a butterfly habitat while securing the safety of the water supply and, while not necessary to the maintaining of Water Dept functions, keeping the parcel under municipal ownership.

The Advisory Committee recommends approval of this authorization.

ARTICLE 22: Stretch Energy Code

Board of Selectmen

ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 22:
VOTE OF 6-2-1

The Town of Foxborough has set a goal to become a Green Community in the State of MA. 288 Cities and Towns are already so designated. Once designated as a Green Community, the town can apply for energy reduction projects for all town facilities. These grants and awards are worth about \$100,000 per project. Five (5) criteria need to be met in order receive designation:

- 20% reduction in energy use over 5 years
- A fuel efficiency purchase policy needs to be put in place
- Zoning needs to be put in place for use of solar (done)
- Have an expedited permitting process for renewable energy (done)
- Stretch Code adopted at Town Meeting

The Stretch Code emphasizes quantifiable and measurable energy performance (HERS Rating System and Energy Rating Index) as opposed to prescriptive requirements, and is designed to result in cost effective construction that is more energy efficient than that built to the "base" energy code. It applies to all buildings and residences whether new construction or renovations. State studies have shown net positive cash flows when comparing additional costs to implement this code relative to energy cost savings over the same time period. Members opposing expressed concerns about these required changes increasing costs of housing for residents or additional costs to the town to meet the guidelines.

The Advisory Committee recommends adoption of this code.

ARTICLE 23: Sewer District Revision **Board of Water and Sewer Commissioners**

ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 23:
VOTE OF 7-0-0

The purpose of this article is to add the Lantern Court Condominiums located at 96-98 Mechanic Street (opposite side of Mechanic from the Ahern School entry way) to the town's Sewer district. Adding these properties to the Sewer District makes them eligible to request the town provide sewer hookups at a future date. The property owners would remain responsible to pay any applicable hookup and sewer use fees should they choose to request sewer hookups in the future.

The Advisory Committee recommends this article as there should be no current economic or budgetary impact to the town in approving this article.

ARTICLE 24: Floodplain Bylaw Revision **Planning Board**

THE ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 24:
VOTE OF 7-0-0

The purpose of this article is to ensure that Foxborough remains eligible for the National Flood Insurance Program (NFIP). NFIP is a Federal program intended to reduce the impact of flooding on private and public structures. It does so by providing affordable flood disaster relief insurance. This insurance is available to property owners in communities that adopt and enforce floodplain management ordinances. The State prepared a model bylaw to help municipalities comply with the NFIP requirements. The floodplain bylaw proposed in Article 22 is based on that model bylaw. It links to FEMA maps that depict the estimated limits of 100-year and 500-year floods and the 100-year floodway.

This proposed bylaw replaces the current, less comprehensive, floodplain bylaw.

ARTICLE 25: Correction to Historic District Map

Planning Board

THE ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 25:
VOTE OF 7-0-0

The purpose of this article was to see if the Town will vote to amend Chapter 145 of the Code of the Town of Foxborough, Massachusetts, and delete section 145-14 Appendices. Replace it with the following Appendix 1: Baker Street District. The Baker Street District shall be a district area under this bylaw. The location and boundaries of the Baker Street District are defined and shown on map "Baker Street Local Historic District Map dates May 2021".

The purpose of this article is to correct existing Code language, and does not change any boundaries. The Advisory Committee recommends its approval.

ARTICLE 26: Correction to Table of Uses for Assisted Living

Planning Board

THE ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 26:
VOTE OF 7-0-0

The purpose of this article is to see if the town shall vote to amend the Table of Uses as it applies to Assisted Living, Nursing and Convalescent Homes. A typographical error in the chart was discovered and this article seeks to remedy these zoning designations back to their original intended codes. This housekeeping correction and all comprehensive revisions to the text of the Zoning By-laws have been done under the direction of the Planning Board.

The Advisory Committee recommends its approval.

ARTICLE 27: Acceptance of Congdon Circle as a Public way

Planning Board

THE ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 27:
VOTE OF 7-0-0

The purpose of this article was to see if the Town would accept as a public way Congdon Circle located within the "Highlawn Farm" subdivision, which had been constructed to the Planning Board Subdivision Control Regulations. This is a standard procedure and was the last piece of subdivision to be accepted. The regulation is as follows: Congdon Circle- from its intersection with Lawton Lane generally southerly approximately 400 feet more or less to its terminus at a cul-de-sac.

The Advisory Committee recommends acceptance of this article.