

Tuesday, January 18, 2022
Board of Selectmen Meeting Minutes
Gala Room, Town Hall
7:00 p.m.

Members Present: Leah Gibson, Chair
Stephanie McGowan, Vice Chair
Seth Ferguson, Clerk
Mark Elfman

Also Present:
William Keegan Jr., Town Manager
Mike Johns, Assistant Town Manager
Christina Metcalf, Community Info. Specialist
Katie Lang*, Executive Assistant
George Samia – Finance Director
Marie Almodovar – Assistant Finance Director
*Attended remotely

1. 7:00pm Citizen's Input – No Input

2. 7:05pm Department Update - Veterans' Services, Veterans Services Director and VSO Ally Rodriguez to give update on Veterans' Services Department

AR – I am Ally Rodriguez U.S. Army Veteran and Veteran Services Officer and my new Administrative Assistant is Lauren Burrill, previously of Middelboro Veteran Services. We offer many services including benefits, the guidebook that the VA distributes every year to bonuses for Massachusetts who deployed overseas, flags, retirement paperwork. We provide grave markers for Veterans, up keep memorial squares and memorials, veteran widow benefits, and transportation assistance. In 2021 I filed 100, service connected disability claims, 25 out of state claims, 15 VA burial claims, 5 VA education claims, 3 welcome home bonuses, 6 annuity applications and 5 death indemnity claims. We have 28 active Chapter 115 benefit recipients in town. The Town receives 75% reimbursement from the Department of Veteran Services. In 2021 we had 1,000 phone and email inquiries, donated 19 Vietnam memorial pins and books to Vietnam veterans, hosted a field trip to the American Hertiage Museum, distributed 2,500 flags for Memorial Day, collaborated with Patriot Place for Hometown Heroes campaign, I became the SEMVSOA Vice President, Crossfit-Torque donations drive, collaborated with the FD/PD to find family member of deceased Veteran and held a 24 hour vigil for POW*MIA Day. We also held a Memorial Day flag ceremony with the Kraft Group, donated 10 coats with Coats4Vets program, distributed over 100 turkeys to Veterans for thanksgiving, I attended a National Training conference, distributed 3 Cap-Tel phones to hearing impaired Veterans and held a Veterans Day program with Paralympian Joel Hunt. We host a Veterans Group every 1st and 3rd Mondays at the COA. I assisted a squad with a claim and as a thank they flew a flag in my honor over Afghanistan which I then received that flag and a certificate of authenticity.

LG – Could you discuss the Eagle Scout project that you were involved in?

AR – Eagle Scout Sean Kelly approached me with an idea for a project and he commemorated a veteran and this flag that is displayed that is an original Spanish American War flag.

3. 7:15pm Change of Manager Application – Splitsville Approve Change of Manager from Kevin O'Brien to Brian Peterson

BP – Former GM just left, I've worked with the owner of Splitsville, and I was just been promoted.

LG – Have you had a license in your name?

BP – Never had a license in my name.

KL – He has been in touch with Tom from Fox Cares.

Motion to approve a Change of Manager for SV Patriot Place LLC d/b/a Splitsville from Kevin O'Brien to Brian Peterson by S. Ferguson, 2nd by M. Elfman. Approved, 4-0.

4. 7:20pm FY23 Budget Presentation - Town Administration

4.1 Town Manager Bill Keegan to give presentation on FY23 Budget

BK – We have a 2.73% proposed increase for FY23 budget. This is very early in the process and are still waiting for numbers as well. The proposed General Fund budget is \$79,835,712 for FY2023. Enterprise funds will have a .35% decrease in funds requests.

General Government – The Town side of the budget is showing a larger increase than usual due to changes to the budgeting for fuel usage (now a centralized approach), funds needed for the Town Manager search, People GIS costs for several departments, Land Use Department reorganization which moved Planning, Conservation, Zoning, and Inspections into one budget, and an overall increase to utilities and supplies. Overall 6.14% increase.

Public Safety – Increase to Fire is the full impact of the removal of the SAFER grant in FY22 which paid for the FT salaries for three employees. These salaries will be paid for with Ambulance receipts. The increase to Police is directly connected to the funding of the educational incentive voted at the Fall 2021 Town Meeting (removal from civil service). Overall 1.97% increase.

Education – FPS budget increasing 2.5% due to contractual salary obligations. Southeastern Regional assessment is currently estimated to increase 7.5%. Overall 2.6% increase.

Public Works – No major increases. New Capital Outlay requests. Overall budget increase is less than guidance (0.70% increase).

Human Services (COA, Veterans, Recreation) – No major increases. Includes Human Services Department reorganization. Overall budget increase is less than guidance (1.99% increase).

Library – Library budget increasing by 2.54% due to request for new part time Young Adult Librarian.

Debt Service – Overall budget decreasing due to decrease in debt service payments for previous bond issuances (4.00% decrease).

Insurance & Other – Pension assessment is increasing by 7.28% per NCRS. Group Insurance is estimated to increase 2.75%. Increase to Salary Reserve budget line needed to fund collective bargaining costs for all seven expiring union contracts, retirement payouts, and any unanticipated salary adjustments throughout the course of the year. Overall 4.64% increase.

Tax Levy History - The impact on the Tax Levy has come from the charter school. We don't account for any additional State Aid and hopefully it doesn't go any lower.

ME – With the Charter school, we discussed getting together with other nearby communities having similar issues and put together a proposal to the Governor about the inadequacies.

BK – There was an education reform bill came about around the time that Covid started and the revenue that was supposed to be used that wasn't able to be because of Covid. Not sure if that will come into play this year. There is revenue available at the State level and Federal and maybe we'll see some relief on that. I'm due to meeting with Rep. Barrows to talk about the upcoming budget cycles and see if we can get some relief on that point.

SF – It was the expense calculation that was kind of funky and factored in fixed costs, is that part of the conversation you're going to have?

BK – Yes it will be. If the town were to pass an override for schools, it would still go partly to the charter school.

Preliminary Local Receipts Estimate total is \$10,941,981. Motor vehicle excise is our biggest local receipts followed then hotel/motel tax, then meals tax.

SF – The overlay surplus, are we overestimating the amount needed to fund this?

GS – Overlay surplus recognized the fact that there will people who don't pay taxes or there are abatements.

SF – This means we have an allowance that is set aside.

BK – Indirect costs for Water and Sewer are staying the same from this year to next year.

Next Steps are the Advisory Committee will have their budget review meetings starting January 26. We will then continue planning and forecasting efforts.

LG – Do we have the Advisory Committee schedule?

BK – I finalized it today and Paul will review.

LG – The search committee for the new Town Managers? Have we benchmarked how much other towns have spent?

BK – Yes, \$10k-\$15k for a Town Manager search.

LG – With everything consolidated for fuel, it will be normalized in the averages that we see?

MA – Yes, we get monthly reports from all the departments and if we see that any department is running over we will charge that department with the overage.

4.2 Discussion regarding the Government Finance Officers Association (GFOA) Award and Financial Trend Monitoring System

SF – This is introducing a topic that I've spoken to years past on Advisory Committee. In regards to GFOA award, it's for towns that meeting certain data and criteria and will show information that will engages people. This will show where we have been, where we are and where we are going. Northborough has a great budget book. I think this would help engage the residents of Foxborough and help them make more informed decisions. People who don't have a finance background will find it hard to grasp overlay system. This type of approach will help to give a better understanding of the budget and how all the pieces fit it.

BK – Marie is familiar and has come from a community that has won that award several times. Other communities have staff dedicated and we cannot put anything more on Marie's shoulders. We are working to accomplish that and would need to get staff with other skill sets.

MA – I have worked towards that ever since I got here. If you look at last year's budget book compared to last year there is more. We are following the GFOA standards and guidelines to reach that goal. There is a program called the community compact program and the town could partner with the state and get grants to help us bring in a consultant to help us to achieve this goal. I will keep adding more data into the budget book and our goal is to attain this award. The GFOA developed the financial trend monitoring system. You could incorporate that with some changes that were made to the GFOA. The biggest work is getting the historical data.

LG – This sounds like it would be more of a 3-5 year goal and get an update on this goal when we have these financial meetings.

MA – There are a list of projects that you can get grants for and you have to be ready for it. The Collins Center at UMass Boston and they do work with forecasting, budget, and KPIs. We would go for a grant to get an outside help and aim to complete in the next 3-5 years.

SF – I am all for this and will work with George and Marie as much as appropriate.

LG – We all want this and I think as the department shifts in the next few years, keeping that in mind as we hire new staff.

SM – In the future, it would be nice to get the number of staff that each line item accounts for. Not to pick on the Library but I'd be interested what are those numbers. We said no new positions and if they were able to make those cuts to get this new positions that means they could make those cuts regardless.

MJ – That positions in on the non-union contract but has an elected board that is involved.

LG – Looking forward, ClearGov is right on the Finance home page and you can put in your property tax bill and see how your taxes appropriated.

MA – We can upload the FY23 preliminary budget book. Let us know how we can support you in achieving the GFOA award. John C. sent me a list of trends that you can choose from and decided which ones that you would like to see and going forward.

SF – Those trends can inform the various components of the budget and how it drives expenses.

MA- If you look there is a full time equivalent number each department.

SM – We would get an actual of where we are in the current budget year

MA – I have that print out for you, tonight.

ME – Maybe sometime in the summer after elections to have John C. come in and make a presentation.

LG – Thanks you for all your work on the budget book, it is a fantastic document.

5. 7:50pm 2022 Annual Town Meeting Discussion of Articles

5.1 Discussion of Possible Marijuana Article - Retail and Cultivate

LG – Culturally, Foxborough wants to know what is going to happen and how it will happen. We discussed a citizen petition and that wasn't the best route. It came to the Board and does the Board want to support a selling and/or cultivating marijuana article? I am open for it to go back on the warrant to go through the vetting process.

SM – I agree with you that it should go on. I have heard that communities benefit from this financially. If you can go to other communities

BK – Yes that is correct.

ME – It was a close vote last time to not have it on the warrant 3-2 vote. When we voted it down at last town meeting, it was so new that the Board took a vote with no prejudice because there was a lot of ambiguity at the time. It would be good to know.

LG – It is a zoning article that will require a 2/3rds vote and be spearheaded by the Planning Board. Any objections for us to revisit this with a placeholder on the warrant? There is a lot more to discuss and but the Board is supportive of putting this on the warrant to discuss.

Rev. Bill Dudley – My question for the Board, is are you going to talk about the human cost when exploring this issue? Drug deaths are skyrocketing across the country and marijuana is a gateway drug. Before we glibly look at the money, I'd like you to look at that part of the conversation.

LG – There would be a public hearing for this article as it goes through the process for you to speak further on this.

SF – I would not support not putting it on the warrant.

LG – Do you need a formal vote from us now?

BK – You are entertaining this notion, if you aren't voting on it.

LG – The applicant is looking for this to be a Board of Selectmen article?

BK – If the citizen's petition is done the license could be taken by someone else. You did a non-binding referendum on this issue in 2017. This could go on as a ballot question.

LG – I'm in favor of putting it on the warrant to have discussion and to hear both sides, because there are people on both that feel strongly.

SM – We are voting on this so we can hear more conversation and come forward for discussion.

LG – Do we need a vote on this?

BK – Yes, and then we would put together an article and language for this, with the location having to be on Route 1. We would have to identify an area on Route 1.

SM – Is there an article that we can't have a smoke shop?

SF – I think it was vaping products?

LG – Even though this is a Board of Selectmen article we would need to get the Planning Board on board as well.

All those in favor of moving forward with a retail and cultivating marijuana articles on the Annual Town Warrant by L. Gibson 2nd by M. Elfman. Approved, 3-1, S. Ferguson is opposed.

BD – Thank you for letting me say my piece.

SM – I know we spoke about the money but it is only 1 factor.

LG – Do we have placeholders for no solicitation and for changing Board of Selectmen to Select Board? [Yes]

6. 8:10pm Assistant Town Manager's Update - recruitment, new hires, and Supreme Court Ruling on OSHA vaccination requirement

- We did hire a full time van driver, Michael Pitts. Gary MacDonald moved to the part-time van driver, formally the full-time. The fire department administrator position has been filled by Dawn Denizkurt Three other positions are in process include, Community Case worker, Water Department Coordinator, and Library Director.

- The Federal OSHA temporary standard was overruled by the Supreme Court. We did put together a conditional policy with Town Counsel that was shared ahead of time with union. We did notify the unions that it wouldn't go through.

- We are encourage all people visiting our Town buildings to wear a mask, although it is not a mask mandate. The only mandatory mask mandate is after the 5 day quarantine.

SM – We are not going with the mandate but if you are unvaccinated employee you must wear a mask?

MJ – Yes, that is what the protocol is.

LG – Christina posted how you can get your 4 free Covid tests on the town website.

7. 8:20pm Town Manager's Update

7.1 Update on American Rescue Plan Act Funds – The U.S. Treasury issued its final ruling on how to spend ARPA funds. We set about getting the change, we have a \$10 million waiver which allows an own to spend up to that if that's why was lost. We now can spend \$5.5 million on and we will need to have a conversation on how to spend that. We should look at what capital projects and other projects to spend this ARPA funds on.

ME – Do we circle back to CIP on this?

BK – We are other areas we may want to look at this and we could look at this as a two year funding source for CIP.

LG – This money could be used for projects and not going into operating budgets.

BK – Our short term goal should be not to use Free Cash and help limit the use of it. We could have a 2 year capital plan that is funded by ARPA money and not use Free Cash. The classic example of how to use free cash is what we just went through. We took hits on our local revenues and were able to use free cash to balance those.

SF – If we are constantly recharging every year and taking out every single year, that's where the disconnect is for me and maybe others.

LG – Two weeks is probably not enough time to get together a list but maybe in February we could see a list.

BK – ARPA funds don't need a Town Meeting vote, which makes it easier.

SF – Thinking about using ARPA money for something we would do without it. When we need projects done in terms of capital needs. What I'm expecting is not earth shattering or unexpected.

LG – There might be a lot of uptown, economic development is where I'm thinking and I've heard come up.

BK – It will be a culmination of both. One thing we need to do, is take down the old Laundry building. Looking at the parking lot. Looking at design dollars for public works or community center.

SF – What about the auditorium?

BK – It's expensive either way to renovate or tear down. Also, SEMRECC won a the 2021 Offices magazine design award

8. 8:30pm - Selectmen's Update

8.1 New Business – I spent a couple hours with Joanie Goodwin who is on the mend would love some visitors.

8.2 Old Business - Boyden Library Director

9. Action Items

9.1 Boost Unleashed LLC - Approval of a Class II Auto License

Motion to approve a Class II Auto License for Boost Unleashed Inc. with the restriction that no cars are allowed on premises and no auto body repair work is done at the address listed on the license by S. Ferguson, 2nd by M. Elfman.

Discussion SF: Is this new?

LG: He understands and it is conditioned in this letter.

Approved, 4-0.

9.2 Massachusetts Electric Co. & Verizon New England, Inc. - Approve Petition for Joint Pole Relocation on Granite Street, Foxborough

Motion to approve the Petition for Joint Pole Relocation on Granite Street, Foxborough by Massachusetts Electric Company and Verizon New England, Inc by S. Ferguson, 2nd by M. Elfman.

Discussion: LG –This was a scenic road but there were no concerns with it being on a scenic road.

Approved, 4-0.

9.3 Massachusetts Electric Co. & Verizon New England, Inc. - Approve Petition for Joint Pole Relocation on Glenwood Avenue, Foxborough

Motion to approve the Petition for Joint Pole Relocation on Glenwood Avenue, Foxborough by Massachusetts Electric Company and Verizon New England, Inc. by S. Ferguson, 2nd by M. Elfman. Approved, 4-0.

9.4 Massachusetts Electric Co. & Verizon New England, Inc. - Approve Petition for Joint or Identical Pole Location on Perry Drive, Foxborough

Motion to approve the Petition for Joint or Identical Pole Location on Perry Drive, Foxborough by Massachusetts Electric Company and Verizon New England, Inc. by S. Ferguson, 2nd by M. Elfman. Approved, 4-0.

9.5 Recreation - Accept Donation for \$300 for Christmas Lights on the Common

Motion to accept a \$300 donation from Dr. Richard Moschella to the Recreation Department for Christmas lights on the Common by S. Ferguson, 2nd by M. Elfman.

Discussion: LG – Christmas lights are in the Recreation budget for next year

Approved, 4-0.

9.6 BOS - Appoint Constables for a term to end January 31, 2025

Motion to appoint listed for a term to end January 31, 2025 by S. Ferguson, 2nd by M. Elfman. Approved, 4-0.

9.7 BOS - Approval of BOS Minutes from 12/21/21 meeting

Motion to approve the December 21, 2021 Board of Selectmen Meeting Minutes by S. Ferguson, 2nd by M. Elfman. Approved, 4-0.

10. Adjourn – 9:00 pm

Motion to adjourn by S. Ferguson, 2nd by M. Elfman. Approved, 4-0.