

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

May 8, 2023

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

Daniel Peterson (Chair)	June 2023
Mike Brown (Vice Chair)	June 2024
Sharon E. Weiskerger	June 2023
John T. Mahoney	June 2023
Marlowe Farrar	June 2024
Raffaella Zizza-Feinstein	June 2024
Kevin Mack	June 2025
Paul Hainsworth	June 2025

SUMMARY OF TOWN WARRANT RECOMMENDATIONS
ANNUAL TOWN MEETING
MAY 8, 2023

Article No.	Article (Advisory Committee 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 (Peterson)	Approval
Article 5	CIP Budget (Mahoney)	Approval
Article 6	Revolving Fund Annual Spending Limits (Weiskerger)	Approval
Article 7	Appropriate State Revolving Fund (Brown)	Approval
Article 8	Revolving Fund FY23 COA Spending Limit Increase (Weiskerger)	Approval
Article 9	Citizens Petition – Chapter 90 Monies for Sidewalks (Brown)	Not Approved
Article 10	Citizens Petition – Retiree Spousal Contribution (Farrar)	Approval
Article 11	Citizens Petition – Cocasset Street/2019 Complete Street Prioritization Plan (Peterson)	Not Approved
Article 12	Zoning – Warehouse/Trucking Terminal Definitions/Uses (Mahoney)	Approval
Article 13	Zoning – Definitions: Auto Graveyard, Setback, Tattoo Parlor, Junkyard (Mahoney)	Approval
Article 14	Zoning - Amend 10.5.3 and 10.5.17 for Limited Site Plan Review (Hainsworth)	Approval
Article 15	Zoning - Replace Town Planner with Land Use and Economic Development Department (Hainsworth)	Approval
Article 16	Zoning - Amend 9.1.4.2 to require applicants for Special Permits to meet with Land Use and Economic Development Department (Hainsworth)	Approval
Article 17	Zoning – Amend 10.6.6. Environmental Impact Statement (Hainsworth)	Approval
Article 18	Pratt School Sewer District (Mack)	Approval
Article 19	Disposition of Pratt School (Mack)	Approval
Article 20	Historic District Commission By-Law (Mack)	Approval
Article 21	Change By-Law regarding Town Meeting Place & Time (Zizza-Feinstein)	Approval
Article 22	Veteran Tax Work Off (Zizza-Feinstein)	Approval
Article 23	Deb Giardino Pavilion (Zizza-Feinstein)	Approval

ARTICLE 4: Operating Budget

Board of Selectmen

THE ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 4: VOTE OF 8-0-0

The Town of Foxborough FY24 Total Operating Budget proposal of **\$93,413,089** is being **Recommended** by the Advisory Committee. The 8-0-0 vote by the Advisory Committee for the overall budget occurred during its session held on Wednesday, April 5th, 2023, at Town Hall. It was unanimous for each of the departments below except the School Department Budget, which was 6-1-0. One member arrived late.

Following is the summary breakdown by department of the FY24 Recommended vs. the FY23 Budget:

	FY 23	FY 24		FY 24
Department	Budget (\$)	Recommended (\$)	Change	% of Total
General Government	\$ 4,341,872.00	\$ 4,623,158.00	6.1%	4.9%
Public Safety	\$ 10,463,297.00	\$ 11,459,652.00	8.7%	12.3%
Education	\$ 40,446,762.00	\$ 41,539,541.00	2.6%	44.5%
Public Works	\$ 2,512,325.00	\$ 2,674,826.00	6.1%	2.9%
Human Services	\$ 1,280,257.00	\$ 1,330,533.00	3.8%	1.4%
Culture and Recreation	\$ 1,199,357.00	\$ 1,240,711.00	3.3%	1.3%
Debt Service	\$ 3,492,054.00	\$ 3,411,069.00	-2.4%	3.7%
Insurance & Other	\$ 17,546,879.00	\$ 18,155,931.00	3.4%	19.4%
Total General Fund	\$ 81,282,803.00	\$ 84,435,421.00	3.7%	90.4%
Water Enterprise Fund	\$ 7,424,806.00	\$ 7,208,518.00	-3.0%	7.7%
Sewer Enterprise Fund	\$ 1,728,236.00	\$ 1,769,150.00	2.3%	1.9%
Total Enterprise Fund	\$ 9,153,042.00	\$ 8,977,668.00	-2.0%	9.6%
Total Operating Budget	\$ 90,435,845.00	\$ 93,413,089.00	3.2%	100%

The increase of +3.2% in appropriation over the current budget is a result of tight fiscal spending over the past three years, which was reflective of continued caution as the economy had slowed due to impacts related to COVID-19.

There was a substantial amount of discussion around the addition of two positions each to the Fire Department, Police Department and DPW. The Committee (as well as town leaders) were unwilling to add extra positions in recent years as a precautionary measure given the state of the economy and the country. This year, the Advisory Committee felt that the requests by the department heads were rational and well backed by facts and that the ability to provide additional public services made sense.

The Fire Department presentation focused on the fact that one of its headcount was re-appropriated as a Public Safety Social Worker and that an independent study of the FFD staffing performed in 2019 recommended two additional hires by this year.

The Police Department presentation focused on the needs required by Gillette Stadium and the additional events expected this year. The understanding is that the revenues from these events will cover the additional hires. There was also data presented that showed the call volume is much higher in Foxboro than surrounding communities.

The DPW presentation focused on a highway department position and a water department coordinator position that were originally approved pre-covid. The highway department position was originally for a mechanic, and when covid hit the highway department got creative and re-allocated a highway department position to the mechanic. Now that the expected tasks to be completed have returned to pre-covid levels, the Advisory Committee feels this position is warranted again.

Overall, the Advisory Committee believes that this budget proposal demonstrates the appropriate fiscal responsibility while continuing to provide quality services to the residents of Foxborough.

ARTICLE 5: CIP Budget **Board of Selectmen**
ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE: **VOTE OF 8-0-0**

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 Capital Expenses is \$4,040,981, with \$1,343,844 coming from Free Cash. Warrant Schedule A contains a summary of the recommended departmental expenditures, description of assets, costs, and the funding sources.

In More Detail:

Replacement of vehicles and equipment:

The Information Systems Department, School, Fire and Police Departments along with the DPW and Water and Sewer Departments have submitted requests for various vehicles and equipment summarized in Schedule A that has reached the end of life. Upon review, the advisory committee found these to be normal replacement requests for these departments to carry out their missions.

Finance:

Every 5 years the state of Massachusetts conducts a legally required review of the Assessing Department and the town's assessing records. This expense is related to hiring professional services to assist the town complete the required review.

Replacement Taser Program:

This Payment represents year 2 of the 5-year payment program for new updated Tasers received by the Foxborough Police Department. While the department has received all the devices upfront, the funding of this item will continue to be on the town meeting warrants for the next 3 years. Finally, the tasers have a 5-year rated lifespan and the Foxborough Police Department may return at year 5 to request another new set of tasers then.

PFAS treatment Plant:

One of the town's 3 water source areas has a level of PFAS that exceeds currently recommended limits. This funding represents what is needed to design a PFAS filtration plant. This item is further detailed and will be discussed within Article 7 which contains the request to fund the construction of the treatment plant.

The Advisory Committee recommends approval of the Capital Improvement Planning Budget specifically, the above 4 items.

ARTICLE 6: Revolving Fund Annual Spending Limits

Board of Selectmen

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

Article 6 is designed to authorize maximum spending limits for certain town departments that receive fees and payments directly from the users of those department’s services. For instance, some departments (Council on Aging, Recreation, Public Health and IT) collect payments from residents to participate in their programs and others (Police and Fire, Highway) for services they provide to users. The only raise in fiscal year 2024 is to the Senior Trips which was increased to \$500,000. The proposed limits are:

- Public Health \$100,000
- IT Technology \$100,000
- Recreation \$450,000
- Police and Fire \$200,000
- Highway \$ 40,000
- Council on Aging
 - Senior Trips \$500,000
 - Human Services \$ 20,000
 - Community Events \$ 20,000

The Advisory Committee recommends approval of this article.

ARTICLE 7: Appropriate State Revolving Fund Revolving

Board of Selectmen

THE ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 7: VOTE OF 8-0-0

Article 7 authorizes a maximum spending limit through the state for the town to build a PFAS removal plant to meet Department of Environmental Protection (DEP) standards for water quality. This will be built at the pumping station on Chestnut Street. The four wells there are currently producing water with a quality of 16-19 parts per trillion (PPT) and in order to meet the new DEP standards they will need to be below 7 PPT. The commitment is for 20 years with no interest and the first payment will be in 2026. The town did its due diligence by looking into alternatives and the only other viable solution would be to install individual charcoal filters at each house in town and the cost to execute this was estimated to be between \$50-60 million. There will be an increase in maintenance costs associated with this installation and that will be seen in the annual budget starting in FY26. Lastly, this process will likely be repeated at other pumping stations around Foxboro over the next decade.

The Advisory Committee recommends approval of this article.

ARTICLE 8: Revolving Fund FY23 COA Spending Limit Increase

Board of Selectmen

ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 8: VOTE OF 7-0-1

The Council on Aging is planning senior trips. Due to the increase in travel costs for a planned trip to Italy, the limit has been increased. The funds will be collected from the seniors to offset the increase and paid back to the Town. This is different than Article 6 in that it is for FY23.

The Advisory Committee recommends approval of this article.

ARTICLE 9: Citizens Petition – Chapter 90 Monies for Sidewalks

Citizen Petition

ADVISORY COMMITTEE DOES NOT RECOMMEND APPROVAL OF ARTICLE 9:
VOTE OF 2-6-0 AGAINST

Article 9 requests that the town allot a minimum of 40% of funds received each year from the State of Massachusetts under Chapter 90 (Funding to municipalities for the implementation of capital improvements on local public ways) for sidewalk construction and reconstruction.

There was strong support amongst the Advisory Committee members for the development of a plan to improve the state of the sidewalks in town. The weaker condition of many current sidewalks and the lack of sidewalks in certain areas of town were discussed at length. In addition, the Committee noted the limited financial support over the past 4 years to improve walkways that were identified in the 2019 “Complete Streets Funding Program” as needing attention.

Nonetheless, Committee members noted that sidewalk improvement funding provided by the town in 2022 was relatively equal to what 40% of Chapter 90 funding would have totaled in 2022. Thus, allotting 40% of the Chapter 90 funds to sidewalks would not materially improve their conditions. The Committee felt the town needs a more comprehensive sidewalk improvement plan with separate and clear funding identified.

The Advisory Committee does not recommend approval of this article.

ARTICLE 10: Retiree Spousal Contribution Fire Contract

Citizen Petition

ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 10:

VOTE OF 5-1-1

Background on the Law:

Massachusetts law M.G.L. 32B, Section 9D, also known as the "Public Employee-Survivor Benefit" law, was enacted in 1977. This law requires that public employers in Massachusetts provide health insurance benefits to the surviving spouse and dependents of public employees who die in the line of duty or as a result of their job-related injuries or illnesses. The law was amended in 1996 to include the surviving spouse and dependents of retired public employees. Under Section 9D, the employer is required to pay a portion of the health insurance premium costs for the surviving spouse and dependents. The amount of the employer's contribution varies depending on the specific circumstances of the case, such as the type of health insurance plan selected and the employee's years of service. The law also requires that the surviving spouse and dependents pay a portion of the premium costs, but the employer's contribution is intended to alleviate some of the financial burden on the family.

Foxborough Data:

The town has about 600 employees, 436 of which are enrolled in Group Insurance Benefits. The town pays \$827,192 a month, \$9,926,300 annually for this insurance. Individual employee contributions, based on the Insurance Plan chosen, range from \$349 for an individual to \$2,659 a month for a family, which annually costs employees from \$4,188 to \$31,902. The town's annual operating budget is \$95,000,000. The town pays \$9,926,300 for Group Insurance which is 10% of the total budget.

Foxborough Financial Impact:

If this article is adopted the town will cover half of the health insurance premium costs for the spouse of an employee or retired employee who has passed away. In the last two years, 13 surviving spouses have elected to continue on the town's insurance and pay 100% of the premium. 12 pay \$349/mo. (\$4,108 annualized) and 1 pays \$2,179/mo., (\$26,148 annualized). If this article passes the monthly amount paid

by surviving spouses would drop by half and the town will pay half of the insurance which is an additional \$3,184/month (\$38,203 annualized). The town's insurance cost would increase from \$827,192 a month to \$830,376 a month or from \$9,926,300 to \$9,964,450 annually, an increase of .004%. An additional OPEB payment of million dollars will be required to cover this liability.

Advisory Committee Rationale:

The article aims to ease the financial burden for surviving spouses and family that can result from the loss of a loved one's income and health insurance benefits.

What are 15 Comparable Towns Doing?

(Towns the state rates as comparable to Foxborough. Includes Mansfield, Sharon, Easton, Norton, etc.)

- For retired employees, 14 pay between 50 and 75% of the insurance, 1 town makes no contribution.
- For spouses of deceased employees, 14 pay between 75 and 40%, 1 town makes no contribution.
- The state pays 90% for retired employees or spouses of deceased employees.

Pros

The number of surviving spouses, currently 13, that are eligible for this benefit is likely to remain small as the town's employee population is stable and likely to grow slowly. The incremental cost to the town is low as it increases the towns monthly insurance payment by \$3,184 a month, less than ½ of 1%.

Cons

Loss of a spouse is traumatic and often increases the financial burden on the surviving spouse and family, which is unfortunate. This is true for all, not just the families of town employees. The incremental cost to the town of \$38,203 a year may be small but is not trivial and not a benefit available to those who work in the private sector.

The Advisory Committee recommends approval of this article.

ARTICLE 11: Cocasset Street/2019 Complete Street Prioritization Plan Citizen Petition

ADVISORY COMMITTEE DOES NOT RECOMMEND APPROVAL OF ARTICLE 11:

VOTE OF 0-7-0

Article 11 requests that the town allot a sum of money (estimated to be \$1,000,000) for sidewalk construction, reconstruction, and other infrastructure projects along Cocasset Street. As previously stated in the write-up for Article 9, there was strong support amongst the Advisory Committee members for the development of a plan to improve the state of the sidewalks in town. Cocasset Street was identified as one of many roads where the weaker condition of the sidewalks and the lack of sidewalks in certain areas was obvious. This street is identified in the 2019 "Complete Streets Funding Program" as needing attention.

Discussion in favor of this article included a conversation surrounding a past pedestrian death on Cocasset Street and how unsafe it can be for people of all ages. Discussion against recommending this article involved funding and that without a stated funding source, the funding source would be free cash, which would draw the town down below its normal operating limits. The Advisory Committee again discussed the topic of a more comprehensive sidewalk improvement plan being initiated with separate and clear funding identified.

The Advisory Committee does not recommend approval of this article.

ARTICLE 12: Zoning – Warehouse/Trucking Terminal Definitions/Uses **Planning Board**
ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 12: VOTE OF 8-0-0

This article as proposed would clarify the definition of Ministorage and Warehouse uses and which zones these uses would be prohibited or allowed by a special permit from the Planning Board. Approval of this article would grant the town additional clarity and control over any future Ministorage and Warehouse uses. This article was created in response to the potential fulfillment center that was being proposed for development on Route 1 last year and Foxboro citizens response to the potential increase in trucking that would have occurred if it was approved.

The Advisory Committee recommends approval of this article.

ARTICLE 13: Zoning Definitions: Auto Graveyard, Setback, Tattoo Parlor, Junkyard
Planning Board

ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 13: VOTE OF 7-0-0

The purpose of this article is to update the definitions of the listed terms within the town’s zoning code. Auto Graveyard, Setback and Tattoo Parlor will be new definitions within the zoning code and Junkyard will be expanded and be updated to the proposed language.

- A definition is being provided for Auto Graveyard. The definition for Junkyard is being updated to provide the town’s zoning enforcement officer with firmer backing to address ongoing violations of these prohibited uses withing town.
- Setback, a term which is used in many areas of our zoning bylaws, does not currently have a definition. Providing one will promote clarity in dealing with any setback issues, which defines how close or far a structure is from a lot line.
- Tattoo Parlor, which is prohibited in Foxboro, is being provided a definition to clarify what a tattoo parlor is and to clearly exempt certain medical or cosmetic practices such as tattoo removal or eyebrow enhancement from this definition.

The Advisory Committee recommends approval of this article.

ARTICLE 14: Zoning - Amend 10.5.3 and 10.5.17 for Limited Site Plan Review **Planning Board**
ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 14: VOTE OF 8-0-0

This article is proposed to clarify the process in the Town Code for approving childcare centers covered under a special state law commonly called the “Dover Amendment.” State law specifies that such centers (as well as religious centers and other educational spaces) are exempt from a full site plan review but can be subject to a “Limited Site Plan Review.” This article updates the Town Code to outline the approval process more clearly.

The Advisory Committee recommends approval of this article.

ARTICLE 15: Zoning - Replace Town Planner with Land Use and Economic Development

Department **Planning Board**
ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 15: VOTE OF 8-0-0

This article is proposed to update language in the Town Code that references the old title “Town Planner” instead of the current title “Director of Land Use and Economic Development.” This is a “housekeeping” article.

The Advisory Committee recommends approval of this article.

ARTICLE 16: Zoning - Amend 9.1.4.2 to require applicants for Special Permits to meet with

Land Use and Economic Development Department **Planning Board**
ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 16: VOTE OF 8-0-0

This article proposes to update vague language in the Town Code regarding Special Permits in the S-1 zoning district (on Route 1). The new wording inserts a requirement that the applicant meet with the Director of Land Use and Economic Development as part of the permit process. It removes vague language referencing optional and “informal” meetings with town boards.

The Advisory Committee recommends approval of this article.

ARTICLE 17: Zoning – Amend 10.6.6. Environmental Impact Statement **Planning Board**

ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 17: VOTE OF 8-0-0

This article is proposed to correct a mistake in the Town Code that references a non-existent “Paragraph D.” This article corrects the reference to “Section 10.6.8 of these bylaws.” This is a “housekeeping” article, and the Advisory Committee recommends approval.

The Advisory Committee recommends approval of this article.

ARTICLE 18: Pratt School Sewer District **Planning Board**

ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 18: VOTE OF 8-0-0

This article is being proposed to incorporate the former Pratt School property at 14 Community Way, into the sewer service area, and amending the sewer service area map to reflect this change. Allowing this to occur should help the town make the property more attractive to a potential buyer.

The Advisory Committee recommends approval of this article.

ARTICLE 19: Disposition of Pratt School **Board of Selectmen**

ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 19: VOTE OF 6-1-1

This article proposes to change the purpose of the Pratt School property (IE: rezone) to the purpose of disposition, sale or lease and authorizes the Select Board and Other Town Officials to take all necessary actions in order to ready it for sale, in compliance with the General Law Chapter 30B.

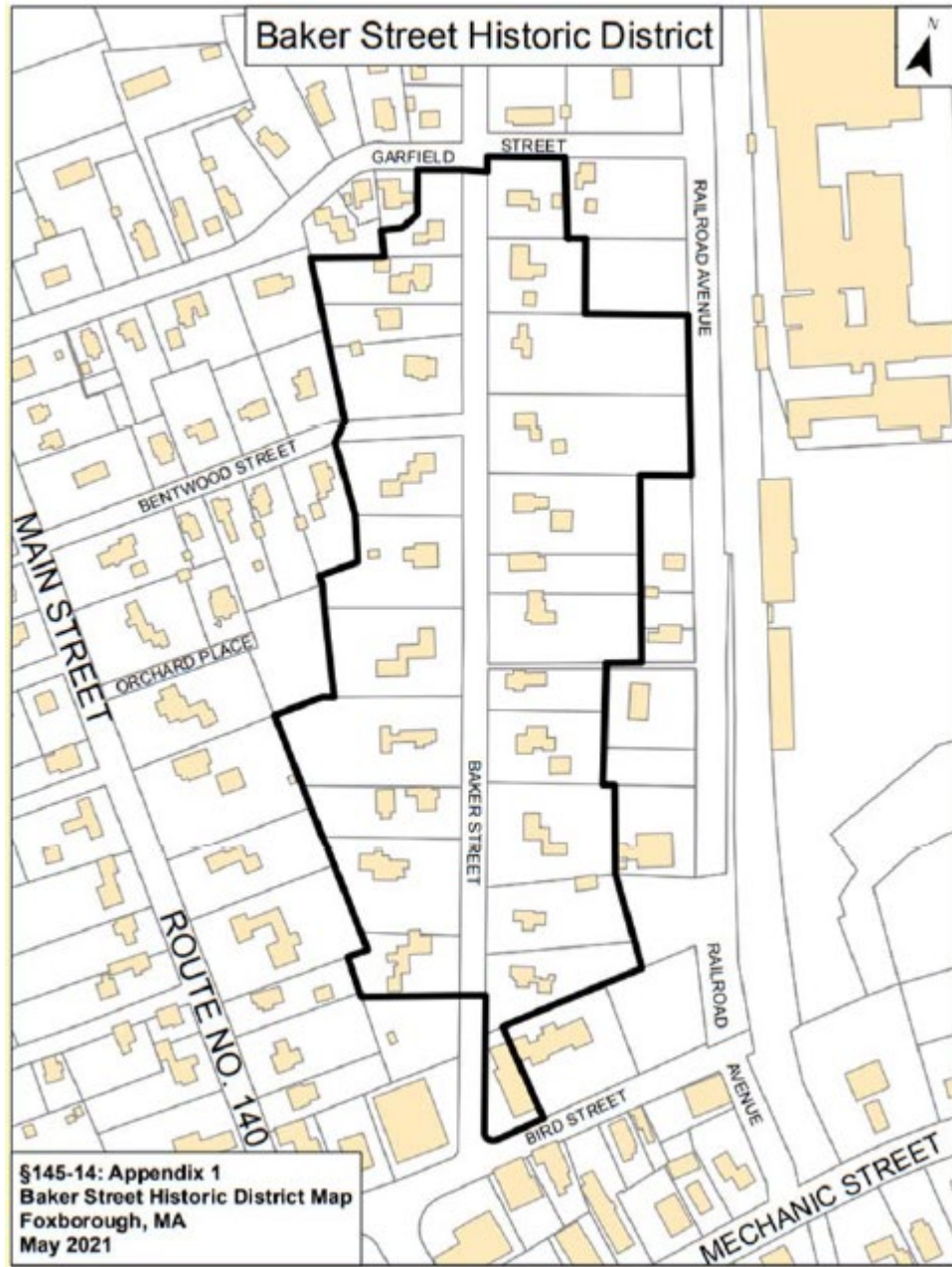
The Advisory Committee recommends approval of this article.

ARTICLE 20: Historic District Commission By-Law

Board of Selectmen

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

This article seeks to amend Chapter 145 of the Town of Foxborough By-Laws to reflect an improved boundaries map of the Baker Street District titled "Baker Street Local Historic District."



The Advisory Committee recommends approval of this article.

ARTICLE 21: Change By-Law regarding Town Meeting Place & Time **Board of Selectmen**
THE ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 21: VOTE OF 8-0-0

The purpose of this article is to increase the number of potential attendees at the Annual Town Meeting. The Select Board desires to pull the time of the commencement of Annual Town Meeting in one-half hour to increase the possibility that more citizens would attend and to prevent the meeting from extending too late into the evening in the event that there are a large number of articles on the town warrant.

Advisory Committee members monitored this Article as it evolved and recommends approval.

ARTICLE 22: Veteran Tax Work Off **Board of Selectmen**
THE ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 22: VOTE OF 8-0-0

Under Massachusetts G. L Chapter 59 Section 5K there is a Senior Work Off program in Foxboro that allows seniors over 60 to reduce their property taxes up to \$1500 per year after completing 100 hours of volunteer service at a rate of \$15 per hour. Article 22 will allow veterans to reduce their property taxes by \$1500 per year in exchange for 100 hours of volunteer service in parallel to the successful existing program for seniors. One of the main attractions of this proposal is that by engaging veterans the town of Foxborough can tap into a different skill set than it has access to with seniors.

The Advisory Committee recommends approval of this article.

ARTICLE 23: Deb Giardino Pavilion **Board of Selectmen**
THE ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 23: VOTE OF 8-0-0

The purpose of Article 23 is to recognize Deb Giardino in a special way for many years of dedicated service as Director of the Recreation Department to the families and children of Foxborough. The memories made for the hundreds of children at the Booth Field Summer Camp are lasting and permanent. During many hot summer days Debbie was often heard saying that “The kids need more shade.” Through grants there is no cost to the Town of Foxborough, a beautiful pavilion will finally be built and allow Deb’s wish to come true. It is fitting that we vote to honor her dedication by naming the new pavilion the Deb Giardino Pavilion.

The Advisory Committee recommends approval of this article.