

**Tuesday, November 17, 2020**  
**Board of Selectmen Meeting Minutes**  
**Foxborough Town Hall**  
**Andrew Gala, Jr. Meeting Room**  
**7:00 p.m.**

**Members Present:** Mark Elfman, Chair  
Ed O'Leary, Vice Chair  
Stephanie McGowan, Clerk  
Leah Gibson  
Chris Mitchell

**Also Present:**  
William Keegan Jr., Town Manager  
Mike Johns, Assistant Town Manager  
Christina Metcalf, Community Info. Specialist  
\*Attended Remotely

1. 7:00pm - Citizen's Input – No Input

2. 7:05pm COVID-19 Informational update – Tom Kenvin\*

TK – We are at 50 active cases. Working closely with the Contact Tracing Collaborative (CTC). A lot of new cases are coming from household contacts. The second pattern is employees that are eating and congregating in break areas. We are currently yellow and our numbers will update toward the end of the week.

BK – What does it mean that we are in the yellow stage?

TK – It should show risk and give awareness of what the community should be doing to decrease risk. You have white, green, yellow and red. As we are in the yellow and wear a masks, social distance, and be aware of your surroundings.

ME – Are you seeing families test positive? And people at work?

TK – Yes, we are seeing household members. The CTC was seeing the trends as well.

BK – We are seeing adjustments with schools.

TK – General spread in school is low and we've seen it in small numbers but it is one of the safest environments in town. Nurse Jen and their team are doing really well.

CM - With the uptick in cases are we seeing a delay in test results.

TK – The state and health agencies are doing an amazing job. They are generally doing it in 24-48 hours.

ME – With traveling for the holidays what are the best and easiest places in/near Foxboro for testing?

TK – A lot of places can be found with a Google search. Start with primary care and then CVS and Walgreens are also very responsive testing agencies.

3. 7:10pm Foxborough Lions Club, Tom Barry - Discussion and approval of a Public Event Application for a Toll Booth to benefit the Foxborough Lions Club to be held around the Common on November 28, 2020

Tom Barry – With this year being shut down. Lions lost both of their big events that lost \$25,000. The idea came about for the muscular dystrophy like the Fire. This supports the food bank and high school scholarships. Seniors and student that can't afford classes. We are trying to maintaining that at a lower level. We would have people at the stop signs on the common. Not the one with the yield sign. There would be 2 people at each intersection. We will have rubber gloves and mask. St Mary is allowing them to use the baskets. We have 4 vests donated and hoping to get more.

SM – Everything seems to be rolling backwards a little bit. Concerned with the money rolling backward. I don't support this. I appreciate all the Lions do but I don't think it's the right timing. I think you should wait until spring.

EO – See video

LG – The weekend of Thanksgiving is a little bit tough for me. Everyone is having trouble fundraising. The timing is the issue.

CM- This is a tough decision. I think the timing of this is terrible. Will there be other groups asking to do this?

SM – Is this allowed?

BK – We did review this with the Board of Health and they okayed it. How does this impact your operation, could this wait?

TB – This could wait.

SM – I think you would be more successful at a different time.

ME – To be able to have a collection basket changes things but I'm also considering the other Selectmen's viewpoints as well.

TB – We could but it's fundraising for next year.

ME – Will not vote at this time to approve this.

#### 4. 7:20pm Board of Assessors & Finance Team- Classification Hearing to Set the 2021 Tax Rate

Hanne Simmonds – I am the Chief Assessor, our Finance Director is here as well as our Board of Assessor members Robert O'Donnell and Daniel Smith. Our purposed to assist the Board of Selectmen in determining the residential factor. Massachussets law allows for a split tax rate. We split the tax rate in Foxborough in 2012. This split tax rate shifts some of the tax burden from the Residential to Commercial, Industrial and Personal Property classes. In addition the BOS has 3 more options there is an open space discount, residential exemption and small commercial exemption. Shifting the tax rate allows the Town to apply a higher tax rate from one clase of property to another. The distribution by classes, the highest percent is Residential at 78%, Commerical is 16.3%, Industrial is 2.1% and Personal Property is 3.4%. We do not classify Open Space. If we didn't have a shift the single tax rate would be \$15.62. A split tax rate would be \$14.75 residential and \$18.75 for commercial. With this tax rate the average sing family tax bill will increase about \$275 and the average commercial tax bill will increase about \$889.

BK – It is important to note that the values are as of December 31, 2019. It doesn't include anything from this year.

HS – The new values for 2021 are based on values of 2019 because 2020 isn't complete. This is done according to Mass General Law.

SM – Does the valuation ever go down?

HS – The market steadily goes up. The tax bills are going higher not because of the tax rate but because the values continue climbing up.

LG – The example we used last year to explain was that if you have a home that is worth \$500,000 in 2019 and the tax rate stayed the same but you sell it at \$525,000 and the tax rate is the same but the value of your house has gone up you will be paying more in taxes. You will never be able to see exactly 2.5% increase because there are two factors that go into your tax bill.

BK – The tax rate is only going up marginally.

HS – The town will need money to run the town but we are keeping down town costs.

GS – Why do my taxes increase every year? The Town's budget increases every year due to increases in utilities, insurance, salaries, debt, and other fixed costs that continue to rise due to year or year operating cost adjustments. Proposition 2 ½ limits the amount of tax that a town can raise the tax rate. The only way we can get beyond Prop 2 ½ is at Town Meeting for the Town to vote. Override is adding money and will add on 2.5% every year. A debt exclusion is if you wanted to do something like build a new building money can be raised on the bond issuance done and when the bond issuance is gone the tax is gone and it doesn't collect that 2 ½ percent. We are held to the 2.5%. We are at \$53 million for our Tax Levy. The Levy Ceiling is \$86 million which means that if the Town wanted to do a project and add \$50 million dollars to the levy it couldn't because the Levy Ceiling is \$86 million (This was given as an example to explain the Levy Ceiling). With the new school building we didn't have to use a debt exclusion, it was paid for internally. The way we have been doing the budget is that it is a mockup of a recap sheet.

We use revenue versus expenditure. Our revenue comes from taxes, State Aid, local receipts, and our own internal funds. Then we go out and create a budget process. We then divide up between each departments.

HS – Early we spoke about the 3 other options that we have. The Residential Exemption is most advantageous in second home communities like Cape Cod. We recommend to not adopt the residential exemptions. Small commercial exemptions is intending to give a tax exemption to smaller at the expense of larger commercial properties because they would be more considered finally able to increase the higher rate . Our top 10 taxpayers contribute \$17 million. The Board of Assessor’s recommends a split tax rate and to adopt a Residential Factor of 0.9442 and vote No on the residential exemption and small commercial exemption. Looking at the 2nd page in the packet that results in \$14.75 residential and \$18.75 for commercial. These numbers could change because of rounding but and be 1 cent less. We maintain what we have and keep it level and the way we’ve done prior.

BK – It is roughly \$4 between residential and commercial see video. The highest rate in the last 5 years was in 2017 and the increase in taxes was \$200 in 2013 in was up \$400 and this can depend on revaluation years. The rate itself is staying relatively flat which we are trying to maintain our services.

HS – We have additional information that shows different rates and different shifts for residential and commercial.

LG – Benchmarking with other communities around us would be helpful. Can we get a median analysis for next year?

**Motion to close the public hearing by S. McGowan 2<sup>nd</sup> by C. Mitchell. Approved 5-0.**

SM – Will Covid affect the cost of homes and other things?

GS – It is Covid that has driven people from the cities. This is one of the reasons you are seeing the sky rocketing prices. It would be hard to say going forward what it will be like.

LG – It will also be interest rates are low. They are coming out of Boston.

Robert O’Donnel – It is a good time to buy a house in Foxborough or anywhere outside the city.

LG – Before we vote, since we are talking about homes and taxes please read the Housing Production Plan and send feedback.

**Motion to continue with the split tax rate and adopt a Residential Factor of 0.9442 S. McGowan 2<sup>nd</sup> by C. Mitchell. Approved 5-0.**

**Motion to vote No on Residential Exemption S. McGowan 2<sup>nd</sup> by C. Mitchell. Approved 5-0.**

**Motion to vote No on the Small Commercial Exemption S. McGowan 2<sup>nd</sup> by C. Mitchell. Approved 5-0.**

5: 8:00pm Conservation Commission - Deed Transfer Approval

BK - This was a transfer that was part of the River Ridge Project for conservation purposes. The transfer document has been prepared by the Spillane and Spillane and it was voted in last night’s Conservation Comission Meeting and now we are voting it in tonight.

SM – This was 26 acres of non-buildable wetlands that is being transferred?

BK - Yes

**Motion to approve the transfer of Parcel A and Parcel B of the River Ridge Subdivision to the Conservation Commission by S. McGowan, 2<sup>nd</sup> by C. Mitchell.**

Discussion - LG – Is there any contamination?

BK – None.

**Approved – 5-0.**

6. 8:10pm Dept. Head Update - Boyden Library Manny Leite, Jessica Henderson, Collin Earnst Chair of Boyden Trustees

ML – We closed our doors during the beginning of Covid. We started curbside pickup in July and our community rooms are closed. Our items are quarantined for 72 hours. We have virtual programs. Margi Rossetti retired, and we hired Jessica Henderson as our new Senior Youth Services Librarian.

JH – I'm really excited to be working at the library. Thank you to the staff for a smooth transition. I was in Sharon for 5 years. I am looking forward to summer reading program.

ML – Business as usual for FY21. We have 2 new streaming services Kanopy and Creativebug. We still have Hoopla and Overdrive. We are looking forward to end of year FY21 or FY22.

CM – Are you at your regular hours and days?

ML - We are open Tuesday, Thursday and Friday 10:00am-5:00pm, Monday and Wednesday 10:00am-8:00pm

LG – Can patrons walk in?

ML – Yes

BK – Can you go over your staff?

ML – We have 4 staff in the children's room. We have our reference librarian. We have our circulation staff of 6. We have 3 people in our technical services.

Collin Earnst – The library staff has done a phenomenal job providing during the pandemic. They have safely and prudently thought about re-opening.

7. 8:30pm Assistant Town Manager's Update

- We wish Margi Rossetti a happy retirement and are excited for Jessica Henderson

- Over in Water Dept. we have some adjustments going on.

- New Building Commissioner recruitment is very active. We will have a week and half without a Building Commissioner and we have dynamite candidates and should have an announcement by next meeting.

- Director of Public Health is very active.

BK – Director of Public Health will be leaving by the end of next week and we are accelerating the hiring process and working on the transition process as well. We will update you as soon as we have more information.

LG – Why not posting this position on Indeed?

MJ – We are posting on the right places. There are two major public health associations' sites that we are posted on as well as Mass Municipal Association Job boards. For Health Director or Building Commissioner they are on those job boards. We've had architects apply but they don't have all the qualifications we need.

LG – Who helped with Building Commissioner and Public Health Director?

MJ - We do get people from the boards and commissions. We had Barney Ovrut from ZBA, and other department heads. With Public Health Director, we are continuing our conversation with the BOH and have a member on the panel.

SM – What are the credentials for the Director of Public Health?

MJ – We are looking for degree in Public Health or Science, Masters Degree preferred. They need to be a registered sanitarian. Some communities are allowing registered sanitarian within 1 year of hire. Same with Building Commissioner, they can get the CBO within 18 months and that is a risk that we don't want to take.

BK – With the BOH they have to have a degree to sit for the registered sanitarian. There is a certified Public Health official. The registered sanitarian is the minimum that the director should have. It is the gold standard and the standard that we are looking for.

SM – At our last meeting you had mentioned that the Chief and Deputy Chief Tom Kenvin had some of these qualifications. Did they have them prior to being hired or get them while they were working here.

BK - Mike Kelleher is a registered sanitarian and Tom Kenvin is a few credits away from a Master's in Public Health (MPH). Tom was already an RN and working on MPH when he was hired.

SM – Are we casting our net wide enough? Why not cast our net bigger?

BK - We've done that and we get 100 unqualified applicants. The way we are approaching the search is the correct productive way. When it comes to these types of jobs we have to do a focused search.

MJ – One of our hard to fill position is an equipment mechanic. This is hard because they have other from municipal doesn't pay as high.

SM – Is the mechanic from public safety going to work with other communities vehicles? If we head in that route, is there any liability working on another towns' equipment?

BK – Yes, but that hasn't not been finalized. Their staff person has the public safety repair certifications.

MJ – Anytime we do anything involving insurance we speak to MIIA and review it with them. We speak with them about what we should and shouldn't do in regards to situations like this to decrease liability.

BK – We would have to do an intermunicipal agreement that the board will sign off and when that is finalized you can ask that question and we will have that answer. There is a sharing of liability usually.

MJ – Yes

#### 8. 8:40pm Town Manager's Update

- Received approval for the \$558,000 remaining for the CARES Act funds and have until the end of this calendar year to spend those funds. We have about \$70,000-\$80,000 that we have not committed to spending for this fiscal year.

- We did receive the Temporary Certificate of Occupancy for SEMRECC and will start operating by the end of this week or early next week. Norton will switch December 8 and Easton will switch on December 15. This project stayed on time and on budget. We will not be doing a ribbon cutting, but will have a tour of it if you request.

#### 9. 8:50pm - Selectmen's Update

9.1 New Business - Feasibility Study Survey can be taken until November 27<sup>th</sup> online and by paper copy at COA.

BK – It is iopen to everyone because we aren't certain what type of facility they want to build at this point. It could be a community center that could include both seniors and recreations.

#### 10. Action Items

10.1 BOS - Approval of July 7, 2020 Board of Selectmen Meeting Minutes

**Motion to approve the July 7, 2020 Board of Selectmen Meeting Minutes by S. McGowan 2<sup>nd</sup> by C. Mitchell Approved, 4-0-1. Leah Gibson abstained.**

#### 11. Adjourn

**Motion to adjourn by S. McGowan 2<sup>nd</sup> by C. Mitchell. Approved, 5-0.**