

Tuesday, November 23, 2021
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
Ed O’Leary
Mark Elfman

Also Present:
William Keegan Jr., Town Manager
Mike Johns, Assistant Town Manager
Christina Metcalf, Community Info. Specialist
Katie Lang*, Executive Assistant
*Attended remotely

1. 7:00pm Citizen's Input

2. 7:15pm Public Hearing - Board of Assessors' Tax Rate Certification Hearing to Set the 2022 Tax Rate
Chief Assessor Tom Welch, Finance Director George Samia, Assessor Rob O’Donnell

Reading of the Public Meeting Notice

TW - The purpose of the tax classification hearing is to set the minimum residential factor for the town which will determine the shift of tax burden between the residential and commercial classes. This is also known as setting the split rate for the town or the shift. We will also discuss the different options including discounts and exemptions. There is an open space discount, residential exemption and small commercial exemption. These are not recommended by the Board of Assessors. The town is 78% residential property and 22% commercial property.

Looking at the assessed value by class, all property values are increasing. We are on an interim revaluation year between our 5 year full revaluations which will occur in 2025. Sales are reviewed and market adjustments were made to reflect fair value. Single family increases was 5.7% this year, the most since 2017. To provide fair cash value the Department of Revenue (DOR) requires a full inspection program. Based on an extensive review of our inspection data, the town is in line to meet all our DOR requirements for certification in FY2025 with a full program planned in the next 3 years. As far as the trends along with Covid and a lot of people working from home, employees are improving their workplace, which reflects in a higher evaluation for a home. Everything is increasing in value with the average residential value is over \$500,000 in Foxborough.

SF – Is there a physical assessment every year and how does the Assessing process work?

TW – We do a market analysis on your neighborhood and all the neighborhoods in town. We then make adjustments based on sales and a consultant assists with those adjustments. We are required to visit a property once every 10 years by the DOR. If there is a question or error on the assessed value of a property, we look at that and make a determination with the Board of Assessors.

New Growth has been down in the past few years as well as the larger projects having supply chain issues which slowed down construction. The expectation is that will go up in the next few years. Foxborough has an average tax rate for the area, we are in the middle of comparable communities, both in residential and commercial rates. Foxborough has an average tax rate compared to other local communities. In 2021, the average residential increase was \$275 which is historically consistent with past increases. The commercial increase was \$889 and \$179 for industrial property. For this upcoming tax year the proposed average increase will be \$296 for residential, \$860 for commercial and \$96 for industrial. The spreadsheet that I used to develop the proposed shift and allows me to see the difference in the shift and how it’s affected. The goal was to keep the residential increase under \$300 and we also kept commercial rates down as well.

SF – The rate increase is \$300 while the rate is declining. This tells me that the houses we are building are bigger and higher value.

BK – It’s a function of the market, the houses are being bought above and beyond what was asked.

LG – Have other communities set their tax rate yet?

TW – We are around the same as other communities.

LG – To summarize, we are reducing the rate but people may see an tax bill increase because of the assessed value.

TW – This is a table (LA-5) that we use to develop our own tables and am showing this for reference. The Board of Assessors recommends that the BOS adopt a factor .9401 which would be a 1.22 shift.

SF - Do we ever get feedback from the commercial properties?

TW- This is the reason we have this meeting and they can also use the abatement piece.

BK – The split process has been consistent in Foxborough in the last 10 years that nobody has taken that up as an interest. As long as it is fair and consistent along the process they deem it to be fair.

Motion to close the public hearing by S. Ferguson, 2nd by M. Elfman. Approved 5-0.

Motion to continue with the split tax rate and adopt a Residential Factor of 0.9401 by S. Ferguson, 2nd by M. Elfman. Approved 5-0.

Motion to vote No on Residential Exemption by S. Ferguson, 2nd by M. Elfman. Approved 5-0.

Motion to vote No on the Small Commercial Exemption by S. Ferguson, 2nd by M. Elfman. Approved 5-0.

Motion to vote No on the Open Space Discount by S. Ferguson, 2nd by M. Elfman. Approved 5-0.

3. 7:40pm Finance Department - Dept. Head Presentation

3.1 Finance Director George Samia, Assistant Finance Director Marie Almodovar, Treasurer Collector Paula Maloney, and Chief Assessor Thom Welch to give update on Finance Department

GS – When the folks look at people in the Finance department it looks like a large one. We have 3-4 departments within the Finance department. We have assessing, treasurer/collector, and accounting. The account is the inverse of the treasurer and the checks and the balance, takes the town meeting budget and make sure it is expended correctly. They have different functions but are all interconnected.

TW - Assessing – I started August 2021. I've been reviewing the inspection program and future needs for FY2025 certification. Accurate data is critical to fair cash valuation. We are continuing the processes of the Assessor's calendar to verify all our needs are met with the Department of Revenue (DOR) and resident concerns. Work with appraisal firm to complete annual valuation for residential, commercial, and industrial properties. Collect mapping and lot changes for completion in Spring 2022 including revising the GIS mapping data as a better online resource with new GIS vendor. We work with DOR field representative to finish the tax classification filings. We are working towards the valuation period in and changes approved 10/21/21 with DOR. The tax rate is pending.

MA – We have received 48% of the tax levy. We are seeing an uptick in those revenues and we should receive the next quarter in the next month or two. Overall 43% collected of all general fund revenues which is not much of change from what we had collected last year at this time. We'll be sending out excise tax in the beginning of the year. You shouldn't be alarmed that some are 17% collected.

SF – This looks a bit alarming, we don't budget monthly do we?

MA – No, we don't.

GS – A lot of revenues come in the latter part of the year. The Stadium PILOT program will be coming in February which is around \$1.4 million.

BK – We will also be seeing some concerts that might help either in FY22 or FY23. With the Revolution making playoffs and New England trending in the right direction we could have a playoff game which is a separate revenue that we would receive.

MA – We had our FY20 Audit completed in the spring with no issues. They have been doing their field work on the FY21 audit and will be wrapping that up soon. Because of all the Covid grants we will have another audit because of the grant monies. Usually that is only on the school side but will be because we received CARES Act funds of \$1.5 million and FEMA expenses and we will be audited for that after the regular financial audit. New Positions – We took a look at the structure in Finance and we could see where we were lacking. One of those was in procurement the other on the human resources side. We eliminated a Business Analyst position created prior to George and myself. We took the funding of that position and created the Procurement and Benefits administrator positions. The benefits has taken over health dental, accruals, and retiree benefits, open enrollment and health benefits fair. We now have central point of contact for all these functions. Both of these positions were recommended by our auditors. Our Procurement Administrator, we hired a procurement consultant to train our procurement administrator and set up our entire bid process and host trainings for our department heads. She called the Inspector General's office before accepting the position and was told that Foxborough was doing things well. She helped create contracts which will have our vendors use our contract and agree to our terms and conditions. We hosted 6 trainings for all department head and department administrators.

LG – I heard from our planning director Paige Duncan and how smooth the process was for the Walnut Street RFP.

MA – You could have a whole department dedicated to procurement, we have a resource that can assist our department heads and gives me peace of mind to have segregated duties and we still have Maureen on call when we have questions.

SM – It's nice to see the change and that Paula has some help and less on her plate.

BK – The transaction issues that were being handled in HR are now being handled by the Benefits Administrator, which is fairly common and worked out very well.

MJ – At a point when we have 7 union contracts being negotiation and recruiting 13 positions having the benefits administrator has been a great help.

MA – We are at full staff and are cross training all our staff so there are backups for vacations or illness.

GS – We are eliminating the single critical points of failure in our office.

MA - Budget Book Updates- We are using the same budget templates as last year and are going after the GFOA Distinguished Budget Award. I've asked the Department heads to add several things, such as achievements, goals and performance indicators. This will help us see why we asking for what we are asking for budget wise.

SF – I would love to see the FY21 actual and FY21 budget. This is what we said were going to do and this is what we did.

MA – We do that with our current book and can add that FY21 actual. ClearGov Personnel & Capital Budgeting – It is a cloud based software with several different modules for budgeting. There will be a link on the Finance page of the Town website. We are using the personnel and the capital budgeting modules currently. Once the base information is entered the software is able to help us with that. For the Capital budgeting we can live rate the projects and run reports on capital spending project. ClearGov has a budget book builder as well. The Cares Act funds are fully spent, we still have 2 FEMA projects still outstanding and ARPA is still a question mark. Christina and I worked together to update the Finance Page on the website to better organized the information we have and allow for greater transparency.

PM - Open enrollment – Our Benefits Administrator is working on 2 open enrollments. One for retirees Medicare/Medicaid and the other was open enrollment for supplemental life insurance. We were able to get Boston Mutual to open that up for use and allow new or existing employees to enroll. I'm not sure if and when they are doing it again and will happen until December 15th. It is short term long term critical illness supplemental life. We are adding a term life policy. You are able to take this one with you. We are also working on the OPEB audit as well. We are crossing training everyone. Our new people have MUNIS training and are training each other and is very complimentary. Our staff is all relatively new but are working well with each other. We are in a testing phase for new electronic file upload with Norfolk County Retirement. Currently those balances are running behind and aren't accurate. They are going live with this new system in the new year. Tax collections for quarter 1 and 2 is at 98% collected. We sent out about 6,500+ tax bills. Senior tax payroll has been completed and the credits are created.

SM – Do seniors have to file that with their personal taxes?

PM – Yes that was resolved

MJ – It was an IRS issue. Seniors could earn \$1,500 and worked out the program so that it was fair and the senior was earning the tax credit.

BK – It would have been taxable if you received it as a paycheck.

PM - Water liens, will be created as close to the tax bill as possible and we send out warning letters before so that we don't have to lien it to their real estate.

4. 8:00pm Budget Direction Discussion for FY23

4.1 BOS to discuss and possibly vote on direction for the FY23 Budget

LG – We're back here tonight to give a formal budget direction for the FY2023 budget. We have several different motions and we also have other budget items including CIP funds and Free Cash.

BK – We anticipate that revenues will continue to go up in FY23 and FY24. We could start to return to some level of normality. We could end up with a better free cash position than we were in last year. We are in the midst of negotiating 7 different contracts and are conscientious of that. Last year we were under 3% and 2.5% is very minimal. The normal growth is 3-4%. It would be difficult to make 2.5% but we are going to try. There is an opportunity to create better operations and be creative. We are not looking to break the bank, but we want to be realistic. If we do look to cut the budget but we have to figure out what services that we would have to cut.

GS – We are looking to see what we can make more efficient and use the lessons learned in finance and take them to the rest of the departments.

LG – We understand that salaries are going up. We need to reinforce the message, tell the story and be creative in our solutions.

GS – For example, we are going to consolidate our gasoline account. Gasoline is most likely going to be more than it was last year.

BK – There is a lot of talk about private versus public. There are some things we can do but this is a public process. The challenge we face is keeping the balance and not over reach. The organization was not built for the way it should be built. I've told my department heads that we are doing to be stricter and if they ask for more than 2.5% and ask for positions that we will send it back.

MJ – In the water department we cross trained to have 2 people with the ability to do the water billing. Previously there was only one and now we have an additional person.

LG – I think that is business continuity and we need creative ways to find savings.

BK – This will now be more a skill set hiring than hiring someone who has worked for a municipality previously.

LG – It sounds that like you are recommending the 3rd option?

BK – I am, but there is a caveat that there are other areas that I'm not able to control and it could go over.

LG - This is the smallest increase since FY2013?

BK – Yes.

SM – I would want to stay at level services, the 2nd proposed motion.

BK - If there is an opportunity cost that we can achieve by spending a little bit more in one area versus another we might be able to do that with a 2.5% increase. The biggest danger could be that if we don't maintain comparability we will not get people to work in Foxborough.

ME – This seems to be a more finite way, how are you are proposing it.

BK – It's covered in motion 2 but it's limited in motion 3. I can't make that promise but will strive for that.

SM – I understand that the cost of supplies could go up, but I want the control of not adding more employees.

ME – Option 3 keeps it at level services. They know that we can't add positions.

BK – We've filled the needs we had to get the organization to run efficiently in the past 6-7 years with the hires and changes we've made.

SM – Option 2 does say that we can't fulfill our contracts.

BK – I will not add new positions.

SF – I think 2.5% at level service is unrealistic with costs going up.

LG – It sounds like as a Board we are supporting option 2.

BK – I was looking at keeping it trim as much as I can. There are a lot of unknown numbers that we don't know yet.

LG – I would take a motion on option 3.

EO – I see the 3rd option as the most reasonable to maintain services in the community. I have a different perspective in going through almost 40 years of budgets as a department head. We have the stadium but it never covers enough for the staffing needs especially for public safety on game days and events.

SM – Public safety is ranked high for most communities and we've added that for the last few years.

LG – They have not been fully staffed for the past year with Covid.

SF – It's a target and I think the 2.5% is unrealistic but the Town will vote.

BK – I think we should try and it sends the right message.

LG – The 2nd one gives more flexibility.

GS – A budget is a fluid thing that changes as you go along. You could set a review to happen half way through the budget process.

LG – I like the definition on option 3 versus how ambiguous option 2 is.

BK – I won't see numbers from department head until December and January for the state. I won't get health insurance numbers until February or March.

LG – I keep hearing the insurance numbers look good.

BK – We are individually rated in Foxborough and looked at the numbers a few weeks ago. There have been some increases and then it went down so we aren't sure what is going on with insurance numbers. It's a goal that may be unrealistic but I'm willing to try.

SM – I was leaning towards option 2 and give you more flexibility.

BK – My goal is to maintain level services.

**Motion to support an FY2023 Budget increase of up to 2.5% by S. Ferguson, 2nd by M. Elfman.
Approved 5-0.**

4.2 Long term Capital Improvement Planning and Free Cash discussion

ME – I'm on the committee at the COA for the new community center. Bill and Mike suggested that we bring it to the town and figure out what the town's capital plan. There are several projects that need to be discussed and all the boards need to get together and figure out the plan going forward.

BK – This needs to be adopted by the Town and not the Board or Town Manager. We want to give people the opportunity to weigh in on it.

LG – We had a plan and now we need to reset that. This sounds like we would need to have a capital plan meeting before the CIP meeting in March.

BK – We should put out all 3 projects and have all 3 boards weigh in and have a discussion.

LG – There are 3 big projects Taylor School, Community center and DPW building.

BK – The Taylor could be a few years out because it's an MSBA project. With the community center you could get private funding.

ME – We can also look at some of the long term debt coming off the books in the upcoming years.

LG – We would need to find the right plan and get the CIP committee together.

Free Cash discussion

SF – this was born from the financial policies and one of those policies was around free cash and recharge. My thought is to focus on transparency in budgeting and develop a policy. I would like to consider having budget variances to recharge free cash. Marie gave an overview of the 2021 free cash. IF those are built into the budget as a free cash recharge.

LG – You are looking for an insurance policy for a free cash recharge.

SF – Do we intentionally create budget variance to recharge free cash?

GS – No, we had an aberration with the insurance. We got insurance monies back because of Covid. When you mention the school department that had CARES Act money that offset supply costs.

SF – If we are budgeting to what we expect that doesn't feel right.

BK – We got that turn back due to Covid. We try underestimate our local revenues so we can have a surplus and not a deficit.

SF – The PILOT is an intentional budget variance.

BK – That is only guarantee that we have on that money.

GS – The PILOT program you get paid ~\$1.4 million and the rest is ticket sales. Last year we went with \$1.4 million because we knew there weren't going to be any games or concerts. If we had put in more than that we would have had a deficit. In a normal year we underestimate a bit lower but not by millions of dollars.

LG – We did change the approach when George and Marie started.

MA – We did change as the previous Finance Director had increased Free Cash to over \$8 million. We are conservative and the DOR only lets you go up so much. We are estimating \$2.4 million for the upcoming PILOT, not \$1.4 million from last year.

GS – There was a buildup and that was done intentionally.

MA – We ask departments to look at every line item and see what trends they have and take a deep look into their spending.

LG – It seems like we are in a good place and can continue the discussion and ask questions to Marie and George going forward.

5. 8:45pm Assistant Town Manager's Update

5.1 Recruitment Update

Karen Dugan was promoted to Senior Library Assistant are now hiring for her replacement. Kristen Pellerin took over for Elaine Repoff who retired in October. Lauren Burrill started in Veteran Services.

We are currently recruiting for several paramedics, COA van drivers, building commissioner, a department administrator for the Water department and a library director.

ME – Will the paramedics be sent to firefighter school?

MJ – They would be firefighter/paramedics. We are also hiring police officers as well.

LG – Even though we just voted on it at Town Meeting, we are still under Civil Service until accepted by the legislature.

6. 8:55pm Town Manager's Update

6.1 Update regarding Trash Discussion Group – We are working on a trash survey right now and will put that out soon.

6.2 Update on American Rescue Plan Act Funds – We met with a representative to discuss ARPA and the issue Foxborough has with how the current ARPA guidelines are written and how they negatively impact our ability to receive and use ARPA funds.

6.3 PACE Application – This is a program that the Town has to sign onto. It's a tax off set for credits against solar improvements. There are 23 other states that have done this. We have a presentation on December 2 for this application and will have more information following that meeting.

6.4 Town Common Events Approved - Jaycees Decorating the Common on Nov. 27, Rec Department Lighting up the Common Nov. 27 from 4:00-7:00pm, Jaycees caroling on the Common December 22nd from 5:00-8:00pm

6.5 Veterans Donations - General Gift Fund Donations - \$50 - from Michele Rabushka, \$85 - from Jeannine Fernandes, \$100 - from David C Nolan. Historical Commission - \$30 from Kathleen Belko for Cemetery Restoration.

SM – Can we get some clarity regarding the mask protocols inside the schools with non-school events?

LG – We discussed this and if we still have the Covid in place then we might need to figure out a different place to have Town Meeting.

7. 9:05pm Selectmen's Update

7.1 New Business - No Solicitation list discussion

LG – I saw this was adopted in Bourne and was thinking that we could adopt this. I didn't like people coming to my door, especially with Covid. I brought this to Bill and he brought it to Town Counsel and he gave several examples that we could take to Town Meeting.

SF – Who are you getting for solicitors?

LG – I've got Verizon and an energy company in the last 6 months. We haven't figured out the logistics yet but wanted to get early thoughts.

Motion to accept a \$200 donation to Veterans Services from the Dystopian Reflections Event by S. Ferguson, 2nd by M. Elfman. Approved 5-0.

Motion to accept a \$165 donation to Veterans Services from Crossfit Torque by S. Ferguson, 2nd by M. Elfman. Approved 5-0.

7.2 Old Business - Special Town Meeting Debrief – We've committed to doing debriefing after town meetings.

LG – There is work happening on Wall Street and hoping to be done within the next year. The demolition has been done on the Fire Station and that will begin framing and plumbing and then will be working on the funeral home after that work is started.

BK – They want to be in the pub area around April or May with the apartments being built within the next year after that opening.

LG – Two proposals for Walnut Street. The Tree lighting the Orpheum, Foxborough Nutrition grand opening and small business Saturday is this happening.

ME – The lights on the common are up and running and look great.

8. Action Items

8.1 Trader Joe's - Approval of Change of Officers

Motion to approve the Change of Officer for LLH, LLC d/b/a Trader Joes from Edward Seeker to Tracy Anderson-Ingram as the LLC Manager by S. Ferguson, 2nd by M. Elfman. Approved 4-0-1, S. McGowan abstained.

8.2 Gillette Stadium - Approval of event - MIAA High School Football Championships 12/1, 12/2 and 12/6

Motion to approve the MIAA High School Football Championships at Gillette Stadium for December 1st, 2nd, and 6th with the games schedule on December 6th to be played on December 3rd or 4th depending on the outcome of the New England Revolution Game on November 30 by S. Ferguson, 2nd by M. Elfman. Approved 5-0.

8.3 COA/HS - Acceptance of \$300 donation

Motion to accept a \$300.00 anonymous donation to the Council on Aging and Human Services Department by S. Ferguson, 2nd by M. Elfman. Approved 5-0.

8.4 Veteran Services - Acceptance of a \$500 donation from Foxborough VFW Post 2626

Motion to approve a \$500 donation from Foxborough VFW Post 2626 to Veteran Services by S. Ferguson, 2nd by M. Elfman. Approved 5-0.

8.5 Veteran Services - Acceptance of a \$500 donation from Foxborough American Legion Post 93

Motion to accept a \$500 donation from Foxborough American Legion Post 93 by S. Ferguson, 2nd by M. Elfman. Approved 5-0.

8.6 Board of Recreation - Appointment of Kevin Powers to Board of Recreation for a term to end 5/31/24

Motion to appoint Kevin Powers to Board of Recreation for a term to end 5/31/24 by S. Ferguson, 2nd by M. Elfman. Approved 5-0.

8.7 Foxborough Cultural Council - Appointment of Judy Garcia to Foxborough Cultural Council for a term to end 5/31/24

Motion to appoint Judy Garcia to the Foxborough Cultural Council for a term to end 5/31/24 by S. Ferguson, 2nd by M. Elfman. Approved 5-0.

8.8 BOS - Approval of BOS Minutes from 10/26/21 meeting

Motion to approve the October 26th, 2021 Board of Selectmen Meeting Minutes by S. Ferguson, 2nd by M. Elfman. Approved 5-0.

8.9 BOS - Approval of Integrated Steelworkers Unit A & B (Prior Contract & Memorandum of Understanding[s] integrated, no changes)

Motion to approve the Integrated Steelworkers Unit A Contract by S. Ferguson, 2nd by M. Elfman. Approved 5-0.

Motion to approve the Integrated Steelworkers Unit B Contract by S. Ferguson, 2nd by M. Elfman. Approved 5-0.

8.10 BOS - Approval of Integrated AFSCME Local 1702 (DPW) Union Contract (Prior Contract & Memorandum of Understanding[s] integrated, no changes)

Motion to approve the Integrated AFSCME Local 1702 (DPW) Union Contract by S. Ferguson, 2nd by M. Elfman. Approved 5-0.

8.11 BOS - Approval of Integrated Fire Union Local 2522 Contract (Prior Contract & Memorandum of Understanding[s] integrated, no changes)

Motion to approve the Fire Union Local 2522 Contract by S. Ferguson, 2nd by M. Elfman. Approved 5-0.

9. Adjourn – 9:46pm

Motion to adjourn by S. Ferguson, 2nd by M. Elfman. Approved 5-0.