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TOWN CLERK

Advisory Committee Meeting
Town of Foxborough
Wednesday March 16th, 2022

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In Attendance: Paul Ivanovskis, Sharon Weiskerger, Jack Martin, Dan Peterson, John Mahoney, Marlowe Farrar, Rafaella Zizza-Feinstein, Mike Brown, and Eric DeLisle

Outside Attendees: Paige Duncan, Bill Keegan, George Samia, Mike Johns, Leah Gibson.

Minutes: Taken by Dan Peterson

7 p.m. Paul I.

Paul I. – Welcome Selectmen Chair Leah Gibson and Town Manager Bill Keegan to discuss Marijuana related warrant articles.

Bill K. – In 2017 the town voted 60/40 against the non-binding referendum for the cultivation and sale of marijuana. The potential of a 3%-6% tax on marijuana (pot) sales could be in the millions of dollars. The number of shops selling pot cannot be more than 20% of the towns number of package (alcohol) stores. In this case that means one store. However, the process and cultivation of pot does not have a limit to the number of businesses.

Leah G. – Selectboard was approached to see if there was an appetite to support these changes. Even though she is supporting the petition, it was due to outside interest by businesses, not her personal view. The process of moving from the approval of the warrant article to actually having a licensed pot shop in town was then described.

Jay M – Q. Who defines the definition of a school? **A. Bill K. –** Cannabis Control Commission (CCC). **Q.** Who determines the 500ft from shop to school? **A. Bill K.** It is the minimum distance by state law.

Jack M.- Q. What about going across town lines? The Rt. 1 office park and distance to schools in Walpole for example. **A. Paige D -** Likely will not matter, the CCC will likely stop that development.

Jay M. Q. What is the definition of nonconforming? What if a church pops up? **A. Paige D.** The shop would be grandfathered in at that point. **Q.** Are we banning the act of smoking publicly? Is there a smoking license? **A. Bill K.** We are not entertaining the idea of on-site consumption. Also, it is an evolving industry, there is not an applicable license yet - this license alone will take one year to complete.

Rafaella Z. Q. Does this apply to restaurants? Either new or existing? **A. Bill K.** We do not know yet. **Rafaella Z. Q.** Is there more than one party interested? **A. Leah G.** Yes, there is more than one party interested and will be competitive. **Bill K.** This could not have been accomplished via a citizen's petition. **Rafaella Z. Q.** Are we worried about funding for cultivation? Banks cannot fund them as it is federally prohibited. **A. Bill K.** These are being funded by private equity. **Q.** Do we have projections for revenue? **A. Bill K** Yes, we do.

Jay M. Q. What about Gillette Stadium and gameday use? **A. Bill K.** Chief Grace has done extensive research on this, and the impact of those partaking is way less than those imbibing on alcohol.

Dan P. Q. What about the Foxboro ice center? **Bill K.** Will be up to the planning board.

Paige D. That would be ironed out in the host community agreement.

Jay M. Q. Is help allowed? What about oils/concentrates? Reading the language as they are allowed because they are not specifically banned in the warrant. **Paige D.** A. Cannot believe that this would be a loophole on the state level. **Bill K.** and **Leah G.** to follow up.

Jack M. Q. Based on Chief Grace's opinion why only 1 store? **Bill K.** A. Can add more in the future with a ballot question.

Jay M. Q. How are we looking in terms of finalizing the language in time for town meeting? **Bill K.** Looks good, about 80% done, could wait until the fall if needed.

Paul I. Q. the exact sequence of approval is unclear to me, since it requires approvals from the Cannabis Control Commission, the BoS, and the Planning Board. **Bill K.** A: good point, we'll get back to you on that. Q: Will we prohibit delivery, that might be better than people driving? **Leah G.** A. Other towns actually prefer that and even have curbside pick-up, so no. Q. Are there taxes on growing facilities? A: Y. Q. Can you give examples of revenue from surrounding towns? A. **Bill K.** Yes, Attleboro for example got over 900K. That is not including the impact fee up front. Q: Are the limits on growing facilities the same as retail? A: No, those are unlimited. Q: is the license retail attached to an individual the same way it is for alcohol? A: Yes.

Mike B. Q. Does it matter bigger company vs smaller? **A. Bill K.** Bigger companies have bigger backers and are less likely to fail.

Paul I. – Moving on to discussion of Warrant Article 5. CIP Budget.

Bill K. This year we are only planning on using 160K from free cash to fund our projects. Almost all of the projects are fully or partially funded by ARPA money or grants. There is a minor issue where we need to revote one of the projects but that is a formality.

Jack M. Q. Can you explain how much ARPA money we got and how it is split up, applied, and spent? **Bill K.** A. Yes, we got 3.5 million from the county which we have spent 1.5 of. We got 2 million locally and have spent all of that. There is the potential to spend more money on water meters for the highway dept or on dams or PFOS equipment. **Dan P.** Also could see 240K coming back to free cash as one chiller at the Ahern could be back paid by ARPA.

Paul I. Q. What is the line item for the demo of the laundry building? **A. Bill K.** That is an old state hospital building near the lacrosse field that has the potential to be a new community center.

Mike B. Q. How are the grants applied for? It doesn't seem centralized. Why not? **A. Bill K.** Correct, it is not a centralized approach, but it is a group approach where we all help one another to submit applications in the best way possible. Q. Can you explain OPEB for us? **A. George S.** Full explanation of OPEB provided.

Paul I. – Moving on to discussion and voting for Warrant Article #4 (Operating Budget), Article #6 (Fire Stabilization Fund), Article #7 (Revolving Fund Annual Spending Limits), and Article #9 (Fund Qualified OPEB Trust).

Discussion and Voting on Warrant Article 4 (Operating Budget)

Paul I – Asks for discussion on budget for General Government line items. Discussion ensues. Paul asks for motion to approve, motion received and seconded. Members approved proposed General Government budget unanimously.

Paul I – Asks for discussion on budget for Public Safety line items. Discussion ensues. Paul asks for motion to approve, motion received and seconded. Members approved proposed Public Safety budget unanimously.

Paul I – Asks for discussion on budget for Education line items. Discussion ensues. Paul asks for motion to approve, motion received and seconded. Members approved proposed Education budget unanimously.

Paul I – Asks for discussion on budget for Public Works line items. Discussion ensues. Paul asks for motion to approve, motion received and seconded. Members approved proposed Public Works budget unanimously.

Paul I – Asks for discussion on budget for Human Services line items. Discussion ensues. Paul asks for motion to approve, motion received and seconded. Members approved proposed Human Services budget unanimously.

Paul I – Asks for discussion on budget for Culture and Recreation line items. Discussion ensues. Issues raised that required further investigation. Vote was tabled until answers are provided to the advisory committee's questions.

Paul I – Asks for discussion on budget for Debt Service line items. Discussion ensues. Paul asks for motion to approve, motion received and seconded. Members approved proposed Debt Service budget unanimously.

Paul I – Asks for discussion on budget for Insurance and Other line items. Discussion ensues. Paul asks for motion to approve, motion received and seconded. Members approved proposed Insurance and Other budget unanimously.

Paul I – Asks for discussion on budget for Grand Total of the Enterprise Funds line items. Discussion ensues. Paul asks for motion to approve, motion received and seconded. Members approved proposed Grand Total of the Enterprise Funds budget unanimously.

Discussion and Voting on Warrant Article 9 (OPEB Trust)

Bill K – Describes process to returning to funding OPEB to an on-track state which will require an additional payment in the fall. **Sharon W.** Please confirm the actual ask for the spend for this budget. **George S.** Number confirmed at \$1,064,069.

Jack M. Proposed reduction of OPEB payment by \$200,000. Made a motion, which was seconded by Jay M. Discussion centered around the proposed year over year payments and whether or not the town was costing ourselves quality of life improvements in order to pay off the OPEB so quickly. Discussion included what if any impact there would be to overall town finances including borrowing for future projects. **Dan P.** If we vote to approve the original, can

we still return and change our vote prior to the town meeting? **Bill K** Yes, you can. Motion to approve the OPEB payment at the amount of \$864,069. **2 in favor, 7 opposed. Motion fails to pass.**

Dan P. Motion to approve article as written, with the OPEB payment in the amount of \$1,064,069. Motion seconded. **Dan P.** I am propping this with the understanding that we could revote if the information returned to us indicates that there will be no negative impact to town finances going forward. **Motion reiterated. 8 in favor. 1 opposed. Motion passes.**

Discussion and Voting on Warrant Article 6 (Fire Stabilization Fund)

Mike B – Described process of the funding and withdrawing funds from the new stabilization fund. Information included revenues from performing maintenance on fire apparatuses from other towns. Motion made to approve article as written, seconded, motion passes unanimously.

Discussion and Voting on Warrant Article 7 (Revolving Fund Spending Limits)

Paul I – Described purpose and execution of revolving funds and associated limits. Motion made to approve article as written, seconded, motion passes unanimously.

Paul I. – Last item on the agenda is the discussion logistics of the upcoming Advisory Committee meetings.

Discussion on whether the 5 zoning articles would be posted in the newspaper and be presented at town meeting for a vote. Answer was yes, and the Advisory Committee will be prepared to present them.

Discussion on the state of contracts with Mike Johns. Asked that the Advisory Committee give him as much time as possible to ensure the town does not lose any leverage.

Discussion on televising AdCom meetings. Arguments for televising included full transparency and ensuring all voters have access to all possible information. Arguments against included tense debate, non-positive outreach from citizens, and recruiting new AdCom members in the present and future. **Motion made to televise the meetings, and seconded. Vote was 1 member in favor and 8 opposed. Motion fails to pass.**

9:40 p.m. Dan P motion to adjourn meeting. Motion received and seconded. Members approved unanimously