

Advisory Committee Meeting

Town of Foxborough

Wednesday March 17, 2021

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FOXBOROUGH, MA 02035

In Attendance (all participants are remote): Larry Ooi, Paul Ivanovskis, Thom Freeman, Jack Martin, Dennis Keefe, Dan Peterson, Brian Guild, John Mahoney. Sharon W. and Bernard D. joined after the beginning of the meeting.

Minutes: Taken by Tony Colangelo

7 p.m. Larry O.

Larry requested approval of the minutes as is for March 10, 2021. Dan P. made a motion to accept the minutes, and it was seconded. Dan P., Dennis K., Thom F., Jack M., Brian G., Paul I., John M., and Larry O. voted yes to accept. 8-0-0.

7:04 p.m. Larry O. – Welcome Jim Devillis Town Warrant Articles #27 (Citizens Petition)

Jim D. -- I am representing 10 residents that signed a petition for a family in town that in 2006 received a tax bill for \$48 for a small parcel of land. They disputed they did not own and they were told they may get a lien on the property, building permits so they paid it. In 2007 and 2008 they did not receive any thing. In 2009 they received a bill for \$7 and they paid it. In 2019 – 2020 they went to the Town Hall to claim they did not own. Chris, her husband was off the bill now, and it was sent in Debbie’s name. The bill accumulated \$2,500 over 14 years. She filed a Citizen Petition for the Town Meeting to get an abatement. She did not qualify for an abatement because she did not own the property and never did. Board of Assessors stated that a resident over in Mansfield should have been billed for this and verified all information.

Larry O. stated, sorry it took Debra 14 years to fix. Board of Selectmen recommended the Article.

John M. – Question; Bill K, can we re-coop any of this from the real owner? Bill K. stated the way it works, you can’t re-coop a credit. The Town will submit the bill to the owner going forward but can’t bill going backward. Jack M. - Question, I don’t understand why this went on for so many years? Jim D., stated, that is a big question which I can’t answer for the town. Bill K., stated I don’t know either. The first I heard of this was in Sept. 2020. I suggested she take this to the Board of Assessors. She can only go back for 1 year for an abatement. To get credit for multiple years it has to go to a Town Meeting to get appropriation. Jack M. asked, doesn’t

the Town have records of the owner? Bill K., stated I can't answer that. I wasn't involved directly, but the matter has been resolved.

Larry O. – asked, so Citizens Petition is the only option. They are not the property owners so they can't get an abatement. They need to go to the Town Meeting? Jim D., yes, they need to go to the Town Meeting and get more than 50% yes vote. Larry and Dan asked, are they asking for interest? Bill K. answered, they are not and they cannot get it in this case. They can get the payment back.

Jim D., Warrant Article #27 is listed for \$5,025, but it really is just about ½ of that although it might be great to pay them more for all the steps and personal time they had to put in to get this taken care of. Bill K., stated that was a math error that resulted in the \$5,025 request for this Article. The right amount we can legally ask for is \$2,506. Larry O. commented, the right thing is to get this approved.

7:20 p.m. Larry O. – Welcome Bill Keegan Town Manager Town Articles #5

The CIP \$5 million was reviewed as requested. We could not come up with a plan to pay for it all. The Committee does not have a lot of free cash this year. We evaluated each of the items presented and what we could not approve now will be reviewed again in the fall. Foxborough will receive about \$6 million from County and Federal Aid for the fall. We prioritized and did approve \$1,510,886 for now. \$623,656 has already been received as part of the State Chapter 90 Grant as part of the West St. Dam Project, and we will have to credit this back later. \$235,000 will come from the Ambulance Fund we received for the Fire Department. \$652,030 is from our free cash. The items include, 5 new ambulance vehicles. These were purchased on a 5-year lease to purchase agreement. 3 new 77-- passenger school buses. Also, our yearly payment for our street sweeper and need to improve road conditions when required. The Town's Management Information System has to be replaced now. School software has to be upgraded to take care of current environment. We are looking for this part of the CIP Project to be authorized for now. The rest of the CIP Project Plan is not funded yet.

Dennis K. asked, what is the prioritization the Committee uses? Bill K. stated that every committee member is able to prioritize them as 1,2,3, etc. There were others we wanted to fund but couldn't and we will look at seriously in the fall.

Jack M. asked, as I listened to the presentation and read thru the spreadsheet, I wondered, in order to meet our free-cash we purchase vehicles on rent to own. How serious is our financial penalty to take that option? Bill K stated, now is a good time to do that with the very low interest rates and also, that came from the ambulance fund – not free cash.

Thom F. asked, I see on the chart for revenue sources there is nothing for meal taxes for FY'2021 or FY'2022. Do we have a run rate and will it drop down to free cash? Bill K. stated, I really need to defer to Marie on that. Our payments have been about \$200,000--\$250,000 per

quarter. It is lower because of everything shutting down. It used to be about twice that. We think that maybe we will start to see more in July because of recent improvements.

Paul I. asked that the CIP proposal for now is about 1.5 million. The workbook shows \$3.6 million total. So that that means another 2 million or so in the fall. Is that correct? Bill K. stated, yes that's correct, but in the fall when we review, may have to push some off for another year. We have to prioritize our long-term debt. Paul I. some of this is dependent on aid. Do we know how much? Bill K. stated our Federal and County aid has been funded. We are expecting another \$1.8 million from the Federal Government for the 1st time in a long time. This is usually a direct check split in two payments. We do not know yet the exact guidelines for spending that. Also, there is another \$137 million will be allocated to Norfolk County, which has 25 communities. Includes, 3 cities and 25 towns. It's supposed to be a pass through but we don't know how that happens. If it happens it could mean about \$3.5 million for us. Also, Federal Funding for MA Schools will be \$1.5 billion. We don't know what it will be yet.

Bernard D. commented, Bill, your form provides the use and source of funding for this year. It provides a lot of information is very helpful to understand the allocation of principle.

Dennis K. asked, one of the best presentations from the police dept. was the use of body cameras, why did we not prioritize? Bill K., stated that is a very good point. We can wait a little on that because we need to go through a process with Unions and set up guidelines for use. Also, there may be some state funding for this. The state is looking into police reform and this may be part of that.

Larry O. commented on spending and waiting for Federal Aide and County Aide, if we get this can we spend it on CIP project? Bill K. answered, I don't know. We haven't been given guidelines yet.

Dan P. asked, the percentage of residents that use ambulance service to go to Boston – do we give them an option? Mike K. answered, we take them where we need to take them for medical reasons. We can't use Sturdy for a lot.

Dan P. asked, where will we be in the fall re., will we be able to get revenue from events at Gillette stadium? Mike K., answered we think there will be events at Gillette in the fall that are already scheduled.

Dan P. asked, what are we looking for, body cameras? Mike K. we have discussions to put them on our vehicles because of all the long highway drives we do to Boston. But not body cameras. We can't go into people's private homes to pick them up with body cameras on.

John M. asked, what is the threshold for a project to be large enough to break out from the general chapter 90 funds to be listed on its own as a separate line item on the budget and how are the chapter 90 funds used determined? Bill K. answered, the DPW has been assessing roads a private engineering company for the past 6-7 years. Based on that information we have been systematically working on roads. We have been spending about \$900,000 per year for quite a

few years for road improvements. John M. asked about the Complete Street Funding category, if we use it? Bill K. answered we need to qualify for the Fund. We requested a \$400,000 grant for a street project but were denied. Our Center of Town Street project was a Complete Street approach.

Larry O. stated Thank You Bill for your presentation.

7:59 p.m. Larry O. – Welcome Bill Keegan, Town Manager and Mike Kelleher, Fire Chief, Town Warrant Article #17

Mike K. stated we have a cell site on the radio tower behind the Public Safety Building. We have been approached by AT&T to be added to the tower and they are willing to pay \$3,600 per month. Good to make money, however we need to add them to a lease agreement and we need to take it to a Town Meeting to vote for the \$3,600 lease. Bill K. stated, the primary reason is because it is town property so we need the town to approve. Larry O. asked, do we need to spend any money or will AT&T do it all? Mike K. answered, AT&T will pay for the engineering study and do all the work that is required. Larry O. asked, how long is the lease for? Mike K. answered, it is for 20 years. AT&T got a contract for "First Net" which is to streamline first responder communication situation. They need to add many cell sites over the next 15 years to comply with the contract they have with the Federal Government. Larry O. asked, is there any rent escalation in the lease agreement? Mike stated the rent can go up 2%.

8:02 p.m. Larry O. – Welcome Chris Gallagher, DPW Director and Barry Ringler, Inspections Commissioner, Town Warrant Article #20

Chris G. stated that Barry R. and I are here to talk about the stretch energy code. Foxborough has taken on to become a Green Community in the state of MA. 271 cities and towns are already so designated. We need meet 5 criteria in order to be designated as one. #1- We need to show a 20% reduction in energy use over 5 years. #2 - We need to have a fuel efficiency purchase policy we need to put in place. #3 - Need to have zoning in place as a right for solar – done. #4 – Have expedited permitting process for renewable energy – done. #5 – Adoption of the Stretch Energy Code. This has to be adopted at the Town Meeting. We are working on these 5 projects. Once we are designated as a Green Community we can apply for energy reduction projects for all of our town facilities. These grants and awards are worth about \$100,000 for each project. Barry R. stated this stretch energy is going to be great for the town in all areas, including 1 and 2 family homes as well as commercial buildings. Buildings will all become more efficient and eliminate waste.

Larry O. asked will savings be there for upgrades, ie., furnace, doors, windows for your house? Barry R. answered yes, MA save relates to these programs. Larry O. asked is this something that will be required to comply with for any renovation? Barry R. stated yes. You have a code

you need to follow, a higher standard before we can issue a permit for stretch energy. Larry O. asked, will we have to pay more for inspections? Barry R. answered no, it's about the same. Dennis K. asked, in terms of new building requirements under the code, what do builders think of this? Are they supportive or opposed? Barry R. stated most builders in the area are already working in other stretch communities so for them it would be the same, and they probably would prefer.

Chris G. commented the Stretch Code has been in place for 10 years now. It was harder in the beginning. I was in Westwood then and it was a bigger variation then, but not now.

Bill K. stated yes, I agree. I was in Dedham and we were one of the first to do this and there was more we had to do, rather than now.

Jack M. commented, since it is now the industry standard, it makes sense to move forward. What are the arguments against it? Bill K. stated, fair question, but I don't know of any anti-questions.

Paul I. commented as this happens, I want to be Green, but do I want to spend more if I do it now? I would like the choice to be mine? Dan P. commented, isn't this going to raise the cost and value of all properties and we will have to pay more taxes? Bill K. stated, I think the housing industry prices are going up but not because of this. It is happening because there is not enough inventory of home available. The median price of properties/homes has gone up from \$480,000 to \$550,000 available on the market now. Dan P. commented, if we adopt this it will be in the books for the rest of our lives, we can just delete it, and may have an impact on housing market. Also, it may be hard for aging people to deal with. Paul I. commented, if I put in a new water heater, new windows etc. they will have to meet the new standards? Barry R. stated, almost all products you can buy now meet the stretch energy standards. Every 3 years the standards will be better. Everything we are doing now meets the 2018 standards.

Paul I. asked, do you have an estimate in the price difference for a house, and do you have an estimate and information about grants we have in progress? Chris G, stated, working with our department for housing and what we can do to improve. We have done some already. The grants are about \$100,000 each and the plan consists of a 20% reduction in energy.

Barry R. stated, I don't know what the difference would be in the value of the property. Dan P. commented, like we said, you can't go out and buy a water heater, etc., that doesn't meet the code. John M. commented, the cost of a new average house is probably \$10,000 - \$30,000 more to meet the standards. Dan P. asked, as it pertains to public buildings, everything will meet these codes, right? Bill K. answered yes. Everything we do now meets these standards and everybody requires it.

Larry O. – Thank you Chris and Barry for your presentation.

8:26 p.m. Larry O. – Now I would like to ask the Adv Committee to Discuss and Comment on Non-Budget Town Articles.

Larry O. Let's discuss Articles #6, #7, #8. WE will not vote on the Articles from last week until after the Board of Selectmen vote on them in 2 weeks.

Paul I. Discussion for Articles #6 & #7. Revolving funds are needed because we are taking money into 2 new accounts. #1. Repairs for school computers. #2. Inoculations. We need to use that money for these accounts. It's pretty straight forward. There were no questions.

Paul I. Article #8. This should have been included in the Bond Issue. It is just a correction, that states we will use the premium from bonds to pay down the bonds. Bill K. stated, yes that's correct. We want to be able to use the proceeds to help pay down the bond.

Larry O. The other 6 or 8 Articles on Union Contracts. The Board of Selectman will get presentation in 2 weeks and if approved will come to the Advisory Committee. Mike Johns is working with the Town and Union on the agreement.

Bill K. FY 2021 issues done. Brian G. & Mike Johns worked on Articles #9, #10, and #11 approval. Bill K. FY 2022 not amended yet.

Sharon W. Article #18 Land Transfer. I still need to go out and look at the property to understand it better before discussing.

Thom F. Update on Article #19. No change.

John M. Article #21 update. Sewer District Revision. They need to extend their eligibility to be in this district for the Condo group in order to go on. No reason for us to oppose. There should be no costs to the town to approve that article.

Jack M. Article #22. This Flood Plain Bylaw is based on a model state code, and references a Federal flood plain map that is updated every 10 years. If we don't adopt it, we risk losing Federally – backed flood insurance. Recommend adoption.

Thom F. Article #24 Assisted Living. Assign description code/the chart back to where it was. The normal intended position for zoning assisted living facilities.

Larry O. asked Bill K., when do you need the Adv. Committee recommendations. Bill K. stated, we need to have everything posted by April 16th. You should have everything ready for us by April 7th or 14th at the latest. March 30th the Board of Selectman will vote on the FY'2022 budget which should be lower than originally presented.

8:44 p.m. Larry O. asked for motion to adjourn: Dennis K. made a motion to adjourn and Paul I seconded the motion. Jack M, Brian G., Thom F., John M., Bernard D., Sharon W., Larry O. voted yes. 9-0-0

Larry Ooi