**MINUTES OF THE RAYNHAM PARK & RECREATION COMMISSION**

**Regular Monthly Meeting, April 5, 2022 6:00 p.m.**

**Raynham Senior Center, 2215 King Phillip St, Raynham, MA**

**In attendance:** Chairman Chris Shaw, Commissioner Jim Brow, Director Tim McRae, and Administrative Assistant/Recording Secretary Samantha Sturtevant.

The Chairman called the meeting to order at 6:00p.m. Jim made a motion to approve the minutes of the March 1st meeting. Chris seconded and a unanimous vote followed.

Chris Laviolette, introduced himself, finance director for the Town of Raynham. He first apologized for the last-minute notice. He provided a little bit of history in regards to the before and after school program accounts. This was established as an offset receipts’ operation. Essentially, what happens is there is a budget set and they promise that they are going to raise an equal amount of receipts to offset that budget. With the consequences of COVID the past two fiscal years of 2021 and 2022, setting the tax rate was a challenge because the operation never raised what it had promised based on what it was budgeted or what the Town Meeting voted on for a budget. This was directly attributable to COVID. In the process of setting the tax rate, he had to work very diligently with the department of revenue in order to make the numbers work so that they would approve the tax rate. Chris said to keep in mind that the Park and Recreation receipts or the operations receipts are maintained separately from anything that was taxed. Over time, Park and Recreation has been accumulating equity. Currently, there are no liabilities for the operation accept for any bills that may be outstanding. Primarily, there is cash and equity. The law says that that equity belongs to the general fund at the end of the fiscal year so as not to penalize the operation by taking that money away from the department, Chris recommends that they convert the operation from what they call an offset receipts type of account to a revolving fund. By making it a revolving fund, Town Meeting no longer has to vote on the departments budget anymore for that operation. They can establish a spending threshold. Currently, Chris suggested to the Board of Selectman and for the purposes of this town meeting warrant that they set the threshold at $300,000. Historically, over the last four years the department hasn’t spent anywhere close to $300,000. If the threshold is set there, it can change annually, it can be increased or decreased as necessary. If Town Meeting were to approve the change of operation from an offset receipts account to a revolving fund account and the department starts to see expenditures start to approach that $300,000 before the end of the fiscal year, then the Board of Selectman and the Finance Committee can raise that spending threshold beyond that $300,000 by a simple vote. The department wouldn’t have to go back to Town Meeting for that, however, next spring when they vote on the fiscal year 2024 budget, if they had to raise that threshold then they’ll raise it again for the following year. The benefit to the Park and Recreation Department is that if they generate a surplus and collect ore than they pay out then the revolving account gets to keep that money. It would stay with the operation. As of June 30th, one year ago, the daycare operation had accumulated approximately $576,000 of equity that technically belongs back to the taxpayers by law. Chris believes that it will make the operation smoother, Tim would not have to develop a detailed budget that would have to be passed by Town Meeting, Chris would not have to work with the D.O.R. so diligently to set a tax rate based on the current operation, and going forward, any money that is generated within the surplus gets to remain in the operation. Chris concluded by stating that the intent and purpose of this presentation is to ask for the Commission’s consideration relative to the town warrant and then their support in the article vote. Chris referred to page four of the presentation which is the daycare operation beginning balance of July 1st through the end of February, is that it’s sitting at $674,000 almost $675,000. Another $100,000 was almost generated effectively in income for the current fiscal year. Essentially, if they were to extrapolate through the end of the fiscal year, Chris is projecting that they will have additional receipts of $135,000, additional expenses of $85,000 or $86,000. The total projected revenue for the fiscal year would be about $405,000 and the projected total expenses would be about $258,000. The projected fund balance or the projected equity at the end of the year would be about $723,000 almost $724,000 and a set net income of approximately $147,000. Currently, the warrant article that typically goes in the annual Town Meeting is shown in the presentation on page 8. Article 11, as it’s presented, is very close to what Chris is projecting what that revenue could be for this fiscal year however, he doesn’t think that they’ll spend as much as they’re saying that they’re going to raise. Over the last two fiscal years, the department resulted in a structural deficit where they have ended up spending more than they have collected. There was money in an account to make up for that different but had that money not been there, the tax payers would have had to make up that difference in regards to setting the tax rate. The whole basis of moving the offset receipts operation to a revolving fund operation is based on how it should avoid all of that. Unless, COVID were to repeat the same effects over the last two fiscal years. It’s unlikely that that the department will end up in a deficit situation unless some major natural, weather related, or non-biological disaster would they ever see what had happen over the last two years happen again.

Chris Shaw asked to refer back to page 8 and if it is the article that Chris is proposing.

Chris Laviolette said no, his proposal can be found on pages 14 and 15. He proceeded to explain that he is going to present his article first. If Town Meeting should not authorize the creation of the revolving fund, then the Park and Recreation article is still there and that’s what Town Meeting would vote on in May. The idea was to put the articles that he is recommending before the Park and Recreation standard article so that in the event that Town Meeting does pass the revolving fund then article eleven doesn’t have to be voted on, it can be withdrawn on the floor. Chris referred to page ten to give the Commission an idea of what’s happened the last two years. He explained that page ten is a schedule that gets submitted as a part of the setting of the tax rate. They’re estimating revenues at $469,000 for fiscal 2022 which was based on last year. On page eleven was a letter that the Deputy Director had asked Chris to write in support of page 10 so that they would approve the tax rate. Chris said he would like to ideally avoid that by changing the operation from an offset receipts account to a revolving account that all goes away.

Chris Shaw asked if he could assume this is how the idea came to light.

Chris Laviolette said that the thought process started when he was setting the fiscal year 2021 tax rate because he had a similar issue in fiscal year 2021 where their actual receipts were significantly less than what they had promised to collect and it created an issue. The Department of Revenue had worked really hard with him so that they could present information so that it was acceptable for them so that they would approve the tax rate. The $576,000 that was actually available saved them for what had been a shortfall in revenue. This is something that he has been thinking about for a while. He apologized for the last-minute notice. He wanted to take some time to put some of it on paper with the fact that the fiscal year 2022 would be more challenging. He said that he should’ve come to the Commission back in November to let them know what was going on and discuss how they could rectify it going forward and this is the solution as of right now. First, by presenting an article at Town Meeting to ask them to establish a revolving fund, second to establish a spending threshold of $300,000. He wanted the presentation to be as thorough and specific as possible.

Chris Shaw asked how long he has been working for the Town of Raynham.

Chris Laviolette said that he started in July of 2020 on a consulting basis but he has been since the middle of June on a full-time basis. He said he has been doing municipal finance for about thirty-five years. He used to work for the audit firm who did the audit in the Town of Raynham. Prior to that he was the town accountant in Dighton for two years. He had consulted for a while in municipal finance. Prior to that he had been the Finance Director for the Town or Bellingham and he was an auditor for twenty-five years.

Chris Shaw said he is just confused as to how this account not become an issue for longer than twenty years.

Chris Laviolette said that the poor answer would bet hat ignorance of the law is not a defense but unfortunately, a lot of this is exactly that. Beyond that, if there is unawareness with what the law states and enough people are ignorant of the law, then it will just perpetuate. As far as the audit is concerned, the audit is less concerned with the legality of the accumulated balance versus what’s material to the town’s financial statements. Most of the town’s money is spent in the general fund. The Park and Recreation account is accounted for in the special revenue fund which is all of the revolving funds. It’s something that they call receipts reserved for appropriation. When the auditors are looking at the financial statements, to them, it doesn’t matter if they’re a receipts operation or a revolving fund operation because they are in the special revenue fund. The law at that point doesn’t really do a lot as far as the audit is concerned because the financial statements are still correct. Chris said the fact that there hasn’t been a full-time town account in the Town of Raynham in a very long time also comes into play. Frankly, until he was in the process of setting the tax rate for fiscal year 2021, he had never seen or worked in a community that had an offsets receipt operation. He was unaware of it until he saw the law.

Chris Shaw asked if anyone has talked to Ted Pietnik, the town attorney, to see if there is any other interpretation of those laws.

Chris Laviolette said he has not but it is possible. Currently, there isn’t much of an alternative.

Chris Shaw asked if there is any other case law that exists that interprets the definition of those laws any differently.

Chris Laviolette said that there may very well be and it doesn’t hurt to ask.

Chris Shaw said his only thought is that for everybody’s sake that Mr. Pietnik review it. There’s no sense in trying to get this corrected with the Board of Selectman and the Finance Committee if in fact there is something that might exist that gives reason as to why that fund was originally established. It would be beneficial to check that box.

Chris Laviolette agreed. The impetus of what the motivation would have been for establishing an offset receipts operation, back when it was first established, probably had little to do with the law itself. After reviewing both laws, one of the things that the revolving fund law says is that full-time salaries and wages cannot be paid unless benefits are paid as well. The offset receipts law doesn’t have the same language. Chris said that the only thing he could suggest currently is that back when they were looking to setup the operation, they didn’t know if they were going to pay full-time wages from the operation so rather than having to avoid the benefits, they considered looking at the offset receipts law, and try it that way first not realizing that there may be a consequence when more is spent than collected. That’s what raises the flags for anybody.

Chris Shaw said that it makes sense. They could have possibly paid the salaries and benefits to the one or two employees.

Tim said from his interpretation, the way that it’s been running is the way that it’s always been. The money remains in the account as they move forward. As far as the tax rate, that’s something that he would refer to Chris Laviolette for as it is not his specialty. The way it has always been was that those funds were generated and created for this particular program, this account, to go back into this program for anything that is relatively needed such as additional staff, locations, supplies, etc.

Chris Shaw explained an example of his fear would be a situation such as the School Department saying that they need to take the desks and chairs for a classroom so Park and Recreation would have to buy desks and chairs.

Tim said that it actually happened over COVID. It was an unexpected thing because they had to keep six feet between each child. They went out and bought $4,700 worth of desks and chairs. Just getting them in was a process. Tim said that he had ordered them in June and didn’t receive them until the day before school started. It took about three months to get those in due to supply and demand but just that number of desks was unexpectedly right around that $5,000 mark.

Chris Laviolette said that this relates to the other conversation that will have to take place in regards to ensuring that in an instance like that, if something popped up like that, then the Park and Recreation Department can take care of it without having to go back to the town. Chris said that he has some thoughts in his mind that he wants to present to the board and to the committee that he thinks will satisfy everybody. It will make sure that they are complying with the law but it will also give the Park and Recreation Department an opportunity to have a starting place that doesn’t start at zero. Chris asked if the before and after school day program operation continues through the summer.

Tim said that it’s only during the school year and then they switch over to the park revolving account for the summer. The summer program lasts about eight weeks. They’ll have about a half of a week off going into eight weeks and then they’ll have two weeks off before they jump back into the daycare account.

Chris thanked Tim for the explanation. He expressed his hope for the commissions’ support come the Town Meeting in May. He also hopes that the Town Meeting will see the efficacy in this process.

Chris Shaw said he thinks that he can speak for everybody when he says that he’s happy that Chris provided such a detailed explanation in regards to his intent. After reading his presentation, it’s very detailed, and complete which he appreciates. Moving forward, as long as they work as a team to make sure that the needs of the department are met on a yearly basis, after speaking with Chris, he can certainly support it.

Chris Laviolette said that he appreciates the operation. On a personal note, his two children went through daycare all through grade school. It is a bargain. He can appreciate the need that exists for a lot of parents.

Chris Shaw agreed by saying that it’s a great program.

Chris Laviolette concluded by thanking the commission for taking the time to review and discuss his presentation.

Chris called for old business.

**Old Business (2):**

1. *Rental Property*

Tim referred back to the rental property. He has been back and forth with ted. All of the official legal wording is good, the only thing they need to make a few alterations to is the maintenance portion. The Highway has been cutting the grass, clearing the leaves, taking the trash etc. however, the lease says that the renter is supposed to be paying for all of those services but the town has been doing it. Tim stated that he thinks that if it’s the towns land then they should be doing those things. Park and Recreation handled a few capitol improvements lately such as, fixing the garage, siding it, putting in windows, and new doors. The renters take care of regular utility costs so with that continuing, they’ll be in good shape. The question now is what to set as the rent. It is currently $1,150 and that was set back in 2019.

Jim clarified Tim’s suggestion to continue doing the outdoor maintenance.

Tim said yes.

Chris said it’s important going forward to make sure that this is addressed every year.

Tim agreed. He said by law that if they were to do a new lease then it cannot be altered for a year but after that, they can go month to month as long as there is a thirty-day notice in accordinance with the Massachusetts law.

Chris said that raising the rent by $175 is big but it hasn’t been raised in years and with todays rates it is appropriate.

Jim added especially if the grounds are still going to be maintained.

Tim said that they are looking at $1,325 going forward.

Chris made a motion to raise the rent of the Borden Colony property to raise the monthly rent by $175 dollars. Jim seconded and a unanimous vote followed.

1. *Summer Playground Program*

Tim announced some updates in regards to the Summer Playground Program. They are increased up to eight weeks again this year returning to normal numbers after COVID. There are some great field trips scheduled. It will start on a Tuesday this year based on when school ends. The only question he has in terms of fees is the cost of bussing based on the current cost of gas. The tadpole program will be returning for kids who are Pre-K and below. They are trying to get everything back this year from where they left off before COVID.

The chairman called for new business.

**New Business (3):**

1. *Chris Laviolette; Childcare Revolving Account*

Discussed at the beginning of meeting.

1. *Spring Field Use Permit Applications (1)*

The Colonial Road Runners are looking for their annual use of the track at RMS on Sundays from 4:00p.m. – 7:00p.m. July 17, 2022 – August 14, 2022. They have been doing this for years and no fee has been charged. Jim made a motion to approve the Colonial Road Runners Spring Field Use Permit Application for no fee. Chris seconded and a unanimous vote followed.

1. *Griffiths Field Lights*

Tim followed-up with something that was brought up by soccer at the Raynham Youth Summit. They asked him to look at the Griffiths field lights so Tim spoke to T.M.L.P. a couple of times going back and forth. The first step would be to send a letter of inquiry. Tim asked if that is an avenue that they want to pursue at this time because there are two fields currently with lights. Not many complexes have soccer fields with two sets of lights. He thinks that it will be nice to have out there however, there are so many fields, that if they decide to continue to work with T.M.L.P. more, that have lights that need to be replaced. Some could be switched to LEDs. Tim stated that they need to decide what avenue they want to focus on, a whole new project or try to get the other lights on the fields that they have now especially because they only do so many per year. Tim personally thinks that they should focus on fixing the lights that they currently have and once that is completed they can circle back and start a new project.

Chris and Jim both agreed.

**Commissioners’ Reports:**

**Jim Brow:** Nothing to report at this time.

**Chris Shaw:** Is happy to see all of the field in full-use along with the basketball court.

**Staff Reports:**

**Sammi:** Nothing to report at this time.

**Tim reported the following:**

-There were some leaks at the office recently. The grounds will be fixed once they solidify more. This is the second pipe that has gone in the past six months. It’s all old piping that they don’t even have schematics for. It’s been quite the guessing game, they also found an old gas pipe. Something to pay attention to as we are moving forward.

-The other issue is ground water. There is so much water down there, they have been pumping out the basement for about a month now every day. It’s important to protect what’s down there such as the oil tank and phone systems.

Jim asked if it’s failing.

Tim said that it just doesn’t kick on when you need it to. It’s starting to rot away the legs of the oil tank.

Chris said when it does finally dry and the ground water is no longer running through there, they’ll need to get a dehumidifier down there.

Tim said that he will also bring in ServePro for an estimate to clean and avoid any mold that may pop up or get worse.

Chris asked if it’s a dirt floor.

Tim said that in some places it is and some places it isn’t.

-An update on the Gymkhana building. Tim has been talking to the town and nothing has been really done. The patio hasn’t been completed, the inside has been framed. Nothing has really changed in a while. Tim said he has been taking photos of the progress just to stay informed on what’s going on. The Rough Riders are supposed to be starting in two weeks. If the patio isn’t completed then they will have to push back their start date by a couple of weeks. That’s a decision that will also have to e made by next Tuesday or Wednesday. With the rain coming in between the next three days, it’s uncertain how much work will be able to get done.

Chris asked if they can operate without a patio.

Tim said that it could be possible however, the patio is where they do their announcing.

Chris said to possibly reach out to them in regards to that and give them a heads up.

Jim asked what the delay is.

Tim said that there is a lot of things going on. However, it has been five or six months since the construction started and it hasn’t gotten very far.

Chris asked what they’ve done.

Tim said new windows and new siding.

Jim asked if there is any kind of Gantt chart to keep on track with.

Tim said they aren’t involved with anything like that thus far but he can look into it.

Jim said that he would assume with work such as that then the town would have some kind of Gantt chart.

Tim said that he will have to check with Bob on that one.

-Tim said that he has some good news in regards to the Raynham State Forrest. He did speak to them today and the main crew comes back this upcoming Sunday so they will be out there doing work.

Chris asked if they give him a date and the time to let them know because they’d like to go down and check it out.

Jim said that he’s curious what they’re going to do with the trail that goes into the development.

Chris said they can see the flags.

Jim said the trail almost allows for people to walk through someone’s backyard.

Chris said he believes that the area is flagged off as being a water retention area.

Jim said yes there is a retention pond.

Chris mentioned that there is also a retention overflow on the back end of that that’s marked so he thinks as long as they’re on the outside of that retention pond then they are good but they should kind of buffer it.

-Tim further announced that the Easter Egg Hunt will be back this year. It’ll be held this Saturday from 9:00 – 12:00. There will be two different age groups going so it’s nice to have that back. Heather and Sammi are putting together the Easter Egg Scavenger Hunt like they did last year.

-Field prep is well underway. All of the soccer fields and lacrosse fields are all lined. The Highway Department will be working on McKenney Field today and the softball fields so that should be ready to go. They are also going to start to get to Merrill and LaLiberte fields next week so they are on track to get all of those done before the season starts.

-Tim reminded the Commission that he is leaving for vacation next week. He has reached out to all of the leagues and let them know that if there is anything they need from him to let him know before early next week so he can get everything done for them before he leaves.

-Tim concluded by wishing all of the leagues the best of luck this spring.

Jim made a motion to adjourn the meeting. Chris seconded the motion and a unanimous vote followed. The meeting was adjourned at 6:53p.m.

Respectfully Submitted,

Sammi Sturtevant

Administrative Assistant/Recording Secretary