

MINUTES
SHARON BOARD OF SELECTMEN
September 30, 2014

The meeting of the Sharon Board of Selectmen was called to order in the Selectmen's Meeting Room at Sharon Town Hall at 7:00 pm with Chairman William A. Heitin, Clerk John J. McGrath, Selectman Walter B. Roach and Town Administrator Fred Turkington.

State of the State Presentation – State Senator Brian Joyce

State Senator Brian Joyce was present for a brief presentation on legislative matters and overview of the fiscal year 2015 statewide budget and local aid.

FY15 Statewide Budget and Local Aid

- Increases Sharon's total Local Aid to \$8,377,595
- Increases Sharon's unrestricted local aid to \$1,245,640
- Increases Sharon's Chapter 70 education funding to \$6,865,177

FY15 Chapter 90 Funding

- Approves \$300 million in Chapter 90 funds to cities and towns for road and bridge repair
- Should the Governor release the full amount, Sharon will receive approximately \$866,124 in Chapter 90 funding.
- Should the Governor only release \$200 million, as he has in the past, Sharon will receive \$577,416 in Chapter 90 funding.

Transportation Bond Bill

- Includes \$3.5 million for infrastructure and road improvements at the intersection of 1-95, South Main Street and Old Post Road.
- Includes \$5 million for the redesign and replacement of the Maskwonicut Bridge.

IT Bond Bill

- Helps modernize the state's IT infrastructure

Minimum Wage and Welfare Reform

- Increases the state's minimum wage to \$11 per hour by 2017.
- Welfare Reform eliminates waste and protects against fraud and abuse.
- Creates a full-employment program which would match recipients to jobs in the private sector or with community colleges and workforce training programs granting recipients child care assistance and employers tax credits.

Unemployment Reform

- Closes a loophole through which employees work seasonally and then collect unemployment benefits while living out of state during the winter.

Election Reform

- Allows for early voting in biennial statewide elections, starting 11 business days and ending 2 business days before Election Day.
- Establishes an online voter registration system.

Economic Development and Job Creation

- Includes more than \$80 million in targeted investments to spur economic development.
- Increases the amount of financing available for public infrastructure projects that can spur private development, through a financing model that shares the risk between the state, the municipality, and the private developer.

Selectmen Roach thanked Senator Joyce along with Senator Timilty, and Representative Kafka for their efforts in procuring State Funding for the Town of Sharon's 250th Anniversary Celebration.

Selectmen McGrath had a brief discussion with the Senator about the proposed switching station on Canton Street and how best to proceed with NSTAR. Senator Joyce advised the town to have legal binding agreements with NSTAR that have an enforcement mechanism for protection.

Chairman Heitin requested an update from the Senator about the progress of Transportation Bond Bill projects at the intersections of South Main Street and Old Post Road and the Maskwonicut Bridge. Senator Joyce noted the Bond Bill has been signed the Governor which is the first step in the process. The second phase is to release bond funds, which is on hold until after the November election to see if the gas tax is repealed; if so the projects will be prioritized and it is too early to tell whether they may be impacted. Senator Joyce aspires to get the projects underway during Governor Patrick's Administration.

Underground Storage Tank Hearing – Cumberland Farms

MOTION: To open the public hearing
(Roach–McGrath) 3-0 **PASSES**

Mr. Douglas Troyer, attorney for Cumberland Farms and Phil Henry, Project Engineer for Cumberland Farms were present for the hearing.

Mr. Troyer gave an overview of the project which will consist of raising, relocating and rebuilding the existing Service Station and Convenience Store. Attorney Troyer indicated that Cumberland Farms has reached an agreement to purchase the abutting property at 431 South Main Street which is incorporated in the new design.

Mr. Troyer noted that Cumberland Farms is seeking to significantly enhance the site from its current outdated condition, indicating the current tanks date back to 1991. They are proposing to remove the existing 24,000 gallon underground fuel storage tank and 200 gallon above ground fuel tank and relocate and install two new double-wall fiberglass 20,000 gallon underground storage tanks. Each tank will consist of a 12,000/8,000 gallon compartmental split for storage of regular, premium and diesel fuels. One 8,000 gallon tank will be reserved for diesel fuel. The location of the fueling area has changed and they request an additional fueling station, bringing the total from three to four. Mr. Troyer requested a Tank License be granted by the Board to Cumberland Farms.

Mr. Troyer is working with Town Counsel to draft a proposed decision for the Zoning Board of Appeals Hearing on October 22, 2014, in hopes they will reach a decision. They appeared before the Board of Health on July 23, 2014 and received approved for the Hazardous Materials Regulation Substance Application with favorable recommendation.

Mr. Troyer made the Board aware of one opposing resident. As a result, they have dramatically increased their landscaping proposal. They have since had favorable discussions with Ms. Waller and her counsel, Mr. Fishman, and made provisions for certain conditions be placed on the special permit to satisfy concerns. Selectmen Roach asked if they have met with any other abutters to which Mr. Troyer indicated they have not. However, he has been in contact with the Building Inspector to inquire about any others. Selectmen Roach went on to ask if they have had contact with the School Department. Mr. Troyer indicated that as part of the Zoning Board of Appeals process the School was notified and he has not received any opposition from them. Selectmen Roach voice concerns about the proximity of the station to the school and the safety of the students. Mr. Troyer responded that they have taken measures with the recommendation of the Fire Chief, Deputy Fire Chief, and Town Engineer to address and improve traffic safety and fuel delivery safety issues. Mr. Troyer went on to describe the proposed traffic pattern for the site to address these issues. Selectmen McGrath asked about increases in expected usage of the new facility compared to the existing facility. Mr. Troyer states the traffic impact study revealed a minimal impact to traffic however they are seeking ways to mitigate problems by way of

signal-time modification controls at the intersection. Selectmen McGrath noted the traffic signals are controlled by the crossing guards before and after school and increased traffic poses a safety concern in that area. Mr. Troyer does not believe the conditions will be any worse than they are currently.

Selectmen Roached asked about additional notifications to abutters. Mr. Troyer indicated that he submitted an abutters list and mailed letters as required by the Zoning Board of Appeals and Board of Selectmen and voluntarily for the Board of Health to notify abutters of hearings. They have met before the Zoning Board of Appeals on three occasions, once in July, August and September. Ms. Waller was the only known abutter present and discussions to resolve the issues with her counsel, Mr. Fishman, have been favorable. He recalls Mr. Kent having a few calls from other abutters looking for information, but nothing further.

In closing, Selectmen Roach asked Mr. Troyer to keep the School Department aware of the construction timeline. Mr. Farmer, Superintendent of Schools, noted it would be tremendously helpful, for arrival and dismissal purposes, to know when the construction will commence and how long the construction will last so they may communicate this to families that may be impacted. Mr. Troyer agreed to be in communication with the School Department on the project developments.

MOTION: To close the public hearing
(Roach–McGrath) 3-0 **PASSES**

MOTION: To approve the underground storage tank application for Cumberland Farms, Inc. on South Main Street as discussed this evening with condition upon meeting with the School Department and making sure they are well informed of the situation, not only the construction process, but post-construction.
(Roach–McGrath) 3-0 **PASSES**

Review & Approve Consent Calendar

- Vote the question to approve the regular and executive session minutes of September 16, 2014
- Vote the question of approving the banner request for H.U.G.S. from October 20-27, 2014 in the second position to bring attention to Domestic Violence Awareness Month
- Vote the question of approving the banner request for the Department of Veterans' Services from November 3-13, 2014 in the second position to announce their Veterans' Day Program to be held Tuesday, November 11
- Vote the question of approving the banner request for Sharon Lacrosse from October 13-20, 2014 in the second position, from November 4-10, 2014 in first position, and again November 17-24, 2014 in first position to bring attention to Sharon Lacrosse Registration
- Vote the question to authorize the Town Administrator to enter into an Administrative Services Agreement between the Town of Sharon and the ICMA Retirement Corporation and adopt a Resolution for a Legislative Body Relating to a Money Purchase Plan

MOTION: To approve the September 30, 2014 consent calendar
(McGrath–Roach) 3-0 **PASSES**

2014 Special Town Meeting Discussion

Chairman Heitin confirmed the Special Town Meeting will be held on Monday, November 17, 2014 at 7:00 p.m. at the Sharon High School Auditorium. Chairman Heitin indicated the need for a Special Meeting was primarily due to the pending purchase of 175 School Street. Chairman Heitin stated there will be nine (9) Articles on the Warrant. Mr. Turkington asked the Board to review the draft warrant as it will be presented for signatures at the next meeting. The target date to finalize the Warrant for the printer is October 22, 2014. He has asked Town Counsel to provide motions for the articles by October 3, 2014.

Board of Selectmen 2014 Meeting Dates

The Board established meeting dates for the remainder of year as follows:

Tuesday, October 14th

Tuesday, October 28th

Thursday, November 13th (Thursday meeting due to observance of Veterans Day, Tuesday, November 11th)

Thursday, November 25

Tuesday, December 9th

Tuesday, December 23rd

MOTION: To approve the 2014 meeting dates
(McGrath–Roach) 3-0 **PASSES**

Lake Review Committee Appointments

The Board appointed two citizen members to serve on the Lake Massapoag Review Committee.

MOTION: To appoint David Goldstein and Richard Powell to the Lake Massapoag Review Committee
(Roach–McGrath) 3-0 **PASSES**

Goals & Priorities – October 2014 through September 2015

Mr. Turkington asked the Board to give him feedback on establishing Selectmen's Goals and Priorities and hopes to adopt them by next meeting. Chairman Heitin encouraged the Board to reach out to Mr. Turkington to provide comments.

Town Administrator's Report

Mr. Turkington noted the following in his report:

Dispatchers Contract

Reached a tentative agreement for a two-year contract through June 30, 2016 with dispatchers that includes:

- A 2% wage increase for FY2015 and a wage re-opener for FY2016
- Increases longevity pay from \$525 to \$575 for 20-25 years of service and from \$575 to \$725 from 25+ years of service

MOTION: To approve Dispatchers Contract dated July 1, 2014 - June 30, 2016
(Heitin–Roach) 3-0 **PASSES**

Blue Cross Blue Shield

Mr. Turkington outlined the potential savings with Blue Cross by reaching out to members not participating in the managed care program by offering an early open enrollment to switch to the managed care program in an effort to save them and the town money on premiums.

14 Old Post Road

Mr. Turkington met with owners of 14 Old Post Road to go over taxes owed on the property. They are scheduled to meet with the ZBA this month with a 40B proposal. Mr. Turkington reached an agreement to extend the terms of the Tax Title Agreement and make payment of \$30,000 and monthly payments of approximately \$10,000 so all outstanding taxes are paid by October 31, 2015. Agreement is being prepared by Town Counsel. Mr. Turkington noted that if the project proceeds they would have to be current with all outstanding back taxes before building permits would be issued.

Bond Issue

Mr. Turkington has targeted the second week of January for the sale of Bonds.

Camp Wonderland/Salvation Army

Attorney for the Salvation Army - Camp Wonderland followed up with Jim Soby and the neighbors of Longmeadow Lane. They have reached an agreement on modifications to activities at Camp Wonderland. Mr. Turkington will continue to follow-up.

Topics for Next Agenda

Sign warrant, follow-up discussion of Selectmen's goals, complete the hiring process for hiring new Town Treasurer, discuss procedure for handling appointment renewals for Boards and Committees, RFP for Cell Tower Revenue Streams, and RFP for Refuse and Recycling.

Topics not reasonably anticipated forty-eight hours in advance of the meeting

Chairman Heitin made an announcement that the Town of Sharon's 2014 Veterans Day Program will be held Tuesday, November 11, 2014 in Sharon center at the intersections of Billings and Pond Street with the Ceremony being held at 12:00 p.m., with displays from 11:00 a.m. – 1:00 p.m. and a luncheon to follow at Sharon V.F.W. Post 738.

Recess

MOTION: To take a recess at 8:00 p.m.
(Heitin–McGrath) 3-0 **PASSES**

8:45 p.m. Appointment with Cliff Towner –Efforts to Access Information from a Vendor of the Town

Chairman Heitin noted that Mr. Towner was not present for his 8:45 p.m. appointment and suggested the Board reschedule the appointment.

Executive Session

The Board did not hold Executive Session.

Adjournment

MOTION: To adjourn at 8:49 p.m.
(Heitin-Roach) 3-0 **PASSES**

Heitin: Aye
McGrath: Aye
Roach: Aye