

MINUTES

BOARD OF SELECTMEN MEETING

March 20, 2012

6:30 p.m.

The meeting of the Board of Selectmen was held at 6:35 p.m. in the Sharon Town Hall with Chairman Richard Powell, Selectman William A. Heitin, Selectman Walter Joe Roach and Town Administrator Benjamin Puritz.

- **VOTED:** (Heitin/Roach) Voted unanimously to move into open session

- **VOTED:** (Heitin/Roach) Voted unanimously to move into Executive Session to discuss bargaining regarding pending litigation re; 411 East Foxboro Street and Health Insurance negotiation and further move that discussion of these matters in open session would be detrimental to the Town. At the conclusion of Executive Session the Board will resume in Open Session.

Reconvened in Open Session at 6:55pm

LOU MODESTINO: CANDIDATE FOR 4TH OF JULY COMMITTEE

- Mr. Modestino said he has the time and he would like to volunteer on the 4th of July Committee. He said he has attended the event many times and would like to make a contribution to its continued success.

- **VOTED:** (Heitin/Roach) Voted unanimously to appoint Lou Modestino to the 4th of July Committee

CHERYL WEINSTEIN: DISCUSSION REGARDING PROPOSED FOXBORO CASINO

- Ms. Weinstein said that she believes Sharon should participate in the "wider community" and join the efforts of neighboring towns against the casino by sending a letter to the Town of Foxboro in opposition to the proposed casino. She said that other Towns have sent a letter to Mr. Kraft asking that he not move forward with the casino. Chairman Powell said that all of the Selectmen have been approached and they are not prepared to act at this time but they will take the issue under advisement. He asked that she leave her materials in order to allow the Board to review them. She said that she believes that the Casino Gaming Statute provides adjoining communities with rights and responsibilities. Chairman Powell said it is important for the Town to understand its rights as an abutting community and asked Ms. Weinstein to leave materials for the Selectmen.

REBECCA WEISS: ONE DAY LIQUOR LICENSE AT THE SHARON COMMUNITY CENTER

- **VOTED:** (Heitin/Roach) Voted unanimously to approve the one-day liquor license for Rebecca Weiss at the Sharon Community Center on April 21st conditioned upon final insurance examination and review by the Sharon Police Chief.

DISCUSSION WITH BOARD OF HEALTH REGARDING ISSUES CONTROLLING GEESSE POPULATION AT LAKE MASSAPOAG

- Suzi Peck, Chairman of the Board of Health, said that in the summer there are times when there are high counts in the lake. She said an obvious source of the problem could be geese. The Lake Management Committee met with the Board of Health regarding the various potential sources including geese and even dogs. There was discussion about the possibility of putting up the fence again at least during the summer and beginning in the spring. Selectmen Heitin said the last time there was a fence at the lake was 25 years ago. He said they stopped using the fence because the geese did their business on the beach behind the fence and as soon as the fence was taken down by the staff in the morning the geese would enter the lake. Town Administrator Puritz displayed the *Away with Geese* tool which is supposed to deter the geese by sending out an optic beam. It is installed in a concrete footer. The beam is at the "goose eye level" and is installed every 500 feet. There is hope that this will deter the geese from congregating. The Recreation Department has purchased four *Away with Geese* mechanisms. Ann Bingham said that approximately ten years ago the Town utilized a dog named Roy to deter the geese. Everyone is in agreement to give *Away with Geese* a chance.

APPROVAL OF MINUTES

- **VOTED:** (Heitin/Roach) Voted unanimously to approve the Regular Session and Executive Session Minutes of February 28, 2012 as written

APPROVAL OF BANNER REQUESTS

- **VOTED:** (Heitin/Roach) Voted approval of banner request from 4th of July Committee and Road Race from June 25 – July 9, 2012 (1st position) with a fee waiver

- **VOTED:** (Heitin/Roach) Voted unanimously to approve the banner request from Lakeside Gallery from April 9 – April 16, 2012 (1st position) with a request that the fee be waived

VOTED TO SIGN THE 2012 ANNUAL TOWN MEETING WARRANT

- **VOTED:** (Heitin/Roach) Voted unanimously to sign the 2012 Annual Town Meeting Warrant but to move Article 22 of the Annual Town Meeting which bans dogs to Veteran's Memorial Park and beach to Article 3 of the Annual Town Meeting and move the Election of the Finance Committee Members from Article 3 of the Annual Town Meeting to Article 6 of the Annual Town Meeting and to renumber the remainder of the articles accordingly.

A member of the audience, Rich Reynolds, asked a question about the Desso purchase. He said he understands why we are moving forward at this time with the Desso purchase but questioned the potential use of the parcel. Selectman Heitin said the Article and the deed will limit the use of the land for utilization by the Water Department. Joel Stein asked if the Town could save money by taking the land by adverse possession. The Board said the legal costs for adverse possession are greater than the cost of purchasing it. In addition, the Selectmen said that the motion at Town Meeting will limit the use of the land for water department use.

Finance Director Bill Fowler reviewed the Special Meeting Articles with the Board.

The Board of Selectmen positions on the articles are below:

POSITIONS ON THE 2012 ANNUAL TOWN MEETING ARTICLES

<u>ARTICLES</u>	<u>Pages</u>
<u>—</u>	<u>Yes - U</u>
SPECIAL WITHIN THE ANNUAL	—
1 -Request that funds from prior years encumbrance be set aside for use on the FY 2014 Revaluation.	Yes - U
2 - Article to rescind capital borrowing authorized at Town Meeting/never borrowed	Yes - U
3 - Reallocations on money left over from prior borrowings	Yes - U
4 - Debt Budget appropriations	Yes - U
ANNUAL TOWN MEETING	
1. Permit all Alcohol package store sin certain districts; Shaw's Sharon Commons and Route 1	Yes - U
2. Lessen number of seats for on-premises Liquor licenses in certain districts ask Ben all business districts	Yes - U
3. Article to ban dogs from Veteran's Memorial Park and Beach	No - U
4. Personnel Bylaw	Yes - U
5. Budgets/Compensation of Elected Officers	Yes - U
6. Finance Committee Members	Hold - U
7. Norfolk County Retirement	Yes - U
8. Addition to Stabilization Fund	Roach -Y Powell - Hold Heitin - Hold
9. Unemployment	Yes - U
10. Sharon Friends School Fund records and appointments	Yes - U
11. Act Upon Reports	Yes - U
12. Annual Audit	Yes - U
13. Capital Outlay Articles	Yes - U
14. Requires second hand shops for the purchase, sale or barter of certain metals, jewelry, second hand articles and electronics to obtain a license issues by the Board of Selectmen.	Yes - U
15. Permit Police Department to fingerprint and CORI Check door to door hawkers and peddlers in community	Yes - U
16. Veterans' Exemption	Yes - U
17. Community Preservation Committee Annual Funding - Administrative Expenses and Articles	Hold - U
18. To allow eligible people who are homebound to participate in the work-off program by allowing another individual to take their place in the work-off program.	Hold - U
19. Purchase of Diesso Property for \$10,000 - for Water Department purposes.	Yes - U
20. Accept and adopt and implement FEMA Flood Maps	Yes - U
21. Revise flood plain by-law to adjust for FEMA Flood Map change	Yes - U
22. Recreation Advisory Committee - Reevaluate purpose, number of members etc..	Yes - U
23. Creation of an Adult Use Zoning district in order to prevent the forcible location of adult uses in inappropriate locations (Planning Board)	Yes - U
24. Revolving Fund Authorizations	Yes - U

CHRIS PIMENTAL: CANDIDATE FOR WATER MANAGEMENT ADVISORY COMMITTEE

Mr. Pimental said he has been active in water conservation since the mid-1990s. He said he is an attorney who has been involved in start-ups most recently in renewal energy. He said he works for a company that manages Energy Services Company for companies under performance contracts. He said he has been attending Water Management Advisory Committee meetings for the last several months.

AWARD BID FOR DELIVERY OF 2012 ANNUAL TOWN REPORT

VOTED: (Heitin/Roach) Voted unanimously to award the bid for delivery of the 2012 Annual Town Report for \$1200 to Troop 95 of the Boy Scouts

SALE OF OBSOLETE ELECTION EQUIPMENT

VOTED: (Heitin/Roach) Voted unanimously to approve the transfer, without cost, sale, give away or disposal of the Optech III Eagle election equipment.

SUPPLEMENTAL AGENDA**APPOINTMENTS TO THE ZONING BOARD OF APPEALS**

Chairman Powell explained that John Lee had taken a leave from the Zoning Board to serve in Iraq. The Board praised Mr. Lee for his service to our country and explained that they were going to reappoint Mr. Lee to the Board. Larry Okstein had replaced him during his absence as a Regular and would be appointed as an alternate.

VOTED: (Heitin/Roach) Voted unanimously to appoint John Lee to the Zoning Board of Appeals and Larry Okstein as an Alternate to the Zoning Board of Appeals.

LETTERS TO LEGISLATORS IN SUPPORT OF AMENDMENTS TO HR 1776

- Town Administrator Puritz explained that the legislation has to do with the capacity and credits for Solar Energy projects. The proposed amendment would stipulate that there be private credits and public credits. The bottom line is that projects such as the Sharon landfill will be at a disadvantage if public credit and private credits are combined. The pending amendments to HR 1776 legislation would remove this inequitable playing field for public projects. Town Administrator Puritz said that there is a potential of \$200,000 annual savings for the Town.

- **VOTED:** (Heitin/Roach) Voted unanimously to sign letters to Senator Timilty, Senator Joyce and Representative Kafka in support of amendments to HR 1776

- Chairman Powell said the Board plans on going into Executive Session in part discuss the Health Insurance process. He said the Board is very aware of the time constraints and for that reason the Board has posted a meeting for Thursday in order to meet the timelines which are in place. Firefighter Union President Davenport asked that the Board not enact this legislation and return to traditional collective bargaining.

- **VOTED:** (Heitin/Roach) Voted unanimously to move into Executive Session to discuss Collective Bargaining - Fire Department negotiations, Police and Police Dispatcher negotiations, Health Insurance negotiation strategy. Property negotiations re South Main Street eminent domain. Bargaining with non-represented personnel, Comcast negotiations and any discussion of these items in open session will be detrimental to the Town's position and at the end of Executive Session to adjourn for the evening. .

The meeting adjourned at 8:10 p.m.

Powell: Aye

Roach: Aye

Heitin: Aye