

MINUTES
BOARD OF SELECTMEN MEETING
Tuesday, September 20, 2011
7:00 p.m.

The meeting of the Board of Selectmen was held at 7:35 pm in the Sharon Town Hall with Chairman Richard A. Powell, Selectman Walter Joe Roach and Town Administrator Benjamin Puritz

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SECTION I. – APPOINTMENTS

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GARY SMITH REPRESENTING THE OLD COLONY Y – ONE DAY LIQUOR LICENSE

Gary Smith of Peppercorn's Restaurant is representing the Old Colony Y.

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VOTED: (Roach/Powell) Voted unanimously to approve the one-day liquor license for Old Colony Y at the Sharon Community Center on October, 1, 2011

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DAVID SELZBERG – ONE DAY LIQUOR LICENSE

VOTED: (Roach/Powell) Voted to approve the one-day liquor license for David Selzberg at the Sharon Community Center on October 22, 2011

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RECREATION DIRECTOR BRETT MACGOWAN: HALLOWEEN PARADE

Recreation Director MacGowan explained that this is the 33rd Annual Halloween Parade. The parade is being moved from Monday October 31st at 4pm to Sunday October 30th at 2pm. in order to allow as many children as possible to participate. The Recreation Advisory Committee supported this recommendation. Chairman Powell and Selectman Roach are both in support of the change.

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VOTED: (Roach/Powell) Voted to move the Halloween parade from Monday October 31st at 4pm to Sunday October 30th at 2pm.

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JOHN DAVID AND KAREN FRIEDMAN: DISCUSSION BY SACRED HEART COMMITTEE TO DISCUSS RFP

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Mr. Davis explained that an RFP was sent out last year focusing on the building of an indoor swimming pool. The only responses to the RFP included residential housing which was not a use that the Board of Selectmen expressed any interest in. Therefore, the Sacred Heart Committee didn't recommend moving forward with either of the proposals. Karen Friedman who serves as the Chair of the Sacred Heart Committee discussed changes to the RFP which included; decreasing the emphasis on the indoor swimming pool. The Sacred Heart Committee also spoke to the various sports groups who all requested fields in their respective sports. The Committee will be expanding the list of RFP recipients including medical facilities that might include a pool. They have stricken any mention of residential from the matrix. Mr. Davis said they would like to get the proposals out shortly with a response date of late January 13, 2012. Mr. Davis also said if the Town doesn't receive a suitable response to the RFP he believes that it might be necessary to tear the building down because of safety concerns. Selectman Roach said that he would like to continue exploration of adding fields during the time the RFP is open. Selectman Roach said he would like to pursue with the Conservation Commission utilizing the land between the parking lot and the tennis court. In response to a question from Selectman Powell Finance Director Bill Fowler said you cannot

borrow money to knock the building own. It was also pointed out that CPA funds cannot be used as well.

Chairman Powell asked that the language in the RFP related to taxes be changed to include language that the successful applicant will pay property taxes.

JANET PENN: INTERFAIRTH ACTION/OUTH LEAD PROJECT UPDATE

Ms. Penn's presentation has been moved to October 4, 2011.

SUSAN PRICE PLANNING BOARD CHAIR: DISCUSSION OF PLANNING BOARD ARTICLES FOR 2011 TOWN MEETING

Planning Board chair Susan Price came before the Board to discuss the six articles sponsored by the Planning Board and another Zoning articles sponsored by private petitioners. She said the first four articles are related to Post Office Square. The articles is a division of the large article from last year's Town Meeting into four distinct articles. The four articles are: 1 - PO Square uses, site plan approval and definition – the goal of this change is to encourage more building in PO Square 2 – Change in PO Square dimensional standards - the goal of this change is to encourage that the buildings be closer to the sidewalk an bring the parking to the rear of the building. 3 – PO Square Parking and Loading – the goal of this change is to reduce some of the loading and parking standards 4 – PO Square Affordable Housing – the goal of this change is to ensure that developments of more than 8 units include 12.5 % affordable units. This is consistent with the Housing Production Plan.

Eli Hauser a member of the Planning Board discussed the Septic Issues impacting the development of Post Office Square. He also discussed a survey that was sent out to the PO Square owners regarding their septic system concerns and needs. Not one of the owners that responded to the survey said they were willing to spend any extra money for increased sewerage capacity. He said the only large site that really needs attention is Anthony Delapa's property. As this is private property it is up to Mr. Delapa to increase his sewerage capacity as it is private property. The Board of Health met with the Planning Board and said that currently there are no failing systems in Post Office Square.

The other two articles that are being sponsored by the Planning Board. The first relates to lot shape - tweaking the language as it relates to lot width to make it a little stricter. The second relates to instituting a \$300 fine in the general by-law if a tree located on a scenic roadway is cut down. Chairman Powell asked if everyone scenic road is marked. It seems that they are not. There are about 20 stone walls. Also, if a stone wall is destroyed the violator can be fined as well. One of the other two articles not being sponsored by the Planning Board is an amendment to the Zoning Bylaws with a new definition of Assisted Living Facilities. The Planning Board has declined to sponsor this article. This article is being sponsored by Epoch Senior Living Associates. The second is to add landscaping businesses as permitted uses in the Light Industrial District.

FY 13 BUDGET: WEIGHTS AND MEASURES - CHARLES HEALY

Mr. Healey discussed his responsibilities which include checking gasoline pumps, scales at grocery stores, He discussed the various components of his \$4,542 budget which includes a salary, mileage and membership in two organizations.

VOTED: (Roach/Powell) Voted to appoint Charles Healey as Sealer of Weights and Measures with a term to expire December 31, 2012

FY 13 BUDGET: CIVIL DEFENSE – MICHAEL POLIMER

Mr. Polimer said his budget request is \$9,772 which is the same as last year. He said that the Fire Department paid

his electric bills related to the communications repeater. There was discussion about whether the Town should be reimbursed by the county for this expense.

FY 13 BUDGET: VETERANS' SERVICES, VETERAN'S GRAVES, COMMUNITY CELEBRATION – PAUL BERGERON

Paul Bergeron said that the Veterans Services budget item helps provide financial services to Veterans. He said each year the expenses are flexible because of the various needs. The budget is approximately \$32,075. He discussed the process of providing assistance to needy Veterans. He said his request for Veterans Graves is \$3,700 which includes expenses for flags and grounds maintenance. Mr. Bergeron said the request for Community Celebrations is \$2,588.00. Selectman Roach spoke about recognizing Sharon residents when they return home after military service.

APPROVAL OF BANNER

VOTED: (Roach/Powell) Voted to approve the banner request by Doug and Jane Kelly which acknowledges the Service of Sharon's two U.S. Marines from October 5-14, 2011 (1st position) and to waive the fee.

SUPPORT OF SHARON HISTORICAL COMMISSION REQUEST

David Martin of the Sharon Historical Commission said he is seeking support from the Selectmen for Community Preservation Committee funds for the purchase of Sharon Antique Fire Ladder 1.

VOTED: (Roach/Powell) Voted to support the purchase of Fire Ladder 1 with CPA money

ELDERLY AND DISABLED TAX FUND

Rob Maidman of the Council on Aging board said this would allow a voluntary tax check-off to assist those in the community who are elderly and disabled. He said they are asking for the Board of Selectmen's support. The Selectmen said they are supportive but will vote on this once they take positions on all of the articles.

FY 13 BUDGET: LAW BUDGET – TOWN ADMINISTRATOR BEN PURITZ

Town Administrator Puritz said the expenditures in this account have been approximately \$129,99 - \$130,000 annually. The ten year average is approximately \$125,000. He said the Town's legal team consists of General Counsel Richard Gelerman and Labor Counsel Mike Lehane. He said the FY '13 budget request is \$129,122 with the up budget being \$131,794.

APPROVAL OF MINUTES

Chairman Powell said that the minutes of September 6, 2011 would be held until the next meeting.

PURCHASE OF NEW VOTING EQUIPMENT

VOTED: (Roach/Powell) Voted to approve the discontinued use of the OPTECH Eagle III voting equipment and approve the use of AccuVote (AVOS) optical scan voting equipment at the March 6, 2012 Presidential Primary and all future election in the Town of Sharon.

VOTE TO ADOPT PUBLIC SAFETY MUTUAL AID LAW – PUBLIC WORKS MUTUAL AID LAW

Town Administrator Puritz said he sees no downside to participating.

- **VOTED:** (Roach/Powell) Voted to become part of the mutual aid system for public safety and public works MGL c40 s4J and MGL c40 s4K

- **APPROVAL OF INCREASE IN NEW WATER RATES**

- Chairman Powell said that the hearing will be held until the Board has a full complement.

CLOSING OF WARRANT FOR NOVEMBER 14, 2011 FALL TOWN MEETING AND PRELIMINARY SEQUENCING OF ARTICLES

GENERAL DISCUSSION

- Chairman Powell and Selectman Roach removed four articles from the draft list of articles:

- Placeholder article that would ban all dogs from Memorial Beach as the Selectmen didn't receive info. prior to deadline
- Local meals tax option as the Selectmen didn't want to burden local residents and wanted to encourage business for local restaurants. .
- Potential purchase of Town owned property next to 810 South Main Street (Shaw's Plaza) was removed as the parcel is ConCom land requiring an Article 97 Conversion.
- Community Preservation Committee funding request for Station Street Park which is a one acre lot abutting Wilber School parcel. This was removed because once CPC funding is received this limits what can be done on the property

Selectman Roach also raised reservations about the Article that would ask for authorization to borrow for Water Department projects. He said that as the water rates are most likely increasing he believed that this was overkill.

November 14, 2011
Town Meeting
Articles

1. Acquire or take by eminent domain land on South Main Street by Gavins Pond Road for highway purpose	BOS	
2. Elderly and Disabled Taxation Fund – To accept voluntary donations to assist low income, elderly and disabled pay their property taxes.	COA & Commission on Disabilities	Selectmen in favor
3. Zoning by-law change – PO Square Uses, Site Plan approval and Definition	Planning Board	
4 – Zoning by-law change – PO Square Dimensional Standards	Planning Board	
5 – Zoning by-law change – PO Square Off-street Parking and Loading	Planning Board	
6 – Zoning by-law change – PO Square Affordable Housing	Planning Board	
7 – Edit scenic road by-law to include a \$300 fine for cutting down each tree	Planning Board	
8 – Rescind authorizations to borrow on assorted items	Finance	

	Director	
9 –Citizen’s petition to convert management of a parcel that the Town owns at the end of Oakland Road from Board of Selectmen to Conservation Commission	Paul Vitali	
10 – Zoning Amendment Petition – Route 1 – Change of zoning to allow Landscaping/Nursery Business (675 General Edwards Highway) use in Light Industrial District	Martha Raider	
11 – Amend Zoning by-laws – New definition of Assisted Living Facilities	Epoch Senior Living	
12 – Zoning by-law change –Lot Shape	Planning Board	
13 – Authorization to borrow for water department projects		
14 – Accept local motel/hotel rooms tax	Finance Director	
15 – Community Preservation Funding Request – Purchase Antique Fire Truck	CPA	
16 – To accept deeds in lieu of foreclosing on certain parcels	Finance Director	

- **VOTED:** (Roach/Powell) Voted to close the 2011 Fall Town Meeting Warrant as read and to remove the Article regarding CPA funding for Station Street Park thereby leaving the Warrant with 16 articles.

- **PETITION OF MARTHA RAIDER FOR NOVEMBER TOWN MEETING.**

- **VOTED:** (Roach/Powell) Voted to accept and convey to the Planning Board the zoning amendment petition of Martha Raider

- **APPROVAL OF BANNER REQUEST**

- **VOTED:** (Roach/Powell) Voted to approve the banner request by the Council On Aging for the week of October 24 – October 31, 2011 (2nd position)

VOTED: (Roach/Powell) Voted to approve the banner request by Temple Sinai for the week of November 14 – 21 (1st position)

- **MOVE INTO EXECUTIVE SESSION**

VOTED: (Roach/Powell) Voted to move into Executive Session to discuss Collective Bargaining: AFSCME update and Pending Litigation re Glassman The discussion of these items in open session would be detrimental to the position of the Town and at the end of Executive Session to adjourn for the evening.

The Board adjourned to Executive Session at 8:25pm

Powell: Aye

Roach: Aye

