

**MINUTES**  
**SHARON BOARD OF SELECTMEN**  
April 16, 2014

The meeting of the Sharon Board of Selectmen was called to order in the Selectmen's Meeting Room at Sharon Town Hall at 7:32pm with Chairman Walter "Joe" Roach and Selectman William A. Heitin.

**FY15 Budget Discussion – Southeastern Regional School District**

Attending in the place of Superintendent Luis Lopes is Michael Morris, Business Manager. School Committee member Mindy Kempner was also present for the discussion.

Mr. Morris provided an overview of Southeastern's FY15 budget. For FY15, the enrollment is expected to be 1,356. He noted that regional transportation is very important to all regional schools and more funding is always needed by the state. Southeastern's budget increase is 1.73% over last year. Sharon's contribution will be a \$4,952 decrease from FY14 and will be \$228,594, as Sharon's enrollment data decreased from 18 in FY14 to 17 to FY15. Sharon's cost for transportation for FY15 is \$6,972.

The Board noted that Southeastern does a great job educating their students and thanked Mr. Morris and Ms. Kempner for their time.

**Approval of Employment Agreement for FY15-FY17 – Fire Chief Jim Wright**

Chairman Roach noted that this is a three year agreement, from July 1, 2014 through June 30, 2017. He noted the compensation for each of the three years. Chief Wright noted that it's been almost three years since he came to Sharon. Selectman Heitin added that the Chief has been responsive to the needs of the Board and the Town.

**MOTION:** To approve the employment agreement between Chief Wright and the Town of Sharon, signed this 16<sup>th</sup> day of April 2014, for a three year contract FY15-FY17  
(Heitin – Roach) 2-0 **PASSES**

Chief Wright announced that on Sunday, May 4 from 8:30am to 11:30am, there will be open houses at both the fire station and the police station. There will be a free pancake breakfast after the fire station tour. The Board encourages residents to tour both buildings.

**Remote Participation Discussion – Town Counsel**

Town Counsel Richard Gelerman and Cindy Amara were present for the discussion. Selectman Heitin noted that Town Meeting approved the Board to consider the option to allow the town boards/committees to have their members vote remotely.

Attorney Amara highlighted the components of remote participation, including the fact that it must be done via audio. The majority of the Board must physically be present to allow for remote participation. Once allowed, it is allowed for every board/committee. The Board has the authority to revoke this policy in the future, if they chose to do so.

**MOTION:** To allow remote participation by a member of a public body in accordance with the requirements of 940 CMR 29.10. This vote shall apply to all subsequent meetings of all local public bodies in the Town of Sharon.

(Heitin – Roach) 2-0 **PASSES**

#### **Acceptance of Conservation Restriction and Quitclaim Deed – Mont Fern Avenue**

Attorney Gelerman provided copies of the conservation restriction and quitclaim deed for the Board to sign.

**MOTION:** To accept the conservation restriction and quitclaim deed to the Town granted by William and Susan Brandt for three acres located on Mont Fern Avenue, as discussed tonight.

(Heitin – Roach) 2-0 **PASSES**

#### **Review of Sharon Commons Residences**

Attorney Mike Khoury and Attorney Cindy Amara have worked on a memorandum of understanding for Sharon Residences.

Attorney Gelerman explained that the memorandum of understanding is similar to the agreement from 2013. This agreement falls within the 40R zoning. The southern parcel is to be developed as an assisted living facility with up to 88 assisted living units with a wastewater treatment facility. Benchmark has expressed an interest in this parcel. The current development plans for the northern parcel are for no more than 192 residential rental apartment units, of which 25% shall be designated affordable units, with one-third to be two-bedroom units and two-thirds to be up to one bedroom units. Attorney Gelerman went on to say that there will be a \$25,000 affordable dwelling payment to the Sharon Housing Partnership.

Selectman Heitin noted that this development, with 192 units, is smaller than what was approved at Town Meeting and that this project would bring us above the 10% threshold for affordable housing and would block any 40Bs, post approval by the Zoning Board of Appeals.

**MOTION:** To approve the Notice of Memorandum of Understanding dated April 9, 2013, the Notice of Amended and Superseding Memorandum of Understanding dated April 16, 2014 and the Memorandum of Understanding, as discussed this evening

(Heitin – Roach) 2-0 **PASSES**

The Board took a five minute recess to execute the documents. The Board returned to open session at 8:16pm.

Attorney Gelerman noted that his office has received the signed first amendment to the Brickstone development agreement. The agreement requires that they receive approval for 98 residential units before they are obliged to fulfill their obligations in the development agreement. There was concern as to what would happen if they only developed 97 units. The zoning before Town Meeting requires compliance with the development agreement.

There was a concern raised that the land we are acquiring will have a great deal of infrastructure on it, which will diminish the value of the acquired property. There is clarification as to what infrastructure it

may be and Attorney Gelerman noted that the developer did make a commitment to keep as much of this infrastructure off the acquired property.

Additionally, up to four of the 98 lots can be acquired by the Conservation Commission at fair market value. In this amendment to the development agreement, the Town must notify the developer by the November 2015 Fall Town Meeting.

Selectman Heitin thanked Attorney Gelerman for the update. He noted that the Board has been contacted by a national developer to discuss the possible development at Rattlesnake Hill and will be discussing this at the April 22 meeting.

### **Approval of Minutes**

**MOTION:** To approve the regular and executive session minutes of April 1, 2014  
(Heitin – Roach) 2-0 **PASSES**

### **Banner Request – Sharon Recreation Department**

**MOTION:** To approve the banner request from the Sharon Recreation Department for their Beach Pass Sale and Summer Programming banner from April 21-28, 2014 in the first position and June 2-9, 2014 in the second position, with the fee to be waived  
(Heitin – Roach) 2-0 **PASSES**

### **Conservation Commission Appointment**

**MOTION:** To appoint Alan Westman to the Conservation Commission for a term to expire on December 31, 2017  
(Heitin – Roach) 2-0 **PASSES**

### **2014 Outdoor Watering Restrictions**

The Water Department recommends that the Board re-implement the two-hour, two-day per week restriction, to be effective May 1, 2014 through October 1, 2014, that outdoor water use be restricted to odd numbered homes to 6:00pm to 8:00pm on Mondays and Thursdays and for even numbered home to 6:00pm to 8:00pm on Tuesdays and Fridays.

**MOTION:** To approve the 2014 outdoor watering restrictions from May 1, 2014 through October 1, 2014, that outdoor water use be restricted to odd numbered homes to 6:00pm to 8:00pm on Mondays and Thursdays and for even numbered home to 6:00pm to 8:00pm on Tuesdays and Fridays  
(Heitin – Roach) 2-0 **PASSES**

### **Extend Chlorinated Rubber Line Painting Contract**

**MOTION:** To extend the chlorinated rubber line painting contract with Standard Line Paint Co. of Taunton for another twelve-month period, from May 1, 2014 through April 30, 2015  
(Heitin – Roach) 2-0 **PASSES**

## **Revised Town of Sharon Alcohol License Regulations**

**MOTION:** To approve the revised Town of Sharon alcohol license regulations, as drafted  
(Heitin – Roach) 2-0 **PASSES**

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

Chairman Roach encouraged residents and business owners to consider purchasing a banner for the 250<sup>th</sup> Anniversary for \$300, as there are only 30 remaining.

## **Executive Session – 8:30pm**

**MOTION:** To enter into Executive Session to discuss real property transfer, DPW collective bargaining, and pending litigation, and at the end, to adjourn for the evening. Discussion of any of these items in open session would be detrimental to the Town.

Roach: Aye  
Heitin: Aye

## **Adjournment**

**MOTION:** To adjourn at 9:00pm

Roach: Aye  
Heitin: Aye