

MINUTES
SHARON BOARD OF SELECTMEN
March 14, 2018

The meeting of the Sharon Board of Selectmen was called to order at 1:00pm in the Town Hearing Room at the Sharon Community Center with Chairman John J. McGrath, Selectman William A. Heitin, Selectman Walter B. Roach, Town Administrator Frederic E. Turkington, Jr. and Assistant to the Town Administrator Lauren Barnes. The meeting commenced with the recitation of the Pledge of Allegiance.

Conditional Offer of Employment - Christopher Dumais

Chief Kaufman appeared before the Board and explained an immediate opening has occurred due to the transfer of Officer Ryan McGrath to the Foxborough Police Department. Mr. Dumais has been fully vetted and he was recently approved by the Board of Selectmen to be a Sharon Special Police Officer. As previously discussed, we agreed to create a candidates list for future hires from the last (and final) Civil Service list pending the implementation of a new non Civil Service written exam. Mr. Dumais is the only name left on this list from our previous discussions. We are currently planning for a written entry level exam for police officer later this year. Chief Kaufman then provided the Board with Mr. Dumais' credentials.

MOTION: To recommend a conditional offer of employment as discussed
(Heitin - Roach) 3-0 **PASSES**

Special Police Officer Appointments - Simon & MacDonald

Chief Kaufman appeared before the Board and provided the Board with Mr. Simon's and Mr. MacDonald's credentials. A thorough background investigation has been completed on both candidates, and the Chief is confident both will be excellent additions to the Special Police Division.

MOTION: To appoint Maximilian Simon as a Special Police Officer to the Sharon Police Department, as recommended
(Heitin - Roach) 3-0 **PASSES**

MOTION: To appoint Matthew MacDonald as a Special Police Officer to the Sharon Police Department, as recommended
(Heitin - Roach) 3-0 **PASSES**

One-Day Liquor License - Ward's Berry Farm for Private, Family Event

Bob Ward of Ward's Berry Farm appeared before the Board. He explained to the Board that he is seeking one-day liquor licenses for two private family events for his nieces, one on August 3 and the other on September 29. He knows the issues may be of sound and traffic and will work to mitigate both. He is also interested in talking more about the general option of hosting private events where alcohol is served. The Board noted that every private event would require a license, and the concept is good, but Mr. Turkington explained that staff would need to review plans each time to ensure parking and noise will not be a problem for neighbors.

MOTION: To approve a one-day liquor license for August 3, 2018 and September 29, 2018, as discussed
(Heitin - Roach) 3-0 **PASSES**

Cultural Council Interview - Kathleen Nasti

This interview will be rescheduled for the March 27 meeting.

Civil Defense Relocation Discussion

Civil Defense Director Michael Polimer, Michael Corman and Chuck Levine appeared before the Board.

Chairman McGrath asked Mr. Polimer if Civil Defense were to be able to pick their site, what would be their order of preference. They would like to be in the PSB/DPW yard as their first option, then somewhere in the Deborah Sampson property. Chairman McGrath noted that the PSB/DPW property is not an option. With respect to the Deborah Sampson property, there are three options - in the "triangle" area (across the street to the right of the ballfields), and then on Parcel F, parallel to Cedar Street (this would require further exploration and would likely require a land swap), near the dog park. Mr. Polimer believes the location in the back corner on Parcel F is a good location, and screening (trees, bushes, etc.) could be added so the building isn't as visible. This location is their first preference. He went on to say that the "triangle" area is also a fine site, but would require a land swap. Recreation Director Linda Berger noted that the location area proposed near the tree line on Parcel F would be okay with the Recreation Department and the Recreation Advisory Committee.

Selectman Roach asked if Civil Defense will have enough money to construct the building if an underground tank is discovered on the site. Mr. Turkington noted that there are only several weeks to modify the figure for the Town Meeting Warrant, and if a tank is not discovered, then the additional funds will be returned. Selectman Heitin believes the "triangle area" is the best place, but is fine with the back corner on Parcel F. Selectman Roach said he spoke with Town Engineer Peter O'Cain about the "triangle" area, and the steep grade to South Main Street would make it difficult. Chairman McGrath summarized that the Parcel F site is Civil Defense's first choice and the "triangle" area as their second choice. Mr. Coman added that if the town cannot purchase the house at the corner of East Foxboro Street, an easement could be obtained.

MOTION: To look first at the parcel in the corner [on Parcel F], as discussed, and the "triangle" area as a fallback

(Heitin - Roach) 3-0 **PASSES**

Annual Town Meeting Warrant Article Order

	#	Article	Sponsor
CA	1	Appoint Finance Committee Members & Nominating Committee of the Finance Committee Members	Nom. Cmte. of the Finance Committee
CA	2	Act on Reports	Board of Selectmen
CA	3	Sharon Friends School Fund Records & Appointments	Board of Selectmen
	4	Personnel By-Law	Personnel Board
	5	FY2019 Budget & Compensation of Elected Officials	Finance Committee
	6	Capital Outlay	Board of Selectmen
	7	Application of Bond Premium	Board of Selectmen
	8	Community Preservation Act Annual Funding & Projects	Community Preservation Committee
	9	Norfolk County Retirement Annual Assessment	Board of Selectmen
CA	10	Unemployment Fund	Board of Selectmen
CA	11	Funding Other Post-Employment Benefits (O.P.E.B.) Trust Fund	Board of Selectmen
	12	Funding Stabilization Fund	Board of Selectmen
	13	Funding Assessor Inspection Services	Finance Director
	14	Amend Recycling & Board of Health Revolving Funds	Board of Selectmen/Board of Health
CA	15	Revolving Fund Authorizations	Board of Selectmen

CA	16	Property Tax Exemptions	Board of Selectmen
CA	17	Annual Audit Appropriation	Board of Selectmen
	18	General By-Law Change: Board of Health Nuisance Fines	Board of Health
	19	General By-Law Change: Amend Wetlands Protection By-Law	Conservation Commission
Night Two			
	20	Participate in Municipal Aggregation of Electricity for Residential and Commercial Use	Board of Selectmen
	21	Zoning By-Law Change: Allow Commercial Solar Farm on Municipal Property	Planning Board
	22	Zoning By-Law Change: Ban Recreational Marijuana Retail Establishments	Planning Board
	23	Zoning By-Law Change: Permit the Sale and Distribution of Recreational Marijuana in the Light Industrial District	Planning Board
	24	Zoning By-Law Change: Limit the Number of Recreational Marijuana Retail Establishments	Planning Board
	25	Zoning By-Law Change: Extend Temporary Moratoria on the Sale and Distribution of Recreational Marijuana	Planning Board
	26	Adoption of Sales Tax for the Sale or Transfer of Marijuana or Marijuana Products	Board of Selectmen

Selectman Heitin explained that the Moderator has agreed to place the zoning articles on the second night of Town Meeting, May 8. The Moderator wants to help streamline Town Meeting, and plans to introduce a Consent Agenda, consisting of eight articles, that are the perfunctory articles Town Meeting votes each year, that can be voted in one motion.

Zianette Frost of North Main Street, and a member of SharonCARES, would like child care provided at Town Meeting. She spoke with high school principal Dr. Libano, and he explained the town providing child care is a liability issue. A long discussion followed, and Selectman Heitin suggested that Ms. Frost speak with the School Department and the School Committee. If she is not successful, perhaps SharonCARES can purchase a one-day liability insurance policy.

Mr. Turkington explained that should the Finance Committee not vote to place money in the stabilization fund, Article 12 would be pulled. He also pointed out that there may be no need to extend the temporary moratoria, once the Cannabis Control Commission issues its regulations in the next week.

Mr. Turkington noted that the SharonCARES group still supports a full ban on recreational marijuana. The process is: Town Meeting would need to vote, by a 2/3 majority, to ban recreational marijuana, and the same language would need to be approved at the Town Election two weeks later. The ballot question is binding only if the zoning article passes Town Meeting. He summarized the warrant articles related to recreational marijuana.

Ms. Frost would like the Board of Selectmen to write a letter to the Cannabis Control Commission, asking them to delay approving Four Daughters Compassionate Care's (FDCC) conversion pending the ballot question. Mr. Turkington explained that this request came in via email at 10:59am this morning. Mr. Turkington told the Board that SharonCARES asked a Commissioner of the Cannabis Control Commission (CCC) and the Attorney General's Office if a conversion in this case would be trumped by a ban, and they have not received a ruling. He does not believe the CCC will issue a ruling because they are responsible for the licensing process. What will likely happen is, FDCC will come before the Board, looking for a host community agreement, for the larger site on Route One for cultivation and sales; they cannot file for a license without one. Ms. Frost wants the Town to have a say as to whether or not Sharon should have a recreational marijuana facility. Chairman McGrath agrees that the Town should have a right to vote. Selectman Heitin would like to wait for guidance from counsel, as there are some important issues. Selectman Heitin noted that a conversion is possible, according to Town Counsel. Mr. Turkington is awaiting Town Counsel's review of the feedback from SharonCARES on the zoning bylaw amendment banning recreational marijuana.

MOTION: To approve the order of the Annual Town Meeting Warrant, as discussed
(Heitin - Roach) 3-0 **PASSES**

Annual Town Election Ballot Question Vote - Ban on Recreational Marijuana

Mr. Turkington recommends delaying a vote until the next meeting. The only question is whether or not we'll be adding in language, suggested by SharonCARES this morning, about whether or not to add into the ban any applicable conversions. The Board agreed.

Consent Calendar

- I. Vote to approve regular session minutes of February 27, 2018
- II. Vote to approve request by the Massachusetts Audubon Moose Hill Wildlife Sanctuary to close Moose Hill Street from Moose Hill Parkway to Route 27, with the coordination of Police and DPW, up to 3 times in late March to early April, for salamander migration
- III. Vote to approve 2017 Girls Tennis Division One State Champions signage

MOTION: To approve the March 14 consent calendar, as presented
(McGrath - Roach) 3-0 **PASSES**

Town Administrator's Report

Mr. Turkington reported the following:

- As of last weekend, the Town had exhausted its snow and ice budget, and DPW Superintendent Eric Hooper will be preparing a memo outlining the shortfall after yesterday's storm.
- Regarding solid waste implementation, he is meeting with Cascade today to place the final order for the trash carts. He has ordered a handful of the larger carts in case not everyone that did not register did not want the 35-gallon cart.
 - A contract with Waste Zero has been signed to provide the overflow bags.
- Finance Committee is meeting on Thursday evening to make up for the Monday meeting they cancelled in advance of the storm.
- Planning Board is holding its public hearing Thursday on the zoning articles related to recreational marijuana.

Topics not reasonably anticipated forty-eight (48) hours in advance of the meeting

None.

Executive Session - 2:00pm

MOTION: To enter into executive session to conduct a strategy session in preparation for the police chief search and at the end, to adjourn. Discussion of this item in open session may have a detrimental effect on the bargaining position of the Town.
(McGrath - Heitin) 3-0 **PASSES**

McGrath - Aye
Heitin - Aye
Roach - Aye

Adjournment

MOTION: To adjourn at 2:28pm
(Heitin - Roach) 3-0 **PASSES**

McGrath – Aye
Heitin – Aye
Roach - Aye

List of Documents

- Chief Kaufman - Letter of recommendation for Christopher Dumais as a full time police officer
- Chief Kaufman – Letters of recommendation for Max Simon and Matthew MacDonald as Special Police Officers
- One-Day Alcohol License applications: Ward’s Berry Farm (2 events)
- Board & Committee Application and Resume - Kathleen Nasti for Sharon Cultural Council
- Linda Berger, Recreation Director – February 20, 2018 Memo regarding Civil Defense Building on Deborah Sampson property
- Civil Defense cost analysis and plans for new building
- Excerpts of Minutes related to the Civil Defense building: July 22, 2014 and August 19, 2014
- List of 2018 Annual Town Meeting Warrant Articles
- Recreational Marijuana – proposed ballot question write-up
- February 27, 2018 Board of Selectmen minutes
- Karen Stein, Sanctuary Director, Moose Hill Wildlife Sanctuary – request for permission to close Moose Hill Street to allow for salamander crossing
- Colleen Durno, Sharon Girls Tennis Team Coach, email correspondence requesting permission to hang signs and approval of design
- Sharon Girls Tennis Team Division-1 Champion signage design proofs
- Report of the Town Administrator
 - Eric Hooper, Superintendent of Public Works, March 8, 2018 Memo regarding snow and ice expenditures
- Miscellaneous Correspondence
- Supplemental Materials – Email correspondence regarding: SharonCares request to amend zoning law and ballot articles and position on conversion issue