

**MINUTES
SHARON SELECT BOARD**

The September 14, 2021 meeting of the Sharon Select Board was called to order at 7:00 pm by Select Board Chair William Heitin remotely via Zoom. Select Board members Hanna R. Switekowski and Emily Smith-Lee were in attendance as was 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.

Building Permit Fees - Public Hearing

MOTION: To open the public hearing.
(Switekowski - Smith-Lee)

Heitin: AYE
Switekowski: AYE
Smith-Lee: AYE
3-0 **PASSES**

The Department of Public Works is proposing to change the fee for New Residential and Non-Residential construction from a square foot based fee structure to the same valuation based fee structure and amount that is currently in place for Existing Residential and Non-Residential construction, i.e., \$11/\$1000 for Residential construction and \$14/\$1000 for Non-Residential construction. The building valuation will be based on International Code Council Building Valuation Data for square foot construction costs which is updated every six months. The Department is also proposing to drop the maximum fee allowance for non-profit institutions.

Value based fees are the norm for surrounding towns where the range falls within \$8 to \$12 for new Residential construction and \$14 to \$18 for new Non-Residential construction.

The Department is also proposing to create a new category, Mechanical/HVAC, for new and existing Residential and Non-Residential construction. Fees for this category will also follow the \$11/\$14 valuation based structure and amount used to determine Building and Reroof/Siding fees.

Ms. Smith-Lee asked about the implications of removing the cap for Non-Profit Organizations and how these changes will relate to public projects. It was explained that the fees for public projects are generally waived and there is no impact for existing residential. These fees are tied into the international code calculations.

MOTION: To close the public hearing.
(Switekowski - Smith-Lee)

Heitin: AYE
Switekowski: AYE
Smith-Lee: AYE
3-0 **PASSES**

MOTION: To approve the changes in fees as discussed and outlined by the Department of Public Works memorandum dated August 25, 2021.
(Switekowski - Smith-Lee)

Heitin: AYE
Switekowski: AYE
Smith-Lee: AYE
3-0 **PASSES**

Public input on qualities of new Police Chief

The Board stated in the past that they would hold a brief public comment period for those wishing to comment on the desired qualities of the next Police Chief. Mr. Turkington provided the results of an informal survey put together and posted on the Town's website and distributed via social media. There were 65 total responses. Overwhelming, respondents feel that honesty and integrity is a top quality.

Mr. Heitin opened the floor to anyone wishing to comment. There being no comments by the public, the Board suggested that residents should email the Board if they wish to make their thoughts known.

Trash and recycling program

Mr. Heitin began by stating that this topic would be an update on the trash and recycling program. Mr. Turkington advised that earlier this year, the Board voted to increase trash fees that were attributable to inflation as well as more people working from home during the pandemic, meaning they generate more trash and recycling at home. There was also an increase in the tipping fee. The Board pledged at that time that within the next six months, the fees would be reviewed and the Board would consider potential adjustments to the program that would both improve its sustainability and provide an opportunity to encourage residents to waste less, recycle more, and potentially save money.

Feedback was received on this topic which will be summarized. One idea that might be considered is potential bi-weekly recycling. The Board might consider cardboard collection as a reflection of people's shopping habits. There might be a need for a cardboard drop off point, whether weekly or more frequently. Another topic raised was whether or not to consider and enforce the pay-as-you-throw overflow bags. There seems to be a widespread disparity between people making use of those and whether or not the Republic drivers who may be leaving behind bags of trash that aren't in the overflow bags.

There was also some discussion about financing the program and whether or not pay as you throw should be used for all disposal as a way to more accurately distribute the costs among those who generate trash versus those who do not. Lastly, there was mention on whether or not to incorporate trash fees into the Town's budget paid through taxes rather than a separate use fee that would allow residents to have the ability, through itemized taxes, to duck that additional fees and take a federal tax subsidy to help reduce the financial burden. There were other comments as well regarding offering discounts on the 35-gallon cart or allow participating in composting. Out of that discussion, there was a note about the inequity of those who choose to use Black Earth versus those who compost at home.

Time was spent reviewing the contract with Republic which is set to expire in June 2023. Any of these ideas that impact the collection process or the existing contract would have to be renegotiated based on the willingness of Republic to do so. It is suspected that they may entertain some of these ideas provided they are tied to an extension rather than to rebuild the contract.

Mr. Heitin feels that the composting program should be converted to an in-town program and believes that the community gardens could likely line up composting bins. He feels that keeping the program in town would reduce emissions from trucking to and from the North Shore for collection of compost as well as eliminate some wear and tear on town roads with the reduction of trucking. He also feels that the Town should contemplate reducing recycling to twice per month. This will reduce the cost of the program and also reduce the amount of traffic for having a second truck come around daily each week. There is also an increased need for education about reducing waste.

Ms. Smith-Lee feels that the Board should be clearing a path towards a pay as you throw program and feels that it is the simplest solution to incentivize trash reduction. She also likes the idea of localizing the compost program.

Discussions on the trash and recycling program will continue and a formal plan will be developed before the end of the calendar year.

Live music for outdoor dining at Sharon Community Center

There has been a request by the applicant or the person the Town currently has an agreement with to have food service and beer service at the community center lawn, to allow for at least until the end of October, periodic live entertainment. It was agreed that this wasn't considered at the time the request for proposals was prepared and the duration of the remainder of the contract period is short.

Ms. Crosby of 6 Condor Road stated that this defies the spirit of the RFP. Live music was not included in the RFP and as such other bidders may have responded. This feels very "inside."

Mr. Turkington responded that the Town chose to put out an RFP because there was uncertainty about the level of interest or the amount of money that would be offered by those who might be interested in the restaurant option at the lake. The amount of the contract does not exceed the necessity for an RFP. Mr. Shemtov was the sole respondent. We negotiated a contract that deviates substantially from the RFP based on the fact that his response was not consistent with the RFP. The Board made some determinations that they'd like to work with this proposal and crafted something as a result of that proposal process. The Board certainly has the right to modify it to allow for the music.

MOTION: To approve live music for the outdoor dining vendor at the Sharon Community Center for the remainder of this season.

(Smith-Lee - Switlekowski)

Heitin: AYE

Switlekowski: AYE

Smith-Lee: AYE

3-0 **PASSES**

Approval of issuance and details of debt for septic loan

I, the Clerk of the Select Board of the Town of Sharon, Massachusetts, certify that at a meeting of the board held September 14, 2021, of which meeting all members of the board were duly notified and at which a quorum was present, the following vote was passed, all of which appears upon the official record of the board in my custody:

VOTED:

- (1) That the Town shall issue a bond or bonds in an aggregate principal amount not to exceed \$500,000 (the "Bonds") pursuant to Chapters 29C and 111 of the General Laws and a vote of the Town passed on May 2, 2021 (Article 17), which authorized a total borrowing of \$500,000, for a community septic management loan program (the "Project");
- (2) That in anticipation of the issuance of the Bonds the Treasurer is authorized to issue an interim loan note or notes (the "Notes") from time to time in an aggregate principal amount not to exceed \$500,000;
- (3) that each Bond or Note shall be issued as a single registered security, and sold to the Massachusetts Clean Water Trust (the "Trust") at a price determined pursuant to the Financing Agreement;
- (4) that the Treasurer is authorized to determine the date, the form, the maximum interest rate and the principal maturities of each Bond and Note, and to execute a Financing Agreement or Agreements with the Trust with respect to the sale of the Bonds and Notes, such date, form and maturities and the specific interest rate or rates of the Bonds and Notes to be approved by a majority of the Board of Selectmen and the Treasurer and evidenced by their execution of the Bonds or Notes;
- (5) that all action taken to date by the Town and its officers and agents to carry out the Project and its financing, including the execution of any loan agreement by the Treasurer, are hereby ratified, approved and confirmed; and

- (6) that the Treasurer and the other appropriate Town officials are each hereby authorized to take any and all actions necessary or convenient to carry out the provisions of this vote, including execution and delivery of the Financing Agreement or Agreements and the Project Approval Certificate and Regulatory Agreement or Agreements relating to the Project.

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above votes) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the Bonds or Notes were taken in executive session, all in accordance with G.L. c.30A, §§18-25.
September 14, 2021, Clerk of the Board of Selectmen

(Switekowski – Smith-Lee)

Heitin: AYE
Switekowski: AYE
Smith-Lee: AYE
3-0 **PASSES**

Hunger action month

Ms. Switekowski remarked nationally, Project Bread and food banks across the country recognize September as Hunger Action Month. In Massachusetts, the Greater Boston Food Bank proclaimed September as Hunger Action Month and put out a request for Massachusetts Municipalities to do the same. The Sharon Food pantry has also made a request for donations as they are running low.

Ms. Smith feels it is important that we recognize food insecurity as a thing that affects our community and there are resources available.

Ms. Switekowski read the proclamation that was prepared for Hunger Action Month.

WHEREAS, hunger and poverty are issues of grave concern in the United States, the Commonwealth of Massachusetts, and the Town of Sharon; and

WHEREAS, the Town of Sharon is committed to educating people about food insecurity and the importance of food banks in alleviating hunger in our communities; and

WHEREAS, more than 800,000 individuals in Massachusetts rely on food provided by the Four Massachusetts food banks each month; and

WHEREAS, the COVID-19 pandemic and its economic ramifications have exacerbated food insecurity across the Commonwealth and put tremendous stress on the emergency food assistance system; and

WHEREAS, the Food Bank Coalition of Massachusetts and its member agencies provide vital hunger relief services to our most vulnerable neighbors; and

WHEREAS, the Town of Sharon shall work with hunger relief organizations to make Massachusetts Hunger Free by supporting access to three healthy meals per day for our residents in need,

NOW THEREFORE, BY THESE PRESENTS, the Town of Sharon, acting through its Select Board, does hereby proclaim the month of September 2021, to be, HUNGER ACTION MONTH

Consent Calendar

- I. Vote to approve the regular session minutes of August 24, 2021
- II. Vote to approve the following banner requests
 - a. Sharon Youth Lacrosse registration, October 18-25 in 1st position
 - b. Sharon Youth Lacrosse registration, November 29-December 6 in 2nd position
 - c. Sharon Girl Scouts Anniversary, October 4-11 in 1st position
- III. Vote to approve the Town's Americans with Disabilities Act Non-Discrimination Notice
- IV. Vote to approve and authorize the Town Administrator to execute a Community Compact Grant in the amount of \$40,000 to support the zoning regulation recodification project

MOTION: To approve the consent calendar.
(Smith-Lee -Switlekowski)

Heitin: AYE
Switlekowski: AYE
Smith-Lee: AYE
3-0 **PASSES**

Report of the Town Administrator

Mr. Turkington provided the following update.

Trash pickup will be delayed due to the observance of Yom Kippur.

Railroad parking pass sale. The sale for quarterly passes was held on Thursday, September 9 at 7:00 p.m. (delayed one week due to Labor Day holiday weekend). A total of 99 passes were sold, up slightly from the July-September 2021 quarter of 82. We included a survey to learn more changing parking demand resulting from recent decisions by several major employers to delay return to office plans from early September to mid-October or January 2022 or permanent shifts to remote or hybrid schedules. It will help inform decisions about the number of spaces reserved for quarterly pass holders and daily use and to better predict revenue so we can manage expenses. The results are attached.

Human Resources Matters

Police chief promotional process. Three lieutenants and two sergeants have submitted application materials for participation in the assessment center. The community survey of characteristics desired in a police chief was posted with a response deadline of September 8; a summary of the ranking of qualities and open-end comments is included in the packet. A public forum to solicit further comment is included on the agenda. The assessment center will be held on Wednesday, September 15 and includes four citizens asking questions during a community meeting that is one of the five oral exercises. Proposed interview questions to be posed by the Select Board will be discussed during the September 30 meeting.

Plumbing inspector gives notice. We are recruiting for a new plumbing inspector to be available on Tuesdays and Thursdays. The position pays a weekly stipend regardless of inspections required.

DEI employee training. We are coordinating training for all Town offices staff and DPW workers through A Greater Us. After discussion, it was agreed that the training won't be effective unless conducted in person, so the two sessions won't be scheduled for a Friday morning and afternoon until the firm is comfortable speaking in the ballroom to staff.

Treasurer/Collector Lisa Clark and Assistant Jessica Messer resign. Ms. Clark has resigned effective September 10 after 12 years with the Town, the last 4 1/2 years as treasurer/collector, to assume a similar position with the Town of Randolph. Ms. Messer is following Ms. Clark to Randolph after 5 1/2 years with the Town, 1 1/2 years as assistant treasurer/collector. Recruitment has begun in what is a competitive marketplace for this specialty (7 other towns concurrently in various stages of hiring process), with initial screening to begin on September 13. We have identified internal interim support until we identify a permanent replacement. Finance Director Krishan Gupta will have additional oversight responsibilities and has retained a retired treasurer to work Wednesday through Friday during the transition. Transfer of banking signatories has occurred to be effective September 10.

Hiring of employee benefits and payroll administrative assistant. Amita Khismatrao has been hired to this position effective Monday, September 13. She has a bachelor's degree and is earning a certificate in human resources. She volunteered to get some time in the office and train this week before the departure of the treasurer/collector staff. We will arrange for external training support as needed to assure a smooth transition given the two supervisor vacancies in that office, as well as coordinate with the School Department new hires for business manager and HR supervisor.

Town offices public hours. I want to hear the Board's perspective on adjusting public hours to provide for an 8:00 a.m. opening every day (rather than 8:30 a.m.) and closing at 6:00 p.m. rather than 8:00 p.m. on Thursdays. We typically hear requests for earlier opening, especially for tax payments and Town Clerk services. Fewer people are limited to Thursday evenings given the changing work patterns caused by the pandemic. Offices would close Monday through Wednesday at 5:00 p.m. and on Fridays at 12:30 p.m. as current practice. The earlier opening would maintain the 37.5-hour work week for Town administrative staff. Vaccination requirement for employees. In light of Governor Baker's executive order for mandatory vaccinations for all executive branch state employees effective October 17, and President Biden's emergency regulation for private companies with at least 100 employees issued on September 9, we are evaluating whether to impose the same requirement (with or without testing option for non-vaccinated workers). We will consider the collective bargaining implications before proceeding with a recommendation.

Select Board Correspondence/Announcements

We received / exchanged approximately 36 pieces of correspondence between 12 noon on Friday, August 20 and 6:00 p.m. on Thursday, September 9. Topics included:

Emails from residents of Old Post Road, advocating for additional traffic calming measures such as a bicycle lane, painting intermittent horizontal stripes, and the installation of permanent electronic speed indication signs in both directions and Town Administrator and Police Chief response;

An email sharing the final program for the dedication of Lions/Rotary diversity gift to the Town scheduled for Sunday, September 19 at 1:00 p.m.;

Email from a resident requesting the new library be moved to a different site;

Four emails exchanged between a resident and members of the Board and one email from another resident objecting to the appointment of one member to the Governance Study Committee and their service on town committees because of Facebook posts residents consider offensive and not in keeping with appropriate standards of conduct for public officials;

Two emails from a resident requesting copies of all correspondence related to their service as a committee member or written remarks or public comment as a citizen;

Three emails exchanged between a resident and the chair or Town Administrator concerning speaker at Sharon Men's Club meeting in May 2021 that he believes advocates hate and further that organizations offering such speakers be banned from using town facilities;

An email from an abutter expressing concern about land disturbance for soil testing in connection with proposed development at 299-303 North Main Street and information on LIP/40B process provided by Administrative Assistant;

An email from a resident inquiring about the change in designation of Columbus Day to Indigenous People's Day and Town Administrator response;

An email from a resident inquiring about Town-wide Wi-Fi service;

An email from a resident concerned about the procedure used by the Board of Health to impose the order to wear masks in indoor public spaces effective August 23; and,

Emails from the Town Administrator regarding the library litigation; draft 2022 Board meeting schedule; zoning diagnostic memo from special counsel; passing of Recreation Advisory Committee member Rick Schantz; agenda and meeting materials for multi-board financial condition meeting; schedule for September 11 commemoration; notice from Muslim community regarding September 11 blood drive; notice of Community Compact grant award for the zoning regulations codification project; notice of election of officers on Planning Board; update on water flushing beginning week of September 20 to address brown water complaints and PFAS solutions; and, results of police chief and railroad parking surveys.

Topics not reasonably anticipated within 48 hours in advance of the meeting

The following announcements were made:

The annual 9/11 ceremony will be held at the Sharon Public Safety Building on Saturday, September 11
Another successful Porchfest was held on Sunday
This is national small business week, please support local Sharon businesses
The Board wishes those observing Yom Kippur an easy, meaningful fast

Adjourn

MOTION: To enter into Executive Session at 8:18 pm for the purposes of discussing strategy with respect to contract negotiations with non-union personnel, the acquisition of real property located at 66 North Main St., and adjourn for the evening at the conclusion. **DISCUSSION OF THESE ITEMS IN OPEN SESSION MAY HAVE A DETRIMENTAL EFFECT ON THE BARGAINING POSITION OF THE TOWN**
(Heitin – Switlekowski)

Heitin: AYE
Switlekowski: AYE
Smith-Lee: AYE
3-0 **PASSES**

List of Documents

- Proposed building fee changes
- Sharon TV public hearing notice
- Police Chief qualities survey results
- Trash and recycling program financing or other adjustments
- Sustainable Sharon presentation
- Republic RFP and agreement
- Outdoor dining RFP
- Outdoor dining RFP response
- Outdoor dining agreement
- Vote of Select Board
- Certificate of Interim Loan Note
- Interim Loan Letter
- April 2021 financing agreement
- Information from Feeding America

- Proclamation
- Minutes
- Banner requests (3)
- Draft ADA non-discrimination notice
- Grant agreement
- Grant contract
- Terms and conditions
- Town Administrator's report
- Public Works update on wells
- Town Hall hours
- Train station parking survey results