

MINUTES
SHARON SELECT BOARD
February 15, 2022

The meeting of the Sharon Select Board was called to order at 7:00 pm by 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.

Police Officer appointments

Chief Brewer and Deputy Chief Coffey introduced two new candidates for Police Officer at Sharon Police Department.

Ryan Patsch scored very well on the police entrance test and during the formal interview process. An extensive background was conducted, which showed Ryan to be hard working, reliable, and loyal, a person with high moral character. He is described as someone who treats everyone with class, dignity, and respect no matter how stressful the circumstance. Friends and acquaintances describe Ryan as kind, helpful, dedicated, even keeled with leadership qualities, a real stand-up guy with positive life skills. Ryan is physically fit and takes pride in personal fitness.

Ryan currently lives in Sharon and is a hockey enthusiast who has played semi pro hockey and currently coaches youth hockey. He attended Curry College and Community College of Philadelphia and plans to continue his secondary education. Therefore, Chief Brewer and Deputy Chief Coffey are recommending Ryan to the Select Board for appointment. Ryan Patsch will attend the police academy.

MOTION: To appoint Ryan Patsch to the position of Police Officer for the Sharon Police Department as discussed tonight.
(Smith-Lee - Switekowski)

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

Brendan Pasco has been a resident of Sharon for the past six years and wishes to become a police officer where he resides. Several co-workers and friends describe him as hard working with a good attitude. He is community and family oriented, trustworthy, and reliable.

A full background investigation has been completed. Brendan comes highly recommended by his peers and supervisors. He brings experience, a good demeanor, and an ability to work with anyone. Therefore, Chief Brewer and Deputy Chief Coffey are recommending Brandon to the Select Board. Brendan Pasco has successfully completed the police academy.

MOTION: To appoint Brendan Pasco to the position of Police Officer for the Sharon Police Department as discussed.
(Switekowski – Smith-Lee)

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

Recognition of Chief Brewer's retirement

The Select Board took a few moments to recognize Chief Brewer's service to the Town and read a Citation which will be presented to Chief Brewer.

Chief Brewer expressed his gratitude and appreciation for the Board's kind words.

Juniper Road construction issues

The Board was recently made aware of issues relating to construction on Juniper Road. Some residents of the neighborhood were in attendance to discuss their experiences. Mr. Heitin explained that there was a summary provided recently by David Morris of 34 Juniper Road which highlights the problems at the site. There has also been correspondence between the Fire Department, Building Department, and Town Engineer which the residents should have received.

The concerns expressed by residents included lack of oversight, clear cutting trees on the property creating a wind problem for neighbors, construction noise experienced early mornings, into the evenings, and on weekends, heavy equipment in the area at 4am, open burning of construction debris, trash left in the road, and an unregistered, uninsured mobile office/bus traveling on the roads in the area.

Mr. Turkington, advised that concerns such as opening burning and noise were not expressed prior to this meeting, was able to speak to some issues but now that these have been brought to his attention, the situation can be monitored. Ms. Silverleib had previously expressed concerns about the bus but the concerns were limited to it being parked on the site without a registration which violates no law or ordinance. The Police Department can increase patrols and closely monitor activity in the neighborhood. Mr. Turkington advised that Mr. Morris' summary has been distributed to various other departments. Short of frequent inspections and following up with a contractor, he is investigating whether building permits can be revoked or whether future permits with the contractor can be suspended after several violations with or without a hearing. Mr. Turkington stated that he would provide the neighbors with all afforded information after it has been provided to him.

The residents expressed their gratitude at the Board giving this issue their time and attention this evening.

Carry-In/BYOB Alcohol policy

Materials were presented for the Board to review for suggestions in developing a carry-in or BYOB alcohol policy for licensed common victuallers who hold no liquor license. Regulations and fees from various other communities in the Commonwealth were included with these materials.

Ms. Smith-Lee asked to clarify that lack of a regulatory policy equates to acceptance of BYOB practice. It is presumed that the default position if the Board does nothing then BYOB is allowed. If regulated, the Town can require the business to submit a plan as well as limit the policy to wine and malt beverages, require tips certification, impose and application procedure and a fee. At this time, one business has expressed interest in offering this service for patrons. The Board requested that more research be done and an opinion from Town Counsel. They expressed that they understand the need to have clear rules and policies in place but also don't wish to restrict to the point where businesses may not wish to take advantage of the service.

Bond note authorization

The Town recently issued a \$4.3 million bond offering for a period exceeding 20 years, because of the Town's stability and excellent bond rating, Sharon received more money than requested. The Select Board offered their thanks and appreciation to Mr. Turkington, Mr. Gupta, and all volunteers of the finance team for the hard work on the budget, on capital funding and managing project. The Town's budget today is very, very strong due to the hard work of so many people.

I, the Clerk of the Select Board of the Town of Sharon, Massachusetts (the “Town”), certify that at a meeting of the board held February 15, 2022, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appear upon the official record of the board in my custody:

Voted: that the sale of the \$4,135,000 General Obligation Municipal Purpose Loan of 2022 Bonds of the Town dated February 24, 2022 (the “Bonds”) to Robert W. Baird & Co., Inc. at the price of \$4,733,165.10 and accrued interest, if any, is hereby approved and confirmed. The Bonds shall be payable on February 15 of the years and in the principal amounts and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2023	\$385,000	5.000%	2032	\$290,000	5.000%
2024	375,000	5.000	2034	240,000	3.000
2025	365,000	5.000	2037	360,000	3.000
2026	365,000	5.000	2038	40,000	2.250
2027	365,000	5.000	2039	40,000	2.375
2028	305,000	5.000	2040	40,000	2.500
2029	300,000	5.000	2041	40,000	2.500
2030	295,000	5.000	2042	40,000	2.500
2031	290,000	5.000			

Further Voted: that the Bonds maturing on February 15, 2034 and February 15, 2037 (each a “Term Bond”) shall be subject to mandatory redemption or mature as follows: Term Bond due February 15, 2034

<u>Year</u>	<u>Amount</u>
2033	\$120,000
2034*	120,000

* Maturity

Term Bond due February 15, 2037

<u>Year</u>	<u>Amount</u>
2035	\$120,000
2036	120,000
2037*	120,000

* Maturity

Further Voted: that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated January 31, 2022 and a final Official Statement dated February 8, 2022 (the “Official Statement”), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Official Statement.

Further Voted: that the Town Treasurer and the Select Board be, and hereby are, authorized to execute and deliver a continuing disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Bonds for the benefit of the holders of the Bonds from time to time.

Further Voted: that we authorize and direct the Town Treasurer to establish post issuance federal tax compliance procedures and continuing disclosure procedures in such forms as the Town Treasurer and bond counsel deem

sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Bonds and to comply with relevant securities laws.

Further Voted: that any certificates or documents relating to the Bonds (collectively, the “Documents”), may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same document; delivery of an executed counterpart of a signature page to a Document by electronic mail in a “.pdf” file or by other electronic transmission shall be as effective as delivery of a manually executed counterpart signature page to such Document; and electronic signatures on any of the Documents shall be deemed original signatures for the purposes of the Documents and all matters relating thereto, having the same legal effect as original signatures.

Further Voted: that each member of the Select Board, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

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 were taken in executive session, all in accordance with G.L. c.30A, §§18-25, as amended.

Dated: February 15, 2022, Hanna R. Switekowski, Clerk of the Select Board
(Switekowski – Smith-Lee)

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

Budget review

Mr. Turkington provided an overview of the 2023 fiscal year budget. The Board was issued a package for the upcoming meeting of the Priorities Committee. Fixed costs have been adjusted as have revenue assumptions based on updated information since the December 13 meeting to include:

- the results of the favorable bond sale which reduced debt service estimates for next year,
- increase in marijuana sales tax assumptions based on quarterly reporting of the two facilities in Sharon,
- investment income was reduced due to the pace of construction at the High School,
- increase in hotel and meals tax assumptions based on trend lines and economic recovery,
- State aid was increased to match Gov proposed budget,
- adjusted excise tax assumption to reflect current market on new car sales.

The Select Board budget is within the updated priorities number with sufficient funds below that target. The largest variable is in elections and registration. The State approved early voting as an ongoing exercise every other year which results in a bi-annual increase in expenses of \$60,000. There may be a future discussion with the Finance Committee about the possible creation of a fund similar to what has been done to stabilize the expenses for property valuations by the Assessor’s office.

The Board will likely vote the finalized budget at their meeting on March 8. Finance Committee will vote at their March 21 meeting.

Update and discussion on warrant articles

The Board will not take a vote on this item this evening. There may additional articles including one for the possible acquisition of real property located at 94 South Main Street. Other articles include a proposal from Lake Management Study Committee to increase the scope of their responsibilities, change from Columbus Day to Indigenous People's Day, adjusting beach and boating fines, dog license fees, and the outdoor watering bylaw. The potential for a request by Sharon Standing Building Committee for additional funding for the library project has also not yet been finalized. The Board will take a position on all articles for Annual Town Meeting at one of their future meetings.

Mr. Barbera and Mr. Hyman of the Lake Management Committee were in attendance to discuss their article. Mr. Barbera of 26 Tolman Street expressed the committee's desire to expand their duties from the charge which was created in 1969. He agrees that it is a straight-forward measure based on a desire to keep Lake Massapoag healthy.

Consent calendar

Review and approve the consent calendar:

- I. Vote to approve the following minutes
 - a. February 1, 2022 – Regular session
- II. Vote to approve the following banner request:
 - a. Sharon Cub Scouts registration, August 29 to September 5, 2022 in 1st position
- III. Vote to award bid for delivery of the 2021 Annual Town Report to the Boy Scouts of America, Troop 95, in the amount of \$1,200
 - a. Troop 95 bid proposal
- IV. Vote to close Town administrative offices on Friday, March 25 for staff training (NOTE: the Town Clerk's office will remain open for those wishing to obtain nomination papers)
- V. Consider and vote on proposed Inter Municipal Agreement with Bristol Norfolk Public Health Partners for shared inspectional and epidemiology services
 - a. Draft agreement

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

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

Town Administrator's report

Mr. Turkington provided the following update. Department Staff is working to finalize the bond sale documents. Appraisal for South Main Street. March 8 will be the Board's next meeting date. At that meeting the Board will finalize and vote the budget, hear an update on annual Town Meeting logistics, and vote the order of and their position on Town Meeting articles.

Our offices received or exchanged approximately 40 pieces of correspondence between 9:00 am on Friday, January 28, and 9:00 am on Friday, February 11. Topics included:

- six emails relative to winter storm preparation and response,

- three emails expressing concern about the narrow conditions and tractor trailer truck traffic on South Walpole and Pine Streets,
- a total of 17 emails directed to School Committee on which the Board was copied regarding full-day kindergarten, DEI position, and other elements of the school budget,
- An email with proposed FY2023 school budget presentation,
- Six emails commenting on the potential lifting of the mask mandate in indoor spaces, especially within the schools,
- Resignation of Arnie Cohen as a member of the Finance Committee, and
- Notices regarding Town Offices closure due to winter storm, Chief Brewer's last day, State aid amounts in the Governor's proposed budget, thank you note from Shirley Schofield for dedication of the Jenks fountain at Town offices, receipt of EV grant for charging stations and S&P rating.

The State extended the provision for remote meetings through July 15, 2022. Ms. Smith-Lee mentioned, while being mindful of the constraints of open meeting law due the topic not being on the agenda this evening, she feels it may be prudent to explain who has what authority relative to the mask mandate. Mr. Turkington explained that the Board of Health is empowered by State Law to impose or not impose a mask mandate. Data continues to be received from the State Department of Public Health and the Board of Education for schools. The Sharon Board of Health is meeting tomorrow evening to discuss the future of the mandate. Some communities have returned to a mask-optional policy. The School Committee cannot supersede a mandate imposed by the Board of Health. A considerable discussion is expected tomorrow evening.

Ms. Switekowski asked a question about Town Meeting logistics and whether to expect May Town Meeting will be held indoors at the Sharon High School. Mr. Turkington advised that since the State Emergency Declaration has been lifted, Annual Town Meeting must be held according to Sharon By-Law on the first Monday evening in May at 7pm. At this time, customary procedures remain in place.

Ms. Switekowski made a couple of announcements regarding Chief Brewer's retirement and wished him the best of luck. Sharon Police will host and open house on February 28 in Chief Brewer's honor. The Sharon SREA will host an interesting event entitled Civil Rights Era, Beyond the Textbooks.

MOTION: To adjourn at 8:12 pm.
(Smith-Lee - Switekowski)

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

List of Documents

- Chief's recommendation
- Candidate biographies
- Citation
- BYOB canvass
- Sample regulations/applications
- Vote of the Select Board
- Draft budget
- List of warrant articles
- Minutes
- Banner application
- Bid proposal
- Draft agreement
- Town Administrator's report
- Updated priorities worksheets