

MINUTES
SHARON SELECT BOARD
September 29, 2022

The meeting of the Sharon Select Board was called to order at 7:00 pm by Select Board Chair Hanna Switekowski virtually by Zoom. Select Board members Emily Smith-Lee and Kiana Pierre-Louis were in attendance as was Town Administrator Frederic E. Turkington, Jr., and Assistant Town Administrator, Lauren Barnes. The meeting commenced with the Pledge of Allegiance.

Public comment period

The Board has set aside a few minutes at the beginning of their meeting to address resident concerns or questions. There being no public comment, Ms. Switekowski moved on with the meeting.

Mountain Street Solar – landfill site

Mr. George Aronson and Mr. Xander Shapiro of Municipal Solar Oversight Committee along with Josh Burdett and Jackie Bruce of Distributed Solar Development (DSD) provided an update on the status of the solar project on Mountain Street, the site of the former landfill.

The developer of the Landfill Solar Facility, Mountain Street Solar Project 2019, LLC, which is a single-purpose company owned and managed by Distributed Solar Development, LLC (together referred to as DSD, or the Tenant) had submitted a Site Plan to the MSOC in March 2022. After review, the MSOC voted 5-0 to provide a detailed recommendation to the Select Board that incorporates five specific conditions. The Select Board voted 3-0 to adopt the MSOC's recommendation at its meeting on March 23, 2022.

On September 12, 2022, DSD submitted a revised Site Plan for the Landfill Solar Facility to the MSOC. The revised Site Plan includes solar panels in a slightly modified configuration that involves panels rated at 580 kWDC per panel rather than 480 kWAC per panel, as well as conforming changes to wiring and inverter designs and locations and a different model battery energy storage system to replace the original, which was no longer available for purchase. The new solar panels would be installed generally within the same footprint as designed previously, with modest increases in the setbacks from the Azalea Road property lines, from roads on the site and from gas vents. The new battery would be installed generally within the same footprint as designed for the battery previously and would generate noise impacts of comparable magnitude. Tenant intends to file the new design for review with the Town Conservation Commission and the Massachusetts Department of Environmental Protection (MassDEP). Tenant does not anticipate any material changes in the conditions for approval.

Regarding the revised Site Plan (provided as Attachment 2), the MSOC hereby makes the following recommendation to the Select Board:

Approve the revised Site Plan submitted by Tenant for incorporation into the Site Lease as a modified Exhibit B, attached hereto, on the basis that Tenant has satisfied the pre-construction requirements for the Facility per the Site Lease and is ready for commencement of applications for ministerial permits (Building Permit, Electrical Permit and Fire Department Approval), and, upon issuance of such permits, construction and subsequent operation of the Facility, subject to satisfaction of the following conditions:

1. Ongoing compliance with all terms and conditions of the Site Lease, the Post-Closure Use Permit, the Order of Conditions, and all applicable laws, regulations, codes, and licensing requirements.
2. Tenant shall implement the mitigation measures in the revised Site Plan as represented, or, if requiring modification by new changed requirements of the MassDEP or the Town Conservation Commission, or by unforeseen field conditions, the equivalent as agreed upon with a representative of the MSOC in coordination with the Tree Warden, the abutters, and, as applicable, the Conservation Commission, the Town Engineer and the MassDEP.

3. In the event that unacceptable noise impacts are raised as a concern after the commencement of facility operation, Tenant shall (a) respond promptly to the concern by taking measurements to confirm the level of impacts that are occurring; and (b) upon confirmation, act promptly to mitigate such impacts by reducing the source of the noise, implementing sound barriers or putting in place other mitigation measures to the satisfaction of the MSOC.

It is understood that Eversource is revising and has not yet issued the final versions of the local distribution impact and interconnections studies for the Facility originally performed in 2020. Upon issuance, Tenant shall provide the MSOC with copies of the final studies, and, subsequently, of the Interconnection Service Agreement. Tenant shall also notify the MSOC timely if the final studies

The Board thanked Mr. Aronson, Mr. Shapiro, Mr. Burdett, and Ms. Bruce for their time this evening. The Board also expressed their gratitude to the Municipal Solar Oversight Committee for their work on Sharon's solar projects.

MOTION: To approve the recommendation of the municipal solar oversight committee and authorize the Town Administrator to execute any required agreements.

(Smith-Lee – Pierre-Louis) 3-0 **PASSES**

Switlekowski: AYE

Pierre-Louis: AYE

Smith-Lee: AYE

Water Treatment discussion

Public Works Superintendent Eric Hooper provided the Board with an advance copy of the presentation he will be sharing this evening. It is his intent is to post the presentation on the DPW website. Mr. David Crosby of the Water Management Advisory Committee was also in attendance for this discussion.

Mr. Hooper explained that the regulatory requirements for PFAS are changing as labs cannot test to the levels required by DEP. The state was able to look closely at PFAS infiltration via the Town's monitoring wells. It seems that the former Auto Body shop once located at the train station is a likely source of the Town's PFAS contamination. Town records indicate no fire at the site which might have contaminated the area. One other minor change, at the site behind well 2, looking to move the well into the hillside which would give better quality water. This allows the Town to move forward with the tie in to the MWRA as an emergency connection. This connection provides a redundant system. Department staff is talking to MWRA about options.

The Water Department will need to move quickly with Standing Building Committee and go through their process for oversight of building projects. There are two components to the project: DPW pipeline project, building project is under SSBC but material within the building is not generally within their scope.

Ms. Smith-Lee asked for clarification to better understand what is meant by redundancy. Mr. Hooper explained that to maintain redundant ability, water must come from two sources. There are two approaches to achieving redundancy. First, the main source would be the Town's own wells. If it is decided that the Town should not treat their own well water for distribution, the main source would then become the MWRA. This represents a major shift in thinking.

Challenging idea of MWRA willingness to do this. Tasked with coming up with an option a treatment facility and MWRA pump station. Trying to refine cost analysis. If talking about this shift, essentially relying on MWRA, sounds like there are other matters to consider. Felt that keeping independent sources is where WMAC wants to go. Challenge with MWRA reliance, is reliance on them for primary and secondary. Second concern is whether MWRA will be responsible for remediating PFAS. They may not be required to treat as a state agency. Prefer to have own system and have a product, know what's in the water. Cheaper to treat water than to pay for MWRA water.

It was explained that there is no “smoking gun” as to the source of PFAS. It could be from septic systems near Well 4 or it could come from runoff from the train station parking area. There is a small area on Providence side which is raised adjacent to the bridge which served as an auto body shop at one time. A monitoring well in that area came up very high. The Town took that parcel, and the state used it when constructing the bridge. The Department is investigating whether anything during construction may have contaminated the area. May be looking at a waste site cleanup. Also investigating the process for cleanup.

The Department of Environmental Protection has offered its assistance in investigating sources. One sample at the site has been taken and studied but confirming tests are required. It will take about a month before results will be available. It is unclear at this time what this means for the Town’s liability for waste site cleanup.

The Board thanked Mr. Hooper and Mr. Crosby.

Solid waste and recycling program discussion

Mr. Turkington advised that the solid waste and recycling collection contract expires in July. The Board has had prior discussions on how best to address the needs of the community while encouraging waste reduction.

A pay-as-you-throw program is the fairest way to distribute the cost. It was agreed that the Town would explore pricing for pay-as-you-throw, a biweekly recycling schedule, and seek a clear understanding compost options.

Transportation Advisory Board

The Board received a draft recommendation from Mr. Turkington with their meeting materials. This was also shared with the members of the Transportation Advisory Board. They recommended that they be allowed to research and report in April as opposed to January. The Board concurred that a deadline of April, 2023 for a report from the Transportation Advisory Board was reasonable.

MOTION: That the Transportation Advisory Board review the information on parking demand, commuting patterns and issues related to the quarterly pass system, mobile app for daily parking, and enforcement issues and make recommendations for adjustments to the railroad parking program and report to the Select Board by April, 2023.

(Smith-Lee – Pierre-Louis) 3-0 **PASSES**

Switlekowski: AYE

Pierre-Louis: AYE

Smith-Lee: AYE

Consent Calendar

- I. Minutes
 - a. September 13, 2022 open session
 - b. September 13, 2022 Executive session
- II. Affirm the vote taken in Executive session on September 13, 2022, to approve stipends of \$350 to the firefighters of Local 1880 who worked the entire period between March 1, 2020 and February 28, 2021
- III. Vote to approve the following one-day liquor license/licenses request
 - a. Cricket Café and Catering for a private event on October 15, 2022, from 4 to 10 pm at the Sharon Community Center
- IV. Vote to approve the early, in-person voting hours as requested by Town Clerk, Mark Hogan

- V. Vote to approve the following action items at the request of the Recreation Advisory Committee
 - a. Approve installation of engraved cedar peace poles at Beech Tree Park contingent on fundraising
 - b. Approve installation of a bench at Gavins' Pond in memory of Ian Summerhayes
- VI. Vote to approve the Select Board 2023 meeting schedule
- VII. Vote to award a contract to Page Contracting Inc. of Grafton, MA in the amount of \$23,500 for the demolition of buildings at 94 South Main Street
- VIII. Vote to award a contract to Gravity Construction, Inc. of Plainville, MA in the amount of \$181,004.76 for the installation of water main from 675 South Main Street to 727 South Main Street
- IX. Vote to approve the Indigenous Peoples Day proclamation

MOTION: To approve the consent calendar
(Smith-Lee – Pierre-Louis) 3-0 **PASSES**

Switlekowski: AYE
Pierre-Louis: AYE
Smith-Lee: AYE

Town Administrator's report

- *Hazardous materials mitigation planning grant.* Emergency Management Director Jim Wright has applied for a Federal grant for the estimated \$23K cost to update the Town's hazardous materials mitigation plan. The Town would be responsible for just the 10% match. The current plan requires updating by July 1, 2023.
- *Dispatcher training grants received.* Lt. Jeff Penders was the lead applicant and secured two grants to support dispatcher training in the amounts of \$21,387 and \$56,886.
- *Opioid settlement funds.* We have received notice of the Town's share of the settlement of the class-action suit against opioid manufacturers. The funds must be accounted for and appropriated separately on programs related to stemming the scourge of drug use. The Town will receive \$139,630 in FY2023, with the balance paid through FY2038 (about \$37K per year).

Select Board Correspondence/Announcements

We received / exchanged approximately 24 pieces of correspondence between 9:00 a.m. on Friday, September 9 and 4:00 p.m. on Monday, September 26. Topics included:

- Notices and invitations: resignation of Paul Linehan as chair of Capital Outlay Committee; materials related to consideration of appointment to Town boards and committees from Bill Heitin for Capital Outlay Committee, Nancy Hall for Cultural Council, and Sam Liao for Transportation Advisory Board; notices regarding annual veteran's agent training;
- Fifteen emails and responses exchanged relative to potential changes to the parking pass program at the MBTA railroad station;
- Two emails and response regarding potential roadway and pedestrian improvements on Lakeview Street; and,
- An email and response regarding updates on status of development of Sharon Gallery project.

List of important upcoming meetings and events (as of 9/27/2022)

Thursday, September 29 th	Select Board, 7:00 p.m.
Sunday, October 2 nd	Sharon Day, 11:00 a.m. to 3:00 p.m., Veteran's Memorial Park Beach
Monday, October 10 th	Town facilities closed in observance of Indigenous People's Day
Thursday, October 13 th	Select Board, 7:00 p.m.

Future meeting agenda topics and tentative dates for discussion

- Hiring process for fire chief for appointment to be effective April 7, 2023 (October 13)
- Comcast franchise license renewal (October 13 hearing)
- Updates from Board of Health and SSPARC, especially mental health services initiatives (October 13)
- Select Board objectives and strategies discussion (October 13 and 25)

Topics to be discussed at future dates pending availability of additional information:

- South Walpole Street tractor trailer truck ban (TBD)
- Updates from EDC, Historical Commission and COA Advisory Board (October 25)
- Town Administrator performance evaluation and employment agreement renewal (October 25 and November 15)
- Update by Cultural Council; discuss request for matching funds from Town budget (November 15)
- Board of Assessors update/tax classification hearing (November 15)
- Personnel bylaw changes (November 15)
- Governance Study Committee update on status of recommendations to develop articles for 2023 ATM Warrant (December 6)
- Updates from DEIC and Commission on Disabilities (December 20)
- LIP/friendly 40B housing projects (6-10 units on Cedar Street; 15 units at 299-303 North Main Street; 20 units on Edge Hill Road; 8 units at 635 Old Post Road) updates following ZBA hearings (TBD)
- Discuss social media policy for members of committees as recommended by DEIC (TBD)
- Marijuana delivery license HCA review at 5 Merchant Street (TBD)

Adjourn

MOTION: To adjourn at 8:39 pm
(Smith-Lee – Pierre-Louis) 3-0 **PASSES**

Switlekowski: AYE
Pierre-Louis: AYE
Smith-Lee: AYE

List of Documents

- Promotion recommendation
- Survey results and analysis
- Minutes
- Banner request forms (2)
- One day liquor license application
- Memorandum from Town Engineer
- Notice of Award form
- Email correspondence
- Road race map
- Request letter
- Proclamation
- Town Administrator's report