

MINUTES
SHARON SELECT BOARD
May 12, 2020

The meeting of the Sharon Select Board was called to order at 4:00 pm by Chair William A. Heitin remotely via Zoom in accordance with Governor Baker's emergency declaration regarding public gatherings. Select Board Members Emily E. Smith-Lee and Hanna R. Switekowski 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.

Mr. Turkington provided a brief update regarding the Town's response to the COVID-19 pandemic. He reported that the team is working collaboratively with schools, public health, and public safety on plans for a measured reopening per the Governor's plan. The Town has created a separate fund to track COVID related expenses. Town staff is actively working to open the beach this summer as well as looking at ways to make it equitable as access and parking may be limited to accommodate appropriate social distancing. A plan for reopening Town Offices is being developed as guided by the Governor.

Mr. Turkington is working on the logistics for 2020 Annual Town Meeting. He explained that the Finance Committee has expressed concern with financial impacts due to COVID-19. At this time, it does not appear that it will be possible to hold Town Meeting in June. The Commonwealth of MA has guidelines in place should this be the case. The Town can adopt a 1/12 budget based on the last Fiscal Year with adjustments for unique quarterly and annual payments. More information will be presented at the next Select Board meeting. In the meantime, he encouraged residents to follow the Town website and social media platforms periodically for updates. When the Town has more substantial information to disseminate, all means of communication will be exhausted such as Department, Club, and religious affiliation distribution lists.

Discuss and vote to approve National Gun Violence Awareness/Wear Orange Day

Mr. Heitin explained that the Board had a discussion at their last meeting with Mr. Stuart Jacoby regarding Wear Orange Day on Friday, June 5, 2020. Mr. Jacoby had requested the Board's input and requested support for gun violence awareness. The Board requested to review a draft proclamation before taking a position. Ms. Smith-Lee explained that she wished to see the draft and having reviewed it is satisfied with the language. Ms. Switekowski has also reviewed the proclamation and extended her thanks to Mr. Jacoby for his effort in advocating for this cause.

Ms. Susan Price of 79 Aspen Road asked if the Board has investigated whether group is partisan. She cautioned that the Board may be making a political statement about gun control without realizing. Ms. Smith-Lee remarked that although whether the group was partisan was not part of her rationale, after having read the draft proclamation, she is comfortable that Board is not making political statement.

MOTION: To approve the draft proclamation as presented.
(Smith-Lee - Switekowski)

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

Discuss North Main Street vibration study

Mr. Heitin explained that the Town hired a consultant through a three-quote process to research, investigate and develop a conclusion for the report of vibrations felt by homeowners near a trench from a water main break. The findings from this study were received and distributed among the affected residents.

Ms. Michelle Lucie of 208 North Main Street asked what actions the Town expects to take now that the report has been reviewed. It was explained that the Board feels it has three options:

1. Do nothing based on observed levels of impact recorded by the engineer;
2. Try to mitigate by slowing traffic thus minimizing impact; or
3. Repave or repair the two trenches suspected of being problematic.

The consensus of the Board is to repair the road. At issue this evening is the economic uncertainty and financial impact of the COVID virus on revenue and Chapter 90 State aid. The Board recognizes the length of time of this issue has been ongoing, but the Board wants to ensure, to the extent possible, that steps taken to remediate the issue will alleviate the problems without affecting other homes.

Mr. Hooper explained that he feels this sets a poor precedent as this is a costly repair which impacts a small percentage of residents. He went on to say that there are roadway defects in Town that are comparatively worse than this area of North Main Street.

Mr. Michael Gorin of 197 South Main Street explained that he has a Public Administration background and fully understands DPW's position. He went on to say that during this COVID situation, residents are home much more often, and the repeated vibrations are taking a toll. He is awakened at 6 am every day from the noise and house shaking. He has had other participants of virtual meetings he has taken part of from his home complain about road noise. The level of impact is beyond nuisance; it is a disruption. He extended an invitation to the Board to join him at his home for a cup of coffee when social distancing measures are relaxed enough to do so.

Ms. Joyce Bramhall of 207 North Main Street would like to add to what was said by her neighbors. She feels that the study validated residents' concerns showing that vibrations exceeded transit authority limits. She has lived in her home for 41 years and states that this is affecting the quality of life for her family. Feels that over four years, repeated vibrations at these levels can affect the condition of the house.

The Board supports doing something to fix this but needs more time to understand financial impacts of this present situation. There is a possibility that the problem may not be 100 percent solved if the entire section is repaved, but the Board wants to take steps to make the situation better for residents. Whether Chapter 90 aid comes through at 100 percent expectancy, a majority of the funding for this repair will come from the Town's budget. Mr. Heitin explained that it will take few more weeks to get a better idea of the financial situation.

Update and recommendation on solar agreements by Energy Advisory Committee

The Energy Advisory Committee met last night. The Chair of the Energy Advisory Committee, Mr. Kamocsay will provide a summary of the three recommendations presented to the Board. With regard to KP Law's review of the land leases, they feel that they are well drafted and recommend only minor changes. They feel that the financial component of the leases is in line with those in place in other communities.

Mr. Kamocsay advised that the Energy Advisory Committee has submitted updated site plans for East and Gavins Pond along with recommendations for those sites. Landfill has only recommendations to finalize site

plans. He pointed out that costs to remove the mound at soccer field will be the Town's responsibility and that after screening, the spoils from doing so could be utilized at the landfill as fill.

Mr. Turkington added that his interpretation of the Energy Advisory Committee's recommendation is that the site plan and mitigation plan for East and Gavins are ready for Board approval to set projects in motion. He has presented a draft motion for the Select Board which would accept both recommendations with exceptions and provisions that oversight would continue to be monitored by the Energy Advisory Committee and incorporated into the leases as either appendices or exhibits to carry the force of conditions along with any changes require approval by Board.

Ms. Smith-Lee expressed that she understands that the Board is voting to move forward with these recommendations as outlined at East and Gavins Pond with further review of the landfill. She feels that the priority needs to be getting the community comfortable with solar in the long run. She is hopeful that there will be more, maybe easier, but more completions like this in the future. She is happy to approve the recommendations from a group of people who have come together to figure out a doable, although imperfect, plan towards mitigation despite some feeling that it may not be fully maximizing the solar potential.

Ms. Switekowski agrees and went on to recognize all members collaborating toward this end with gratitude for their hard work.

MOTION: That the Select Board accept the recommendations of the Energy Advisory Committee with respect to the East Elementary School and Gavins Pond solar generation projects as outlined in the chart prepared by the committee attached to an email from the Energy Advisory Committee chair dated May 12, 2020, except provided:

1. that any continuing oversight to assure compliance with or to make recommendations for future changes to proposed site plans or mitigation measures be performed by the Energy Advisory Committee;
2. that the tree placement sketch be incorporated into the site plan documents for the East Elementary School;
3. that the Select Board include in the East Elementary School site plan documents a provision restricting any future expansion of the solar generation facilities on that site to roof-top solar units;
4. that the Energy Advisory Committee recommendations, as modified, be incorporated as exhibits/appendices to the land lease, PILOT agreements and all other documents related to these projects; and,
5. that any changes to site plans or mitigation measures must be approved by the Select Board prior to the issue of a building permit.

(Switekowski - Smith-Lee)

Heitin: AYE

Switekowski: AYE

Smith-Lee: AYE

3-0 **PASSES**

MOTION: That the Select Board accept the recommendations of the Energy Advisory Committee with respect to the landfill solar generation project as outlined in the chart prepared by the committee attached to an email from the Energy Advisory Committee chair dated May 12, 2020, except provided:

1. that any continuing oversight to assure compliance with or to make recommendations for changes to proposed site plans or mitigation be performed by the Energy Advisory Committee; and,

2. that any changes to the site plan or mitigation measures be reviewed by the Energy Advisory Committee and presented to the Select Board for approval prior to the issue of a building permit.

(Smith-Lee - Switlekowski)

Heitin: AYE

Switlekowski: AYE

Smith-Lee: AYE

3-0 **PASSES**

Vote to set date for 2020 Annual Town Election

Chair Heitin advised that it is the role of the Select Board to exclusively set the date of the Annual Town Election. All other logistics come under the custody and control of the Town Clerk.

Marlene Chused, Town Clerk advised that the Secretary of State's office has allowed for a reduction of hours at the polls to reduce the spread and exposure to COVID-19. She and her staff is encourage residents to vote by mail and take advantage of early voting. She is proposing limited hours for both the protection of voters and poll workers. She is planning to utilize the entire gymnasium on Election Day and has provided the Select Board several years of voting history. The highest attended Annual Town Election was in May, 2015 with 2975 voters and two contested races. She advises there is presently one contested race for School Committee.

Regarding logistics, Ms. Chused explained that tables will be appropriately spaced. Disposable pencils will be provided and masks will be encouraged per the Commonwealth's guidelines. Masks will be provided for those who don't bring their own. A cleaning crew will sanitize repeatedly during the hours of operation. The polling hours requested are from 12-6 pm.

Ms. Judy Crosby of 6 Condor Road feels that the date should be pushed back as far as possible and encourages the Board to consider changing the hours to early morning or early evening to accommodate residents who are working. Mr. Heitin reminded Ms. Crosby that the Board only sets the date and the hours are at the discretion of the Town Clerk. Concerning the date, he sees no issue with 23rd. Ms. Switlekowski mentioned her only concern is due to Ms. Chused's retirement and whether her subsequently working into the next fiscal year would cause complications.

MOTION: To set the date for the 2020 Annual Town Election on Tuesday, June 23, 2020 from 12:00 pm to 6:00 pm.

(Switlekowski - Smith-Lee)

Heitin: AYE

Switlekowski: AYE

Smith-Lee: AYE

3-0 **PASSES**

Review and approve consent calendar

- I. Vote to approve minutes:
 - March 10 regular session minutes
 - March 10, 2020 Executive session minutes
 - March 24, 2020 regular session minutes

April 7, 2020 regular session minutes

April 28, 2020 regular session minutes

- II. Vote to authorize the DPW to hang commemorative banners celebrating Sharon senior class of 2020 contingent on the provision of banners.
- III. Vote to appoint Matt Baldassari as a special representative to the Sharon Standing Building Committee for the Sharon Public Library Project.
- IV. Vote to approve annual outdoor water use restrictions from May 1, 2020 through October 1, 2020.

Ms. Switlekowski asked that the items for banners and Sharon Standing Building Committee appointment be held.

MOTION: To approve items I and IV of the consent calendar.

(Smith-Lee - Switlekowski)

Heitin: AYE

Switlekowski: AYE

Smith-Lee: AYE

3-0 **PASSES**

Mr. Heitin stated that hanging banners is a normal DPW function. There is a group of parents working to identify some way to celebrate seniors. DPW will hang banners as part of their normal work hours and it is estimated that it may take roughly four hours to hang the banners. Ms. Smith-Lee expressed her thanks to all who are involved in organizing this effort.

MOTION: To authorize DPW to hang commemorative banners celebrating Sharon senior class of 2020 contingent on the provision of banners.

(Heitin - Smith-Lee)

Heitin: AYE

Switlekowski: AYE

Smith-Lee: AYE

3-0 **PASSES**

It was explained that this request was initiated by the Chair of the Standing Building Committee, Gordon Gladstone. Matt is the Sharon Facilities Manager and the DPW representative for Town building projects in that capacity. He was previously involved in the construction of the Public Safety Building and Town Hall building projects.

MOTION: To appoint Matt Baldassari as a special representative to the Sharon Standing Building Committee for the Sharon Public Library project.

(Heitin - Smith-Lee)

Heitin: AYE

Switlekowski: AYE

Smith-Lee: AYE

3-0 **PASSES**

Report of the Town Administrator

Mr. Turkington provided the following update.

At this time, there is no provision that would allow us to hold Town Meeting given the number of expected participants. There is legislation moving forward now which addressed on quorum requirements for Open Town Meeting and allows for remote participation for Representative Town Meeting but it hasn't addressed how to hold Town Meeting where participation is voluntary and up to the will of the voters. Sharon is not in a position to, regardless of how well we predict, set up separate rooms in a building or set up a Zoom conference or utilize a closed circuit cable broadcast.

The Commonwealth has provided for the Town's finances with a 1/12 budget using FY20 allocations with provisions for unique payments that are quarterly or annual payments that occur in a given month. As a result of using the FY20 basis, any negotiated pay raises would not take effect in July pending a Town Meeting vote on Article 4. Capital, projects using CPA funding and other items which are related to financing would be held until Town Meeting can be held hopefully in late August, September, or October. There will be analysis presented to the Board at the next meeting so that we can submit it to the State for approval.

The Finance Committee had a lengthy discussion last week regarding various scenarios due to concerns of the severity, depth, and duration of unemployment. Unfortunately as the borrowing occurred for the High School, that project is underway, that expenditure will occur this summer thus affecting the tax rate this fall. They have asked that we reevaluate revenue sources. They expect that the Priorities process will reconvene in a condensed way to look at revenue estimates. Some of the items being monitored are motor vehicle excise tax, meals tax, hotel and motel tax and building permit activity.

Departments are trying to curtail discretionary spending as much as possible. Tools at the Town's disposal are a flexible hiring freeze and revisiting the budget which was presented pre-COVID. Efforts are ongoing internally and the Finance Committee and Select Board will be updated as we move forward.

Judy Crosby of 6 Condor Road asked if the Town goes to 1/12 budget, does that freeze everyone at their rate of pay for FY 2020? Would contractual step increases need to be implemented? The Town has asked the Department of Revenue on a ruling on that and it varies depending by situation. Town meeting approves pay schedules under Article 4. Steps, yes, are obligated. May be an interpretation.

Mr. Ken Weiner of 1267 Bay Road asked whether force majeure can be invoke on any financial agreements until there is a more clear understanding of financial impacts due to the pandemic. It was explained that the Town's budget hasn't yet been approved because there hasn't yet been a Town Meeting.

Ms. Switekowski commented that other neighboring communities celebrate Pride month in June and asked whether Sharon might consider raising a Pride flag. It was agreed that this topic would be discussed at the next Select Board meeting.

The Board honored Libby Kafka, a lifelong Sharon resident, who passed away this week with a moment of silence.

National Police week was recognized. The Board would like to extend their gratitude to the Sharon Police Department for all they do to keep Sharon safe.

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

Adjournment

MOTION: To adjourn at 5:32 pm.
(Smith-Lee - Switlekowski)

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

List of Documents

- Proclamation
- Vibration analysis/report
- Correspondence
- Site plans
- Recommendations
- Draft vote
- Warrant
- Correspondence/notes from Town Clerk
- Minutes
- Correspondence from SSBC
- Memorandum from Eric Hooper