

MINUTES
SHARON SELECT BOARD
June 23, 2020

The meeting of the Sharon Select Board was called to order at 7:00 pm by Chair William A. Heitin remotely via Zoom. 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. Heitin announced that 2020 Household Hazardous Material day will be held on July 8 from 4 to 8 pm at Sharon Department of Public Works, 217 R South Main Street.

Special recognition – Brooke Botelho and Jessica Buchsbaum

Ms. Botelho and Ms. Buchsbaum attended the meeting virtually at the request of the Select Board who, along with the Sharon Fire and Police Departments, recognized Ms. Botelho and Ms. Buchsbaum for their actions over the past weekend at Lake Massapoag. The young women, ages 11 and 12, were at the lake when they heard a man calling for help. A gentleman who had been using a metal detector in the shallow water at the edge of the lake lost his footing and found himself neck deep and struggling to keep afloat. The girls called 9-1-1 and swam out to assist the man and help him to the beach.

Mr. Heitin took a few moments to express his gratitude and pride at the lifesaving actions taken by these young women over the weekend.

Fire Chief James Wright praised the girls for their actions. He explained that Chain of Survival often referred to by Emergency Medical Safety professionals only works if all parts of the chain are there. He expressed his gratitude and pride at their accomplishment.

Police Chief John Ford also commended Brooke and Jessica and read a Civilian lifesaving award which will be presented personally with a medal at a later date.

Ms. Smith-Lee and Ms. Switekowski read letters which would accompany lifesaving awards presented by the Select Board.

Candidate Interview – James Newton for Commission on Disabilities

The Board met with James Newton, a candidate to fill a vacancy on the Commission on Disabilities. Mr. Newton explained that he is a resident of Mountain Street. He moved to Sharon with his family a year ago as he knew Sharon to be a great town. He is a tenured professor who believes strongly in volunteerism and supports Diversity and Inclusion.

He has attended three Commission on Disabilities meetings and is impressed with the work of the Commission such as securing clear face coverings for individuals who rely on non-verbal communication. He explained that he has a child, a student at Cottage Street School, with Down syndrome. Mr. Newton explained that he feels there is a strong information gap and he would like to work on education and outreach.

The Board thanked Mr. Newton for attending the meeting this evening and for volunteering to fill the vacancy on the Commission. It was explained that it is the Board's policy not to make an appointment until the meeting immediately following the candidate interview which in this case would be July 14.

Discuss charge for Diversity and Inclusion Committee

Mr. Heitin began the discussion by stating that the Board, with the help of the Town Administrator and Select Board staff, spend a great deal of time gathering data to get a sense of what other communities are doing in this regard. Before continuing however, he wanted to mention that this is a time to foster a return to unity in Sharon.

Mr. Turkington explained that he has incorporated seven key points based on the data collected through research of the efforts of other communities as well as comments received from Sharon residents and read the proposed draft charge for the Committee:

- Embrace, support and promote the cultural richness of Sharon's diversity as a critical element that characterizes a healthy and vibrant community.
- Provide a welcoming environment by encouraging cooperation among all residents and groups through community awareness, education, and outreach.
- Promote training for all elected and appointed officials and all Town and School employees that recognizes and works to eliminate unconscious or implicit bias in the implementation of programs and policies and in the actions of officials and employees.
- Foster civic engagement of all citizens with the goal of increasing participation of underrepresented groups in the governance of the Town as members of boards and committees and at town meeting.
- Ensure equitable access to resources, programs and opportunities for all residents.
- Suggest programs or activities that will promote a culture of mutual respect and equal treatment for all persons regardless of age, ethnicity, color, race, ancestry national origin, religious beliefs, mental or physical ability, gender, sexual orientation, or gender expression or identity.
- Be instrumental in the elimination of discriminatory barriers to employment, education, housing and other opportunities within the Town of Sharon and to suggest meaningful steps that will increase the diversity of the Town's workforce to better reflect the demographic composition of the residents for whom employees serve.

The focus here is to expand beyond the idea of diversity in the community and promote the celebration and embracement of traditions and values of all citizens within the community as well as to aspire to be a community characterized by the value of equality. The work of several groups in Town over the years forms a solid basis to build upon. Groups such as the Sharon Pluralism Network, Interfaith Clergy Council, Sharon Racial Equity Alliance and those involved with Town government and the School Committee.

Mr. Turkington has put together a draft which includes a makeup of nine members which represent a cross section of the community and includes a representative from the Pluralism Network, Racial Equity Alliance, Interfaith Clergy Council, Sharon Police Department and four citizens at-large to be chosen by the Select Board, one of whom would be a student of Sharon Schools between the ages of 16 and 19 and a member representing the Sharon School system such as a parent, an educator, administrator, coach, club or activity leader, or School Committee member. A member of the Select Board would provide leadership and guidance as to tasks and ways they can support the mission of the Committee. Mr. Turkington has also built in a requirement for the Select Board to review of the composition and mission statement of the Committee with feedback from the Committee based on their experiences over the next year. At this time next year, the Board may modify whatever proposal the Board votes this evening to establish the Committee. At that point, staggered terms would be established for the nine members of the Committee.

Ms. Smith-Lee commented that she would like to clarify that the establishment of this Committee is to advise the Select Board as they decide what next steps to take within their authority such as it is. This Committee will not have oversight or authority over other Boards and Committees as the Select Board has no such authority.

She also wished to raise with the Board was the suggestion that there be the explicit recognition that one of the purposes of this Committee is to combat racism. Be it in the title or the mission statement, it is felt to be well received and important feedback. Ms. Smith-Lee also thinks that part of the purpose of the Committee is to invite feedback from people who are underrepresented. She feels it important to capture the part of the population that needs representation. She also feels that guidance with respect to training of government officials and employees is essential.

Several members of the community provided comments on the makeup and charge of the Committee. It was widely felt that the Committee should be explicit in giving a voice to those who traditionally have had none. The importance of the implementation of bias training and the review of town policies and practices as well as policy recommendation and creation were also suggested.

The Board explained that the establishment of this Diversity, Equity, and Inclusion Committee is fluid and can be modified as the process moves forward.

MOTION: To approve the establishment of a Diversity, Equity, and Inclusion Committee as presented with the inclusion of the task of eliminating racism and the acknowledgement that the suggested makeup is not binding so it may be revised in the future if necessary.
(Smith-Lee - Heitin)

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

August 1/12th Budget

Mr. Turkington explained that because Town Meeting has been delayed until fall, the Commonwealth has provided a method for month-to-month fiscal operations until a budget is passed at Annual Town Meeting using the current fiscal year budget as a template with the exception of any invoices or bills due on an annual or quarterly basis such as retirement funding which is an annual payment in July. Finance Director, Krishan Gupta provided a summary of the monthly budget by department. The aggregation summary is outlined as follows.

School	\$992,570
Town	\$4,909,638
Enterprise, water	\$358,479
Enterprise, cable	\$85,000
SUM	\$6,345,687

MOTION: To approve the August 2020 monthly budget as presented in the amount of \$6,345,687.
(Smith-Lee - Heitin)

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

Update on solar leases

Mr. Turkington explained that the Town has been engaged in negotiations between special counsel, KP Law, and counsel for DSD, the solar vendor on leasing town land. They have accepted a number of changes that were recommended by special counsel. At this time, the parties are working on compromise language on a few points. They would like to include the recommendations the Board voted on mitigation and site plan materials on the three sites as exhibits on the lease.

Review draft flag pole policy

The Board was provided with copies of comments from Town Counsel as well as a draft policy. When the issue was first raised by the Board, Mr. Turkington had Town Counsel provide an overview of Supreme Court decisions which govern expressions of speech including cases surrounding display of flags and use of flagpoles. There are a couple of options laid out in Mr. Gelerman's opinion including governmental expression only, meaning exclusive display of the United States flag, the flag of the Commonwealth of Massachusetts, and the POW/MIA flag on flagpoles. The other would be limited or designated public forum which sets a criteria upon which the Board could block hate speech but generally speaking other forms of expression would be permitted. The Board could set rules governing duration of display. Mr. Turkington pointed out that the intention of this draft was not to apply to properties under the care, custody, and control of the Sharon Schools.

The Board expressed their desire to ask questions of Town Counsel before taking a position on this matter. Mr. Turkington suggested that they email their questions individually to him and he will draft a single message to Town Counsel for opinion. It is his understanding that the decisions about regulating expressions of speech has always surrounded flag poles in particular.

Review and approve consent calendar

- I. Vote to approve June 9, 2020 regular session minutes
- II. Vote to appoint Town Clerk Mark Hogan as burial agent
- III. Vote to approve transfer of \$200,000 from water reserve to water capital for Massapoag water storage tank - HELD
- IV. Vote to elevate Steve Weiss from Alternate to Member of Sharon Zoning Board of Appeals for a term expiring December 31, 2022

MOTION: To approve the consent calendar with the exception of the \$200,000 transfer for the Massapoag water storage tank which was held.
(Smith-Lee - Switekowski)

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

Report of the Town Administrator

Mr. Turkington provided the following update.

Human Resources Matters

- As you will recall, I notified all employees on June 1, 2020 that salaries would be frozen at FY2020 rates for FY2021 pending adoption of the FY2021 operating budget at a delayed Annual Town Meeting. I received a challenge from the police and dispatchers union counsel questioning the Town's ability to withhold scheduled raises for the second or third year of a three-year collective bargaining agreement, stating it was settled law that approval of agreements obligated the town to honor provisions in the second and third year, regardless of appropriation. I explained that the delay would allow the parties to assess the status of salaries and employment once the proposed budget is finalized and negotiate as changes were required to eliminate layoffs.
- Building Official Joe Kent has announced his retirement effective July 17, 2020. An advertisement for the position has been posted. Benefits coordinator Maggie Remillard announced her resignation effective July 3, 2020 to pursue an opportunity with the Social Security Administration office in Providence. That position has also been advertised. Both are essential and not subject to the temporary flexible hiring freeze we have employed pending adjustments to the proposed FY2021 budget.
- COA Program Coordinator Marsha Books retired on May 29, 2020. The position has not been advertised given the temporary suspension of senior programming and FY2021 budget adjustments.
- Collective bargaining negotiations with firefighters and the management/professional employees have been suspended since mid-March. These are two of five labor agreements expiring June 30, 2020. The other units are: school crossing guards; librarians; and, AFSCME public works drivers, equipment operators, foremen and laborers.

Updates on Pending Matters

- *FY2020 year-end reserve fund transfers.* Included with my report is one of the two major requests for fiscal year-end transfer of funds to be presented to the Finance Committee on Monday, June 29. The net cost of snow and ice removal is approximately \$50,000 following a relatively mild winter in terms of total precipitation, but fairly busy in terms of spot sanding and safeguarding roadways due to temperature fluctuations around the freezing point. The second major request will be for legal services. I expect to have a final number not to exceed based on estimated June invoices for legal services that I may share with the Board at Tuesday's meeting. The number is expected to range between \$80K and \$85K, largely attributable to the Brickstone acquisition which consumed nearly \$70,000 in legal, appraisal and related consultant fees, and other services related to town meeting articles and capital projects. We also expect a transfer of \$22,775 related to the November 2019 special election and debt exclusion (a portion of which may be reimbursable from the state) and \$7,500 to fund an increased number of veterans eligible for benefits.
- *Reorganization of the Select Board.* At the July 14 meeting, the Board will reorganize for the coming year ending with the May 2021 municipal election. It is customary that the member who's term is expiring serve as chair, with the next senior member serving as clerk. You will also determine the two members and one alternate members of the Priorities Committee and Capital Outlay Committee effective October 15, 2020 for the FY2022 budget year.

Department Manager and Other Meetings

Note: It is my intention to meet at least quarterly during the year to keep all departments cognizant of major initiatives and activities of other departments. In addition, I will be meeting about once a month with sub-groups of department managers with overlapping responsibilities or projects to assuring coordination and efficiency. The four sub-groups are: Public Services (DPW Director, Town Engineer, Building Inspector, Health Agent, Conservation and DPW supervisors); Community Services (Recreation, COA, Nurse/Public Health, animal control, library services, Veteran's agent, and Town Clerk); Administrative and Financial Services (finance and accounting, tax collection, treasury, employee benefits/payroll, information technology/management information systems, assessment); and Public Safety (DPW Director, Police, Fire/EMS, and Civil Defense). On occasion, some departments will be added on a project specific basis to a meeting of another group.

The last department directors meeting was held on Tuesday, June 9. We reviewed the reopening plan for staff and residents, including variations between buildings and services. Provided the phase 3 of the Governor's reopening plan proceeds on June 29, we expect to open to the public Monday – Wednesday from 8:30 a.m. to 5:00 p.m., Thursdays until 6:00 p.m., and Fridays from 8:30 a.m. to 12:30 p.m. effective July 6. We discussed potential timeline for Annual Town Meeting; resumption of in-person meetings of boards and committees, and potential community events for September and October. Finance Director Krishan Gupta reviewed the process for CARES Act eligible expenses and segregating pandemic related expenses. I reviewed the 1/12th budget process and the perspective of the Finance Committee and other officials urging a conservative FY2021 operating and capital budget to reflect the economic impact of COVID-19 closures.

Listed below are noteworthy meetings with representatives from outside organizations, vendors, constituents, or members of boards and committees since our last meeting:

- Participated in the Finance Committee meeting on June 1; Priorities Committee meeting on June 9 and Capital Outlay Committee on June 11.
- Met with Epic to review FY2021 property casualty insurance renewal on June 10 and with Cook & Company on June 11 to review stop-loss insurance bids for FY2021.
- Participated in the Norfolk County administrators/managers meeting on Tuesday, June 16 via Zoom.
- Met with John Carroll on June 16 to discuss proposal for additional billboard with mitigation on Route 1.

List of important upcoming meetings and events (as of 6/18/20)

Monday, June 29 th	Finance Committee, 7:00 p.m. (review reserve fund transfer requests)
Friday, July 3 rd	Town facilities closed in observance of Independence Day
Tuesday, July 14 th	Select Board, 7:00 p.m.
Monday, July 20 th	Priorities Committee, 7:00 p.m. (tentative)
Monday, July 27 th	Capital Outlay Committee, 7:00 p.m. (tentative)
Tuesday, July 28 th	Select Board, 7:00 p.m.
Tuesday, August 4 th	Joint meeting of Select Board, Finance Committee and School Committee to review FY2021 revenue estimates and budget adjustments, 7:00 p.m.
Tuesday, August 18 th	Select Board, 7:00 p.m.

Future meeting agenda topics and tentative dates for discussion

- Reorganization of the Select Board (July 14)
- Public hearing for earth removal permit for Sharon HS project (July 14)
- Review, discussion and approval of amendments to or amended and restated leases with DSD and related documents for leasing of Town-owned land at East Elementary School, former landfill, and parking area at Gavin's Pond soccer fields (July 14)
- All-alcoholic beverage liquor licensing hearing (July 28)
- Review and approval of request to state DOR of monthly appropriation for September 2020 (July 28) and for the month of October 2020 (August 18)
- Vote to schedule Annual Town Meeting for Monday, October 5, 2020 at 7:00 p.m. at Sharon HS

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

None

Adjourn

MOTION: To adjourn at 8:50 pm.
(Smith-Lee - Switlekowski)

Heitin: AYE

Switlekowski: AYE

Smith-Lee: AYE

3-0 **PASSES**

List of Documents

- Board and Committee Application
- Commission on Disabilities membership list
- Draft DEI Committee charge
- Sharon Racial Equity Alliance position statement
- FY2021 August budget summary
- FY2021 July-August budget projection
- FY2021 Debt payment list
- Correspondence
- Draft flag pole policy
- Minutes
- Zoning Board of Appeals membership list
- Statement of Interest
- Letter of Resignation
- Correspondence from Town Counsel
- Town Administrator's report