

MINUTES
SHARON SELECT BOARD
July 14, 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.

Public Hearing – Earth Removal, Sharon High School construction project

MOTION: To open the public hearing at 7:00 pm.
(Switekowski – Smith-Lee)

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

Mr. Ti Johnson of Warner Larson Landscape Architects provided an overview of the planned site work next to the existing High School building. He explained that this is a large, phased project and there is no room for storage of the earth that will be excavated for the new building. He went on to say that 20,000 cubic yards of subsoil will be removed along with 1500 cubic yards of topsoil.

Mr. Heitin asked Town Engineer, Peter O’Cain, to comment on whether there was any need in other locations in town for the topsoil, such as the landfill or Sharon Gallery. Mr. O’Cain explained that the landfill has been capped with a membrane which cannot carry even a small load without risk of damage. As of today, the topsoil would not be able to be used at the Gallery location either. Mr. Heitin further asked whether there was any monetary value associated with the topsoil. It was explained that market forces dictate the value of the topsoil. Considering the cost to truck the volume of material off-site, any cost benefit for the sale of the topsoil would be negligible.

Ms. Switekowski commented concern about the neighbors on Pond and Beach Streets being made aware of scheduled trucking in advance. Mr. Rudert of Consigli Construction explained that neighborhood contact information is being compiled now so lines of communication with the neighbors could be established. He further stated that trucking blackout times for trucking were factored into the bid for the job so as to reduce impact around the school pick up and drop off schedule.

MOTION: To close the public hearing at 7:21 pm.
(Smith-Lee - Switekowski)

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

MOTION: To approve the application for Earth Removal subject to approval by Town Counsel.
(Smith-Lee - Switekowski)

Heitin: AYE

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

Change of Manager – The Cape Club of Sharon

Attorney Robert Shelmerdine of Post Office Square explained that he represents The Cape Club of Sharon. Mr. Shelmerdine explained that in June, Mr. Ken Ellsworthy, the most recent manager left the facility for other employment. Mr. Shelmerdine introduced Mr. Bill Ransom as Mr. Ellsworthy's replacement.

Mr. Ransom explained that he has been in the hospitality industry for 22 years. His experience includes management of retail establishments such as Papa Gino's and CVS. He has experience with both alcohol and tobacco sales. He has been with the Cape Club for the past four years between the Falmouth and Sharon locations and is now at the Sharon facility full-time.

The Board confirmed whether all application paperwork was in order and thanked Mr. Ransom and Mr. Shelmerdine for their time.

MOTION: To approve the Change of Manager application for The Cape Club of Sharon.
(Smith-Lee - Switlekowski)

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

Select Board Reorganization

MOTION: To appoint Ms. Smith-Lee as Chair for a one-year term.
(Heitin - Switlekowski)

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

MOTION: To appoint Mr. Heitin as Clerk for a one-year term.
(Switlekowski- Heitin)

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

Appoint Members and Alternates to Priorities and Capital Outlay Committees

MOTION: To appoint Mr. Heitin and Ms. Smith-Lee as representatives for the Priorities Committee with Ms. Switekowski serving as alternate.
(Heitin - Switekowski)

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

MOTION: To appoint Ms. Switekowski and Mr. Heitin as representatives for the Capital Outlay Committee with Ms. Smith-Lee serving as alternate.
(Heitin - Switekowski)

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

Sharon Porchfest, September 13, 2020 - Paige Davis

Ms. Davis explained that the inaugural Porchfest was a very successful event last year. She provided copies of the flyer for Sharon Porchfest 2020 Reimagined to encourage a safe and socially distant event this year. This event is a public day of celebration and showcases diversity. There has been some benefit from other communities holding their events in the spring which has allowed Ms. Davis to model this Sharon Porchfest on their successes in managing crowds. She explained that Arlington had an event that they called Bubblefest and encouraged residents to participate within walking distance of their homes. She wishes to ensure that the Board has no concerns and went on to say that planners have been careful to encourage small performances. The Board agreed that crowds and safety are a concern and note that the event should be conditional upon a stable condition concerning COVID cases. They also agreed that last year's event was a success and looks forward to Porchfest this year.

Comcast Host Agreement Renewal - Response Letter to Comcast

Mr. Chuck Levine of the Sharon Technology and Telecommunications Advisory Committee explained that Sharon's contract with Comcast is up for renewal in October of 2022. The process begins roughly 30 months ahead of the agreement expiration. A letter was included with the Board's meeting materials. With their approval, the letter should be signed and mailed to Comcast indicating Sharon's preference for negotiating style.

Mr. Levine felt it important to note that this agreement is solely for cable television services, not internet or other ancillary services.

MOTION: To approve and sign the letter to Comcast as presented.
(Heitin - Switekowski)

Heitin: AYE
Switekowski: AYE
Smith-Lee: AYE

Review Draft Flag and Banner Display Policy

Ms. Smith-Lee provided a brief recap of previous discussions. A draft policy was prepared and refined by Town Counsel and Mr. Turkington with input from the Board over the course of the past six weeks. Town Counsel has answered individual Board member's questions and the next step in the process is to decide which of the two presented policy options are preferred. Option 1 limits flag display on flag poles on Town property to government use only. Option 2 allows flags and banners on Town property which is under the custody and control of the Sharon Select Board in accordance with clear, content-neutral rules regarding such use.

Ms. Switekowski asked whether this policy would extend to the Public Safety Building. She feels that the governmental use only option is too limiting and prefers the limited or designated public forum option or option 2.

Mr. Heitin mentioned that perhaps it may make sense to have a different flag pole for other displays. Ms. Smith-Lee suggested having a different flag pole is

MOTION: To approve a flag pole policy of limited or designated public forum (option 2) of the presented draft policies.

(Heitin - Switekowski)

Heitin: AYE

Switekowski: AYE

Smith-Lee: AYE

3-0 PASSES

Interview Process for Diversion, Equity and Inclusion Committee

The previously established charge, applications received by mail, and a list of applicants to date were included in the Board's meeting materials. It was agreed at the last meeting that applications for the DEI Committee would be solicited and that there would be flexibility in the composition of the committee. Feedback was received from stakeholders and there were requests for clarification on a number of issues including but not limited to residency.

Ms. Switekowski would like to keep the application process open until the end of July and feels it is important that the interview process be standardized. She asked for clarification on who has the final say on appointed positions if there are instances of duplication.

Mr. Heitin has no issue with holding the application period open until the end of July. His impression on designees by the School Department or Police Department would be the appointee for the respective group. They would be interviewed as part of the process but their appointment would be by designation of the organization. Although he feels there should be a standard list of questions, he reserves the right to ask additional questions if needed.

Ms. Smith-Lee feels that it is important that the process be watched closely so that the committee adequately represents the underserved. She also feels that the application period should be left open and agrees that the interview questions should be standardized. She would like to collect proposed questions from the Board members between now and the next meeting before proceeding with interviews.

Clarification was made about the student position and about residency concerns relating to the School Department designee. It was explained that the intent was for the School Department designee could be a coach, an administration member, a teacher, or a club leader with the understanding that they may not and would mostly likely not reside in Sharon. The Board acknowledged that they can appoint non-resident.

It was agreed that proposed questions would be circulated ahead of the next meeting for further discussion.

Update on Library Project

Mr. Heitin provided an update with respect to the Library project. He explained that the Select Board members are advocates of the library project and any notion otherwise is false. He further explained that the Zoning Board of Appeals has denied the variance application put forth. Mr. Heitin acknowledged that there are issues with the design as it relates to the proposed new location and wishes to work toward a compromise. There have been discussions with Town Counsel around a solution. He has reached out to Cheryl Weinstein and the abutters. He has also reached out the Legislative Delegation for support to salvage the grant funding regardless of the size of the building. Given the present financial crisis, MBLC will provide no funding for projects next year. He wishes for all parties to come together for a palatable solution and is open to discussions toward that end.

Ms. Smith-Lee agreed that the zoning decision has the Town at a crossroads. She supports the idea of trying to broker a conversation. In order for it to be effective, all stakeholders must be clearly identified and must be willing to cooperate.

Ms. Switekowski asked whether other locations in Town would be investigated. Mr. Heitin mentioned that it was always the intent to have the library in the center of Town but there are other parcels that could be used such as Deborah Sampson or East Foxboro Street.

Mr. Heitin feels that the parties need to come together to figure out what the Town can deal with as a building, understand the programmatic aspects of the building and go back to the MLBC. It is understood that the MLBC may say no. Having the State Legislators supporting us only helps the situation.

Ms. Smith-Lee stated that the Select Board has no authority in what to do about the library. What is being proposed here tonight is bringing the stakeholders to the table to figure out if there is a path forward that could be advocated together.

Review and approve consent calendar

- I. Vote to approve June 23, 2020 regular session minutes
- II. Vote to appoint James Newton to the Commission on Disabilities for a term expiring December 31, 2021

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

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

Report of the Town Administrator

Mr. Turkington provided the following update.

- The Board can expect to finalize a date of October 5, 2020 for Annual Town Meeting. Concerns are being discussed with School officials around cleaning for the school location.
- A date of August 4 has been reserved for a Tri-Board meeting. It is hoped to have some additional information on State Aid at that time.
- Finance Committee agreed to use a portion of Fiscal 20 unexpended reserves on capital items and not increase the OPEB contribution for 2021 reduces the fixed side of the budget by roughly \$315,000 thus negating much of the lost revenue.
- Labor Day is the deadline for printing the Town Meeting warrant.
- Interviews were recently held for the vacation position of Benefits Administrator and the deadline for interested candidates to submit resumes and letters of interest for the vacant Building Inspector position is on Friday.
- KP Law is expected to finalize the land lease agreements by next Wednesday for solar generation on Town land.
- Attendance at the beach has been closely monitored. The decision was made last week based on the Board's feedback to begin offering morning and afternoon passes as well as a full day pass for adults. As of today, sales are roughly \$66,000. Reimbursement of COVID related expenses is being sought in the amount of \$21,000. The projected deficit for beach operations is expected to be between \$20,000 and \$30,000.
- The Fire Chief has been exploring a rack to hold the Jet Ski which is currently towed to the lake in the event of a water accident. He has existing surplus and would like to use approximately \$2,000 to fund this purchase. Chief Wright has also consulted Conservation and Recreation. Mr. Heitin is supportive of this but would like to speak to the Chief tomorrow about his concerns about vandalism. And
- The Department of Revenue has offered an opinion on the 1/12 budget voted last week. Their interpretation of the special legislation that was passed is that the minimum request must be 1/12 of the FY20 budget. The vote taken must be modified to reflect the 1/12 minimum. It was explained that this amount isn't the amount expected to be spent, rather spending will be lower.

MOTION: To approve the revised August 2020 monthly budget in the amount of \$7,901,897.

School	\$992,570
Town	\$6,465,848
Enterprise, water	\$358,479
Enterprise, cable	\$85,000
SUM	\$7,901,897

(Heitin- Switlekowski)

Heitin: AYE

Switlekowski: AYE

Smith-Lee: AYE

3-0 **PASSES**

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

Ms. Switlekowski made two announcements pertaining to early voting and Sharon Police Department's "Chilling with Pops" program on Thursday.

Executive Session

MOTION: To adjourn at 9:01 pm.
(Smith-Lee - Switlekowski)

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

List of Documents

- Earth removal application letter
- Site plans
- Memo from Town Engineer of
- Sharon Porchfest 2020 flyer
- Email correspondence of June 4, 2020
- Email correspondence of
- Email correspondence of
- DEI Committee charge
- DEI applications received by mail
- Applicant list as of July 9, 2020
- Minutes
- Commission on disabilities membership list