

MINUTES
SHARON BOARD OF SELECTMEN
March 16, 2017

The meeting of the Sharon Board of Selectmen was called to order at 7:30pm in the Town Hearing Room at the Sharon Community Center with Chairman Walter B. Roach, Clerk John J. McGrath, Selectman William A. Heitin and Town Administrator Frederic E. Turkington, Jr.

Public Hearing - Commercial Access Fee for Farnham Road Recycling Facility

Department of Public Works Superintendent Eric Hooper was present for the hearing.

MOTION: To open the public hearing at 7:31pm
(Heitin - McGrath) 3-0 **PASSES**

In a memo to the Board, Mr. Hooper outlined the reasons for the need for a commercial access fee for the Farnham Road site. All other surrounding and nearby communities either prohibit commercial vehicles from access to their compost sites or charge for access to their sites. Most other nearby communities that allow access, use a vehicle scale to determine weight and require all vehicles with commercial plates to pass over the scale prior to dumping and following dumping.

The Farnham Road Compost site is for residential yard waste. Accordingly, it is open on weekends only during the spring, summer and fall months. Because of a recent incident of commercial abuse of access to the site, commercial vehicle access to the site was prohibited. This incident cost the Town \$19,000 to grind up the materials.

The Town has experienced nitrate levels at the nearby wells.

Arguments have been advanced by commercial landscape companies that what they are hauling is yard waste from Sharon residents, therefore, access should be allowed. I do not agree with this argument: landscape companies contract with their clients to perform a service which includes collection and disposal of yard waste, i.e., once the waste is collected and placed on the contractors truck, it is commercial waste and may be intermingled with waste from residents from other communities.

We have been through this three times in the past, once in 2006, again in 2009 and finally last fall during which the DPW came up with fee structures for Sharon residents, Sharon landscape companies and commercial landscape companies. The DPW is proposing a modified version of what was previously implemented.

1. All commercial landscape contractors who do business in Sharon will be required to purchase passes for use of the facility. The fee for each single use pass will be \$25 and will be required for all vehicles bearing commercial license plates each time to access the Farnham site. A sample of the pass is attached.
2. Contractors will be allowed to dispose only grass clippings, leaves, brush up to 10" diameter and ground/chipped material. Access to the facility will be revoked if unacceptable material is found in dump loads.
3. Passenger vehicles and pickup trucks without commercial license plates will be allowed access to the Farnham site without charge as long as they can show Sharon residency, i.e., a valid Sharon address on the vehicle registration.
4. Residents may dispose only grass clippings, leaves, brush up to 10" diameter and ground/chipped material. Access to the facility will be revoked if unacceptable material is found in dump loads.

The Department of Public Works uses the Farnham Road compost facility to generate large volumes of useable compost and wood chips that are available to Town residents free of charge. However, accumulation of an excess amount has been shown to result in high nitrate levels at Town wells that are located immediately down gradient from the Farnham site.

The controls outlined above will allow the DPW to keep the facility manageable and open to both Sharon residents and Sharon landscape contractors while protecting town drinking water wells.

Mr. Turkington noted that the coupon books will only be available during the week; no money will be collected at the site.

Selectman McGrath asked if the town is required to allow commercial pickup trucks that are not landscaping vehicles, such as a construction company vehicle. Mr. Hooper noted that a decision was made years ago to allow Sharon-based landscapers who service Sharon residents to dump yard waste at Farnham. Selectman McGrath asked if any allowances can be made to allow Sharon residents with commercial vehicles/pickup trucks (i.e. electrician) to be able to bring their own yard waste. Mr. Hooper believes something can be done to accommodate these people, but pointed out that these people often have a personal use vehicle.

Mr. Hooper suggested that the landscaping companies register with the DPW, and purchase the booklet of passes. Sharon residents with commercial pickup trucks that they use for work (i.e. electrician, general contractor) should come to DPW and register; their license plates will be taken down and the name of your business, so that the person working at Farnham will know that they can enter.

MOTION: To close the public hearing at 7:41pm
(Heitin - McGrath) 3-0 **PASSES**

MOTION: To accept the recommendation as discussed, with modification
(Heitin - McGrath) 3-0 **PASSES**

Public Hearing – Water Rates

Department of Public Works Superintendent Eric Hooper was present for the hearing.

MOTION: To open the public hearing at 7:41pm
(Heitin - McGrath) 3-0 **PASSES**

In a memo to the Board, Mr. Hooper outlined the reasons for an increase in the water rates.

In keeping with the approach adopted previously by the Water Management Advisory Committee of having regular relatively small rate increases, what is proposed is a modest rate increase that should result in an increase in overall revenues of about 7.5% up to roughly \$3.8 million. This revenue increase will allow the Water Department to continue its 20-year infrastructure improvement program of water main replacement and implementation of other large capital projects.

This proposed increase was presented to the Water Management Advisory Committee for discussion in December and January and approved by the Committee for presentation to the Selectmen. The proposed changes include the following highlights:

1. Increased the fixed fee from \$22.50/quarter to \$27.50/quarter.

2. Raised rates of all blocks, including the most subsidized blocks 1 and 2 which were not increased during the last round of rate changes.
3. Modified the upper two blocks into three.
 - 3.1. Reduced the quantity of block 3 water at the lower mid-block rate.
 - 3.2. Increased the quantity of block 4 water at the upper mid-block rate.
4. Added an additional block (block 5) to top of the rate structure to allow a more specific targeting of excessive use.
5. Increased the fixed component of Commercial/Other rates from \$22.50/quarter to \$27.50/quarter. No rate increases are proposed for this category.
6. Increased the upper most summer time residential rate from \$13.75/1000 gallons to \$15/1000 gallons. This is for use above 27,000 gallons (roughly 75 gallons per day for a family of 4) during the summer quarters, April – September, and is intended to target the top irrigation users.
7. Increased the upper most winter time residential rate from \$12/1000 gallons to \$14/1000 gallons to target excessive winter time users.

Approximately 385 households (7%), stayed in the lowest, most subsidized block during summer 2016, and approximately 525 households stayed in the second rate block. These two blocks represented approximately 17% of accounts and are primarily 1 and 2 person households. This percentage represents almost a 2% increase in accounts that received some subsidy, i.e., cost to deliver water exceeded revenue collected.

During summer 2016, only approximately 25% of Sharon households had water use that reached the top block rate.

Proposed rates and block break points:

Base Fee	Residential		Other*	Irrigation Only
	Spring/Summer	Fall/Winter		
	\$27.50	\$27.50	\$27.50	\$37.50
0-4,500 gallons	\$4.50	\$3.50	\$4.00	\$10.00
4,500-7,500 gallons	\$7.50	\$6.50	\$4.50	\$10.00
7,500-17,500 gallons	\$10.00	\$8.75	\$5.00	\$11.00
17,500-27,000 gallons	\$12.50	\$12.00	\$5.50	\$13.50
>27,000 gallons	\$15.00	\$14.00	\$6.00	\$14.50

Existing rates and block break points:

Base Fee	Residential		Other*	Irrigation Only
	Spring/Summer	Fall/Winter		
	\$22.50	\$22.50	\$22.50	\$37.50
0-4,500 gallons	\$4.00	\$3.00	\$4.00	\$10.00
4,500-7,500 gallons	\$7.00	\$6.00	\$4.50	\$10.00
7,500-24,000 gallons	\$10.00	\$8.00	\$5.00	\$11.00
>24,000 gallons	\$13.75	\$12.00	\$5.50	\$13.50

* Agriculture, commercial and industrial uses

Fall/Winter: October through March

Spring/Summer: April through September

Mr. Hooper reported that the average increase will be \$80 per year under this proposal. We are trying to hold the line on the low users.

Selectman McGrath expressed concern that the increase in the base fee and rate increase will negatively impact the town's senior citizens. Mr. Hooper noted that since they tend to be low water users, the impact is probably \$50 per year.

Selectman Heitin noted that another community's base rate is \$80 per year.

Chairman Roach commented that the phone calls he receives are from residents who do not understand the block rate structure. He suggests that the Water Management Advisory Committee host a forum and have it aired on Sharon TV.

David Crosby, Chair of the Water Management Advisory Committee, suggests that Nancy Fyler help out with something like that, as she is responsible for water conservation outreach measures.

Mr. Hooper would like this rate structure to go into effect on April 1; however, if not, it would have to be for the following quarter. The outright water ban cost the Town \$100,000 in water revenues.

Chairman Roach would like the water rate increase to go into effect for July 1, so that the outreach can take place. Selectman McGrath asked how a delay would impact revenues. Mr. Hooper said that if we don't implement until July 1, the shortfall won't be too bad.

Mr. Crosby said that the WMAC has been looking at the costly MWRA emergency water connection, which is above and beyond the usual maintenance projects. The other issue is brown water – if it cannot be controlled through flushing, then a long-term solution would be to build a water treatment plant. They would prefer not to put forth an assessment.

Laura Nelson, Edgehill Road, asked about the rationale for the higher end brackets. Mr. Hooper reviewed the last few years of water use and look at the inflection points. It's a smooth curve, so it's difficult to put people into bins. You tend to see where use patterns change; it's not exact. He has a pretty good handle on where the break points fall. Weather changes things from year to year, so they are looking at the rates and the break points every year. Ms. Nelson asked why the agriculture, commercial and industrial users' rates so much lower than the residential rates. Mr. Hooper replied that their water rate is very uniform throughout the year, and they are subject to other fees that residential users do not need to pay.

Robert Parrish, Bay Road, estimates that the new rates will increase his water bill by \$30/year. He wonders why the Water Department pays for catch basin cleanings and the street sweepings. He wonders if the annual audit checks the Water Department's budget. Mr. Parrish believes we get a lot for our money with the Water Department. He would hate to see the Water Department begin to borrow money. Mr. Hooper noted that the logic behind the Water Department paying for catch basin cleanings and street sweepings – materials get into the catch basins doesn't get out into our watershed. Mr. Turkington said that he and Mr. Hooper work hard to ensure that the expenditures of the Water Department are attributed correctly to the Water Department.

MOTION: To close the public hearing at 8:22pm
(McGrath - Heitin) 3-0 **PASSES**

MOTION: To approve the water rates as discussed, with the highest irrigation rate set at \$15.00, effective July 1, 2017
(Heitin - McGrath) 3-0 **PASSES**

Sharon Community Gardens Discussion

Mr. Turkington provided some background on the reduced fee for \$1,000 per year for three years, which agreement has now run out.

Stuart Raifman, 14 Barefoot Hill Road, noted that he takes advantage of the recreational activity of the Gardens. 60-80% of the users are either seniors or immigrants. He believes it would behoove the town to advertise the Community Gardens. He suggests that charging the out-of-town gardeners a higher rate. He notes that the gardeners use water conservation measures. Selectman Heitin asked what the single plot rate is and Mr. Raifman believes it is \$50.00.

Chairman Roach noted that people have been telling him that they think the Community Gardens should be paying the same rate as the residents. Mr. Raifman would like the Gardens to keep statistics as to how much food is grown. The people keep the food or in some instances, the produce is given to the food pantry.

Selectman Heitin questions why residents are subsidizing the Community Gardens gardeners; if residents have a garden in their yard, they have to pay the residential rate. Selectman McGrath believes that the \$2,000 rate is reasonable. Mr. Turkington pointed out that the gardeners have agreed to the \$2,000 rate for this year.

MOTION: To accept \$2,000 rate for one year
(Heitin - McGrath) 3-0 **PASSES**

Birgitta McAlevey - Letter to Legislature request

Selectman Heitin noted the Board made a modification to the Canton letter that was approved; Stoughton has no interest in signing onto a letter, and Walpole has not considered signing a letter at this time.

Bri McAlevey thanked and commended the Board for taking action, but believes that some language is missing that she feels should have been left in. Selectman Heitin believes that the Board is sending the message home.

MOTION: To sign letter
(McGrath - Heitin) 3-0 **PASSES**

Annual Town Meeting Warrant Discussion - Sequence of and take positions on articles

#	ARTICLE TOPIC
1	Appoint Finance Committee Members
2	Act on Reports
3	Property Tax Workoff Program - Increase Maximum Credit
4	Personnel By-Law
5	FY2018 Budget & Compensation of Elected Officials
6	Capital Outlay
7	Community Preservation Act Annual Funding & Projects
8	Norfolk County Retirement Annual Assessment
9	Unemployment Fund
10	Funding Other Post-Employment Benefits (O.P.E.B.) Trust Fund
11	Funding Stabilization Fund
12	Revolving Fund Authorizations
13	Property Tax Exemptions
14	Sharon Friends School Fund Records & Appointments

15	Annual Audit Appropriation
16	Heights Elementary Roof Funding
17	Funding Master Plan
18	Schematic design documents for proposed One School Street library location
19	Renumbering and Recaptioning of General Bylaws; Global Revisions; Strikethrough/Underline Revisions to <u>General</u> Bylaws
20	Renumbering, Recaptioning and Revision of Zoning Bylaw; Strikethrough/Underline Revisions to Text of <u>Zoning</u> Bylaw
21	General By-Law Change: By-Law Numbering
22	Zoning By-Law change: Expansion of business uses & change design standards - Business District D (Sharon Gallery)
23	Zoning By-Law Change: As of Right Siting
24	General By-Law Change: Adoption of Stretch Energy Code
25	Creation of a Special Needs Reserve Fund
26	Increase Composition of School Committee from 6 to 7 Members
27	Citizen Petition: Transfer of Recreational Land to Conservation Commission
	<u>ADJOURNED SPECIAL TOWN MEETING OF DECEMBER 12, 2016: Zoning By-Law Change: Recreation and Residential Overlay District – Spring Valley Country Club</u>

Chairman Roach noted that the Board will take positions on their articles at the meeting next Wednesday.

Selectman Heitin would like to move the Sharon Gallery to the top of the warrant. Mr. Turkington believes it's a two-night Town Meeting. Mr. Turkington suggests that the Sharon Gallery article be moved to follow the Master Plan funding article, and the Board agreed. Mr. Turkington provided to the Board additional materials about the zoning articles.

Selectman Heitin told the Board that they tried to get the principals to sign an agreement about the road at the cranberry bogs. The road itself has sat since the summer, and there is a small legal issue involving it right now. We tried to have discussions last week and reintroduce the contract, so we can know the road is going to be done, but discussions have stalled. Selectman Heitin is confident that two anchors are going to sign with Sharon Gallery in the next couple of months.

Fiscal Year 2018 Selectmen's Budget Adjustments

Mr. Turkington noted that as the proposed budget is within the guideline of 2.79% recommended by the Priorities Committee.

MOTION: To approve the budget as modified
(Heitin - McGrath) 3-0 **PASSES**

Consent Calendar

- I. Vote to approve regular session minutes of February 28, 2017
- II. Vote to award bid for delivery of 2016 Annual Town Report to Boy Scouts of America Troop 95 in the amount of \$1,200
- III. Vote to approve the Dreamfar 10K Road Race scheduled for Sunday, January 21, 2018
- IV. Vote to approve request by the Massachusetts Audubon Moose Hill Wildlife Sanctuary to close Moose Hill Street from Moose Hill Parkway to Route 27, up to 3 times in late March to early April, for salamander migration
- V. Vote to approve banner request from the Sharon Historical Society to announce their Annual Yard Sale to be hung from June 5-12, 2017 in second position
- VI. Vote to approve Recognition Award to Library Director, Lee Ann Amend in the amount of \$1,000

- VII. Vote to approve the Sharon Cross Country Music 3K Race to be held on Sunday, October 29 at 9:00am pending approvals from Police Department
- VIII. Vote to approve the SYBSA Opening Weekend Activities and Carnival scheduled for Thursday, April 27 through Sunday, April 30, 2017 subject to necessary approvals by Police, Fire, Department of Public Works and Board of Health

MOTION: To approve the March 16, 2017 consent calendar, as read and understood
(McGrath - Heitin) 3-0 **PASSES**

Town Administrator's Report

Mr. Turkington reported the following:

- The Board will meet in a special meeting next Wednesday 6:00pm to meet in executive session and to take positions on articles; following that at 7:00pm, the Capital Outlay Committee will meet.
- April 25 Board meeting will begin at 6:00pm, Pre-Town Meeting at 7:30pm, Open Warrant meeting at 8:00pm
- Sustainable Sharon Coalition forum on Green Communities on April 6
- April 26 trash meeting

Consideration of sick leave bank for non-union employee

MOTION: To approve the sick leave bank for the Finance Director
(Heitin - McGrath) 3-0 **PASSES**

Update on Town Offices construction project

Mr. Turkington provided an update on the three options for the Town Hall project. We are running out of time to do outreach and to finalize the cost estimates. Gordon Gladstone, chair of the Standing Building Committee, believes that there is inadequate time to vet and publicize the project, and believes that the town should out the question to the voters on a ballot. Mr. Turkington does not want to confuse residents that think their taxes will go up, when in fact that will not happen. Civil Defense has expressed concern about losing their space if the Town Hall is built on the site of the fire station. We can afford a \$9.2 million building without raising taxes.

Topics not reasonably anticipated forty-eight (48) hours in advance of the meeting

Selectman McGrath announced that longtime Lake Management Study Committee member Cliff Towner passed away, as well as Eric Barnhardt.

Executive Session - 9:07pm

MOTION: To enter into Executive Session to discuss pending litigation, and at the end, to adjourn of the evening. Discussion of these items in open session would be detrimental to the bargaining position of the Town.
(Roach - Heitin) 3-0 **PASSES**

Roach: Aye
McGrath: Aye
Heitin: Aye

Adjournment

MOTION: To adjourn at 9:33pm
(Heitin – McGrath) 3-0 **PASSES**

McGrath: Aye
Roach: Aye
Heitin: Aye

List of Documents

Public Hearing – Commercial Access Fee for Farnham Road Recycling Facility

- Hearing notice
- Memo from DPW Superintendent
- Sample ticket book commercial coupon/receipt

Public Hearing – Water Rates

- January 31, 2017 Memorandum from Department of Public Works Superintendent, Eric Hooper - Proposed Water Rate Increase effective April 1, 2017
- February 27, 2017 Memorandum from Department of Public Works Superintendent, Eric Hooper – Sharon Community Gardens Water Rates
- Email correspondence between Town Administrator Fred Turkington and Community Gardens representative Ronald Goldstein

Jerry Wright - SYBSA Opening Weekend Activities and Carnival

- Email correspondence between SYBSA and Board of Selectmen's office
- Email correspondence from Fire Chief James Wright
- Outline of events

Birgitta McAlevey – Letter to Legislature

- Email Correspondence from Birgitta McAlevey and Board of Selectmen's office

Annual Town Meeting Warrant Discussion – Vote sequencing of articles & positions

- Draft warrant & article list
- March 7, 2017 Memorandum from Department of Public Works Superintendent, Eric Hooper – Water Quality at Well#7 – Gavins Pond Well

Consent Calendar

- February 28 minutes
- Bid from Boy Scouts of America Troup 95 and newspaper advertisement for the delivery of 2017 Town Report
- Dreamfar 10K Road Race Request letter and email correspondence/approvals from Police and Fire
- Massachusetts Audubon Moose Hill Wildlife Sanctuary letter to request annual road closure to allow for salamander migration
- Banner request form – Sharon Historical Society Annual Yard Sale
- Letter from the Sharon Public Library Board of Trustees recommending Lee Ann Amend for a Recognition Award

Report of the Town Administrator

- Bi-weekly report
- Various renderings for Town Hall construction project options
- Civil Defense “Going Forward – January 2017” report