

MINUTES
SHARON BOARD OF SELECTMEN
November 13, 2014

The meeting of the Sharon Board of Selectmen was called to order in the Sharon Adult Center at the Sharon Community Center at 6:33pm with Chairman William A. Heitin, Clerk John J. McGrath, Selectman Walter B. Roach and Town Administrator Fred Turkington.

Review & Approve Consent Calendar

1. Vote to approve the regular and executive session minutes of October 28, 2014
2. Vote to appoint James Grasfield as an alternate to the Historical Commission for a term to expire on December 31, 2017
3. Vote to charge Sharon Community Gardens a fixed rate of \$1,000 for water for the next three years and review after the first year
4. Vote to take a Uniqueness Determination vote for 175 Pond Street
5. Vote to sign revised containerized rubbish disposal Notice of Award with Republic Services

MOTION: To approve the November 13 consent calendar
(Roach – McGrath) 3-0 **PASSES**

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

Chairman Heitin noted that the Board needs to vote to transfer the care, custody, management and control of 175 Pond Street to the School Committee for school purposes upon demolition, pending the vote by Town Meeting

MOTION: To transfer the care, custody, management and control of such land from the Board of Selectmen for general municipal purposes, to the School Committee for school purposes, the property known and numbered as 175 Pond Street, shown as Map 81, Parcel 123 on the Sharon Assessors Map and as more particularly identified as in a deed recorded in the Norfolk Registry of Deeds in Book 5066, Page 308, and with the Norfolk Registry District of the Land Court on Certificate of Title No. 96737 in Document 338611, containing 20,181 square feet of land. Such transfer of the care, custody, management and control from the Board of Selectmen to the School Committee shall occur upon the demolition and removal of all or a portion of the buildings and structures currently on the property, which demolition and removal shall be confirmed to have been completed by the Town Administrator, at which point such property will no longer be needed for general municipal purposes.
(Heitin – Roach) 3-0 **PASSES**

Consider awarding a contract to Advantage Drug Testing for a three-year period commencing on January 1, 2015 to December 31, 2017 for the administration of a Drug and Alcohol Testing Program for Municipal Employees in accordance with the requirements set out in the SERSG Request for Proposals.

MOTION: To award a contract to Advantage Drug Testing for a three-year period commencing on January 1, 2015 to December 31, 2017 for the administration of a Drug and Alcohol Testing Program for Municipal Employees in accordance with the requirements set out in the SERSG Request for Proposals
(Heitin – Roach) 3-0 **PASSES**

Billboard Advertising Mitigation Agreement Discussion – John Carroll

John Carroll and Attorney Joel Fishman were present for the discussion. Chairman Heitin noted that there have been a number of changes to the mitigation agreement over the past year.

Mr. Fishman provided an updated as to the status of the billboards along Route 1/Route 95. The Town should expect to receive the lump sum payments on all billboards by June 1, 2015. Mr. Carroll explained that has incurred some unanticipated expenses during the process of billboard approval at 4 General Edwards Highway, and as such, he has spent hundreds of thousands of dollars, and is asking the town to half the cost (\$147,500), which would be amortized over 25 years and reduce the monthly payments to the Town by \$491. The lump sum payments would not be affected.

Chairman Heitin asked the Board for thoughts on the modification. Selectman McGrath noted that these matters were out of Mr. Carroll's control and can understand his situation. Selectman Roach noted that he is comfortable with the request. Chairman Heitin noted that the Board is clearly in support of doing something for Mr. Carroll but would like some leeway with the numbers. Mr. Carroll does believe that his request is reasonable, and the Board agreed. The parties agreed to a minor modification – that the monthly payment will be reduced to \$5,000 per month.

MOTION: To accept the modification to the monthly payment of \$5,000, as discussed
(Heitin – Roach) 3-0 **PASSES**

Request for Proposal for Assignment of Cell Tower Property Lease Revenue Streams Discussion

Mr. Turkington noted that Town Counsel has concerns with the state's procurement law and how this RFP is written and further research is being done. The Board can decline all four bids and go to Town Meeting in the spring to get explicit permission and then reissue the RFP in the spring. He has asked counsel that has worked on this issue in other communities to review this matter.

A representative from Crescendo noted that they are willing to work with the Town in any way.

Mr. Turkington noted that AT&T has reached out to the Town to change one of their agreements – they are changing their network technology and are approaching municipalities about modifying the agreement; if we do not agree to make changes to the agreement, they may decide to take their technology elsewhere.

Report of the Town Administrator

The Town Administrator reported the following:

- The collective bargaining agreement with the library union is wrapping up.
- Negotiations continue with the management professionals bargaining group.

- The new Health Administrator will begin in December.
- The trash collection contract will be renewed for another three years.
- He is meeting with department heads next week to begin the FY16 budget process.

Chairman Heitin said that a commuter rail station is being considered near Gillette Stadium. He feels that this could help to alleviate the parking situation at the Sharon train station and asked the Board to allow him to write a letter to the Massachusetts Department of Transportation.

MOTION: To authorize the Chairman to sign the letter
(Roach – McGrath) 3-0 **PASSES**

Historical Preservation Award Presentation – Daniel & Marcia Shimshak

Historical Commission Chairman Bruce Rosenbaum is pleased to present the 2014 Preservation Award to Marcis and Dan Shimshak for the restoration of the Jacob Shepard House, located at 46 Billings Street. Mr. Shimshak provided a history of the home and the restoration.

The Board thanked the Shimshak's for their dedication in restoring their historic home.

Alcohol License Fees Public Hearing

MOTION: To open the public hearing on alcohol license fees
(Heitin – Roach) 3-0 **PASSES**

License	Type	Current Fee	Proposed Fee
One Day	All Alcohol	\$25.00	\$50.00
One Day	Wine & Malt	\$25.00	\$50.00
Restaurant	All Alcohol	\$2,000.00	\$2,500.00
Restaurant	Wine & Malt	\$1,200.00	\$1,500.00
Package Store	All Alcohol	n/a	n/a
Package Store	Wine & Malt	\$1,200.00	\$1,500.00
Club (<i>Veterans</i>)	All Alcohol	\$500.00	\$500.00
Club (<i>Others</i>)	All Alcohol	\$1,000.00	\$1,250.00

Chairman Heitin noted that we issue a number of waivers for the one-day licenses for non-profits and municipal departments/boards. He believes the fee for the one-day license should remain at \$25.00. He supports the other proposed fees. He noted that we have had a discussion about waiving the license fee for the veterans clubs and would support waiving the fee for the calendar year 2015.

Selectman Roach is comfortable with raising the fees as proposed, and lower the veterans club to \$200.

Selectman McGrath questions the need to raise the license fees at all. Chairman Heitin explained that we did an extensive fee survey and Sharon is on the low side. Selectman Roach commented that we revisit the permit fees, such as DPW fees, periodically, as well.

Selectman McGrath noted that we are at the lower end of the fees, and he think it's a good thing. We have been trying to invite businesses into Sharon, but we need to provide an explanation as to why the fee needs to be raised. Chairman Heitin replied that we are behind in monitoring alcohol consumption and we can do a better job in enforcement and compliance. Selectman McGrath asked Mr. Turkington is there are any mechanisms we have in place to improve our monitoring system. Mr. Turkington said that we need to do spot checks, building and fire need to inspect annually due to stricter fire code regulations. Selectman McGrath said that he cannot support any increase because a case has not been made for the need for the additional money.

MOTION: To close the public hearing
(Heitin – Roach) 3-0 **PASSES**

MOTION: To leave the one-day alcohol license at \$25.00
(Heitin – Roach) 3-0 **PASSES**

MOTION: To raise the restaurant all alcohol license to \$2,500
(Heitin – Roach) 2-1 **PASSES** (with Selectman McGrath voting nay)

MOTION: To raise the restaurant wine & malt license to \$1,500
(Heitin – Roach) 2-1 **PASSES** (with Selectman McGrath voting nay)

MOTION: To raise the package store wine & malt license to \$1,500
(Heitin – Roach) 2-1 **PASSES** (with Selectman McGrath voting nay)

MOTION: To keep the Veterans Club liquor license at \$500 but waive fee for 2015
(Heitin – McGrath) 2-1 **PASSES** (with Selectman Roach voting nay)

MOTION: To raise the club all alcohol license to \$1,500
(Heitin – Roach) 2-1 **PASSES** (with Selectman McGrath voting nay)

Selectmen's Comments

Selectman McGrath discussed the idea of a monument at Veterans Memorial Beach at Lake Massapoag several months ago and has been working with a contractor. He has some locations in mind and will be making an official proposal to the Board. The potential cost is approximately \$15,000 and he hopes to raise the money through fundraisers.

Chairman Heitin thanked his colleagues and Veterans Agent Paul Bergeron for the Veterans Day program on Tuesday – it was very well attended.

Executive Session – 7:23pm

MOTION: To enter into Executive Session to discuss pending litigation, strategy with respect to collective bargaining, and to consider the purchase, exchange, lease or value of real property, at the end, adjourn for the evening. Discussion of any of these in open session would be detrimental to the Town.
(Heitin – Roach) 3-0 **PASSES**

Heitin: Aye
McGrath: Aye
Roach: Aye

Adjournment

MOTION: To adjourn at 7:35pm
(Heitin) 3-0 **PASSES**

Heitin: Aye
McGrath: Aye
Roach: Aye