

**MINUTES**  
**BOARD OF SELECTMEN MEETING**  
Tuesday May 10, 2011  
7:00 PM

The meeting of the Board of Selectmen was held at 7:07 p.m. in the Sharon Town Hall with Chairman Walter “Joe” Roach, Selectman, Selectman Richard A. Powell, Selectman William A. Heitin and Town Administrator Benjamin Puritz

**APPOINTMENT WITH ED MCSWEENEY REGARDING RESIDENCES OF SHARON COMMONS IMPACTS.**

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In attendance: Town Engineer Peter O’Cain and Tom Houston of Professional Services Corp. and Bob Shelmerdine of Intoccia Construction

Mr. McSweeney lives near the proposed “Residences of Sharon Commons” and is concerned about the impacts of the development on his home, in particularly pending drainage issues. He said he also will be presenting the same concerns that he presented to the Zoning Board of Appeals that were never answered. In addition, he presented a timeline that began in 2004. He stated that at the Special Town Meeting in March 2007 the Town voted in favor of the Sharon Commons commercial development as Business District D. He said that the Memorandum of Understanding included language stating that a portion of the site may in the future contain residential development for a maximum of 168 apartments or condos that would qualify as a LIP. Mr. McSweeney said that the Town only rezoned the acreage to the left side of Old Post Road. He said from March 2007 – July 2008 the developers were working to rent out stores in the Life Style Center but could not fill the space. He said in November 2008 he opened the Warrant for the Special Town Meeting and saw the ‘Sharon Growth Overlay A District’ which surrounded his house. He said at this Town Meeting he spoke and asked that the vote be postponed until the neighbors could be better informed. He said the vote was approved – and that there were going to be additional units. He said under the 40R rather than the 40B there is no profit limit to the developer. He said he is concerned about the number of units that the developer can build on the parcel. Mr. McSweeney said that flooding has already begun to impact his property. Mr. McSweeney said he is concerned because the Zoning Board of Appeals cannot make any changes to the plan and he will be “under water”. Town Engineer O’Cain said that he has spoken to Intoccia and that Intoccia is confident that they can build the project and not impact Mr. McSweeney’s property. Tom Houston of PSC said that Mr. McSweeney’s concern that the elevation of the pond will increase is valid. Mr. Houston said that he will be looking into the surface runoff and ground water elevation once the basin is put in. Mr. Houston said this is a very legitimate question from the point of both Mr. McSweeney’s property and the Conservation Commission. Mr. McSweeney says the pond is not supposed to be commercial – it was never zoned commercial. Mr. O’Cain said that he will be talking to the Conservation Commission about the pond and the habitat. Bob Shelmerdine, Mr. Intoccia’s lawyer, was in attendance, and was asked to provide to Mr. McSweeney the information that he is requesting. Mr. McSweeney also asked that he receive the information that is going to be presented to the ZBA one week in advance.

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**APPROVAL OF JAMNESTY**

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High School student Sara Ford and said that Amnesty International Club at Sharon High School is hosting for *Invisible Children*, which is a non-profit that tries to help children who are impacted by Civil War in their country by removing them from the war ravaged countries and improve their lives. They also will provide the funds raised for Amnesty International. Last year Jamnesty was a big success and Ms. Ford said the group is aiming to increase their revenue. The event will include live music and food and includes other high school groups and is free. The

group has ordered a police detail and will take place on May 21<sup>st</sup> from 2pm – 6pm.  
**VOTED:** (Heitin/Powell) Voted unanimously to approve the event on May 21, 2011

## **APPROVAL OF MINUTES**

**VOTED:** (Powell/Heitin) Voted unanimously to approve the Regular Session Minutes and Executive Session Minutes of April 26, 2011 and Regular Session Minutes of May 2, 2011

## **CHANGES TO COMMUNITY CENTER RENTAL CHARGES**

Superintendent Hooper is recommending that the Community Center charges for large events be changed to \$50 per hour for pre-event set-up for caterers, florists and other vendors. He said the pre-use rate was too high at \$175 per hour.

**VOTED:** (Roach/Powell) Voted unanimously to lower the price for pre-event set-up at the Sharon Community Center to \$50 per hour.

## **HOUSEHOLD HAZARDOUS WASTE CONTRACT**

- Superintendent Hooper said that the state has already conducted the bid for this initiative. He said that the company that the Town previously used is on the state bid list. The date of Household Hazardous Waste Day is June 4<sup>th</sup>.

- **VOTED:** (Powell/Heitin) to PSC Environmental Inc. as per the agreed to price sheet.

## **DISCUSSING OF MIDDLE SCHOOL ELECTRONIC MESSAGE SIGN**

- Town Engineer Peter O'Cain came before the Board regarding the request for approval of the Middle School Electronic Message Sign. He reported that Town Counsel Gelerman found that because it is a public use informational device the message sign did not fall under the requirements of Article 12 the sign by-law. The Board of Selectmen requested that Mr. O'Cain contact Kaestle Boos and ask them to have a representative come before the Board to discuss details and location of the sign.

## **SUPPLEMENTAL AGENDA**

### **PROCLAMATION CELEBRATING 100 YEAR ANNIVERSARY OF THE SHARON POLICE DEPARTMENT**

Selectman Heitin read the proclamation recognizing the 100 year anniversary of the Sharon Police Department.

### **FIRE CHIEF SEARCH PROPOSAL WITH EMERGENCY RESPONSE SYSTEMS**

Town Administrator Puritz said the contract cost is \$4,975. He said that the Fire Chief Search is on a very tight timeline. The response date for the ad is May 31, 2011 and the interviews are scheduled for early June.

- **VOTED:** (Powell/Heitin) Voted unanimously to approve the contract with Emergency Response Systems and Austin Sennett for purpose of Fire chief Search at an amount of \$4975.00 with the potential of an additional \$450 which could be used for his participation in working directly with the Screening Committee.

### **APPROVAL OF BANNER REQUEST**

- **VOTED:** (Powell/Heitin) Voted unanimously to approve the banner request by the Sharon Adult Center for the Lakeside Gallery from May 31 – June 5, 2011. (1<sup>st</sup> position).

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## **STATUS OF SCHOOL ADMINISTRATION BUILDING**

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Chairman Roach said that this item is on the School Committee's Agenda of May 11<sup>th</sup>. He said that he would like to let the School Committee know that the Selectmen would like to be included in the discussion. Both Selectmen Powel and Heitin were in agreement. The School Committee will be contacted regarding the Selectmen's interest in this item and potentially the Selectmen may attend the School Committee meeting.

## **CORRESPONDENCE**

Selectman Heitin said the Board had received a memo from a number of Mountain Street residents asking that the Board discuss the paving of Mountain Street. The Board asked that this issue be placed on the May 24<sup>th</sup> Agenda. The Selectmen asked that abutters be notified via mail and that an ad be placed in the Sharon Advocate.

**VOTED:** (Roach/Powell) Voted unanimously that the Board of Selectmen move into Executive Session for updates on collective bargaining with the FSLA update SMEAS and AFSME request to begin bargaining as well as a real property lease amendment for the Administration Building at Horizons for Youth. (Roach to recuse himself) At the conclusion of Executive Session the Board will adjourn for the evening.

The meeting adjourned at 8:30 p.m.

Roach: Aye

Powell: Aye

Heitin: Aye