

MINUTES
SHARON BOARD OF SELECTMEN
July 9, 2019

The meeting of the Sharon Board of Selectmen was called to order at 7:00 pm in the Town Hearing Room at the Sharon Community Center with Chairman William A. Heitin, Selectman Emily E. Smith-Lee, and Town Administrator Frederic E. Turkington, Jr. The meeting commenced with the recitation of the Pledge of Allegiance.

Candidate for Sharon Commission on Disabilities - Marcie Ostrow

Ms. Marcie Ostrow is a candidate for the Sharon Commission on Disabilities. Ms. Ostrow explained that she has been a Sharon resident for twenty years. She attended a meeting recently and has volunteered to represent the Commission on Disabilities at Square Jam.

Ms. Smith-Lee asked Ms. Ostrow what issues she has noticed in Sharon since having the prosthetic. She replied that she realizes now that not everyone knows about the space between handicapped spots being for handicapped van access and consequently use the space for parking. She feels that outlining the space with blue lines may help to bring awareness.

Mr. Robert Violanto of 95 Mountain Street commented that the Sharon Commission on Disabilities helped to resolve a parking issue at Deborah Sampson which facilitated an increase in the amount of handicapped parking spots.

The Board thanked Ms. Ostrow for taking the time to come and meet with the Board. Chair Heitin explained that it is the Board's policy not to make a Board or Committee appointment on the evening that they meet with the Candidates, rather they will do so at the next regularly scheduled meeting.

Discussion of Possible Acquisition of Rattlesnake Hill

Mr. Heitin explained that work has been ongoing pertaining to Rattlesnake Hill and that there may be a possibility for the Town to acquire some, if not all, of the property. He further explained that inquiries have been made to several state agencies or Non Profit Organizations to seek financial assistance or partnership. Mr. Heitin stated that the details cannot yet be disclosed, including the possible cost. He suggested that funding in excess of \$5-\$6 million would need to be raised in a short period of time and that the realistic possibility of the acquisition is daunting, but the Board and Town Officials are committed to the venture and diligently seeking resources to do so. He urged those in attendance to reach out to any contacts at organizations that may make suitable partners.

It was explained that another option is to "buy-down" development of the property. For example, if the owners propose a 250 unit development, the Town may offer a sum of money to reduce the number of units in the development. This avenue would give the Town options for development that have little or no impact on schools and preserve more of the property as open space.

Ms. Smith-Lee explained that she understands that the process may be frustrating as negotiations are ongoing which happen behind closed doors to maintain the Town's bargaining ability. She expressed, however, that it was time to present even what little information that is not under the constraints of Executive Session and went on to say that the Board is committed to working diligently toward acquiring as much of the property as possible.

Mr. Turkington reported that the Town has reached out to the Audubon Society, Trustees of Reservations, Trust for Public Lands, and MA Department of Conservation and Recreation. The intent is to seek a partner either to share in the purchase, to buy a portion, or accept a donation, or share in-kind services.

Mr. Violanto of 95 Mountain Street asked what was meant by “buying-down” development. It was explained that there is a 40B development agreement in place with 250 units. There is the potential for the Town to partner with a developer who would agree to build only 100 units. The Town would, essentially, buy a portion of the land as a partner with the developer.

Ann Bates of School Street spoke about the importance of the property and expressed her opinion that the investment of CPC funding for the property would be a sound one.

Leslie Koval of Briggs Pond Way asked for clarification about the estimate of funding beyond the Town’s contribution and whether the use of CPC funds would need to be approved at Town Meeting. Mr. Heitin explained that he’s guessing at the estimated figures but yes, there may be a five to six million dollar shortfall if the Town were to acquire the property for which a partner is being sought. The use of CPC funds would need support at Town Meeting.

Kyla Bennett of Public Employees for Environmental Responsibility expressed her thanks to the Board for considering this undertaking as it is important to her as well as her clients. She offered that MA Department of Transportation has deemed Rattlesnake Hill has a priority protection area for the entire state. It was targeted for potential mitigation as part of the South Coast Rail. Phase II of the South Coast Rail is expected to begin shortly which will require considerable mitigation and perhaps MassDOT will consider being proactive. Ms. Bennett added that Jean Fox would be the point of contact at the Department of Transportation.

Rita Corey of Mountain Street questioned why this possibility of acquiring the property is being rushed to Special Town Meeting in November and didn’t come to light sooner. In response, Mr. Heitin indicated that this opportunity was brought about less than two weeks ago and was presented with a closing deadline of December 31.

Discussion and Vote to Authorize Land Taking on South Main Street

Chair Heitin explained that the parties involved in the Sharon Gallery project and new owners of Shaw’s plaza have been unable to come to an agreement to resolve the issues surrounding a 400-500 square foot section of the Shaw’s plaza parking lot necessary to finalize the roadway improvements. This is holding up commitment by one of the two anchor tenants for the Sharon Gallery therefore, this action is instrumental in finalizing the roadway improvements.

MOTION: Whereas this Board has been authorized by the vote under Article 1 of the November 14, 2011 special town meeting to take by eminent domain the fee in 400 – 500 square feet, a permanent subsurface easement, and temporary construction easements, all in relation to the roadway improvements to South Main Street, and adjacent to the Shaw’s plaza parking lot, and whereas an appropriation in the amount of \$12,000.00 for such taking has also been authorized by said vote, and whereas, the parties involved in such matter have been unable to reach agreement on issues relating to said roadway improvements, and whereas the construction of the Sharon Commons project will benefit the Town and such taking is necessary to accomplish said benefits, Now therefore it is voted: to proceed with such eminent domain takings and to authorize Town Counsel to draft for our execution an Order of Taking, a Notice of Taking, and take such further actions as may be required to accomplish said taking.

(Smith-Lee – Heitin) 2-0 **PASSES**

Report of the Town Administrator

Earlier this year, the Town received a \$1 million grant from the MassWorks Infrastructure Program towards the roadway improvement project involved in the land taking which was just discussed. The developer will execute agreement with contractors and MassWorks will pay the contractor directly for that portion of the work. An RFP was issued previously for three cell towers whose T-Mobile leases expire at various times over the next six months. Responses were received and reviewed each reflected 3% annual renewals. There is an upcoming deadline for receiving RFPs on July 18 for land lease for solar collection at the landfill, public safety building and East Elementary School. The Finance Committee met last week and approved transfers requested for reconciling department, accounts: DPW for snow and facilities maintenance; assessor and IT for cost overruns related to IT repairs, and assessor severance. Fire for emergency repair to one of the trucks. Fin Com has scheduled meetings in preparation of fall Town Meeting on August 19, September 5 and a tri-board meeting on September 16. The Town audit for FY19 begins this week. Fred and Emily attended MA DOT public hearing on the Maskwonicut Street bridge 25 percent design. Several residents attended and raised concerns related to reconstruction, construction timetable, night work, construction noise impacts on the neighborhood, the minimum State design is now wider than the existing bridge and roadway which may result in some land taking in the right of way in front of some homes. There were also concerns raised by the residents of Richards Avenue and Canton Street who have experienced impact of cut through traffic since the closing of the bridge. Some residents have reached out and indicated they may like the opportunity to discuss with the Board.

Mr. Violento of Mountain Street expressed concerns about the solar collection plans and impact on wildlife. It was explained that the project would be limited to the landfill site and would both provide a revenue stream for the Town as well as generate renewable energy for the electrical grid.

Stefani Langol of 52 R Richards Avenue asked to comment about the Maskwonicut Street bridge that since the bridge was closed and Eversource began the switching station project, Richards Avenue has seen not only increased traffic but a significant speed issue which presents a hazard for children waiting for the bus. The Board stated they would speak to the Police Chief and ask about relocating the moveable speed limit device to Richards Avenue.

Neil Perlin of 49 Richards Avenue expressed a concern for public safety indicating with the bridge out, public safety response time suffers and difficult of large apparatus traversing the narrow roads with other bridge clearance issues on cut through roads.

Chris Robb of 25 Richards Avenue explained that there is a spot on Richards Avenue with a four foot high stone wall that cannot be traversed at the posted speed limit without creating a dangerous condition. Ms. Langol inquired about the possibility of a three-way stop at the intersection of Richards and Maskwonicut.

Debbie O'Brien of Richards Avenue said that signs may be helpful but a police presence to enforce speed and other traffic laws may be more effective.

Michael Pierce of 1959 Bay Road stated that large trucks avoiding the viaduct in Canton are directed by GPS toward Canton Street to get around. He feels that signage to discourage through trucking is necessary for the neighborhood as well.

The Board and Mr. Turkington advised that they would solicit input from both the Town Engineer and the Police Chief and investigate traffic mitigation.

Review and approve consent calendar

- I. Vote to approve minutes of June 20, 2019
- II. Vote to approve Common Victualler's License – Assorti Restaurant (License Certificate to be revised with corrected date)
- III. Vote to support Recreation Advisory Committee recommendation of Shirley Schofield as the award recipient of the 2019 Citizen of the Year.
 - a. Memorandum from Linda Berger on behalf of the Recreation Advisory Committee
- IV. Vote to approve banner requests for:
 - a. Sharon Soccer Association 2019 Fall Soccer Registration – July 22-29, 2019 in the first position contingent upon available space
 - b. Sharon Soccer Association 2019 Fall Soccer Registration – August 12-19, 2019 in the second position contingent upon available space

MOTION: To approve the consent calendar.
(Smith-Lee – Heitin) 2-0 **PASSES**

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

2019 Citizen of the Year Award - voted under of consent calendar
Banner requests for Sharon Soccer Association – voted under consent calendar

Adjournment to Executive Session

MOTION: To enter into executive session at 7:40 pm for the purpose of discussing possible acquisition of 66 South Main Street and Rattlesnake Hill then adjourn for the evening immediately following.

Discussion of these items in open session may have a detrimental effect on the bargaining position of the Town.

Roll Call Vote:
Smith-Lee: Aye
Heitin: Aye
2-0 **PASSES**

List of Documents

1. Board/Committee Application
2. Commission on Disabilities Membership List
3. Correspondence to Potential Funding Partners
4. Authorization to Proceed with Land Taking on South Main Street
5. Minutes
6. Assorti Application Materials
7. Memorandum
8. Banner Requests