

TOWN OF SHARON



2023 SPECIAL TOWN MEETING WARRANT

With Report & Recommendations of the Finance Committee

Thursday, November 30, 2023

7:00 P.M.

Sharon High School Auditorium, 181 Pond Street

Registered voters are asked to bring this report to the meeting for use in the proceedings.

Registered voters planning to attend Town Meeting needing an ASL (American Sign Language) Interpreter are asked to call the Town Clerk's Office at 781-784-1500 x1201 at least two weeks in advance of the meeting.

OPEN WARRANT MEETING

Informal discussion of warrant articles

Monday, November 27, 2023

7:00 P.M.

Select Board Meeting Room, Town Hall, 2nd Floor, 90 South Main Street

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Sharon Community Television covers government meetings. The meetings are on Channel 22 and are posted on their website. To view the schedule or to watch online, visit www.sharontv.com

MODERATOR'S MESSAGE

Welcome to the Town of Sharon's 2023 Special Town Meeting. I look forward to seeing a large turnout to discuss and vote several important policy matters. This is your town, and we need your voice to accurately represent the will of the voters. Please come and participate in the proceedings.

Town Meeting is open to any registered voter to attend, participate in debate, and vote. In furtherance of the twin goals of providing a forum for informative debate on each article and utilizing techniques that enhance the efficiency of conducting the Town's business, we will be repeating some of the procedures which have worked well in recent years. In a continuing effort to provide additional clarity and helpful information to voters, the Warrant includes drafts of anticipated motions and background information, so voters are better informed ahead of the meeting. I strongly urge voters to give careful attention to this information so we can move more efficiently through debate and proceed to a timely vote.

We gained valuable information at the first Town Meeting held in the new high school auditorium last spring and identified some improvements to the process of Town Meeting. We have endeavored to improve the voter check-in process, to better provide accommodations to those in need of assistance, and to organize presentations and have responsive officials available to aid in understanding of the articles. Note there will be a total of six microphones used to conduct the meeting. Microphone "1" will be at the front of the stage and reserved for presentations and town officials who may need to respond to a question. Microphones "2" and "3" will be in the aisles downstairs. Microphone "4" will be in the rear of the auditorium downstairs. Microphones "5" and "6" will be in the aisles of the balcony and utilized only if total attendance requires use of the auditorium balcony seating.

Once again, I would like to thank the voters of the Town of Sharon for the privilege of serving as Town Moderator. If anyone has a question or concern, I encourage you to reach out to me by email at townmoderator@townofsharon.org.

Be well and stay safe!

Andrew D. Nebenzahl
Town Moderator

WARRANT INTRODUCTION

It is the responsibility of the Finance Committee to make recommendations to the voters on all matters that come before Town Meeting. In May of each year, Annual Town Meeting must adopt a town budget for the upcoming fiscal year that begins July 1 and ends June 30. In the fall, a Special Town Meeting may be convened to consider issues such as zoning by-law amendments as well as other timely matters brought before the voters to debate and vote. This Warrant is your guide to the items you may reasonably expect to deliberate and vote on November 30th at this Special Town Meeting.

Voters will consider seven Articles, some of which will have a long-term financial impact on the Town. The Warrant includes requests for a significant appropriation, including construction of a water treatment facility.

Article 1 asks for an additional appropriation for a Water Treatment Facility. This additional appropriation is needed to build a permanent water treatment plant to address the polyfluoroalkyl substances (PFAS) in the Town of Sharon well water.

Article 2 authorizes Town leadership to enter into long-term leases of up to thirty (30) years for a long-term solar power project located at Well No. 5 at 30 Gavins Pond Road. Town Meeting previously authorized the leasing of any Town property greater than two (2) acres to third parties for the generation of solar energy. This Article authorize leases of up to thirty (30) years to third parties that will construct, operate and maintain solar photovoltaic energy systems at those locations, generating revenue to the water enterprise fund in the form of lease payments and producing renewable energy at the same time.

Article 3 is to accept Weyman Lane and Atherton Lane as public roadways. These two (2) roadways have been treated as public roadways for several years and this article will formalize their status in the public records.

Article 4 is to allow the Town to petition the General Court to extend the statutory limit of twenty-five (25) years for an intermunicipal agreement with Town of Foxborough. The requested extension will only apply to the agreement that relates to the sewer connection for the Sharon Gallery project and its tenants through the Gavins Pond neighborhood.

Article 5 amends the Business District D zoning by-law. It would amend specified sections that pertain to the regulations applicable within Business District D, which encompasses the Sharon Gallery development, eliminating inadvertent applications of zoning changes approved during recodification and providing flexibility to zoning provisions impacted by the form of ownership of land within the project. This modification is a requirement for the anchor tenant, Costco.

Articles 6 and 7 both seek to increase the spending authorization for two revolving funds. Article 6 requests an increase to the Solid Waste and Recycling Revolving Fund from \$2,500,000 to \$3,000,000. This is being driven by the increase in fees for waste collection and a significant increase in the volume of waste. Article 7 requests an increase to the Health Department Revolving Fund. Increases in flu and Covid-19 vaccine cost are the driving factor. Revolving funds spending are based on fees received.

Members of the Finance Committee have dedicated considerable time to understanding these requests and their implications for the citizens of Sharon. Within this Warrant you will find a summary of their findings and their recommendations.

THE FINANCE COMMITTEE

Ann Keitner, Chair; Dan Lewenberg, Ira Miller, Vice-Chairs; Anja Bernier, Brian Collins, Charles Goodman, Keith Morris, Chris Pimentel, Olga Volfson, and Jada Wang

A Message from the Finance Committee...

Sharon Visual Budget

Our Town employees and elected officials understand that budgets are the road maps they must follow. Insiders live and breathe the budget. They toss around terms like “enterprise fund” and “capital outlay,” but most community residents lack insight into the world of municipal finances. It has long been a goal for the Finance Committee to increase transparency and accessibility to financial information for Sharon residents. We see Sharon Visual Budget as a tool for deepening the conversation about fiscal matters in Sharon.

This website will allow Sharon residents to see our budget priorities, how their own tax dollars are spent, and understand the issues behind important financial decisions without having to mine data from dozens of spreadsheets. We believe that this tool will provide the ability to foster informed conversations about these priorities with our officials, our boards and committees, and with each other.

To access the Sharon Visual Budget, go directly to:

<https://sharon.vb2.visgov.com/> or

Sharon Visual Budget can also be accessed from the Finance Committee page on the Town website, www.townofsharon.net via the link at the upper left “Sharon Visual Budget”.

Please note that Internet Explorer does not support full aspects of Sharon Visual Budget. You are advised to use Google Chrome, Firefox, or other search engines.

**TOWN OF SHARON, MASSACHUSETTS
SPECIAL TOWN MEETING
THURSDAY, NOVEMBER 30, 2023**

Norfolk, ss.

To either of the Constables of the Town of Sharon in the County of Norfolk, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said town, qualified to vote in elections and in town affairs, to meet in the Auditorium at Sharon High School, 181 Pond Street, Sharon, Massachusetts on **Thursday, November 30, 2023 at 7:00 P.M.**, then and there to act on the following articles:

Article 1: Additional Appropriation for Water Treatment Facility

Sponsored by: Select Board

To see if the Town will appropriate the sum of \$36,837,710, which is an additional \$21,021,710 to the \$15,816,000 previously appropriated by the Town under Articles 10H and 10G of the May 2, 2022 Annual Town Meeting, for the purpose of financing improvements to the water treatment facility, including but not limited to, addressing excessive levels of PFAS and other contaminants identified in various wells, including all costs incidental and related thereto, with respect to borrowing under Chapter 44 of the General Laws and with respect to borrowing under Chapter 29C, for all costs thereof as defined in Section 1 of Chapter 29C of the General Laws; that to meet this appropriation the Treasurer with the approval of the Select Board is authorized to contract for and expend any federal or state aid available for the project provided that the amount of the authorized borrowing shall be reduced by the amount of such aid received prior to the issuance of bonds or notes under this vote, and the Treasurer with the approval of the Select Board is authorized to borrow up to \$36,837,710 and issue bonds or notes therefor under Section 8 of Chapter 44 of the General Laws and/or Chapter 29C of the General Laws or pursuant to any other enabling authority; that while such bonds or notes shall be general obligations of the Town unless the Treasurer with the approval of the Select Board determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C, it is anticipated that this borrowing will be paid, in the first instance, from the Water Enterprise Fund; that the Treasurer with the approval of the Select Board is authorized to borrow all or a portion of such amount from the Massachusetts Clean Water Trust established pursuant to Chapter 29C and in connection therewith to enter into a financing agreement and/or security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; that the Select Board, other appropriate local body or official is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary or convenient to carry out the project.

Or take any other action relative thereto.

FINANCE COMMITTEE RECOMMENDATION:

Approval of this article will authorize the Town to appropriate an additional \$21,021,710 to remove PFAS chemicals from our water supply by building a permanent water treatment facility. The additional amount will supplement the original appropriation of \$15,000,000 approved for borrowing and \$816,000 authorized

for expenditure from the Water Enterprise Fund retained earnings to cover design and engineering services for this project by the 2022 Annual Town Meeting.

The Water Management Advisory Committee (WMAC) engaged Environmental Partners, an engineering consulting firm, to undertake a study to recommend a treatment plan and prepare a cost estimate.

(https://www.townofsharon.net/sites/g/files/vyhlif3801/f/pages/treatment_plant_select_board_presentation_-_2023-09-12_-_draft.pdf) The firm initially estimated the treatment plant and related infrastructure to treat water pumped from wells #2 and #4 would cost approximately \$20M.

Since the completion of that study, new federal Environmental Protection Agency (EPA) regulations of allowable limits of PFAS in drinking water were proposed, which will result in providing treatment of water pumped from well #3 and additional infrastructure necessary to distribute the treated water to meet Sharon's needs. The updated design and cost estimate

(https://www.townofsharon.net/sites/g/files/vyhlif3801/f/pages/sharon_wtp_-_finance_committee_presentation_23.10.23.pdf) increased the project cost to build this facility to \$36.3 million. An additional amount of \$500,000 has been added to the project budget provide sufficient funds for mitigation to the residential properties adjacent to the treatment facility on Tree Lane and Pine Grove Avenue.

Town officials advocated for relief from the cost of this mandate to our Congressional delegation. Through the efforts of US. Rep. Jake Auchincloss, \$3,452,972 was included in the Inflation Reduction Act of 2022 specifically for this project. In addition, the Select Board applied to Norfolk County to assign our entire allocation of \$3,560,028 of infrastructure funding under the American Rescue Plan Act (ARPA) to reduce the borrowing required to finance this project. The combined \$7,013,000 will lower the amount of borrowing to \$29,824,710. The Water Department has filed an application with MassDEP, the agency that administers Federal Clean Water Funds, for a loan that we expect will qualify under the 0% interest rate program for projects designed to provide PFAS mitigation. Further details on the financing of the capital investment, as well as the impact on the operating budget and water rates, appear later in this recommendation.

Background

PFAS

Per- and polyfluoroalkyl substances (PFAS) are a group of chemicals used to make fluoropolymer coatings and products that resist heat, oil, stains, grease, and water. A growing body of science has found that there are potential adverse health impacts associated with PFAS exposure, including liver damage, thyroid disease, decreased fertility, high cholesterol, obesity, hormone suppression and cancer. Therefore, the amount of PFAS allowed in drinking water is regulated.

PFAS Informational Sheet

https://www.townofsharon.net/sites/g/files/vyhlif3801/f/uploads/general_pfas_info_11-1-2021.pdf

Massachusetts Department of Environmental Protection (DEP) PFAS Regulations

https://www.mass.gov/regulations/310-CMR-22-the-massachusetts-drinking-water-regulations?_gl=1*19jqso9*_ga*MTUyODAwMTEzOC4xNjk1NDg2OTQ3*_ga_MCLPEGW7WM*MTY5ODQxNzA0Mi4xLjAuMTY5ODQxNzA0Mi4wLjAuMA..#current-regulations

Massachusetts Drinking Water Regulations

https://www.mass.gov/regulations/310-CMR-22-the-massachusetts-drinking-water-regulations?_gl=1*19jqso9*_ga*MTUyODAwMTEzOC4xNjk1NDg2OTQ3*_ga_MCLPEGW7WM*MTY5ODQxNzA0Mi4xLjAuMTY5ODQxNzA0Mi4wLjAuMA..#recently-promulgated-amendments

Sharon Water Master Plan

<https://www.townofsharon.net/sites/g/files/vyhlf3801/f/file/file/wmpd.pdf>

Impact on Sharon’s Water System

Testing conducted in 2020 and 2021 showed that PFAS levels were above the allowable limit for the water pumped from some of the wells used to provide Sharon’s water supply. In April 2021, high PFAS levels led to the decision to shut down well #4. An immediate, short-term fix that reduced PFAS levels to assure a safe drinking water supply was needed. A temporary treatment facility was installed at well #4 and rented at a cost of \$13,635 per month. Ultimately, the temporary treatment unit was purchased for \$770,235 in April 2023 based on a cost/benefit analysis of the continued need until a permanent treatment facility could be built. The purchase was made with the expectation that the temporary facility would remain in operation through the design, permitting, bidding and construction period of 44 months, an aggressive construction schedule to minimize the temporary costs. Once a permanent treatment solution has been constructed, the temporary facility now owned by the Town is available for emergency use or, during times of high water demand, installed at well #7 to treat additional water pumped from that source.

Sharon is not alone in the need to deal with this issue - several other water systems in Eastern Massachusetts including Burlington, Natick, Hopkinton, Easton, Mansfield, and Millis are similarly impacted and are exploring different treatment options. While implementing a long-term solution to address the elevated PFAS levels is very costly and will lead to an increase in water rates, fixing the problem is a public health issue and is mandatory.

The chart and map below show the location of Sharon’s wells, the amount of water pumped from each well during calendar year 2022 and 2023 through September, and the proportionate share of the overall water supplied. PFAS levels at well #4 varied from 62 to 95 parts per trillion (PPT) and at well #2 varied from 19 to 50 PPT against a requirement below 20 PPT in Massachusetts. Wells #3 and #6 show trace PFAS amounts, well below the Massachusetts standard. Because of the testing regimen, both wells #2 and #4 were taken offline in April 2021. After installation of the temporary treatment plant at well #4, that source has been restored and continues to supply the majority of the Town’s water.

		Moose Hill Parkway	Farnham Road	Tree Lane	Gavins Pond Road	Wolomolopoag Street	Gavins Pond (Soccer Fields)
	Daily Limit	0.470 MGD	0.380 MGD	1.000 MGD	0.470 MGD	0.350 MGD	0.450 MGD
2023 (YTD)	Totals per well (1000 gal):	0	21,546	173,109	51,848	0	67,214
	Percent of Annual Total	0.0%	6.9%	55.2%	16.5%	0.0%	21.4%
2022	Totals per well (1000 gal):	0	47,607	200,250	62,331	15,142	116,667
	Percent of Annual Total	0.0%	10.8%	45.3%	14.1%	3.4%	26.4%
2021	Totals per well (1000 gal):	10,287	43,889	147,174	68,881	45,615	102,363
	Percent of Annual Total	2.5%	10.5%	35.2%	16.5%	10.9%	24.5%

Notes:

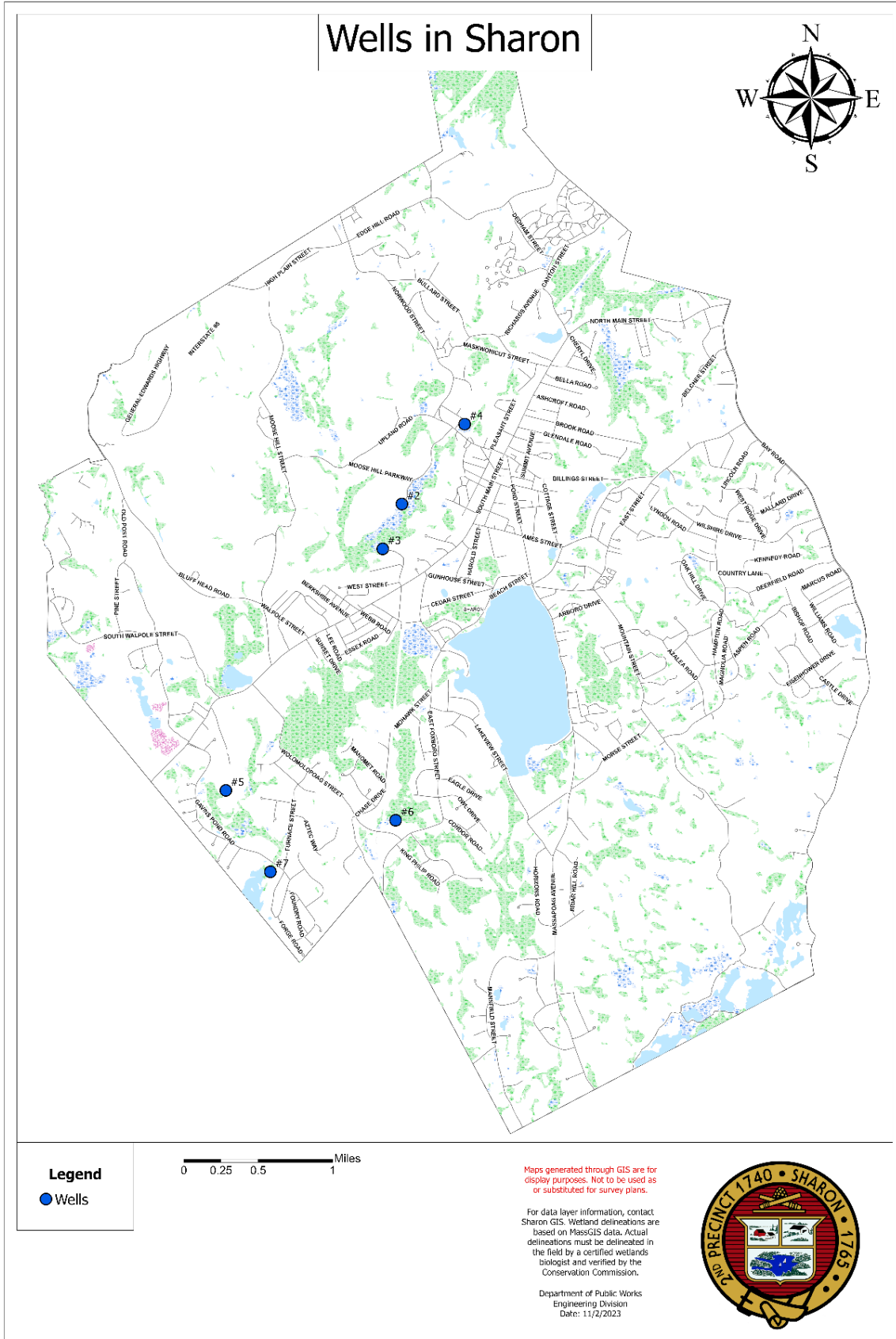
- Well #4 is clearly our most used well, pumping 45% of water used during 2022 and 55% of water used this year to date.
- Well #3 has exceeded proposed EPA limits for PFAS 12 out of 13 sample periods; Well #7 has exceeded proposed EPA limits for PFAS 3 out of 13 sample periods. These wells would likely require treatment before use.
- Wells #2 and #3 exceed recommended secondary contaminant levels of average Iron concentration; Wells #2, #3, and #6 exceed recommended secondary contaminant levels of average manganese concentration.
- Well #7 would be a candidate for use of the temporary PFAS treatment trailer to increase capacity. Owning the temporary treatment plant provides us with that future operational flexibility.

PFAS6 Concentration:

https://www.townofsharon.net/sites/g/files/vyhlf3801/f/pages/pfas_concentration.pdf

Iron and Manganese Sample Results:

https://www.townofsharon.net/sites/g/files/vyhlf3801/f/pages/iron_and_manganese_sample_results_-_1996-2016.pdf



Site Selection of Well #4

After much examination and review of various options by the water department and the consultant, the most cost-effective site for the permanent water treatment plant was determined to be at well #4, the site of the currently functioning temporary treatment facility. The process also considered locating the water treatment facility off Moose Hill Parkway at well #2 or off Farnham Road near well #3. These sites were deemed unsuitable due to significantly (more than \$6M) higher cost and potentially adverse environmental impacts due to the need for multiple crossings of Beaver Brook with pipes to transfer treated water into the water distribution system.

On September 26, 2023, the Select Board (acting as Water Commissioners) affirmed the recommendation of the Water Management Advisory Committee's selection of well #4 as the site of the water treatment facility. That decision came after hearing the concerns of residents in the Tree Lane and Pine Grove Avenue neighborhood concerned about the footprint, elevation and size of the facility, as well as the impact that the removal of trees that partially obstruct views of the MBTA commuter rail/Amtrak rail line that abuts the neighborhood.

MWRA Option

When the original cost estimate for the treatment facility and related infrastructure increased from \$20 million to \$36.8 million, the cost of joining the Massachusetts Water Resources Authority (MWRA) as an alternate solution was re-examined. The MWRA is a public authority established by an act of the Legislature in 1984 to provide wholesale water and sewer services to 3.1 million people and more than 5,500 large industrial users in 61 metropolitan Boston communities.

(<https://www.mwra.com/04water/html/wat.htm>) The Water Management Advisory Committee (WMAC) and the Finance Committee, with input from residents had discussions and an analysis was completed.

Benefits of joining the MWRA are that it is a regional, highly experienced entity, likely able to distribute costs of future PFAS-like mandates for treatment among a larger user base. Negative factors are the loss of local control, an inherited debt service from water MWRA capital projects, and the substantially greater cost of purchasing MWRA water compared to the lower cost to the Town of pumping and treating water from the Town's own wells. The financial analysis viewable here compares the impacts on the Water Department operating budget of treating the Town's own water at the well #4 site vs. purchasing water from the MWRA. The cost differences are largely due to (1) the lack of interest costs for the capital borrowing given 0% interest loans available for the water treatment facility compared to the Town borrowing at current municipal finance rates of 5% or more to finance the infrastructure related to connection to MWRA, an estimated differential of approximately \$19.7 million over 20 year life of the bonds, and (2) the significant cost to purchase water from MWRA compared to the minimal cost to pump water through the wells, treat it, and distribute it using our existing pipe network.

If Sharon were to elect the MWRA option, it is important that we maintain a redundant supply option for our water. Wells #4 and #5 (treated with the temporary unit purchased) would be used as backup to MWRA in the event of a service disruption. This backup plan would meet the average annual demand of 1.2 million gallons per day, most of the town's demand except for May through September. While this solution would not meet current summer maximum demand, any pumping above 1.2 million gallons per day would have to rely on available storage in the tanks that would be refilled on off peak use days. Our current backup plan in the event of an emergency disruption to water supplied from our wells is to buy MWRA water via the emergency connection with Norwood at Tiot Street. This connection is for emergency use only and is not capable of providing full water service.

Water Enterprise Fund Projections

	<u>FY 24</u>	<u>Growth Rate</u>	<u>FY 25</u>	<u>FY 26</u>	<u>FY 27</u>	<u>FY 28</u>	<u>FY 29</u>	<u>FY 30</u>
Regular budget:								
Salaries	1,308,772	3%	1,348,035	1,388,476	1,430,131	1,473,034	1,517,225	1,562,742
Insurance	392,750	5%	412,388	433,007	454,657	477,390	501,260	526,323
Retirement	546,093	6%	578,859	613,590	650,406	689,430	730,796	774,643
Debt Service	1,390,264		1,423,789	1,459,688	1,503,616	1,495,414	1,546,269	1,589,494
Utilities	208,477	3%	214,731	221,173	227,808	234,643	241,682	248,932
Maint + Supp	656,340	2%	669,467	682,856	696,513	710,444	724,652	739,145
Sys maint	1,048,613	3%	621,613	640,261	659,469	679,253	699,631	720,620
PFAS Treatment	200,000		200,000	200,000	-	-	-	-
Equipment	184,000	Only in FY 24	-	-	-	-	-	-
Reserve	350,000	3%	360,500	371,315	382,454	393,928	405,746	417,918
Norwood Emergency Connection Capital	150,000	0% Paid up in FY29	150,000	150,000	150,000	150,000	150,000	-
Total	6,435,309		5,979,381	6,160,367	6,155,055	6,303,536	6,517,261	6,579,818
Year-Year Change\$			(455,928)	180,985	(5,312)	148,481	213,725	62,557
% Change			-7%	3%	0%	2%	3%	1%
Dollar Impact on a \$1,000 yearly bill			\$	\$	(1) \$	24 \$	34 \$	10 \$

	FY 24	Growth Rate	FY 25	FY 26	FY 27	FY 28	FY 29	FY 30
Treatment option: TOTAL cost \$37M Less 7M ARPA/EPA funds; \$30M at 0% 20 years with MICWT Admin charge of @0.20%/year								
Salaries Increase		3% I FTE (+ Fringe)		112,000	115,360	118,821	122,385	126,057
Sys Maint		3%		150,000	154,500	159,135	163,909	168,826
Debt Service				1,550,885	1,547,902	1,544,920	1,541,938	1,538,955
Total				1,812,885	1,817,762	1,822,876	1,828,232	1,833,838
% Change over regular costs								
Dollar Impact on a \$1,000 yearly bill			\$	294	295	289	281	279
Total Principal Payment on SRF Loans at 0%								
Total Admin fee on SRF loans at 0.20%								
MWRA Option: Total \$40M (\$25M Infrastructure + 16M Soft costs - \$1M OPM savings) Less \$3.5M ARPA = \$36.5M @5% 20 years								
Lab Service				(100,000)	(102,000)	(100,000)	(100,000)	(100,000)
Chemicals				(121,300)	(123,726)	(126,201)	(128,725)	(131,299)
Salaries		3%		(70,000)	(72,100)	(74,263)	(76,491)	(78,786)
Sys Maint				(490,261)	(509,469)	(529,253)	(549,631)	(570,620)
Purchased Water		1.5%		1,925,000	1,953,875	1,983,183	2,012,931	2,043,125
Debt Service				3,643,997	3,552,897	3,461,797	3,370,697	3,279,597
Total				4,787,436	4,699,477	4,615,264	4,528,782	4,442,018
% Change over regular costs								
Dollar Impact on a \$1,000 yearly bill			\$	777	764	732	695	675
Total Principal Payment on market loans								
Total interest payment on market loans at 5%								

Note:

Projections are based on the current FY 24 budget
 The Water department would continue to borrow \$1M/year to meet the
 water mains and equipment maintenance needs

Capital costs estimates for the Water Treatment Facility

<u>Capital cost estimates</u>		36,337,710.00	
(including soft costs and contingencies)			
Additional ZBA/CONCOM Mitigation Contingency		500,000.00	
		<u>36,837,710.00</u>	
<u>Sources:</u>			
ARPA - County	3,560,028.00		
EPA Earmark	<u>3,452,972.00</u>	7,013,000.00	
State Revolving Fund (SRF) loans		<u>29,824,710.00</u>	
		<u>36,837,710.00</u>	
May 2022 ATM Appropriation		<u>15,816,000.00</u>	ATM 5/2/2022 ART 10H & G
Proposed Additional Appropriation (WTP)		<u>21,021,710.00</u>	

Capital costs estimates for the MWRA Connection.

<u>Capital cost estimates</u>		<u>40,000,000.00</u>	
(including soft costs and contingencies)			
<u>Sources:</u>			
ARPA County	3,560,028.00		
EPA Earmark	<u>-</u>	3,560,028.00	
Market Loans 5% 20 years		<u>36,439,972.00</u>	
		<u>40,000,000.00</u>	
May 2022 ATM Appropriation		<u>15,816,000.00</u>	ATM 5/2/2022 ART 10H & G
Proposed Additional Appropriation (MWRA)		<u>24,184,000.00</u>	

Summary

This write-up is intended to reflect the most recent data available as of November 6 when the Warrant went to the printer. The Water Department has filed an application before the Conservation Commission to review the project work in a regulated area (work within 200' of a stream) that is the result of pivoting the facility further away from two nearest abutting residential properties. It is unknown if this review will result in a decision that would cause changes to the current proposal such as additional mitigation costs or force reconsideration of the site of the water treatment plant and a resulting change in the construction cost estimate (at least \$6 million higher).

Based on this scenario, the Finance Committee asked whether after an affirmative vote at Town Meeting new information demonstrates that an alternate site for the WTP is a viable, more cost-effective solution, an amount or location, other than the one already presented to the loan issuing authorities, can be adjusted without jeopardizing the timing or eligibility of the 0% loan application.

It is important to emphasize that this Special Town Meeting has been called to act on this article, which would approve additional borrowing to build a water treatment plant, to meet imminent deadlines for fulfilling the requirements of federal grants and qualifying for the state's 0% interest loan. Delaying action to the 2024 Annual Town Meeting in May will have negative financial consequences for this project.

For public health reasons, we must continue on the path towards a secure water future. Support of this article does not preclude other options such as joining MWRA or designating an alternative or multiple sites for the WTP. Voters should keep in mind that failure to meet deadlines and advance a proposal to implement a permanent solution to its PFAS issue will burden the Town with an additional \$19 million of interest payments, as well as additional construction costs, regardless of the path we may choose.

The Finance Committee discussed all of these concerns and the difficult position of making a final recommendation under the unfortunate time constraints of securing the interest-free debt under the state loan program. As it has in similar situations when deadlines and time constraints left questions to be resolved before Town Meeting, but after the deadline to present write-ups to the voters in advance of the meeting, the committee decided to express its support of the proposal with the understanding that it might modify the recommendation before or at Town Meeting.

The Select Board voted 2-0-0 to support this article.

THE FINANCE COMMITTEE VOTED 9-0-1 TO RECOMMEND APPROVAL OF THIS ARTICLE, WHICH WOULD AUTHORIZE THE TOWN TO BORROW ADDITIONAL FUNDS TO BUILD A WATER TREATMENT PLANT AT WELL #4. ONE MEMBER OF THE FINANCE COMMITTEE ABSTAINED FROM VOTING, AS HE IS ALSO A MEMBER OF THE WATER MANAGEMENT ADVISORY COMMITTEE.

QUANTUM OF VOTE: 2/3 Vote

MOTION: That the Town appropriate the sum of \$36,837,710, which is an additional \$21,021,710 to the \$15,816,000 previously appropriated by the Town under Articles 10H and 10G of the May 2, 2022 Annual Town Meeting, for the purpose of financing improvements to the water treatment facility, including but not limited to, addressing excessive levels of PFAS and other contaminants identified in various wells, including all costs incidental and related thereto, with respect to borrowing under Chapter 44 of the General Laws and with respect to borrowing under Chapter 29C, for all costs thereof as defined in Section 1 of Chapter 29C of the General Laws; that to meet this appropriation the Treasurer with the approval of the Select Board is authorized to contract for and expend any federal or state aid available for the project

provided that the amount of the authorized borrowing shall be reduced by the amount of such aid received prior to the issuance of bonds or notes under this vote, and the Treasurer with the approval of the Select Board is authorized to borrow up to \$36,837,710 and issue bonds or notes therefor under Section 8 of Chapter 44 of the General Laws and/or Chapter 29C of the General Laws or pursuant to any other enabling authority; that while such bonds or notes shall be general obligations of the Town unless the Treasurer with the approval of the Select Board determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C, it is anticipated that this borrowing will be paid, in the first instance, from the Water Enterprise Fund; that the Treasurer with the approval of the Select Board is authorized to borrow all or a portion of such amount from the Massachusetts Clean Water Trust established pursuant to Chapter 29C and in connection therewith to enter into a financing agreement and/or security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; that the Select Board, other appropriate local body or official is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary or convenient to carry out the project.

Article 2: Long-Term Lease Authorization for Well No. 5 Solar Project

Sponsored by: Select Board

To see if the Town will vote to transfer the following land described in the table below, from the board or department that currently has custody of such land and held for their current purposes to the same custodial board or department and to the Select Board to be held for their current purpose and for the purpose of leasing portions of such land for the installation of solar photovoltaic energy facilities to SOLECT and supplying solar energy, for a term commencing upon execution and continuing through a period not to exceed thirty (30) years after the date on which such facilities achieve commercial operations, and on such other terms and conditions, and for such consideration, as the Select Board and/or the board or department that currently has custody of such land deems appropriate; and, further, to authorize the Select Board and/or the board or department that currently has custody of such land to enter into such leases and/or to grant such access, utility, and other easements in, on, and under said land as may be necessary or convenient to construct, operate and maintain such solar photovoltaic energy facilities and any battery energy system and supply solar energy and authorize the Select Board and/or the board or department that currently has custody of such land to take any action and execute any documents necessary or appropriate to accomplish the foregoing;

And further authorize the Select Board and/or the board or department that currently has custody of such land, pursuant to G.L. c. 59, § 38H, to negotiate and enter into power purchase agreements, payment in lieu of tax agreements with the lessee/operator of the solar photovoltaic energy facility and any battery energy system, to be developed at such properties, and any other documents and agreements related thereto, upon such terms and conditions as the Select Board and/or the board or department that currently has custody of such land shall deem to be appropriate; and to take any other action relative thereto.

Property Description	Street Address
Well No. 5	30 Gavins Pond Road

FINANCE COMMITTEE RECOMMENDATION:

An affirmative vote under this Article would authorize the Town of Sharon to enter into lease agreements not to exceed thirty (30) years with SOLECT, which would allow for the installation of solar photovoltaic

energy facilities (grounded mounted, canopy style or rooftop solar panels), on the land in and around Well No 5, located off 30 Gavins Pond Road, and to enter into associated land lease agreements, easement agreements, alternative on-bill credit purchase agreements, net meter credit purchase agreement (“CPA”), power purchase agreements and “payment in lieu of tax” (PILOT) agreements. It further allows the Select Board, or the Sharon Town Manager on their behalf, to enter into alternative on-bill credit purchase agreements, net meter credit purchase agreement (“CPA”) or power purchase agreements with SOLECT, who is operating similar installations at Heights Elementary School, has a contract for Sharon High School and is currently developing projects at the DPW. The total expected savings over the lease period are estimated to be roughly \$435,000 compared to grid-delivered electricity pricing. The new installations will provide a 100% electric utility cost offset for the Town of Sharon Water Department, with opportunities to enhance the installation to provide additional savings and electricity for the Town. The Finance Committee feels that entering such a project that delivers both energy cost savings and renewable energy to the town at the same time is a win-win. The Committee recommends to the Select Board that independent, qualified counsel review any lease agreement on behalf of the Town before it is executed. Such review has been conducted.

The Select Board voted 2-0-0 in favor of approval.

THE FINANCE COMMITTEE VOTED 10-0-0 IN FAVOR OF APPROVAL.

QUANTUM OF VOTE: Majority Vote

MOTION: That the Town transfer the following land described below, from the board or department that currently has custody of such land and held for their current purposes to the same custodial board or department and to the Select Board to be held for their current purpose and for the purpose of leasing portions of such land for the installation of solar photovoltaic energy facilities to SOLECT and supplying solar energy, for a term commencing upon execution and continuing through a period not to exceed thirty (30) years after the date on which such facilities achieve commercial operations, and on such other terms and conditions, and for such consideration, as the Select Board and/or the board or department that currently has custody of such land deems appropriate; and, further, to authorize the Select Board and/or the board or department that currently has custody of such land to enter into such leases and/or to grant such access, utility, and other easements in, on, and under said land as may be necessary or convenient to construct, operate and maintain such solar photovoltaic energy facilities and any battery energy system and supply solar energy and authorize the Select Board and/or the board or department that currently has custody of such land to take any action and execute any documents necessary or appropriate to accomplish the foregoing.

Property Description	Street Address
Well No. 5	30 Gavins Pond Road

Article 3: Accept Weyman Lane and Atherton Lane as Public Roadways

Sponsored by: Select Board

To see if the Town of Sharon will vote to accept the roads known as Weyman Lane and Atherton Lane as public ways, and any appurtenant easements thereto, as laid out and generally shown on a plan of land entitled “Quail Ridge, A Cluster Subdivision in Sharon, Mass.,” dated March 10, 1989, prepared by Norwood Engineering Co., Inc. and recorded with the Norfolk County Registry of Deeds as Plan 806 of 1989, and on file with the Town Clerk, and to authorize the Select Board to acquire by gift, purchase, and/or

eminent domain, the fee to and/or easements in said Weyman Lane and Atherton Lane for all purposes for which public ways are used in the Town of Sharon and any drainage, access, utility and/or other easements related thereto; or take any action related thereto.



FINANCE COMMITTEE RECOMMENDATION:

Approval of this article would accept Weyman Lane and Atherton Lane, in the Sharon Woods neighborhood, as public roadways. As part of the Sharon Gallery utilities work in the Sharon Woods neighborhood, it was discovered that Weyman Lane and Atherton Lane have never been formally accepted as public roadways. However, the Town has been treating them as such for many years.

Abutters of the streets were represented by legal counsel and there are no objections by them to formalize the status of their streets as public roadways, as this would simply codify a status that has been in existence for many years.

The Select Board voted 2-0-0 in favor of approval.

THE FINANCE COMMITTEE VOTED 9-0-0 IN FAVOR OF APPROVAL.

QUANTUM OF VOTE: 2/3 Vote

MOTION: That the Town accept the roads known as Weyman Lane and Atherton Lane as public ways, and any appurtenant easements thereto, as laid out and generally shown on a plan of land entitled “Quail Ridge, A Cluster Subdivision in Sharon, Mass.,” dated March 10, 1989, prepared by Norwood Engineering Co., Inc. and recorded with the Norfolk County Registry of Deeds as Plan 806 of 1989, and on file with the Town Clerk, and authorize the Select Board to acquire by gift, purchase, and/or eminent domain, the fee to and/or easements in said Weyman Lane and Atherton Lane for all purposes for which public ways are used in the Town of Sharon and any drainage, access, utility and/or other easements related thereto.

Article 4: Increase the Authorized Term of an Intermunicipal Agreement with the Town of Foxborough

Sponsored by: Select Board

To see if the Town of Sharon will vote to authorize the Select Board to submit to the General Court a special act providing for an increase in the allowable term of an intermunicipal agreement (IMA) with the Town of Foxborough from 25 years to 99 years, all as set forth below; provided, however that the General Court may make clerical or editorial decisions of form only to such bill, unless the Select Board approves amendments to the bill prior to enactment by the General Court, and provided further that the Select Board is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this article; or to take any action relative thereto.

An Act Regarding the IMA between the towns of Sharon and Foxboro

SECTION 1. Notwithstanding any general or special law to the contrary, the towns of Sharon and Foxborough may enter into an IMA for a term of ninety-nine years providing for sewer lines in Sharon to connect to the sewer lines in Foxboro and to provide that sewerage from Sharon within said lines be sent for treatment to the Mansfield-Foxborough-Norton Regional Wastewater District.

SECTION 2. A copy of the proposed IMA is attached hereto.

SECTION 3. This act shall take effect upon its passage.

FINANCE COMMITTEE RECOMMENDATION:

An affirmative vote under this article would authorize the Town to seek special legislation from the State to permit amendment to an extended term of ninety-nine (99) years for the current 25-year intermunicipal sewer agreement, dated August 1, 2023, with the town of Foxborough, which serves the Sharon Gallery. Per Mass General Law Chapter 40 Section 4A, the current statutory limit for an intermunicipal agreement is twenty-five (25) years, and the requested authority to extend beyond twenty-five (25) years would only apply to this specific agreement and will help move the Sharon Gallery forward. For the long-term view of the Sharon Gallery project and its tenants, certainty with regard to the commitment of sewer capacity and service, without interruption after twenty-five (25) years, is desirable.

Sharon and Foxborough entered into an intermunicipal agreement to provide for the transportation of sewerage generated at Sharon Gallery through a sewer piping system that runs from Sharon Gallery, through Cannon Forge, and to the Foxborough line, and from there to the treatment plant in Mansfield/Norton.

Sharon Gallery anchor tenant, Costco, is specifically requiring an intermunicipal agreement for municipal sewer service with a term of ninety-nine (99) years. Their property purchase agreement specifies:

*"The **"Intermunicipal Sewer Agreement"** shall mean an intermunicipal agreement between the Town of Foxborough, Massachusetts and the Town of Sharon, Massachusetts for municipal sewer service benefiting the Property for a term of ninety-nine (99) years, in form and substance acceptable to Purchaser."*

The enactment of special legislation is the standard method to cure problems such as this, and the Town of Sharon has successfully petitioned the state legislature for special acts in the past. Working together with the Town of Foxborough, each community has agreed to seek special legislation authorizing an extended agreement term for this intermunicipal agreement, not to exceed ninety-nine (99) years. The Town of Foxborough, at its Annual Town Meeting in May 2024, will present and vote an article similar to this one. Pending affirmative votes at both town meetings, the respective select boards can coordinate along with our local legislative delegation to collectively request the special legislation, making a concerted request to obtain one special act.

The intermunicipal agreement can be viewed at:

https://www.townofsharon.net/sites/g/files/vyhlf3801/f/uploads/ima_executed_with_addendum_1.pdf

The Select Board voted 2-0-0 in favor of approval.

THE FINANCE COMMITTEE VOTED 9-0-0 IN FAVOR OF APPROVAL.

QUANTUM OF VOTE: Majority Vote

MOTION: That the Town authorize the Select Board to submit to the General Court a special act providing for an increase in the allowable term of an intermunicipal agreement (IMA) with the Town of Foxborough from 25 years to 99 years, all as set forth below; provided, however that the General Court may make clerical or editorial decisions of form only to such bill, unless the Select Board approves amendments to the bill prior to enactment by the General Court, and provided further that the Select Board is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this article.

An Act Regarding the IMA between the towns of Sharon and Foxboro

SECTION 1. Notwithstanding any general or special law to the contrary, the towns of Sharon and Foxborough may enter into an IMA for a term of ninety-nine years providing for sewer lines in Sharon to connect to the sewer lines in Foxboro and to provide that sewerage from Sharon within said lines be sent for treatment to the Mansfield-Foxborough-Norton Regional Wastewater District.

SECTION 2. A copy of the proposed IMA is attached hereto.

SECTION 3. This act shall take effect upon its passage.

Article 5: Amend the Zoning Bylaw

Sponsored by: Planning Board

To see if the Town will vote to amend the Sharon Massachusetts Code, Division 1: Bylaws, Part II: General Legislation, Chapter 275 Zoning, §275-2110-§275-6420 (Zoning Bylaw) as last amended under Article 20 of the Warrant of the Annual Town Meeting of May 2, 2022 as follows (Bold font denotes new language; Italic and strikethrough font denotes deleted language); or take any other action relative thereto:

Amend Section 3.2.2 – Table 1: Table of Use Regulations by revising certain entries in the twelfth column with the heading “BD” by deleting the heading “BD” and inserting a new heading with a footnote “BD¹” and further revise entries in the twelfth column to allow as use by right in Business District D the following: §A Residential Uses, #3 Dwelling units over nonresidential first floor uses (see Section 8.5) – delete “N” and insert “Y” and insert reference to Section 8.7 and #4 Multifamily or Mixed Use Buildings (see Section 8.5) – delete “BA” and insert “Y” and insert reference to Sections 8.6 and 8.7, §B Community Uses, #3 Childcare center of school-aged childcare program – add a footnote “2” for the BD District column referencing certain additional facilities allowed by right, §D Commercial Uses, #11 Major Nonresidential and Mixed-Use Development – delete “PB” and insert “Y”, and add a row #12. Theater or multiscreen movie complex excluding adult-use motion picture theaters – providing for a use by Special Permit from the Zoning Board of Appeals in the Business A B and C Districts and as a use by right in the BD District and the LI District, §I Miscellaneous Commercial Uses, #6. Commercial Fuel storage and sales – insert the word “retail” before the word “sales in the first column and #10 Major Nonresidential Development – delete “BA” and insert “Y” and #11 Major Parking Facility – delete “BA” and insert “Y”, and §K Accessory Uses, #10 private garage for more than 3 motor vehicles or group garage – delete “N” and insert “Y”.

[Explanatory note above not part of the text of the Zoning Bylaw amendment: Table 1: Table of Use Regulations will be inserted following Section 11.0 Definitions in the Zoning Bylaw.]

Such that it reads:

TABLE 1: TABLE OF USE REGULATIONS

- Y = Yes
- N = No
- BA = Special permit, Zoning Board of Appeals
- PB = Special Permit, Planning Board
- SB = Special Permit, Select Board

See notes following Table 1.

	R1	R2	Sub A	Sub B	SRA	SRB	GR	BA	BB	BC	BD ¹	LI	Pro A	Pro B
A. RESIDENTIAL USES														
1. Single-family residence	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	N
2. Two-family residence	N	N	N	N	N	N	Y	Y	Y	Y	N	N	N	N
3. Dwelling units over nonresidential first floor uses (see Sections 8.5 and 8.7)	N	N	N	N	N	N	N	N	BA	BA	A Y	N	N	N
4. Multifamily or mixed-use buildings (see Sections 8.5, 8.6, and 8.7)	N	N	N	N	N	N	N	BA	N	N	BA Y	N	N	N
5. Conversion to create one or more dwelling units (see Section 8.4)	BA	BA	BA	BA	BA	BA	BA	N	N	N	N	N	N	N

6. Conversion of municipal building (see Section 8.4)	SB	SB	SB	SB	SB	SB	N	N	N	SB	N	N	N	N
7. Open Space Residential Development (see Section 8.3)	PB	PB	PB	PB	PB	PB	PB	N	N	N	N	N	N	N
8. Senior Housing Facility (see Section 8.2)	PB	PB	PB	PB	PB	PB	PB	N	N	N	BA	V	N	Y

	R1	R2	Sub A	Sub B	SRA	SRB	GR	BA	BB	BC	BD ¹	LI	Pro A	Pro B
B. COMMUNITY USES														
1. Use of land or structures for religious purposes on land owned or leased by a religious sect or denomination	Y	Y	Y	Y	Y	V	Y	Y	Y	Y	Y	Y	Y	Y
2. Use of land or structures for educational purposes on land owned or leased by the Commonwealth or any of its agencies, subdivisions or bodies politic or by a religious sect or denomination or by a nonprofit educational corporation	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
3. Childcare center or school-aged childcare program	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y ²	Y	Y	Y
4. Municipal uses and facilities, including indoor/outdoor recreation	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
5. Essential services	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA
6. Hospital or sanitorium	BA	BA	BA	BA	BA	BA	BA	N	N	N	N	Y	N	N
7. Health care center	N	N	N	N	N	N	N	N	N	N	BA	Y	N	N
8. Home health agency; hospice; physical therapy or speech pathology facility; renal care facility; temporary nursing agency	N	N	N	N	N	N	N	Y	Y	N	Y	V	N	N
9. Cemetery not conducted for profit	BA	BA	BA	BA	BA	BA	BA	N	N	N	N	N	N	N

Revise Section “C. Open Recreation and Agricultural Uses” section, in the top row, delete the heading “BD” and insert a new heading with a footnote “BD¹” by revising the heading in the top row by deleting the heading “BD” and inserting a new heading with a footnote “BD¹” No other revisions are made to this section.

	R1	R2	Sub A	Sub B	SRA	SRB	GR	BA	BB	BC	BD ¹	LI	Pro A	Pro B
D. COMMERCIAL USES														
1. Wellness center or health club	N	N	N	N	N	N	N	y	y	N	y	y	N	N
2. Club operated as a business	N	N	N	N	N	N	N	BA	BA	N	BA	N	N	N
3. Private nonprofit club or lodge	BA	BA	BA	BA	BA	BA	BA	N	N	N	N	N	N	N
4. Trade, professional, or other school operated for profit	N	N	N	N	N	N	N	N	N	N	BA	N	N	N
5. Training or conference center	N	N	N	N	N	N	N	N	N	N	BA	N	N	N
6. Hotel	N	BA	N	N	N	N	y	N	N	N	y	y	N	N
7. Retail delivery service or postal boxes	N	N	N	N	N	N	N	N	N	N	BA	N	N	N
8. Mortuary, undertaking or funeral establishment	N	N	N	N	N	N	N	N	BA	N	BA	y	N	N
9. Adult use	N	N	N	N	N	N	N	N	N	N	N	BA	N	N
10. Bed and breakfast facilities	BA	BA	BA	BA	BA	BA	BA	N	N	N	N	N	N	N
11. Major Nonresidential and Mixed-Use Development	N	N	N	N	N	N	PB	PB	PB	PB	PBY	PB	PB	PB

12. Theater or multiscreen movie complex excluding an adult motion picture theater.	N	N	N	N	N	N	N	N	BA	BA	BA	Y	Y	N	N
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Revise Section “E. Office Uses”, Section F. Retail and Service Uses”, Section G. Eating, Drinking, and Entertainment Establishments”, and Section H. Motor Vehicle Related Uses” by revising the heading in the top row by deleting the heading “BD” and inserting a new heading with a footnote “BD¹”. No other revisions are made to these sections.

	R1	R2	Sub A	Sub B	SRA	SRB	GR	BA	BB	BC	BD ¹	LI	Pro A	Pro B
I. MISCELLANEOUS COMMERCIAL USES														
1. Store serving as drop-off or pick-up location for cleaning or laundry service, excluding laundromat or on-site processing	N	N	N	N	N	N	N	Y	Y	N	Y	N	N	N
2. Outdoor storage and display of goods for sale, whether as a principal or accessory use	N	N	N	N	N	N	N	N	BA	N	BA	Y	N	N
3. Storage building for goods to be repaired or sold at retail directly to the consumer or temporarily stored for the consumer	N	N	N	N	N	N	N	N	BA	N	BA	Y	N	N
4. Printing or publishing establishment	N	N	N	N	N	N	N	N	N	N	N	Y	N	N
5. Medical or adult-use marijuana establishment	N	N	N	N	N	N	N	N	N	N	N	BA	N	N
6. Commercial fuel storage and retail sales	N	N	N	N	N	N	N	BA	N	N	BA	N	N	N
7. Natural gas custody transfer stations (see Section 7.5)	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA
8. Earth removal (see Chapter 141)	SB	SB	SB	SB	SB	SB	SB	N	N	N	N	SB	Y	Y
9. Solar energy system	N	N	N	N	N	N	N	N	N	N	N	Y	N	N
10. Major Nonresidential Development	N	N	N	N	N	N	N	BA	BA	BA	BA Y	BA	N	N
11. Major parking facility	N	N	N	N	N	N	N	BA	BA	BA	A Y	N	N	N
12. Landscaping equipment, supply, and service business	N	N	N	N	N	N	N	N	N	N	N	Y	N	N

	R1	R2	Sub A	Sub B	SRA	SRB	GR	BA	BB	BC	BD ¹	LI	Pro A	Pro B
K. ACCESSORY USES														
1. Home occupation (see Section 3.4) As of right OR By special permit	Y BA	Y BA	Y BA	Y BA	Y BA	Y BA	Y BA	N BA	N	N	N	N	N	N
2. Craft or Trade Shop	BA	BA	BA	BA	BA	BA	BA	N	N	N	N	N	N	N
3. Accessory childcare center or school-aged childcare program	Y	Y	Y	Y	Y	Y	V	Y	Y	Y	Y	Y	Y	V
4. Family day care home	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
5. Family day care home, large	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA
6. Adult day care home	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
7. Renting of one or two rooms without separate cooking facilities to lodgers within a dwelling unit to one or two total lodgers	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	N	N	N
8. Off-street parking spaces accessory to use in Pro A or Pro B District	N	N	N	N	BA	BA	BA	N	N	N	N	N	N	N
9. Private garage with provision for not more than 3 motor vehicles	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	N	N	N
10. Private garage with provision for more than 3 motor vehicles or group garage	BA	BA	BA	BA	BA	BA	BA	N	N	N	A Y	N	N	N
11. Scientific research and development as set forth in M.G.L. c. 40A, § 9	BA	BA	BA	BA	BA	BA	BA	N	BA	N	BA	N	N	N
12. Outdoor storage or display of parts, materials or inventory	N	N	N	N	N	N	N	Y	Y	Y	N	N	N	N

13. Enclosed storage or parts, materials or inventory in excess of amounts reasonably required for work to be done on the premises or goods to be delivered on the premises	N	N	N	N	N	N	N	N	Y	Y	Y	Y	N	N	N
14. Vending machine, unless placed within a building or parking lot	N	N	N	N	N	N	N	N	Y	Y	N	Y	N	N	N

Notes for Table 1

1. Multiple freestanding Principal Buildings are permitted within a single Business District D Development, Lot, or Business Parcel subject to the requirements specified in Table 1.
2. In Business District D, facilities are allowed that are licensed by the Massachusetts Executive Office of Education or successor agency if applicable, including daycare or childcare facilities complying with "Large Group and School Age Child Care Program" licensing requirements and including facilities complying with "Center and School Based Early Education and Care Program" or "After School and Out of School Time Program" licensing requirements.

Amend Section 4.1.2 – Table 2: Table of Dimensional Regulations by providing new requirements for an overall Business District D Development by reference to §4.3.8.1; for Lots within Business District D but not within a Business District D Development, and Lots within an overall Business District D Development including required minimum lot area, lot frontage, (front, side, and rear) lot setbacks, and natural vegetation coverage and required maximum building height (feet/stories) by reference to §4.3.8.4 and lot coverage.

[Explanatory note above not part of the text of the Zoning Bylaw amendment: Table 2: Table of Dimensional Regulations will be inserted following Table 1: Table of Use Regulations in the Zoning Bylaw.]

Such that it reads:

TABLE 2: TABLE OF DIMENSIONAL REGULATIONS

ZONE	LOT AREA (Sq. Ft.)	LOT WIDTH	FRONTAGE	FRONT SET-BACK (from sideline)	REAR/SIDE SET-BACK	MAXIMUM HEIGHT	MAXIMUM STORIES	PERCENT OF LOT COVERAGE	PERCENT OF NATURAL COVERAGE
Rural District 1	60,000	175'	116'-8"	50'	30' (principal building) 10' (accessory building)	35'	-	15% (2)	50%
Rural District 2	80,000	175'	116'-8"	50'	30' (principal building) 10' (accessory building)	35'	-	15% (2)	50%
Suburban District 1	40,000	125'	82'-6"	30'	20' residential 10' all other	35'	-	25%	no requirement
Suburban District 2	60,000	175'	116'-8"	50'	30' (principal building) 10' (accessory building)	35'	-	15% (2)	50%
Single Residence District A	40,000	150'	100'	30'	15' residential 10' all other	35'	-	25%	no requirement
Single Residence District B	20,000	100'	66'-8"	30'	15' residential 10' all other	35'	-	25%	no requirement
General Residence	8,000 10,000 two family	70' 80' two family	46'-8" single fam. 53'-4" two family	30'	15' residential 10' all other	35'	-	40%	no requirement
Business District A	10,000 for single or two family	80' one family and two family	70'	20' max 1&2 family 10' max all other	20' residential 10' all other	other uses 45' 40' residential	3	25% 1 and 2 family 60% all other	20%
Business District B	8,000 10,000 two family	80' two family (4)	70'	10'	20' residential 10' all other	60' commercial 40' residential	4 commercial 3 residential	25% residential 20% all other	n/a
Business District C	8,000 10,000 two family	80' two family (4)	70'	20' max 1&2 family 10' max all other	20' residential 10' all other	45' commercial 40' residential	3	25% 1 and 2 family 35% multi family 50% all other	30%
Business District D	53-acres	80'-two-family-(4)	4000'	40'-from-I-95, 50'-from-Old-Post-Rd., 100'-from-all-other-streets	400'	60'-commercial 40'-residential	3	20%-(4-3)	35%
Business District D Development	See Section 4.3.8.1	See Section 4.3.8.1	See Section 4.3.8.1	See Section 4.3.8.1	See Section 4.3.8.1	See Section 4.3.8.4	See Section 4.3.8.4	See Section 4.3.8.1	See Section 4.3.8.1
Lot Within Business District D but Not Within a Business District D Development	53 acres	1,000'	1,000'	10' from I-95, 50' from Old Post Rd., 100' from all other streets	100' (5)	See Section 4.3.8.4	See Section 4.3.8.4	55%	33%
Lot Within a Business District D Development	60,000	25'	25'	10' from I-95, 50' from Old Post Rd., 100' from all other streets	No requirements from lots within Business District D 100' from lots outside Business District D (5)	See Section 4.3.8.4	See Section 4.3.8.4	No Requirements	No Requirements

Professional District A	20,000	80' two family (4) 150' all other	100'	n/a'	20' residential 10' all other	40'	3	n/a	n/a
Professional District B	60,000	80' two family (4) 150' all other	100'	40'	20' residential 10' all other	40'	3	20%	30%
Light Industrial District	40,000	150'	100'	75'	100' residential 30' all other	100'	5	60% including 75% including parking structures	20% (landscaped or open space)
Housing Authority District	40,000 [5,000](1)	no requirement	no requirement	30' and 50'	20' residential 10' all other	35'	-	25%	no requirement
NOTES:									
(1) Per dwelling unit (4 persons in a group arrangement = dwelling unit)									
(2) Includes paving and walks									
(3) Excluding parking decks									
(4) All other uses, see Section 4.1.3 of Zoning By-Laws									
(5) Setbacks from Route 1-95 are considered as front setbacks as set forth above) and N/A from lots within Business District D.									
Note: Lots located within Groundwater Protection District have a minimum lot size of 60,000 sf.									
Note: Lots located within Surface Water Protection District have a minimum lot size of 80,000 sf.									
Note: Lot Width is measured as set forth in Section 4.1.3.									
Note: See Section 4.1.3 for Shape Factor When Calculating Lot Area.									

Amend Section 4.1.3 Lot Shape, Width, and Frontage by adding a new sentence at the end of the first paragraph.

Such that it reads:

4.1.3 Lot Shape, Width and Frontage. It shall be the purpose of these regulations to prevent the subdivision of properties into irregularly shaped lots which undermine the intent of this Bylaw, as well as to prevent the creation of lots which are so distorted in configuration as to be detrimental to public health, safety, welfare, convenient and harmonious development and use of the land, or future clarity of ownership and identification of property lines. **The provisions of §4.1.3.3, §4.1.3.4, and §4.1.3.5 hereof do not apply to Business District D.**

Amend Section 4.3.2 Size Limits in Business Districts by revising paragraph 3 thereof.

Such that it reads:

3. The building floor area limits in the BD District shall be 135,000 square feet **per building. Larger building floor area is allowed by Special Permit from the Zoning Board of Appeals. This section does not limit the total floor area of all buildings within a Business District D Development, Lot, or Business Parcel.**

Amend Section 4.3.7 Maximum Number of Dwelling Units in Business D Development by revising the section.

Such that it reads:

4.3.7 Maximum Number of Dwelling Units in Business D Development. The maximum number of dwelling units within a Business District D development shall be the lesser of one dwelling unit per ~~2,250~~ **1,700** square feet of the gross floor area ~~in the district~~ **of qualifying uses in the Business District D Development** or 225 dwelling units total. **Qualifying uses include indoor floor area of uses set forth in Table I: Table of Use Regulations in §B. Community Uses, §D. Commercial Uses, E. Office Uses, §Retail and Service Uses, §G. Eating, Drinking, and Entertainment Establishments, and §I Miscellaneous Commercial Uses that are conducted inside buildings.**

Amend Section 4.3.8 Business District D; Height Limits and amend Section 4.3.9 Business D FAR and GFA by combining these sections into one section entitled Section 4.3.8 Business District D Dimensional Requirements and by revising the section to include dimensional requirements for a Business District D Development and a Business Parcel and revising requirements for Floor Area Ratio (FAR) and Gross Floor Area for residential use and total of all uses.

Such that it reads:

4.3.8 Business District D; Height Limits.

- 1. For hotels and residential buildings located within 350 feet of the west property line at Route 1-95, six stories (excluding mezzanines as defined in the Massachusetts Building Code) or 90 feet; and further provided that the height of each story is limited to 15 feet.*
- 2. For all other uses, four stories (excluding mezzanines as defined in the Massachusetts*

Building Code) or 60 feet; and further provided that the height of each story is limited to 24 feet for retail and theater use, to 16 feet for office use, and to 13 feet for all other uses.

4.3.8 Business District D Dimensional Requirements.

1. Business District D Development:

- a. **Minimum Area: 53 acres**
- b. **Minimum Width: 1,000 feet measured at the minimum front setback**
- c. **Minimum Frontage: 1,000 feet**
- d. **Minimum Front Setback: 10 feet from I-95, 50 feet from Old Post Road, 100 feet from other streets**
- e. **Minimum Side and Rear Setbacks: 100 feet**
- f. **Maximum Impervious Coverage: 55% excluding parking decks.**
- g. **Minimum Natural Vegetation Area: 33%.**

2. Business Parcel Within a Business District D Development:

- a. **Minimum Area: 60,000 square feet**
- b. **Minimum Width: No Requirement**
- c. **Minimum Frontage: No Requirement**
- d. **Minimum Front Setback: 10 feet from I-95, 50 feet from Old Post Road, 100 feet from other streets**
- e. **Minimum Side and Rear Setbacks: No requirement.**
- f. **Maximum Lot Coverage: No Requirement**
- g. **Minimum Natural Vegetation Area: No Requirement**

3. Multiple Buildings. More than one Principal Building may be located within a Business District D Development, Lot, or Business Parcel.

4. Business District D; Height Limits.

- a. For hotels and residential buildings located within 350 feet of the west property line at Route 1-95, six stories (excluding mezzanines as defined in the Massachusetts Building Code) or 90 feet; and further provided that the height of each story is limited to 15 feet.
- b. For all other uses, four stories (excluding mezzanines as defined in the Massachusetts Building Code) or 60 feet; and further provided that the height of each story is limited to 24 feet for retail and theater use, to 16 feet for office use, and to 13 feet for all other uses.

~~4.3.9.5.~~ Business D FAR and GFA.

- ~~a.~~ **a.** Maximum permitted floor area ratio (FAR): 0.33 for a Business District D Development or for a lot **within Business District D but** not within a Business District D development. A FAR limit is not applicable for Lots **or Business Parcels** within a Business District D development.
- ~~b.~~ **b.** The maximum permitted gross floor area (GFA) for residential use shall not exceed ~~250,000~~ **340,000 square feet of residential floor area or 495,000** square feet **including the floor area of parking garages located within residential structures** for a Business District D development or for a lot **within Business District D but** not within a Business District D Development, and the maximum permitted gross floor area for residential, community service and commercial uses combined shall not exceed ~~750,000~~ **810,000**

square feet **including the floor area of parking garages located within Primary Structures** for a Business District D Development or for a lot **within Business District D but** not within a Business District D Development.

Amend Section 4.3.10 No Cut Line Business D by renumbering it as Section 4.3.9 No Cut Line Business District D and allowing construction disturbance including vegetation removal within 20 feet of the sideline of South Walpole Street provided that the disturbed area is replanted and requiring the permanent no cut line to be located 35 feet minimum and 50 feet where practicable south of South Walpole Street.

Such that it reads:

~~4.3.10~~ No Cut Line Business **District D**. In Business District D, there shall be a **landscape screening strip between the sideline of South Walpole Street and a "no-cut" line extending** located 35 feet minimum and 50 feet ~~from~~ where practicable south of the sideline of South Walpole Street. **During construction, disturbance including vegetation removal can extend to within 20 feet of the sideline of South Walpole Street, provided that the disturbed area is replanted as provided herein. The location of the no cut line shall be determined by the Zoning Board of Appeals during site plan review.** Existing trees **in the landscaped screening strip** shall be supplemented by in-planting with evergreen trees and shrubs to create a dense vegetative screen. A six-foot-high unfinished cedar board fence shall be placed ~~approximately 40 feet off the street line~~ **near the south edge of the landscaped screening strip** to provide supplemental screening when considered appropriate by the Zoning Board of Appeals pursuant to Section 10.5.

Renumber Section 4.3.11 Business C and Professional District Residential Buildings as Section 4.3.10 Business C and Professional District Residential Buildings.

Delete Section 10.6.3 Types of Site Plan Review.

~~10.6.3 Types of Site Plan Review. Site Plan Review (SPR) shall either be Minor Site Plan Review (Minor), or Major Site Plan Review (Major), as set forth herein.~~

Insert a new Section 10.6.3 Site Plan Review.

Such that it reads:

10.6.3 Site Plan Review. Single family residences and two-family residences on one lot are exempt from Site Plan Review (SPR). Site plan review is required for the projects listed below.

- 1. Construction, exterior alteration, exterior expansion, or change of use within a municipal, institutional, commercial, or industrial project.**
- 2. Residential projects involving three or more dwelling units; or**
- 3. Construction or expansion of a parking lot for a municipal, institutional, commercial, industrial, or residential structure with 20 or more parking spaces.**

The Zoning Board of Appeals may waive site plan review for minor changes to existing facilities.

Site Plan Review (SPR) shall either be Minor Site Plan Review (Minor) or Major Site Plan Review. Projects that fall within one or more of the ranges set forth in §10.6.4 require Minor Site Plan Review. Projects that exceed one or more of the thresholds set forth in §10.6.5 require Major Site Plan Review.

Delete Section 10.6.4 Applicability; Minor SPR.

~~10.6.4 Applicability; Minor SPR. Minor SPR is required for the following projects listed below from 0 to 10,000 square feet of gross floor area, provided that the Zoning Board of Appeals may waive site plan review for minor changes to existing facilities:~~

- ~~1. Construction, exterior alteration or exterior expansion of, or change of use within, a municipal, institutional, commercial, industrial, or residential structure with four or more dwelling units; or~~
- ~~2. Construction or expansion of a parking lot for a municipal, institutional, commercial, industrial, or residential structure with five or more parking spaces.~~

Insert a new **Section 10.6.4 Minor Site Plan Review.**

Such that it reads:

10.6.4 Minor Site Plan Review. Minor SPR is required for the projects included in §10.6.3 that fall within one or more of the following ranges:

- 1. Nonresidential projects with 0 to 25,000 square feet of gross floor area;**
- 2. Residential projects with 3 to 49 dwelling units; and**
- 3. Construction or expansion of a parking lot for a municipal, institutional, commercial, industrial, or residential structure with 20 to 99 parking spaces.**

Delete Section 10.6.5 Applicability; Major SPR

~~10.6.5 Applicability; Major SPR. Major SPR is required for the following projects listed below from 10,001 to 25,000 square feet of gross floor area:~~

- ~~1. Construction, exterior alteration or exterior expansion of, or change of use within, a municipal, institutional, commercial, industrial, or residential structure with ten or more dwelling units; or~~
- ~~2. Construction or expansion of a parking lot for a municipal, institutional, commercial, industrial, or residential structure with twenty or more parking spaces.~~

Insert a new Section 10.6.5. Major Site Plan Review.

Such that it reads:

10.6.5. Major Site Plan Review. Major SPR is required for the projects listed in §10.6.3 that exceed one or more of the following thresholds:

- 1. Nonresidential projects with greater than 25,000 square feet of gross floor area;**
- 2. Residential projects with 50 or more dwelling units; and**

3. Construction or expansion of a parking lot for a municipal, institutional, commercial, industrial, or residential structure with 100 or more parking spaces.

Amend Section 11.0 DEFINITIONS by amending the definition of “Business District D Development” and adding a new definition for “Business Parcel” and revising the definition of Major Nonresidential Development to exclude requirements for a Special Permit.

Such that it reads:

Business District D Development (BDDD): A project located entirely within Business District D having frontage on a way comprised of one or more contiguous ~~lots of land within the~~ and Business ~~District D~~ Parcels with provisions as may be required for permanent easements running with the land, a master deed and condominium, or other mechanism acceptable to the Zoning Board of Appeals sufficient to ensure vital access and utility service to each ~~lot and Business Parcel~~.

Business Parcel: A tract of land located entirely within a Business District D Development with provisions for vital access and utility services that is suitable as a site for one or more Principal Buildings.

Major Nonresidential Development: Construction, exterior alteration, or exterior expansion of, or change of use within, a municipal, institutional, commercial, industrial, or residential structure with ~~ten (10) fifty~~ (50) or more dwelling units with ~~25,001~~ 25,000 square feet or more of gross ~~follow~~ floor area. ~~All Major Nonresidential Developments shall require a special permit from the Planning Board.~~

FINANCE COMMITTEE RECOMMENDATION:

An affirmative vote under this article would amend specified sections of the Town’s zoning bylaw. This summary has been written with reference to the initial draft of this Article’s proposed amendment to the zoning bylaw. To print this summary in the Warrant it will have been submitted prior to the Planning Board’s final action on the proposed amendment. If the Planning Board modifies the initial draft following its further deliberations and its November 2, 2023 public hearing on this matter, the final version of the proposed amendment would be made available to the public prior to the Special Town Meeting. The Finance Committee will vote whether to recommend approval of this article after the Planning Board has concluded its action on the proposed amendment of the zoning bylaw.

The proposed changes to the zoning bylaw would pertain largely to the regulations applicable within Business District D, which encompasses the Sharon Gallery development. This zoning district is a relatively small land area located in the western part of Town, immediately east of I-95 and just north of South Main Street, across from Shaw’s Plaza. This article would amend the zoning bylaw to correct certain inadvertent changes and omissions affecting Uses and Dimensional Requirements in Business District D made in the recodification of the Town’s zoning bylaw approved by the May 2, 2022 Annual Town Meeting. Beyond such necessary corrections, this article would amend the zoning bylaw governing Business District D by (1) modifying the determination whether certain Uses would be allowed by right or per special permit; (2) modifying certain Dimensional Requirements and Definitions; and (3) adding new details in the Dimensional Requirements to govern a scenario not previously contemplated, namely COSTCO’S desired purchase of the land underlying what would be its major retail facility.

The Sharon Gallery development, after many years and numerous changes in prospective uses and commercial tenants, finally is under construction. Recently, work has begun along South Main Street per the developer-funded and state-approved traffic and signaling project which will mitigate the impact of new traffic flows into and out of the development as well as pre-existing traffic problems in the immediate vicinity. Not so visible as we drive along South Main Street is the sitework which is progressing ahead of

structural work on the commercial and residential buildings that will comprise the Sharon Gallery development.

The Town delineated Business District D in 2007 by amending the zoning bylaw in contemplation of a development then called Sharon Commons. That amendment set regulations governing permissible uses, building dimensions, and environmental protections in Business District D. Subsequently (at the 2017 Special Town Meeting and the 2020 Annual Town Meeting), the Town judiciously modified the regulations in Business District D to adapt to significant economic changes which had altered the viability of prior commercial development plans. The developer's plans for Sharon Gallery have evolved, first in response to the financial crisis of 2007 – 2008, and then in response to further economic changes and the resulting fits and starts in getting businesses to commit to locating in Sharon Gallery. Phase 1 of Sharon Gallery entails the construction of a COSTCO store as well as other commercial and mixed-use buildings. Phase 2, which entails the construction of condominium buildings with parking facilities, will move forward following a recent decision issued by the Zoning Board of Appeals.

The Town's interest in fostering and carefully regulating development in Business District D reflects its need to expand commercial and light industrial development to create a more balanced real estate tax base. The Town relies heavily on residential properties, so the resulting residential real estate tax rate is among the very highest in Massachusetts. Toward the goal of deriving more real estate tax revenue from commercial properties, the Town of Sharon has not set a higher real estate tax rate for commercial property than residential property even though such a disparity is permitted under state law. While Sharon's commercial tax rate is attractive in comparison to rates charged in other towns in this region, we have not yet made significant inroads in expanding our commercial real estate tax base. In contrast, Westwood's vibrant University Station has been built-out despite a commercial real estate tax rate substantially higher than both Westwood's residential property tax rate and Sharon's commercial real estate tax rate.

The necessity of the November 30, 2023 Special Town Meeting to act on an appropriation request for the construction of a water treatment plant affords the Town an earlier than anticipated opportunity (1) to correct several inadvertent changes and omissions made in the course of recodifying the zoning bylaw at the May 2, 2022 Annual Town Meeting; (2) to modify the rules and requirements applicable to Business District D in order to align them with various approvals already granted to aspects of Sharon Gallery's plans; and (3) to adapt to business imperatives of an anchor tenant. Against the backdrop of the Town's multi-year process to permit and to facilitate development within the narrow confines of Business District D and the now-conspicuous progress being made in the build-out of the Sharon Gallery project, affirmative action on this article by the 2023 Special Town Meeting may serve to sustain the pace of development of Sharon Gallery.

In summary, the substantive modifications to the zoning bylaw with respect to Business District D proposed in this article would (1) determine whether certain Uses (for example, Multifamily or Mixed Use Buildings, Major Nonresidential and Mixed-Use Development, and Major Parking Facility) are allowable by right or per special permit; (2) correct or revise certain Dimensional Requirements (such as lot area, frontage, set-backs, height, lot coverage, etc.); (3) revise the criteria which determine the need for either a Major or Minor Site Plan Review; and (4) amend the definitions of Business District D Development and Major Nonresidential Development and add a new definition of Business Parcel. Certain proposed changes with respect to Business District D's Dimensional Requirements would govern the scenario in which a Business Parcel is sold to the party operating a business on that site. Specifically, COSTCO's business model entails its ownership of the land underlying its large facilities. Such a division in the ownership of the land in the Sharon Gallery development encompassing Business District D is not contemplated in the existing zoning bylaw. The inadvertent changes and omissions in the May 2022 recodification, which this article would correct, largely affected the regulations in Business District D. Accordingly, this article's proposed changes according to its initial draft apply, with only two exceptions, to Business District D: (1) In Table 1: Table

of Use Regulations a new Use would be added (Item #12 in D. Commercial Uses: “Theatre or multiscreen movie complex excluding adult-use motion picture theatres.” Such Use would be allowed by right in Business District D and the Light Industrial District and per a Special Permit issued by the Zoning Board of Appeals in Business Districts A, B, and C. Elsewhere such Use would be prohibited; and (2) the proposed revisions in Sections 10.6.4 and 10.6.5 to the parameters determining and distinguishing Minor and Major Site Plan Reviews would apply in any zoning district in which a potential Use would require any such site plan review.

At its meeting on October 30, 2023 the Finance Committee discussed the initial draft of this article’s amendment of the Town’s zoning bylaw. The Finance Committee anticipated the further deliberations of the Planning Board, which will be informed by its public hearing on the proposed amendment. In deference to the Planning Board’s final action and in recognition of the Finance Committee’s charge to advise Town Meeting with respect to each Warrant article, the Finance Committee voted 8-1-1 to include in this summary, for publication in the Warrant, a signal that it is strongly inclined to support the types of changes to the Town’s zoning bylaw that are indicated in the amendment’s initial draft. As noted above, the Finance Committee will vote whether to recommend approval of this article after the Planning Board has finalized the proposed amendment and prior to the Special Town Meeting. The Select Board deferred voting on this article until the proposed language was finalized; therefore, they intend to vote at their November 14, 2023 meeting and will report their recommendation at Town Meeting.

QUANTUM OF VOTE: **2/3 Vote**

MOTION: *Motion to be provided at Town Meeting.*

Article 6: **Amend Expenditure Limit for Solid Waste and Recycling Revolving Fund**

Sponsored by: *Select Board*

To see if the Town will vote to amend its General Bylaws, Article III, Section 24-21, table of Authorized Revolving Funds, to amend the Solid Waste and Recycling Revolving Fund by changing "Restrictions or Conditions on Expenses Payable from Fund" by increasing the spending limit for the Recycling Fund from \$2,500,000 to \$3,000,000, so that it reads as follows:

Expenditures in the current fiscal year shall not exceed the balance in the fund carried forward from the prior fiscal year plus receipts deposited into the fund during the current fiscal year and in any case shall not exceed \$3,000,000.

Or take any other action relative thereto.

FINANCE COMMITTEE RECOMMENDATION:

Approval of this article would raise the expenditure limit for Solid Waste and Recycling Revolving Fund limit from \$2,500,000 to \$3,000,000. The reason for the increase reflects both the fees being significantly increased coupled with a rise in solid waste and recycling volume for the Town. The Town’s revolving funds are not funded by taxes but instead by fees, grants etc. The increase of the fund limit will have no impact on taxes or take away funds from other Town budgets.

The Select Board voted 2-0-0 in favor of approval.

THE FINANCE COMMITTEE VOTED 8-1-0 IN FAVOR OF APPROVAL.

QUANTUM OF VOTE: Majority Vote

MOTION: That the Town amend its General Bylaws, Article III, Section 24-21, Table of Authorized Revolving Funds, to amend the Solid Waste and Recycling Revolving Fund by changing "Restrictions or Conditions on Expenses Payable from Fund" by increasing the spending limit for the Recycling Fund from \$2,500,000 to \$3,000,000, so that it reads as follows:

Expenditures in the current fiscal year shall not exceed the balance in the fund carried forward from the prior fiscal year plus receipts deposited into the fund during the current fiscal year and in any case shall not exceed \$3,000,000.

Article 7: Amend Expenditure Limit for Health Department Revolving Fund

Sponsored by: Board of Health

To see if the Town will vote to amend its General Bylaws, Article III, Section 24-21, table of Authorized Revolving Funds, to amend the Health Department Revolving Fund by changing "Restrictions or Conditions on Expenses Payable from Fund" by increasing the spending limit for the Health Department Revolving Fund from \$40,000 to \$100,000, so that it reads as follows:

Expenditures in the current fiscal year shall not exceed the balance in the fund carried forward from the prior fiscal year plus receipts deposited into the fund during the current fiscal year and in any case shall not exceed \$100,000.

Or take any other action relative thereto.

FINANCE COMMITTEE RECOMMENDATION:

Approval of this article would raise the Board of Health's ("BOH") revolving fund limit from \$40,000 to \$100,000. The Town's revolving funds are not funded by taxes but instead by fees, grants etc. The Board of Health's revolving fund is funded by health insurance reimbursements. Consequently, an increase of the fund limit will have no impact on taxes or take away funds from other Town budgets.

The BOH revolving account is used to provide vaccinations (i.e., flu, COVID, etc.) and other related public health services. The cost is recovered from the users, by billing their insurance carriers. Over the last few years, there has been a significant expansion of these services due to enhanced awareness, especially after the COVID pandemic. The volume of activity has increased substantially. Previously, most of the COVID vaccines were made available free to the Town, but that is no longer the case. Under the state finance laws, the departmental revolving funds are allowed to spend only what they collect or accumulate up to the spending authorization. In FY 23, the BOH received a total of \$110,400. Raising the fund limit assures that the fund complies with state finance laws.

The Select Board voted 2-0-0 in favor of approval.

THE FINANCE COMMITTEE VOTED 9-0-0 IN FAVOR OF APPROVAL.

QUANTUM OF VOTE: Majority Vote

MOTION: That the Town amend its General Bylaws, Article III, Section 24-21, Table of Authorized Revolving Funds, to amend the Health Department Revolving Fund by changing "Restrictions or

Conditions on Expenses Payable from Fund" by increasing the spending limit for the Health Department Revolving Fund from \$40,000 to \$100,000, so that it reads as follows:

Expenditures in the current fiscal year shall not exceed the balance in the fund carried forward from the prior fiscal year plus receipts deposited into the fund during the current fiscal year and in any case shall not exceed \$100,000.

Hereof fail not and make due return of this Warrant with your doings thereon at the time and place of said meeting. And you are directed to serve this Warrant by posting attested copies of the same in accordance with the Town by-laws.

Given under our hands this 14th day of November, A.D., 2023

SELECT BOARD
TOWN OF SHARON, MASSACHUSETTS

Kiana Pierre-Louis, Chair

Hanna R. Switekowski, Clerk

Emily E. Smith-Lee, Member

A True Copy: Stephen M. Coffey, Constable
Sharon, Massachusetts
Dated: November 14, 2023

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