

TOWN OF SHARON



2023 ANNUAL TOWN MEETING WARRANT

With Report & Recommendations of the Finance Committee

Monday, May 1, 2023

7:00pm

**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.

ANNUAL TOWN ELECTION

Tuesday, May 16, 2023

Polls open from 7:00am – 8:00pm

Sharon High School Gymnasium, 181 Pond Street

VIRTUAL PRE-TOWN MEETING FORUM – MONDAY, APRIL 24 AT 7:00PM

A Virtual Pre-Town Meeting Forum will take place via Zoom. The purpose of this virtual forum is to give voters an opportunity to learn more about each warrant article, to ask questions, and to be able to gather more information to help inform your vote before the May 1 Annual Town Meeting. Those voters wishing to participate can access this meeting as follows:

Via the internet: <https://zoom.us/j/5846487446?pwd=ZE45aUhrNXc3ayszKzVhcnBRR1BkZz09> or
<https://us04web.zoom.us/>

Meeting ID: 584-648-7446 Passcode: 02067

Via phone: 1-929-205-6099, 1-312-626-6799, or 1-346-248-7799

Residents can also watch the meeting live on Channel 22 or on sharontv.com.

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ATTENDEE INFORMATION

Town Meeting will be conducted this year in the new Sharon High School for the first time. Here is some guidance for attendance.

Available parking is reduced due to ongoing construction of athletic fields and parking. Try to come with neighbors to maximize the number of vehicles that can park on site. Parking is also available at the lot across the street from the high school and at Veterans Memorial Park Beach.

Please use the main entrance of the high school to check in with registrars. You will be given a colored index card indicating your seating area (either ground floor or balcony of auditorium). There will be an overflow area in the cafeteria with video screens only if attendance exceeds 675 voters. You will be able to vote from that location but if you wish to speak, you will go to the auditorium to be recognized. The Moderator expects to use the familiar multi-microphone system within the auditorium to manage debate and the large video screen will allow for presentations on articles as desired. There will be a designated seating area for hearing-impaired voters to view close captioning of the proceedings on a video screen.

At the time of the printing of this warrant, the Covid community level is **LOW** for Norfolk County.

Source: <https://www.cdc.gov/coronavirus/2019-ncov/your-health/covid-by-county.html>

If you are experiencing Covid symptoms, have tested positive or have been recently exposed to someone with Covid, we ask that you not come to Town Meeting. Attendees may want to consider taking an at-home test before attending Town Meeting; the Health Department has made free at-home tests available in most town buildings. If you are unvaccinated, immunocompromised or at high risk for severe disease, you are encouraged to wear a mask. People may choose to mask at any time. Please be respectful of others.

STAY IN TOUCH WITH US!



www.townofsharon.net



/TownofSharonMA



/TownofSharonMA



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

Happy Spring in New England and welcome to the Town of Sharon's 2023 Annual Town Meeting – the first in the new auditorium in the new Sharon High School. I look forward to seeing a large turnout this year, given the numerous policy issues which the town is addressing. This is your town and we need your voice, so please come and enhance 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 but 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. However, because of the configuration and capacity of the new auditorium, some modifications will be necessary.

First, in a continuing effort to provide additional clarity and helpful information to voters, the Warrant includes drafts of all intended motions as well as background information so voters are better informed ahead of time. I strongly urge voters to give careful attention to this information so we can move more efficiently to debate and vote.

Second, on Monday, April 24 at 7:00 p.m. via Zoom, we will be having our Pre-Town Meeting management forum to organize anticipated discussion of the articles and plan for any extended presentations beyond the customary debate. Accordingly, if anyone plans to present a film, power point presentation or other media at Town Meeting, it must be submitted to me prior to this forum so we can be properly prepared.

Third, as in prior years, we will be utilizing a consent agenda for the disposition of routine and non-controversial articles. This popular procedure is designed to expedite the disposition of those articles without debate. Similar to the approach with the budget, if any voter wishes to have any particular article considered separately, please announce "hold" when the article is read, and it will be addressed separately.

The configuration of the new auditorium presents some new challenges which compel a departure from the traditional seating arrangement. Accordingly, town officials will no longer be seated in front of the stage, but in a designated area in the audience near Microphone "1".

The microphone configurations will change as well. There will be a total of six microphones: 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 and Microphones "5" and "6" will be in the aisles of the balcony.

Once again, I would like to thank the voters of the Town of Sharon for the privilege of serving as Moderator. If anyone has any questions or concerns, I encourage you to reach out to me by email at townmoderator@townofsharon.org and to attend the Pre-Town Meeting forum. To paraphrase Sy Sims: ***"an informed citizen is our best voter."***

Be well and stay safe!

Andrew D. Nebenzahl
Town Moderator

WARRANT INTRODUCTION

Pursuant to Town By-Law, it is the responsibility of the Finance Committee to make recommendations to the voters of Sharon on all matters that come before Town Meeting. The primary task at Annual Town Meeting is for voters to adopt a budget for the next fiscal year. In addition, Town Meeting makes decisions on strategic issues of the Town such as major capital improvements and zoning. Other matters of Town business that require Town Meeting authorization are brought before the voters to debate and vote.

On May 1st, 2023, the 2023 Annual Town Meeting will convene to decide a variety of issues. Of the 31 articles in this Warrant, the majority deal with fiscal matters, including the Fiscal Year (FY) 2024 Town budget of \$103,243,582, a 6.22% increase in spending over FY 2023. Because it is important to the Annual Town Meeting process for voters to have as much relevant information as possible, this introduction will present a recap of the budget history, the financial planning process, the FY 2024 budget and highlight the other warrant articles.

Budget Background

The budget of the Town of Sharon can be separated into two primary components. The first component is the operating budget, consisting primarily of salaries and smaller expenses such as supplies, fuel, occupancy costs, etc. The operating budget makes up roughly 70% of the total budget and is divided into three sectors: (1) School Department; (2) Select Board (Police, Fire, DPW and other general government departments); and (3) Finance Committee (primarily Town Clerk and Library). The School Department represents about 75% of the operating budget, with the Select Board and Finance Committee sectors representing the remaining 25%. The second component of the budget is comprised of costs labeled as “non-discretionary” and represents roughly 30% of the total budget. These expenses are primarily the Town’s debt service (principal and interest), health and other insurances, the Norfolk County Retirement fund contribution, Medicare & Social Security, other post-employment benefit (OPEB) fund contributions, and use of cash to fund capital expenditures.

As an enterprise fund, the Water Department has a separate operating budget funded exclusively by water rates and will be voted as a separate motion under Article 16.

Strategic Planning Process

Since September 2015, the Finance Committee, Select Board, School Committee, and Capital Outlay Committee have engaged in a town-wide planning process facilitated by the Town Administrator and Finance Director. Joint open meetings are convened annually to review the financial status and discuss significant long-term planning needs of the town. Strategic long-term financial planning remains a priority for the Finance Committee and is essential to managing the Town’s fiscal matters. Among the items discussed this year was funding for “free” full day kindergarten. A solution was found and tuition will no longer be required from families for this essential service.

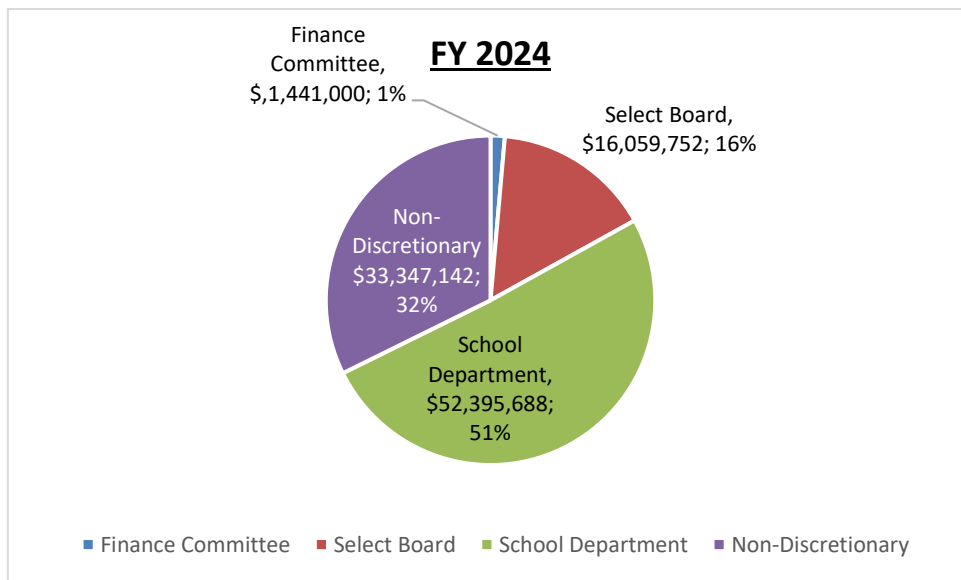
FY 2024 Budget

As directed by Town By-Law, it is the responsibility of the Priorities Committee to develop revenue estimates and allocate those estimated revenues among the three operating sectors. The Priorities Committee is composed of two representatives each from the Select Board, School Committee and Finance Committee and is supported by the Town Administrator and Finance Director. On December 12, 2022, Finance Director Krishan Gupta presented to the Priorities Committee an allocation of 3.42% increase over FY 2023, reflective of, at the time, the best estimates for local revenue, state aid, fixed costs, and property taxes inclusive of new growth and the Proposition 2 ½ increase. An adjustment in the allocation was made on March 2, 2023, to reflect new information and the changes in estimates for state aid and charges (announced by the Commonwealth on February 23, 2023), local receipt estimates, non-exempt debt service

payments, vocational-technical school tuition, the Norfolk County retirement assessment, and capital projects funded with cash. The Priorities Committee voted 6-0 to adjust the allocation to reflect the changes in revenue and non-discretionary expenses and to include funding from free cash in the amount of \$500,000 toward the budgeted cost of \$590,000 to fund full-day kindergarten without tuition from parents. The net result of the revisions is an average allocation of 5.50% across the three sectors-

The proposed FY 2024 budget for the Town of Sharon is \$103,243,582, a 6.22% increase over FY 2023. If approved, the Town operating budgets would increase by 5.59% in aggregate to \$69,896,440 (total budget less “non-discretionary”), comprised of the School Department budget of \$52,395,688, the Select Board sector budget of \$16,059,752, and the Finance Committee sector budget of \$1,441,000. The proposed FY 2024 budget also includes \$33,347,142 for the fixed/uncontrollable category. A comparison of the FY 2023 and FY 2024 budgets is provided below:

SECTOR	FY 2023	FY 2024	% Change
Finance Committee	\$1,364,677	\$1,441,000	5.59%
Select Board	\$15,341,318	\$16,059,752	4.68%
School Department	\$49,511,050	\$52,395,688	5.83%
Non-Discretionary	\$30,983,498	\$33,347,142	7.63%
TOTAL	\$97,200,543	\$103,243,582	6.22%



A more detailed breakdown and discussion of the budget can be found under Article 16. Additionally, a table of historical reserve fund transfer activity is included as an appendix at the end of this warrant for informational purposes and to help illustrate how this particular fund has been used in the past.

Because salaries, employee benefits and debt service represent the vast majority of the budget, there are few options to offset contractual salary increases and associated costs. Without new sustainable revenue sources and review of how all dollars are spent, these increases will outpace the growth in assessed property values and the Town will be forced to further increase the property tax burden. Maintaining the balance between providing the services and resources the citizens of Sharon expect and desire while managing the growth in property taxes is a constant challenge.

In January 2023, the Town issued \$4,078,014 of 20-year general obligation bonds at an effective interest rate of 2.725% to finance the capital items approved last year for the current fiscal year. The borrowing rate reflected a re-affirmed AA bond rating and the strong financial position of the Town. This strong financial position affords Sharon the ability to continue to maintain its services and move ahead with important capital projects having prudently managed the fiscal impacts of the COVID-19 pandemic.

Annual Town Meeting Articles

Many of the Warrant Articles to be considered at Town Meeting relate to the FY 2024 Budget. Article 3 sets the salaries of certain Town employees. Article 4 relates to property tax exemptions. Article 5 reauthorizes revolving funds' spending limits. Article 14 sets the compensation of elected officials. Article 15 funds requested capital purchases that are made annually outside the department budgets and. Article 18 relates to funding projects through Community Preservation Act revenues and reserves managed by the Community Preservation Committee.

With a few exceptions, the remaining Articles fall into two categories – proposed adjustments to by-laws related to how the Town is governed and changes to zoning by-laws proposed by the Planning Board. Governance issues to be considered include: adding flexibility in setting the dates of the Annual Town Meeting and Election (Article 9); increasing the number of Select Board members from three to five (Article 19); shortening the length of terms of the Planning Board members from five years to three years (Article 22); modifications to the Sharon Standing Building Committee and selection committee (Article 20) and Finance Committee and Nominating Committee structure and duties (Article 21); amending the list of observed list of holidays and eliminating the Personnel by-law (Articles 24 and 25); and, eliminating the requirement to mail the Warrant to each residence (Article 29). Zoning issues to be considered include minor modifications to rules and procedure following recodification that was adopted at the 2022 Annual Town Meeting (Articles 10, 11 and 12) and substantive amendments pertaining to regulation of short-term rentals, accessory dwelling units, and the right to utilize solar energy equipment (Articles 26, 27 and 28).

A detailed write-up of each article with corresponding Finance Committee Recommendations are presented with each article. The Finance Committee voted timely recommendations for all articles for which it was provided sufficient information, except for Article 17 - Additional Appropriation for Public Library Project. Further information on this article, as well as any new information that becomes available after this warrant was printed, will be made available at Town Meeting. Depending on the content of the new information, the Finance Committee may amend its recommendations at the Town Meeting.

The Finance Committee is pleased to be able to offer the citizens of Sharon the opportunity to review how their individual property tax dollars are spent in support of Town services through the Sharon Visual Budget platform. Sharon Visual Budget can be accessed from the Finance Committee page on the Town website (<https://www.townofsharon.net/finance-committee>) via the link at the upper left "Sharon Visual Budget" or from an internet browser: <https://sharon.vb2.visgov.com>. *Please note that the Internet Explorer does not support full aspects of Sharon Visual Budget. You are advised to use Google Chrome, Firefox, etc.*

The Open Warrant Meeting on April 24 at 7:00pm via Zoom is your opportunity to ask questions or request additional information that will inform your vote at Town Meeting. Please take time to read the recommendations and understand the issues. Attend the Annual Town Meeting on May 1st and make your voice heard.

THE FINANCE COMMITTEE

Ann Keitner, Chair; Daniel Lewenberg, and Ira Miller, Vice-Chairs; Patricia-Lee Achorn, Anja Bernier, Brian Collins, Gordon Gladstone, Charles Goodman, Lajos Kamocsay, Jada Wang, and Olga Volfson.

**TOWN OF SHARON, MASSACHUSETTS
ANNUAL TOWN MEETING
MONDAY, MAY 1, 2023
CONSENT AGENDA**

Warrant articles on a Consent Agenda are exceptions to the general process of Town Meeting. The Moderator, in consultation with the Town Administrator and Town Counsel, has identified for Town Meeting consideration those articles that he believes will generate no controversy and can be properly voted without debate. These articles are put on the Consent Agenda to allow the individual motions under these articles to be acted upon as one unit and to be passed without debate.

At the call of the Consent Agenda, the Moderator will read out the number of the articles, one by one. If one or more voters object to any particular article being included in the Consent Agenda, they say “hold” in a loud voice when the number is called. If only one voter requests to “hold” an article for discussion, the Moderator will then call for a second. If a second is offered, the article then will be removed from the Consent Agenda and restored to its original place in the Warrant to be debated and to be voted on in the usual manner. After the calling of the individual items in the Consent Agenda, the Moderator will ask for a motion that the voters pass all items remaining as a unit on one vote. Use of the Consent Agenda process makes the Town Meeting more efficient by speeding up the handling of non-controversial items.

The Consent Agenda will be taken up as the first order of business at the beginning of the Annual Town Meeting on Monday, May 1, 2023. Please review the list of articles and motions proposed for each article that comprises the Consent Agenda that follows the proposed motion:

MOTION: Moved that the Town take Articles 1 through 12 in order and they be “Passed by Consent” in accordance with the motions shown on the Consent Agenda as printed on pages vi-viii in the Warrant for this Annual Town Meeting.

Article 1 – Act on Reports: *Please refer to page 1 of this Annual Town Meeting Warrant for article language.*

Motion: That the reports of the various officials, boards and committees be received for filing.

Article 2 – Sharon Friends School Fund Records and Appointments: *Please refer to page 1 of this Annual Town Meeting Warrant for article language.*

Motion: That the Town Clerk cast one ballot for the Trustees of the Dorchester and Surplus Revenue School Fund as follows: Bettye Outlaw, Patricia MacDougall and Elizabeth Siemiakaska; That the Town Clerk cast one ballot for the Trustees of the Edmund H. Talbot Fund as follows: Shirley Schofield, Marie Cuneo and Paul Bergeron; To accept the report of the donors of the funds.

Article 3 – Approve Changes to Compensation Plan in Personnel By-Law: *Please refer to page 2 of this Annual Town Meeting Warrant for article language.*

Motion: That the Town amend the Personnel By-Law of the Town of Sharon exactly as printed on pages 2 through 8 of the Warrant for this Annual Town Meeting, except deletion of the words “or act in any way relative thereto.”

Article 4 – Property Tax Exemptions: *Please refer to page 9 of this Annual Town Meeting Warrant for article language.*

Motion: That the Town accept Section 4, Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, and Chapter 380 of the Acts of 2000, which authorizes additional real estate exemptions to be granted to persons who qualify for property tax exemptions under Clauses 17, 17C, 17C 1/2, 17D, 17E, 22, 22A, 22B, 22C, 22D, 22E, 37, 37A, 41, 41B, 41C and 41D of M.G.L. Chapter 59, § 5 in an amount equal to 100 percent to be effective for the fiscal year beginning July 1, 2023 and ending June 30, 2024.

Article 5 – Revolving Fund Authorizations: *Please refer to page 9 of this Annual Town Meeting Warrant for article language.*

Motion: That the Town authorize FY 2024 expenditure limits for the revolving funds printed on page 10 of this Annual Town Meeting Warrant for use by town departments, boards, committees, agencies or officers under Massachusetts General Laws Chapter 44, §53E½, to be expended in accordance with Chapter 24, Article III of the Town’s General By-Laws.

Article 6 – Grant of Utility Easement for High School: *Please refer to page 10 of this Annual Town Meeting Warrant for article language.*

Motion: That the Town authorize the Select Board and/or School Committee, upon such terms and conditions as the Select Board and/or School Committee deem to be in the best interest of the Town, to convey to Verizon New England, Inc. (formerly known as New England Telephone and Telegraph Company) and NSTAR Electric Company, d/b/a Eversource Energy, a perpetual right and easement to lay, construct, reconstruct, operate, maintain, replace and remove lines for the transmission of intelligence and telecommunications and the transmission of high and low voltage electric current upon, over, under and across the Sharon High School property, located at 181 Pond Street,, Assessor’s Parcel ID 81-124, as more particularly described on a plan entitled, “Plan of Land in the Town of Sharon, Norfolk County, Massachusetts”, dated February 8, 1954, prepared by The Schuyler Clapp Company, and recorded with the Norfolk County Registry of Deeds as Plan No. 486 of 1954; and additionally as shown on a plan entitled, “Plan of Memorial Park and Memorial Parkway as Laid Out for Park Purposes by the Planning Board of the Town of Sharon, Norfolk Co., Mass.”, dated April 16, 1946, prepared by The Schuyler Clapp Company, and recorded with the Norfolk County Registry of Deeds as Plan No. 372 of 1946. The location of said Easement is generally shown and described as being within a strip of land ten(10) feet in width running along a line marked “T” as shown on “Attachment A” to the License, and Easement document, a copy of which is on file in the office of the Town Clerk, and as the same may be more or less particularly described, or as such Attachment A may be later identified or amended.

Article 7 – Acceptance of MGL Chapter 53, Section 9A: Nomination Papers: *Please refer to page 11 of this Annual Town Meeting Warrant for article language.*

Motion: That the Town accept the provisions of Chapter 53, §9A of the Massachusetts General Laws.

Article 8 - Acceptance of MGL Chapter 41, Section 19K: Certified Massachusetts Municipal Clerk: *Please refer to page 12 of this Annual Town Meeting Warrant for article language.*

Motion: That the Town accept the provisions of Chapter 41, §19K of the Massachusetts General Laws.

Article 9 – Amend General By-Law: Modify Date for Annual Town Meeting and Annual Town Election to Allow Flexibility within a Range of Dates: *Please refer to page 13 of this Annual Town Meeting Warrant for article language.*

Motion: That the Town amend Section 49-4 of the General By-Laws of the Town of Sharon exactly as printed on page 13 of the Warrant for this Annual Town Meeting, excepting the bracketed, strikethrough, italicized language and the words “or take any other action related thereto”.

Article 10 – Amend Zoning By-Law: Change Dimensional Setbacks (Single B, Business A, General Residential) and Height Requirements in LI District: *Please refer to page 13 of this Annual Town Meeting Warrant for article language.*

Motion: That the Town amend the Table of Dimensional Regulations of the Zoning By-Laws exactly as printed on page 14 of the Warrant for this Annual Town Meeting.

Article 11 – Amend Zoning By-Law: Amend Uses for Overnight Parking of Heavy Vehicles; Add Pet Care Business Uses and Requirements: *Please refer to page 15 of this Annual Town Meeting Warrant for article language.*

Motions: That the Town amend Section 3.3.2.4 of the Zoning By-Laws of the Town of Sharon regarding Uses for Overnight Parking of Heavy Vehicles in the Residential Districts, exactly as printed on page 15 of the Warrant for this Annual Town Meeting, and that the Town amend Section H, no. 5 of Table 1: Table of Use Regulations of the Zoning By-Laws of the Town of Sharon, regarding Motor Vehicle Related Uses, exactly as printed on page 16 of the Warrant for this Annual Town Meeting.

That the Town amend Section 11.0 Definitions of the Zoning By-Laws of the Town of Sharon by deleting the definition of “Animal of veterinary hospital” and adding a definition for “Pet Care Facility” exactly as printed on pages 16 through 17 of the Warrant for this Annual Town Meeting, and that the Town amend Section I of Table 1: Table of Use Regulations of the Zoning By-Laws of the Town of Sharon, regarding Miscellaneous Commercial Uses, exactly as printed on pages 17 to 18 of the Warrant for this Annual Town Meeting.

Article 12 – Zoning By- Law Amendment: Site Plan Review Process for Dover Amendment Uses; ZBA Procedures Under a Request for Reasonable Accommodation: *Please refer to page 19 of this Annual Town Meeting Warrant for article language.*

Motion: That the Town amend Section 10.7.5 and Section 10.8.5 of the Zoning By-Laws of the Town of Sharon, as required by the Attorney General pursuant to their review of the Zoning By-Law Codification under Article 20 of the Town of Sharon 2022 Annual Town Meeting, exactly as printed on page 19 of the Warrant for this Annual Town Meeting, excepting the bracketed, strikethrough, italicized language and the words “or take any other action relative thereto.”

-- End --

**TOWN OF SHARON, MASSACHUSETTS
ANNUAL TOWN MEETING
MONDAY, MAY 1, 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 **Monday, May 1, 2023, at 7:00 P.M.**, then and there to act on the following articles:

Article 1: Act on Reports

Sponsored by: Select Board

To act upon the reports as printed and to hear any other reports and to act thereon.

FINANCE COMMITTEE RECOMMENDATION:

An affirmative vote under this Article would authorize actions to be taken on reports.

The Select Board voted 3-0-0 in favor of approval.

THE FINANCE COMMITTEE VOTED 6-0-4 IN FAVOR OF APPROVAL.

QUANTUM OF VOTE: Majority vote

Article 2: Sharon Friends School Fund Records and Appointments

Sponsored by: Select Board

To hear the records of the donors of the Dorchester and Surplus Revenue School Fund and Trustees of the Edmund H. Talbot Fund and to choose trustees of the Funds and other officers not on the official ballot; or take any other action relative thereto.

FINANCE COMMITTEE RECOMMENDATION:

An affirmative vote under this Article would authorize acceptance of the records and appointments of the Sharon Friends School Fund.

The Select Board voted 3-0-0 in favor of approval.

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

QUANTUM OF VOTE: Majority vote

Article 3: Approve Changes to Compensation Plan in Personnel By-Law

Sponsored by: Personnel Board

To see if the Town will vote to amend the Personnel By-Law of the Town of Sharon as follows, or act in any way relative thereto:

A. By adopting as amendments to said By-Law, the following interim and/or emergency changes, additions or deletions made by the Personnel Board in its authority under Section 2.6 of the By-Law:

- 1) That the two newly established positions of Deputy Collector be classified as an OC-1 in the Office Occupational Group, effective March 10, 2022.
- 2) That the newly established position of Revenue Manager be classified as an OC-1 in the Office Occupational Group, effective May 19, 2022.
- 3) That the position formerly known as Administrative Assistant to the Select Board, be now known as Executive Assistant and be compensated as an OC-1 in the Office Occupational Group, effective May 19, 2022.
- 4) To approve five (5) vacation days for employee Melissa Healey, Financial Assistant. These carried over days are to be used in the 2023 calendar year.
- 5) To approve five (5) vacation days for employee Sergeant Paul Hertzberg. These carried over days are to be used in the 2023 calendar year.

B. By striking out all classification schedules and pay schedules in Appendix A and Appendix B and substituting new classification schedules and new pay schedules. Appendix A and Appendix B as of July 1, 2023, except as other dates are specified.

APPENDIX A

THE FOLLOWING POSITIONS CONTAINED WITHIN CLASSIFICATION SCHEDULE SECTION ENTITLED 1.100-1.300 WITH ASSOCIATED PAY SCHEDULE SECTION 2.100-2.300 ARE NOT COVERED BY COLLECTIVE BARGAINING AGREEMENTS.

EXECUTIVE CATEGORY
July 1, 2023 – June 30, 2024

SECTION 1.100
CLASSIFICATION SCHEDULE

SECTION 2.100
BASE PAY SCHEDULE/ANNUALLY

Position	Minimum	Actual	Maximum
Administrative Assessor	\$83,402	\$102,285	\$115,129
Assistant Town Administrator	\$97,304	\$113,295	\$134,279
Council on Aging Executive Director	\$75,549	TBD	\$104,043
Director of Information Technology	\$94,618	\$131,070	\$132,745
Finance Director	\$102,397	\$143,730	\$148,579
Fire Chief	\$124,164	\$150,200	\$176,311
Library Director	\$86,768	\$111,064	\$117,138
Police Chief	\$114,992	\$164,780	\$171,327
Recreation Director	\$75,217	\$101,033	\$104,043
Superintendent of Public Works	\$113,331	\$161,120	\$163,774
Town Administrator	\$162,055	\$223,960	\$230,807
Town Engineer	\$93,062	\$133,485	\$134,939
Treasurer/Collector	\$87,104	\$95,000	\$121,684

SECTION 1.200
CLASSIFICATION SCHEDULE

SECTION 2.200
PAY SCHEDULE

EXECUTIVE ASSISTANT
Select Board (hourly)
July 1, 2023 – June 30, 2024

Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
32.07	32.71	33.36	34.03	34.71	35.41	36.11	36.84	37.58	38.33

MISCELLANEOUS
July 1, 2023 – June 30, 2024

Veterans' Agent	22,379	annually
Sealer of Weights & Measures	5,800	annually
Assistant Animal Control/Senior Fill-In Officer	13,260	annually
Animal Control Fill-In (Weekend/Sick/Holiday/Vacation Coverage)	53.01	per assignment
Animal Control Fill-In (Night Pager Coverage)	15.15	per night
Animal Control Fill-In (After Hour Coverage)	15.15	per call
Animal Inspector	4,621	annually
Plumbing/Gas Inspector	500.00	per week
Wiring Inspector	710.00	per week
DPW Temp/Summer Labor (hourly)	15.00	15.30
Adult Center Receptionist/Aide	19.17	per hour
Recreational Basketball League Coordinator	8,300.00	per season
Referee Coordinator	1,000	per season

RECREATION PART-TIME/SEASONAL
Effective January 1, 2023 (hourly)

	Step 1	Step 2	Step 3
Seasonal			
Waterfront Director	23.00	23.25	23.50
Waterfront Supervisor	19.25	19.50	19.75
Lifeguard	18.00	18.25	18.50
Lifeguard & WSI	18.50	18.75	19.00
Gate Attendant	15.25	15.50	15.75
Program Director	26.50	26.75	27.00
Program Supervisor	22.00	22.25	22.50
Program Counselor	16.25	16.50	16.75
PT Hourly Positions (Fall/Winter/Spring)			
Program Instructor	35.00	36.00	37.00
Program Director	26.50	26.75	27.00
Program Supervisor	22.00	22.25	22.50
Program Counselor	16.25	16.50	16.75
Per Game			
Certified Referee	40.00	41.00	42.00
Unpatched Referee	20.00	20.50	21.00

APPENDIX B

The following positions contained within classification schedule sections entitled 1.400-1.800 with associated pay schedule sections 2.400-2.800 are covered by collective bargaining agreements.

MANAGEMENT PROFESSIONAL CATEGORY
(Formerly administrative, technical and professional category)

MP-00	Assistant Town Engineer	MP-2	Animal Control Officer* Assistant Operations Supervisor Assistant Recreation Director Assistant Supervisor – Water DPW Business Manager Info Services/Assistant Library Director* Systems Administrator Water Construction Supervisor Water Pump Station Operator
MP-0	Building Inspector Water Systems Supervisor	MP-3	Engineering/Planning Specialist Recreation Athletic Supervisor Social Worker* Technical Support Specialist*
MP-1	Conservation Administrator Facilities Supervisor Forestry & Grounds Supervisor GIS Coordinator Health Administrator Health Agent for Engineering Operations Supervisor Public Health Nurse*	MP-4	Part-Time Public Health Nurse*

* The following positions work other than a forty (40) hour work week:

- Animal Control Officer – 30 hours
- Information Services/Assistant Library Director – 37.5 hours
- Part-Time Public Health Nurse – 2 hours
- Public Health Nurse – 37.5 hours (up to 10 hours for vacation coverage)
- Social Worker – 37.5 hours
- Technical Support Specialist – 19 hours

SECTION 2.400
PAY SCHEDULE/HOURLY
July 1, 2022 – June 30, 2023

	Min	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9
MP-00	41.6552	42.5883	43.5484	44.5356	45.5365	46.5644	50.1454	50.8976	51.6610
MP-0	39.5182	40.3972	41.3170	42.2363	43.1967	44.1571	47.5816	48.2953	49.0197
MP-1	36.9485	37.7601	38.6122	39.5048	40.3839	41.2765	44.4885	45.1558	45.8332
MP-2	33.5133	34.2842	35.0280	35.8260	36.6376	37.4623	40.3504	40.9557	41.5700
MP-3	30.7274	31.4307	32.1340	32.8778	33.5946	34.3792	37.0064	37.5615	38.1250
MP-4	27.9550	28.5768	29.2261	29.9024	30.5515	31.2277	33.6346	34.1391	34.6512

These are the rates that have been in effect, and will continue to be in effect, until such time as a new collective bargaining agreement is executed.

LIBRARY CATEGORY
July 1, 2022 – June 30, 2023

- LMP-3 Head of Youth Services
 Head of Adult and Technology Services
- LMP-4 Youth Services Librarian
 Informational Services Librarian

	Min	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
LMP-3	30.76	31.44	32.14	32.87	33.61	34.40	35.14	35.93	36.74	37.56
LMP-4	27.96	28.59	29.23	29.88	30.54	31.28	31.97	32.68	33.42	34.17

- LOC-3a Circulation Supervisor
 Technical Services Supervisor
- LOC-3b
- LOC-4a Library Assistant
 Technical Services Assistant
 Administrative Assistant - Library

	Min	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
OC-3A	25.39	25.90	26.39	26.94	27.47	28.02	28.58	29.16	29.75	30.33
OC-3B	24.04	24.52	25.00	25.51	26.04	26.56	27.08	27.62	28.17	28.73
OC-4A	22.80	23.24	23.70	24.18	24.68	25.14	25.68	26.18	26.70	27.25
Library Page	Minimum wage									

These are the rates that have been in effect, and will continue to be in effect, until such time as a new collective bargaining agreement is executed.

LABOR CATEGORY

SECTION 1.500
CLASSIFICATION SCHEDULE

- Grade A – Working Foreman (F&G, Water, Operations), Senior Water Systems Technician
- Grade B – Master Mechanic
- Grade C – Aerial Lift Operator, Heavy Equipment Operator, Water System Technician, Working Foreman/Facilities Maintenance - Community Center
- Grade D – Night Custodian
- Grade E – Automobile Equipment Operator, Recreation Custodian, Maintenance/Custodian DPW

SECTION 2.500
PAY SCHEDULE/HOURLY
July 1, 2022 – June 30, 2023

Grade	Min	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12
A	29.04	29.82	30.57	31.37	32.15	32.93	33.74	34.50	35.26	36.04	36.76	37.50
B	27.79	28.42	29.02	29.64	30.23	30.88	31.47	32.11	32.72	33.34	34.00	34.69
C	25.38	26.07	26.74	27.42	28.07	28.78	29.47	30.15	30.82	31.50	32.12	32.76
D	25.64	26.15	26.67	27.23	27.77	28.31	28.89	29.46	30.05	30.64	31.26	31.89
E	24.33	24.83	25.30	25.83	26.32	26.84	27.39	27.93	28.49	29.05	29.64	30.23

These are the rates that have been in effect, and will continue to be in effect, until such time as a new collective bargaining agreement is executed.

OFFICE OCCUPATION CATEGORY

SECTION 1.600
CLASSIFICATION SCHEDULE

- OC-1 Assistant Accountant
Deputy Collector
Revenue Manager
- OC-2a Administrative Assistant, Assessor
Administrative Fire Secretary/Ambulance Records Supervisor
Assistant Town Clerk
Confidential Secretary to the Police Chief (40-hour work week)
Financial Analyst/Veteran’s Confidential Assistant
Office Manager/Transportation Coordinator, Council on Aging
- OC-2b Collections Supervisor
Payroll / Employee Benefits Administrator
- OC-3a Elections/Registration Secretary
- OC-3b Activities Program Coordinator for Council on Aging
Administrative Assistant to the Board of Health
Financial Assistant – Treasurer
Secretary (as assigned to departments: Building & Engineering; Recreation; Water; DPW Operations Division; Conservation)
Senior Clerk – Assessor
- OC-4a Secretary- Planning Board; Zoning Board of Appeals
Secretary – Finance Committee; Personnel Board
Secretary – Sharon Standing Building Committee
- OC-4b Bus/Van Driver
Police Clerk
Secretary – all other committees
Secretary – Community Preservation Committee

SECTION 2.600
PAY SCHEDULE/HOURLY
July 1, 2023 – June 30, 2024

Grade	Min	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12
OC-1	31.8294	32.4635	33.1087	33.7756	34.4645	35.1424	35.8422	36.5639	37.2964	38.0400	38.8054	39.5815
OC-2a	28.6585	29.2316	29.8163	30.4126	31.0208	31.6412	32.2741	32.9196	33.5779	34.2495	34.9345	35.6332
OC-2b	27.4120	27.9602	28.5194	29.0898	29.6716	30.2650	30.8703	31.4877	32.1175	32.7598	33.4150	34.0833
OC-3a	25.7609	26.2761	26.8016	27.3377	27.8844	28.4421	29.0110	29.5912	30.1830	30.7867	31.4024	32.0304
OC-3b	24.4051	24.8932	25.3910	25.8988	26.4168	26.9452	27.4841	28.0337	28.5944	29.1663	29.7496	30.3446
OC-4a	23.1476	23.6106	24.0828	24.5645	25.0557	25.5569	26.0680	26.5894	27.1211	27.6636	28.2168	28.7812
OC-4b	21.9449	22.3838	22.8314	23.2881	23.7538	24.2289	24.7135	25.2078	25.7119	26.2262	26.7507	27.2857

PUBLIC SAFETY CATEGORY

SECTION 1.700
CLASSIFICATION SCHEDULE

SECTION 2.700
PAY SCHEDULE/WEEKLY

POLICE DEPARTMENT
July 1, 2023 – June 30, 2024

Patrol Officer	PD-60A	PD-60B	PD-60C	PD-60D	PD-60E	PD-60F	PD-60G	PD-60H	PD-60I
PD-60	Recruit 966.04	Step 1 1,030.59	Step 2 1,099.14	Step 3 1,155.69	Step 4 1,216.04	Step 5 1,240.40	Step 6 1,296.87	Step 7 1,329.28	Step 8 1,362.52
Sergeant	PD-80A	PD-80B	PD-80C	PD-80D	PD-80E	PD-80F			
PD-80	Step 1 1,457.49	Step 2 1,486.67	Step 3 1,516.37	Step 4 1,546.70	Step 5 1,577.31	Step 6 1,640.41			

The amounts of pay shown in the above schedule do not include the extra pay for educational qualifications provided for in the statutes and regulations of the state.

Members of the Police Department while so designated by the Chief of Police shall receive additional compensation to be considered part of their base pay as follows:

- Prosecutor: \$50.00 per week
- Detective Patrol Officer: \$50.00 per week
- Detective Sergeant: \$25.00 per week when assigned to two of the four shifts in the 4-2 schedule; \$50.00 per week when assigned solely to the Detective unit
- Administrative Sergeant: \$25.00 per week when assigned to two of the four shifts in the 4-2 schedule; \$50.00 per week when assigned to four administrative shifts in the 4-2 schedule
- School Resource Officer: \$50.00 per week when assigned to detective bureau during school vacation periods and summer
- Field Training Officer: Ten (10%) percent higher than current rate to designated FTO per shift

DISPATCHERS
July 1, 2023 – June 30, 2024

Relief 1	Relief 2	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
24.63	25.12	25.63	26.13	26.67	27.19	27.74	28.29	28.87	29.44

POLICE CROSSING GUARDS
July 1, 2022 – June 30, 2023

School Crossing Guard	PD-20	Per Diem Rate
		Step 1 41.71
		Step 2 45.46
		Step 3 49.99
School Crossing Guard Supervisor	PD-20A	62.61

These are the rates that have been in effect, and will continue to be in effect, until such time as a new collective bargaining agreement is executed.

POLICE SUPERIOR OFFICERS
July 1, 2023 – June 30, 2024

Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
2,129.14	2,214.73	2,303.04	2,372.66	2,443.84	2,517.15

FIRE DEPARTMENT
July 1, 2023 – June 30, 2024

SECTION 1.410
CLASSIFICATION SCHEDULE

SECTION 2.410
PAY SCHEDULE/WEEKLY

		Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
Capt./EMT	FD90	1,683.79	1,767.98			1,856.38	
Capt./Medic	FD92	1,769.91	1,858.41			1,951.33	
Lt./EMT	FD80	1,549.74	1,588.48			1,636.13	
Lt./Medic	FD82	1,629.00	1,669.73			1,719.82	
F-F/EMT	FD60	1,255.72	1,293.39	1,351.59	1,419.17	1,490.13	1,512.48
F-F/Medic	FD62	1,307.37	1,346.59	1,407.19	1,477.55	1,551.43	1,574.70

Members of the Fire Department are eligible to receive additional compensation in each fiscal year in accordance with the following educational incentive program:

For an Associate’s Degree certified	\$43.00 per week
For a Bachelor’s Degree certified	\$70.00 per week
For a Master’s Degree certified	\$75.00 per week

The following positions contained within classification schedule section entitled 1.100 – 1.300 with the associated pay schedule section 2.100 – 2.300 are not covered by a collective bargaining agreement:

Deputy Fire Chiefs \$2,320 weekly

FINANCE COMMITTEE RECOMMENDATION:

An affirmative vote under this Article would amend the Town's Personnel By-Law and implement the listed increases in salaries and wages for executive and non-union employees.

The majority of the salaries listed are union employees under contracts negotiated by the Select Board. This year contractual increases are 1.0% to 2.0%, depending upon the contract, plus individual bargaining unit's "steps." Incremental increases based upon experience in a position (steps) are not typically paid after 10 years unless noted at 15 and 20 years. The union contract amounts in the Article are informational only; voters do not approve those pay tables.

A 2% increase for non-union employees has been voted by the Select Board with a few exceptions based upon issues such as workload, changes in state minimum wage, comparable pay for experience and job classification. For the Executive Category employees (thirteen professionals), the Select Board proposes salary increases and request concurrence of the Personnel Board. Merit pay authorized by the Select Board ranges from 1.61% to 2.14%. The salary increases (inclusive of merit and salary range adjustments) vary between 3.5% and 4.25%, based on the results of the annual performance reviews.

The Personnel Board has increased the minimum and maximum of the salary ranges by 2.11%, matching average step increase of all collective bargaining units on the Town side. The last comprehensive salary survey was done in the fall of 2020 for FY 2022. The Personnel Board found the results to be consistent with our current position and adopted a plan to increase the minimum and maximum ranges by 2.11%, matching the average step increase in Town collective bargaining units, to adjust for the labor market. The plan for the next survey is for the fall of 2024.

The actual salaries in the table reflect the merit increases. A listing of the wages earned and paid to all Town employees, inclusive of overtime and stipends, can be found in the annual Town Report.

The Select Board voted 3-0-0 in favor of approval.

THE FINANCE COMMITTEE VOTED 11-0-0 IN FAVOR OF APPROVAL.

QUANTUM OF VOTE: Majority vote

Article 4: Property Tax Exemptions

Sponsored by: Department of Veterans' Services

To see if the Town will vote to accept Section 4, Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, and Chapter 380 of the Acts of 2000, which authorizes additional real estate exemptions to be granted to persons who qualify for property tax exemptions under Clauses 17, 17C, 17C 1/2, 17D, 17E, 22, 22A, 22B, 22C, 22D, 22E, 37, 37A, 41, 41B, 41C and 41D of M.G.L. Chapter 59, § 5 in an amount equal to 100 percent to be effective for the fiscal year beginning July 1, 2023 and ending June 30, 2024; or take any other action relative thereto.

FINANCE COMMITTEE RECOMMENDATION:

An affirmative vote under this Article would authorize the Board of Assessors to grant real estate exemptions in FY 2024 for specific categories of veterans and their survivors, individuals with disabilities, individuals who are legally blind and qualified elders.

The Select Board voted 3-0-0 in favor of approval.

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

QUANTUM OF VOTE: Majority vote

Article 5: Revolving Fund Authorizations

Sponsored by: Select Board

To see if the Town will vote to authorize FY 2024 expenditure limits for the revolving funds listed below for use by town departments, boards, committees, agencies or officers under Massachusetts General Laws Chapter 44, § 53E½, to be expended in accordance with Article III of the Town's General By-Laws:

Revolving Fund	Expenditure Limit
Cable TV Licensing and Re-licensing Fund	\$ 20,000.00
Library Public-Use Supplies Replacement Fund	\$ 7,000.00
Library Materials Replacement Fund	\$ 3,500.00
Street Opening Fund	\$ 25,000.00
Solid Waste and Recycling Fund	\$ 2,500,000.00
Community Center Building Maintenance Fund	\$ 100,000.00
High School Parking Lot Fund	\$ 65,000.00
Railroad Parking Fund	\$ 550,000.00
Recreation Programs Revolving Fund	\$ 400,000.00
Waterfront Recreation Programs Revolving Fund	\$ 200,000.00
Conservation Commission Advertising Revolving Fund	\$ 4,000.00
Board of Health Fund for Monitoring Compliance with Septic Variance	\$ 20,000.00
Health Department Revolving Fund	\$ 40,000.00
Council on Aging Program Revolving Fund	\$ 50,000.00

Or take any other action relative thereto.

FINANCE COMMITTEE RECOMMENDATION:

An affirmative vote under this Article would authorize each of the different revolving funds for FY 2024.

The Select Board voted 3-0-0 in favor of approval.

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

QUANTUM OF VOTE: Majority vote

Article 6: Grant of Utility Easement for High School

Sponsored by: Select Board, School Committee, Sharon Standing Building Committee

To see if the Town will vote to authorize the Select Board and/or School Committee, upon such terms and conditions as the Select Board and/or School Committee deem to be in the best interest of the Town, to convey to Verizon New England, Inc. (formerly known as New England Telephone and Telegraph Company) and NSTAR Electric Company, d/b/a Eversource Energy, a perpetual right and easement to lay, construct, reconstruct, operate, maintain, replace and remove lines for the transmission of intelligence and telecommunications and the transmission of high and low voltage electric current upon, over, under and across the Sharon High School property, located at 181 Pond Street,, Assessor's Parcel ID 81-124, as more particularly described on a plan entitled, "Plan of Land in the Town of Sharon, Norfolk County, Massachusetts", dated February 8, 1954, prepared by The Schuyler Clapp Company, and recorded with the Norfolk County Registry of Deeds as Plan No. 486 of 1954; and additionally as shown on a plan entitled, "Plan of Memorial Park and Memorial Parkway as Laid Out for Park Purposes by the Planning Board of the Town of Sharon, Norfolk Co., Mass.", dated April 16, 1946, prepared by The Schuyler Clapp Company, and recorded with the Norfolk County Registry of Deeds as Plan No. 372 of 1946. The location of said Easement is generally shown and described as being within a strip of land ten(10) feet in width running along a line marked "T" as shown on "Attachment A" to the License, and Easement document, a copy of which is on file in the office of the Town Clerk, and as the same may be more or less particularly described, or as such Attachment A may be later identified or amended.

And to authorize the Select Board and/or School Committee to take all actions necessary and to execute such documents as they deem necessary to affect the foregoing; or to take any other action relative thereto.

FINANCE COMMITTEE RECOMMENDATION:

An affirmative vote under this Article will provide a legal easement to Verizon to install conduit and cable in a specific area at the new High School. Since an easement can only be granted by Town Meeting and to allow the necessary work to be done on a timely basis the Select Board and the School Committee, on June 21, 2022, entered into a temporary License with Verizon which stipulated that the License would terminate upon delivery to Verizon of a signed easement predicated on Town Meeting approval. The license/easement was required by Verizon so that they could legally work on the site and the required work has been completed.

The Select Board voted 3-0-0 in favor of approval.

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

QUANTUM OF VOTE: Majority vote

Article 7: Acceptance of MGL Chapter 53, Section 9A: Nomination Papers

Sponsored by: Town Clerk

To see if the Town will vote to accept the provisions of Chapter 53, §9A of the Massachusetts General Laws, which reads as follows:

“In any city or town which accepts this section, in a city by vote of the city council subject to the provisions of its charter, and in a town by vote of the town meeting, the following provisions shall apply with respect to nomination papers:—

The final date for obtaining blank nomination papers for nomination to city or town office shall be forty-eight week day hours prior to the hour on which nomination papers are required to be submitted to the registrars of voters for certification.

Each candidate shall file with the city or town clerk, prior to obtaining blank nomination papers, a statement containing his name and address, and the city or town office for which he intends to be a candidate.

No candidate for city or town office shall receive more blank nomination papers than will contain the number of signatures required to place his name in nomination, multiplied by five.”

Or take any other action relative thereto.

FINANCE COMMITTEE RECOMMENDATION:

An affirmative vote under this Article would accept provisions of Massachusetts General Laws setting sensible rules around candidates obtaining nomination papers for Town elections. The final date to obtain nomination papers would be set at 48 weekday hours before nomination papers are due to be returned, candidates would have to file a statement with their name, address and the office they are running for with the clerk before obtaining nomination papers, and the total number of blank nomination papers that a candidate could receive would be capped. The Town has been following the provisions of Chapter 53, Sec.

9A in the administration of elections. At the time of this writing, the Town Clerk has been unable to certify via documentation that the Town previously formally accepted the provisions of this law at a previous Town Meeting. Approval of this article would codify the current practice.

The Select Board voted 3-0-0 in favor of approval.

THE FINANCE COMMITTEE VOTED 6-0-4 IN FAVOR OF APPROVAL.

QUANTUM OF VOTE: Majority vote

Article 8: Acceptance of MGL Chapter 41, Section 19K: Certified Massachusetts Municipal Clerk

Sponsored by: Town Clerk

To see if the Town will vote to accept the provisions of Chapter 41, §19K of the Massachusetts General Laws, which reads as follows:

In any town, that accepts this section, a town clerk who has completed the necessary courses of study and training, and has been awarded a certificate by the Massachusetts Town Clerks' Association as a certified Massachusetts municipal clerk, shall receive as compensation from such town, in addition to the regular annual compensation paid by such town for services in such office, an amount equal to 10 per cent of such regular annual compensation, but not more than \$1,000 per year. In order to qualify for such additional compensation, a town clerk shall submit to the board of selectmen of such town proof of the award of such certificate. The additional compensation provided in this section shall be prorated for any 12 month period in which an eligible person does not hold the office of town clerk for 12 consecutive months. Such additional compensation shall discontinue when certification is discontinued or withdrawn.

Or take any other action relative thereto.

FINANCE COMMITTEE RECOMMENDATION:

An affirmative vote under this Article would increase the Town Clerk's compensation by \$1,000 per year if the Town Clerk obtains a job-specific certification from the Massachusetts Town Clerks' Association and maintains such certification. The stipend would act as an incentive to obtain and maintain this certification, which is specific to Massachusetts laws and requires recertification every four years. The Finance Committee agrees that recognition of professional training through certification is important to the qualifications of the Town Clerk, and it is appropriate to provide a financial incentive for doing so. The \$1,000 annual payment would be paid as a stipend quarterly. A minority of the Finance Committee prefer that the incentive be built into the salary.

The Select Board voted 3-0-0 in favor of approval.

THE FINANCE COMMITTEE VOTED 8-2-0 IN FAVOR OF APPROVAL.

QUANTUM OF VOTE: Majority vote

Article 9: Amend General By-Law: Modify Date for Annual Town Meeting and Annual Town Election to Allow Flexibility within a Range of Dates

Sponsored by: Select Board

To see if the Town will vote to amend Section 49-4 of the General By-Laws of the Town of Sharon so that the By-Law reads as follows (Bold and underline denotes new language for insertion; or take any other action related thereto.

§49-4 Annual Town Meeting; annual election of officers

- A. There shall be an Annual Town Meeting held in the spring, which shall be primarily concerned with the adoption of an annual budget and other warrant articles which have a fiscal effect on the Town. The portion of the Annual Town Meeting for the transaction of business shall be held on the first Monday in May of each year at 7:00 p.m. and shall continue, by adjournment from time to time, until disposition has been made of all articles contained in the warrant. **On or before January 31, the Select Board may vote to change the date of the portion of the next Annual Town Meeting for the transaction of business to within two weeks, both before or after, of the first Monday in May.**
- B. The portion of the Annual Town Meeting for the election of officers and such other matters as may be voted on the official ballot shall be held on the third Tuesday of May of each year. **On or before January 31, the Select Board may vote to change the date of the next Annual Town Meeting for election of officers and such other matters as may be voted on the official ballot to within two weeks, both before or after, of the third Tuesday in May.**

Or take any other action relative thereto.

FINANCE COMMITTEE RECOMMENDATION:

An affirmative vote under this Article would authorize the Select Board to change the date of the Annual Town Meeting, currently set as the first Monday in May, to within two weeks of that date. The Finance Committee views this flexibility to schedule around any known conflicts appropriate. Setting the date for the Annual Town Meeting by January 31 allows sufficient notice to residents.

The Select Board voted 3-0-0 in favor of approval.

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

QUANTUM OF VOTE: Majority vote

Article 10: Amend Zoning By-Law: Change Dimensional Setbacks (Single B, Business A, General Residential) and Height Requirements in LI District

Sponsored by: Planning Board

To see if the Town will vote to amend the Table of Dimensional Regulations of the Zoning By-Laws of the Town of Sharon by reducing the side and rear setbacks from 20' to 15' in Single B, Business A and General Residence Districts and increasing the height limit from 80' to 100' in the Light Industrial District, so that it reads as follows:

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'	20' 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	15' residential 10' all other	other uses 45' 40' residential	3	25% 1 and 2 family 60% all other	20%
Business District B	8,000	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)	1,000'	10' from I-95, 50' from Old Post Rd., 100' from all other	100'	60' commercial 40' residential'	3	20% (3)	35%
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% 75% including parking structures	20% (landscaped or open space)
Housing Authority District	40,000 [5,000](1)	no requirement	no requirement	30'	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									
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.									

Or take any other action relative thereto.

FINANCE COMMITTEE RECOMMENDATION:

An affirmative vote on this Article would amend the Sharon Zoning By-Law – May 2, 2022 by modifying its TABLE OF DIMENSIONAL REGULATIONS: (1) by reducing the rear and side set-back requirements of houses in three zoning districts; and (2) by increasing the maximum allowable height of buildings in the Light Industrial District.

The proposed amendment would reduce from 20 ft. to 15ft. the rear and side set-back requirement for houses in Single Residence District B, General Residence District, and Business District A. These three zoning districts encompass small areas near Post Office Square, in the center of Town, and generally are comprised of small lots whose older residential structures commonly do not meet the existing rear and side set-back requirements, rendering them non-conforming per zoning regulations adopted subsequent to their construction. The Planning Board recommends reducing the rear and side set-back requirements of residential structures in these three zoning districts to decrease the number of non-conforming residential structures and thereby to facilitate property owners' improvement projects. Property owners whose residential structures would conform to the new rear and side set-back requirements would have expanded opportunities to improve their properties by-right rather than by having to obtain Special Permits from the Zoning Board of Appeals. In turn, this would reduce the case load of the Zoning Board of Appeals.

The proposed amendment would increase the maximum allowable height of buildings in the Light Industrial District, the narrow area along Route 1, from 80 ft. to 100 ft. The Planning Board makes this recommendation to facilitate economic development by allowing property owners to optimize their development and redevelopment of the Town's few parcels of land along Route 1. The Fire Department has the capability to deploy equipment required to fight fires in buildings 100 ft. high.

The Planning Board voted 4-0-0 in favor of approval.

The Select Board voted 3-0-0 in favor of approval.

THE FINANCE COMMITTEE VOTED 11-0-0 IN FAVOR OF APPROVAL.

QUANTUM OF VOTE: 2/3 vote

Article 11: Amend Zoning By-Law: Amend Uses for Overnight Parking of Heavy Vehicles; Add Pet Care Business Uses and Requirements

Sponsored by: Planning Board

To see if the Town will vote to amend Section 3.3.2.4 of the Zoning By-Laws of the Town of Sharon, regarding Uses for Overnight Parking of Heavy Vehicles in the Residential Districts, by deleting "15,000 gvw" and replacing it with "12,000 gvw", so that it reads as follows:

3.3.2 Accessory Uses in the Residential Districts. Accessory uses in the Residential Districts shall comply with the following standards:

4. There shall be no building alteration resulting in a nonresidential character, or visible parking of commercial vehicles in excess of 12,000 gvw.

And, further, to see if the Town will vote to amend Section H, no. 5 of Table 1: Table of Use Regulations of the Zoning By-Laws of the Town of Sharon, regarding Motor Vehicle Related Uses, by deleting “15,000 gvw” and replacing it with “12,000 gvw”, so that it reads as follows:

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

	R1	R2	Sub A	Sub B	SRA	SRB	GR	BA	BB	BC	BD	LI	Pro A	Pro B
H. MOTOR VEHICLE RELATED USES														
1. Motor vehicle light service station	N	N	N	N	N	N	N	N	Y	N	N	Y	N	N
2. Motor vehicle repair establishment	N	N	N	N	N	N	N	N	N	N	N	Y	N	N
3. Motor vehicle body shop	N	N	N	N	N	N	N	N	N	N	N	BA	N	N
4. Motor vehicle sales or rental of new vehicles only, accessory storage entirely within enclosed structure	N	N	N	N	N	N	N	N	N	N	N	BA	N	N
5. Outdoor storage or overnight parking of vehicles exceeding 12,000lbs GVW rated in size	N	N	N	N	N	N	N	N	N	N	N	BA	N	N
6. Paved commercial parking lot not accessory to principal use	N	N	N	N	N	N	N	N	N	N	N	BA	N	N
7. Temporary parking lot	N	N	N	N	N	N	N	N	N	N	N	BA	N	N
8. Motor vehicle wash within enclosed structure	N	N	N	N	N	N	N	N	BA	N	N	BA	N	N
9. Drive-through services	N	N	N	N	N	N	N	BA	BA	N	BA	BA	N	N

And, additionally, to see if the Town will vote to amend Section 11.0 Definitions of the Zoning By-Laws of the Town of Sharon by deleting the definition of “**Animal of veterinary hospital**” and adding a definition for “Pet Care Facility” so that it reads as follows:

Pet Care Facility: A business providing for the diagnosis and treatment of ailment of animals other than humans, including facilities for indoor overnight care. Indoor animal day care and

grooming facilities are also allowed. Crematory facilities or outdoor enclosures for animals are prohibited. Zoning changes for Pet Care facilities existing prior to May 1, 2023 are not applicable.

And, also, to see if the Town vote to amend Section I of Table 1: Table of Use Regulations of the Zoning By-Laws of the Town of Sharon, regarding Miscellaneous Commercial Uses, by adding a number 13, entitled “Pet Care Facility” so that it reads as follows:

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

	R1	R2	Sub A	Sub B	SRA	SRB	GR	BA	BB	BC	BD	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 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	BA	N	N
11. Major parking facility	N	N	N	N	N	N	N	BA	BA	BA	N	N	N	N
12. Landscaping equipment, supply, and service business	N	N	N	N	N	N	N	N	N	N	N	Y	N	N
13. Pet care Facility	BA	BA	BA	BA	BA	BA	BA	Y	Y	N	Y	Y	N	N

Or take any other action relative thereto.

FINANCE COMMITTEE RECOMMENDATION:

An affirmative vote on this Article would amend the Sharon Zoning By-Law – May 2, 2022: (1) to reduce the allowable Gross Vehicle Weight Rating from 15,000 lbs. to 12,000 lbs. of vehicles parked in all zoning districts other than the Light Industrial District (where an exception in the form of a Special Permit may be granted by the Zoning Board of Appeals); and, (2) to modify the definition of business activities relating to an animal or veterinary hospital to encompass indoor animal day-care, animal overnight-care, and animal grooming; and, to indicate in each zoning district whether such facilities may be operated by-right, may be operated by Special Permit issued by the Zoning Board of Appeals, or would be prohibited. Such indoor business activities would be defined as “Pet Care.”

With respect to the weight of commercial vehicles, the proposed amendment would modify paragraph 4 of SECTION 3.3.2 Accessory Uses in the Residential Districts to prohibit the visible parking of commercial vehicles whose Gross Vehicle Weight Rating exceeds 12,000 lbs. (reduced from 15,000 lbs.) and modify TABLE 1: TABLE OF USE REGULATIONS, Item 5 of SECTION H., MOTOR VEHICLE RELATED USES accordingly.

With respect to certain indoor animal care business activities, the proposed amendment would modify SECTION 11.0 DEFINITIONS by expanding the definition of certain animal care business activities to include such indoor services as overnight-care, day-care, and grooming as well as the services provided by an animal or veterinary hospital. Together, these business activities would be defined as “Pet Care” rather than as “Animal or veterinary hospital.” Crematory facilities would continue to be prohibited. TABLE 1: TABLE OF USE REGULATIONS would be modified by adding a new Item 13 “Pet Care Facilities” in SECTION I. MISCELLANEOUS COMMERCIAL USES.

The Planning Board voted 4-0-0 in favor of approval.

The Select Board voted 3-0-0 in favor of approval.

THE FINANCE COMMITTEE VOTED 11-0-0 IN FAVOR OF APPROVAL.

QUANTUM OF VOTE: 2/3 vote

Article 12: Zoning By- Law Amendment: Site Plan Review Process for Dover Amendment Uses; ZBA Procedures Under a Request for Reasonable Accommodation

Sponsored by: Planning Board

To see if the Town will vote to amend Section 10.7.5 and Section 10.8.5 of the Zoning By-Laws of the Town of Sharon, as required by the Attorney General pursuant to their review of the Zoning By-Law Codification under Article 20 of the 2022 Annual Town Meeting, as follows (Bold and underline denotes new language for insertion; bracketed, strikethrough and italicized denotes deleted language);

10.7.5 Decision. The Planning Board may approve, or approve with conditions, ~~for deny an application~~ **a complete plan submission** for site plan approval. In making its decision, the Board shall be guided exclusively by M.G.L. c. 40A, § 3. The Board shall file a written decision with the Town Clerk within 90 days of receipt of the application. Failure to file a decision within ninety (90) days shall constitute constructive approval of the site plan.

10.8.5 ZBA Procedures. The ZBA shall decide a request for reasonable accommodation by majority vote. ~~at an open meeting. The ZBA may hold a public hearing using the procedures, including notice, set forth in M.G.L. c. 40A, §§ 11 and 15. The deadlines imposed in M.G.L. c. 40A, § 11 or § 15 may be extended upon the request of the applicant and the approval of the ZBA.~~ The ZBA may seek information from other Town agencies in assessing the impact of the requested accommodation on the rules, policies, and procedures of the Town. Upon written notice to the ZBA, an applicant for a reasonable accommodation may withdraw the request without prejudice. The ZBA shall consider the following criteria when deciding whether a request for accommodation is reasonable:

1. Whether the requested accommodation is reasonable;
2. Whether the requested accommodation would require a fundamental alteration of a legitimate Town policy; and
3. Whether the requested accommodation would impose undue financial or administrative burdens on the Town government.

Or take any other action relative thereto.

FINANCE COMMITTEE RECOMMENDATION:

An affirmative vote under this Article would amend Section 10.7.5 and Section 10.8.5 of the Sharon Zoning By-Law – May 2, 2022, to modify certain language that conflicts with Massachusetts and/or federal law. The Office of the Attorney General of the Commonwealth of Massachusetts reviews all new or amended municipal bylaws to ensure that they do not conflict with state and federal statutes. The Attorney General’s review of the Town’s 2022 voluminous zoning recodification disapproved and deleted only two brief provisions put forth by the Planning Board.

This amendment would modify Section 10.7.5 to make clear that the Planning Board may not deny an application for a Site Plan Review with respect to religious, educational, and childcare uses, as these so-called Dover Amendment uses are granted special protections under Massachusetts zoning laws (General Laws Chapter 40A, Section 3). In putting forth Section 10.7.5 for approval at the 2022 Annual Town Meeting the Planning Board contemplated denying only an incomplete application for Site Plan Review; it did not intend to disregard the special protections accorded to religious, educational, and childcare uses.

The proposed amendment would respect the Dover Amendment uses and make clear to an applicant the necessity of submitting to the Planning Board a complete Site Plan Review application.

This amendment would modify Section 10.8.5 Zoning Board of Appeals (ZBA) Procedures to ensure that the stated purpose of Section 10.8 is achieved, namely, to facilitate housing and/or services for persons with disabilities and to comply fully with the spirit and the letter of the Fair Housing Act and the Americans with Disabilities Act. Approval of this amendment would modify the procedures of the ZBA with respect to requests for reasonable accommodations by eliminating the public hearing requirement which the Attorney General's Office determined would impose a burden on disabled persons protected by the Fair Housing Act that is not imposed on other land-use applicants.

The Planning Board voted 4-0-0 in favor of approval.

The Select Board voted 3-0-0 in favor of approval.

THE FINANCE COMMITTEE VOTED 11-0-0 IN FAVOR OF APPROVAL.

QUANTUM OF VOTE: 2/3 vote

Article 13: Appoint Finance Committee Members and Nominating Committee of the Finance Committee Members

Sponsored by: Nominating Committee of the Finance Committee

To see if the Town will choose members of the Finance Committee for two-year or three-year terms, and to fill any vacancies on said Committee; and to approve the Moderator's appointments of five members of the Nominating Committee of the Finance Committee for one-year terms; or take any other action relative thereto.

FINANCE COMMITTEE RECOMMENDATION:

Approval of this Article would endorse those persons nominated by the Finance Committee Nominating Committee to fill the expiring terms and vacancies on the Finance Committee. Article 2 of the Town of Sharon By-Laws states that it is the responsibility of the Nominating Committee of the Finance Committee to present to voters for approval or other appropriate action its nominees to the Finance Committee.

Created by Sharon By-Law, the Finance Committee is composed of six to 12 members, each elected for a three-year term. Appointed by the Town Moderator, the Nominating Committee of the Finance Committee recommends to Town Meeting the names of residents who in its opinion, would best fill the vacant positions. The Finance Committee appreciates the work of the Nominating Committee of the Finance Committee.

The Finance Committee's recommendation to approve is in recognition of the Nominating Committee process and not an endorsement of a particular individual nominated for the Finance Committee.

Nominating Committee of the Finance Committee report

In May 2023, four members of the Finance Committee are completing their terms. Additionally, one member with two years left on their term has resigned effective the close of the 2023 Annual Town Meeting. The Nominating Committee of the Finance Committee interviewed the current incumbents who expressed a desire to remain on the committee and any registered voters who expressed a desire to join the Finance

Committee. As a result, the Nominating Committee has nominated the following residents to serve on the Finance Committee. A brief biography is provided by each nominee to allow the town residents to be familiar with the voters recommended to serve.

Incumbents:Ann Keitner

My family has lived in Sharon since 2014 and have two children in the school system. I previously served as the Sharon Early Childhood Center PTO President, as well as Treasurer for the Cottage Street School PTO. I currently sit on the board and serve as Treasurer of the Sharon Special Education Parent Advisory Council. I was sworn in as a member of the Sharon Finance Committee in 2019 and served as Vice Chair in 2021 before becoming the Chair in 2022. I earned a Bachelor of Arts in Economics from William Smith College in Geneva, New York. My professional career includes more than twenty-seven years of financial services industry experience. I have worked in investment adviser and broker/dealer compliance, as well as custody services, custody and asset management marketing, and operations management. For the last eight years, I have worked as a compliance consultant for both investment advisors and broker/dealers. I currently serve as a Senior Principal Consultant for ACA Group and previously worked in-house as the Director of Investment Advisor Compliance at Liberty Mutual Asset Management Group Inc., Chief Compliance Officer/Chief Operating Officer for Hermes Fund Managers (North America) Inc., President and Chief Compliance Officer for Hermes Fund Distributors, and as Assistant Vice President and Senior Compliance Officer for Standish Mellon Asset Management.

Dan Lewenberg

I moved to Sharon in 2012 with my wife, Cathy, and we now have a full house with three children. I am a stay-at-home dad and my kids keep me plenty busy alongside my service to the town. I have served two three-year terms on the Finance Committee, with three years as Chair, two as Vice Chair, and six as representative to the Priorities Committee. I was also appointed to the Lake Massapoag Advisory Committee in June of 2022 and currently serve on that committee as well. Previously, I worked in investment management as an equity research analyst and assistant portfolio manager. During that time, I built a financial knowledge base and analytical skill set that I have been able to apply to the work of the Finance Committee. I am a graduate of Colgate University and earned an M.A. in Economics from Tufts University. I am constantly amazed by Sharon's unique balance of natural beauty, excellent education, diversity, location, and small-town feel. I am passionate about our town and look forward to continuing to serve it.

Olga Volfson

I am a Certified Public Accountant with an accounting degree from The Wharton School, University of Pennsylvania, and an MBA in finance from Columbia Business School. I have worked in public accounting, banking, and senior housing industries and am currently working as Director of Financial Planning and Analysis at BlueHub Capital. I have extensive experience in auditing, financing, financial analysis, budgeting, and forecasting. I have lived in Sharon for 20 years and my three kids attended Sharon Public Schools. My youngest is currently a student in high school.

New Member:Keith Morris

I've been a resident of Sharon since 2017, where my wife and I have started our family and now have two energetic young boys. In my professional career, I have my Master's in Finance with my Bachelor's in Accounting. I have worked in financial services and real estate for my entire career, focusing on valuations, budgeting, forecasting, and relationship management. My approach in both management and in life, is from a value perspective where I weigh short/medium/long-term ROI, while taking into consideration all

vantage points and participating in thoughtful discussions to formulate conclusions. I look forward to joining the Finance Committee and working with fellow residents to continue to evolve our town into an ever-changing future landscape.

QUANTUM OF VOTE: Majority vote

MOTION: That the Town elect to the Finance Committee the following named: Ann Keitner, 29 Deborah Sampson Street – 3-year term; Dan Lewenberg, 18 Quincy Street – 3 year-term; Olga Volfson, 108 Brook Road – 3-year term; Keith Morris, 9 Gannett Terrace, 2-year term.

That the Town affirm the following named Moderator’s appointments to the Nominating Committee of the Finance Committee: Anne Carney, 41 Pole Plain Road – 1-year term; David Fixler, 81 Bishop Road – 1-year term; William Heitin, 7 Inca Trail – 1-year term; Jacqueline Modiste, 21 Canoe River Road – 1-year term; Cheryl Weinstein, 4 Coach Lane – 1-year term.

Article 14: Compensation of Elected Officials

Sponsored by: Finance Committee

To see if the Town will vote to fix the compensation of elected officers for the fiscal year beginning July 1, 2023, as follows:

Moderator	\$	50.00
Select Board chair	\$	500.00
Select Board members	\$	400.00
Board of Assessors chair	\$	2,400.00
Board of Assessors members	\$	2,200.00
Town Clerk	\$	86,234.00

Or take any other action relative thereto.

FINANCE COMMITTEE RECOMMENDATION:

An affirmative vote under this Article would set the compensation of elected officers for FY 2024 as described in Appendix A. All amounts are unchanged from the prior year except for the Town Clerk. The Finance Committee views these compensation amounts to be appropriate.

The proposed salary for the Town Clerk for FY 2024 reflects an increase of 3.5%. That is consistent with the Executive Category employee increases (inclusive of merit and salary range adjustments) that vary between 3.5% and 4.25%.

The Select Board voted 3-0-0 in favor of approval.

THE FINANCE COMMITTEE VOTED 11-0-0 IN FAVOR OF APPROVAL.

QUANTUM OF VOTE: Majority vote

MOTION: That the Town fix the compensation of elected officers for the fiscal year beginning July 1, 2023, as follows: Moderator - \$50.00; Select Board chair - \$500.00; Select Board members - \$400.00; Board of Assessors chair - \$2,400.00; Board of Assessors members - \$2,200.00; Town Clerk - \$86,234.00.

Article 15: Capital Outlay*Sponsored by: Select Board*

To see if the Town will vote to consider the following items A through O, which will be voted as a block, or singly, or in any combination, but however voted will be treated as a separate article and to raise and appropriate a sum of money for each of the capital outlay purposes herein mentioned, and to determine whether the money shall be raised by borrowing, transferred from available sums of money, raised in the tax levy, or otherwise; or take any other action relative thereto.

CIVIL DEFENSE

- A. Additional funding for replacement quarters by Civil Defense

COUNCIL ON AGING

- B. Purchase of replacement minibus by Council on Aging

DEPARTMENT OF PUBLIC WORKS

- C. Purchase of operations equipment by the Department of Public Works
 D. Purchase of office furniture and facility renovations by the Department of Public Works
 E. Resurfacing of public ways and reconstruction of sidewalks by the Department of Public Works

WATER DEPARTMENT

- F. Relaying of water mains for the Water Department
 G. Purchase of operations equipment by the Water Department

FIRE DEPARTMENT

- H. Purchase of replacement brush truck and supplemental funding for an ambulance by the Fire Department

POLICE DEPARTMENT

- I. Purchase of vehicles by the Police Department
 J. Purchase of radio repeaters by the Police Department

SCHOOL DEPARTMENT

- K. Purchase of technology and equipment by the School Department
 L. Repair, replacement or design of HVAC equipment, roof replacement, emergency exit lights, rear windows, fire alarm system, and master plan by the School Department
 M. Purchase of truck and snow removal equipment by the School Department
 N. Purchase of furniture by the School Department
 O. Purchase of special education vehicles by the School Department

Department	Item	Funding Source	Amount
Civil Defense			
A	Civil Defense Replacement Quarters - Additional Funding	B	\$ 300,000.00
Council on Aging			
B	COA Minibus Replacement	B	\$ 86,377.00
Department of Public Works			
C	DPW Operations/Equipment - Dump/plow truck	B	\$ 50,000.00
C	DPW Bobcat - Skid Steer	B	\$ 60,000.00
C	DPW ASV - Sidewalk Tractor	B	\$ 66,000.00
C	DPW Trucks - Foremen	B	\$ 220,000.00
C	DPW Truck - Admin/Supervisor	B	\$ 77,000.00
D	DPW Administrative Offices - Furniture	B	\$ 55,000.00
D	DPW Administrative Offices - Bathroom and Locker Room Renovations	B	\$ 50,000.00
E	DPW Roadways and Sidewalks	B	\$ 840,000.00
F	Water Water Mains Replacement	WB	\$ 750,000.00
G	Water Truck Replacement (2)	WB	\$ 184,000.00
Fire Department			
H	Fire Ambulance - Supplemental Funding	ARF	\$ 60,000.00
H	Fire Brush Truck Replacement	B	\$ 280,000.00
Police Department			
I	Police Cruisers (3)	C	\$ 195,000.00
J	Police Vehicle Repeaters	B	\$ 85,000.00
School Department			
K	Schools Wireless Access Points	B	\$ 25,000.00
K	Schools Renewal 1:1 program 300 Chromebooks	C	\$ 120,000.00
K	Schools Staff Device Replacement	C	\$ 30,000.00
K	Schools Projectors	B	\$ 45,000.00
K	Schools Desktop computers	C	\$ 30,000.00
K	Schools 3 D printers & chatterboxes	B	\$ 25,000.00
K	Schools Audio Systems	B	\$ 130,000.00
K	Schools i-Pad replacement	C	\$ 90,000.00
K	Schools Chromebooks - Elementary	C	\$ 150,000.00
L	Schools Cottage - HVAC Controls Replacement (Total \$389,862)	UC	\$ 244,440.00
		B	\$ 145,422.00
L	Schools Cottage - Roof Replacement (design)	B	\$ 100,000.00
L	Schools Cottage - Emergency Exit Lights	B	\$ 54,148.00
L	Schools Heights - Backside Windows	B	\$ 55,000.00
L	Schools Heights - Fire Alarm System	B	\$ 115,000.00
L	Schools DW - Elementary Master Plan	C	\$ 100,000.00
L	Schools DW - HVAC Equipment Replacement	B	\$ 25,000.00
M	Schools Truck Replacement	B	\$ 60,000.00
M	Schools Snow Removal Equipment	B	\$ 29,000.00
N	Schools DW - Replacement Furniture and Furnishings	B	\$ 40,000.00
O	Schools Special Education Van Replacements	B	\$ 137,000.00
Grand Total			\$ 5,108,387.00
Town			\$ 2,424,377.00
School			\$ 1,750,010.00
Water			\$ 934,000.00

SUMMARY OF FUNDING SOURCES:		
BORROW (NON-EXEMPT)	B	3,154,947.00
CASH CAPITAL	C	715,000.00
AMBULANCE RESERVE FUND	ARF	60,000.00
UNEXPENDED CAPITAL FUNDS	UC	244,440.00
WATER BORROW (NON-EXEMPT)	WB	934,000.00
TOTAL FUNDING SOURCES		5,108,387.00

FINANCE COMMITTEE RECOMMENDATION:**A – CIVIL DEFENSE****Additional Funding to Build Civil Defense Replacement Quarters**

Civil Defense is requesting \$300,000 to be borrowed as additional funding to build their replacement quarters (on South Main Street, adjacent to Deborah Sampson Park).

In May 2018, Town Meeting approved \$340,000 to be borrowed for the construction of a storage and workplace facility for the Civil Defense Department. After the demolition of the old Fire Station on South Main Street there is no longer a Town facility capable of accommodating the long-term housing of the vehicles and equipment, or providing a work area, for Civil Defense.

After Town Meeting approval of the new building, the Town ran into unexpected obstacles regarding a land swap that was required so that the Civil Defense building could be constructed in the planned location. Due to these obstacles, construction was delayed. In October 2020, and May 2022, Town Meeting approved an additional \$50,000 and \$100,000, respectively, to cover costs caused by the delay and updated construction plans. Town management has worked diligently to resolve all the issues preventing the start of construction and this objective has now been achieved. However, in the years since the building was originally approved, construction costs have continued to go up significantly, so that an additional \$300,000 of funding is now required to finally construct the building. The total cost of the building will be \$790,000, \$490,000 of which were previously approved by Town Meeting.

B – COUNCIL ON AGING**Replacement of Vehicles**

The Council on Aging is requesting \$86,377 to be borrowed for the replacement of an 18-passenger minibus. Town vehicle #62, a 2012 Ford Econoline 18-passenger minibus, is no longer worth expending the funds necessary to repair it. A new vehicle would replace it. The Council on Aging intends to apply for grant funding for this purchase and if grants are received, the needed funds will be less than \$86,377.

C, D, E – DEPARTMENT OF PUBLIC WORKS (DPW)

The DPW is requesting a total of \$2,352,000 to be borrowed.

C – DPW Equipment - \$473,000

The DPW is requesting \$473,000 to be borrowed towards the purchase of new vehicles and equipment.

- Foreman's Truck (2) – Operations Division (\$220,000). One new truck will replace vehicle #72, a 2010 Ford F-350 with 133,000 miles which has failed inspection due to rusted frame and chassis and is no longer roadworthy. The second new truck will replace vehicle #6, a 2012 Ford F-350 with 126,000 miles. This truck had roughly \$5,100 in repairs during the past year to keep it roadworthy. These front-line vehicles are used by the Operations and Forestry and Grounds Divisions for all construction activities throughout Town.
- A small sidewalk multi-purpose tractor (ASV) (\$66,000), to replace vehicle #92, a 2007 sidewalk tractor with roughly 16,000 hours that has been the DPW's primary piece of equipment for snow removal and other maintenance activities in the center of town. Over the last two years, it has required significant maintenance, costing approximately \$20,000 in parts plus outside labor.
- A bobcat (\$60,000) to replace vehicle #53, a 1994 model with approximately 4,700 hours. This front-line vehicle is used for a variety of DPW construction activities and snow removal by both Operations and Forestry & Grounds. This unit had significant maintenance problems in the past two years totaling roughly 10,000.

- Administrative vehicles (\$77,000) to replace vehicle #33, 2009 Ford Escape with 170,000 miles and vehicle #30, 2010 Ford F150 with hybrid vehicles. Both vehicles required roughly \$2,000-3,000 of maintenance repairs in the past year. Vehicle #30 has a head gasket leak (coolant) and can no longer pass inspection.
- The May 2022 Town Meeting approved \$255,000 towards the replacement of a Large Dump Truck/Plow. Due to supply chain issues and high inflation, the approved amount needs to be supplemented by an additional \$50,000 to fund this purchase. These increased costs are due to issues outside of the DPW's and Town's control.

D - DPW Facility Upgrades - \$105,000

DPW is requesting a total of \$105,000 for facilities upgrades, to be borrowed.

- The bathrooms and locker rooms of the DPW offices behind the new public safety building have not undergone any significant renovations in decades. The DPW is requesting \$50,000 towards these necessary renovations. The DPW is also requesting \$55,000 to replace decades old administrative furniture that is well beyond its useful life.

E - Resurfacing of public ways and reconstruction of sidewalks – \$840,000

DPW is requesting a total of \$840,000 towards the resurfacing & construction of roadways and sidewalks, to be borrowed. It is anticipated that the following projects will be undertaken:

- Wolomolopoag Street (3,000 linear feet; \$175,000)
- Gavins Pond Road, South Main to Matross (2,600 linear feet; \$275,000)
- Knight Road, Castle to end (500 linear feet; \$40,000)
- Kings Road, Eisenhower to end (650 linear feet; \$50,000)
- Pheasant Wood Road, Beaver Brook to end (2,100 linear feet; \$125,000)
- Lothrop Way, Deborah Sampson to end (600 linear feet; \$45,000)
- Fox Hollow Road, Mallard to end (750 linear feet; \$60,000)
- Merchant Street, Route 1 to end (800 linear feet; \$70,000)

Chapter 90 Projects

Chapter 90 is a state program that entitles cities and towns to receive 100% reimbursements on approved projects from the state. The program is funded by the gas tax. **Because Chapter 90 funds are state funds, these projects and funds do not require Town Meeting approval. Each Chapter 90 request gets individually approved by the State Department of Transportation (DOT). The following is thus provided for information purposes only.**

DPW is proposing a total of \$1,040,000, to be received from Chapter 90 funds, towards eligible infrastructure projects. It is anticipated that the funds will be spent on the sidewalk maintenance of the following roadways:

- * Blair Circle, S. Walpole to S. Walpole (3,800 linear feet; \$375,000)
- * Pheasant Wood Road, Beaver Brook to end (4,200 linear feet; \$415,000)
- * Lothrop Way, Deborah Sampson to end (750 linear feet; \$75,000)
- * Fox Hollow Road, Mallard to end (750 linear feet; \$85,000)
- * Merchant Street, Route 1 to end (800 linear feet; \$90,000)

F, G – WATER DEPARTMENT

The Water Department is requesting a total of \$934,000 to be borrowed. The Town's Water Enterprise Fund is funded by residents' water bills.

- The Water Department is requesting \$750,000 towards Phase 1 of 4 to replace water mains in the Cottage Street/Woodland Street area. The Water Department upgrades certain water mains around town on a yearly basis to keep up with maintenance needs.
- The Water Department is requesting \$184,000 to purchase 2 vehicles, driven by Water Department Foremen. These vehicles will replace vehicles #50 (2012 Ford F-350) and vehicle #51 (2011 Ford Super Duty).

H – FIRE DEPARTMENT

The Fire Department requests \$60,000, to be generated by the Ambulance Reserve Fund, to purchase new equipment, and \$280,000 to be borrowed to purchase a replacement brush truck.

- The May 2022 Town Meeting approved \$435,000 in funding to purchase a new ambulance as part of the Fire Department's routine vehicle replacement program. Due to supply chain issues and high inflation, the originally approved amount must now be supplemented by an additional \$60,000 to purchase the ambulance and associated equipment. These increased costs are due to issues outside of the Fire Department's and Town's control.
- The new brush truck would replace a 1996 F350 utility body with skid unit. As the name implies, this brush truck is used to combat brush fires. It carries its own water supply and can be used in areas that do not have fire hydrants, for example, within Moose Hill, Rattlesnake Hill, or Borderland State Park.

I, J – POLICE DEPARTMENT

- The Police Department is requesting \$195,000 to be generated from cash for the purchase of three police cruisers as part of an annual replacement program. These vehicles will be hybrids. The costs per vehicle (\$65,000) include the costs to modify the vehicles, to make them suitable for police use.
- The Police Department is also requesting \$85,000 to be borrowed to purchase vehicle repeaters. In certain parts of town, and when inside large buildings, like the schools, reception of police communication equipment can be poor. These vehicle repeaters will act like signal amplifiers/boosters and improve communications between officers. Vehicle radios typically have a 40-watt transmitter. Portable radios typically have a 5-watt transmitter. The vehicle radios can communicate with the system 99% of the time. The idea of a vehicle repeater is to have the portable radio talk to the vehicle and the vehicle to "repeat" that communication on the public radio system. With this system, the portable radio transmission only has to travel a short distance enabling a much higher probability of reliable communication with dispatch and other public safety personnel on the scene or responding to the scene.

K, L, M, N, O – SCHOOL DEPARTMENT

The School Department is requesting \$1,750,010, with \$985,570 to be borrowed, \$520,000 to be generated by cash, and \$244,440 from unexpended capital (Unexpended Capital [UC] is "leftover" capital from previously approved projects that came in under budget.). Most of the requests are routine replacements/upgrades of existing equipment and facilities.

K – School Department IT/Technology - \$645,000

All the following requests, except for \$25,000 to purchase 3D printers & chatterboxes to support STEM Education classes at Sharon Middle School, are part of the School Department's routine replacement of its IT/technology equipment.

- \$25,000 to be borrowed to purchase additional wireless access points in the schools, needed due to increased device usage generated by the one-to-one program. The purchase will facilitate faster and more reliable wireless access for students and staff. This is a continuation of a multi-year project approved and funded by recent Town Meetings
- \$120,000 to be generated from cash to purchase 300 Chromebooks for the 1:1 program. This is the ninth year of this program which provides all students in grades 8-12 with a Town issued laptop. These Chromebooks are an integral instructional element of the curriculum, much like textbooks.
- \$30,000 to be generated from cash towards replacement of small technology equipment (laptops) for teachers.
- \$45,000 to be borrowed to purchase new projectors. There are approximately 250 projectors districtwide. Annual tech replacement for those is beginning to be cycled rather than replacement in aggregate every few years. This year's request will cover the replacement of approximately 50 projectors.
- \$30,000 to be generated from cash to replace desktop computers. It is the goal of the School Department to replace 20 percent of all computer devices every year, as opposed to replacing all devices all at once every few years. This year's requests are in line with that goal.
- \$130,000 to be borrowed to install classroom audio systems. This is part of a multi-year project to improve acoustics in classrooms for hearing impaired students.
- \$90,000 to be generated from cash towards iPad replacement. This project is part of the School Department's objective to replace 20% of all computer devices each year. This year, the objective is to replace obsolete 4th generation iPads which are primarily used by Grades K - 2 students.
- \$150,000 to be generated from cash to purchase Chromebooks for the elementary schools.
- \$25,000 to be borrowed towards the purchase of 3D printers & chatterboxes to support STEM Education classes at the Sharon Middle School.

L – School Department Facilities & Facilities Related Equipment/Elementary Master Plan – \$839,010

Except for the Elementary Schools (Facilities) Master Plan, all the following projects are part of the School Department's routine maintenance of its buildings. The Master Plan will assist the School Administration in its planning to address current and future space needs.

- \$389,862 towards HVAC controls replacement at Cottage Elementary; \$244,440 of which is from Unexpended Capital Funds (UC) and \$145,422 to be borrowed.
- \$100,000 to be borrowed to design a plan for a new Cottage Elementary roof.
- \$54,148 to be borrowed to replace Emergency Exit lighting at Cottage Elementary.
- \$55,000 to be borrowed to replace windows at the back of Heights Elementary.
- \$115,000 to be borrowed to replace the fire alarm and detection system at Heights Elementary. The current system has reached the end of its useful life.
- \$100,000 to be generated from cash towards development of an Elementary Schools (Facilities) Master Plan.
- \$25,000 to be borrowed towards the replacement of HVAC equipment that has reached the end of its useful life.

M – School Department Vehicles/Equipment – \$89,000

- \$60,000 to be borrowed to purchase an F-250 Plow Truck used to be used for snow removal and other jobs.
- \$29,000 to be borrowed to purchase snow removal equipment.

N – School Department Furniture – \$40,000

- 40,000 to be borrowed towards furniture & furnishings replacement. This request is part of the standard cycle of replacing old furniture.

O – School Department Special Education Vehicles/Transportation – \$137,000

- \$137,000 to be borrowed towards replacement of two (2) of the fleet of 35 Special Education Vans.

The Select Board voted 3-0-0 in favor of approval.

THE FINANCE COMMITTEE VOTED 11-0-0 IN FAVOR OF APPROVAL.

QUANTUM OF VOTE: 2/3 vote, except majority vote for 15I

MOTIONS:

[15A] That the Town appropriate the sum of \$300,000 for additional funding for replacement quarters for Civil Defense; and to meet this appropriation, the Treasurer, with the approval of the Select Board, is hereby authorized to borrow \$300,000 under Massachusetts General Law Chapter 44, Section 7.

[15B] That the Town appropriate the sum of \$86,377 for additional funding for a replacement minibus for the Council on Aging; and to meet this appropriation, the Treasurer, with the approval of the Select Board, is hereby authorized to borrow \$86,377 under Massachusetts General Law Chapter 44, Section 7.

[15C] That the Town appropriate the sum of \$473,000 for the purchase of operations equipment for the Department of Public Works; and to meet this appropriation, the Treasurer, with the approval of the Select Board, is hereby authorized to borrow \$473,000 under Massachusetts General Law Chapter 44, Section 7.

[15D] That the Town appropriate the sum of \$105,000 for the purchase of office furniture and facility renovations for the Department of Public Works; and to meet this appropriation, the Treasurer, with the approval of the Select Board, is hereby authorized to borrow \$105,000 under Massachusetts General Law Chapter 44, Section 7.

[15E] That the Town appropriate the sum of \$840,000 for the resurfacing of public ways and reconstruction of sidewalks by the Department of Public Works; and to meet this appropriation, the Treasurer, with the approval of the Select Board, is hereby authorized to borrow \$840,000 under Massachusetts General Law Chapter 44, Section 7.

[15F] That the Town appropriate the sum of \$750,000 for the replacement of water mains for the Water Department; and to meet this appropriation, the Treasurer, with the approval of the Select Board, is hereby authorized to borrow \$750,000 under Massachusetts General Law Chapter 44, Section 7.

[15G] That the Town appropriate the sum of \$184,000 for the purchase of operations equipment for the Water Department; and to meet this appropriation, the Treasurer, with the approval of the Select Board, is hereby authorized to borrow \$184,000 under Massachusetts General Law Chapter 44, Section 7.

[15H] That the Town appropriate the sum of \$340,000 for the purchase of replacement brush truck and supplemental funding for an ambulance for the Fire Department; and to meet this appropriation, the Treasurer, with the approval of the Select Board, is hereby authorized to borrow \$280,000 under Massachusetts General Law Chapter 44, Section 7; and the remainder, \$60,000, to be appropriated from the Ambulance Reserve Fund.

[15I] That the Town raise from taxation the sum of \$195,000 for the purchase of vehicles for the Police Department.

[15J] That the Town appropriate the sum of \$85,000 for the purchase of radio repeaters for the Police Department; and to meet this appropriation, the Treasurer, with the approval of the Select Board, is hereby authorized to borrow \$85,000 under Massachusetts General Law Chapter 44, Section 7.

[15K] That the Town appropriate the sum of \$645,000 for the purchase of technology and equipment for the School Department; and to meet this appropriation, the Treasurer, with the approval of the Select Board, is hereby authorized to borrow \$225,000 under Massachusetts General Law Chapter 44, Section 7, with the remainder, \$420,000, to be raised from taxation.

[15L] That the Town appropriate the sum of \$839,010 for building improvements as listed in the table on page 24 for the School Department; and to meet this appropriation, the Treasurer, with the approval of the Select Board, is hereby authorized to borrow \$494,570 under Massachusetts General Law Chapter 44, Section 7, with \$100,000, to be raised from taxation; and the remainder, \$244,440, to be expended from previously approved but unexpended capital funds.

[15M] That the Town appropriate the sum of \$89,000 for the purchase of a truck and snow removal equipment for the School Department; and to meet this appropriation, the Treasurer, with the approval of the Select Board, is hereby authorized to borrow \$89,000 under Massachusetts General Law Chapter 44, Section 7.

[15N] That the Town appropriate the sum of \$40,000 for furniture for the School Department; and to meet this appropriation, the Treasurer, with the approval of the Select Board, is hereby authorized to borrow \$40,000 under Massachusetts General Law Chapter 44, Section 7.

[15O] That the Town appropriate the sum of \$137,000 for the purchase of special education vehicles for the School Department; and to meet this appropriation, the Treasurer, with the approval of the Select Board, is hereby authorized to borrow \$137,000 under Massachusetts General Law Chapter 44, Section 7.

Article 16: Fiscal Year 2024 Budget

Sponsored by: Finance Committee

To determine what sums of money the Town will raise and appropriate, including appropriation from other available funds, to defray charges and expenses of the Town, including debt and interest, for the Fiscal Year beginning July 1, 2023; or take any other action relative thereto.

FINANCE COMMITTEE RECOMMENDATION:

An affirmative vote under this Article will fund FY 2024 Town operations as detailed. The Finance Committee has an obligation to review operating budgets for all Town departments and present recommendations to voters, for debate and approval at Town Meeting. The Town departments are grouped into three operating sectors: Select Board, School Department and Finance Committee. Each sector must develop budgets for their respective department operations in the months leading up to Town Meeting.

As directed by Town By-Law, it is the responsibility of the Priorities Committee to develop revenue estimates and allocate those estimated revenues among the three sectors. Estimated available revenue grew by 6.32% compared to FY 2023. Growth of 7.3% in both estimated state aid and in local receipts, driven

largely by increased collection of motor vehicle excise and marijuana sales taxes, allows the Finance Committee to recommend a budget within the levy limits of Proposition 2 1/2.

As noted in the Warrant introduction, the proposed FY 2024 budget is \$103,243,582, a 6.22% increase over FY 2023. If approved, the Town operating budgets would increase by 5.59% in aggregate to \$69,896,440 (total budget less “non-discretionary”), comprised of the School Department budget of \$52,395,688 (5.83% increase), the Select Board sector budget of \$16,059,752 (4.59% increase), and the Finance Committee sector budget of \$1,441,000 (2.98% increase). Of note, the budget includes a one-time infusion of free cash to fund all-day kindergarten, the top initiative of the School Committee. School administration believes that state Chapter 70 funding will increase beginning in FY 2025 at a sufficient level to sustain the program going forward. The proposed FY 2024 budget also includes \$33,347,142 for non-discretionary items. Significant drivers in the non-discretionary category are health insurance for employees and retirees rising by 7%, the Town’s contribution to Norfolk County Retirement System up by 4.4%, and debt service, primarily related to the new high school, up 10.1%. A more detailed summary of the components of the budget and the strategic planning process have been provided in the introduction of the Warrant.

The School Department including the Superintendent, School Director of Finance, and School Committee Chair presented their proposed budget to the Finance Committee on March 13, 2023. The proposed budget is a current services budget, meaning it represents on-going programs, staffing, and services projected against anticipated 2023-24 school enrollment. In addition, it includes 3.5 positions to meet mandated support for special education and the addition of a full-time director of diversity, equity and inclusion. It also includes \$590,000 to fully fund all-day kindergarten initiative without tuition support from families. Without this initiative, the School Committee budget would increase by 4.64%. Significant budget drivers include utilities, contractual services including out-of-district placements, transportation, and salaries.

The Select Board sector includes all general government departments except the library and Town Clerk. The proposed budget is a current services budget with a few notable enhancements. Funding for a regional initiative to monitor affordable housing, contractual services to improve the quality of Lake Massapoag, and employee and committee member training are included. The only new position is a communications specialist, who will be tasked with improving outbound information distribution to residents, managing the Town's website and social media content, and responding to information requests. This position is a top priority of the Select Board made in response to the demise of local news coverage and requests from residents for better and more timely information.

On March 27, 2023, the Finance Committee voted to recommend the proposed FY 2024 budget, including all sectors and the non-discretionary portion of expenses. The vote followed a lengthy discussion which was driven by concerns about the depth of the information provided by the School Committee, which was limited in scope as compared to previous years. The School Committee took the position that line-item details that had been previously provided could not be shared without jeopardizing the bargaining position of the School Committee in ongoing teacher and instructional assistant contract negotiations. Without the level of detail that has been provided in previous years (including years during contract negotiations), the Finance Committee struggled in evaluating the proposed school budget. Subsequent to their budget presentation at the March 13th meeting of the Finance Committee, the School Department provided actual spending for non-salary expenditures by line item for the prior five years. While the Finance Committee found this information helpful in providing context, the lack of salary-related data for FY 2024 remains troubling given the vast majority of the school budget is comprised of salaries. The School administration has assured the Finance Committee that going forward they will provide appropriate details for all components of the budget.

After much discussion and based on the assurance that line-item details would be provided within 30 days after the teacher and instructional assistant collective bargaining agreements were settled, the Finance Committee voted 11-0-0 to recommend the proposed FY 2024 budget.

The Select Board voted 3-0-0 in favor of approval.

THE FINANCE COMMITTEE VOTED 11-0-0 IN FAVOR OF APPROVAL.

QUANTUM OF VOTE: Majority vote

MOTIONS: That the Town raise and appropriate for the various Town offices and for defraying charges and expenses of the Town, including debt principal and debt interest for fiscal year July 1, 2023 through June 30, 2024 in the amount of \$103,243,582 the various sums stated “Fiscal Year 2024” as shown on pages 33 through 34 of the Warrant, except Water Department and Cable Public Access.

That the Town defray said appropriations by transferring the following amounts from various accounts as follows: \$650,000 from the Ambulance Reserve Fund, \$500,000 from undesignated fund balance, \$130,538 from the Community Education Revolving Fund, and \$25,293 from Fund Balance Reserved for Excluded Debt.

That the Town raise and appropriate \$150,000 for EMS ambulance billing and supplies from the Ambulance Reserve Account.

That the Town raise and appropriate \$300,000 for the overlay reserve account.

That the Town appropriate the sum of \$6,085,309 for the Water Department budget to be raised from user fees; and also appropriate the sum of \$350,000 from Water Retained Earnings for a Reserve Fund.

That the Town appropriate the sum of \$300,000 from cable subscriber franchise fees for the Cable Public Access Enterprise Fund.

Account	FY24 Approp.	% over FY23	FY23 Approp.	% over FY22	FY22 Approp.	% over FY21	FY21 Approp.	% over FY20
114 Moderator	\$ 50.00	0.00%	\$ 50.00	0.00%	\$ 50.00	0.00%	\$ 50.00	0.00%
131 Finance Committee	\$ 8,555.00	0.00%	\$ 8,555.00	-10.47%	\$ 9,555.00	-3.04%	\$ 9,855.00	-39.37%
152 Personnel Board	\$ 3,150.00	0.00%	\$ 3,150.00	0.00%	\$ 3,150.00	0.00%	\$ 3,150.00	-3.88%
161 Town Clerk	\$ 173,520.00	5.10%	\$ 165,103.00	4.92%	\$ 157,365.00	-0.36%	\$ 157,927.00	-6.68%
610 Library	\$ 1,255,725.00	5.72%	\$ 1,187,819.00	3.21%	\$ 1,150,843.00	1.12%	\$ 1,138,042.00	4.05%
Total Fin. Com. Budgets	\$ 1,441,000.00	5.59%	\$ 1,364,677.00	3.31%	\$ 1,320,963.00	0.91%	\$ 1,309,024.00	2.07%
122 Select Board	\$ 524,619.00	13.03%	\$ 464,139.00	5.31%	\$ 440,735.00	5.68%	\$ 417,038.00	4.97%
135 Accountant	\$ 293,716.00	6.27%	\$ 276,391.00	0.72%	\$ 274,410.00	1.16%	\$ 271,275.00	5.17%
141 Board of Assessors	\$ 231,974.00	5.29%	\$ 220,324.00	-0.78%	\$ 222,062.00	2.19%	\$ 217,298.00	4.26%
145 Treasurer	\$ 359,167.00	7.65%	\$ 333,640.00	-0.74%	\$ 336,125.00	6.30%	\$ 316,213.00	-1.16%
151 Law	\$ 175,000.00	2.94%	\$ 170,000.00	7.59%	\$ 158,000.00	14.91%	\$ 137,500.00	3.00%
155 Information Technology	\$ 409,928.00	9.95%	\$ 372,830.00	7.41%	\$ 347,096.00	3.45%	\$ 335,533.00	6.84%
162 Elections & Registrations	\$ 226,996.00	14.78%	\$ 197,763.00	57.08%	\$ 125,902.00	-21.97%	\$ 161,350.00	11.84%
171 Conservation Commission	\$ 148,280.00	13.72%	\$ 130,389.00	-13.36%	\$ 150,488.00	40.96%	\$ 106,760.00	-16.13%
172 Lake Management	\$ 45,000.00	200.00%	\$ 15,000.00	114.29%	\$ 7,000.00	7.69%	\$ 6,500.00	0.00%
175 Planning Board	\$ 59,714.00	30.88%	\$ 45,625.00	28.43%	\$ 35,525.00	39.18%	\$ 25,525.00	74.83%
176 Board of Appeals	\$ 28,000.00	7.69%	\$ 26,000.00	2.77%	\$ 25,300.00	11.45%	\$ 22,700.00	0.61%
195 Town Report	\$ 18,375.00	0.00%	\$ 18,375.00	0.27%	\$ 18,325.00	-0.27%	\$ 18,375.00	2.51%
210 Police	\$ 4,049,355.00	2.30%	\$ 3,958,257.00	3.53%	\$ 3,823,200.00	0.56%	\$ 3,801,887.00	1.38%
220 Fire/Ambulance	\$ 4,252,329.00	5.78%	\$ 4,020,137.00	4.17%	\$ 3,859,102.00	4.00%	\$ 3,710,580.00	1.66%
244 Weights & Measures	\$ 6,373.00	15.56%	\$ 5,515.00	2.68%	\$ 5,371.00	1.30%	\$ 5,302.00	1.30%
249 Animal Inspector	\$ 4,791.00	1.94%	\$ 4,700.00	2.96%	\$ 4,565.00	1.51%	\$ 4,497.00	1.67%
291 Civil Defense	\$ 16,100.00	0.00%	\$ 16,100.00	0.00%	\$ 16,100.00	40.00%	\$ 11,500.00	0.24%
292 Animal Control Officer	\$ 89,643.00	-1.01%	\$ 90,559.00	9.06%	\$ 83,037.00	2.31%	\$ 81,159.00	0.38%
400 Dept. of Public Works	\$ 4,244,633.00	3.04%	\$ 4,119,555.00	2.13%	\$ 4,033,693.00	2.40%	\$ 3,938,997.00	5.50%
510 Board of Health - Services & Admin	\$ 192,823.00	3.51%	\$ 186,282.00	-1.52%	\$ 189,156.00	13.10%	\$ 167,241.00	-25.63%
541 Council on Aging	\$ 278,760.00	-7.33%	\$ 300,807.00	4.00%	\$ 289,239.00	2.43%	\$ 282,379.00	-6.77%
543 Veterans Agent	\$ 69,395.00	24.17%	\$ 55,885.00	-41.02%	\$ 94,748.00	0.34%	\$ 94,431.00	37.04%
544 Veterans Graves	\$ 8,000.00	35.59%	\$ 5,900.00	0.00%	\$ 5,900.00	9.26%	\$ 5,400.00	0.00%
545 Commission on Disability	\$ 500.00	0.00%	\$ 500.00	0.00%	\$ 500.00	0.00%	\$ 500.00	0.00%
630 Recreation	\$ 316,601.00	6.25%	\$ 297,965.00	7.94%	\$ 276,045.00	0.16%	\$ 275,606.00	5.46%
691 Historical Commission	\$ 1,380.00	0.00%	\$ 1,380.00	0.00%	\$ 1,380.00	0.00%	\$ 1,380.00	0.00%
692 Community Celebrations	\$ 8,300.00	13.70%	\$ 7,300.00	0.00%	\$ 7,300.00	0.00%	\$ 7,300.00	0.00%
Total Select Board Budgets	\$ 16,059,752.00	4.68%	\$ 15,341,318.00	3.45%	\$ 14,830,304.00	2.82%	\$ 14,424,226.00	2.50%

Account	FY24 Approp.	% over FY23	FY23 Approp.	% over FY22	FY22 Approp.	% over FY21	FY21 Approp.	% over FY20
310 School Department	\$ 52,395,688.00	5.83%	\$ 49,511,050.00	4.10%	\$ 47,559,430.00	2.87%	\$ 46,234,015.00	2.50%
Total School Department	\$ 52,395,688.00	5.83%	\$ 49,511,050.00	4.10%	\$ 47,559,430.00	2.87%	\$ 46,234,015.00	2.50%
320 Voc Tech School/SER	\$ 363,000.00	13.68%	\$ 319,329.00	33.35%	\$ 239,465.00	37.06%	\$ 174,716.00	-27.20%
321 Voc Tuition/Norfolk Ag. Tuition	\$ 21,560.00	-27.43%	\$ 29,708.00	147.57%	\$ 12,000.00	0.00%	\$ 12,000.00	33.33%
9299 ARC of South Norfolk	\$ 9,916.00	0.00%	\$ 9,916.00	0.00%	\$ 9,916.00	0.00%	\$ 9,916.00	0.00%
132 Reserve Fund	\$ 500,000.00	0.00%	\$ 500,000.00	-37.50%	\$ 800,000.00	60.00%	\$ 500,000.00	0.00%
490 Street Lighting	\$ 224,525.00	-3.66%	\$ 233,048.00	20.72%	\$ 193,048.00	-11.06%	\$ 217,048.00	13.05%
Board of Health -								
511 Waste Removal	\$ 118,000.00	0.00%	\$ 118,000.00	0.00%	\$ 118,000.00	6.79%	\$ 110,500.00	11.06%
694 Marijuana Mitigation	\$ 45,000.00	0.00%	\$ 45,000.00	0.00%	\$ 45,000.00			
710 Debt: Principal	\$ 7,989,264.00	19.61%	\$ 6,679,463.00	1.57%	\$ 6,576,300.00	-1.39%	\$ 6,669,000.00	2.25%
751 Debt Long term: Interest	\$ 4,683,119.00	-3.57%	\$ 4,856,722.00	1.40%	\$ 4,789,799.00	-0.77%	\$ 4,826,850.00	130.28%
914 FICA: Medicare	\$ 820,000.00	5.13%	\$ 780,000.00	0.00%	\$ 780,000.00	0.00%	\$ 780,000.00	6.12%
915 FICA: Social Security	\$ 5,000.00	-50.00%	\$ 10,000.00	0.00%	\$ 10,000.00	0.00%	\$ 10,000.00	-4.76%
920 Insurance	\$ 12,250,600.00	6.61%	\$ 11,490,620.00	3.99%	\$ 11,049,975.00	10.11%	\$ 10,035,605.00	1.87%
Cash Capital								
SPL01 (Already Voted in Article # 15)	\$ 715,000.00	9.66%	\$ 652,021.00	13.96%	\$ 572,152.00	120.06%	\$ 260,000.00	-24.96%
SPL02 Norfolk Retirement	\$ 4,757,158.00	4.38%	\$ 4,557,671.00	7.33%	\$ 4,246,399.00	3.90%	\$ 4,087,106.00	6.37%
SPL03 Unemployment	\$ 75,000.00	0.00%	\$ 75,000.00	-75.00%	\$ 300,000.00	300.00%	\$ 75,000.00	0.00%
SPL04 OPEB Trust	\$ 550,000.00	10.00%	\$ 500,000.00	25.00%	\$ 400,000.00	14.29%	\$ 350,000.00	0.00%
SPL05 Prop. Valuation Svcs	\$ 65,000.00	8.33%	\$ 60,000.00	20.00%	\$ 50,000.00	-9.09%	\$ 55,000.00	10.00%
SPL06 Audit services	\$ 70,000.00	4.48%	\$ 67,000.00	13.56%	\$ 59,000.00	0.00%	\$ 59,000.00	-7.81%
SPL07 Local Arts Council	\$ 5,000.00							
SPL08 Opioid Abatement	\$ 80,000.00							
Total Non-Discretionary Items	\$ 33,347,142.00	7.63%	\$ 30,983,498.00	2.42%	\$ 30,251,054.00	7.15%	\$ 28,231,741.00	12.96%
Town Total (Article # 11)	\$ 103,243,582.00	6.22%	\$ 97,200,543.00	3.45%	\$ 93,961,751.00	4.17%	\$ 90,199,006.00	5.55%
Total GF Budgets	\$ 69,896,440.00	5.56%	\$ 66,217,045.00	3.93%	\$ 63,710,697.00	2.81%	\$ 61,967,265.00	2.49%
Less Non-Discretionary								
450 Water Department	\$ 6,085,309.00	11.30%	\$ 5,467,369.00	17.93%	\$ 4,636,146.00	9.90%	\$ 4,218,324.00	15.97%
Water Dept. - Reserve	\$350,000	75.00%	\$200,000	0.00%	\$200,000	0.00%	\$200,000	0.00%
Total Water Department	\$ 6,435,309.00	13.55%	\$ 5,667,369.00	17.19%	\$ 4,836,146.00	9.46%	\$ 4,418,324.00	15.14%
PEG Access (Cable) Enterprise Fund	\$ 300,000.00	-11.76%	\$ 340,000.00	0.00%	\$ 340,000.00	0.00%	\$ 340,000.00	0.00%

Article 17: Additional Appropriation for Public Library Project

Sponsored by: Sharon Standing Building Committee, Board of Library Trustees

To see if the Town will vote to appropriate an additional sum of money, in addition to the \$18,000,000 previously appropriated, to pay costs of the Sharon Public Library Project; and to determine whether this amount shall be transferred from surplus bond proceeds, transfer from free cash, transfer from stabilization funds, taxation, borrowing, or otherwise, or any combination thereof; or take any other action relative thereto.

FINANCE COMMITTEE RECOMMENDATION:

An affirmative vote under this Article will provide for additional funds in the amount currently estimated \$6,350,000. The history of this project is lengthy and the reason and need for this request is a consequence of the following chronology:

1. 2014-2016 – Four separate Town Meetings approved various stages of the library project.
2. January 10, 2017, the Library Trustees applied for a grant from the Massachusetts Board of Library Commissioners (MBLC).
3. May 6, 2019, the Town of Sharon Annual Town Meeting approved (541 to 118) Article 17 appropriating the sum of \$18,000,000. The voters subsequently approved (2199 to 890) a Prop 2½ override at the next election.
4. July 11, 2019, the MBLC awarded the Town a \$7,485,943 grant.
5. February 6, 2020, the SSBC applied for a demolition permit for the building located at One School Street (no action was ever taken by the building inspector).
6. April 13, 2020, the Sharon Standing Building Committee (SSBC) filed an application with the Zoning Board of Appeals (ZBA).
7. After a public hearing convened on May 13, 2020 and continued to June 10, 2020, and closed on July 8, 2020, the Zoning Board of Appeals, approximately four months later, on November 5, 2020, issued and filed with the Town Clerk its Decision denying the project.
8. The Library Trustees appealed that denial to Land Court on November 24, 2020.
9. Upon the Library Trustees' Motion for Summary Judgment, the Land Court vacated the ZBA's denial and remanded the matter to the ZBA with instructions on September 2, 2021 for the ZBA to reconsider their prior decision.
10. The ZBA held a new public hearing on October 13, 2021, and issued a new decision approving the project on November 18, 2021.
11. Two residents appealed the November 18, 2021 approval.
12. February 17, 2022, the SSBC renewed its application to the Building Department for a demolition permit (no action has been taken by the Town to date, however by virtue of constructive approval or the lapse of the one-year historic moratorium that could have been imposed, the issue is moot and it is reasonable to expect the demolition permit will be issue as requested, pending the appropriation of additional funding).
13. One of the two parties who filed the appeal voluntarily withdrew from the case on July 25, 2022.
14. The Land Court heard the SSBC's motion for summary judgment on the remaining appeal on February 13, 2023, and on March 13, 2023, the Land Court issued its decision finding for the SSBC and dismissing the appellant's complaint. If no appeal is filed by April 13, 2023, the judgment will become final. Permits should then be issued forthwith.

As the Warrant is sent to the printers prior to April 13th it is unknown whether an appeal has been filed at the time of printing.

A review of the chronology clearly indicates that the construction starting date has been delayed for nearly three years, during which there have been cost increases resulting from inflation and supply chain issues.

The budget proposed as part of this Warrant projects the costs of the project from its original anticipated starting date to June of 2023.

The agreement with the Massachusetts Board of Library Commissioners (MBLC), which has provided a grant of \$7,485,943, requires that the SSBC enter into a binding construction contract by June 30, 2023, or the Town will forfeit the MBLC grant and be required to return the amount of \$1,502,279.69 (including \$5,090.69 of interest received to date from the grant total.) The project, under the direction of the SSBC, has incurred costs of \$1,592,507.42 for the normal architectural, civil engineering and other professional fees, most of which would have been the basis for a building contract in 2020 had the project not been the subject of litigation.

To meet the above deadline of June 30, 2023, the SSBC has prepared a schedule which is anticipated to provide a construction bid before the May 1, 2023 Annual Town Meeting from a prequalified contractor which will fit within the updated budget approved by the SSBC of \$24,347,925 (including amounts already spent.) The budget has been prepared by the Owner's Project Manager (OPM) and vetted conceptually with an independent estimator. It has been designed to recognize the inflationary rise in construction pricing and additional other costs incurred since the May 6, 2019 Annual Town Meeting, projected to the anticipated contract date in June 2023.

Despite the open appeal period through April 13th indicated above, the SSBC will continue its schedule to bring to Town Meeting a construction bid that fits within the new budget. If this article is not approved, the likelihood is that the MBLC deadline will not be met and the Town will forfeit the grant of \$7,485,943, be required to repay the \$1,502,279.69 of the grant already received plus interest, and lose the value of \$1,592,507.42 already expended.

The Town would then be left with a structurally deficient building with inadequate space to fit the requested library needs of residents of the Town of Sharon. The Library Trustees would be required to seek an alternative to continue providing library services. With no alternative location available, and the existing structural problems with the building severe enough to require a full remodel to meet current codes and American Disabilities Act (ADA) requirements, it is likely that any alternative would cost more Town of Sharon taxpayer money than the proposed project. In 2019, the architect for the new library opined that it would cost \$11,100,000 in 2019 dollars, estimated to be \$15,000,000 million in today's dollars (not including costs of moving, rental and operating space while old library would be under construction), to correct the structural deficiencies and to bring the current building into compliance and result in a reduction of usable space. Grants are not available for projects that do not fit the needs of the library such as a building with similar or smaller usable space than what we currently have.

The decision is as follows:

1. Seek another, most likely more expensive solution, such as upgrading the current building at a cost to the Town estimated to be in excess of \$15,000,000 (not including costs of moving, rental and operating space while old library would be under construction), with a reduction of space (due to ADA compliance) and no grant monies and also lose the value of the \$1,592,507.42 already expended.
2. Continue to fund the new library with a net rounded cost to the Town of \$16,862,100 (\$24,348,000 less \$7,485,900) built to current standards and providing approximately 29,538 square feet.

Finally, there is one other possibility. There is a group of 10 libraries whose projects are facing the same escalating costs as the Town of Sharon. Legislators for those communities and the MBLC recognize that project costs have escalated because of the unanticipated delays and inflation. The MBLC is collaborating with the legislators from the impacted communities in an effort to obtain additional funding for the library projects to help cover the escalating costs.

Success is not assured but as of the date of this writing there is cautious optimism.

The Select Board will review the construction bid and proposed project budget on April 25 and will make their recommendation at Town Meeting.

The Finance Committee will review the construction bid and project budget on April 26 and will present a recommendation at Town Meeting. Residents can access the link for the virtual meeting by reviewing the agenda here: <https://www.townofsharon.net/node/2025/agenda/2023>.

QUANTUM OF VOTE: **To be determined based on funding sources.**

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

Article 18: Community Preservation Act Annual Funding and Projects

Sponsored by: Community Preservation Committee

To see if the Town will vote to hear and act upon the recommendation of the Community Preservation Committee and to spend or set aside sums of money for administrative costs, open space, historic resources, and community housing, or take any other action relative thereto.

That the Town raise and appropriate the funds as shown in the breakdown below:

APPROPRIATIONS:

Purpose	Recommended Amount	Funding Source
Budget – Salaries	\$5,000	FY 2024 Annual Estimated Revenues
Budget – Expenses	\$15,000	FY 2024 Annual Estimated Revenues

(Community Preservation Committee Annual Funding – To raise and appropriate up to 5% of the Town’s portion of the expected Fiscal Year 2024 Community Preservation Fund Revenues, to permit the Community Preservation Committee to expend funds as it deems necessary for its administrative and operating expenses, in accordance with the provisions of M.G.L. Ch.44B, Sec 6 and amendments thereof.)

DEBT SERVICE:

To see if the Town will raise and appropriate \$361,950 for Rattlesnake Hill (Open Space) project debt service from FY 2024 Annual Estimated Revenues (225,000 Principal + \$136,950 Interest).

RESERVES:

Purpose	Recommended Amount	Funding Source
Historic Preservation – Reservation	\$91,000	FY 2024 Annual Estimated Revenues
Community Housing –Reservation	\$91,000	FY 2024 Annual Estimated Revenues

PROJECTS:

Project	Category	Amount	Funding Source	Description
Lake Massapoag weed & bacteria hazard mitigation	Open Space/ Recreation	\$80,000	Fund Balance Undesignated	Project includes additional testing to support the health and sustainability of the Lake. This is a second phase to monitoring & testing funded in prior year (\$24,500).
Rehabilitation of Water Department Building	Historic	\$426,500	\$100,000 = Fund Balance Historic \$326,500= Fund Balance Undesignated	Project includes extensive rehabilitation of the interior space used to house water department personnel and infrastructure - prior year building assessment (\$70,000) resulted in this estimate and plan. This equates to half of the requested funding – the remainder will come from the Water Retained Earnings or grants, if available.
Moose Hill Cemetery Restoration	Historic	\$50,000	Fund Balance Historic	Project will restore and rehabilitate gravestones and grounds.
Exterior Siding for Sharon Housing Authority	Housing	\$53,642	Fund Balance Housing	Project will re-side one building at Sharon Housing Authority complex located at Hixson Farm Road, as part of a larger \$1M+ project to re-side all buildings.

Or take any other action relative thereto.

FINANCE COMMITTEE RECOMMENDATION:

Approval of this Article would appropriate and reserve the sum of \$1,174,092 from the Town of Sharon's Community Preservation Fund (CPF) as shown above.

The Community Preservation Act (CPA) requires that annually the fund reserve or appropriate 10% of its revenues for each of the prescribed categories – Open Space (including Recreation), Historic Preservation, and Affordable Housing – with the balance to be used in any of the three designated areas. Total CPA fund revenue for FY 2024 is estimated at \$910,000, including the state match, with the balance going into Undesignated Funds that can be applied to any of the three funding categories.

The total of \$792,142 for appropriation/reservations, \$361,950 for debt servicing, and the \$20,000 for administrative expenses represents the allocations described. Any unused amount from administrative expenses is returned to the undesignated fund balance reserved for future project requests.

There were extensive discussions among the members of the Community Preservation Committee (CPC) regarding requests for particularly expensive projects. The members expressed concern that sufficient funds remain available for valuable projects that might be submitted in future years. This concern is particularly highlighted by the annual expense committed to the debt service for the Rattlesnake Hill acquisition.

Members of the Finance Committee expressed disappointment that the CPC had not funded the entire request from the DPW for rehabilitation of the Water Department building. As of this writing, the DPW plans on applying for State or Federal historic preservation grants. Additionally, a request will come to Town Meeting to use funds from the Water Department retained earnings to complete the project. The Community Preservation Committee voted in favor of approval as recorded in the chart below:

Project	Votes		
	For	Against	Abstain
Administrative Expenses – \$20,000	7	0	0
Debt Service Rattlesnake Hill Acquisition – \$373,200	7	0	0
Lake Massapoag Weed and Bacteria Hazard Mitigation – \$80,000	6	0	0
Rehabilitation of Water Department Building – \$853,931 requested, \$426,965.50 funded	4	2	0
Moose Hill Cemetery Restoration – \$50,000	6	0	0
Exterior Siding – Sharon Housing Authority – \$53,642	6	0	0

The Select Board voted 3-0-0 in favor of approval.

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

QUANTUM OF VOTE: Majority vote

MOTIONS: That the Town hear and act upon the recommendation of the Community Preservation Committee as follows: By raising and appropriating the sum of \$20,000 of the Town’s portion of the expected Fiscal Year 2024 Community Preservation Fund revenues, to permit the Community Preservation Committee to expend funds as it deems necessary for its administrative and operating expenses, in accordance with the provisions of M.G.L. Chapter 44B, § 6 and amendments thereof; authorize the Community Preservation appropriate and/or reserve from Fiscal Year 2024 Community Preservation Fund Estimated Revenues the following: \$361,950 for Open Space/Recreation debt service, \$91,000 for Historic Preservation – Reservation and \$91,000 for Community Housing – Reservation.

That the following amounts be appropriated from Community Preservation Fund Balances, with each item considered a separate appropriation: \$80,000 from Fund Balance Undesignated for Lake Massapoag weed and bacteria hazard mitigation; \$426,500 for the rehabilitation of the Water Department building; \$100,000 from Fund Balance Historic and the remainder, \$326,500, from Fund Balance Undesignated; \$50,000 from Fund Balance Historic for the restoration of Moose Hill Cemetery; and \$53,642 from Fund Balance Housing for exterior siding at the Sharon Housing Authority.

Article 19: Citizen Petition: Increase Select Board from Three (3) to Five (5) Members

Sponsored by: Phillip King, 18 Ashcroft Road, and 11 others

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 number of members of the Select Board from three (3) to five (5), 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 Select Board of the Town of Sharon

SECTION 1. Notwithstanding any general or special law to the contrary, there shall be in the town of Sharon a Select Board consisting of five (5) members. The Select Board shall serve as the chief executive officer and policymaking body of the town and have and exercise all the powers and duties vested in boards of selectmen pursuant to the General Laws. Select Board members shall serve for three-year terms with as nearly as possible one-third of the members expiring each year, with no more than two Select Board members' terms to run concurrently.

SECTION 2. At the next annual town election following at least 90 days after the passage date of this act in the General Court, Sections 1, 2 and 3 of this act shall be submitted to the voters of the town of Sharon for acceptance at an annual town election to be held in said town in the form of the following question which shall be placed on the official ballot:

“Shall an act passed by the General Court entitled ‘An Act expanding the Select Board of the town of Sharon be accepted?’”

Below the question shall appear a summary of the act prepared by Town Counsel and approved by the Select Board. If a majority of the votes cast to the question is in the affirmative, sections 1, 2 and 3 of this act shall take effect in the town of Sharon, but not otherwise.

SECTION 3. At the first annual town election after the effective date of this act in the Town of Sharon, one Select Board member in addition to the three members presently serving shall be elected for a three-year term and one additional Select Board member shall be elected for a two-year term. The terms of those members presently serving as Select Board members at the time of the adoption of this act shall be unchanged by adoption of this act.

SECTION 4. This act shall take effect upon its passage.

FINANCE COMMITTEE RECOMMENDATION:

An affirmative vote under this citizen petition would authorize the Select Board to file a Home Rule petition to the General Court of the Commonwealth, seeking the enactment of a special act by which the Select Board would be increased from three members to five.

This initiative was brought before the 2021 Annual Town Meeting and was narrowly defeated by a vote of Yes 73 – No 76. At that time, the Finance Committee voted 10-0-0 to recommend the Article.

During debate on this article in 2021, many voters were reluctant to pass this initiative without reviewing the impact on other By-Laws and considering other changes to the Town government structure. Shortly after that meeting, the Select Board created the Sharon Governance Study Committee with the charge to examine this issue, as well as others, and to recommend improvements to our Town's government. The full report can be found on the Town's website at:

https://www.townofsharon.net/sites/g/files/vyhlf3801/f/uploads/sharongovreport_0.pdf

Potential benefits of a five-member Select Board include: increased representation, diversity, and viewpoints; less likelihood of one member being isolated or dominated by the other two members; a wider range of skills and experience on the Board; increased access and communication between the Select Board and town residents; increased communication with Town committees; increased capacity to establish subcommittees; and increased ability to accommodate member absences which might limit the Board's effectiveness. A five-member board would also eliminate the potential open meeting law violations which could occur when two members of a three-member board meet outside a noticed meeting.

Potential negative effects include meetings might be less efficient with five members and it might be more difficult to reach a consensus. Some believe that the present configuration works well and that unanticipated consequences could result from an unnecessary change.

There are 351 cities and towns in the Commonwealth. Of the towns that do have Select Boards with Open Town Meeting (like the Town of Sharon), 120 towns have select boards with five members, while 143 have select boards with three members. Of towns with representative town meetings, 24 have select boards with five members, and four have select boards with three members. It appears that towns with three board members are typically towns with smaller populations, but this is not always the case. For example, demographically comparable towns such as Hingham, Westwood, Holliston, Medfield, Lynnfield, and Duxbury have select boards with three members. Each of the towns surrounding Sharon (Easton, Foxborough, Mansfield, Norwood, Stoughton and Walpole) have select boards with five members.

By a vote of 7-3-0, the Sharon Governance Study Committee recommended that the Town transition to a five-member Select Board. Comments, excerpted from that report are included below.

Sharon Governance Study Committee — Final Report and Recommendations

https://www.townofsharon.net/sites/g/files/vyhli3801/f/uploads/sharongovreport_0.pdf

After extensive input and discussion, the committee recommends expanding the Select Board to five members for the following reasons.

The Select Board serves as the chief executive authority of Sharon's government and is responsible for ensuring the town runs smoothly, with the assistance of the town administrator. As such, being a member of the Select Board can be a time-consuming role, entailing many public meetings (both of the Select Board and assignments to other public bodies), providing oversight, conducting hiring, making appointments, leading negotiations, and attending public events. Given these responsibilities, the committee felt that expanding the Select Board could help spread these tasks among more members to reduce the time commitment for each member to a manageable level, which would hopefully encourage more people to run for this vital office.

Spreading out responsibility was also considered in relation to the Select Board's quorum requirement for conducting business. With a five-member board, the Select Board's quorum would have three members. In that case, the Select Board could still meet even if two members were absent from a particular meeting, preventing potential delays of town business.

... More members would enable more variety of backgrounds, expertise, and perspectives to be represented. A larger Select Board could better reflect the diversity of residents, while also engendering greater interaction with the community due to the increased capacity of the board.

A concern that not enough candidates would run for a five-seat board was considered. Data from past elections indicated that open seats of the Select Board — occurring when an incumbent did not run for reelection — generally resulted in competitive contests.

The committee also considered results from the town-wide survey. There was significant support — 59% — for expanding the Select Board to five members. In addition, the committee recognized that approximately 60% of towns with between 10,000 and 20,000 residents have five-member select boards. Therefore, the committee recommends that the Select Board be expanded to five members.

Three members of the committee were not persuaded that moving to a five-member Select Board would improve the dynamics of the town's government.

... [These members] argued that the current board size contributed to civil discourse and that yearly rotation of the Select Board chair contributed greatly to the camaraderie of the board. Conversely, they pointed out

instances in surrounding communities where five-member boards suffered from internal disagreements and infighting.

The three members who favor a three-member board felt the Select Board did not need more members to address the town's growing population or provide additional oversight of town business. Select Board members are not administering town work on a day-to-day basis. Those tasks are delegated to the town administrator and department heads and their teams. It is important that the Select Board stay focused on its mission as executive decision-makers and rely on the town staff to manage daily operations and provide the necessary input for the Select Board's decisions as executives.

The Governance Study Committee voted 7-3-0 in favor of approval.

The Select Board voted 2-0-1 in favor of approval.

THE FINANCE COMMITTEE VOTED 10-0-0 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 number of members of the Select Board from three (3) to five (5), all as set forth on page 40 of the Warrant for this Annual Town Meeting; 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.

Article 20: Amend General By-Law: Sharon Standing Building Committee and SSBC Selection Committee Membership; Appropriation and Expenditure of Funds

Sponsored by: Select Board; Sharon Standing Building Committee

To see if the Town will vote to delete Article IV Standing Building Committee, Section 12-11. Establishment; membership; terms, in its entirety and replace it with the below;

§12-11 Establishment; membership; terms

There is hereby established within the Town of Sharon a committee to be known as the "Sharon Standing Building Committee," to be made up of ten (10) regular members. All regular members shall be for terms of three (3) years expiring on December 31 with as nearly as possible one-third of the regular members' terms expiring each year. The terms of those regular members presently serving on the Sharon Standing Building Committee at the time of the adoption of this Article shall be unchanged. In addition, one (1) special member shall be appointed to the Sharon Standing Building Committee by each board or committee which has proposed a project for which the Town assigns said project to the Sharon Standing Building Committee to exercise its responsibilities as set forth in section 12-12. Said special member shall serve for the duration of the project, and shall have duties and responsibilities with respect to that project only. The Sharon Standing Building Committee will hold an organizational meeting each January only after the Standing Building Committee Selection Committee meets and considers appointment of seats expiring each December 31.

The ten (10) regular members shall be appointed by a selection committee to be known as the Standing Building Committee Selection Committee (SBCSC) which shall be comprised of one (1) member or

designee voted by the School Committee, one (1) member or designee voted by the Select Board, one (1) member or designee voted by the Planning Board, one (1) member or designee voted by the Finance Committee, and one (1) member appointed by the Moderator, all for one year terms starting July 1 and expiring June 30. Current members of the Sharon Standing Building Committee are ineligible for appointment to the SBCSC. The Sharon Standing Building Committee shall appoint one additional SBCSC member as an ex officio, advisory member of the SBCSC without a right to vote.

and, further, to amend Article IV Standing Building Committee, and §12-14 Appropriation and expenditure of funds, of the Town's General By-Laws so that the By-Law reads as follows (Bold and underline denotes new language for insertion; bracketed, strikethrough and italicized denotes deleted language); or take any other action related thereto.

§12-14 Appropriation and expenditure of funds.

- A. For projects as defined in § 12-13 for which the Town proposes to ~~*incur bonded debt up to \$500,000*~~ **expend up to \$1,000,000**, funds for the design and construction of a project shall be appropriated to and expended under the direction of the board or committee proposing the project; however, the Standing Building Committee may supervise the construction of said projects at the request of the proposing board or committee.
- B. For all projects as defined in § 12-13 for which the Town proposes to **expend in excess of \$1,000,000** ~~*incur bonded debt in excess of \$500,000*~~, the Standing Building Committee shall exercise its responsibilities as set forth in § 12-12, above.

FINANCE COMMITTEE RECOMMENDATION:

An affirmative action under this Article will amend Section 12-11 of the By-Law (established in 1997) which created the Sharon Standing Building Committee (SSBC) and the Sharon Standing Building Committee Selection Committee (SSBCSC) as follows:

With respect to the Sharon Standing Building Committee (SSBC)

- Change the name from Town Standing Building Committee to Sharon Standing Building Committee (SSBC) which is the name and acronym which has been used for decades.
- Retains the current number of members at 10 with staggered three-year terms so that three members are appointed in each of two years and four members are appointed in the third year. The Finance Committee believes that leaving the number of members at 10 provides the opportunity to include the variety of skills and experience that will enable the SSBC to provide a better building result to the Town than a lesser number.
- Provides that the SSBC shall hold its organizational meeting each January only after the SSBCSC shall have made its appointments for seats expiring the prior December 31st. The intent is to ensure that the election of chair and vice-chair of the SSBC will occur only after new members have been appointed.

With respect to the Sharon Standing Building Selection Committee (SSBCSC)

- Codifies that the building committee will have 10 members appointed by the SSBCSC.
- Codifies that the five members of the selection committee will be comprised of a member or a designee of four appointing committees (Select Board, Planning Board, Finance Committee, School Committee) and one member appointed by the Moderator, and that all members of the selection committee shall serve for a one-year term.
- Codifies that current members of the SSBC are not eligible to be members of the selection committee.

- Provides that a member of the SSBC not subject to appointment in the ensuing year shall be appointed by the SSBC to serve as an ex officio, advisory member of the selection committee without a right to vote.

The article also changes the appropriation threshold of projects to come under the responsibility of the SSBC, and eliminates the requirement that borrowing be the source of funding of a project, so that:

- Projects which the Town proposes to expend \$1,000,000 or less shall be appropriated and expended under the direction of the board or committee proposing the project but SSBC, at the request of the proponent, may supervise such project.
- For projects for which the Town proposes to expend more than \$1,000,000 the SSBC shall exercise its responsibilities as set forth in Section 12-12 of the By-Laws.

The Select Board voted 3-0 in favor of approval.

THE FINANCE COMMITTEE VOTED 9-0-1 IN FAVOR OF APPROVAL.

QUANTUM OF VOTE: **Majority vote**

MOTION: That the Town delete Article IV Standing Building Committee, Section 12-11. Establishment; membership; terms, in its entirety and replace it with the language exactly as printed on page 42 through 43 of the Warrant for this Annual Town Meeting, with the exception of the phrase “or take any other action related thereto” and amend Article IV Standing Building Committee, and §12-14 Appropriation and expenditure of funds, of the Town’s General By-Laws so that the By-Law reads as follows:

§12-14 Appropriation and expenditure of funds.

- A. For projects as defined in § 12-13 for which the Town proposes to expend up to \$1,000,000, funds for the design and construction of a project shall be appropriated to and expended under the direction of the board or committee proposing the project; however, the Standing Building Committee may supervise the construction of said projects at the request of the proposing board or committee.

For all projects as defined in § 12-13 for which the Town proposes to expend in excess of \$1,000,000, the Standing Building Committee shall exercise its responsibilities as set forth in § 12-12, above.

Article 21: **Amend General By-Laws: Finance Committee and Nominating Committee of the Finance Committee**

Sponsored by: *Finance Committee*

To see if the Town will vote to amend Article III Finance Committee, §12-6 Nominations; composition; terms; §12-7 Meetings; filling of vacancies; §12-8 Information to Committee; §12-9 Review of Town Meeting Warrant; §12-10 Notice of Selection of the Town’s General By-Laws so that the By-Law reads as follows (Bold and underline denotes new language for insertion; bracketed, strikethrough and italicized denotes deleted language); or take any other action related thereto.

§ 12-6. Nomination; Composition; Terms

- A. It shall be the duty of the Moderator to present to the voters for approval or other appropriate action at each annual Town Meeting the names of five (5) voters who will act as a Nominating Committee for filling expiring terms and vacancies of the Finance Committee during the ensuing year. The Moderator may fill any vacancy on the Nominating Committee created by the resignation of a member prior to the expiration of ~~his or her~~ **their** term. **The Moderator shall not present to Town Meeting or fill any vacancy with a then-serving member of the Finance Committee. At its organization meeting held after Annual Town Meeting each year, the Finance Committee shall vote to appoint an ex officio, non-voting, advisory member of the Nominating Committee. Any Finance Committee member whose term is expiring during the ensuing year shall not be eligible to serve.**
- B. **After being so constituted, the Nominating Committee shall solicit and consider all submitted application to serve on the Finance Committee. At the next Annual Town Meeting, the Nominating Committee shall present nominees to the voters for approval or other appropriate action to fill some or all of the expiring terms and vacancies on the Finance Committee.**
- C. The Finance Committee shall consist of **eleven (11)** ~~not less than six and not more than 12~~ registered voters of the Town. Members of the Finance Committee shall serve staggered three-year (3) terms such that the terms of approximately **one-third** (1/3) of the members shall expire after each Annual Town Meeting. **Members shall serve without pay.**

§ 12-7. Meetings; filling of vacancies.

The Finance Committee shall meet at the call of the Town Clerk within two **(2)** weeks after each Annual Town Meeting for purposes of organization and the election of a Chairperson, Vice-Chairperson or -persons and a Clerk. In the event the Town Clerk fails to issue the call, any member of the Finance Committee may do so. The Committee shall meet thereafter from time to time, as it deems advisable, and shall keep a true record of all proceedings. The Finance Committee shall have the power to fill vacancies on the Committee by vote, such candidates to be presented by the Nominating Committee, an attested copy of which shall be sent by the Clerk of the Committee to the Town Clerk. Any member so appointed by the Finance Committee shall serve thereon until the next Annual Town Meeting.

§12-8. Information to Committee.

It shall be the duty of the Finance Committee to inform themselves as to those affairs and interests of the Town, **in particular budgets and those other matters to be** ~~which is~~ generally included in the warrants for ~~its~~ **the Annual Town Meeting or any Special** Town Meetings.

In gathering information to report to voters, relative to an article, the Finance Committee shall meet with the party or parties that proposed the article and concurrently with others who want to comment thereon. ~~and the~~ Officers of the Town shall, upon ~~their~~ request, furnish the Finance Committee with facts, figures, and any other information pertaining to their ~~several~~ departments~~;~~~~provided however, that any such information may be withheld when~~. **If** in **their** opinion ~~of~~ the officer, or board of officers ~~so requested~~, **believe that** ~~the~~ **open** communication **of any requested information** ~~might~~ **may** affect injuriously the interests of the Town, **said opinion shall be communicated to the Chair of the Finance Committee. The contents of said information may then be discussed, if appropriate, in an executive session, convened and conducted pursuant to the Massachusetts Open Meeting Law, at a meeting of the Finance Committee.**

§ 12-9. Review of Town Meeting Warrant; Reports.

- A. The Finance Committee shall consider all articles in the warrant for all Town Meetings (including, with respect to each member of the Finance Committee, the articles in the warrant for the Annual Town Meeting after which such member's term expires) and shall report in print ~~{prior}~~ to ~~{all such}~~ **the Town Meeting[s] [the Committee's estimates and recommendations for the] recommended actions it deems to be in the best interests of the Town,** together with the **Finance** Committee's reasons therefor. The **Finance** Committee shall cause such report to be mailed or otherwise delivered to every residence at least seven **(7)** days before each Town Meeting.
- B. The Finance Committee shall prepare the following schedules, with appropriate input from the Board of Assessors, **Finance Director, and Capital Outlay Committee** for inclusion in the warrant of each Annual Town Meeting.
- 1) A comparative computation of the tax rate showing the actual computation for the then-current year and the estimated calculation for the next year;
 - 2) A comparative schedule of receipts and available funds for the same periods as above;
 - 3) A schedule of reserve fund transfers; **and,**
 - 4) **A schedule of five-year capital improvement program for the Town, which shall include the construction and reconstruction of capital assets (such as municipal buildings, recreational facilities, roads and landfills) and acquisition of land, equipment and vehicles and other personal property, and shall make recommendations to the appropriate authorities proposed such improvements.**
- C. **If the Finance Committee's report on any article exceeds fifty (50) words in length, excepting an article which requests approval of the Town's itemized, omnibus operating budget or capital items budget for the ensuing fiscal year, then that report on said article shall include a summary of reasons favoring the article that were considered by the Finance Committee in its deliberations and a separate summary of reasons disfavoring the article that were considered by the Finance Committee in its deliberations.**
- D. **The Finance Committee shall also make an annual report which shall be published as part of the Annual Town Report. The report shall include recommended initiatives regarding the finances of the Town and actions the Committee deems to be necessary and appropriate.**

§ 12-10. Notice of Selection.

It shall be the duty of the Town Clerk to immediately notify in writing persons elected or appointed to the Finance Committee pursuant to the above provisions, such notice to state the business upon which members of the Finance Committee are to act.

FINANCE COMMITTEE RECOMMENDATION:

An affirmative vote under this Article would amend the existing Town By-Law with the following new language. Recommendations are included after each section's changes.

The proposed changes to § 12-6 are made to avoid any appearance of conflict of interest which could arise by allowing members of the Finance Committee to select new members while still maintaining a presence in the nomination selection process. The majority of the Finance Committee were of the opinion that these changes would avoid any conflict of interest. A dissenting view was offered by members of the Finance

Committee Nominating Committee and shared by a member of The Finance Committee. They felt that the representative of the Finance Committee should be a full voting member and not ex-officio. They say the existing practice has served the process well and should not be changed.

In addition, the proposed amendment would fix the number of members at 11 and make clear there is no compensation for members. Current By-Law allows a range of 6 to 12 members to serve. In practice, the number has been set by policy of the Nominating Committee at 11. This change will bring the Finance Committee in alignment with all other Town boards and committees whose number of members is fixed. The statement of no compensation was added to reinforce the notion of avoidance of financial conflict of interest.

The primary duty of the Finance Committee is to make recommendations to Town Meeting on all matters to be voted, particularly budgets. These changes to § 12-8 would add clarifying language to the information gathering duties of the Finance Committee and codify the best practices that have been used, when necessary, to allow the Committee to hear and consider information in a timely manner without injuriously affecting the interests of the Town. For example, the Committee has used this vehicle to keep apprised of salary negotiations, costs related to pending litigation, or the possible need to fund unbudgeted, extraordinary, and unforeseen expenses.

Changes in § 12-9 are (1) addition of “Finance Director” and “Capital Outlay Committee” to reflect their assistance in preparation of the named addendums to the warrant, and (2) “a schedule of a five-year capital improvement program for the Town” to be added to the Annual Town Meeting warrant. This schedule will inform voters about future capital needs and corresponding requests when making decisions about current ones.

In addition, this amendment would codify the Finance Committees practice of including minority opinions in their recommendations, and codify the Finance Committee practice of contributing to the Town Annual Report, reviewing prior year issues and initiatives it deems necessary and appropriate to consider in coming years.

Part of the charge of the Sharon Government Study Committee was to evaluate the specific duties of the Finance Committee in relation to warrant articles and fiscal oversight and make recommendations as to the adequacy and appropriateness of current practice. By a vote of 10-0-0, their report included the following recommendation: Make no change to the specific duties, fiscal oversight responsibilities, or name of the Finance Committee. Their comments, excerpted from that report, are included below. On a parallel path, the Finance Committee undertook a review of state laws and current Town By-Laws to recommend By-Law amendments that would clarify our role, responsibilities and codify our practices. This article is a result of that undertaking.

Sharon Governance Study Committee — Final Report and Recommendations:
Finance Committee (Page 28)

https://www.townofsharon.net/sites/g/files/vyhlf3801/f/uploads/sharongovreport_0.pdf

The role of the Finance Committee (FinCom) is to oversee the town's annual budget and make recommendations regarding warrant articles for Town Meeting. Making these recommendations is an important role and should not change. The governance committee recommends no change to the FinCom's name, as the name accurately describes its financial work.

The governance committee also recommends no change to how the FinCom's members are appointed. The FinCom is constituted through a unique process. To begin the process, the elected town moderator appoints members to the Nominating Committee of the Finance Committee. The Nominating Committee vets FinCom

nominees in interviews and by reviewing qualifications. The Nominating Committee then puts forth a slate of members for election at Town Meeting, where those candidacies are voted on.

The committee agreed that the final ratification at Town Meeting is an important step in the process, as the FinCom functions as part of the legislative branch of Sharon’s government, independent from the executive branch. Therefore, the committee does not recommend changing the process for appointing members of the FinCom.

The Select Board voted 3-0-0 in favor of approval.

THE FINANCE COMMITTEE VOTED 9-1-1 IN FAVOR OF APPROVAL.

QUANTUM OF VOTE: Majority vote

MOTION: That the Town amend Article III Finance Committee, §12-6 Nominations; composition; terms; §12-7 Meetings; filling of vacancies; §12-8 Information to Committee; §12-9 Review of Town Meeting Warrant; §12-10 Notice of Selection of the Town’s General By-Laws so that the By-Law reads exactly as printed on pages 44 through 46 of the Warrant for this Annual Town Meeting, excepting the bracketed, strikethrough and italicized language and the words “or take any other action related thereto.”

Article 22: Long-Term Lease Authorization for Middle School Parking, DPW Parking and DPW Rooftop Solar Projects

Sponsored by: Select Board/School Committee

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, and a battery energy system as appropriate, 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
Middle School – Parking Lot	75 Mountain Street
DPW – Parking Lot	217R South Main Street

DPW – Rooftop	217R South Main Street
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FINANCE COMMITTEE RECOMMENDATION:

An affirmative vote under this Article would authorize the Town of Sharon and/or the School Committee to enter into lease agreements not to exceed thirty (30) years with Solect Energy Development, LLC (SOLECT), which would allow for the installation of solar photovoltaic energy facilities (canopy style solar panels or roof top solar panels), in the Middle School parking lot and DPW parking lot and rooftop and to enter into associated easement agreements, power purchase agreements and “payment in lieu of tax” (PILOT) agreements.

It further allows the Select Board and/or School Committee to enter into power purchase agreements with SOLECT, who is operating similar installations in Heights Elementary School and has a contract for Sharon High School. The total expected savings over the lease period are estimated to be roughly \$500,000 compared to grid delivered electricity pricing. The new installations will provide approximately 36% of needed electricity supply for the Middle School, with opportunities to enhance the installation to provide additional savings and electricity.

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 3-0-0 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, and a battery energy system as appropriate, 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.

Middle School Parking Lot, 75 Mountain Street; DPW Parking Lot, 217R South Main Street and DPW Rooftop, 217R South Main Street.

Article 23: Amend General By-Law: Reduce the Term of Planning Board Length from Five (5) Years to Three (3) Years

Sponsored by: Select Board

To see if the Town will vote to amend Section 12-20 of the General By-Laws of the Town of Sharon in order to change the length of term of an elected Planning Board member from five (5) years to three (3) years, as provided for in MGL c. 41, §81A by deleting the existing Section 12-20 in its entirety and replacing it with the below:

§12-20 Establishment; authority; terms

A Planning Board is established under the provisions of MGL c. 41, § 81A, with all the powers and duties therein and in any existing bylaws of the Town, to consist of five members to be elected as follows: duly elected or appointed, and current, Planning Board members shall fulfill their existing five (5) year terms, and any Planning Board member elected after the adoption of this article will serve a three (3) year term, and so arranged that the term of at least one member, but not more than two members, will expire each year. Any appointments to the Planning Board for a vacated seat shall fulfill the term of the seat vacated.

Or take any other action relative thereto.

FINANCE COMMITTEE RECOMMENDATION:

An affirmative vote under this Article would amend Town By-Law to reduce the term of Planning Board members from five years to three for all future board members. Sitting board members will serve out existing terms. With five members, rather than having one seat up for election each year, there would be either one or two seats up every year.

Term duration is a topic that the Planning Board requested the Governance Study Committee to address. The Planning Board noted the challenge of attracting candidates willing to commit to a five-year term. Struggling to find fresh faces on a yearly basis, the last contested election was in 2011. No other town elected office has a five-year duration. State law currently provides for a term of either three or five years.

The following is an excerpt from the Governance Study Report, which garnered an 8-0-1 recommendation in favor of this change.

Sharon Governance Study Committee — Final Report and Recommendations

https://www.townofsharon.net/sites/g/files/vyhlf3801/f/uploads/sharongovreport_0.pdf

The committee also considered the length of terms for Planning Board members, currently set at five years. This is a major commitment for any individual, and the length stands in contrast to the three-year terms served by other elected town officials. The explanation for five-year terms has traditionally been that Planning Board members need a longer time to learn the nuances of the planning process. Moreover, larger development projects can take years to complete and require a stable board membership to complete legal requirements.

The current Planning Board chairman acknowledged that five-year terms may better enable members to take part in an entire planning cycle. But he said the longer commitment creates its own set of problems – making

it difficult to find and retain quality candidates for the panel. Further, most matters before the board are relatively short-term, routine, and can be handled by members serving three-year terms.

Improvements to Sharon's permitting process will increase the likelihood that projects can complete the process within the term of existing Planning Board members. Given these improvements, the committee feels that a three-year term is viable and could help encourage more people to run for this office.

On March 16, 2023, the Planning Board voted 3-1-0 in favor of approval, with one member absent, in favor of term reduction. The dissenting vote doubted that a reduction in term length would materially improve participation and felt that longer terms are still important to match the longer planning cycles of large projects.

The Select Board voted 3-0-0 in favor of approval.

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

QUANTUM OF VOTE: Majority vote

MOTION: That the Town amend Section 12-20 of the General By-Laws of the Town of Sharon in order to change the length of term of an elected Planning Board member from five (5) years to three (3) years, as provided for in MGL c. 41, §81A by deleting the existing Section 12-20 in its entirety and replacing it with the below:

§12-20 Establishment; authority; terms

A Planning Board is established under the provisions of MGL c. 41, § 81A, with all the powers and duties therein and in any existing bylaws of the Town, to consist of five members to be elected as follows: duly elected or appointed, and current, Planning Board members shall fulfill their existing five (5) year terms, and any Planning Board member elected after the adoption of this article will serve a three (3) year term, and so arranged that the term of at least one member, but not more than two members, will expire each year. Any appointments to the Planning Board for a vacated seat shall fulfill the term of the seat vacated.

Article 24: Eliminate Personnel By-Law

Sponsored by: Select Board

To see if the Town will vote to delete the Personnel By-Law of the Town of Sharon in its entirety; or take any other action relative thereto.

FINANCE COMMITTEE RECOMMENDATION:

If approved, action under this Article would authorize the Town of Sharon to eliminate the Personnel By-Laws, transferring its sole authority and responsibilities to the Select Board.

The Finance Committee is divided on their recommendation to Town Meeting on this article. The majority opinion supports a defeat of this article and amending the current text with necessary updates. That could be undertaken for the 2024 Annual Town Meeting if approval of this article fails. Those who hold the minority opinion believe in the arguments below for elimination of the By-Law. The majority believes that it is more prudent to update the text and out of date language provisions of the current By-Law and retain the essential oversight responsibilities of an independent Personnel Board.

When the Personnel Board was first established in the late 1950s, the Town had neither a Town Administrator or staff assigned to perform human resources tasks. The Personnel Board was originally created to serve as a liaison between department heads, committees, and boards to address personnel matters. However, the Town now employs a full-time Town Administrator and has staff assigned with human resources tasks. Today, the responsibilities of the Personnel Board, for practical purposes, is to sponsor and make recommendations to Town Meeting on adoption or amendment of various personnel articles and adjustments to the salary schedules and to make changes to job descriptions. The Personnel Board has historically acted on the Town Administrator's recommendations and the Select Board can certainly take on this function as needed and appropriate. Supervisory positions are in place, with staff who are trained to handle employment, labor, data, and meeting laws. This type of experience and daily involvement in personnel matters was simply nonexistent when the Personnel Board was created.

The Personnel By-Law has not been amended since the mid-1980's. It contains numerous inconsistencies and outdated provisions. It still refers to affirmative action, doesn't recognize the Americans with Disabilities Act of 1992 (ADA), Family & Medical Leave (FMLA) laws, changes in wage and hour laws, or best practices in public human resources management.

Public personnel administration involves a strong working knowledge of several personnel related laws including the Fair Labor Standards Act, ADA, FMLA, confidentiality and privacy laws, the Age Discrimination in Employment Act (ADEA), as well as an understanding of the public benefits statute (MGL c32B), public retirement statute (MGL c32) and the collective bargaining statute (MGL c150E). As employment laws are changing constantly, we need to be mindful about the Town's potential exposure to liability in this area. Many of the provisions should be removed, drastically amended, or could be replaced with best practice policies approved by the Select Board to apply to all Town employees. The dynamic nature of managing human capital requires the flexibility and agility of Select Board action to amend policies rather than relying on the more tedious process of amending By-Laws at Town Meeting.

The major tasks of the Personnel Board include executive group salary surveys, rating job descriptions based on a 2002 classification manual for placement in pay tables and reviewing the executive group performance evaluations for consistent and fair application of the evaluation instrument. However, job descriptions are typically drafted by departments, and most are reviewed and edited by the Town Administrator's office before being sent to the Personnel Board for rating. Salary survey data is compiled and provided to the Board for review and approval. Oversight of the administration of performance reviews, along with approving salaries and job descriptions, could be performed by the Select Board. Some have argued that the Select Board doesn't have the time to take on these duties, despite the likelihood of a move to increase the size of the governing board to five members by spring 2025.

Critics of the proposal have cited the lack of a plan to handle the workload of the Personnel Board if the By-Law is deleted. There is already in the works a plan to replace certain sections of the existing By-Law with appropriate human resource policies approved by the Select Board. These policies could be crafted to address any matters not covered by the Town's nine (9) collective bargaining agreements. The vast majority of Town employees are covered under collective bargaining agreements, and those who are not (approximately 15 out of 155 employees), including the executive group, will be covered by policies and employment agreements.

Finally, nothing precludes the Select Board from creating and appointing a human resources advisory committee to handle rating of job descriptions and oversight of the fairness of administration of performance evaluations. An advisory committee would address the governance issue of having the moderator appoint the five-member Personnel Board rather than the Select Board, which is responsible for all general government employees. The School Committee has jurisdiction on human resource matters for its employees and its actions are not subject to oversight by the Personnel Board.

Statement by the Personnel Board:

By a vote of 0-4, the Personnel Board recommends against the elimination of the Personnel By-Law.

The Personnel Board was established to ensure that town employees, excepting School Department and elected officials, would receive fair compensation, appropriate job classifications, and be supported by appropriate regulations. The primary reason presented for disbanding the Personnel Board is that there has been a trend in comparable nearby communities to move to a town employee-led human resource function. Most would agree that in order to remain current, compliant and competitive our employment policies and practices require frequent and ongoing review. Without a doubt, the Personnel Board would benefit greatly from having access to someone experienced in overseeing personnel matters on an as needed basis, especially to ensure the town remains current with labor laws.

However, disbanding the Board would remove the biggest benefits of citizen oversight. The Personnel Board has oversight of salary ranges for the town's management team and job classifications for new or updated positions in the town. This oversight not only ensures equity in these areas but provides a level of fiscal responsibility with regards to the town's largest expense, employee compensation.

The Personnel Board sets salary ranges for executive employees and has established a mechanism for increasing those salaries on an annual basis. The board re-assess these ranges every few years to ensure that we remain competitive with surrounding and comparable communities. Though modification of these procedures is possible when circumstances warrant, a careful review of supporting data and thoughtful deliberation occurs first. In addition, the Personnel Board reviews all Executive Performance Reviews to ensure that Merit increases are allocated equitably. Though a time-consuming process, this review is necessary to ensure that all employees are treated fairly.

Another reason given for eliminating the Personnel Board was an inability to attract citizens with human resources expertise. At present, we have a full board. Though many boards and committees may face problems filling vacancies with qualified individuals, our Personnel Board has the good fortune to attract them. It is rare that any vacancy on the Board lasts for more than a few months.

Two members of the Board hold or have held a designation as a Senior Professional in Human Resources (SPHR) from the Society of Human Resource Management (SHRM). One member has 43 years of experience working in Human Resource Management. Another member practiced employment law for several years representing a particular client on six continents. These members bring a wealth of knowledge and experience in employment-related matters. At times when a particular issue may arise with a need for specific expertise, the Personnel Board would benefit from the assistance of a human resource professional consultant.

In addition, three members of the Personnel Board previously held positions on other town Boards and Committees, two serving as chair of the Finance Committee. These residents bring with them a wealth of knowledge and experience in town governance.

For the reasons stated above the Personnel Board believes that its role in oversight is an important service to the Town and should be retained.

Excerpts from the Sharon Governance Study Committee —
Final Report and Recommendations (Page 21)

https://www.townofsharon.net/sites/g/files/vyhlif3801/f/uploads/sharongovreport_0.pdf

By a vote of 5-2-1, the Sharon Governance Study Committee recommended that Sharon disband its Personnel Board and replace it with professional staff. Comments, excerpted from that report, are included below.

Majority Opinion: Dissolve the Personnel Board

Decades ago, communities throughout Massachusetts formed personnel boards to provide oversight to town governments that were ill-equipped to manage their labor issues. Relatively few local governments in the

mid-20th century were led by professional town administrators or managers. Over time, though, trained municipal leadership became the norm. Towns increasingly appointed administrators and other staff professionals with human resources expertise, making personnel boards less relevant. Sharon, like other towns, has found it difficult to recruit personnel board members with applicable experience. As a result, here and elsewhere, vacancies have gone unfilled for prolonged periods, limiting the boards' effectiveness.

The committee sought to learn from the best practices of other towns. Neighbors such as Walpole and peer communities including Duxbury have recently dropped their personnel boards. The text of Duxbury's resolution to dissolve its board is instructive. Human resources "is an area that has required in-house professionalization due to its increasing complexity," it says. "The Personnel Board currently serves in an advisory capacity and is a vestige of governance prior to the creation of the Town Manager position." The Sharon Personnel Board has faced many of the same challenges as those of other towns. Given the board's membership struggles and the limited scope of its responsibilities, the committee therefore recommends disbanding the Personnel Board. While we recognize additional costs may arise from this recommendation, the committee believes that having these duties handled by professional staff would be beneficial.

Minority Opinion: Retain the Personnel Board

Two members of the committee were not persuaded that the Personnel Board should be disbanded. The Personnel Board was established to ensure that town employees, excepting School Department and elected officials, would receive fair compensation, appropriate job classifications, and be supported by appropriate regulations.

The primary reason presented for disbanding the Personnel Board is that there has been a trend in comparable nearby communities to move to a town employee-led human resource function. Without a doubt, having a town employee with experience in overseeing personnel matters would be desirable, especially to ensure the town remains current with labor laws.

However, moving in this direction would remove the biggest benefits of a citizen oversight board. Those benefits are derived from the Personnel Board's oversight of such items as salary ranges for the town's management team and job classifications for new or updated positions in the town. This oversight not only ensures equity in these areas but also provides a level of fiscal responsibility with regards to the costs incurred by the town's biggest spending category, employee salaries.

Finally, the Personnel Board itself believes that the board should continue in its current role. The value of the Personnel Board would be improved with assistance from a human resource professional, either serving as a full-time staff member or a consultant when particular issues arise. As with any additional support, additional costs would be incurred.

For the reasons above, a minority of the Governance Study Committee believes that the Board provides an important service to the Town and should be retained.

The Personnel Board voted 0-4 against approval, with one member absent.

The Select Board voted 2-1 in favor of approval.

THE FINANCE COMMITTEE VOTED 4-7-0 AGAINST APPROVAL.

QUANTUM OF VOTE: Majority vote

MOTION: That the Town delete the Personnel By-Law of the Town of Sharon in its entirety.

Article 25: Amend Personnel By-Law: Amend List of Holidays

Sponsored by: Select Board, Personnel Board

To see if the Town will vote to amend Section 7-3 h) of the Personnel By-Law by renaming “Columbus Day” to “Indigenous Peoples’ Day; and

To see if the Town will vote to amend Section 7-3 h) of the Personnel By-Law by adding “Juneteenth Independence Day.”

Or take any other action relative thereto.

FINANCE COMMITTEE RECOMMENDATION:

If approved, action under this Article would amend the Personnel By-Laws, changing the holiday currently known as Columbus Day to Indigenous Peoples’ Day and add Juneteenth Independence Day (June 19) as a legal holiday.

To rename “Columbus Day” to “Indigenous Peoples’ Day

Because the second Monday of October is one of the stated holidays in the Town’s Personnel By-Laws, action by Town Meeting is necessary. On February 3, 2021, the Diversity, Equity & Inclusion Committee (DEIC) presented their advisory opinion to the School Committee regarding the name change and the School Committee voted unanimously to change the name of the holiday on the district’s calendar. On May 25, 2021, the DEIC presented their opinion to the Select Board. Several people attending the meeting made arguments both for and against taking this action. On June 8, 2021, the Select Board voted unanimously to approve a proclamation replacing the Columbus Day holiday, traditionally observed on the second Monday in October, with Indigenous Peoples’ Day. The Governance Study Committee also recommended to the Select Board that the Town designate the second Monday in October Indigenous Peoples’ Day instead of Columbus Day.

Twenty-four states still observe Columbus Day as an official holiday. Eleven states and the District of Columbia observe the second Monday in October as Indigenous Peoples’ Day; six other states celebrate Native Americans on a different day. Although bills have been filed in the Massachusetts Legislature to switch from Columbus Day to Indigenous Peoples’ Day, the Legislature did not bring forth any bill for a vote before the session ended at the end of calendar year 2022.

According to Indigenous Peoples’ Day MA, a coalition of organizations and individuals working for this change in Massachusetts, twenty-five communities across the Commonwealth have adopted Indigenous Peoples’ Day in place of Columbus Day.

To add Juneteenth Independence Day

In 2020, the Commonwealth of Massachusetts recognized Juneteenth Independence Day (June 19) as a state holiday. The US government recognized it as a federal holiday in 2021. Accordingly, Section 7-3 h) of the Personnel By-Law should be amended to include Juneteenth as a twelfth paid holiday. This addition would reflect acknowledgement that the Town is in compliance with state law which requires all towns to observe state holidays.

On March 8, 2023, the Personnel Board held a public hearing, in accordance with Section 17-1, Amendments, of the Personnel By-Law to consider revisions to Section 7-3, Holidays, as outlined above.

The Finance Committee agrees that these changes to the Personnel By-Law are appropriate. If Article 24 passes, the personnel By-Law will have been deleted and therefore not subject to amendment. In that

occurrence, the motion on this Article 25 will be to indefinitely postpone. These changes could then be accomplished by vote of the Select Board.

To rename “Columbus Day” to “Indigenous Peoples’ Day”:

The Personnel Board voted 1-3-0 in favor of approval, with one member absent.

The Select Board voted 3-0-0 in favor of approval.

THE FINANCE COMMITTEE VOTED 10-1-0 IN FAVOR OF APPROVAL

To add “Juneteenth Independence Day”:

The Personnel Board voted 4-0-0 in favor of approval, with one member absent.

The Select Board voted 3-0-0 in favor of approval.

THE FINANCE COMMITTEE VOTED 11-0-0 IN FAVOR OF APPROVAL

QUANTUM OF VOTE: Majority vote

MOTIONS: That the Town amend Section 7-3 h) of the Personnel By-Law by renaming “Columbus Day” to “Indigenous Peoples’ Day”.

That the Town amend Section 7-3 h) of the Personnel By-Law by adding “Juneteenth Independence Day.”

Article 26: Amend Zoning By-Law: Add Short-Term Rental By-Law

Sponsored by: Planning Board

To see if the Town will vote to amend the Zoning By-Laws of the Town of Sharon by inserting a new section into the Zoning By-Laws regarding Short-term rentals. The new section of the Zoning By-Laws will read as follows:

3.5 SHORT-TERM RENTALS.

3.5.1 Purpose. The purpose of this chapter is to protect the health, safety, and welfare of both the occupant(s) of short-term rental housing units and the general public and to maintain the quality of life in residential neighborhoods. Furthermore, this bylaw is intended to provide for the orderly operation of short-term rentals within the Town and prevent negative impacts on neighborhood character, housing availability, house prices, availability of long-term rental units, and impacts on infrastructure services such as septic systems, parking, access, fire codes, building code enforcement and snow removal. These regulations are also intended to assist the Board of Health, the Building Department, and the Fire Department in the enforcement of state and local health and safety laws and regulations related to short-term rental units and to provide a method for correcting violations when conditions require immediate attention in situations associated with Short-Term Rentals.

3.5.2 Short-term rental registration. Registration is required.

1. No owner shall rent, or offer to rent, any Short-Term Rental before registering with the Sharon Building Department. No tenant or lessee of an Owner shall let or sub-let a Short-Term Rental unless the Owner consents in writing.

a. Where a Short-Term Rental Unit is part of a condominium association, the applicant must be able to provide a signed statement that states that the operation of a Short-Term Rental is not prohibited by condominium documents, bylaws, or other governing

documents. The applicant must also submit a copy of the condo agreement to prove their claim.

2. Compliance. A dwelling used as a Short-term Rental shall at all times comply with the provisions of all state and local health and safety laws, bylaws and regulations, including, but not limited to; Chapter 190 Noise, the Fair Housing Act, G.L. c. 151B, and local equivalents and regulations related thereto, and all other regulations applicable to residential dwellings, except as specifically set forth otherwise herein.

3. Application Required. The Owner of the dwelling shall be required to complete a Sharon Short-Term Rental registration application with the Sharon Building Department. The Applicant shall also provide proof each Short-Term Rental is registered with the Massachusetts Department of Revenue.

4. The Sharon Building Department shall, per the above sections, issue a certificate of registration which shall expire on the following September 1, provided that the certificate shall be renewed every three years.

5. Registration Renewal. Short-term rental registrations shall be renewed every three years and include submission of a new application and payment of the renewal fee, prior to scheduled inspection by the Sharon Building, Health and Fire Departments.

6. Fees. The fee for a Short-term rental registration or a renewal of a registration shall be \$200.

7. Non-Transferability. Short-term rental registrations shall be granted solely to an Owner and shall not be transferable or assigned to any other person, legal entity, or address. The registration does not run with the property; it shall be terminated upon the sale or transfer of the property for which the registration has been issued.

3.5.3 Publication of registration number. The Town-issued registration number shall be included on any listing offering the Short-term Rental for rent and displayed on the certificate of registration on the premises.

3.5.4 Contact information of owner, operator, and/or operator's agent.

1. An Owner of a Short-term Rental shall provide the Sharon Building Department with their current residential address and telephone number upon application for Registration.

2. If the Owner is a corporation, the name, address, and telephone number of the president and legal representative of the corporation shall be provided. If the Owner is a realty trust or partnership, the name, address, and telephone numbers of the managing trustee or partner shall be provided.

3. The name and contact information of the Operator must be provided, along with the name and contact information of an Operator's Agent, if different from the Operator, who can respond in person to any issues or emergencies that arise during occupancy within one (1) hour of contact by Sharon Inspector of Buildings to complaints regarding the condition or operation of the Short-term Rental. Contact information must include a telephone number that is available 24 hours per day, 7 days a week to Short-term Rental Occupants and the above-stated public safety agencies. This contact information shall be included in the application for a Short-term Rental Registration and shall be posted conspicuously within the rental unit.

3.5.5 Posting of notices. The Town shall provide information to each registered Operator summarizing the regulations for Short-term rentals. For each Short-term Rental Registration issued, this will include, but

shall not be limited to: the name and 24-hour contact information of the Operator or Operator's Agent designated in the application, requirements for trash removal, occupancy requirements, parking, and noise restrictions. The Operator shall:

1. Provide each occupant with a copy of the provided information; and
2. Post the information, along with the Short-term Rental Registration, in a conspicuous location within the Short-term Rental.
3. Post a diagram indicating the location of all fire extinguishers, gas shut-off valves, fire exits, and fire alarms inside the Short-term Rental Unit, as well as in the building, and evacuation route(s) highlighted in red. The diagram shall be posted in a conspicuous location.

3.5.6 Specific standards of short-term rental properties.

1. **Trash Removal.** The Short-term Rental Operator shall be responsible for ensuring that household trash is removed from the premises immediately after Occupancy is concluded or once per week, whichever is more frequent.
2. **Parking.** On-site parking of one space per Short-term Rental bedroom.
3. Commercial meetings and uses are prohibited in Short-term Rentals.
4. Each Short-term Rental shall contain functional smoke detectors and carbon monoxide alarms. In addition, the Operator shall provide and maintain one 2.5 lb. multi-purpose, ABC fire extinguisher on each floor.

3.5.7 Occupancy requirements. The maximum number of Occupants in a Short-Term Rental shall be two per bedroom.

3.5.8 Keeping of register. The Operator or Operator's Agent shall be responsible for keeping a register containing the name of the Occupant who is the leaseholder, the total number of occupants, and dates of occupancy. The register shall be retained for a period of two (2) years.

3.5.9 Ineligible units. The following are not eligible to be rented or offered to rent as Short-term Rentals:

1. Dwellings designated as below market rate or income-restricted, that are subject to affordability covenants, or that are otherwise subject to housing or rental assistance under local, state, or federal law;
2. Accessory Dwelling Units;
3. Dwellings subject to any requirement of local, state, or federal law that prohibits the leasing or subleasing of the unit or use of the unit as a Short-Term Rental;
4. Dwellings that are the subject of any outstanding building, sanitary, zoning, or fire code violations, orders of abatement, stop work orders, unsafe orders, or cease and desist orders.
5. Units in arrears regarding any municipal or state taxes, fines, or fees.
6. Recreational vehicles (RVs).
7. Boats and boathouses.

8. Tiny homes that are built on a mobile platform or that are not the primary structure in the lot.
9. Any other dwelling that is not the primary structure.

3.5.10 Failure to pay municipal taxes, fees, assessments, and charges. The privilege of receiving or holding a Short-term Rental Registration is contingent upon the timely payment of municipal and district taxes, fees, assessments, and charges. Failure of a Person to comply with this requirement shall be the cause, after notice and hearing pursuant to the requirements of M.G.L. c. 40, § 57, for denial, suspension, amendment, or revocation of a Short-Term Rental Registration for any property in which the person holds a direct or indirect ownership interest, as above defined.

3.5.11 Inspections. Short-term Rentals shall be subject to a mandatory initial inspection and thereafter inspections every three (3) years by the Sharon Inspector of Buildings, Fire Department, Health Department, or other duly authorized authority from the Town.

3.5.12 Complaint process, violations.

1. Complaint. A complaint alleging that a Short-term Rental violates this Chapter or any applicable law, code, or regulation may be filed with the Sharon Inspector of Buildings. The complaint must contain the Short-term Rental address, unit number, date and nature of the alleged violation(s), and name and contact information of the complainant.

a. Noise complaints and parking issues will be addressed on a case-by-case basis by the Sharon Police Department.

b. Any complaints made to the Sharon Police Department shall be shared with the Inspector of Buildings upon request.

2. Written notice of any violations of this chapter shall be treated as a complaint and may also be initiated by the Inspector of Buildings. The notice shall specify the nature of the violation to the Occupant and Owner and the time within which compliance must be achieved. The requirements of this subsection shall be satisfied by mailing such notice, through the United States Postal Service by certified mail, or by delivering in hand such notice as memorialized by an affidavit of any Town employee or officer authorized to serve any form of process notice to the Owner or legal representative named on the registration application.

3. Any notice required or contemplated by this chapter shall be deemed sufficient if delivered to or mailed to the mailing address listed by the owner on the Short-term Rental Registration application then on file with the Sharon Building Department. A written change-of-address notice signed by the Owner/s and delivered to the Sharon Building Department may be filed at any time.

4. Review of Complaint. The Inspector of Buildings shall investigate the complaint(s) within a reasonable timeframe and shall determine whether there may be a violation. If the alleged violation is under the jurisdiction of another city or state or federal agency, the Inspector of Buildings shall refer the complaint to such agency for further action. Upon a finding of a potential violation, the Inspector of Buildings or designee shall serve notice of the violation upon the Owner of the Short-term Rental. The Inspector of Buildings shall keep records of all complaints received and determinations made.

5. Offering an Ineligible Unit as a Short-term Rental. Any person who offers a unit as a Short-term Rental, where such unit is not an eligible Dwelling Unit or is not registered, may be fined in accordance with the fine schedule herein on a per violation per day basis. Each day's failure to comply with a notice of violation or any other order shall constitute a separate violation. The Inspector of Buildings or a designee may also seek an injunction from a court of competent jurisdiction prohibiting the offering of the unit as a Short-term Rental.

6. Failure to Obtain a Registration. Any person who offers an eligible Dwelling Unit as a Short-term Rental without a valid Short-term Rental Registration, or any person who offers an eligible Dwelling Unit as a Short-term Rental while the unit's registration is suspended, may be fined in accordance with the fine schedule herein on a per violation per day basis. Each day's failure to comply with a notice of violation or any other order shall constitute a separate violation.

7. Failure to Comply with Notice of Violation. Any person who fails to comply with any notice of violation or other order issued pursuant to this section by the Commissioner or a designee for a violation of any provision of this section may be fined in accordance with the fine schedule herein on a per violation per day basis. Each day's failure to comply with a notice of violation or any other order shall constitute a separate violation.

8. Right to Hearing. A person upon whom a notice of violation has been served may request a hearing by filing a written petition requesting a hearing on the matter with the Sharon Building Department within fourteen days after the day the notice of violation was served. Upon receipt of a petition for a hearing, the Inspector of Buildings shall notify the complainant of the place, date, and time of the hearing. The hearing shall be conducted by the Zoning Board of Appeals and shall occur no later than six (6) weeks after the date the Sharon Building Department receives the petition for hearing. The time period in which violations must be remedied shall be stated upon receipt of the petition for a hearing until such time as the hearing is held and the Zoning Board of Appeals has issued a decision.

9. Decision. Within seven (7) days after the conclusion of the hearing, the Inspector of Buildings or designee shall sustain, modify, or withdraw the notice of violation and shall inform the person upon whom a notice of violation has been served, in writing, of its decision and the reasons therefor. If the Sharon Building Department sustains or modifies the notice of violation, said violation shall be remedied within the time period allotted as issued or in the modification.

10. Violations of an unoccupied dwelling shall be corrected prior to occupancy. Violations found in an occupied dwelling shall be corrected within the time specified as determined by the Inspector of Buildings.

11. If a written petition for a hearing is not filed within fourteen (14) days after the notice of violation has been served, or if, after a hearing, the notice of violation has been sustained in any part, each day's failure to comply with the notice of violation within the time allotted as issued or modified shall constitute a separate violation.

3.5.13 Registration suspension, modification, and revocation. In addition to, and not in lieu of, the penalties that may be assessed pursuant to this chapter, the Sharon Inspector of Buildings, after notice and public hearing, may suspend, revoke or modify any or all registration approvals issued hereunder to an Owner for violation of these regulations or of any conditions imposed by the Sharon Inspector of Buildings, notwithstanding that a violation may have been found with respect to one or more, but not all of the registered properties held by an owner. These remedies shall be non-exclusive.

3.5.14 Judicial appeals. Any person aggrieved by a final decision of the Zoning Board of Appeals and Sharon Inspector of Buildings with respect to a notice of violation or any other order issued under this section may seek relief therefrom in any court of competent jurisdiction.

3.5.15 Penalties. If any Occupant, Operator, or Owner violates any provision of this chapter, the Owner may be subject to a fine in accordance with the following: \$300 1st Offense, \$500 2nd Offense, and each subsequent offense. Each day that a violation exists constitutes a separate offense.

3.5.16 Enforcement. The Town may enforce the provisions of this chapter by any or all of the following: the noncriminal disposition process of M.G.L. c. 40, s. 21D; by seeking to restrain a violation by injunction; and by filing a complaint in any court of competent jurisdiction.

3.5.17 Regulations. The Sharon Inspector of Buildings may adopt regulations, policies and procedures for the implementation of this Section.

3.5.18 Severability. Each provision of this Section shall be construed as separate. If any part of this Section shall be held invalid for any reason, the remainder shall continue in full force and effect. In the event of a conflict between this Section and any other Section or Chapter of the General Code of Sharon, this Section 3.5 shall control.

3.5.19 Annual reporting. The Town Administrator shall publish annually in the Town of Sharon Annual Report the statistical data relating to Short-term Rentals.

3.5.20 Room occupancy excise and community fees. Short-term rentals subject to the provisions of this bylaw are subject to the Room Occupancy Excise under G.L. c.64G and short-term rental community impact surcharge.

3.5.21 Liability. Nothing in this bylaw shall be construed to make the Town responsible for compliance with or enforcement of a lease, condominium by-laws, or other governing documents, or any contract or agreement to which the Town is not a party.

3.5.22 Requirements. Short-Term Rentals shall comply with all applicable federal, state, and local laws, regulations and codes.

And, further, to see if the Town will vote to amend Section 11 of the Zoning By-Laws of the Town of Sharon by adding the following applicable definitions applicable to Section 11.

Definitions to add to Section 11: Definitions

Short-term rentals: For the purposes of Section 3.5, the following definitions shall apply:

Bed and breakfast: A bed and breakfast establishment is a private owner-occupied house where 4 or more rooms are rented, a breakfast is included in the rent and all accommodations are reserved in advance. A bed and breakfast establishment, as defined above, requires registration with DOR. A bed and breakfast home is defined as a private owner-occupied house where not more than 3 rooms are rented, a breakfast is included in the rent and all accommodations are reserved in advance. A bed and breakfast home is not subject to tax. Registration with DOR is not required.

Building department: The Building Department of the Town of Sharon.

Commercial meetings: A meeting in which a group of people comes together to discuss business issues with the intent to make a profit, or any gathering in which the intent is the purchase or sale of goods or services which results in profit for one or all the involved parties.

Dwelling: Any building or area in a building used or intended for use for human habitation, including, but not limited to, apartments, condominiums, cottages, guesthouses, one-, two- or multiple-unit residential buildings, and rooming houses, but not including any licensed facility.

Front yard: The area between the roadway and the part of the structure nearest to the roadway.

Liability insurance: An owner must have liability insurance that complies with M.G.L. c. 175 § 4F.

Licensed facility: Any facility licensed under any state or local laws or regulations other than those registered under this chapter.

Occupant (guest): Any individual residing overnight in a short-term rental.

Occupant: Anyone residing overnight in a dwelling.

Operator (host): Any Person or entity operating a short-term rental.

Operator's agent: A Person who, on behalf of an operator of a short-term rental: (i) manages the operation or upkeep of a property offered for rent; or (ii) books reservations at a property offered for rent. An "operator's agent" shall include, but not be limited to, a property manager, property management company or real estate agent.

Owner: Any person who alone or severally with others has legal title to any dwelling, dwelling unit, rooming unit or parcel of land, vacant or otherwise; mortgagee in possession; or agent, trustee or other person appointed by the courts.

Person: Any individual, partnership, corporation, firm, association, or group including a governmental unit other than the Town of Sharon or any of its agencies.

Short-term rental: An occupied property that is not a hotel, motel, lodging house, or bed and breakfast establishment, where at least one room or unit is rented out by an operator through the use of advance reservations, for a fee, for a period of not more than thirty-one (31) consecutive calendar days. A short-term rental includes an apartment, house, cottage, and condominium. It does not include property that is rented out through tenancies at will or month-to-month leases. It also does not include time-share property or bed and breakfast homes (see definition of bed and breakfast). Massachusetts Department of Revenue (DOR) registration of short-term rentals is required.

Or take any other action related thereto.

FINANCE COMMITTEE RECOMMENDATION:

An affirmative vote on this Article would amend SECTION 3.0 USE REGULATIONS of the Sharon Zoning By-Law – May 2, 2022 by adding a new SECTION 3.5 governing the type, registration, inspection, and operation of residential properties (other than hotels, motels, lodging houses, and bed and breakfast homes and establishments), which are rented through the use of advance reservations for a fee and for a period of not more than 31 consecutive days. The new short-term rental By-Law would ensure that the

operators of short-term rental properties (1) comply with applicable state and local laws, regulations, and By-Laws, including but not limited to those pertaining to health, safety, and nondiscrimination; (2) register with both the Massachusetts Department of Revenue (DOR) and the Sharon Building Division; and (3) collect and remit both state and local occupancy taxes.

Short-term rentals are already subject to registration with the DOR and to the payment of state and local room occupancy excise taxes. Sharon's room occupancy excise tax (currently 6%) has applied to short-term rentals since July 1, 2019. The DOR collects both the state and local room occupancy excise taxes and pays the Town its portion quarterly.

As permitted under Massachusetts law (G.L. c. 64G, § 14) the new short-term rental bylaw would regulate short-term rental operators registered with the DOR Without reiterating all its provisions, the new short-term rental By-Law would include the following provisions:

- Establish the Building Division's registration process
- Provide for inspections by the Fire Department, Health Department, and Inspector of Buildings
- Set a short-term rental registration fee and the schedule of registration renewal
- Require posting of notifications and safety information within short-term rental properties
- Establish operating standards pertaining to occupancy limits, fire safety, trash removal, parking, etc.
- Proscribe ineligibility of certain types of dwelling units and process for enforcement, complaints, violations, hearings, decisions, appeals, and penalties.

The Planning Board voted 4-0-0 in favor of approval.

The Select Board voted 3-0-0 in favor of approval.

THE FINANCE COMMITTEE VOTED 9-0-2 IN FAVOR OF APPROVAL.

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

MOTION: That the Town amend the Zoning By-Laws of the Town of Sharon by inserting a new section into the Zoning By-Laws regarding Short-term rentals, exactly as printed on pages 56 through 62 of the Warrant for this Annual Town Meeting, with the exception of the words "Or take any other action related thereto."

Article 27: **Amend Zoning By-Law: Accessory Dwelling Units**

Sponsored by: *Planning Board*

To see if the Town will vote to amend Section 8.1 the Zoning By-Laws of the Town of Sharon, regarding Accessory Dwelling Units, so that it reads as follows (Bold and underlined denotes new language for insertion; bracketed, strikethrough and italicized denotes deleted language):

8.1 ACCESSORY DWELLING UNITS (ADU).

8.1.1 ~~[Purpose.]~~ Definition of an ADU: ~~[The purpose of this Section is to:]~~ A secondary residential unit, complete with its own sleeping, cooking and sanitary facilities, that is attached or a part of the primary structure of a single-family dwelling unit, or a structure accessory thereto but functions as a separate unit.

1. ~~[Provide small additional dwelling units to rent without adding to the number of buildings in the Town or substantially altering the appearance of the Town;~~
2. ~~Provide alternative housing options for elder residents and small families; and~~
3. ~~Enable owners of single family dwellings larger than required for their present needs to share space and the burdens of home ownership.]~~

8.1.2 Procedures. Accessory dwelling units may be allowed ~~as of~~ **by-right** in a ~~n~~ ~~existing~~ principal dwelling or in a ~~n~~ ~~existing~~ detached structure on the same lot, provided that each of the following additional conditions are met **for a building permit.**

8.1.3 Conditions.

1. A plot plan of the ~~existing~~ dwelling unit and proposed accessory dwelling unit shall be submitted to the Inspector of Buildings, showing the location of the building on the lot, the proposed accessory dwelling unit, location of any septic system and required parking. ~~A mortgage inspection survey shall be sufficient to meet this requirement]~~ **certified plot plan, stamped by a Professional Land Surveyor registered in the State of Massachusetts, is required.**
2. An affidavit shall be provided stating that one of the two dwelling units shall be occupied by the owner of the property, except for bona fide temporary absence, ~~2. A second affidavit shall be provided stating that the other dwelling unit shall be leased or occupied by a person in the owner's family or a caretaker for the owner's family. The principal dwelling unit and the ADU shall remain forever in the same ownership]~~ **and stating the ADU will not be leased or rented.**
3. Not more than one accessory dwelling unit may be established on a lot. The accessory dwelling unit shall not be served by any separate utility meter.
4. The accessory dwelling unit shall not be larger in floor area than 50% of the habitable floor area of the principal dwelling, or 900 square feet, whichever is smaller.
5. **The proposed ADU must meet the district's primary structure zoning dimensional requirements, except conversion to an ADU of a free-standing accessory structure existing prior to May 2, 2022 will be subject to the dimensional requirements for an accessory structure. For any Structures existing prior to May 2, 2022, demolition, addition and reconstruction will be considered new construction subject to this by-law.** ~~[The external appearance of the structure in which the accessory apartment is to be located shall not be significantly altered from the appearance of a single family structure or accessory structure thereto. "Significantly altered" shall mean no increase in gross floor area greater than 10% shall be allowed.]~~
6. **All parking to be off-street on a designated driveway. There shall be not more than one driveway or curb cut providing access to the dwelling units, except for half circular or horseshoe driveways, located in the front of the primary dwelling unit.** ~~[Sufficient and appropriate space for at least one (1) additional parking space, when necessary and feasible, shall be constructed on site by the owner to serve the accessory dwelling unit. Said parking space shall be constructed of materials consistent with the~~

~~existing driveway and shall have vehicular access to the driveway. Pervious payment is preferred.~~

8.1.4 Decision. A building permit for an accessory dwelling unit may be granted by the Inspector of Buildings. Exterior appearance of a dwelling with an ADU shall be designed so that the appearance of the structure remains that of a single-family dwelling, subject to the following conditions and requirements:

- 1. All stairways to second or third stories shall be enclosed within the exterior walls of the dwelling**
- 2. Any new entrance shall be located on the side or in the rear of the dwelling**
- 3. Where there are two or more existing entrances on the front facade of a dwelling, if modifications are made to any entrance, the result shall be that one appears to be the principal entrance and the other entrances appear to be secondary**

8.1.5 Special Permits. Any deviation from the conditions set forth in Section 8.1.3 will require a special permit from the Zoning Board of Appeals. A special permit for an accessory dwelling unit may only be granted by the Zoning Board of Appeals upon a finding that the construction and occupancy of the accessory dwelling unit will not be detrimental to the neighborhood in which the subject property is located and after consideration of the factors set forth in Section 10.5 of this bylaw.

Or take any other action related thereto.

FINANCE COMMITTEE RECOMMENDATION:

An affirmative vote under this Article would amend SECTION 8.1 ACCESSORY DWELLING UNITS (ADU) of the Sharon Zoning By-Law – May 2, 2022 by restating it in its entirety. The amendment would define an accessory dwelling unit as “a secondary residential unit, complete with its own sleeping, cooking and sanitary facilities, that is attached or part of the primary structure of a single-family dwelling unit, or a structure accessory thereto but functions as a separate unit.”

The proposed amendment of Section 8.1 would continue to allow an accessory dwelling unit (ADU) by-right and would set forth certain conditions that must be met for the issuance of a building permit to establish an ADU. The significant modifications, include the following:

- Owner’s submission of a certified plot plan.
- Owner’s execution of an affidavit stating (1) that the owner will occupy either the principal residential unit or the accessory dwelling unit without limiting (as the existing by-law does) the relationship among the owners and occupants of the principal dwelling and the ADU); and (2) that the ADU will not be leased or rented.
- The requirement that the proposed accessory dwelling unit meet the district’s primary structure dimensional requirements, except that conversion of free-standing accessory structure existing prior to May 2, 2022 to an accessory dwelling unit will be subject to the dimensional requirements applicable to accessory structures so long as such conversion of any accessory structure existing prior to May 2, 2022 does not entail demolition, addition, or reconstruction.
- The requirement that all parking be off-street on a designated driveway, subject to certain curb cut limits.
- Requirements with respect to the construction or modification of entrances and stairways to ensure that the principal residential structure containing an ADU would retain the appearance of a single-family dwelling.

Any deviation from the amendment's listed conditions would necessitate seeking a Special Permit from the Zoning Board of Appeals.

The Planning Board recommends this amendment to the Town's Zoning By-Law to facilitate the development of accessory dwelling units and to clarify the conditions that must be met to obtain a building permit or Special Permit. Toward this end, the proposed amendment would delete the requirement that there be a familial or caregiving relationship among the property's owners and other occupants of the principal dwelling and its ADU. The proposed amendment would retain the requirements that there be a limitation on the size of the ADU and that there be no separate utility meter(s) for the ADU.

The Massachusetts Housing Choice Legislation, Chapter 358 of the Acts of 2020, defined accessory dwelling units and modified the state's zoning law to make it easier for municipalities to allow them by-right. State agencies, including the Executive Office of Housing and Community Development and the Executive Office of Energy and Environmental Affairs, have called attention to the role that accessory dwelling units may play in mitigating the state's housing shortage and environmental threats. Massachusetts municipalities remain empowered to impose restrictions on accessory dwelling units which include, but are not limited to, specifying a maximum ADU size, requiring owner-occupancy of the principal structure or ADU, setting the maximum number of ADU occupants and/or the maximum number of ADUs allowed in the municipality, delineating the relationship among occupants and owners of the principal dwelling and ADU, and barring the lease or rental of the ADU.

Numerous other cities and towns in Eastern Massachusetts have adopted zoning by-laws governing accessory dwelling units. These by-laws vary significantly with respect to conditions specified for allowance of accessory dwelling units and the degree to which ADUs and their occupants may be regulated and restricted. For example, these nearby communities' ADU by-laws differ materially with respect to whether they:

- Allow ADUs by-right (or only by Special Permit).
- Prescribe the relationship that must exist between the property owner and ADU occupants (and even limit the ADU occupant's age).
- Limit the number of an ADU's occupants.
- Limit the number of ADUs in the municipality.
- Require the issuance and subsequent renewals of ADU occupancy permits.
- Require a particular number of on-site parking spaces.
- Prohibit the rental of ADUs.
- Prohibit detached ADUs.

The proposed amendment would distinguish the Town of Sharon's approach to the establishment of accessory dwelling units as permissive in terms of allowing ADUs by-right, refraining from prescribing the relationship among the property's owners and occupants of the principal dwelling and ADU, allowing detached ADUs, and setting no limits on the number of ADUs in town. Members of the Planning Board were not unanimous in supporting deletion of the requirement that any occupant of the principal dwelling and the ADU be either a family member or a caregiver for the family. Opposition to deleting the restrictions on who may occupy a principal dwelling and its ADU stemmed from concerns about blurring the distinction between single and multi-family dwellings.

The proposed amendment would be more restrictive than some other municipalities' ADU by-laws in terms of its prohibition on the lease or rental of ADUs. Given that an accessory dwelling unit is established either within a single-family residence or in an accessory structure on the site of a single-family residence, the Planning Board determined that prohibiting the rental of an ADU would be key to ensuring that the presence of an ADU within or on the site of a single-family home does not have the effect of converting the property

to a multi-family residence. In the course of the Planning Board’s deliberations, some residents noted that accessory dwelling units often are established to accommodate the property owners’ changing family circumstances and that such families commonly share the burden of living expenses; accordingly, those residents are concerned that the proposed amendment’s ADU rental prohibition would proscribe such family cost sharing. Other residents noted that some property owners may require rental income from an accessory dwelling unit to continue being able to afford living in their homes.

When the Finance Committee discussed whether to recommend approval of this Article’s amendment of the zoning by-law, some members of the committee expressed strong opposition to the provision which would prohibit the lease or rental of an ADU. In addition to the concerns already expressed by some residents, these members of the Finance Committee feel that the prohibition would diminish the contribution which ADUs in Sharon potentially would make toward mitigating the region’s housing shortage. Acknowledging some members’ strong opposition to this one element of the proposed amendment, the Finance Committee voted to recommend approval of this amendment because generally it would facilitate property owners’ establishment of accessory dwelling units, particularly by eliminating the current requirement that a familial or caregiving relationship exist among the occupants of the principal residential structure and the ADU.

The Planning Board voted 3-1-0 in favor of approval.

The Select Board voted 3-0-0 in favor of approval.

THE FINANCE COMMITTEE VOTED 10-0-1 IN FAVOR OF APPROVAL.

QUANTUM OF VOTE: **Majority vote**

MOTION: That the Town amend Section 8.1 the Zoning By-Laws of the Town of Sharon, regarding Accessory Dwelling Units exactly as printed on pages 63 through 65 of the Warrant for this Annual Town Meeting, excepting the bracketed, strikethrough and italicized language, and the words “or take any other action related thereto.”

Article 28: **Amend Zoning By-Law: Update Solar By-Law**

Sponsor: *Planning Board*

To see if the Town will vote to amend Section 7.7 the Zoning By-Laws of the Town of Sharon, regarding Solar Energy Systems, by deleting the existing Section 7.7 in its entirety and replacing it with the below:

7.7 SOLAR PHOTOVOLTAIC INSTALLATIONS.

7.7.1 Purpose. The purpose of this Section is to authorize and regulate solar photovoltaic installations by providing standards for the placement, design, construction, operation, monitoring, modification and removal of such installations such that these standards address public safety, minimize impacts on scenic, natural and historic resources. It is understood that the intent is to provide guidance to facilitate safe and successful installations with clear review standards and provide adequate financial assurance for the eventual decommissioning of such installations for municipal projects when deemed necessary by Section 7.7.19.

7.7.2 Applicability. This Section applies to all solar photovoltaic installations, as defined herein, proposed to be constructed after the effective date of this Section. This Section also pertains to physical modifications that materially alter the type, configuration, or size of these installations or related equipment.

7.7.3 Definitions.

Solar Photovoltaic Installation (SPI): For the purposes of Section 7.7, the following definitions shall apply:

Ground-Mounted Solar Photovoltaic Installation (GSPI): All ground-mounted solar photovoltaic installations, including solar photovoltaic installations on new canopies constructed for the principal purpose of supporting such installation.

Rated Nameplate Capacity: The maximum rated output of electric power production of the Photovoltaic system in Direct Current (DC).

Solar Canopies: A Canopy is any device, fixed or retractable, of any material, which extends over or otherwise covers a sidewalk, courtyard, walkway, eating area, driveway, parking lot, building or other area or space whether that area or space is intended for pedestrians, vehicles or other purposes.

Solar Energy: Radiant energy received from the sun that can be collected in the form of heat or light by a solar collector.

Solar Energy System, Ground-Mounted: A Solar Energy System that is structurally mounted to the ground and is not roof-mounted; may be of any size (small-, medium- or large-scale) and includes solar canopies.

Solar Energy System, Small-Scale: A Solar Energy System that occupies 1,750 square feet of surface area or less (equivalent to a rated nameplate capacity of about 10 kW DC or less).

Solar Energy System, Medium-Scale: A Solar Energy System that occupies more than 1,750 but less than 40,000 square feet of surface area (equivalent to a rated nameplate capacity of about 11 - 249 kW DC).

Solar Energy System, Large-Scale: A Solar Energy System that occupies more than 40,000 square feet of surface area (equivalent to a rated nameplate capacity of about 250kW DC or greater).

Solar Energy System, Roof-Mounted: A Solar Energy System that is structurally mounted to the roof of a building or structure; may be of any size (small-, medium- or large-scale). Note that all Roof-Mounted Solar Energy Systems are allowed subject to full-compliance with all applicable State Building Code and local zoning regulations.

7.7.4 USE REGULATION TABLE

	Rural-1 Rural-2	Suburban 1, 2 Professional A, B	Single Res. A&B	Business A, B, C, D	Light Industrial	Municipal
PRINCIPAL USE						
Medium-Scale Ground-Mounted or Ground-Mounted Canopy Solar Energy System	SPR	SPR	SPR	SPR	Y	Y
Large-Scale Ground-Mounted or Ground-Mounted Canopy Solar Energy System	SPR	SPR	SPR	SPR	SPR	SPR
Roof-Mounted Solar Energy System	Y	Y	Y	Y	Y	Y
ACCESSORY USE						
Roof-Mounted Solar Energy System	Y	Y	Y	Y	Y	Y
Small-Scale Ground-Mounted Solar Energy System	Y	Y	Y	Y	Y	Y
Medium-Scale Ground-Mounted or Canopy Solar Energy System	SPR	SPR	SPR	SPR	SPR	SPR
Large-Scale Ground-Mounted or Canopy Solar Energy System	SPR	SPR	SPR	SPR	SPR	SPR

Solar Use Tables: Y = Allowed N = Prohibited SPR = Site Plan Review

7.7.5 Dimensional and Density Requirements. The GSPI shall meet the dimensional requirements of this Section:

1. **Principal Structure Setback:** A principal structure GSPI shall be set back from the rear and side property lines consistent with the applicable regulations for the zoning district or districts it lies within. The front setback for solar canopies shall be equal to the height of the canopy for municipally-owned properties. All other GSPI's must meet the front setback requirements for principal uses in the zoning district they lie within.
2. **Accessory Structure Setback:** Accessory structure GSPIs shall be set back from the rear and side property lines consistent with the applicable regulations for the zoning district it lies within. Accessory structure GSPIs cannot be located in front of the primary structure on or within the required front setback for the zone it lies within, whichever is more restrictive, except on municipally-owned properties. The front setback for solar canopies shall be equal to the height of the canopy for municipally-owned properties All such accessory structures, including but not limited to, equipment shelters, storage facilities, transformers, substations shall be architecturally compatible with each other and shall be landscaped and screened from view by vegetation, located underground, or behind berms, and/or clustered to minimize visual impacts.

Height

1.0 Ground Mounted Solar: 20 feet for all GSPIs.

1.1 Exemptions

1.1.1 Mechanical equipment and appurtenances necessary to the operation or maintenance of the building or structure itself, including chimneys, ventilators, plumbing vent stacks, cooling towers, water tanks, broadcasting and television antennae and roof-mounted solar energy systems.

7.7.6 Compliance with Laws, By-laws and Regulations. The construction and operation of SPI shall be consistent with all applicable local, state and federal requirements, including but not limited to all applicable safety, environmental, Wetlands Protection Act, construction, electrical, and communications requirements. All buildings and fixtures forming part of a solar photovoltaic installation shall be constructed in accordance with the State and/or Local Building Code. No SPI shall be constructed, installed or modified without a building permit.

7.7.7 Site Plan Approval Required. Large and Medium SPI shall be constructed, installed, used and modified in conformity with a site plan approved by the Planning Board in accordance with Section 7.7.8 of this Bylaw and the further requirements set forth herein. All plans and maps shall be prepared, stamped and signed by a Professional Engineer and a Professional Land Surveyor, licensed to practice in the Commonwealth of Massachusetts.

7.7.8 Contents. The applicant shall provide a site plan containing the following information and all other information listed below:

1. Property lines and physical features, including structures and roads, for the project site signed and certified by a Professional Land Surveyor licensed to practice in the Commonwealth of Massachusetts.
2. Proposed changes to the landscape of the site, grading, vegetation clearing and planting, wetlands, and wetland buffers, Stormwater Pollution Prevention Plan (SWPPP), existing and proposed utilities, exterior lighting, site drainage, screening vegetation or structures.
3. Blueprints or drawings of the solar photovoltaic installation signed by a Professional Engineer licensed to practice in the Commonwealth of Massachusetts showing the proposed layout of the system and any potential shading from nearby structures.
4. The applicant provide the Planning Board with a copy of the application for an interconnection provided to the local distribution utility (Eversource or National Grid) and provide evidence of approval from the utility when granted. One- or three-line electrical diagram detailing the solar photovoltaic installation, associated components, and electrical interconnection methods, with all Massachusetts Electric Code (527 CMR 12.00) compliant disconnects and overcurrent devices.
5. Documentation of the major system components to be used, including the photovoltaic panels, mounting system, battery energy storage system and inverter;
6. Name, address, and contact information for proposed system installer;

7. Name, address, phone number and signature of the project proponent, as well as all co-proponents or property owners, if any.
8. The name, contact information and signature of any agents representing the project proponent.
9. How land clearing and construction shall be performed in accordance with this By-law and the General By-laws governing storm water discharges, provision for handling toxic or hazardous materials, and post-construction storm water runoff, proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, screening vegetation or structures. Note that land clearing requires a Stormwater Pollution Prevention Plan, as delineated in the General By-Laws of the Town of Sharon. If wetlands or resource areas are present on the lot, identification of resource area limits and associated buffers shall be required.
10. Documentation of actual or prospective access and control of the project site.
11. An operation and maintenance plan for the stormwater system, any infrastructure on the site and the overall site including landscaping, fencing and other site features.;
12. Zoning district designation and flood zone designation for the parcel(s) of land comprising the project site (submission of a copy of a zoning map with the parcel(s) identified is suitable for this purpose).
13. Proof of liability insurance written by companies licensed to provide such insurance in Massachusetts and with coverage limits at commercially acceptable levels.
14. Description of financial surety that satisfies Section 7.7.19. It is understood that the intent is to provide guidance to facilitate safe and successful installations with clear review standards and provide adequate financial assurance for the eventual decommissioning of such installations for municipal projects.
15. Public outreach plan, including a project development timeline, which indicates how the project proponent will meet the required site plan approval notification procedures and otherwise inform abutters and the community.
16. No large-scale solar photovoltaic installation (SPI) shall be constructed until evidence has been given to the site plan review authority that the utility company that operates the electrical grid where the installation is to be located has been informed of the solar photovoltaic installation owner's or operator's intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.
17. The project proponent shall submit documentation of actual or prospective access and control of the project site sufficient to allow for construction and operation of the proposed solar photovoltaic installation.

The Planning Board may require additional information, data or evidence as it deems necessary pursuant to the site plan approval process, or may waive documentary requirements as it deems appropriate.

7.7.9 Professional Review. The Planning Board may engage, at the applicant's expense, professional and technical consultants, including legal counsel, to assist the Board with its review of the application, in accordance with the requirements of M.G.L. c. 44, s. 53G. The Board may direct the applicant to deposit

funds with the Board for such review at the time the application is accepted, and to add additional funds as needed upon notice. Failure to comply with this section shall be good grounds for denying the application. Upon approval of the application, any excess amount in the account attributable to that project, including any interest accrued, shall be repaid to the applicant.

7.7.10 Site Control. The project proponent shall submit documentation of actual or prospective access and control of the project site sufficient to allow for construction and operation of the large or medium SPI.

7.7.11 Operation and Maintenance Plan. The project proponent shall submit a plan for the operation and maintenance of the SPI, which shall include measures for maintaining safe access to the installation, storm water controls, snow removal, waste removal and general procedures for operational maintenance of the installation. Note that land clearing requires a Stormwater Pollution Prevention Plan, as delineated in the General By-Laws of the Town of Sharon.

7.7.12 Utility Notification. No large or medium-scale SPI shall be constructed until evidence has been given to the Planning Board that the utility company that operates the electrical grid where the installation is to be located has been informed of the SPI owner's or operator's intent to install an interconnected customer owned generator. Off-grid systems shall be exempt from this requirement.

7.7.13 Performance Standards. The SPI shall meet the following performance standards, as applicable below:

1. **Lighting.** Lighting of an SPI shall be consistent with local, state and federal law. Lighting of other parts of the installation, such as accessory structures, shall be limited to that required for safety and operational purposes, and shall be reasonably shielded from abutting properties, as per Section 6.5.4 lighting standards
2. **Signage.** Signs on SPI shall comply with the requirements of all applicable sign regulations, and shall be limited to:
 - a. Those necessary to identify the owner, provide a 24-hour emergency contact phone number, and warn of any danger.
 - b. Educational signs providing information about the SPI and the benefits of renewable energy.
 - c. Signs shall be limited to two dimensions (i.e. flat) and shall not be electronic or lighted.
3. **Advertising.** SPI shall not be used for displaying any advertising except for identification of the manufacturer or operator of the SPI.
4. **Utility Connections.** Reasonable efforts, as determined by the Planning Board, shall be made to place all utility connections from the SPI underground, depending on appropriate soil conditions, shape, and topography of the site and any requirements of the utility provider. Electrical transformers for utility interconnections may be above ground if required by the utility provider.
5. **Screening.** A buffer or green strip planted with live shrubs or trees, predominantly evergreen, shall if feasible be maintained between the perimeter of the SPI and any abutting property line or street unless the existing natural growth is adequate to provide an equivalent buffer. Such a buffer shall be designed so as not to create a hazard upon entrance or exit from the facility. Site screening may also be accomplished through fencing, if approved by the Planning Board. The Planning

Board may vary or waive this requirement consistent with minimizing negative effects on abutting property.

7.7.14 Safety and Environmental Standards.

1. **Emergency Services.** The SPI owner or operator shall provide a copy of the project summary, electrical schematic and approved site plan to the Fire Chief, when site plan review is required. Upon request the owner and/or operator shall cooperate with local emergency services in developing an emergency response plan, which may include ensuring that emergency personnel have immediate, 24-hour access to the facility. All means of shutting down the SPI shall be clearly marked.

2. **Land Clearing.** Clearing of natural vegetation shall be limited to what is necessary for the construction, operation and maintenance of the SPI or otherwise prescribed by applicable laws, regulations, and bylaws.

3. **Groundwater Protection.** A SPI shall comply with the requirements set forth in the General By-laws governing stormwater management, which requirements shall be imposed and conditioned as appropriate through the Site Plan Approval process. No SPI shall be required to obtain an independent special permit under either section.

7.7.15 Monitoring and Maintenance. The SPI owner and/or operator shall maintain the facility in good and safe working condition, and shall schedule inspections by a competent professional at least once every twelve (12) months or more often, pursuant to industry standards and practice. The results of the inspection and any resulting repair work shall be submitted to the Planning Board or its assignee and the Inspector of Buildings within thirty (30) days of receipt by the owner or operator. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. Site access shall be maintained to a level acceptable to the Fire Chief and emergency medical services. The owner and operator shall be responsible for the cost of maintaining the SPI and any access road(s), unless accepted as a public way.

7.7.16 Modifications. All material modifications to a SPI made after issuance of the required building permit shall require prior approval by the Planning Board or its assignee.

7.7.17 Contact. The owner and operator of a large or medium SPI shall each identify a responsible person for emergency purposes and public inquiry and shall at all times throughout the life of the installation maintain current contact information (name, address, telephone number, e-mail address) for such person(s) on file with the Inspector of Buildings, the Fire Chief, and the Planning Board.

7.7.18 Discontinuance and Removal. Any GSPI that is not an accessory structure to a principal residential structure, not in operation for a period of one hundred and eighty (180) continuous days or more without written permission from the Planning Board, shall be considered discontinued and shall be removed. Upon written request from the Inspector of Buildings addressed to the contact address provided and maintained by the owner and operator as required above, the owner or operator shall provide evidence to the Inspector of Buildings demonstrating continued use of the GSPI. Failure to provide such evidence within thirty (30) days of such written request shall be conclusive evidence that the installation has been discontinued. The owner or operator of the installation shall notify the Board and Inspector of Buildings by certified mail of the proposed date of discontinued operations and plans for removal within 30 days of the discontinuation of operations. The owner or operator shall physically remove the installation no more than ninety (90) days after the date of discontinued operations, which period may be extended with written permission of the Inspector of Buildings for no more than sixty (60) days. Removal shall consist of:

1. Remove all of the GSPI in its entirety, including all associated structures, equipment, security barriers and transmission lines from the site.
2. Dispose of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.
3. Stabilize or re-vegetate the site as necessary to minimize erosion. The Planning Board may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.
4. Reinstate gravel or ground cover consistent with the surrounding landscape.
5. Remove all above-ground foundations and supports to a depth of one foot below existing grade.

If the owner or operator of the GSPI fails to remove the installation in accordance with the requirements of this section, the Town shall have the right, to the extent it is otherwise duly authorized by law, to enter the property and remove the installation at the expense of the owner of the installation and the owner(s) of the site on which the facility is located. Fees for removal will be the responsibility of the property owner. If payment is not provided, a lien will be placed on the property by the Town of Sharon.

7.7.19 Financial Surety. The owner of an SPI approved in accordance with this Section shall provide to the Town, acting by and through the Planning Board, security to cover the cost of removal only for medium and large-scale municipal solar projects, in the event the Town must remove the SPI and remediate the landscape. Such surety shall be in an amount and form determined to be reasonable by the Board, which may be an escrow account, bond or otherwise, and shall be provided prior to construction. Surety will not be required for municipally-owned facilities, if not deemed necessary by the Planning Board. The project proponent shall submit a fully inclusive estimate of the costs associated with removal, prepared by a qualified engineer or cost estimator. The amount shall include a mechanism for calculating increased removal costs due to inflation.

Or take any other action related thereto.

FINANCE COMMITTEE RECOMMENDATION:

An affirmative vote under this Article would amend SECTION 7.7 SOLAR ENERGY SYSTEMS of the Sharon Zoning By-Law – May 2, 2022 by renaming it SOLAR PHOTOVOLTAIC INSTALLATIONS and restating it in its entirety. This amendment would attempt to ensure that the Town’s zoning By-Law comports with the Massachusetts Supreme Judicial Court’s June 2022 interpretation of Massachusetts law (G.L. Chapter 40A, Section 3, ninth paragraph) which states:

No zoning ordinance or By-Law shall prohibit or unreasonably regulate the installation of solar energy systems or the building of structures that facilitate the collection of solar energy, except where necessary to protect the public health, safety or welfare.

At the 2022 Annual Town Meeting, when the Planning Board put forth its recommendation to recodify the Town’s zoning By-Law, it did not recommend changing SECTION 7.7, pending the Massachusetts Supreme Judicial Court’s imminent decision in a case that would clarify the statute’s limitations on a municipality’s authority to prohibit or to regulate solar energy systems. The Court’s decision in *Tracer Lane II Realty, LLC v. Waltham*, 489 Mass. 775 (2022) reaffirmed the statute’s intent that zoning by-laws which purport to prohibit or to restrict the size and location of large-scale solar energy systems will pass legal muster only if such by-laws are “necessary to protect the public health, safety or welfare.” Subsequently, the Planning Board worked with the Town’s Energy Advisory Committee to draft this

proposed amendment to the Town's zoning By-Law. This amendment would intend to facilitate safe and successful solar photovoltaic installations by providing guidance regarding their siting, dimensions, construction, installation, operation, safety, and decommissioning.

The amended By-Law would set forth a Use Regulation Table which would indicate that solar energy systems would not be prohibited in any of the Town's zoning districts and would indicate whether their allowance in each district would be by-right or per a Site Plan Review approved by the Planning Board. Except in the Light Industrial and Municipal zoning districts where, as principal uses, medium-scale and large-scale systems would be allowed by-right, such systems would require a Site Plan Review approved by the Planning Board. Roof-mounted solar energy systems would be allowed by-right in all the Town's zoning districts, subject to full compliance with all applicable State and local regulations.

The amended By-Law would set standards for the construction and operation of ground-mounted solar photovoltaic installations, pertaining to such matters as lighting, signage, setbacks, height, environmental regulations, project design, and utilities' approval of connections to their electricity distribution systems. The amended By-Law would intend to provide assurance of funding the eventual decommissioning of municipal solar energy installations.

The Select Board voted 3-0-0 in favor of approval.

THE FINANCE COMMITTEE VOTED 11-0-0 IN FAVOR OF APPROVAL.

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

MOTION: That the Town amend Section 7.7 the Zoning By-Laws of the Town of Sharon, regarding Solar Energy Systems, exactly as printed on pages 67 through 74 of the Warrant for this Annual Town Meeting, with the exception of the words "or take any other action related thereto."

Article 29: **Amend General By-Law: Remove Requirement to Mail Town Meeting Warrants**

Sponsored by: *Select Board*

To see if the Town will vote to amend Section 12-9, subsection A and Section 49-2 of the General By-Laws of the Town of Sharon to eliminate the requirement that the Town Meeting Warrant be mailed to every residence within the Town of Sharon so that they read as follows (Bold and underlined denotes new language for insertion; bracketed, strikethrough and italicized denotes deleted language), or take any other action relative thereto:

§ 12-9. Review of Town Meeting warrant.

A. The Finance Committee shall consider the various articles in the warrant for all Town Meetings (including, with respect to each member of the Committee, the articles in the warrant for the Annual Town Meeting after which such member's term expires) and shall report in print prior to all such Town Meetings the Committee's estimates and recommendations for the action of the Town together with the Committee's reasons therefor. The Committee shall cause **notice of the availability of** such report to be mailed or otherwise delivered to every residence at least seven **(7)** days before each Town Meeting.

§ 49-2. Notice of Annual or Special Town Meeting; zoning amendments.

Every Town Meeting shall be notified by posting attested copies of the warrant, calling the same, at **ten** (10) places within the Town, one of which shall be the post office, at least **fourteen** (14) days before the day appointed for the Annual Meeting or any Special Meeting of the Town. The Town Clerk shall mail, or otherwise deliver **notice of the availability** [~~copies~~] of the Town warrant to every residence at least seven (7) days before each meeting of the Town. When the warrant contains proposed amendments to the Zoning Bylaw, a redline/strikeout version of the Zoning Bylaw amendments shall be posted in **ten** (10) public places and electronically posted on the Town website at the same time as the attested warrant is posted.

FINANCE COMMITTEE RECOMMENDATION:

An affirmative vote under this Article would amend Section 12-9, A. and Section 49-2 of the Town By-Law to change the delivery method of the town warrant articles from a paper copy to an electronic format. Residents would receive notification by mail of the availability of the Warrant in an electronic format and advising citizens that paper copies are available at Town Hall and other public buildings. Paper copies will also be available at Town Meetings.

The Finance Committee discussion centered around the financial and environmental benefits of electronic distribution versus the public awareness benefit of automatic delivery of a paper copy to each household. The Town Administrator explained that the Town would experience an approximate 50% savings from the \$13,844 cost in 2022 for printing and mailing the Warrant to each household in the Town. This article would also allow the Town to conserve approximately 195,000 pieces of paper (a reduction of about 70%) by reducing the number of printed copies.

Defeat of this article will require the Town to continue mailing paper copies of the Town Meeting warrants to each household and promoting participation in town meetings due to easier access to and easier access to mailed copies. Proponents of this Article noted that there would be positive financial and environmental impacts for the Town and this action will help to meet the net zero carbon emissions goal by 2050. Opponents of this Article felt that citizens would be more engaged and knowledgeable if each household receives a copy of the Warrant.

Opponents to this Article felt that the distribution of the Warrant is often the only exposure some citizens have to the legislative action of Town Meeting and the effect it may have on their individual lives. The Finance Committee members opposing this item felt that citizens would be significantly more engaged and knowledgeable if each household received a copy of the Warrant.

The Select Board voted 3-0-0 in favor of approval.

THE FINANCE COMMITTEE VOTED 5-5-0 IN FAVOR; THE TIE VOTE MEANS THE FINANCE COMMITTEE DOES NOT RECOMMEND APPROVAL OF THIS ARTICLE.

QUANTUM OF VOTE: **Majority vote**

MOTION: That the Town amend Section 12-9, subsection A and Section 49-2 of the General By-Laws of the Town of Sharon exactly as printed on pages 75 through 76 in the Warrant for this Annual Town Meeting, excepting the bracketed, strikethrough and italicized language, and the words “or take any other action relative thereto.”

Article 30: Authorize Petition to General Court to Allow Local Voting Rights for Permanent Resident Aliens Residing in Sharon

Sponsored by: Select Board

To see if the Town will vote to authorize the Select Board to submit to the General Court a special act entitled, An Act authorizing local voting rights for permanent resident aliens residing in Sharon, 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 take any other action relative thereto:

Section 1. Notwithstanding the provision of section one of chapter fifty-one of the General Laws, or any other general or special law, rule or regulation to the contrary, residents of the town of Sharon who are aliens lawfully admitted for permanent residence in the United States and who meet all qualifications for registering to vote except U.S. citizenship, may, upon application, have their names entered on a register of qualified permanent resident alien voters and may thereafter vote in any election for local offices, local ballot questions, and at Town Meeting.

Section 2. The Sharon Select Board is authorized to formulate regulations and guidelines to implement the purpose of this act.

Section 3. Nothing in this act shall be construed to confer upon permanent resident aliens the right to vote for any state or federal office or any state or federal ballot question.

FINANCE COMMITTEE RECOMMENDATION:

An affirmative vote under this Article would instruct the Select Board to petition the Legislature to file a home-rule petition authorizing local voting rights for permanent resident aliens residing in Sharon town elections, town ballot questions and at Town Meetings. The section of the Governance Study Committee Final Report related to voting eligibility can be found on page 23 by using the following link: https://www.townofsharon.net/sites/g/files/vyhlf3801/f/uploads/sharongovreport_0.pdf

The Governance Study Committee unanimously recommended that the Select Board seek home rule legislation that permits noncitizen legal residents of Sharon to get to register to vote in town elections, to participate at Town Meetings and to serve on local boards and committees.

The Committee further noted that the petition would not pertain to federal or state elections; noncitizens would still have to become U.S. citizens through the naturalization process to vote in those elections. This proposal also does not impact immigrants who are not legal residents — so-called undocumented immigrants.

In Massachusetts, at least nine cities and towns have approved ordinances or resolutions to expand their voting rolls. Several legislators have filed similar home rule petitions on behalf of their individual communities. Several bills have been filed in the current legislative session that would allow noncitizen legal residents to vote.

The Select Board voted 3-0-0 in favor of approval.

THE FINANCE COMMITTEE VOTED 11-0-0 IN FAVOR OF APPROVAL.

QUANTUM OF VOTE: Majority vote

MOTIONS: That the Town authorize the Select Board to submit to the General Court a special act entitled, An Act authorizing local voting rights for permanent resident aliens residing in Sharon, 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:

Section 1. Notwithstanding the provision of section one of chapter fifty-one of the General Laws, or any other general or special law, rule or regulation to the contrary, residents of the town of Sharon who are aliens lawfully admitted for permanent residence in the United States and who meet all qualifications for registering to vote except U.S. citizenship, may, upon application, have their names entered on a register of qualified permanent resident alien voters and may thereafter vote in any election for local offices, local ballot questions, and at Town Meeting.

Section 2. The Sharon Select Board is authorized to formulate regulations and guidelines to implement the purpose of this act.

Section 3. Nothing in this act shall be construed to confer upon permanent resident aliens the right to vote for any state or federal office or any state or federal ballot question.

Article 31: Citizen Petition: Amend General By-Laws Relative to Board/Committee Reorganization

Sponsored by: Phillip King, 18 Ashcroft Road, and 11 others

To see if the Town will vote to update Chapter 12 of the By-Laws to codify that election of committee/board officers happens at the first meeting following an election or annual appointments. Furthermore, the Select Board shall instruct all committees and boards under their jurisdiction to operate under the same policy.

FINANCE COMMITTEE RECOMMENDATION:

An affirmative vote under this citizen petition amends the Town By-Law to require the six boards and committees in chapter 12 to elect officers only after an election or annual appointments of expiring terms, and furthermore asks the Select Board to instruct all committees and boards under their jurisdiction to operate under the same policy. According to the lead petitioner, the intent of this petition is to ensure that when new people are welcomed onto committees, they can participate in choosing the leadership with whom they will be working.

In response to the filing of this citizen's petition, on February 7, 2023, the Select Board voted to apply such a policy to all its appointed boards and committees. In addition, the language has been incorporated into the proposed By-Law amendments relating to the Sharon Standing Building Committee and the Finance Committee Nominating Committee. Placement of this citizens petition at the end of the Warrant agenda is meant to allow the Article to be indefinitely postponed if petitioner's concerns are addressed.

The Finance Committee, which operates under such guidelines as advocated in this petition, believes this petition to be in accordance with good governance, and as mentioned above, has taken steps to ensure the inclusion of language to implement this concept within the By-Law amendments to the Sharon Standing Building Committee and Finance Committee Nominating Committee. If those amendments pass at Town Meeting, the Finance Committee believes this petition would no longer be needed.

The Select Board will provide a recommendation at Town Meeting.

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

QUANTUM OF VOTE: **Majority vote**

ANTICIPATED MOTION: That the Town update Chapter 12 of the By-Laws to codify that election of committee/board officers happens at the first meeting following an election or annual appointments. Furthermore, the Select Board shall instruct all committees and boards under their jurisdiction to operate under the same policy.

APPENDIX

As required by Section 12-9.B(3) of the Town By-Laws, this table provides an historical accounting of Finance Committee action to transfer from the Reserve Fund (see account 132 in the omnibus budget table in Article 16) to the budget line-items listed below:

Reserve Fund Transfer History, FY2018 – FY2022

	<u>FY 18</u>	<u>FY 19</u>	<u>FY 20</u>	<u>FY 21</u>	<u>FY 22</u>
Amount Appropriated	\$500,000.00	\$500,000.00	\$500,000.00	\$500,000.00	\$800,000.00
Amounts Allocated:					
Assessors		4,600.00			
Capital - Schools			105,000.00		261,135.00
Capital - Town	29,307.70	15,830.77	96,040.00		
Council on Aging				6,000.00	
DPW	408,446.73	212,803.25	49,423.98	68,500.00	
Elections & Registration	14,162.08		22,775.00		
Fire Dept.				50,000.00	120,000.00
Healthcare Trust Fund			96,704.00		
Lake Management			312.00	312.00	17,700.00
Legal			80,000.00	28,500.00	
Schools		35,389.06		241,688.00	41,750.00
Town Clerk			17,245.00		
Treasurer				5,000.00	
Unemployment			25,000.00		
Veterans			7,500.00		
Zoning Board of Appeals				100,000.00	
COVID (CVRF)					192,377.72
Total Allocation	\$451,916.51	\$268,623.08	\$499,999.98	\$500,000.00	\$632,962.72
Appropriations					
Turned Back	\$48,083.49	\$231,376.92	\$0.02	\$0.00	\$167,037.28

And furthermore, in the name of the Commonwealth you are hereby required to notify and warn the inhabitants of Sharon who are qualified to vote in Elections to vote at:

Precincts 1, 2, 3, 4 & 5
Sharon High School Gymnasium, 181 Pond Street, Sharon, MA
on Tuesday, May 16, 2023 from 7:00am to 8:00pm for the following purpose:

To cast their votes in the Annual Town Election for the candidates for the following offices:

Board of Assessors	1 Seat	3 Year Term
Board of Library Trustees	2 Seats	3 Year Term
Housing Authority	1 Seat	5 Year Term
Moderator	1 Seat	3 Year Term
Planning Board	1 Seat	5 Year Term
School Committee	2 Seats	3 Year Term
Select Board	1 Seat	3 Year Term
Town Clerk	1 Seat	3 Year Term

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 11th day of April, A.D., 2023

SELECT BOARD, TOWN OF SHARON

Hanna R. Switekowski, Chair

Emily E. Smith-Lee, Clerk

Kiana Pierre-Louis, Member

A True Copy: Stephen M. Coffey, Constable
Sharon, Massachusetts
Dated: April 11, 2023

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