

ANNUAL TOWN MEETING

MAY 7, 2018

Pursuant to the provisions of the warrant of April 10, 2018, the inhabitants of the Town of Sharon qualified to vote in Town affairs met at the Arthur E. Collins Auditorium at 7:00 P.M.

The meeting was called to order by Moderator Andrew Nebenzahl. The Moderator said that in the absence of any objection he would assume that there was unanimous consent to waive the reading of the call and return of the warrant by Town Clerk Marlene B. Chused. There was no objection to this request.

The Moderator said that in the absence of any objection he would assume there was unanimous consent to allow the following non-voters to address the meeting: Richard Gelerman, Lisa Whelan, Frederic Turkington, Lauren Barnes, Richard Murphy, Krishan Gupta, Eric Hooper, Peter O’Cain, Lance Delpriore, Mark Mazur, Kathleen Medeiros, Beverly Anderson, Greg Meister, Connie Dai, Diane Malcolmson, Lee Ann Amend, Dr. Victoria Greer, Ken Wertz, John Marcus, Liz Murphy and Jose Libano.

VOTED UNANIMOUSLY: To convene the May 7, 2018 Annual Town Meeting.

VOTED UNANIMOUSLY: That whenever at this Town Meeting a majority or two thirds vote is required by statute, by-law or rule of procedure, a count need not be taken, or recorded by the clerk but may be publicly declared by the moderator. If a vote so declared is immediately questioned by seven or more voters, the count shall be taken, and the vote shall be recorded by the clerk; provided, however, that if the vote is unanimous, a count, need not be taken and the clerk shall record the vote as unanimous.

VOTED UNANIMOUSLY: That the meeting adjourn after the disposition of Article 19 or completion of the article under consideration at 11:00 p.m., whichever comes first. And further, that this Town Meeting reconvene on Tuesday evening, May 8, 2018 at the Arthur E. Collins Auditorium at 7:00 P.M. and begin with any remaining articles not voted as scheduled on Monday evening or Article 20 if the previously scheduled articles were completed as scheduled.

CONSENT AGENDA MOTION

VOTED UNANIMOUSLY: That the Town take Articles 2, 3, 9, 10, 11, 14, 15 and 16 out of order and that the motions shown on the Consent Agenda as distributed be approved.

ARTICLE 2.

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

ARTICLE 3. Sharon Friends School Funds Records & Appointments

VOTED UNANIMOUSLY:

- A. 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 Siemiatkaska

- B. 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

- C. To accept the report of the donors of the funds.

ARTICLE 9. Norfolk County Retirement Annual Assessment

VOTED UNANIMOUSLY: That the Town raise and appropriate \$3,553,144 to be added to the special fund established to pay the Norfolk County Retirement Board for the Annual Assessment costs chargeable to the Town.

ARTICLE 10. Unemployment Fund

VOTED UNANIMOUSLY: That the Town raise and appropriate the sum of \$75,000 to be added to the special fund established to reimburse the Massachusetts Division of Employment and Training for the actual costs of benefits paid to former Town employees and chargeable to the Town.

ARTICLE 11. Funding Other Post-Employment Fund Benefits (OPEB) Trust Fund

VOTED UNANIMOUSLY: That the Town raise and appropriate \$300,000 to be added to the Other Post-Employment Benefits (O.P.E.B.) Trust Fund established to fund the presently unfunded liability of future health insurance costs for current town retirees and employees.

ARTICLE 14. Revolving Fund Authorizations

VOTED UNANIMOUSLY: That the Town authorize FY2019 expenditure limits for the revolving funds printed on page 27 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 Bylaws.

ARTICLE 15. Property Tax Exemptions

VOTED UNANIMOUSLY: 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. ch. 59, § 5 in an amount equal to 100 percent, or such lesser amount as voted, to be effective for the fiscal year beginning July 1, 2018 and ending June 30, 2019.

ARTICLE 16. Annual Audit Appropriations

VOTED UNANIMOUSLY: That the Town raise and appropriate the sum of \$63,500 for the purpose of paying for the cost of services to perform an annual audit of fixed assets and annual audit of accounts of the Town of Sharon for Fiscal Year 2018 in accordance with Chapter 44, Section 40 of the General Laws of the Commonwealth.

ARTICLE 1.

That the Town elect to the Finance Committee the following named:

- Charles Goodman – 72 Lincoln Road – 3 year term
- Ira Miller – 6 Horizons Road – 3 year term
- Edward Philips – 3 Garden Street – 3 year term

ARTICLE 1.(#2)

VOTED UNANIMOUSLY: That the Town approve the following named Moderator's appointments to the Nominating Committee of the Finance Committee:

- Charles Goodman – 72 Lincoln Road – 1 year term
- Jacqueline Modiste – 21 Canoe River Road – 1 year term
- Cheryl Weinstein – 4 Coach Lane – 1 year term
- David Fixler – 81 Bishop Road – 1 year term
- Anne Carney – 41 Pole Plain Road – 1 year term

ARTICLE 4.

VOTED UNANIMOUSLY: That the Town amend the Personnel By-law of the Town of Sharon exactly as printed on pages 4 through 12 of the warrant for this Annual Town Meeting, except as corrected by the handout entitled "Corrected Tables on Pages 8 & 10 – Article 4" and except deletion of the words "or act in any way relative thereto."

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 Public Health Nurse Sheila Miller is permitted to carry over 5 accrued vacation days into calendar year 2018.
- 2) That Dispatcher Karen Ganz is permitted to carry over 5 accrued vacation days into calendar year 2018.
- 3) That Financial Assistant Melissa Healey is permitted to carry over 18 accrued vacation hours into calendar year 2018.
- 4) That the position of Administrative Assistant to the Executive Director of Council on Aging be renamed as Office Manager/Transportation Coordinator effective October 13, 2016.
- 5) That the summer positions for the Recreation department formerly known as Camp Counselor and Camp Director will now be known as Sports Program Counselor and Sports Program Supervisor.

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, 2018, 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, 2018 – June 30, 2019

SECTION 1.100

CLASSIFICATION SCHEDULE

SECTION 2.100

BASE PAY SCHEDULE/ANNUALLY

Position	Minimum	Actual	Maximum
Assessor	\$76,040	\$93,288	\$104,965
Assistant to the Town Administrator	\$68,880	\$90,906	\$94,624
Council on Aging Executive Director	\$68,880	\$74,675	\$94,857
Director of Information Technology	\$86,265	\$109,824	\$121,026
Finance Director	\$93,359	\$114,417	\$135,463
Fire Chief	\$103,696	\$146,016	\$149,345
Library Director	\$76,000	\$89,360	\$95,000

Police Chief	\$104,836	TBD	\$169,000
Recreation Director	\$68,579	\$86,527	\$94,857
Superintendent of Public Works	\$103,328	\$137,315	\$149,345
Town Administrator	\$165,000	\$189,488	\$200,000
Town Engineer	\$82,530	\$113,214	\$116,109
Treasurer/Collector	\$79,415	\$79,492	\$110,942

SECTION 1.200
CLASSIFICATION SCHEDULE

SECTION 2.200
PAY SCHEDULE

ADMINISTRATIVE ASSISTANT TO THE BOARD OF SELECTMEN
Board of Selectmen (hourly)
July 1, 2018 – June 30, 2019

<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>	<u>Step 6</u>	<u>Step 7</u>	<u>Step 8</u>	<u>Step 9</u>	<u>Step 10</u>
25.87	26.38	26.91	27.45	28.00	28.56	29.12	29.70	30.29	30.91

MISCELLANEOUS
July 1, 2018 – June 30, 2019

Veterans' Agent	20,367	annually									
Sealer of Weights & Measures	4,454										
Assistant Animal Control/ Senior Fill-In Officer	2,500	annually									
Animal Control Fill-In (Weekend/Sick/Holiday/Vac. Coverage)	48.97										
Animal Control Fill-In (Night Pager Coverage)	13.99	per night									
Animal Control Fill-In (After Hour Coverage)	13.99	per call									
Animal Inspector	4,200	annually									
Plumbing/Gas Inspector	25.00	per hour									
Wiring Inspector	25.00	per hour									
Custodian/Maintenance (hourly)	11.00		11.22	11.44	11.67						
DPW Temp/Summer Labor (hourly)	11.00		11.22	11.44	11.67	11.91	12.14	12.39	12.64	12.89	13.15
Per Diem Public Health Nurse	30.00	per hour									
Adult Center Receptionist/Aide	17.70	per hour									
Rec. Basketball League Coordinator	8,300	yearly									

Standing Building Committee Secretary (hourly) steps

<u>Min</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>	<u>9</u>	<u>10</u>	<u>11</u>
21.17	21.57	22.00	22.44	22.91	23.34	23.84	24.31	24.79	25.30	25.81

This is the rate that has been in effect, and will continue to be in effect, until such time as a new collective bargaining agreement is executed.

Project Manager for the Standing Building Committee (hourly) steps

Min	2	3	4	5	6	7	8	9	10	11
24.41	24.99	25.52	26.11	26.68	27.28	27.90	28.53	29.18	29.83	30.50

SUMMER EMPLOYMENT - PART-TIME
Effective May 1, 2018 (hourly)

	Step 1	Step 2	Step 3
Waterfront Director	19.00	19.50	20.00
Waterfront Supervisor	15.50	15.75	16.00
Asst. Waterfront Supervisor	14.00	14.50	15.00
Lifeguard (no experience)	12.00		
Lifeguard	12.50	12.75	13.00
Lifeguard & WSI	13.75	14.00	14.25
Private Lessons WSI	25.00	25.00	25.00
Sailing Supervisor	18.00	18.50	19.00
Sailing Assistant Supervisor	13.25	13.50	13.75
Sailing Instructor	11.50	12.00	12.50
Sports Program Supervisor	18.00	18.50	19.00
Program Counselor	11.00	11.50	12.00
Gate Attendant	11.00	11.25	11.50

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)

SECTION 1.400
CLASSIFICATION SCHEDULE

- MP-00 Assistant Town Engineer
- MP-0 Building Inspector
 Water Systems Supervisor
- MP-1 Operation Supervisor
 Public Health Nurse*
 Forestry & Grounds Supervisor

- Health Agent for Engineering
- Conservation Administrator
- Health Administrator*
- GIS Coordinator
- Facilities Supervisor

- MP-2 Animal Control Officer*
- Assistant Recreation Director*
- Business Manager
- Info Services/Assistant Library Director*
- Assistant Operations Supervisor
- Assistant Supervisor-Water
- Water Construction Supervisor
- Water Pump Station Operator

- MP-3 Recreation Athletic Supervisor
- Case Manager/Coordinator of Volunteer Services*
- Technical Support Specialist*

- MP-4 Part-Time Public Health Nurse*

*The following positions work other than a 40-hour work week:

Assistant Recreation Director	37.5 hours
Health Administrator	37.5 hours
Information Services/Assistant Library Director	37.5 hours
Public Health Nurse	30 hours
Case Manager/Coordinator of Volunteer Services	28 hours
Animal Control Officer	25 hours
Technical Support Specialist	19 hours
Part Time Public Health Nurse	2 hours

SECTION 2.400

PAY SCHEDULE/HOURLY

July 1, 2018 – June 30, 2019

	Min	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12
MP-00	37.7251	38.5703	39.4412	40.3246	41.2338	42.1685	43.1161	44.0895	45.0754	46.0871	47.1242	48.0667
MP-0	35.7784	36.5854	37.4178	38.2501	39.1209	39.9914	40.9008	41.8101	42.7578	43.7308	44.7168	45.6113
MP-1	33.4608	34.2162	34.9846	35.7531	36.5599	37.4050	38.2374	39.0826	39.9662	40.8880	41.8101	42.6463
MP-2	30.3493	31.0661	31.7320	32.4619	33.1663	33.9218	34.6903	35.4711	36.2781	37.0849	37.9172	38.6754
MP-3	27.8961	28.4795	29.0942	29.7601	30.4260	31.1303	31.8090	32.5519	33.2686	34.0115	34.7798	35.4754
MP-4	25.3292	25.8926	26.4692	27.0579	27.6727	28.3130	28.9277	29.5679	30.2595	30.9126	31.6169	32.2493

LIBRARY CATEGORY
July 1, 2018 – June 30, 2019

- LOC-3a Circulation Supervisor
Technical Services Supervisor
- LOC-3b
- LOC-4a Library Assistant
Technical Services Assistant
Administrative Assistant - Library
- LOC-4b
- LMP-3 Head of Youth Services
Head of Adult and Technology Services
- LMP-4 Children's Librarian
Information Services Librarian

	Min	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
OC-3A	24.04	24.52	24.99	25.51	26.01	26.53	27.06	27.61	28.16	28.72
OC-3B	22.76	23.22	23.68	24.15	24.65	25.15	25.64	26.15	26.67	27.20
OC-4A	21.58	22.01	22.44	22.89	23.37	23.80	24.31	24.79	25.28	25.80
OC-4B	20.46	20.88	21.28	21.71	22.16	22.59	23.05	23.52	23.97	24.46
LMP-3	27.85	28.50	29.13	29.78	30.44	31.13	31.84	32.57	33.27	34.02
LMP-4	25.32	25.89	26.48	27.07	27.68	28.29	28.92	29.62	30.28	30.94
L4	23.16	23.61	24.09	24.58	25.07	25.56	26.06	26.57	27.11	27.67
Library Page	11.44									

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 Oper., Heavy Equip. Oper., Water Sys. Tech., Working Foreman/Facilities Maint-Comm Ctr
- Grade D Night Custodian
- Grade E Auto Equipment Operator, Recreation Custodian, Maint Man/Custodian DPW

SECTION 2.500 PAY SCHEDULE/HOURLY July 1, 2018 - June 30, 2019

Grade	Step 1	2	3	4	5	6	7	8	9	10	11	12
A	27.50	28.24	28.94	29.70	30.43	31.17	31.94	32.67	33.39	34.13	34.81	35.51
B	26.31	26.90	27.48	28.06	28.62	29.24	29.80	30.40	30.98	31.57	32.20	32.85
C	24.03	24.68	25.31	25.96	26.58	27.24	27.90	28.54	29.18	29.82	30.41	31.02
D	24.27	24.76	25.26	25.78	26.29	26.81	27.35	27.89	28.45	29.02	29.60	30.19
E	23.03	23.50	23.96	24.46	24.92	25.41	25.94	26.45	26.98	27.51	28.06	28.62

OFFICE OCCUPATION CATEGORY

SECTION 1.600

CLASSIFICATION SCHEDULE

- OC-1 Assistant Accountant
Assistant Treasurer/Collector

- OC-2a Administrative Asst.-Assessor
Office Manager/Transportation Coordinator
Administrative Fire Secretary/Ambulance Records Supervisor
Assistant Town Clerk
Confidential Secretary to the Police Chief
Financial Assistant - Payroll/Revenue

- OC-2b Collections Supervisor
Payroll/Benefits Administrator

- OC-3a Election & Registration Secretary
Financial Asst-Accounting /Veterans

- OC-3b Activities/Program Coordinator COA
Secretary - Building & Engineering
Secretary - DPW Operations Division
Secretary - Water
Secretary - Recreation
Senior Assessor Clerk
Secretary-Conservation Commission
Financial Assistant – Treasurer/Collector

- OC-4a Administrative Asst to the Planning Board
Administrative Asst to the Board of Health
Secretary – Fire Department

- OC-4b Bus/Van Driver
Police Clerk
Secretary-Community Preservation
Secretary-Zoning Board of Appeals

- OC-5 Secretary-Finance Committee
Secretary-Personnel Board
Secretary to a Board or Committee

SECTION 1.600

CLASSIFICATION SCHEDULE

July 1, 2017 - June 30, 2018

SECTION 2.600

PAY SCHEDULE/HOURLY

Grade	Min	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step10	Step 11
OC-1	29.11	29.69	30.28	30.89	31.52	32.14	32.78	33.44	34.11	34.79	35.49
OC-2a	26.21	26.73	27.27	27.82	28.39	28.95	29.53	30.12	30.72	31.33	31.96
OC-2b	25.07	25.57	26.08	26.61	27.14	27.68	28.23	28.79	29.38	29.97	30.57
OC-3a	23.56	24.03	24.52	25.01	25.51	26.02	26.54	27.07	27.61	28.16	28.72
OC-3b	22.32	22.77	23.23	23.68	24.15	24.63	25.13	25.63	26.14	26.66	27.20
OC-4a	21.17	21.57	22.00	22.44	22.91	23.34	23.84	24.31	24.79	25.30	25.81
OC-4b	20.07	20.47	20.88	21.30	21.73	22.16	22.59	23.05	23.51	23.98	24.46
OC-5	18.05	18.41	18.78	19.16	19.54	19.93	20.33	20.74	21.15	21.56	22.00

This is the rate that has been in effect, and will continue to be in effect, until such time as a new collective bargaining agreement is executed.

PUBLIC SAFETY CATEGORY

SECTION 1.700 CLASSIFICATION SCHEDULE

SECTION 2.700 PAY SCHEDULE/WEEKLY

POLICE DEPARTMENT July 1, 2017 – June 30, 2018

Patrolman PD-60	PD-60A Recruit	PD-60B Step 1	PD-60C Step 2	PD-60D Step 3	PD-60E Step 4	PD-60F Step 5	PD-60G Step 6	PD-60H Step 7	PD-60I Step 8
	883.50	943.02	1,005.23	1,056.96	1,112.15	1,134.43	1,157.13	1,186.06	1,224.89
Sergeant PD-80	PD-80A Step 1	PD-80B Step 2	PD-80C Step 3	PD-80D Step 4	PD-80E Step 5				
	1,332.97	1,359.66	1,386.82	1,414.56	1,442.85				

This is the rate that has been in effect, and will continue to be in effect, until such time as a new collective bargaining agreement is executed.

The amounts of pay shown in the above schedule for position code PD-60 and PD-80 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
Detective Sergeant	50.00	per week
		when assigned solely to the Detective unit
Motorcycle Operator (Selective Enforcement)	32.54	per week

Accreditation Manager, Computer Manager	32.54	per week
Crime Prevention Officer	32.54	per week
Special Assignment Officer	32.54	per week
LEAPS Representative	10.00	per week

DISPATCHERS

July 1, 2018 – June 30, 2019

<u>Relief 1</u>	<u>Relief 2</u>	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>	<u>Step 6</u>	<u>Step 7</u>	<u>Step 8</u>
22.55	23.00	23.46	23.93	24.41	24.90	25.40	25.91	26.43	26.96

POLICE CROSSING GUARDS

July 1, 2018 – June 30, 2019

			<u>Daily Rate</u>
School Crossing Guard	PD-20	Step 1	39.70
		Step 2	43.26
		Step 3	47.56
School Crossing Guard Supervisor	PD-20A		59.58

SUPERIOR OFFICERS

July 1, 2018 – June 30, 2019

<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>	<u>Step 6</u>
1,986.18	2,066.03	2,148.40	2,213.35	2,279.74	2,325.34

FIRE DEPARTMENT

July 1, 2018 – June 30, 2019

SECTION 1.410

CLASSIFICATION SCHEDULE

SECTION 2.410

PAY SCHEDULE/WEEKLY

		<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>
Capt/EMT	FD90	1,455.63	1,484.74	1,558.98	
Capt/Medic	FD92	1,502.39	1,532.44	1,609.06	
Lt/EMT	FD80	1,327.55	1,380.66		
Lt/Medic	FD82	1,377.07	1,432.15		
F/F-EMT	FD60	1,072.29	1,122.01	1,170.41	1,252.42
F/F-Medic	FD62	1,119.03	1,168.76	1,197.38	1,299.15

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

For 30 Course Credits certified	14.50	per week
For 45 Course Credits certified	19.25	per week
For an Associate Degree certified	40.00	per week
For a Bachelor's Degree certified	65.00	per week
For a Master's Degree certified	72.00	per week

CALL FIREFIGHTERS
 July 1, 2010 – June 30, 2011
 Hourly compensation rate: \$20.00

This is the rate that has been in effect, and will continue to be in effect, until such time as a new collective bargaining agreement is executed.

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, effective July 1, 2018 – June 30, 2019.

Deputy Police Chief TBD
 Deputy Fire Chief \$2,215 per week

CORRECTED TABLES ON PAGES 8 & 10 – ARTICLE 4

Due to a formatting issue in the final layout of the Warrant, the data is not fully displayed in the pay scales in three table on pages 8 & 10. These corrections are as follows:

MP-2	30.3493	31.0661	31.7320	32.4619	33.1663	33.9218	34.6903	35.4711	36.2781	37.0849	37.9172	38.6754
MP-3	27.8961	28.4795	29.0942	29.7601	30.4260	31.1303	31.8090	32.5519	33.2686	34.0115	34.7798	35.4754
MP-4	25.3292	25.8926	26.4692	27.0579	27.6727	28.3130	28.9277	29.5679	30.2595	30.9126	31.6169	32.2493

LIBRARY CATEGORY
 July 1, 2018 – June 30, 2019

LOC-3a Circulation Supervisor
 Technical Services Supervisor

LOC-3b

LOC-4a Library Assistant
 Technical Services Assistant
 Administrative Assistant - Library

LOC-4b

LMP-3 Head of Youth Services
 Head of Adult and Technology Services

LMP-4 Children's Librarian
Information Services Librarian

	Min	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
LOC-3A	24.04	24.52	24.99	25.51	26.01	26.53	27.06	27.61	28.16	28.72
LOC-3B	22.76	23.22	23.68	24.15	24.65	25.15	25.64	26.15	26.67	27.20
LOC-4A	21.58	22.01	22.44	22.89	23.37	23.80	24.31	24.79	25.28	25.80
LOC-4B	20.46	20.88	21.28	21.71	22.16	22.59	23.05	23.52	23.97	24.46
LMP-3	27.85	28.50	29.13	29.78	30.44	31.13	31.84	32.57	33.27	34.02
LMP-4	25.32	25.89	26.48	27.07	27.68	28.29	28.92	29.62	30.28	30.94
L4	23.16	23.61	24.09	24.58	25.07	25.56	26.06	26.57	27.11	27.67
Library Page	11.44									

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 Oper., Heavy Equip. Oper., Water Sys. Tech., Working Foreman/Facilities Maint-Comm Ctr
- Grade D Night Custodian
- Grade E Auto Equipment Operator, Recreation Custodian, Maint Man/Custodian DPW

SECTION 2.500
PAY SCHEDULE/HOURLY
July 1, 2018 - June 30, 2019

- Secretary-Personnel Board
- Secretary to a Board or Committee

SECTION 1.600
CLASSIFICATION SCHEDULE

July 1, 2017 - June 30, 2018

SECTION 2.600
PAY SCHEDULE/HOURLY

Grade	Min	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11
OC-1	29.11	29.69	30.28	30.89	31.52	32.14	32.78	33.44	34.11	34.79	35.49
OC-2a	26.21	26.73	27.27	27.82	28.39	28.95	29.53	30.12	30.72	31.33	31.96
OC-2b	25.07	25.57	26.08	26.61	27.14	27.68	28.23	28.79	29.38	29.97	30.57
OC-3a	23.56	24.03	24.52	25.01	25.51	26.02	26.54	27.07	27.61	28.16	28.72
OC-3b	22.32	22.77	23.23	23.68	24.15	24.63	25.13	25.63	26.14	26.66	27.20
OC-4a	21.17	21.57	22.00	22.44	22.91	23.34	23.84	24.31	24.79	25.30	25.81
OC-4b	20.07	20.47	20.88	21.30	21.73	22.16	22.59	23.05	23.51	23.98	24.46
OC-5	18.05	18.41	18.78	19.16	19.54	19.93	20.33	20.74	21.15	21.56	22.00

This is the rate that has been in effect, and will continue to be in effect, until such time as a new collective bargaining agreement is executed.

PUBLIC SAFETY CATEGORY

**SECTION 1.700
CLASSIFICATION SCHEDULE**

**SECTION 2.700
PAY SCHEDULE/WEEKLY**

**POLICE DEPARTMENT
July 1, 2017 – June 30, 2018**

Patrol Officer PD-60	PD-60A Recruit	PD-60B Step 1	PD-60C Step 2	PD-60D Step 3	PD-60E Step 4	PD-60F Step 5	PD-60G Step 6	PD-60H Step 7	PD-60I Step 8
	883.50	943.02	1,005.23	1,056.96	1,112.15	1,134.43	1,157.13	1,186.06	1,224.89
Sergeant PD-80	PD-80A Step 1	PD-80B Step 2	PD-80C Step 3	PD-80D Step 4	PD-80E Step 5				
	1,332.97	1,359.66	1,386.82	1,414.56	1,442.85				

This is the rate that has been in effect, and will continue to be in effect, until such time as a new collective bargaining agreement is executed.

The amounts of pay shown in the above schedule for position code PD-60 and PD-80 do not include the extra pay for educational qualifications provided for in the statutes and regulations of the State.

ARTICLE 5.

VOTED UNANIMOUSLY: 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, 2018, through June 30, 2019, the various sums stated “Fiscal Year 2019” as shown on pages 15 to 16 of the Warrant except the following:

- | | |
|---------------------------|---------------------------------|
| Board of Selectmen | Town Clerk |
| Board of Assessors | Debt: Principal |
| Fire/Ambulance | Debt: Interest |
| Schools | Water Department |
| Elections & Registrations | Board of Health – Waste Removal |

Moderator	\$ 50.00
Finance Committee	17,255.00
Personnel Board	3,177.00
Library	1,047,264.00
Accountant	263,438.00
Treasurer	329,632.00
Law	141,500.00
Information Technology	304,272.00

Conservation Commission	123,330.00
Lake Management	6,500.00
Planning Board	13,600.00
Board of Appeals	22,563.00
Town Report	14,375.00
Police	3,738,688.00
Weights & Measures	5,167.00
Animal Inspector	4,350.00
Civil Defense	11,472.00
Animal Control Officer	79,327.00
Dept of Public Works	3,543,382.00
Board of Health – Services & Admin	217,502.00
Council on Aging	303,731.00
Veterans Agent	68,402.00
Veterans Graves	5,400.00
Commission on Disability	500.00
Recreation	242,580.00
Historical Commission	650.00
Community Celebrations	7,300.00
Voc Tech School	230,320.00
Voc Tuition/Norfolk Ag. Tuition	7,860.00
ARC of South Norfolk	9,916.00
Reserve Fund	500,00.00
Street Lighting	192,549.00
FICA: Medicare	735,000.00
FICA: Social Security	10,500.00
Benefits Accrual	0
Insurance	\$9,770,030.00

TOWN CLERK

VOTED UNANIMOUSLY: That the Town raise and appropriate the sum of \$165,478 for the Town Clerk’s budget, of which \$89,839 shall be for the salary of the Town Clerk, and \$75,639 shall be for other salaries, wages and expenses.

SELECTMEN

VOTED UNANIMOUSLY: That the Town raise and appropriate the sum of \$399,570 for the Board of Selectmen’s budget, of which \$500 shall be for the Chairman and \$800 for the salaries of the other members, and \$398,270 shall be for other salaries, wages and expenses.

ASSESSORS

VOTED UNANIMOUSLY: That the Town raise and appropriate the sum of \$217,527 for the Board of Assessors budget, of which \$2,400 shall be for the salary of the chairman, \$4,400 shall

be for the salaries for the other members, and \$210,727 shall be for the other salaries, wages and expenses.

ELECTIONS & REGISTRATIONS

VOTED UNANIMOUSLY: That the Town raise and appropriate the sum of \$137,249 for the Elections & Registrations budget.

FIRE/AMBULANCE

VOTED UNANIMOUSLY: That the Town raise and appropriate the sum of \$3,461,955 for the Fire/Ambulance budget, of which \$700,000 shall be transferred from the Ambulance Reserve Account, with the balance of \$2,761,955 raised on the tax levy.

SCHOOLS

VOTED UNANIMOUSLY: That the Town raise and appropriate the sum of \$43,818,836 for the purpose of operating the Public Schools for the fiscal year beginning July 1, 2018, and in order to meet this appropriation \$150,000 shall be transferred from the Overlay Reserve Account, with the balance of \$43,668,836 raised on the tax levy.

BOARD OF HEALTH – WASTE REMOVAL

VOTED UNANIMOUSLY: That the Town raise and appropriate the sum of \$89,500 for the Board of Health – Waste Removal budget.

DEBT

VOTED UNANIMOUSLY: That the Town raise and appropriate the sum of \$8,563,949 for the Debt: Principal budget (\$6,440,000) and Debt interest (\$2,123,949), and in order to meet said appropriation the following amounts shall be transferred from accounts as set forth below:

<u>Account</u>	<u>Amount</u>
Septic Loan Program	\$29,215
Excluded Debt Premium	\$25,293

with the balance of \$8,509,441 raised on the tax levy.

WATER

VOTED UNANIMOUSLY: That the Town appropriate the sum of \$3,121,070 raised from user fees for the Water Department budget and appropriate the sum of \$200,000 from Retained Earnings for a Reserve Fund.

ARTICLE 6. (Omnibus Motion – 6A through 6M)

MOVED: That the Town appropriate the sum of: \$1,007,500 for the Department of Public Works to be borrowed; \$3,140,000 for the Water Department of which \$2,400,000 is to be borrowed, \$668,930 is to be funded by water use fees, and \$71,070 is to be funded by retained earnings of the Water Enterprise Fund; \$822,625 for Schools, of which \$495,205 is to be borrowed, \$50,430 is to be funded by unexpended capital project funds, \$148,740 is to be funded from a Green Communities grant and, \$128,250 shall be raised from taxation; \$750,000 for Fire to be borrowed; \$136,300 for Police to be raised from taxation; \$19,000 for the Recreation Department to be borrowed; the foregoing to be borrowed for the purposes as set forth in items 6A – 6M under Article 6 on page 17 to 18 of the Warrant for this Town Meeting; and to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is hereby authorized to borrow \$4,671,705 under Massachusetts General Law Chapter 44, S7 and Massachusetts General Law Chapter 44, S8.

Any premium received by the city/town/regional school district from the sale of any bonds or notes authorized by this vote, less the costs of issuance of the bonds or notes paid from the premium, and any accrued interest may be applied to pay project costs in accordance with Chapter 44, Section 20, and the amount authorized to be borrowed to pay those costs shall be reduced by the same amount applied.

MOTION TO VOTE EACH ARTICLE SEPARATELY. CARRIED.

ARTICLE 6A.

VOTED: That the Town appropriate the sum of \$680,000 for the resurfacing of public ways and for the reconstruction and construction of sidewalks for Public Works; and to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is hereby authorized to borrow \$680,000 under Massachusetts General Law Chapter 44, Section 7. **CARRIED.**
2/3 VOTE DECLARED BY MODERATOR.

ARTICLE 6B.

VOTED UNANIMOUSLY: That the Town appropriate the sum of \$230,500 for the purchase of additional departmental equipment for the Department of Public Works; and to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is hereby authorized to borrow \$230,500 under Massachusetts General Law Chapter 44, Section 7.

ARTICLE 6C.

VOTED UNANIMOUSLY: That the Town appropriate the sum of \$97,000 for remodeling, reconstruction and making extraordinary repair to public buildings for the Department of Public Works; and to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is hereby authorized to borrow \$97,000 under Massachusetts General Law Chapter 44, Section 7.

ARTICLE 6D.

VOTED UNANIMOUSLY: That the Town appropriate the sum of \$1,390,000 for the relaying of water mains for the Water Department; and to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is hereby authorized to borrow \$650,000 under Massachusetts General Law Chapter 44, Section 7; \$668,930 to be funded by water use fees; and \$71,070 to be funded by Water Enterprise Fund Retained Earnings.

ARTICLE 6E.

VOTED UNANIMOUSLY: That the Town appropriate the sum of \$1,750,000 for the replacement of the water tank on Massapoag Avenue for the Water Department; and to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is hereby authorized to borrow \$1,750,000 under Massachusetts General Law Chapter 44, Section 7.

ARTICLE 6F.

VOTED: That the Town appropriate the sum of \$278,250 for the purchase of additional departmental technology equipment for the School Department; and to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is hereby authorized to borrow \$150,000 under Massachusetts General Law Chapter 44, Section 7; and the remainder, \$128,250, shall be raised from taxation. **CARRIED. 2/3 VOTE DECLARED BY MODERATOR.**

ARTICLE 6G.

VOTED: That the Town appropriate the sum of \$23,000 for the purchase of additional furniture for the School Department; and to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is hereby authorized to borrow \$23,000 under Massachusetts General Law Chapter 44, Section 7. **CARRIED. 2/3 VOTE DECLARED BY MODERATOR.**

ARTICLE 6H.

VOTED UNANIMOUSLY: That the Town appropriate the sum of \$360,875 for remodeling, reconstruction, and making extraordinary repairs to public buildings and facilities for the School Department; and to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is hereby authorized to borrow \$161,705 under Massachusetts General Law Chapter 44, Section 7; \$50,430 from previously approved but unexpended capital funds and the remainder, \$148,740, shall be expended from a Green Communities grant.

ARTICLE 6I.

VOTED: That the Town appropriate the sum of \$90,000 for the purchase of additional departmental equipment for the School Department; and to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is hereby authorized to borrow \$90,000 under Massachusetts General Law Chapter 44, Section 7. **CARRIED. 2/3 VOTE DECLARED BY MODERATOR.**

ARTICLE 6J.

VOTED: That the Town appropriate the sum of \$70,500 for construction design for remodeling and resurfacing parking lot for the School Department; and to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is hereby authorized to borrow \$70,500 under Massachusetts General Law Chapter 44, Section 7. **CARRIED. 2/3 VOTE DECLARED BY MODERATOR.**

ARTICLE 6K.

VOTED UNANIMOUSLY: That the Town appropriate the sum of \$750,000 for the purchase of additional departmental equipment for the Fire Department; and to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is hereby authorized to borrow \$750,000 under Massachusetts General Law Chapter 44, Section 7.

ARTICLE 6L.

VOTED: That the Town appropriate the sum of \$136,300 for the purchase of additional departmental equipment for the Police Department to be raised from taxation. **CARRIED. 2/3 VOTE DECLARED BY MODERATOR.**

ARTICLE 6M.

MOVED: That the Town appropriate the sum of \$19,000 for the purchase of additional department equipment for the Recreation Department; and to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is hereby authorized to borrow \$19,000 under Massachusetts General Law Chapter 44, Section 7.

MOTION: To call the question. CARRIED.

VOTED: That the Town appropriate the sum of \$19,000 for the purchase of additional department equipment for the Recreation Department; and to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is hereby authorized to borrow \$19,000 under Massachusetts General Law Chapter 44, Section 7. **2/3 VOTE DECLARED BY MODERATOR.**

ARTICLE 6N.

MOVED: That the Town appropriate the sum of \$340,000 for the construction of a public building by Civil Defense, including the costs of surveys; and to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is hereby authorized to borrow \$340,000 under Massachusetts General Law Chapter 44, Section 7.

And further that the Town authorize the Board of Selectmen and/or the Conservation Commission to seek the approval of the Executive Office of Energy and Environmental Affairs,

to allow the following parcel of land to be used for purposes other than protected parkland and public outdoor recreation:

A certain portion of the property known as the Sacred Heart Site, which was acquired by the Town by deed of the Order of the Brothers of the Sacred Heart of New England, Inc. dated December 26, 1974 and recorded in the Norfolk Registry of Deeds in Book 5099, Page 169 and shown as Parcel B on a plan entitled "Plot Plan of Sacred Heart Property, Sharon, Mass." dated June 1973 by the Sharon Engineering Department which plan is recorded in said Registry as Plan Number 1102 of 1974, Plan Book 247. The portion of Parcel B to be removed from parkland and public outdoor recreational use contains approximately 0.86 acres and is shown as Parcel "T" on a plan entitled "Proposed Park Land Conversion" prepared by the Sharon Engineering Department which is on file with the Town Clerk.

Said Parcel "T" is to be used for a general municipal purposes and/or construction of municipal building(s) and related facilities and/or parking. In exchange for the removal of Parcel "T" from the parkland restriction, the Board of Selectmen and/or the Conservation Commission will dedicate replacement land to public outdoor recreational use, such land being identified as Parcel F on the above referenced plan and being described in a deed to the Town of Sharon recorded at the Norfolk Registry of Deeds in Book 5099, Page 168, containing approximately 2.2 acres of land.

And further that the care, custody, management and control of Parcel T be transferred from the Board of Selectmen for outdoor recreational purposes to the care, custody, management and control of the Board of Selectmen for general municipal purposes and/or for the purpose of construction of municipal building(s) and related facilities and/or parking.

And further that the Board of Selectmen and/or the Conservation Commission is authorized to petition the General Court of the Commonwealth of Massachusetts and to seek the assent and/or approval of the Secretary of the Executive Office of Environmental Affairs, the Secretary of the Executive Office of Communities and Development and such other state agencies or officials as may be required to permit such conversion.

And further that the Board of Selectmen and/or the Conservation Commission and/or such other Town agencies or officials as may be appropriate to take such other actions, are authorized to execute such agreements and execute such other documents as may be required to accomplish the foregoing.

MOTION: To call the question. CARRIED. 2/3 VOTE DECLARED BY MODERATOR.

VOTED: That the Town appropriate the sum of \$340,000 for the construction of a public building by Civil Defense, including the costs of surveys; and to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is hereby authorized to borrow \$340,000 under Massachusetts General Law Chapter 44, Section 7.

And further that the Town authorize the Board of Selectmen and/or the Conservation Commission to seek the approval of the Executive Office of Energy and Environmental Affairs,

to allow the following parcel of land to be used for purposes other than protected parkland and public outdoor recreation:

A certain portion of the property known as the Sacred Heart Site, which was acquired by the Town by deed of the Order of the Brothers of the Sacred Heart of New England, Inc. dated December 26, 1974 and recorded in the Norfolk Registry of Deeds in Book 5099, Page 169 and shown as Parcel B on a plan entitled "Plot Plan of Sacred Heart Property, Sharon, Mass." dated June 1973 by the Sharon Engineering Department which plan is recorded in said Registry as Plan Number 1102 of 1974, Plan Book 247. The portion of Parcel B to be removed from parkland and public outdoor recreational use contains approximately 0.86 acres and is shown as Parcel "T" on a plan entitled "Proposed Park Land Conversion" prepared by the Sharon Engineering Department which is on file with the Town Clerk.

Said Parcel "T" is to be used for a general municipal purposes and/or construction of municipal building(s) and related facilities and/or parking. In exchange for the removal of Parcel "T" from the parkland restriction, the Board of Selectmen and/or the Conservation Commission will dedicate replacement land to public outdoor recreational use, such land being identified as Parcel F on the above referenced plan and being described in a deed to the Town of Sharon recorded at the Norfolk Registry of Deeds in Book 5099, Page 168, containing approximately 2.2 acres of land.

And further that the care, custody, management and control of Parcel T be transferred from the Board of Selectmen for outdoor recreational purposes to the care, custody, management and control of the Board of Selectmen for general municipal purposes and/or for the purpose of construction of municipal building(s) and related facilities and/or parking.

And further that the Board of Selectmen and/or the Conservation Commission is authorized to petition the General Court of the Commonwealth of Massachusetts and to seek the assent and/or approval of the Secretary of the Executive Office of Environmental Affairs, the Secretary of the Executive Office of Communities and Development and such other state agencies or officials as may be required to permit such conversion.

And further that the Board of Selectmen and/or the Conservation Commission and/or such other Town agencies or officials as may be appropriate to take such other actions, are authorized to execute such agreements and execute such other documents as may be required to accomplish the foregoing. **A STANDING VOTE IN EXCESS OF 65 IN THE AFFIRMATIVE. 2/3 VOTED DECLARED BY MODERATOR.**

ARTICLE 6 – MOTION #2

VOTED UNANIMOUSLY: That the Town reduce the borrowing authorization for the Town office replacement project as voted under Article 3 of the November 6, 2017 Special Town Meeting by \$512,343 and appropriate \$512,343 of unexpended funds from completed capital projects previously authorized by Town Meeting as follows: \$280,000 from the Heights Elementary roof replacement project, and \$133,211 for Public Works equipment approved at the May 2017 Annual Town Meeting; and \$900 of bond premium for the May 2017 bond sale and \$98,232 of bond premium for the February 2018 bond sale.

Any premium received by the city/town/regional school district from the sale of any bonds or notes authorized by this vote, less the costs of issuance of the bonds or notes paid from the premium, and any accrued interest may be applied to pay project costs in accordance with Chapter 44, Section 20, and the amount authorized to be borrowed to pay those costs shall be reduced by the same amount applied.

ARTICLE 7.

VOTED UNANIMOUSLY: That the Town supplement each prior vote of the Town that authorizes the borrowing of money to pay costs of capital projects to provide that, in accordance with Chapter 44, Section 20 of the General Laws, the premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bond or notes, may be applied to pay project costs and the amount authorized to be borrowed for each such project shall be reduced by the amount of any such premium so applied.

ARTICLE 8.

VOTED UNANIMOUSLY: 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 2019 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, § 6 and amendments thereof; to authorize the Community Preservation reserve from Fiscal Year 2019 Community Preservation Fund Estimated Revenues the following:

\$49,000	for Open Space	From FY2019 Estimated Revenues
\$49,000	for Historic Preservation	From FY2019 Estimated Revenues
\$49,000	for Community Housing	From FY2019 Estimated Revenues
\$323,000	for Fund Reserve Balance for CPA	From FY2019 Estimated Revenues

That the following amounts be appropriated or reserved from Fiscal Year 2019 Community Preservation Fund Revenues, unless otherwise specified, for Fiscal Year 2019 Community Preservation purposes with each item considered a separate appropriation:

- \$131,468 for Recreation for Dr. Walter A. Griffin playground enhancements from Undesignated Fund Balance
- \$84,926 for Recreation for Veterans Memorial Park Beach from Undesignated Fund Balance
- \$50,000 for Historic for the Town Hall archival project from Undesignated Fund Balance

ARTICLE 12.

VOTED UNANIMOUSLY: That the Town raise and appropriate \$30,000 for the purpose of paying for the cost of services to perform Inspection & Valuation Services for properties within

the Town of Sharon in accordance with M.G.L. Chapter 40 Section 56 and Chapter 58 Sections 1, 1A and 3.

ARTICLE 13.

VOTED UNANIMOUSLY: That the Town amend its General Bylaws, Chapter 24, Article III, Section 24-21, table of Authorized Revolving Funds, to amend the scope of uses for the Health Department Revolving Fund as follows:

Health Department Revolving Fund: Add to "Program or Activity Expenses Payable from Fund" the following language at the end of the existing sentence: and to address public health emergency needs and pay for temporary staffing to support Health Department surge capacity; to support disease outreach programs and publications, and infectious disease training and education for Board of Health and staff.

That the Town amend its General Bylaws, Chapter 24, Article III, Section 24-21, table of Authorized Revolving Funds, to amend the Recycling Fund by:

Changing the name of the fund to "Solid Waste and Recycling Fund"

Changing "Fees, Charges or Other Receipts Credited to Fund" by deleting the existing sentence and replacing it with the following: Receipts to be deposited to this fund shall be receipts related to the Town's solid waste and recycling program.

Changing "Program or Activity Expenses Payable from Fund" by adding the words "solid waste and" before "recycling" so that it read as follows: The purpose of this fund is to support the solid waste and recycling program of the Town of Sharon and to purchase and install shade trees and shrubs to be planted in the public ways of the Town and otherwise as provided for in MGL c. 87, § 7.

Changing "Restrictions or Conditions on Expenses Payable from Fund" by increasing the spending limit for the Recycling Fund from \$150,000 to \$1,800,000, so that it reads as follows:

Expenditures in the current fiscal year shall not exceed the balance in the fund carried forward from the prior fiscal year plus receipts deposited into the fund during the current fiscal year and in any case shall not exceed \$1,800,000.

ARTICLE 17.

VOTED: That the Town amend its General Bylaws to amend Chapter 1, Article 1, Penalties, Section 1-2, Noncriminal disposition of violations, to add Board of Health Regulations, Chapter 300, Article 4, Nuisances and Dangers to Public Health, to the list of fines that may be collected pursuant to MGL c. 40, § 21D, as follows:

Chapter 300, Art. 4, Nuisances And Dangers to Public Health	First offense: \$25 Second offense: \$50	Health Agent or designated representative
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Third offense: \$100
Fourth and further
offenses: \$300

ARTICLE 18.

VOTED UNANIMOUSLY: That the Town amend the General By-Law, exactly as printed on pages 30 through 45 of this Annual Town Meeting Warrant, except for the words “owner-occupied” under §262-4, section B, subsection 4 on page 38 of this Annual Town Meeting Warrant and “or take any other action relative thereto.”

That the Town vote to amend Chapter 262: Wetlands Protection, of the Town's General Bylaws, by deleting the existing Chapter 262 in its entirety and replacing it with the following new Chapter 262: Wetlands Protection:

Chapter 262: WETLANDS PROTECTION

§ 262-1. Purpose

The purpose of this bylaw is to preserve and protect the wetlands, rivers, streams, ponds, lakes, vernal pools, water resources, flood prone areas, and adjoining upland areas of the Town of Sharon by regulating and controlling activities deemed to have significant or cumulative effect upon the functions and characteristics of such wetlands, rivers, streams, ponds, lakes, vernal pools, water resources, flood prone areas, and adjoining upland areas. Such functions and characteristics shall include, but are not limited to, the following: public or private water supply, groundwater, flood control, erosion and sedimentation control, storm damage prevention, water quality, protection of wetlands, rivers, streams, ponds, lakes, vernal pools, water resources, and other bodies of water, prevention and control of pollution, water quality, and protection of fisheries, shellfish, wildlife habitat, rare species habitat, including rare plant and animal species, agriculture, scenic vistas, recreation and aesthetics (collectively, the “resource area values protected by the bylaw”). This bylaw is intended to utilize the Home Rule authority of the Town of Sharon to protect the resource areas under the Wetland Protection Act (WPA), MGL c. 131 § 40, to protect additional resource areas beyond the WPA recognized by the Town as significant, and to impose in local regulations and permits additional standards and procedures stricter than those of the WPA and regulations thereunder, 310 CMR 10.00.

§ 262-2. Definitions

ALTER – Includes, without limitation, the following actions when undertaken to, upon, within or affecting resource areas protected by the bylaw:

- (1) Removal, excavation or dredging of soil, much, humus, sand, gravel, or aggregate materials of any kind;
- (2) Changing of pre-existing drainage characteristics, flushing characteristics, sedimentation patterns, flow patterns and flood retention characteristics;
- (3) Drainage or other disturbance of water level or water table;

- (4) Dumping, discharging or filling with any material which may degrade water quality, alter elevation or interfere with the functioning of wetland, floodplains, bank or bodies of water;
- (5) Driving of piles or erection, expansion or repair of buildings or structures of any kind;
- (6) Placing of obstructions or objects in a body of water, whether or not they interfere with the flow of water;
- (7) Destruction of plant life, including cutting or trimming of trees and shrubs. Plant life shall include those species specified in the Wetlands Protection Act, MGL c. 131 § 40 and the plant life that is significant to physical stability of the bank, flood control, storm damage prevention, prevention of pollution and /or protection of fisheries and wildlife habitat;
- (8) Changing of water temperature, biochemical oxygen demand (BOD), or other physical, biological or chemical characteristics of any ground- or surface-waters;
- (9) Any activities, changes, or work which may cause or tend to contribute to pollution of any body of water or groundwater;
- (10) Incremental activities which have, or may have, a cumulative adverse impact on the resource areas protected by the bylaw.

AREAS OF CRITICAL ENVIRONMENTAL CONCERN: those critical areas and resources designated by the Commonwealth of Massachusetts for the purpose of long-term preservation, management and use or stewardship under authority granted by G.L. Ch. 21A §2(7) and the regulations promulgated thereunder (codified at 301 CMR 12.00).

AREA SUBJECT TO PROTECTION UNDER THE BYLAW: those areas defined in the Massachusetts Wetlands Protection Act or Section 262-3 of the bylaw. It is used synonymously with Resource Area.

APPLICANT: any person making a filing, or on whose behalf a filing is submitted.

AQUIFER RECHARGE AREAS: those areas composed of permeable stratified sand and gravel and certain wetlands that collect precipitation or surface water and then carry it to aquifers.

BANK: an area which normally abuts and confines a water body; the lower boundary being the mean annual low flow level, and the upper boundary being the first observable break in the slope or the mean annual flood level, whichever is higher.

BEACH: a naturally occurring shoreline with an un-vegetated bank.

BEST AVAILABLE MEANS: the most up-to-date technology or the best designs, measures or engineering practices that have been developed and that are commercially available. "Best available" shall not be defined by economics.

BEST PRACTICAL MEASURES: state of the art technologies, designs, measures or engineering practices that are in general use to protect similar interests.

BORDERING VEGETATED WETLANDS (BVW): Bordering vegetated wetlands are freshwater wetlands. These are resource areas where groundwater discharges to the surface and where, under some circumstances, surface water discharges to the groundwater. Vegetated/freshwater wetlands are likely to be significant to public or private water supply, to groundwater supply, to flood control, to storm damage prevention, to prevention of pollution, to the protection of fisheries, to the protection of shellfish, and wildlife. The physical characteristics of vegetated wetlands are critical to the protection of interests specified in MGL c. 131 § 40. Types of freshwater wetlands are wet meadows, marshes, swamps, and bogs. They are areas where the topography is low and flat, and where the soils are annually saturated. Said resource area shall be protected whether or not they border surface waters.

BOUNDARY: the limits of an area subject to protection under the bylaw.

BROOK: considered the same as stream.

BUFFER ZONE: the land within one hundred (100) feet horizontally landward from the perimeter or outer border of any resource area, as defined in this bylaw and the Commission's rules and regulations.

CERTIFICATE OF COMPLIANCE: a written determination in recordable form by the Commission that work, or a portion thereof, has been completed in accordance with the issued Orders of Conditions.

COMMISSION: the Conservation Commission of the Town of Sharon, a lawfully constituted agency established pursuant to MGL c. 40 § 8C to regulate and control activities governed by this bylaw.

CONDITIONS: those requirements set forth in an Order of Conditions issued by the Commission for the purpose of permitting, regulating or prohibiting any activity that removes, fills, dredges or alters and has an impact or cumulative effect upon a Resource Area.

CREEK: the same as stream.

DATE OF ISSUANCE: the date any document issued by the Commission (including, but not limited to, an Order of Conditions, a Determination of Applicability, or an Enforcement Order) is mailed, as evidenced by a postmark, or the date it is hand delivered and receipted to an applicant, or the applicants agent.

DATE OF RECEIPT: the date of actual delivery to an office, home address or usual place of business by mail or hand delivery.

MASSDEP: the Massachusetts Department of Environmental Protection.

DETERMINATION OF APPLICABILITY: a written finding, following a public hearing by the Commission, as to whether a site or the work proposed thereon is subject to the jurisdiction of the bylaw. A finding will be one of the following:

- (1) Positive Determination: a written finding that an area on which the proposed work is to be done, or the activity thereon, will cause a significant impact to one or more of the interests protected by the bylaw.
- (2) Negative Determination: a written finding that an area on which proposed work is to be done, or the activity thereon, will not cause a significant impact to any of the interests protected under the bylaw.
- (3) Negative Determination with Conditions: a written finding that the work proposed on the area allowed under the Conditions prescribed by the Commission, will not cause a significant impact to any of the interests protected by the bylaw.

ENFORCEMENT ORDER/VIOLATION NOTICE: issued to any owner, applicant or agent in the event of a violation of this bylaw, the Massachusetts Wetlands Protection Act or any order issued thereunder.

EXTENDED DROUGHT: any period of four or more months during which the average rainfall for each month is 50 percent or less of the ten year average for that same month.

FILING: any filing made under the Massachusetts Wetlands Protection Act or the bylaw to the Commission, including, but not limited to, a Request for Determination of Applicability, Notice of Intent, Abbreviated Notice of Intent or Abbreviated Notice of Resource Area Delineation.

FLOOD CONTROL: preventing or reducing flooding and flood damage.

FRESHWATER WETLANDS: are vegetated wetlands and consist of any area of at least 2,000 square feet where surface and/or ground water, or ice at or near the surface of the ground, supports a plant community dominated (at least 50 percent) by wetland species and/or exhibits other evidence of hydrology. They are otherwise defined in MGL c. 131 § 40.

GROUNDWATER PROTECTION DISTRICT: area designated to protect, preserve, and maintain the existing and potential groundwater supply and groundwater recharge areas; to preserve and protect current and potential sources of water supply for public health and safety; and to conserve the natural resources of the town and to prevent environmental pollution.

GROUNDWATER SUPPLY: water below the earth's surface in the zone of saturation.

INTERESTS PROTECTED BY THE BYLAW: those interests specified in Section 262-1 of the bylaw.

INVASIVE PLANT AND ANIMAL SPECIES: species not native to the Resource Area whose presence threatens the integrity of natural communities and the survival of indigenous plant and animal species.

ISOLATED LAND SUBJECT TO FLOODING: an isolated depression or closed basin without an inlet or an outlet. It is an area which at least once a year confines standing water to a volume of ¼ acre-feet and to an average depth of at least six (6) inches. The area may be underlain by pervious material which in turn may be covered by a mat of organic peat or muck.

ISOLATED WETLAND: an area of at least 2,000 square feet, where surface and /or groundwater, or ice at or near the surface of the ground, supports a plant community dominated (at least 50%) by wetland species and/or exhibits other evidence of hydrology though the area does not border surface waters.

LAKE: any open body of fresh water with a surface area of 10 acres or more, including but not limited to, great ponds.

LAND SUBJECT TO FLOODING: an area with low, flat topography adjacent to and inundated by flood waters rising from creeks, rivers, streams, ponds or lakes. It extends from the banks of these waterways and water bodies; where bordering vegetated wetlands occur, it extends from such wetland.

LAND UNDER WATER BODIES AND WATERWAYS: the bottom of, or land under the surface of, any creek, river, stream, pond or lake.

MARSH: area where a vegetational community exists in standing water or running water during the growing season and where a significant part of the vegetational community is composed of, but not limited to nor necessarily including all, of the following plants or groups of plants: arums (Araceae), bladder worts (Utricularia), bur reeds (Sparganiaceae), button bush (Cephalanthus occidentalis), cattails (Typha), duck weeds (Lemnaceae), eelgrass (Vallisneria) frog bits (Hydrocharitaceae), horsetails (Equisetaceae), hydrophylic grasses (Poaceae), leatherleaf (Charmaedaphne calyculata), pickerel weeds, (Pontederiaceae), pipeworts (Eriocaulon), pond weeds (Potamogeton), rushes (Juncaeeae), smartweeds (Polygonum), sweet gale (Myrica gale), water milfoil (Haloragaceae), water lilies (Nymphaeaceae), water starworts (Callitrichaceae), water willow (Decodon verticillatus).

MASSACHUSETTS WETLANDS PROTECTION ACT: MGL c. 131 § 40 and the regulations promulgated thereunder (codified at 310 CMR 10.00)

MEAN ANNUAL BOUNDARY: with respect to vernal pools, the highest observed water surface elevation.

MEPA: Massachusetts Environmental Policy Act, MGL c. 30 §§ 61-62, and the regulations promulgated thereunder as codified at 310 CMR 11.00.

NOTICE OF INTENT: the written notice filed under the Massachusetts Wetlands Protection Act and/or the bylaw by any applicant intending to remove, fill dredge, or otherwise alter a Resource Area.

ORDER: an Order of Conditions and/or Order of Resource Area Delineation, Superseding, Order or Final Order, issued pursuant to the Massachusetts Wetlands Protection Act and/or the bylaw.

ORDER OF CONDITIONS: the document issued in recordable form by the Commission containing conditions which regulate or prohibit an activity under the Massachusetts Wetlands Protection Act and/or the bylaw.

ORDER OF RESOURCE AREA DELINEATION: the document issued in recordable form by the Commission indicating acceptance of the marked boundaries designating areas subject to protection under the bylaw, as defined herein.

OWNER OF LAND ABUTTING THE ACTIVITY: means the owner of land sharing a common boundary or corner with the site of the proposed activity in any direction, including land located directly across a street, way, creek, river, stream, brook or canal.

PERSON: Includes any individual, group of individuals, association, partnership, corporation, company, business organization, trust, estate, the federal government or agencies thereunder to the extent subject to Town bylaws, the Commonwealth or political subdivisions thereof to the extent subject to Town bylaws, administrative agencies, public or quasi-public corporations or bodies, the Town of Sharon, and any other legal entity, its legal representatives, agents or assigns.

PLAN: such data, maps, engineering drawings, calculations, specifications, schedules and other materials, if any, deemed necessary by the Commission to describe the site, all areas subject to jurisdiction under the Massachusetts Wetlands Protection Act or the bylaw and/or to determine the impact of the proposed work upon the interests identified in the Massachusetts Wetlands Protection Act or the interests protected by the bylaw.

POND: any open body of fresh water with a surface area observed or recorded within the last ten (10) years of at least 5,000 square feet. Ponds may be either naturally occurring or man-made by impoundment, excavation or otherwise. Ponds shall contain standing water except for periods of extended drought, as defined herein. The following man-made bodies of open water shall not be considered ponds:

- a) basins or lagoons which are part of wastewater treatment plants;
- b) swimming pools or other impervious man-made basins;
- c) individual gravel pits or quarries excavated from upland areas unless inactive for five or more consecutive years.

PREVENTION OF POLLUTION: the prevention or reduction of contamination of soils and/or surface water or groundwater.

PRIVATE WATER SUPPLY: any source or volume of surface or groundwater demonstrated to be in any private use or shown to have potential for private use.

PROTECTION OF FISHERIES: to prevent or reduce contamination or damage to fish and to protect their habitat and nutrient sources.

PROTECTION OF WILDLIFE: the protection of any plant or animal species listed as endangered, threatened or of special concern, or on the Watch List by Mass Wildlife's Natural Heritage and Endangered Species Program; listed as Federally Endangered or Federally Threatened by the U.S. Fish and Wildlife Service; deemed locally threatened in writing by the Commission; and the protection of the ability of any Resource Area to provide food, breeding habitat, or escape cover for species falling within the definition of wildlife.

PUBLIC WATER SUPPLY: any source or volume of surface or groundwater demonstrated to be in public use, or approved for water supply pursuant to G.L. Ch. 111 § 160 by MassDEP, or shown to have a potential for public use.

QUORUM: more than half of the filled seats on the Commission.

RARE SPECIES: includes, without limitation, all vertebrate and invertebrate animals and all plant species listed as endangered, threatened, or of special concern by the Massachusetts Division of Fisheries and Wildlife, regardless whether the site in which they occur has been previously identified by the Division.

REQUEST FOR DETERMINATION OF APPLICABILITY: a written request on the proper form made by any person, to the Commission for a determination as to whether a site or work thereon is subject to the bylaw.

RESOURCE AREA: those areas defined in the Massachusetts Wetlands Protection Act or Section 262-3 of the bylaw. Resource Area is used synonymously with Area Subject to Protection under the Bylaw.

RIVER: a natural flowing body of water that empties into any lake, pond, ocean or other river and which flows throughout the year, including but not limited to the following: Beaver Brook, Billings Brook, Canoe River, Little Canoe River, Devil's Brook, Massapoag Brook, Puffer Brook, School Meadow Brook, Spring Meadow Brook, Sucker Brook, Traphole Brook, in their entirety throughout the Town of Sharon.

RIVERFRONT AREA: as defined in the MGL c. 131 Section 40.

STORM DAMAGE PREVENTION: the prevention of damage caused by water from storms, including, but not limited to, erosion and sedimentation, damage to vegetation, property, or buildings, or damage caused by flooding, waterborne debris or waterborne ice.

STREAM: a body of running water, including brooks and creeks, which move in a definite channel in the ground due to hydraulic gradient. A stream may flow through a culvert or beneath a bridge. A body of running water which does not flow throughout the year is termed an intermittent stream.

VEGETATED WETLANDS: see Freshwater Wetlands.

VERNAL POOL: includes, in addition to scientific definitions found in the regulations under the Massachusetts Wetlands Protection Act, any confined basin or depression not occurring in existing lawns, gardens, landscaped areas or driveways which at last in most years, holds water for a minimum of two continuous months during the spring and/or summer, contains at least 200 cubic feet of water at some time during most years, is free of adult predatory fish populations, and provides essential breeding and rearing and other important wildlife habitat functions for amphibian, reptile or other vernal pool community species, regardless of whether the site has been mapped and/or certified by the Division of Fisheries and Wildlife. The boundary of the resource area for vernal pools shall be 100 feet outward from the mean annual high-water line defining the depression.

WET MEADOW: area where groundwater is at the surface for a significant part of the growing season and near the surface throughout the year and where a significant part of the vegetational community is composed of various grasses, sedges, and rushes; made up of, but not limited to nor necessarily including all of the following plants or groups of plants: blue flag (Iris), vervain (Verbena), thoroughwort (Eupatorium), dock (Rumex), false loosestrife (Ludwigia), hydrophilic grasses (Poaceae), loosestrife (Lythrum), marsh fern (Dryopteris thelypteris). Rushes (Juncaceae), sedges (Cyperaceae), sensitive fern (Onoclea sensibilis), smartweed (Polygonum).

WILDLIFE: living things and especially mammals, birds, reptiles, amphibians and fish, as well as invertebrates, which are neither human nor domesticated, and living in their natural environment.

The Commission may adopt definitions, not inconsistent with this § 262-2, in its regulations promulgated pursuant to § 262-11 of this bylaw.

§ 262-3. **Jurisdiction**

A. No person shall remove, fill, dredge, build upon, or alter any bank, freshwater wetland, vernal pool, beach, flat, marsh, wet meadow, bog, swamp, or lands bordering on any creek, river, stream, lands adjoining these resource areas out to a distance of 200 feet, known as the riverfront area, or any pond, lake, or any land under said waters, or any land subject to storm flowage, or flooding, or inundation by groundwater or surface water, or lands adjoining these resource areas out to a distance of 100 feet, known as the buffer zone, without filing written notice of the intention to do so with the Commission in accordance with the provisions set forth in this bylaw and without receiving and complying with the Order of Conditions issued by the Commission and provided all appeal periods have elapsed, unless the Commission shall have determined that this bylaw does not apply to the activity proposed.

B. The jurisdiction of this bylaw shall not extend to uses and structures of agriculture that enjoy the rights and privileges of laws and regulations of the Commonwealth governing agriculture including work performed for normal maintenance or improvement of land in agricultural or aquacultural use as defined by the Massachusetts Wetland Protection Act Regulations at 310 CMR 10.04.

§ 262-4. **Exemptions and Exceptions**

A. This bylaw shall accommodate emergency projects in the following manner:

- (1) Emergency projects necessary for the protection of the health or safety of the residents of Sharon which are to be performed, provided that the work is to be performed by, or has been ordered to be performed by, an agency of the Commonwealth or a political subdivision thereof; provided that advance notice, oral or written, has been given to the Commission prior to commencement of work or within 24 hours after commencement; provided that the Commission or its agent certifies the work as an emergency project; provided that the work is performed only for the time and place certified by the Commission for the limited purposes necessary to abate the emergency; and provided that within 21 days of commencement of an emergency project a permit application shall be filed with the Commission for review as provided by this bylaw. Upon failure to meet these and other requirements of the Commission, the Commission may, after notice and a public hearing, revoke or modify an emergency project approval and order restoration and mitigation measures.

B. The following activities are exempt under this bylaw:

- (1) Maintenance, repair, replacement, without substantial change or enlargement, or existing and lawfully located structures or facilities used in the service of the public and used to provide electric, gas, water, sewerage, drainage, railroad transportation, telephone, telegraph and other telecommunication services to the public provided that written notice has been given to the Commission prior to commencement of work, and provided that the work conforms to any performance standards and design specifications in regulations adopted by the Commission.
- (2) Normal maintenance or improvement of land in agricultural use. The Commission shall determine whether the requirements of the bylaw apply to activities proposed that may change land in agricultural use and affect the interests protected by this bylaw.
- (3) Routine maintenance and repair of existing public ways.
- (4) Normal maintenance, repair, replacement of any existing betterment to private, owner-occupied property, including, but not limited to, existing fences, decks, patios, hedges, docks, boat moorings, trees, shrubs, lawns, gardens, mail boxes, retaining walls or lamp posts, as long as the resource areas protected by this bylaw are unaffected.

§ 262-5. **Applications and Fees**

A. Any person who desires a determination as to whether this bylaw applies to an area, or to any activity proposed thereon, shall submit a written Request for Determination of Applicability to the Commission, signed by the owner of the area, or the applicants, if such applicant believes an owner to be acting improperly on an area, on a form obtainable from the Commission, together with plans showing the existing characteristics of the area and the nature and extent of the

activities to be performed thereon. The information submitted shall also include lot lines, Town ways, the location of all wetlands, vernal pools, floodplains, water courses, and buffer zones, existing buildings, and all changes proposed, and such other information as the Commission may require by regulation.

B. Any person requesting a hearing before the Commission shall be required to make a minimum payment of \$50.00 per hearing, said amount payable to the Town of Sharon which in turn will be placed in the Advertising Fund for the purpose of payment of the advertisement of the hearing notice and any other associated costs. The Commission shall hold a public hearing on the activity within 21 days of receiving such completed Notice of Intent. Notice of the time and place of such hearing shall be given by the Commission, at the expense of the applicant, not less than five days prior to the public hearing, by publication in a newspaper of general circulation in Sharon, and by mailing a notice by certified mail to the applicant, and the owner, if a person other than the applicant, and to the Sharon Board of health and the Sharon Planning Board. All publications and notices shall contain the name of the applicant, a description of the area where the activity is proposed, by street address, if any, or other adequate identification of the location of the area or premises which is the subject of the notice, date, time and place of the public hearing, the subject matter of the hearing, and the nature of the action, or relief requested, if any. Such hearing may be held at the same time and place as any public hearing required to be held under MGL c. 131 § 40 or otherwise. If the Commission determines that additional information is necessary, the hearing may be continued to a future date for as many hearings as may be deemed necessary by the Commission.

C. Any person filing a permit or other application or other request with the Commission shall give written notice thereof, by certified mail (return receipt requested) to all abutters at their mailing addresses shown on the most recent applicable tax list of the assessors, including owners of land directly opposite on any public or private street or way, and any abutters to the abutters within 300 feet of the property line of the applicant, including any in another municipality or across a body of water. The notice shall state a brief description of the project or other proposal and the date of any Commission hearing or meeting date if known. The notice to abutters also shall include a copy of the application or request, with plans, or shall state where copies may be examined and obtained by abutters. An affidavit of the person providing such notice, with a copy of the notice mailed or delivered, shall be filed with the Commission. When a person requesting a determination is other than the owner, the request, the notice of the hearing and the determination itself shall be sent by the Commission to the owner as well as to the person making the request.

(1) The Request for Determination of Applicability shall be delivered to the Commission by certified mail (return receipt requested) together with a certification that all abutters to the area subject to determination, and the owner, if not the person making the request, have been sent notice that a determination is being requested hereunder, and to such other persons as the Commission may require by regulation. In order to comply with the provisions of this bylaw, each application must be complete, as filed, and must comply with the rules set forth herein. The commission, in its discretion, may hear any oral presentation under this bylaw at the same public hearing to be held under the provisions of MGL c. 131 § 40.

(2) Notice of the time and place of such hearing shall be given by the Commission, at the expense of the applicant, not less than five days prior to the public hearing, by publication in a newspaper of general circulation in Sharon and by mailing a notice by certified mail (return receipt requested), to the applicant, or owner, if a person other than the applicant. All publications and notices shall contain the name of the applicant, a description of the area where the activity is proposed by street address, if any, or any other adequate identification of the location of the area or premises which is the subject of the notice, the date, time and place of the public hearing, the subject matter of the hearing, and the nature of the action or relief requested, if any.

D. The Commission in an appropriate case may accept as the application and plans under this bylaw any application and plan filed under the Massachusetts Wetlands Protection Act (MGL c. 131 § 40) and regulations (310 CMR 10.00), but the Commission is not obliged to do so.

E. At the time of an application, the applicant shall pay the filing fees as specified in the Commission's Rules and Regulations. The fee is in addition to that required by the Massachusetts Wetlands Protection Act and regulations.

F. Pursuant to MGL c. 44 § 53G and regulations promulgated by the Commission, the Commission may impose reasonable fees upon applicants for the purpose of securing outside consultants including engineers, wetland scientists, wildlife biologists, or other experts in order to aid in review of proposed projects. This fee is called the "consultant fee". The specified consultant services may include, but are not limited to, performing or verifying the accuracy or resource area survey and delineation; analyzing resource area functions and values, including wildlife habitat evaluations, hydrogeological and drainage analysis; and researching environmental or land use law. The exercise of discretion by the Commission in making its determination to require payment of a consultant fee shall be based upon its reasonable finding that additional information acquirable only through outside consultants would be necessary for the making of an objective decision. Any applicant aggrieved by the imposition of, or size of, the consultant fee, or any act related thereto, may appeal according to the provisions of the Massachusetts General Laws. Such funds shall be deposited with the town Treasurer, who shall create an account specifically for this purpose. Additional consultant fees may be requested where the requisite review is more expensive than originally calculated or where new information requires additional consultant services.

Only costs relating to consultant work done in connection with a project for which a consultant fee has been collected shall be paid from this account, and expenditures may be made at the sole discretion of the Commission. Any consultant hired under this provision shall be selected by, and report exclusively to, the Commission. The Commission shall provide applicants with written notice of the selection of a consultant, identifying the consultant, the amount of fee to be charged to the applicant, and a request for payment of that fee. Notice shall be deemed to have been given on the date it is mailed or delivered. The applicant may withdraw the application or request within five (5) business days of the date notice is given without incurring any costs or expenses.

The entire fee must be received before the initiation of consulting services. Failure by the applicant to pay the requested consultant fee within ten (10) business days of the request for

payment shall be cause for the Commission to declare the application administratively incomplete and deny the permit without prejudice, except in the case of an appeal. The Commission shall inform the applicant and MassDEP of such a decision in writing.

G. Fees are payable by cash or check to the Town of Sharon at the time of request or filing, and are not refundable. Town, county, state or federal projects are exempt from fees. The Commission, upon a majority vote, may waive fees in the event of hardship or other cause.

§262-6. **Procedures**

Unless the Commission determined that this bylaw does not apply to such activity pursuant to the provisions of this bylaw, every person who wishes to remove, fill, dredge, or alter any wetland, vernal pool, floodplain, or buffer zone, shall first file a written Notice of Intent (NOI) with the Commission, signed by the owner of the area, or his/her legally authorized representative, on a form available from the Commission, together with a list of the names and addresses of all abutters to the area subject to such Notice, and with such Notice, such plans and additional information as the Commission may deem necessary, by regulation, or otherwise, to describe the nature of the activity proposed and its effect on the wetlands, floodplains and buffer zones. The NOI shall be delivered to the Commission by hand, or by certified mail (return receipt requested) together with a certification that all abutters to the area subject to the NOI, and the owner, if the person making the application is other than the owner, have been sent notice that a NOI has been filed hereunder, and to such other persons as the Commission may, by regulation, determine. The plans shall show the location of the wetland boundaries and shall be at such scale as the Commission may deem necessary, by regulation, or otherwise. All drawings and plans should be stamped, signed and dated by such registered professional as the Commission may require, by regulation, or otherwise. In addition, the NOI, with its plans, will show lot lines, Town ways, the names of all abutters, the location of all the wetland areas, vernal pools, floodplains, water courses, and buffer zones, pertinent physical features of the land, existing buildings, and all changes proposed to be made. In order to comply with the provisions of this bylaw, each Notice must be complete, as filed and comply with the rules set forth herein. No such Notice shall be accepted as complete before all permits, variances, and approvals required by the bylaw of the Town of Sharon with respect to the proposed activity, which are obtainable at the time of such Notice, have been obtained, or if not obtainable at that time, have been applied for, as provided in MGL c. 131 § 40.

A. BURDEN OF PROOF - The applicant shall have the burden of proving, by a preponderance of the credible evidence, that the activity proposed in the NOI will not negatively impact the resource area values protected by this bylaw. Failure to provide adequate evidence to the Commission supporting this burden shall be significant cause for the Commission to deny a permit or grant a permit with conditions as the Commission deems reasonable, necessary, or desirable to carry out the purposes of this bylaw, or to postpone or continue the hearing to another date certain to enable the applicant and others to present additional evidence, upon such terms and conditions as seems to the Commission to be just.

B. The Commission, in its sole discretion, may hear any oral presentation under this bylaw by any interested or aggrieved party, at the same public hearing required for any permit application under the Massachusetts Wetlands Protection Act. Notice of the time and place of such hearing

shall be given by the Commission, at the expense of the applicant, not less than five (5) days prior to the public hearing, by publication in a newspaper of general circulation in Sharon and by mailing a notice by certified mail (return receipt requested), to the applicant, or owner, if a person other than the applicant. All publications and notices shall contain the name of the applicant, a description of the area where the activity is proposed by street address, if any, or any other adequate identification of the location of the area or premises which is the subject of the notice, the date, the time, and place of the public hearing, the subject matter of the hearing, and the nature of the action, or relief requested, if any.

C. If, after the hearing, the Commission determines that the proposed activity impacts the resource areas protected by this bylaw, the Commission may, by written order issued within 21 days after the close of such hearing, impose such conditions, safeguards, and limitations on time and use upon such activity as it deems necessary to protect those interests; but the Commission may prohibit such activity all together, in the event that it finds that the interests of this bylaw cannot be preserved and protected by the imposition of such conditions, safeguards, or limitations. Due consideration shall be given to possible effects of the proposal on all resource area values to be protected under this bylaw and to any demonstrated hardship on the applicant by reason of a denial, as brought forth at the public hearing. If the Commission shall determine that the activity proposed does not require the imposition of conditions to preserve and protect the interests of this bylaw, the applicant shall be notified in writing. No condition shall be imposed, nor any determination rendered by the Commission, unless the Commission meets with a quorum present.

D. The Commission may, as part of its Order of Conditions, require, in addition to any security required by any other Town or State board, committee, commission, agency or officer, that the performance and observation of the conditions, safeguards and limitations imposed under this bylaw by the applicant and owner be secured by one, or both, of the methods described in the following clauses:

(1) By a proper bond, deposit of money, or negotiable securities under a written third-party escrow arrangement, or other undertaking of financial responsibility sufficient in the opinion of the Commission, to be released in whole or in part upon issuance of Certificate of Compliance for work performed pursuant to the permit. Such bond or security, if filed or deposited, shall be approved as to form and manner of execution by Town Counsel or the town Treasurer, and/or

(2) By accepting a conservation restriction, easement, or other covenant enforceable in a court of law, executed and duly recorded by the owner of record, running with the land to the benefit of this municipality whereby the permit conditions shall be performed and observed before any lot may be conveyed other than by mortgage deed. This method shall be used only with the consent of the applicant.

E. In the event all activity authorized by the Order of Conditions is not completed within three years after the date of issuance, the authorization contained therein shall expire, unless the Order has been renewed prior to expiration, such renewal being subject to all of the conditions of this bylaw. An Order of Conditions may be renewed, upon written request of the applicant, for a period of up to three years.

No activity governed by an Order of Conditions shall be carried on unless, and until, all permits, approvals and variances required by the bylaws of the Town of Sharon shall have been obtained, and unless such Order of Conditions shall have been recorded or registered at the Norfolk County Registry of Deeds or in the Norfolk District Land Court Department and until all applicable appeal periods have expired.

The Commission shall have the right to record or register its Order of Conditions with said registry. In the event that an Order of Conditions, issued pursuant to this bylaw, is identical to a final Order of Conditions issued pursuant to the provisions of MGL c. 131 § 40, only one such order need be recorded or registered.

§ 262-7. **Certificate of Compliance**

The Commission shall, upon receiving a written request therefor, inspect the resource areas where the activity governed by an Order of Conditions was carried out, and issue a Certificate of Compliance to the owner of the property in a form suitable for recording, or registering, if the Commission shall determine that all of the activity, or activities, or portions thereof, limited thereby, have been completed in accord with said Order. The written request for a Certificate of Compliance shall be accompanied by evidence of the prior recording, or registering, of the governing Order of Conditions.

§ 262-8. **Pre-acquisition violation**

Any person who purchases, inherits, or otherwise acquires real estate upon which work has been done in violation of the provisions of this bylaw, or in violation of any Order of Conditions issued under this bylaw, shall forthwith comply with any such Order, or restore the land to its condition prior to any such violation; provided, however, that no action, civil or criminal, shall be brought against such a person, unless such action is commenced within three years following the recording of the deed, or the date of the death by which such real estate was acquired by such person.

§ 262-9. **Right of entry**

Any applicant who is an owner, or any applicant legally authorized to represent the owner, who requests the Commission to evaluate a written Notice of Intent, request for Determination, or Abbreviated Notice of Resource Area Delineation gives the Commission, and its agents, the right of entry to the owner's property for the purpose of evaluating the information provided in the filing.

§ 262-10. **Enforcement**

In accordance with the provisions of MGL c. 40 § 21D, as well as every other authority and power that may have been, or may hereafter be conferred upon it, the Town of Sharon may enforce the provisions of this bylaw, restrain violations thereof, and seek injunctions and judgments to secure compliance with its Order of Conditions. Without limiting the generality of the foregoing:

A. No person shall remove, fill, dredge, build upon, degrade or otherwise alter a Resource Area protected by this bylaw, or cause, suffer, or allow such activity, or leave in place unauthorized fill, or otherwise fail to restore illegally altered land to its original condition, or fail to comply with a permit or an enforcement order issued pursuant to this bylaw.

B. Any person who violates any provision of this bylaw, or any condition or permit issued pursuant it, shall be punished by a fine pursuant to MGL c. 40 § 21, and pursuant to the Town of Sharon bylaws, Chapter 1, Article 1. Each day, or portion thereof, during which a violation continues, shall constitute a separate offense. This by law may be enforced pursuant to MGL c. 40 § 21D, by a Town of Sharon police officer, or other officer having police powers.

C. In the event of a violation of this bylaw, or of any order issued thereunder, the Commission or its agents may issue a stop order to the owner, the applicant, or their agent, by certified mail (return receipt requested) or by posting the same in a conspicuous location on the site affected. Any person who shall violate the provisions of a stop order shall be deemed in violation of the bylaw; but the failure of the Commission to issue a stop order, for any reason, shall not prevent the Town of Sharon from pursuing any other legal remedy at law, or in equity, to restrain violations of this bylaw and to secure compliance with its orders.

D. The Town of Sharon shall be the beneficiary of all fines imposed on account of the violation of this bylaw in order to defray the expense of enforcing the same.

E. Upon the request of the Commission, the Board of Selectmen and Town Counsel shall take such legal action as may be necessary to enforce this bylaw and permits issued pursuant to it.

F. Upon the recommendation of the Commission, the Board of Selectmen may employ Special Counsel to assist the Commission in carrying out the legal aspects, duties, and requirements of this bylaw.

G. As an alternative to criminal prosecution in a specific case, the Commission may issue citations with specific penalties pursuant to the non-criminal disposition procedure set forth in MGL c. 40 § 21D, which has been adopted by the Town in Chapter 1, Article 1 of the general bylaws.

§262-11. **Regulations**

After notice and public hearing the Commission may promulgate rules and regulations to affect the purpose of this bylaw, effective when voted and filed with the Town Clerk. Failure by the Commission to promulgate such rules and regulations or a legal declaration of their invalidity by a court of law shall not act to suspend or invalidate the effect of this bylaw.

§262-12. **Coordination with Other Boards**

Any person filing a permit application, Request for Determination of Applicability , or Abbreviated Notice of Resource Area Delineation with the Commission shall provide a copy thereof at the same time, by certified mail (return receipt requested), or hand delivery, to the Board of Selectmen, Planning Board, Board of Appeal, Board of Health, Town Engineer, and Building Inspector. A copy shall be provided in the same manner to the Commission of the adjoining municipality, if the application or Request for Determination of Applicability pertains to property within three hundred (300) feet of that municipality. An affidavit of the person providing notice, with a copy of the notice mailed or delivered, shall be filed with the Commission. The Commission shall not take final action until the above boards and officials have had fourteen (14) days from the receipt of the notice to file written comments and recommendations with the Commission, which the Commission shall take into account, but which shall not be binding on the Commission. The applicant shall have the right to receive any comments and recommendations, and respond to them at a hearing of the Commission, prior to final action.

§ 262-13. Relationship of this bylaw to Massachusetts General Laws

This bylaw is intended to utilize the Home Rule authority of this municipality to protect additional resource areas and interests with standards and procedures stricter than those pursuant to the Wetlands Protection Act, MGL c. 131, § 40, and the regulations thereunder, 310 CMR 10.00.

§ 262-14. Severability

The invalidity of any section or provision of this bylaw shall not invalidate any other section or provision thereof, nor shall it invalidate any order of Conditions which previously have become final.

ARTICLE 19.

VOTED UNANIMOUSLY: That the Town authorize the Board of Selectmen to commence a Community Choice Aggregation Program (CCA) and contract for electric supply as authorized by M.G.L. 164, Section 134, and through CCA decrease greenhouse gas emissions from the generation of electricity for Sharon residents and businesses by pursuing an increased amount of Class I designated renewable energy than is required by the Massachusetts Renewable Portfolio Standard (RPS).

THE MEETING ADJOURNED AT 10:12 P.M.

Attendance: 252

**ANNUAL TOWN MEETING
MAY 7, 2018**

The Annual Town Meeting of May 7, 2018 was adjourned at 10:12 P.M. to reconvene at the Sharon High School, Arthur E. Collins Auditorium on Pond Street on Tuesday, May 8, 2018 at 7:00 P.M. then and there to act on all unfinished business in the May 7, 2018 Annual Town Meeting Warrant.

Attest:

**Marlene B. Chused
Sharon Town Clerk**

MAY 8, 2018

This is to certify that I have posted a copy of the above notice in accordance with Town By-laws.

DANIEL SIRKIN,
Constable
Sharon, Massachusetts

ADJOURNED ANNUAL TOWN MEETING

MAY 8, 2018

ARTICLE 20.

MOVED: That the Town amend the Town's Zoning Bylaws by amending Section 2313 – Other permitted principal uses – by adding a new subsection (d), to allow commercial solar energy systems within residential districts on land owned by the Town of Sharon, other than land under the control of the Sharon Conservation Commission; provided, however, such use is permitted only on a parcel consisting of two or more acres, as follows:

d. In all residential districts under this Section 2310, commercial solar energy systems on land owned by the Town of Sharon, other than land under the control of the Sharon Conservation Commission; provided, however, such use is permitted only on a parcel consisting of two or more acres. Parcels separated by a road shall be considered adjacent for purposes of this Subsection d. Solar energy systems permitted under this subsection shall be exempt from lot coverage, natural vegetation and impervious surface requirements as defined in Section 2400 and Section 4500 of this Bylaw.

MOTION TO AMEND: By replacing Subsection d. so that it now reads:

d. In residential districts under this Section 2310, commercial solar energy systems on land owned by the Town of Sharon, other than land under the control of the Sharon Conservation Commission' provided, however, such use is permitted only on the following two named parcels

of two or more acres: the landfill, and the train station. Parcels separated by a road shall be considered adjacent for purposes of the Subsection d. Solar energy systems permitted under this subsection shall be required to comply with lot coverage, natural vegetation and impervious surface requirements as defined in section 2500 and Section 4500 of the Bylaw. **NOT CARRIED.**

MOTION TO MOVE THE QUESTION. RULED OUT OF ORDER.(MORE DISCUSSION FROM VOTERS IN AUDITORIUM AND GYM.)

VOTED: That the Town amend the Town's Zoning Bylaws by amending Section 2313 – Other permitted principal uses – by adding a new subsection (d), to allow commercial solar energy systems within residential districts on land owned by the Town of Sharon, other than land under the control of the Sharon Conservation Commission; provided, however, such use is permitted only on a parcel consisting of two or more acres, as follows:

d. In all residential districts under this Section 2310, commercial solar energy systems on land owned by the Town of Sharon, other than land under the control of the Sharon Conservation Commission; provided, however, such use is permitted only on a parcel consisting of two or more acres. Parcels separated by a road shall be considered adjacent for purposes of this Subsection d. Solar energy systems permitted under this subsection shall be exempt from lot coverage, natural vegetation and impervious surface requirements as defined in Section 2400 and Section 4500 of this Bylaw. **2/3 VOTE DECLARED BY MODERATOR.**

ARTICLE 21.

MOVED: That the Town amend the Town's Zoning Bylaw by deleting the existing Section 3700 in its entirety and adding a new Section 3700 – Marijuana Retailers, that would provide as follows, with the understanding that in accordance with M.G.L. c. 94G, § 3(a)(2), such Bylaw must also be approved by the voters of the Town at an election:

Section 3700 – Marijuana Retailers. Consistent with M.G.L. c. 94G, § 3(a)(2), all types of non-medical "Marijuana Retailers" as defined in M.G.L. c. 94G, § 1 shall be prohibited within the Town of Sharon. This prohibition shall not be construed to affect the medical use of marijuana as expressly authorized by the provisions of Chapter 369 of the Acts of 2012 and 105 CMR 725.000 (as the same may be amended from time to time).

MOTION: TO CALL THE QUESTION. CARRIED SUBJECT TO VOTERS AT MICROPHONES.

MOTION: That the Town amend the Town's Zoning Bylaw by deleting the existing Section 3700 in its entirety and adding a new Section 3700 – Marijuana Retailers, that would provide as follows, with the understanding that in accordance with M.G.L. c. 94G, § 3(a)(2), such Bylaw must also be approved by the voters of the Town at an election:

Section 3700 – Marijuana Retailers. Consistent with M.G.L. c. 94G, § 3(a)(2), all types of non-medical "Marijuana Retailers" as defined in M.G.L. c. 94G, § 1 shall be prohibited within the

Town of Sharon. This prohibition shall not be construed to affect the medical use of marijuana as expressly authorized by the provisions of Chapter 369 of the Acts of 2012 and 105 CMR 725.000 (as the same may be amended from time to time). **NOT CARRIED. A STANDING VOTE. VOTES IN THE AFFIRMATIVE 543. VOTES IN THE NEGATIVE 553.**

ARTICLE 22.

VOTED UNANIMOUSLY: That the Town amend the Zoning Bylaw exactly as printed on pages 58 through 60 of the warrant for this Annual Town Meeting, except for the words “or take any other action relative thereto.”

That the Town vote to amend the Zoning Bylaw by amending Section 2334: Uses and accessory uses allowed by Special Permit in the Light Industrial District and Section 3600: Registered Marijuana Dispensaries, to allow marijuana establishments within the Light Industrial District, as follows:

Amend Section 2334 by adding a new subsection n. as follows:

n. Registered Marijuana Dispensaries and Marijuana Establishments as provided in Section 3600. These uses shall not be considered accessory uses.

Amend Section 3600 to add "and Marijuana Establishments" in the title.

Amend Subsection 3610 - Definitions to add the following definition of marijuana establishments:

Marijuana Establishment: A marijuana cultivator, independent testing laboratory, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business.

And to amend the definition of Registered Marijuana Dispensary (RMD) to add the words "or for profit" after the word "not-for-profit."

Amend Subsection 3620 – Siting Requirements to include Marijuana Establishments, and to change the manner of measurement for the buffer zone distance, as follows:

- a. All RMDs and Marijuana Establishments, as defined in Subsection 3610 of this Zoning Bylaw are allowed only in the Light Industrial (LI) District upon the granting of a special permit by the Zoning Board of Appeals.
- b. No RMD or Marijuana Establishment shall be located less than 400 feet from any residential zoning district or from any residential use; from any public or private school, or municipal building open to the general public; from any church or other religious facility; from any public park or recreation area and any principal or accessory private recreational facility use; or from any day-care center, nursing home or hospital. The

minimum distance specified above shall be measured in a straight line from the nearest property line in question to the nearest property line of the proposed RMD or Marijuana Establishment, except where the distance to be measured crosses Interstate 95 or US Route 1, in which case the distance shall be limited by and measured only to the boundary of such highway.

Amend Subsection 3640 – Sign Requirements to include Marijuana Establishments, as follows:

- a. Only one sign, to be mounted flat on the building wall face, shall be allowed for an RMD or Marijuana Establishment. The area of this wall sign shall be not more than 10% of the projected area of the elevation it is attached to, except that no sign shall exceed 30 square feet.
- d. No RMD or Marijuana Establishment may have any flashing lights visible from outside the establishment. Furthermore, no sign shall rotate or contain reflective or fluorescent elements.

Amend Subsection 3650.a (2) and (3) – Special Permit submission and approval to include Marijuana Establishments, as follows:

- (2) The distances between the proposed RMD or Marijuana Establishment and any residential zoning district, public or private school, church or other religious facility, public park or recreation area, day-care center, nursing home and hospital, and municipal building open to the general public.
- (3) Copies of all licenses and permits issued by the Commonwealth of Massachusetts and any of its agencies for the RMD or Marijuana Establishment.

Amend Subsection 3650.c (1) and (3) as follows:

- (1) Any special permit granted hereunder for an RMD or Marijuana Establishment shall lapse after one year, including such time required to pursue or await the determination of an appeal from the grant thereof, if a substantial use thereof has not sooner commenced except for good cause, or in the case of a permit for construction, if construction has not begun by such date except for good cause, including such time to pursue or await the determination of an appeal referred to in MGL c. 40A, § 17, from the grant thereof.
- (3) In addition to the requirements of Subsection (2) above, a special permit granted hereunder shall have a term limited to the duration of the applicant's ownership and use of the premises as an RMD or Marijuana Establishment. A special permit granted hereunder is nontransferable and nonassignable.

Amend Subsection 3660 – Existing RMDs, to include Marijuana Establishments, as follows:

3660 Existing RMDs and Marijuana Establishments.

Any RMD or Marijuana Establishment that was in existence as of the first date of the publication of the notice of public hearing on this zoning amendment regulating medical marijuana uses or marijuana establishments may continue to operate in the same location, without material change in scale or content of the business, but shall apply for such special permit within 90 days following the adoption of this bylaw and shall thereafter comply with all of the requirements herein.

ARTICLE 23.

MOVED: That the Town amend the Zoning Bylaw by amending Section 3600: Registered Marijuana Dispensaries and Marijuana Establishments, to limit the number of Marijuana Retailers to no more than 20% of the number of licenses issued within the Town under § 15 of M.G.L. c. 138 for the retail sale of alcoholic beverages not to be drunk on the premises where sold, within the Light Industrial zoning district, as follows:

Amend Subsection 3620 – Siting Requirements to add a new subsection (d) as follows:

- d. The number of marijuana retailers that shall be permitted in the Town of Sharon is limited to twenty percent (20%) of the number of licenses issued within the Town under § 15 of M.G.L. c. 138 for the retail sale of alcoholic beverages not to be drunk on the premises where sold.

MOTION TO AMEND: By adding “and/or authorized to be issued” after the word “issued”
CARRIED.

VOTED: That the Town amend the Zoning Bylaw by amending Section 3600: Registered Marijuana Dispensaries and Marijuana Establishments, to limit the number of Marijuana Retailers to no more than 20% of the number of licenses issued and/or authorized to be issued within the Town under § 15 of M.G.L. c. 138 for the retail sale of alcoholic beverages not to be drunk on the premises where sold, within the Light Industrial zoning district, as follows:

Amend Subsection 3620 – Siting Requirements to add a new subsection (d) as follows:

- d. The number of marijuana retailers that shall be permitted in the Town of Sharon is limited to twenty percent (20%) of the number of licenses issued and/or authorized to be issued within the Town under § 15 of M.G.L. c. 138 for the retail sale of alcoholic beverages not to be drunk on the premises where sold. **2/3 VOTE. A STANDING VOTE. VOTES IN THE AFFIRMATIVE 222. VOTES IN THE NEGATIVE 61.**

ARTICLE 24.

VOTED UNANIMOUSLY: That the Town accept the provisions of M.G.L. c. 64N, § 3, to impose a local sales tax upon sale or transfer of marijuana or marijuana products by a marijuana retailer operating within the Town of Sharon to anyone other than a marijuana establishment at a rate of 3%, or the highest amount that may be permitted by law, of the total sales price received

by the marijuana retailer as a consideration for the sale of marijuana or marijuana products, said excise to take effect on the first day of the calendar quarter commencing at least thirty days after such vote of this Town Meeting.

VOTED: That the Annual Town Meeting be dissolved at 11:15 P.M.

Attendance: 1,234