

**ANNUAL TOWN MEETING
MAY 2, 2022**

Pursuant to the provisions of the warrant of April 12, 2022, 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 Mark F. Hogan. There were no objections 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: Stephen Allen, Lee Ann Amend, Lauren Barnes, Susan Benham, Mark Bobrowski, Dr. Peter Botelho, Police Chief Stephen Coffey, Kevin Davis, Maria De La Fuente, Jeffrey Funk, Richard Gelerman, Krishan Gupta, Eric Hooper, Wendy Hyatt, Michael Madden, John Marcus, Kathleen Medeiros, Peter O’Cain, Rachel Oles, Josh Philibert, David Ruggiero, Shaun Strobel, Frederic Turkington, Mark Waker, Kevin Weber and Ken Wertz.

VOTED: To convene the May 2, 2022 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.

Select Board members Emily Smith-Lee and Hanna Switekowski read a Proclamation and presented a gift to Select Board member Bill Heitin.

Representative Ted Philips recognized Bill Heitin and presented him with a Citation from the House of Representatives.

Senator Paul Feeney recognized Bill Heitin and presented him with a Citation from the State Senate.

VOTED UNANIMOUSLY: That the Town take Articles 1 through 7 out of order and they be “Passed by Consent” in accordance with the motions shown on the Consent Agenda as printed on pages vi-viii in the Warrant for this Annual Town Meeting.

ARTICLE 1.

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

ARTICLE 2.

That the Town Clerk cast one ballot for the Trustees of the Dorchester and Surplus Revenue School Fund as follows: Bettye Outlaw, Patricia MacDougall and Elizabeth Siemiakaska.

That the Town Clerk cast one ballot for the Trustees of the Edmund H. Talbot Fund as follows: Shirley Schofield, Marie Cuneo and Paul Bergeron.

To accept the report of the donors of the funds.

ARTICLE 3.

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

ARTICLE 4.

That the Town accept Section 4, Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, and Chapter 380 of the Acts of 2000, which authorizes additional real estate exemptions to be granted to persons who qualify for property tax exemptions under Clauses 17, 17C, 17C 1/2, 17D, 17E, 22, 22A, 22B, 22C, 22D, 22E, 37, 37A, 41, 41B, 41C and 41D of M.G.L. Chapter 59, § 5 in an amount equal to 100 percent to be effective for the fiscal year beginning July 1, 2022 and ending June 30, 2023.

ARTICLE 5.

That the Town authorize FY 2023 expenditure limits for the revolving funds printed on page 10 of this Annual Town Meeting Warrant for use by town departments, boards, committees, agencies or officers under Massachusetts General Laws Chapter 44, §53E½, to be expended in accordance with Chapter 24, Article III of the Town’s General Bylaws.

ARTICLE 6.

That the Town amend its General Bylaws, Article III, Section 24-21, Table of Authorized Revolving Funds, to amend the Solid Waste and Recycling Revolving Fund by changing "Restrictions or Conditions on Expenses Payable from Fund" by increasing the spending limit for the Recycling Fund from \$1,800,000 to \$2,500,000, 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 \$2,500,000.

ARTICLE 7.

That the Town authorize the Select Board, or its designee(s), to solicit and award a contract for ambulance billing service for a term exceeding three years but no greater than five years, including any renewal, extension or option, provided the longer term is determined to be in the best interest of the Town by a vote of the Select Board.

ARTICLE 8.

ARTICLE 8 – PART 1

VOTED UNANIMOUSLY: That the Town elect to the Finance Committee the following named: Patricia-Lee Achorn, 385 North Main Street – 3-year term; Anja Bernier, 11 Grove Street – 3-year term; Gordon Gladstone, 2 Bruce Avenue – 3-year term; Lajos Kamocsay, 15 Pleasant Street – 1-year term; Olga Volfson, 108 Brook Road – 1-year term.

MOTION TO AMEND: To increase 1 year term for Olga Volfson to a 3 year term. **NOT CARRIED.**

ARTICLE 8 – PART 2

VOTED UNANIMOUSLY: That the Town affirm the following named Moderator’s appointments to the Nominating Committee of the Finance Committee: Anne Carney, 41 Pole Plain Road – 1-year term; David Fixler, 81 Bishop Road – 1-year term; 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.

ARTICLE 20.

VOTED: That the Town enact changes to the text and map of the Zoning Bylaw of the Town, as noted by strikethroughs (indicating deletions) and underlines (indicating additions), all set forth in the document entitled "Zoning By-law, dated May 2, 2022 and Zoning Map, dated May 2, 2022," on file in the office of the Town Clerk, said version 6; and

That the Planning Board is authorized to make non-substantive edits to correct spelling, grammatical and numbering errors prior to submitting the by-law to the Attorney General for review.

A STANDING VOTE. VOTES IN THE AFFIRMATIVE 116. VOTES IN THE NEGATIVE 50.

2/3 VOTE DECLARED BY MODERATOR.

ARTICLE 9.

VOTED UNANIMOUSLY: That the Town fix the compensation of elected officers for the fiscal year beginning July 1, 2022 as follows:

<i>Moderator</i>	<i>\$50.00</i>
<i>Select Board chair</i>	<i>\$500.00</i>
<i>Select Board members</i>	<i>\$400.00</i>
<i>Board of Assessors chair</i>	<i>\$2,400.00</i>
<i>Board of Assessors members</i>	<i>\$2,200.00</i>
<i>Town Clerk</i>	<i>\$83,318.00</i>

ARTICLE 10.

ARTICLE 10A – CIVIL DEFENSE

VOTED: That the Town appropriate the sum of \$100,000 for additional funding for replacement quarters for Civil Defense; and to meet this appropriation, the Treasurer, with the approval of the Select Board, is hereby authorized to borrow \$100,000 under Massachusetts General Law Chapter 44, Section 7.

2/3 VOTE DECLARED BY MODERATOR.

ARTICLE 10B – PUBLIC WORKS

VOTED UNANIMOUSLY: That the Town appropriate the sum of \$455,000 for the purchase of operations equipment for the Department of Public Works; and to meet this appropriation, the Treasurer, with the approval of the Select Board, is hereby authorized to borrow \$455,000 under Massachusetts General Law Chapter 44, Section 7.

ARTICLE 10C – PUBLIC WORKS

VOTED: That the Town appropriate the sum of \$620,000 for the resurfacing of public ways and reconstruction of sidewalks by the Department of Public Works; and to meet this appropriation, the Treasurer, with the approval of the Select Board, is hereby authorized to borrow \$558,264.73 under Massachusetts General Law Chapter 44, Section 7; and the remainder, \$61,735.27, to be expended from previously approved but unexpended capital funds.
2/3 VOTE DECLARED BY MODERATOR.

ARTICLE 10D – PUBLIC WORKS

VOTED: That the Town appropriate the sum of \$500,000 for the purchase of storage equipment and tanks for the Department of Public Works; and to meet this appropriation, the Treasurer, with the approval of the Select Board, is hereby authorized to borrow \$450,000 under Massachusetts General Law Chapter 44, Section 7, with the remainder, \$50,000, to be raised from taxation.
2/3 VOTE DECLARED BY MODERATOR.

ARTICLE 10E – WATER DEPARTMENT

VOTED UNANIMOUSLY: That the Town appropriate the sum of \$1,250,000 for the replacement of water mains for the Water Department; and to meet this appropriation, the Treasurer, with the approval of the Select Board, is hereby authorized to borrow \$1,250,000 under Massachusetts General Law Chapter 44, Section 7.

ARTICLE 10F – WATER DEPARTMENT

VOTED UNANIMOUSLY: That the Town appropriate the sum of \$350,000 for the replacement and installation of water meters for the Water Department; and to meet this appropriation, the Treasurer, with the approval of the Select Board, is hereby authorized to borrow \$350,000 under Massachusetts General Law Chapter 44, Section 7.

ARTICLE 10G – WATER DEPARTMENT

VOTED UNANIMOUSLY: That the Town appropriate from the Water Enterprise Fund's retained earnings the sum of \$816,000 for the replacement and installation of water meters for the Water Department.

(This vote is reconsidered after the vote on Article 10H)

ARTICLE 10H – WATER DEPARTMENT

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

2/3 VOTE DECLARED BY MODERATOR.

VOTED UNANIMOUSLY: To reconsider action under Article 10G.

ARTICLE 10G – WATER DEPARTMENT

VOTED UNANIMOUSLY: That the Town appropriate from the Water Enterprise Fund's retained earnings the sum of \$816,000 for design and engineering services of water treatment systems for two wells.

ARTICLE 10I – SCHOOL DEPARTMENT

VOTED UNANIMOUSLY: That the Town appropriate the sum of \$657,000 for the purchase of technology and equipment for the School Department; and to meet this appropriation, the Treasurer, with the approval of the Select Board, is hereby authorized to borrow \$372,000 under Massachusetts General Law Chapter 44, Section 7, with the remainder, \$285,000, to be raised from taxation.

ARTICLE 10J – SCHOOL DEPARTMENT

VOTED UNANIMOUSLY: That the Town appropriate the sum of \$65,000 for the repair or replacement of portable radios and HVAC equipment for the School Department; and to meet this appropriation, the Treasurer, with the approval of the Select Board, is hereby authorized to borrow \$25,000 under Massachusetts General Law Chapter 44, Section 7, with the remainder, \$40,000, to be raised from taxation.

ARTICLE 10K – SCHOOL DEPARTMENT

VOTED UNANIMOUSLY: That the Town appropriate the sum of \$76,000 for the purchase of operations equipment for the School Department; and to meet this appropriation, the Treasurer, with the approval of the Select Board, is hereby authorized to borrow \$76,000 under Massachusetts General Law Chapter 44, Section 7.

ARTICLE 10L – SCHOOL DEPARTMENT

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

ARTICLE 10M – SCHOOL DEPARTMENT

VOTED: That the Town appropriate the sum of \$71,750 for the purchase of SPED vehicles for the School Department; and to meet this appropriation, the Treasurer, with the approval of the Select Board, is hereby authorized to borrow \$71,750 under Massachusetts General Law Chapter 44, Section 7.

2/3 VOTE DECLARED BY MODERATOR.

ARTICLE 10N – SCHOOL DEPARTMENT

VOTED: That the Town appropriate the sum of \$305,000 for the repair or replacement of elementary school playground surfaces for the School Department; and to meet this appropriation, the Treasurer, with the approval of the Select Board, is hereby authorized to borrow \$305,000 under Massachusetts General Law Chapter 44, Section 7.

2/3 VOTE DECLARED BY MODERATOR.

ARTICLE 10O – FIRE DEPARTMENT

VOTED UNANIMOUSLY: That the Town appropriate the sum of \$495,000 for the purchase of vehicles for the Fire Department, \$435,000 of which shall be expended from the Ambulance Reserve Fund for the purchase of an ambulance, and of the remaining amount, \$12,979 to be expended from previously approved, but unexpended capital funds and \$47,021 to be raised from taxation for the purchase of a vehicle for the deputy fire chief.

ARTICLE 10P – FIRE DEPARTMENT

VOTED UNANIMOUSLY: That the Town appropriate the sum of \$160,000 for the purchase of gear and equipment for the Fire Department; and to meet this appropriation, the Treasurer, with the approval of the Select Board, is hereby authorized to borrow \$125,000 under Massachusetts General Law Chapter 44, Section 7, with the remainder, \$35,000, to be raised from taxation.

ARTICLE 10Q – POLICE DEPARTMENT

VOTED UNANIMOUSLY: That the Town raise from taxation the sum of \$195,000 for the purchase of vehicles for the Police Department.

ARTICLE 11.

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, 2022 through June 30, 2023 in the amount of \$97,200,543 the various sums stated “Fiscal Year 2023” as shown on pages 29 to 30 of the Warrant, except Water Department and Cable Public Access.

That the Town defray said appropriations by transferring the following amounts from various accounts as follows: \$650,000 from the Ambulance Reserve Fund; \$29,215 from the Septic Loan Program; and \$130,538 from the Community Education Revolving Fund.

That the Town raise and appropriate \$120,000 for EMS ambulance billing and supplies from the Ambulance Reserve Account.

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

That the Town appropriate the sum of \$5,487,369 for the Water Department budget to be raised from user fees; and also appropriate the sum of \$200,000 from Water Retained Earnings for a Reserve Fund.

That the Town appropriate the sum of \$340,000 from cable subscriber franchise fees for the Cable Public Access Enterprise Fund.

VOTED UNANIMOUSLY: That the Town appropriate the sum of \$5,487,369 for the Water Department budget to be raised from user fees; and also appropriate the sum of \$200,000 from Water Retained Earnings for a Reserve Fund.

(This portion was voted a second time for clarification.)

VOTED UNANIMOUSLY: That the Town appropriate the sum of \$340,000 from cable subscriber franchise fees for the Cable Public Access Enterprise Fund.

(This portion was voted a second time for clarification.)

Account	FY23 Approp.	% over FY22	FY22 Approp.	% over FY21	FY21 Approp.	% over FY20	FY20 Approp.	% over FY19
114 Moderator	\$ 50.00	0.00%	\$ 50.00	0.00%	\$ 50.00	0.00%	\$ 50.00	0.00%
131 Finance Committee	\$ 8,555.00	-10.47%	\$ 9,555.00	-3.04%	\$ 9,855.00	-39.37%	\$ 16,255.00	-5.80%
152 Personnel Board	\$ 3,150.00	0.00%	\$ 3,150.00	0.00%	\$ 3,150.00	-3.88%	\$ 3,277.00	3.15%
161 Town Clerk	\$ 165,103.00	4.92%	\$ 157,365.00	-0.36%	\$ 157,927.00	-6.68%	\$ 169,236.00	2.27%
610 Library	\$ 1,187,819.00	3.21%	\$ 1,150,843.00	1.12%	\$ 1,138,042.00	4.05%	\$ 1,093,721.00	4.44%
Total Fin. Com. Budgets	\$ 1,364,677.00	3.31%	\$ 1,320,963.00	0.91%	\$ 1,309,024.00	2.07%	\$ 1,282,539.00	4.00%
122 Select Board	\$ 464,139.00	5.31%	\$ 440,735.00	5.68%	\$ 417,038.00	4.97%	\$ 397,308.00	-0.57%
135 Accountant	\$ 276,391.00	0.72%	\$ 274,410.00	1.16%	\$ 271,275.00	5.17%	\$ 257,945.00	-2.09%
141 Board of Assessors	\$ 220,324.00	-0.78%	\$ 222,062.00	2.19%	\$ 217,298.00	4.26%	\$ 208,414.00	-4.19%
145 Treasurer	\$ 333,640.00	-0.74%	\$ 336,125.00	6.30%	\$ 316,213.00	-1.16%	\$ 319,937.00	-2.94%
151 Law	\$ 170,000.00	7.59%	\$ 158,000.00	14.91%	\$ 137,500.00	3.00%	\$ 133,500.00	-5.65%
155 Information Technology	\$ 372,830.00	7.41%	\$ 347,096.00	3.45%	\$ 335,533.00	6.84%	\$ 314,051.00	3.21%
162 Elections & Registrations	\$ 197,763.00	57.08%	\$ 125,902.00	-21.97%	\$ 161,350.00	11.84%	\$ 144,275.00	5.12%
171 Conservation Commission	\$ 130,389.00	-13.36%	\$ 150,488.00	40.96%	\$ 106,760.00	-16.13%	\$ 127,295.00	3.21%
172 Lake Management	\$ 15,000.00	114.29%	\$ 7,000.00	7.69%	\$ 6,500.00	0.00%	\$ 6,500.00	0.00%
175 Planning Board	\$ 45,625.00	28.43%	\$ 35,525.00	39.18%	\$ 25,525.00	74.83%	\$ 14,600.00	7.35%
176 Board of Appeals	\$ 26,000.00	2.77%	\$ 25,300.00	11.45%	\$ 22,700.00	0.61%	\$ 22,563.00	0.00%
195 Town Report	\$ 18,375.00	0.27%	\$ 18,325.00	-0.27%	\$ 18,375.00	2.51%	\$ 17,925.00	24.70%
210 Police	\$ 3,958,257.00	3.53%	\$ 3,823,200.00	0.56%	\$ 3,801,887.00	1.38%	\$ 3,750,293.00	0.31%
220 Fire/Ambulance	\$ 4,020,137.00	4.17%	\$ 3,859,102.00	4.00%	\$ 3,710,580.00	1.66%	\$ 3,650,077.00	5.43%
244 Weights & Measures	\$ 5,515.00	2.68%	\$ 5,371.00	1.30%	\$ 5,302.00	1.30%	\$ 5,234.00	1.30%
249 Animal Inspector	\$ 4,700.00	2.96%	\$ 4,565.00	1.51%	\$ 4,497.00	1.67%	\$ 4,423.00	1.68%
291 Civil Defense	\$ 16,100.00	0.00%	\$ 16,100.00	40.00%	\$ 11,500.00	0.24%	\$ 11,472.00	0.00%
292 Animal Control Officer	\$ 90,559.00	9.06%	\$ 83,037.00	2.31%	\$ 81,159.00	0.38%	\$ 80,852.00	1.92%
400 Dept of Public Works	\$ 4,119,555.00	2.13%	\$ 4,033,693.00	2.40%	\$ 3,938,997.00	5.50%	\$ 3,733,706.00	5.37%
510 Board of Health - Services & Admin	\$ 186,282.00	-1.52%	\$ 189,156.00	13.10%	\$ 167,241.00	-25.63%	\$ 224,882.00	3.39%
541 Council on Aging	\$ 300,807.00	4.00%	\$ 289,239.00	2.43%	\$ 282,379.00	-6.77%	\$ 302,878.00	-0.28%
543 Veterans Agent	\$ 55,885.00	-41.02%	\$ 94,748.00	0.34%	\$ 94,431.00	37.04%	\$ 68,908.00	0.74%
544 Veterans Graves	\$ 5,900.00	0.00%	\$ 5,900.00	9.26%	\$ 5,400.00	0.00%	\$ 5,400.00	0.00%
545 Commission on Disability	\$ 500.00	0.00%	\$ 500.00	0.00%	\$ 500.00	0.00%	\$ 500.00	0.00%
630 Recreation	\$ 297,965.00	7.94%	\$ 276,045.00	0.16%	\$ 275,606.00	5.46%	\$ 261,326.00	7.73%
691 Historical Commission	\$ 1,380.00	0.00%	\$ 1,380.00	0.00%	\$ 1,380.00	0.00%	\$ 1,380.00	112.31%
692 Community Celebrations	\$ 7,300.00	0.00%	\$ 7,300.00	0.00%	\$ 7,300.00	0.00%	\$ 7,300.00	0.00%
Total Select Board Budgets	\$ 15,341,318.00	3.45%	\$ 14,830,304.00	2.82%	\$ 14,424,226.00	2.50%	\$ 14,072,944.00	2.99%

Account	FY23 Approp.	% over FY22	FY22 Approp.	% over FY21	FY21 Approp.	% over FY20	FY20 Approp.	% over FY19
310 School Department	\$ 49,511,050.00	4.10%	\$ 47,559,430.00	2.87%	\$ 46,234,015.00	2.50%	\$ 45,108,051.00	2.94%
Total School Department	\$ 49,511,050.00	4.10%	\$ 47,559,430.00	2.87%	\$ 46,234,015.00	2.50%	\$ 45,108,051.00	2.94%
320 Voc Tech School	\$ 319,329.00	33.35%	\$ 239,465.00	37.06%	\$ 174,716.00	-27.20%	\$ 240,000.00	4.20%
321 Voc Tuition/Norfolk Ag. Tuition	\$ 29,708.00	147.57%	\$ 12,000.00	0.00%	\$ 12,000.00	33.33%	\$ 9,000.00	14.50%
9299 ARC of South Norfolk	\$ 9,916.00	0.00%	\$ 9,916.00	0.00%	\$ 9,916.00	0.00%	\$ 9,916.00	0.00%
132 Reserve Fund	\$ 500,000.00	-37.50%	\$ 800,000.00	60.00%	\$ 500,000.00	0.00%	\$ 500,000.00	0.00%
490 Street Lighting	\$ 233,048.00	20.72%	\$ 193,048.00	-11.06%	\$ 217,048.00	13.05%	\$ 192,000.00	-0.29%
511 Board of Health - Waste Removal	\$ 118,000.00	0.00%	\$ 118,000.00	6.79%	\$ 110,500.00	11.06%	\$ 99,500.00	11.17%
694 Marijuana Mitigation	\$ 45,000.00	0.00%	\$ 45,000.00					
710 Debt: Principal	\$ 6,679,463.00	1.57%	\$ 6,576,300.00	-1.39%	\$ 6,669,000.00	2.25%	\$ 6,522,300.00	1.28%
751 Debt Long term:Interest	\$ 4,856,722.00	1.40%	\$ 4,789,799.00	-0.77%	\$ 4,826,850.00	130.28%	\$ 2,096,067.00	-1.31%
914 FICA: Medicare	\$ 780,000.00	0.00%	\$ 780,000.00	0.00%	\$ 780,000.00	6.12%	\$ 735,000.00	0.00%
915 FICA: Social Security	\$ 10,000.00	0.00%	\$ 10,000.00	0.00%	\$ 10,000.00	-4.76%	\$ 10,500.00	0.00%
920 Insurance	\$ 11,490,620.00	3.99%	\$ 11,049,975.00	10.11%	\$ 10,035,605.00	1.87%	\$ 9,851,450.00	0.83%
SPL01 Cash Capital	\$ 652,021.00	13.96%	\$ 572,152.00	120.06%	\$ 260,000.00	-24.96%	\$ 346,500.00	30.98%
SPL02 Norfolk Retirement	\$ 4,557,671.00	7.33%	\$ 4,246,399.00	3.90%	\$ 4,087,106.00	6.37%	\$ 3,842,292.00	8.14%
SPL03 Unemployment	\$ 75,000.00	-75.00%	\$ 300,000.00	300.00%	\$ 75,000.00	0.00%	\$ 75,000.00	0.00%
SPL04 OPEB Trust	\$ 500,000.00	25.00%	\$ 400,000.00	14.29%	\$ 350,000.00	0.00%	\$ 350,000.00	16.67%
SPL05 Prop. Valuation Svcs	\$ 60,000.00	20.00%	\$ 50,000.00	-9.09%	\$ 55,000.00	10.00%	\$ 50,000.00	66.67%
SPL06 Audit services	\$ 67,000.00	13.56%	\$ 59,000.00	0.00%	\$ 59,000.00	-7.81%	\$ 64,000.00	0.79%
Total Fixed & Uncontrollable	\$ 30,983,498.00	2.42%	\$ 30,251,054.00	7.15%	\$ 28,231,741.00	12.96%	\$ 24,993,525.00	2.45%
Town Total	\$ 97,200,543.00	3.45%	\$ 93,961,751.00	4.17%	\$ 90,199,006.00	5.55%	\$ 85,457,059.00	2.82%
450 Water Department	\$ 5,467,369.00	17.93%	\$ 4,636,146.00	9.90%	\$ 4,218,324.00	15.97%	\$ 3,637,377.76	16.54%
Water Dept.- Reserve	\$200,000	0.00%	\$200,000	0.00%	\$200,000	0.00%	\$200,000	0.00%
Total Water Department	\$ 5,667,369.00	17.19%	\$ 4,836,146.00	9.46%	\$ 4,418,324.00	15.14%	\$ 3,837,377.76	15.55%
PEG Access (cable) Enterprise Fund	\$ 340,000.00	0.00%	\$ 340,000.00	0.00%	\$ 340,000.00	0.00%	\$ 340,000.00	
Total GF Budgets Less Fixed	\$ 66,217,045.00	3.93%	\$ 63,710,697.00	2.81%	\$ 61,967,265.00	2.49%	\$ 60,463,534.00	2.98%

ARTICLE 12.

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 \$15,000 of the Town's portion of the expected Fiscal Year 2023 Community Preservation Fund revenues, to permit the Community Preservation Committee to expend funds as it deems necessary for its administrative and operating expenses, in accordance with the provisions of M.G.L. Chapter 44B, § 6 and amendments thereof; authorize the Community Preservation appropriate and/or reserve from Fiscal Year 2023 Community Preservation Fund Estimated Revenues the following:

\$373,200 for Open Space/Recreation debt service, \$83,000 for Historic Preservation – Reservation and \$32,000 for Community Housing – Reservation.

That the following amounts be appropriated from Community Preservation Fund Balances, with each item considered a separate appropriation:

- \$91,786.45 of which \$70,462.42 is from Fund Balance Open Space and \$21,324.03 is from FY 2023 Estimated Revenues for new equipment and matting at Ames Street Playground
- \$24,500 is from FY 2023 Estimated Revenues for Lake Massapoag weed and bacteria hazard mitigation
- \$70,000 is from Fund Balance Historic for a building assessment for the historic water station building
- \$9,900 is from Fund Balance Historic for the restoration and preservation of monuments
- \$60,000 is from Fund Balance Historic for signage and fencing at the town's historic cemeteries
- \$51,000 is from Fund Balance Community Housing for automatic handicap doors at the Sharon Housing Authority complex

ARTICLE 13.

VOTED: That the Town appropriate and transfer \$350,000 from Free Cash to be expended by the Select Board for the acquisition by purchase, gift or eminent domain, for general municipal purposes, including without limitation, a fee simple interest in the following parcel of land:

A certain parcel of land, containing 10,999 square feet of land, known and numbered as 94 South Main Street, shown as Map 91, Parcel 77 on the Sharon Assessors Map and as more particularly identified in a Deed dated August 18, 1986 and recorded in the Norfolk County Registry of Deeds in Book 7199, Page 348; and

That the Town appropriate from Free Cash an amount not to exceed \$50,000 for the cost of demolition, removal of all or a portion of the buildings and structures on the property, for asbestos testing and any required abatement; and

That the Town authorize the Select Board to take all actions necessary and to execute such documents as they deem necessary to accomplish the foregoing.

2/3 VOTE DECLARED BY MODERATOR.

ARTICLE 14.

Moderator ruled the anticipated Motion for Article 14 out of order as no public hearing was held.

(Anticipated Motion was a proposal to the Personnel By-Law to change Columbus Day to Indigenous Peoples Day)

Moderator ruled a second anticipated Motion for Article 14 out of order as it was not “within in the four corners of the Article that was to be composed at Article 14.”

(Anticipated Motion was a “similar Motion for a sense of meaning”)

ARTICLE 15.

VOTED UNANIMOUSLY: That the Town rescind the vote of the March 11, 1969 Adjourned Annual Town Meeting relative to the formation of the Lake Management Study Committee; and

That the Town amend the name, structure and duties of the Lake Management Study Committee by renaming it the Lake Massapoag Advisory Committee and amending Chapter 12 of the Town’s General Bylaws, Boards, Commissions and Committees, by adopting a new Article IX, entitled “Lake Massapoag Advisory Committee”, exactly as printed on the Article 15: Amend Charge of Lake Management Study Committee handout for this Annual Town Meeting.

To see if the Town will vote to amend the name, structure and duties of the Lake Management Study Committee by renaming it the Lake Massapoag Advisory Committee and amending Chapter 12 of the Town of Sharon General Bylaws, Boards, Commissions and Committees, by adopting a new Article IX entitled “Lake Massapoag Advisory Committee”, as follows:

§ 12-26 Establishment; membership; terms; vacancies; duties

There is hereby established within the Town of Sharon a committee to be known as the “Lake Massapoag Advisory Committee”, replacing the former Lake Management Study Committee created under Article 47 at the March 11, 1969 Adjourned Annual Town Meeting. The Lake Massapoag Advisory Committee (LMAC) shall be made up of seven (7) members detailed as follows: one (1) member appointed by the Conservation Commission and one (1) member appointed by the Select Board, each for an initial term of three (3) years; one (1) member appointed by the Conservation Commission and one (1) member appointed by the Select Board, each for a term of two (2) years; two (2) members appointed by the Planning Board, one (1) for a term of two (2) years and one (1) for a term of one (1) year; and one (1) member recommended by the Recreation Advisory Committee to the Select Board for appointment for a term of (1) year. Lake Massapoag Advisory Committee members are appointed to terms ending June 30. Thereafter, each member shall serve for a term of three (3) years, with staggered terms. The Committee will elect a chairperson, vice chairperson, and secretary.

The Lake Massapoag Advisory Committee shall have the following duties:

1. Monitor and evaluate the causes of problems or issues with water quality, weeds, algal and/or cyanobacteria blooms, lake level, invasive species, and shoreline erosion.
2. Provide recommendations to the Conservation Commission, Select Board, Planning Board, Recreation Advisory Committee, and, as appropriate, other Town bodies, for short- and long-term solutions to such problems and promote resilience and sustainability in the face of climate change and more intense rainfall, runoff, heat and extreme weather.
3. In collaboration with other town departments and stakeholders monitor inflow areas and upstream water sources, as well as swimming and boat launch areas.

4. Work with the Conservation Administrator, Health Department, Recreation Department, Department of Public Works, and other stakeholders to develop collaborative online resources that are accessible, user-friendly, easy to search, and up-to-date with informative and educational resources.
5. Maintain and update the Town's official Lake Massapoag Advisory Committee webpage in a timely manner.
6. Educate and engage town departments, residents, organization and businesses to utilize best practices for lawn fertilization, weed control, septic systems, outdoor cleaning and animal waste to help safeguard a healthy and sustainable lake.
7. The Committee may, by majority vote, recommend to the Conservation Commission or Select Board, as appropriate, rules and regulations consistent with its duties.
8. Report to the Conservation Commission, Select Board, Planning Board, and Recreation Advisory Committee at least once a year on findings, activities and plans of the Committee.

ARTICLE 16.

MOTION TO AMEND: by adding at the end of Article 16, "this article shall take effect starting for the 2023 licensing period. **CARRIED UNANIMOUSLY.**

VOTED: That the Town amend its General Bylaws, Chapter 116, Article II Animal Control, Section 116-5; Chapter 116, Article II Animal Control, Section 116-12, subsection A, and Chapter 1, Article I Penalties, section 1-2 exactly as printed on pages 38 to 39 of the warrant for this Annual Town Meeting. This article shall take effect starting for the 2023 licensing period.

That the Town vote to amend its General Bylaws, Chapter 116, Article II Animal Control, Section 116-5, subsection F, by replacing the noncriminal disposition penalty amount of \$25 with \$50 and adding "MGL c. 140, § 141", so that Section 116-5, subsection F reads as follows:

Should any owner or keeper of a dog fail to license their dog before May 31, the owner shall pay a late fee of \$50, in addition to the license fee. In accordance with Chapter 1, Article I, of the General Bylaws of the Town of Sharon, and MGL c. 140, § 141, a noncriminal disposition penalty will be imposed in the amount of \$50 for any owner of a dog who fails to comply with the licensing of their dog on or before June 30 of any year; said fee is to be paid in addition to the late fee and license fee.

AND

That the Town vote to amend its General Bylaws, Chapter 116, Article II Animal Control, Section 116-12, subsection A, by replacing the penalty amounts in (1), (2) and (3) with the amounts delineated in MGL c. 140, § 173a so that subsection A reads as follows:

In addition to the remedies set forth herein, other than as provided in §§ 116-5 and 116-7, this bylaw may be enforced by noncriminal disposition as provided in MGL c. 40, §21D. For the purposes of this bylaw, the Animal Control Officer and all Sharon police officers shall be designated enforcing persons. Each day on which any violation of this bylaw occurs shall be deemed to be a separate offense subject to the following penalties:

- (1) First offense: \$50.
- (2) Second offense: \$100.
- (3) Third offense: \$300.
- (4) Fourth and each subsequent offense: \$500 (and the Town may order the animal spayed or neutered).

AND

That the Town amend the table of fines in Chapter 1, Article I Penalties, section 1-2 Noncriminal disposition of violations by amending the “Amount of Fine” for Chapter 116, Art. II, Animal Control to be consistent with MGL c. 140, § 173a, and by adding a row for “Violation of §116-5” so it reads as follows:

Violation of §116-5: \$50	
Violation of §116-7: \$100	
All other violations:	
	First offense: \$50
	Second offense: \$100
	Third offense: \$300
	Fourth and each subsequent offense: \$500 (and the Town may order the animal spayed or neutered)

ARTICLE 17.

VOTED: That the Town amend Chapter 120, Article I Boating on Lake Massapoag, section 120-6 of the General Bylaws, Boats and Watercraft; Chapter 120, Article II Personal Watercraft, section 120-18 of the General Bylaws, Boats and Watercraft, and the table of fines in Chapter 1, Article I Penalties, section 1-2 Noncriminal disposition of violations exactly as printed on page 40 of the warrant for this Annual Town Meeting.

That the Town vote to amend Chapter 120, Article I Boating on Lake Massapoag, section 120-6 of the General Bylaws, Boats and Watercraft, by striking “\$20” and replacing it with “not more than two hundred fifty (\$250) dollars”, so that it reads:

§ 120-6 Violations and penalties.

Whoever violates any of the provisions of this bylaw shall be punished by a fine of not more than two hundred fifty (\$250) dollars.;

AND

That the Town amend Chapter 120, Article II Personal Watercraft, section 120-18 of the General Bylaws, Boats and Watercraft, by striking “\$20” and replacing it with “not more than two hundred fifty (\$250) dollars”, so that it reads:

§120-18 Violations and penalties.

The penalty for violation of this bylaw shall be not more than two hundred fifty (\$250) dollars.;

AND

That the Town amend the table of fines in Chapter 1, Article I Penalties, section 1-2 Noncriminal disposition of violations by amending the “Amount of Fine” for Chapter 120, Art. I and Art. II, Boats and Watercraft from “Each offense: \$20” to “Each offense: not more than \$250”.

ARTICLE 18.

VOTED: That the Town amend its General Bylaws to add Chapter 255 “Outdoor Water Use By-law” exactly as printed on pages 41 to 45 of the warrant for this Annual Town Meeting.

CHAPTER 255: OUTDOOR WATER USE BY-LAW

Section 1: Authority

This By-law is adopted by the Town of Sharon under its police powers pursuant to the Home Rule Amendment of the Massachusetts Constitution, Article LXXXIX, to protect public health and welfare and pursuant to its powers under M.G.L. c. 40, §§ 21 *et seq.* and implements the Town’s authority to regulate water use pursuant to M.G.L. c. 41, § 69B. This by-law also implements the Town’s authority under M.G.L. c. 40, § 41A, conditioned upon a declaration of water supply emergency issued by the Department of Environmental Protection under G.L. c. 21G, §§ 15-17. This by-law is also intended to implement other water conservation requirements of M.G.L. c. 21G, the “Massachusetts Water Management Act” and its regulations promulgated at 310 CMR 36.00.

Section 2: Purpose

The purpose of this by-law is to protect, preserve and maintain the public health, safety, welfare and the environment whenever there is in force a “State of Water Supply Conservation”, a “State of Drought” or a “State of Water Supply Emergency”, thereby ensuring an adequate supply of water for drinking and fire protection while also protecting of the quality and quantity of water in local aquatic habitats such as ponds, rivers and wetlands, thereby maintaining the health and safety of both the public water supply and the citizens of Sharon. This purpose will be accomplished by providing for the imposition and enforcement of any duly implemented restrictions, requirements, provisions or conditions on water use imposed by the Town in accordance with this by-law and/or by the Department of Environmental Protection under its state law authorities.

Section 3: Applicability

All Town residents that are customers of the public water supply system shall be subject to this by-law. This by-law shall be in effect year round.

Section 4: Definitions

Agriculture shall mean farming in all its branches as defined at M.G.L. c. 128, § 1A.

Maintenance shall mean any service of the system intended to cause the system to function properly or to extend and maintain the operating life of the system and/or system components.

Nonessential outdoor water use shall mean those uses that are not required:

1. for health or safety reasons;
2. by regulation;
3. for the production of food and fiber;
4. for the maintenance of livestock;
5. to meet the core functions of a business; or
6. to maintain the viability of public resources.

Nonessential outdoor water uses that are subject to mandatory restrictions include:

- irrigation of lawns via sprinklers or underground automatic irrigation systems;
- washing of vehicles, except in a commercial car wash or as necessary for operator safety or to prevent damage and/or maintain performance of agricultural or construction vehicles or equipment; and;
- washing of exterior building surfaces, parking lots, driveways or sidewalks, except as necessary to apply paint, preservatives, stucco, pavement or cement.

Exceptions to nonessential outdoor water uses are:

1. irrigation of lawns, gardens, flowers and ornamental plants by means of a hand-held hose controlled by a nozzle or a drip-irrigation system; and
2. irrigation with harvested and stored stormwater runoff.

The following outdoor water uses are subject to review and approval by The Town, through its Select Board or their designee:

- irrigation of public parks and recreation fields outside the hours of 9 AM to 5 PM only;
- irrigation to establish replanted or resodded lawn or plantings during the months of May through September;
- irrigation of newly planted lawns (seeded or sodded) in the current calendar year for homes or businesses newly constructed in the previous twelve months;
- filling of privately owned outdoor pools; and
- other uses which the Town, through its Select Board or their designee determine appropriate.

Person shall mean any individual, corporation, trust, partnership, association, agency or authority, or other entity and any officer, employee, group or agent of such persons.

Service Provider shall mean a business or individual that supplies care or specialized services and/or products intended to maintain, install or expand an irrigation system. Services may include system installation and expansion, spring system start-up, watering zone realignments, clearing sprinkler head obstructions, leak detection, run time calibration, rain sensor testing, seasonal run time adjustments, rotor inspections and system winterizations.

State of Drought shall mean a Drought Advisory, Watch, Warning or Emergency declared by the Secretary of Energy and Environmental Affairs in consultation with the Massachusetts Drought Management Task Force.

State of Water Supply Emergency shall mean a State of Water Supply Emergency declared by the Department of Environmental Protection under M.G.L. c. 21G, §§ 15-17.

State of Water Supply Conservation shall mean a State of Water Supply Conservation declared by the Town pursuant to Section 5 of this by-law.

Underground automatic irrigation system shall mean any subsurface automated system for watering vegetation other than a hand-held hose or a bucket, herein referred to as the System or Systems. The System includes the pipes, valves, pumps, sprinkler heads, control system, electrical wiring and other associated components that collectively function to allow or force water to flow and irrigate vegetation.

Water Customers shall mean all persons using the public water supply irrespective of that person's responsibility for payment for use of the water. 2022 Annual Town Meeting Warrant Sharon, Massachusetts

Section 5: Declaration of a State of Drought, Water Supply Conservation or Water Supply Emergency

The Town, through its Select Board or their designee authorized to act as such:

- a. may declare a State of Drought, Water Supply Conservation or Water Supply Emergency upon a determination that conservation measures consistent with State and Federal regulations are appropriate and necessary to ensure an adequate supply of water for drinking and fire protection, to protect the quality and quantity of water in local aquatic habitats such as ponds, rivers and wetlands; and
- b. may declare a State of Water Supply Conservation as necessary to ensure compliance with the Water Management Act.

Public notice of a State of Drought, Water Supply Conservation or Water Supply Emergency shall be given under Section 7 of this by-law before it may be enforced. Upon notification to the public that a State of Water Supply Conservation has been declared, no water customer shall violate any provision, restriction, requirement or condition of the declaration. The Water Commissioners may designate DPW Director to declare a State of Water Supply Conservation at any time that conditions warrant. The applicable restrictions, conditions or requirements shall be included in the public notice.

Section 6: Restricted Water Uses

A declaration of a State of Water Supply Conservation, State of Drought or State of Water Supply Emergency shall include restrictions, conditions, or requirements limiting nonessential outdoor water use by water customers as necessary to control the volume of water pumped each day, except as provided as acceptable in Section 4. The applicable restrictions, conditions or requirements shall be consistent with applicable Water Management Act Permit conditions imposed by the Commonwealth of Massachusetts on water withdrawals.

Section 7: Public Notification and Notification of DEP

- a. Public Notification of a State of Water Supply Conservation, State of Drought or State of Water Supply Emergency – Notice to the public of all provisions, including all restrictions, requirements and conditions imposed by the Town as part of a State of Water Supply Conservation, State of Drought or State of Water Supply Emergency shall be made as soon as possible following the declaration of a State of Water Supply Conservation, State of Drought or State of Water Supply Emergency by signage on major roadways or intersections email, Web sites, public service announcements on local media, reverse 911 calls or other such means reasonably calculated to reach and inform water customers to the extent reasonable.
- b. Any restriction imposed pursuant to Section 5 or Section 6 or in the Department’s State of Water Supply Emergency or Order shall not be effective until notification to the public is provided.
- c. Notification of DEP: Submittal of MassDEP’s form “Notification of Water Use Restriction” shall be provided to the Massachusetts Department of Environmental Protection within 14 days of the effective date of the restrictions, per MassDEP regulations (310 CMR 22.15(8)).

Section 8: Termination of a State of Water Supply Conservation, State of Drought or State of Water Supply Emergency; Notice

A State of Water Supply Conservation may be terminated by a majority vote of the Select Board, acting in their authority as the Board of Water Commissioners, or by decision of their designee upon a determination by either or both of them that the conditions requiring the State of Water Supply Conservation no longer exist, or in accordance with the Water Management Act permit conditions. Public notification of the termination of a State of Water Supply Conservation shall be given in the same manner as is required in Section 9a for notice of its imposition.

Section 9: Penalties

The Town through their designee including the water superintendent, building inspector and/or local police may enforce this by-law.

Any person violating this bylaw shall be subject to a warning for the first offense each calendar year and thereafter shall be liable to the Town in the amount of \$50.00 for the second violation each calendar year, and not more than \$500.00 for each subsequent violation per calendar year, in which every day of violation shall constitute a separate offense, which shall inure to the Town for such uses as the Select Board may direct. Fines shall be recovered by indictment, or on complaint before the District Court, or by non-criminal disposition in accordance with Section 21D of Chapter 40 of the provisions of the Massachusetts General Laws. For purposes of non-criminal disposition, the enforcing person(s) shall be the Select Board or their designee. Each day of violation shall constitute a separate offense.

Section 10: Severability

The invalidity of any portion or provision of this by-law shall not invalidate any other portion or provision thereof.

Section 11: Controls on Automatic In-Ground Irrigation Systems**Subsection 11.1 Registration and Installation**

No person shall install or operate, or expand a new or existing System(s) which is connected to the public water supply unless an application is made pursuant to this bylaw, as outlined in section 11.4.

- a. All Systems connected to the municipal water system of the Town of Sharon shall be registered with the Sharon Water Department. No fee will be charged for this registration. Registration of any existing system shall occur prior to their operation or inspection.

- b. All Systems shall be operated in conformance with the Town’s nonessential outdoor water use restrictions and regulations. Whenever outdoor water use restrictions are in force, the System must be set to conform to the daily and hourly nonessential outdoor water use restrictions and regulations.

Subsection 11.2 In-line System Water Meter

- a. `All Systems connected to the municipal water system in the Town shall have a separate in-line Irrigation System Water Meter, hereby defined as: A town-supplied water meter, separate from the household or public building water meter used to record volume consumption for drinking water, kitchen, laundry, bathroom/lavatory, utility sink and outdoor hose use. The Irrigation System Water Meter shall be dedicated and exclusively used to record that volume of water used by the in-ground irrigation System. The Irrigation System Water Meter will be installed on the water pipe that leads directly to the System by and at the discretion of the Sharon Water Department or its authorized vendor.

Subsection 11.3 System requirements.

- a. `All new Systems installed under this bylaw shall conform to all applicable state and local laws and regulations. All preexisting Systems shall be upgraded to conform to all applicable state and local laws and regulations when the System is otherwise upgraded or modified and if the System is not upgraded or modified, no later than 2 years from the effective date of this bylaw.

Subsection 11.4 Rules and regulations.

- a. The Sharon Department of Public Works shall have the authority and duty to adopt, issue and administer any rules and regulations (including restrictions) necessary for the administration, operation and enforcement of outdoor underground water sprinkler systems connected to the public water supply. Any such rules and regulations (including restrictions) shall be consistent with the provisions of this bylaw.

ARTICLE 19.

VOTED UNANIMOUSLY: That the Town amend its General Bylaws, Chapter 230 Stormwater Management, Article II Construction Activity Discharges exactly as printed on pages 46 to 55 of the warrant for this Annual Town Meeting.

**Article II of Stormwater Management and Land Disturbance
Bylaw (Chapter 230 of Town Municipal Code)
to replace existing Article II of Chapter 230**

Table of Contents

- §230-11. Authority**
- §230-12. Administration**
- §230-13. Purpose and Objectives**
- §230-14. Applicability**
- §230-15. Waivers**
- §230-16. Regulations**
- §230-17. Permits, Plans, Requirements, and Procedures**
- §230-18. Inspection**
- §230-19. Compliance with the Provisions of EPA’s Permit for MS4s in Massachusetts**
- §230-20. Surety**
- §230-21. Final Reports**
- §230-22. Severability**
- §230-23. When Effective**
- §230-24. Definitions**

Article II. Construction Activity Discharge

§ 230-11. Authority

This bylaw is adopted in accordance with the authority granted, inter alia, by Amendment Article 89 to Article II of the Massachusetts Constitution and MGL c. 43B, § 13.

§ 230-12. Administration

The Stormwater Authority shall administer, implement and enforce this Bylaw. Any powers granted to or duties imposed upon the Stormwater Authority may be delegated in writing by the Stormwater Authority to its employees or agents.

§ 230-13. Purpose and Objectives.

1. The purpose of this bylaw is to protect public health, safety, general welfare, and environment by regulating illicit connections and discharges to the storm drain system or, directly or indirectly, to a watercourse or into the waters of the Commonwealth, as well as to control the adverse effects of construction site stormwater runoff and post-construction runoff. Stormwater runoff can be a major cause of:
 - a. Impairment of water quality and flow in lakes, ponds, streams, rivers, coastal waters, wetlands, groundwater and drinking water supplies;
 - b. Contamination of drinking water supplies;
 - c. Contamination of downstream coastal areas;
 - d. Alteration or destruction of aquatic and wildlife habitat;
 - e. Overloading or clogging of municipal stormwater management systems; and
 - f. Flooding.

2. The objectives of this bylaw are to:
 - a. Protect water resources;
 - b. Comply with state and federal statutes and regulations relating to stormwater discharges including total maximum daily load requirements;
 - c. Prevent and reduce pollutants from entering the Town's municipal separate storm sewer system (MS4);
 - d. Prohibit illicit connections and unauthorized discharges to the MS4 and require their removal;
 - e. Establish minimum construction and post construction stormwater management standards and design criteria for the regulation and control of stormwater runoff quantity and quality;
 - f. Establish provisions for the long-term responsibility for, and maintenance of, structural stormwater control facilities and nonstructural stormwater best management practices to ensure that they continue to function as designed, are maintained, and pose no threat to public safety; and
 - g. Recognize the Town's legal authority to ensure compliance with the provisions of this bylaw through inspection, monitoring, and enforcement.

§ 230-14. Applicability

Article II of this bylaw shall apply to all activities that result in disturbance of land. No person may undertake a construction activity or land disturbance, including clearing, grading, excavation or redevelopment, that will disturb equal to or greater than thresholds outlined in the **Stormwater Management and Land Disturbance Regulations** without an Administrative Land Disturbance Review or a Land Disturbance Permit approved by a majority of the Stormwater Authority members or as otherwise provided in this bylaw.

- (1) Administrative Land Disturbance Review is required for "minor" projects disturbing land.

- (2) A Land Disturbance Permit is required for "major" projects disturbing land, or the proposed use is listed as a land use of higher potential pollutant loads as defined in the Massachusetts Stormwater Management Standards, regardless of the amount of land to be disturbed.

Any person that fails to follow the requirements of a Land Disturbance Permit and the related Erosion and Sedimentation Control Plan, and Operations and Maintenance Plan, or any Land Disturbance Permit issued under the Stormwater Management Regulations, shall be in violation and subject to enforcement action.

§230-15. Waivers

The Stormwater Authority, or its authorized agent, may waive strict compliance with any requirement of this bylaw or the rules and regulations promulgated hereunder, where such action is:

- (1) allowed by federal, state and local statutes and/or regulations; and
- (2) in the public interest; and
- (3) not inconsistent with the purpose and intent of this bylaw.

Any person seeking a waiver must submit a written waiver request. Such a request shall be accompanied by an explanation or documentation supporting the waiver request and demonstrating that strict application of the bylaw does not further the purposes or objectives of this bylaw.

All waiver requests shall require a public hearing.

If in the opinion of the Stormwater Authority or its authorized agent, additional time or information is required for review of a waiver request, the Stormwater Authority may continue a hearing to a date certain announced at the meeting. In the event the applicant objects to a continuance, or fails to provide requested information, the waiver request shall be denied.

§230-16. Regulations

1. The Stormwater Authority shall adopt within one (1) year, and may periodically amend, regulations, rules and/or written guidance to the terms, conditions, definitions, enforcement, fees, procedures and administration of this Stormwater Management Bylaw by majority vote after conducting a public hearing to receive comments. Such hearing shall be advertised in a newspaper of general local circulation, at least fourteen (14) days prior to the hearing date. Failure of the Stormwater Authority to issue such rules, or regulations, or a legal declaration of their invalidity by a court, shall not act to suspend or invalidate the effect of this bylaw.
2. Stormwater Management regulations, rules or guidance shall identify thresholds and requirements for Land Disturbance Review and Land Disturbance Permits required by this bylaw and be consistent with, or more stringent than, the most recent Massachusetts Small Municipal Separate Storm Sewer System (MS4s) General Permit.
3. The Stormwater Management Regulations may identify one or more categories for projects requiring a Land Disturbance Review that, because of their size, scope and common features or characteristics, may be approved by the Stormwater Authority. For such projects, the Stormwater Management Agent(s) will identify minimum stormwater management standards pursuant to this bylaw, compliance with which is required before the project is approved.
4. The Stormwater Management Regulations may identify one or more categories for projects subject to Exemptions, Prohibitions, or Waivers.
5. In addition to **§230-17**, the Stormwater Management Regulations shall provide clarity and guidance to the application process, site plan review process, and site plan requirements.
6. The Stormwater Management Regulations shall identify the thresholds and stipulations for violations, enforcement, and penalties.
7. The Appeals process shall be further identified and outlined within the Stormwater Management Regulations.

§230-17. Permits, Plans, Requirements and Procedures

An Administrative Land Disturbance Review or Land Disturbance Permit must be obtained prior to the commencement of land disturbing activity or redevelopment based on thresholds established in the Stormwater Management Regulations. An applicant seeking an approval and/or permit shall file an appropriate application with the Stormwater Authority in a form and containing information as specified in this bylaw and in regulations adopted by the Stormwater Authority.

Permit procedures and requirements are outlined in the Regulations. Where appropriate, said Regulations will require an Erosion and Sedimentation Control Plan and/or an Operation and Maintenance Plan.

§230-18. Inspection

Filing an application for an approval or permit grants the Stormwater Authority and its employees or agents permission to enter the site to verify the information in the application and to inspect for compliance with approval or permit conditions.

The Stormwater Authority or its designated agent (s) shall make inspections as outlined in the Stormwater Management Regulations to verify and document compliance with the Land Disturbance Review and/or Permit.

§230-19. Compliance with the provisions of EPAs General Permit for MS4s in Massachusetts.

This bylaw and its related Stormwater Management Regulations shall be implemented in accordance with the requirements of United States Environmental Protection Agency's most recent Massachusetts Small Municipal Separate Storm Sewer System (MS4s) General Permit relating to illicit connections and discharges, construction site runoff, and post-construction stormwater management, as well as the Massachusetts Wetlands Management Act. The Stormwater Authority may establish additional requirements by regulation to further the purposes and objectives of this bylaw so long as they are not less stringent than those in the MS4 General Permit for Massachusetts.

§230-20. Surety

The Stormwater Authority may require the applicant to post before the start of land disturbance or construction activity a surety bond, irrevocable letter of credit, cash, or other acceptable security. The form of the bond shall be approved by the Stormwater Authority and be in an amount deemed sufficient by the Stormwater Authority to ensure that the work will be completed in accordance with the permit. If the project is phased, the Stormwater Authority may release part of the bond as each phase is completed in compliance with the permit.

§230-21. Final Reports

Upon completion of the work, the applicant shall submit a report (including certified as-built construction plans) from a Professional Engineer (P.E.), surveyor, or Certified Professional in Erosion and Sediment Control (CPESC), certifying that all BMPs, erosion and sedimentation control devices, and approved changes and modifications, have been completed in accordance with the conditions of the approved Erosion and Sediment Control Plan and Stormwater Management Plan. The Stormwater Authority may, by regulation, require ongoing reporting to ensure long-term compliance, including, but not limited to, appropriate operation and maintenance of stormwater BMPs. Any discrepancies shall be noted in the cover letter.

§230-22. Severability

If any clause, section or part of this bylaw shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this bylaw shall not be affected thereby but shall remain in full force and effect.

§230-23. When Effective.

This bylaw shall take effect upon approval by the Office of the Attorney General and as otherwise required by MGL c. 40, § 32.

§230-24. Definitions

ADMINISTRATIVE LAND DISTURBANCE REVIEW - Approval by the Stormwater Authority of a land disturbance activity that does not require a Land Disturbance Permit because of its size and/or scope.

ALTER - Any activity, which will measurably change the ability of a ground surface area to absorb water or will change existing surface drainage patterns. Alter may be similarly represented as "alteration of drainage characteristics," and "conducting land disturbance activities."

ALTERATION OF DRAINAGE CHARACTERISTICS - Any activity on an area of land that changes the water quality, force, direction, timing or location of runoff flowing from the areas. Such changes include change from distributed runoff to confined, discrete discharge, change in the volume of runoff from the area, change in the peak rate of runoff from the area, and change in the recharge-to-groundwater on the area.

APPLICANT - Any person, individual, partnership, association, firm, company, corporation, trust, authority, agency, department, or political subdivision of the commonwealth or the federal government, to the extent permitted by law, requesting a soil erosion and sediment control permit for proposed land-disturbance activity.

AS-BUILT DRAWING - Drawings that completely record and document applicable aspects and features of conditions of a project following construction using Stormwater Management Plans derived from a Land Disturbance Permit.

BEST MANAGEMENT PRACTICE (BMP) - An activity, procedure, restraint, or structural improvement that helps to reduce the quantity or improve the quality of stormwater discharges.

CERTIFIED PROFESSIONAL IN EROSION AND SEDIMENT CONTROL (CPESC) - A certified specialist in soil erosion and sediment control.

CLEAN WATER ACT - The Federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.) as hereafter amended.

CLEARING - Any activity that removes the vegetative surface cover.

COMMON PLAN OF DEVELOPMENT - A contiguous or noncontiguous land area under one ownership on which multiple separate and distinct construction activities are occurring under one development plan.

CONSTRUCTION ACTIVITY - Any activity that causes a change in the position or location of soil, sand, rock, gravel or similar earth material for the purpose of building roads, parking lots, residences, commercial buildings, office buildings, industrial buildings or demolitions.

CONSTRUCTION SITE - The plot of land located within the Town on which the construction activity will occur.

CONSTRUCTION AND WASTE MATERIALS - Excess or discarded building or site materials, including but not limited to concrete truck washout, chemicals, litter and sanitary waste at a construction site that may adversely impact water quality.

DEVELOPMENT - The modification of land to accommodate a new use or expansion of use, usually involving construction.

DISCHARGE OF POLLUTANTS - The addition from any source of any pollutant or combination of pollutants into the MS4 or into the waters of the United States or Commonwealth from any source.

DISTURBANCE - Any activity such as clearing, grading and excavating that exposes soil, sand, rock, gravel or similar earth material.

EROSION - The wearing of the land surface by natural or artificial forces such as wind, water, ice, gravity or vehicular traffic and the subsequent detachment and transportation of soil particles from their origin to another location.

EROSION AND SEDIMENTATION CONTROL PLAN - A document containing narrative, drawings and details developed by a qualified professional engineer (PE), a professional land surveyor (PLS), or a certified professional in erosion and sediment control (CPESC), which includes best management practices, or equivalent measures designed to control surface runoff, erosion and sedimentation during preconstruction and construction-related land disturbance activities.

FLOODING - A local and temporary inundation or a rise in the surface of a body of water, such that it covers land not usually under water.

GRADING - Changing the level or shape of the ground surface. **GROUNDWATER** - All water beneath any land surface including water in the soil and bedrock beneath water bodies.

GRUBBING - The act of clearing land surface by digging up roots and stumps.

IMPERVIOUS SURFACE - Any material or structure on or above the ground that prevents water from infiltrating through the underlying soil. Impervious surface is defined to include, without limitation: paved parking lots, sidewalks, rooftops, driveways, patios, and paved, gravel and compacted dirt-surfaced roads.

INFILTRATION - The act of conveying surface water into the ground to permit groundwater recharge and the reduction of stormwater runoff from a project site.

LAND DISTURBANCE ACTIVITY - Any activity that causes a change in the position or location of soil, sand, rock, gravel, or similar earth material; results in an increased amount of runoff or pollutants; measurably changes the ability of a ground surface to absorb waters, involves clearing and grading, or results in an alteration of drainage characteristics.

LAND DISTURBANCE PERMIT - A permit issued by the Stormwater Authority pursuant to this bylaw prior to commencement of Land Disturbing Activity or Redevelopment.

MASSACHUSETTS STORMWATER MANAGEMENT POLICY - The policy issued by the Department of Environmental Protection, and as amended, that coordinates the requirements prescribed by state regulations promulgated under the authority of the Massachusetts Wetlands Protection Act (MGL c. 131, § 40) and Massachusetts Clean Waters Act (MGL c. 21, §§ 23 through 56). The policy addresses stormwater impacts through implementation of performance standards to reduce or prevent pollutants from reaching water bodies and control the quantity of runoff from a site.

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) - The system of conveyances designed or used for collecting or conveying stormwater, including any road with a drainage system, street, gutter, curb, inlet, piped storm drain, pumping facility, retention or detention basin, natural or man-made or altered drainage channel, reservoir, and other drainage structure that together comprise the storm drainage system owned or operated by the Town of Sharon.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) -The Clean Water Act prohibits a person from discharging "pollutants" through a "point source" into a "water of the United States" unless they have an NPDES permit. The permit will contain limits on what you can discharge, monitoring and reporting requirements, and other provisions to ensure that the discharge does not hurt water quality or Peoples' health. In essence, the permit translates general requirements of the Clean Water Act into specific provisions tailored to the operations of each person discharging pollutants.

OPERATION AND MAINTENANCE PLAN - A plan describing the functional, financial and organizational mechanisms for the ongoing operation and maintenance of a stormwater management system to ensure that it continues to function as designed.

OUTFALL - A point source at which a municipal separate storm sewer system discharges to waters of the commonwealth.

OWNER - A person with a legal or equitable interest in property.

PERSON - Any individual, group of individuals, association, partnership, corporation, company, business organization, trust, estate, the Commonwealth or political subdivision thereof to the extent subject to Town Bylaws, administrative agency, public or quasi-public corporation or body, the Town of Sharon and any other legal entity, its legal representatives, agents, or assigns.

POINT SOURCE - Any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, or container from which pollutants are or may be discharged.

POLLUTANT(S) - Any element or property of sewage, agricultural, industrial or commercial waste, runoff, leachate, heated effluent, or other matter, whether originating at a point or nonpoint source, that is or may be introduced into any MS4, sewage treatment works or waters of the Commonwealth.
Pollutants shall include without limitation:

- A. Paints, varnishes, and solvents;
- B. Oil and other automotive fluids;
- C. Nonhazardous liquid and solid wastes and yard wastes;
- D. Refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordnance, accumulations and floatables;
- E. Pesticides, herbicides, and fertilizers;
- F. Hazardous materials and wastes, sewage, fecal coliform and pathogens;
- G. Dissolved and particulate metals;
- H. Animal wastes;
- I. Rock, sand, salt, and soils;
- J. Construction wastes and residues; and
- K. Noxious or offensive matter of any kind.

PRECONSTRUCTION - All activity in preparation for construction.

PRE-DEVELOPMENT - The conditions that exist at the time that plans for the land development of a tract of land are submitted to the Stormwater Authority. Where phased development or plan approval occurs (preliminary grading, roads and utilities, etc.), the existing conditions at the time prior to the first plan submission shall establish pre-development conditions.

POST-DEVELOPMENT - The conditions that reasonably may be expected or anticipated to exist after completion of the land development activity on a specific site or tract of land. Post-development refers to the phase of a new development or redevelopment project after completion, and does not refer to the construction phase of a project.

RECHARGE - The process by which groundwater is replenished by precipitation through the percolation of runoff and surface water through the soil.

REDEVELOPMENT - Development, rehabilitation, expansion, demolition, construction, land alteration, or phased projects that disturb the ground surface, including impervious surfaces, on previously developed sites. The creation of new areas of impervious surface or new areas of land disturbance on a site constitutes development, not redevelopment, even where such activities are part of a common plan which also involves redevelopment. Redevelopment includes maintenance and improvement of existing roadways including widening less than a single lane, adding shoulders, correcting substandard intersections, improving existing drainage systems and repaving; and remedial projects specifically designed to provide improved stormwater management such as projects to separate storm drains and sanitary sewers and stormwater retrofit projects.

RUNOFF - Rainfall, snowmelt, or irrigation water flowing over the ground surface.

SEDIMENT - Mineral or organic soil material that is transported by wind or water, from its origin to another location; the product of erosion processes.

SEDIMENTATION - The process or act of depositing mineral or organic soil material in stormwater as a result of erosion.

SITE - Any lot or parcel of land or area of property where land-disturbing activities are, were, or will be performed.

SOIL - Any earth, sand, rock, gravel, or similar material.

STABILIZATION - The use, singly or in combination, of mechanical, structural, or vegetative methods, to prevent or retard erosion.

STOP WORK ORDER - An Enforcement Order issued, which requires that all construction activity on a site be stopped.

STORMWATER - Rainfall and snow melt that exceeds the soil's capacity contemporaneously to absorb it and which, instead, runs across the surface of the ground as run-off.

STORMWATER AGENTS (“Agents”) – As delegated by the Stormwater Authority, the Town Engineer, the Assistant Town Engineer, Conservation Administrator, and the Stormwater Manager will serve in this capacity.

STORMWATER AUTHORITY - The Conservation Commission or its authorized agent(s). The Conservation Commission is responsible for coordinating the review, approval and permit process as defined in this By-law. Other Boards and/or departments participate in the review process as defined in the Stormwater Regulations adopted by the Conservation Commission.

STORMWATER DISCHARGES - Stormwater that runs off from the construction site into the MS4 or otherwise into waters of the Commonwealth.

STORMWATER DISCHARGE PERMIT - A permit issued by United States Environmental Protection Agency or jointly with the Commonwealth of Massachusetts that authorizes the discharge of pollutants to waters of the United States.

STORMWATER MANAGEMENT MEASURES - Best management practices that are constructed or installed during construction activity to slow velocities and prevent or reduce pollutants from entering stormwater discharges, or to reduce the quantity of stormwater discharges that will occur after construction activity has been completed. Examples include, but are not limited to: on-site attenuation by vegetation or natural depressions, outfall velocity dissipation devices, retention structures, and water quality detention structures.

STORMWATER MANAGEMENT PLAN - A document containing narrative, drawings and details prepared by a qualified professional engineer (PE) or a professional land surveyor (PLS), which includes structural and nonstructural best management practices to manage and treat stormwater runoff generated from regulated development activity. A stormwater management plan also includes an operational and maintenance plan describing the maintenance requirements for best structural management practices.

STORMWATER MANAGER - A qualified administrator and/or town employee who provides managerial support the Stormwater Authority.

STORMWATER PERMIT - The permit issued by the Town to the applicant which allows construction activity to occur as outlined by the applicant in its application and stormwater pollution prevention plan.

STORMWATER POLLUTION PREVENTION PLAN (SWPPP) - The plan required of all applicants in which they outline the erosion and sedimentation BMPs they will use, the BMPs they will use to control wastes generated on the construction site, the stormwater management measures they will construct and their plan for long-term maintenance of these measures.

WATERCOURSE - A natural or man-made channel through which water flows or a stream of water, including a river, brook or underground stream.

WATERS OF THE COMMONWEALTH - All waters within the jurisdiction of the Commonwealth, including, without limitation, rivers, streams, lakes, ponds, springs, impoundments, estuaries, wetlands, coastal waters, and groundwater.

WETLAND RESOURCE AREA - Areas specified in the Massachusetts Wetlands Protection Act G.L. c.131, § 40 and in the Town of Sharon Wetlands Protection Bylaw and Regulations.

WETLANDS - Tidal and non-tidal areas characterized by saturated or nearly saturated soils most of the year that are located between terrestrial (land-based) and aquatic (water-based) environments, including freshwater marshes around ponds and channels (rivers and streams), brackish and salt marshes. Common names include marshes, swamps and bogs.

ARTICLE 21.

VOTED: That the Town authorize the Select Board and/or School Committee to lease portions of the High School roof and any necessary accessory land, to Solect, Solect Energy Development, LLC or associated entities, for the installation of solar photovoltaic energy facilities and supplying solar energy, for a term commencing upon execution and continuing through a period not to exceed thirty years after the date on which such facilities achieve commercial operations, and on such other terms and conditions, and for such consideration, as the Select Board and/or School Committee deems appropriate; and to authorize the Select Board and/or School Committee to enter into such leases and/or grant such access, utility, and other easements in, on, and under said land as may be necessary or convenient to construct, operate and maintain such solar photovoltaic energy facilities and supply solar energy, which may include a battery energy storage system, transformers and other electrical and interconnection equipment and to further authorize the Select Board and/or School Committee to take any actions and execute any documents necessary or appropriate, including but not limited to a Lease Agreement and any assignments and a Solar Purchase Power Agreement, to accomplish the foregoing;

That the Town authorize the Select Board and/or School Committee, pursuant to G.L. c. 59, § 38H, to negotiate and enter into power purchase agreements with Solect, and any other documents and agreements related thereto, upon such terms and conditions as the Select Board and/or School Committee shall deem to be appropriate;

That the Town authorize the Select Board and/or School Committee to take all actions necessary and to execute such documents as they deem necessary to accomplish the foregoing.

ARTICLE 22.

VOTED UNANIMOUSLY: That the Town authorize the Select Board, as roadway commissioners, to grant and prepare for recording a non-exclusive easement or easements to Ninety-Five, LLC., its successors and assigns, and/ or the Town of Foxborough. Said easements are to be within the right of way of the roadways known as Old Post Road, South Main Street and Gavin's Pond Road, and in the approximate location as shown on the plan entitled "Anticipated Sewer Connection Route", drawn by On Site Engineering, the "Plan", a copy of which is on file with the Town Clerk. Said easements shall be of a distance and width as determined by the Select Board, and are for the purposes of construction, installation, maintenance, repair, replacement, emergency access, and inspection of a sanitary sewer main and line, equipment and appurtenances running from the Sharon Gallery project to Station 25+25 (as shown on the "As-Built Acceptance Plan Gavin's Pond Road") in Gavins Pond Road at Reeves Road, as generally shown on said Plan, and such other locations in Gavin's Pond Road as are deemed by the Select Board as necessary.

VOTED UNANIMOUSLY: That the Annual Town Meeting be dissolved at 10:51 P.M.

Attendance: 193