

MINUTES
SHARON SELECT BOARD
August 24, 2021

The meeting of the Sharon Select Board was called to order at 7:00 pm by Select Board Chair William A. Heitin remotely via Zoom. Select Board members Hanna R. Switekowski and Emily Smith-Lee were in attendance as was Town Administrator Frederic E. Turkington, Jr. and Assistant to the Town Administrator, Lauren Barnes. The meeting of the Sharon Governance Study Committee was called to order at 7:00 pm by interim Chair Paul Pietal. The meeting commenced with the recitation of the Pledge of Allegiance.

Joint meeting with Governance Study Committee

Mr. Heitin thanked the members for joining the meeting tonight. He explained that the Select Board would appoint a chair this evening and then discuss the logistics for the committee to begin the work they've been charged with undertaking. He would like to nominate Mr. Pietal to the position of Chair of the committee due to his experience leading other committees. Ms. Switekowski asked if any other members were interested. There being no indication of interest by other members, Mr. Pietal stated he was happy to accept.

MOTION: To appoint Paul Pietal as Chair of the Governance Study Committee.
(Heitin - Smith-Lee)

Switekowski: AYE
Smith-Lee: AYE
Heitin: AYE
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The Board went on to discuss the following logistics in getting the Governance Study Committee started. Mr. Heitin stated that that Melissa will serve as administrative assistant to the committee and will be responsible for posting agendas, drafting minutes, and posting material to committee web page. The Committee will be obligated to hold at least one public hearing on topics citizens wish the committee to study. Timing should be after a few committee meetings where they organize the prioritized list of topics, approach to items of study, etc.

The Board stressed availability of staff to coordinate and assist with research questions for comparable towns experience and insisted on any requests for Town Counsel support go through Town Administrator. The committee should review potential meeting dates through October 31 to assure full participation of 11 members to the extent possible and they should discuss whether to use sub-committees for information gathering and to try to have full participation in discussion and votes on recommendations as frequent meetings of the 11 members will be difficult if full attendance is important.

Committee approach

Overall importance of comprehensive review to assure no unintended consequences of any proposed changes. This can't be a piecemeal approach. Realize the committee will recommend language for bylaw changes to Select Board that it will consider and determine whether to forward to Town Meeting for consideration

Bylaws were codified and organized in 2017. Zoning regulations to be updated within next 8 months. Personnel bylaw was never updated since original in mid-80's. Approach to be bylaw proposal to fix issues or offer new processes/procedures. If charter should be pursued, it should be based on updated work of this committee as approved by Select Board and Town Meeting.

The following seven specific topics were prioritized:

1. Consider whether the Town should change the form of legislative body from open town meeting to representative town meeting or some other form.
 - Direct vs. representative democracy

- Size of town/number of voters/modern realities impact on utility/equity of open town meeting
2. Consider and recommend whether Section 494 of the Town By-Laws, which sets the dates of the Annual Town Meeting and the Annual Town Election, should be changed.
 - Set date (as in first Monday of May) in bylaw or allow Select Board to set date every January when Warrant is opened (to better address logistical issues below)
 - Childcare
 - Elderly/disabled voter participation limited depending on afternoon vs evening or weekend vs weekday meeting date (driving at night, etc.)
 - Secular and religious holidays
 - Fiscal year realities impacting ability to schedule in narrow March 15 and June 15 window
 - Adequacy of indoor space to hold open town meeting given emerging new normal post-COVID-19
 - Educating voters in order to have meaningful participation
 - Limitations in state law to allow remote participation in open town meeting
 3. Consider whether to increase the number of members of the Select Board and recommend a process for evaluating, debating, and deciding the issue.
 - Impact on leadership role among members, participation opportunities on priorities and capital outlay committees
 - Timing of implementation as to staggering of terms if adopted
 - Impact of numbers changing ratios when filling vacancies on elected boards
 - Other unintended consequences/companion bylaw changes on areas impacted by number of members
 4. Consider whether to appoint rather than elect the Library Trustees or Planning Board, Other Boards and Committees and consider the length of term
 - Accountability of elected vs appointed officials serving on volunteer boards
 - Recruitment of candidate's vs applicants
 - The ability to attract qualified candidates
 5. Evaluate the specific duties of the Finance Committee in relation to warrant articles and fiscal oversight and make recommendations as to the adequacy and appropriateness of current practice.
 - Should FinComm continue to make recommendations on all articles or merely financial ones (Select Board and Planning Board to comment on articles in area of cognizance)?
 - Should fiscal oversight responsibilities of FinComm be more clearly specified?
 6. Review and consider recommendations to update the personnel by-law to reflect Federal and state legislative changes and court decisions, reflect best practices, and role, if any, of personnel board as it relates to school department employees.
 - Do we need personnel board to approve and rate job descriptions?
 - What is the relationship between personnel bylaw rating process and collective bargaining laws?
 - Should anyone whether than the School Committee approval and rate job descriptions for school department employees? Can another body perform this function, even in an advisory role, under state law setting independence of school committees? Are there similar conflicts with library personnel?
 7. Consider whether to recommend a process for evaluating and consolidating town by-laws into a charter document.

Ms. Switekowski commented that a level of decorum should be maintained as appointed officials, particularly on social media.

Ms. Smith-Lee remarked, and the Board stressed, that the work of this committee is very important regarding how the town works in the future.

Mr. Heitin explained that the Board consciously put together a diverse group of people to explore different perspectives. It is expected that there won't be agreement on many things which is okay, but at the end of the day, being diligent in your research will result in making this Town better. He offered his thanks on behalf of the Select Board for volunteering to undertake this work.

MOTION: To adjourn the Governance Study Committee meeting at 7:27 pm.
(Carver - Geller)

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|-----------------|----------------|--------------|-----------------|
| Carver: AYE | Arguimbau: AYE | Monahan: AYE | Silverleib: AYE |
| Rangarajan: AYE | King: AYE | Geller: AYE | Pietal: AYE |
| Goodman: AYE | | | |

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Prepare for Tri-Board meeting on September 13

Mr. Turkington has prepared a draft agenda for the upcoming meeting of the Select Board, School Committee, and Finance Committee on Monday, September 13 at 7:00 pm. The topics include the status of various projects in town and finances. The Town Administrator has provided a draft agenda for the Board. The draft agenda is based largely on drafts from previous years. Mr. Turkington and Mr. Gupta will put together a very preliminary draft of the priorities worksheets with preliminary revenue estimates. The first priorities meeting is in December. Mr. Gupta will provide an overview of the various COVID relief funds of the stimulus packages, both approved and pending and how that relates to funding COVID related expenses. Since this will be a publicly broadcast meeting, it's a good time for the Boards/Committees to provide updates on important issues or projects. Ms. Switekowski asked about including the Planning Board for an update on projects like the Sharon Gallery. The Board supported including Planning Board as well. Suggested agenda items should be forwarded to Mr. Turkington by email.

Special Counsel for revisions and updates to zoning regulations

The Board was provided information about this topic in their meeting materials. Mr. Heitin has had the opportunity to meet with the new Planning Specialist, Maria de la Fuente. This is a project that she has been working on.

It made sense to begin working in this area as there will be other articles for the spring Annual Town Meeting related to master plan implementation. Mark Bobrowski is one of the leading municipal councils on zoning matters. Mr. Turkington has experience working with him in another community. He has provided an attractive quote for the work in the amount of \$40,000. Planning and ZBA has supported this work. The funding could come from contributions from the legal funds of the Town Counsel budget and other Boards that might benefit from this and the balance could come from the Kendall Trust to supplement. Funds from the Kendall Trust are earmarked in 1960 for studies to benefit long term planning goals of the Town. The fund balance is approximately \$75,000 and funds have not been utilized in sixty years. This project would be an appropriate and ideal opportunity for use of the funds since there are no plans at this time to do so. The only other opportunities for funding would be as a potential Capital item which delays the work for at least a year. As this is study rather than a fixed asset, Finance Committee may push back on Capital funding. CPA funds for housing may also be a stretch for funding.

There is no money left over from the master plan. The Board would like to approve this pending final budget allocation then spend the next few weeks reaching out to the Boards and Committees for funding.

Review and approve the consent calendar

- I. Vote to approve the regular session minutes of August 4, 2021
- II. Vote to approve the following banner requests
 - a. Sharon Soccer Association registration – August 30-September 6, 2021 in 1st position
 - b. Sharon Travel Basketball tryouts – August 23-29, 2021 in 2nd position
 - c. Sharon Travel Basketball tryouts – September 6-13, 2021 in 1st position
- III. Vote to approve and sign the Memorandum of Agreement between the Town of Sharon and Sharon Firefighters, Local 1880, IAFF regarding a modification of the Safe Program Coordinator stipend
- IV. Vote to approve a one-day liquor license for a BBQ event at Young Israel of Sharon, 100 Ames Street on Sunday, August 29, 2021.

MOTION: To approve the consent calendar.
(Switekowski - Smith-Lee)

Switekowski: AYE

Smith-Lee: AYE

Heitin: AYE

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Report of the Town Administrator

Based on the expected increase in businesses resuming in-person operations after the Labor Day weekend, we offered a special one-month parking pass for \$50.00 for the month of September. The sale was held on Thursday, August 12 at 7:00 p.m. We had just 21 sales, which reflects recent decisions by several major employers to delay return to office plans from early September to mid-October or January 2022 and reluctance of many who have returned to offices to ride public transit during the surge in the number of cases of the delta variant.

Building Commissioner Kris White is surveying peer towns and adjacent communities and will recommend a revised fee schedule for building permits that aligns with building code cost estimates and syncs new construction and renovation work. A hearing will be held on September 14 with the expectation of a revised fee schedule to be effective October 1, 2021.

We have hired Rachel Oles, currently a part-time animal control officer in Canton, to assume our position at 30 hours per week. She starts August 23. Sharon resident Sonal Pai has been hired for the administrative assistant for the building and zoning division within DPW effective August 30.

Officer Patino, who had originally planned to retire in January 2022, gave notice and retired effective August 20. Given the number of staff departures, we will defer filling the vacant detective position (promotion of Matt Rovaldi to sergeant) to assure adequate patrol coverage until the four new hires complete the police academy and field training. We expect to have two candidates for appointment to fill the vacancies created by the retirements of Sgt. Leavitt and Officer Patino for September 14 agenda.

Three lieutenants and two sergeants have submitted application materials for participation in the assessment center. The community survey of characteristics desired in a police chief has been posted with a response deadline of September 8.

Conservation Administrative Assistant Jana Katz has agreed to assume the duties of the ZBA administrative assistant effective August 16 when Gail Schustek moving over to support the SSBC.

We are recruiting for a new plumbing inspector to be available on Tuesdays and Thursdays. The position pays a weekly stipend regardless of inspections required.

Select Board Correspondence/Announcements

We received or exchanged approximately 27 pieces of correspondence between 12 noon on Friday, July 30 and 9:00 a.m. on Friday, August 20. Topics included:

Letter from US Representative Jake Auchincloss relative to support for increasing or eliminating the cap on the deductibility of state and local taxes on Federal income tax returns;

An email advocating for promotion of an internal candidate to police chief given the knowledge of the community those candidates can offer;

An email from Town Administrator announcing requirement for visitors, contractors, and employees to wear masks in public spaces within Town buildings effective August 5, 2021;

An email advocating for additional traffic calming measures such as a bicycle lane, painting intermittent horizontal stripes, and the installation of permanent electronic speed indication signs in both directions on Old Post Road;

An email advocating for additional inbound MBTA trains weekday mornings and a response with research from Assistant Town Administrator on train schedules comparing service levels pre-pandemic, during COVID-19 shutdown, and since May 29 re-opening;

Applications to fill the vacancy on the DEI Committee and Water Management Advisory Committee although WMAC has no advertised vacancy;

Email from Public Health Administrator reporting on positive mosquito test for West Nile virus;

Three emails from residents concerned about a mask-mandate and exceptions policy in the Sharon schools;

An email regarding perceived inequities in decisions on inclusion or exclusion of certain revolving fund revenues and expenses for optional full-day kindergarten program and the resulting impact on the tuition charged for the program;

Three emails concerning speaker at Sharon Men's Club meeting in May 2021 that they believe advocates hate and further that organizations offering such speakers be banned from using town facilities;

An email about drinking water quality beyond occasional brown water during hydrant flushing and asking the Board to discuss at a meeting;

An email requesting the Board discuss as an agenda item issues related to the quality of Lake Massapoag; and,

Emails from the Town Administrator regarding the approval of intersection design for Sharon Gallery at South Main Street; update on library litigation; sharing the Sharon Business Guide prepared by our land use team; providing analysis of US Census data; distributing the public hearing on improvement plan for Town-owned parcel at the expense of deeded access holders on Massapoag Lane; and, notifying departments, committees and businesses of the Board of Health vote to impose a mask requirement in public spaces effective August 23.

Topics not reasonably anticipated within 48 hours in advance of the meeting

Ms. Switekowski mentioned that at 3pm on Thursday, Sharon Public Safety will honor an 11-year-old Sharon resident for his life saving action at Lake Massapoag. Also on Thursday, due to a change in schedule because of rain on the original date, the Recreation Department will have their movie night. Residents are encouraged to

come early to meet the new school Superintendent, Dr. Peter Botelho. Porchfest will also be back on September 12.

Mr. Heitin announced that Sharon Day will take place on October 2 and October 3. There will be fireworks at Lake Massapoag on Saturday night, October 2 as the Town was able to enter into a contract with a pyrotechnics vendor. Mr. Heitin also acknowledged that Rosh Hashanah will take place before the Board's next meeting and wished all those observing a happy and healthy New Year.

Adjourn

MOTION: To adjourn at 6:13 pm.
(Smith-Lee – Switlekowski)

Heitin: AYE
Switlekowski: AYE
Smith-Lee: AYE
3-0 **PASSES**

List of Documents

- Revised Governance Study Committee charge
- Draft agenda/topics for discussion
- Correspondence
- Minutes
- Banner request forms (3)
- MOA
- Town Administrator's report