

MINUTES
SHARON SELECT BOARD
February 11, 2020

The meeting of the Sharon Select Board was called to order at 7:04pm in the second-floor meeting room at Sharon Town Hall with Chair William A. Heitin (arriving at 7:25 pm), Select Board Member Emily E. Smith-Lee, Select Board Member Hanna R. Switekowski, and Town Administrator Frederic E. Turkington, Jr. The meeting commenced with the recitation of the Pledge of Allegiance.

Board and Committee Interviews – Conservation Commission

Mr. Greg Aikman has lived in Sharon for 20 years. He has raised his children and now has more time to get involved. He is a member of the Massapoag Yacht Club as well as a member of Sharon Friends of Conservation. He is acutely aware of issues relating to ground water and lake pollution and understands that the lake is sensitive. Issues with proposed artificial turf, impact may not be as well vetted as it should be. Mr. Aikman cycles and tries to get outdoors as much as possible with his children. He likes to hike and does hike at Moose Hill and Borderland. He also enjoys sailing, swimming, and ice skating on the lake. He is enthusiastic at the opportunity to contribute.

Mr. Colin Barbera is a 24 year resident of Sharon. He has an interest in conservation as an open water swimmer and life guard. He has sat in on a couple of Conservation Commission meetings. He stated that he is concerned about pollution and development. Although his children are older now, they were taken to the lake regularly. Mr. Barbera coached soccer and lacrosse. In his spare time, he plays hockey, swims, plays piano, and enjoys time with children.

Mr. Robert Seeley moved to Sharon in November and has a newborn son who was born in March. He grew up in Stoughton and explained that his decision to move to Sharon centered mainly on the open space of the community. He likes the ease of access to hiking trails in the area. He learned to fish on Mann's pond. He is employed by Beth Israel Hospital in the safety office as an environmental consultant. His work ranges from monitoring wells to site remediation among other things which is what led to his interest in the Conservation Commission. He sees potential for more industry and upgrades to infrastructure and feels that the benefit of this committee is to minimize its impact.

The Board thanked the candidates for their time this evening and explained that it is their policy not to make Board or Committee appointments on the same evening the interviews take place but would do so at a future meeting.

Consideration of Ice Cream Truck Vending Permit

Lauren Preneveau introduced herself to the Select Board. She explained that this business venture came about because her mom told her she had to get a summer job. Thus, Sweet 16 Ice Cream came about. Lauren has a trailer which will be towed behind a car from May to September. She'll be selling pre-packaged ice cream at parties and events from May to September.

MOTION: To approve the permit for ice cream truck vending for Sweet 16 Ice Cream to Lauren Preneveau and Sara Kalinsky.

Transportation Advisory Board Update

Mr. David Straus provided an update for the Board regarding issues surrounding parking and traffic at the commuter rail station. The Transportation Advisory Board has received just over 1000 responses to a survey seeking information about commuter rail usage and parking.

Since the Transportation Advisory Board's last update of July, they have progressed on a few different fronts. The traffic analysis study last year has concluded. The Board wished to get a deeper understanding not just of parking but also of safety. They have determined that a parking deck on the inbound side is feasible with minimal impact to traffic but doing so would impact level of service.

The study has identified conflict areas between vehicles, pedestrians, and cyclists as well as a need for more dedicated drop off and access improvements. The Transportation Advisory Board doesn't believe that development of a parking deck is prudent at this time; rather efforts should be centered on working toward greater efficiency.

Mr. Strauss advised that the next steps are to work on schematics and improved distribution of parking passes. He feels that at this point in the process, the design portion of any traffic modifications should be transitioned to DPW for their input. The Board would like to hear from the DPW Superintendent and Town Engineer with respect to the renderings provided. The Board can then take a position on signage and any other concerns at that time.

Energy Advisory Update on Gavins Pond

The Energy Advisory Committee requested that the Select Board provide guidance in responding to a request from Distributed Solar Development (DSD) to consider an alternative option for the Gavins Pond site that would reduce the system size to below 500kW AC.

The current proposal is to install a front and rear solar canopy totaling 660kW AC in capacity. Due to the size of the system and a crowded electrical circuit, the project has been flagged for an impact study by Eversource. DSD estimates that the study will conclude in August of 2021. With such a delay, development couldn't start until winter 2021 or summer 2022 if weather won't allow for winter construction due to scheduling issues with the Sharon Soccer Association. In addition, there is opposition to the front canopy section by the Design Review Committee.

The alternative option proposed by DSD would reduce the project's size to below 500kW AC by eliminating the front canopy. Reducing the installation could possibly avoid the impact study and speed up development, help alleviate neighborhood concerns, and possibly result in a better SMART block allocation.

However, reducing the system's size would impact revenue to the Town as well as the solar production. Based on estimates the Energy Advisory Committee has received from DSD, the reduction in rent and PILOT payments would be around 35%. Additionally, DSD has noted that while systems under 500kW AC have historically not required a lengthy impact study, there is no guarantee that reducing the system's size would avoid it.

The Energy Advisory Committee has looked at removing 500 truckloads of dirt at Gavins to accommodate moving the front canopy. Mr. O'Cain, the Town Engineer was consulted and the material in the mound is unknown; it could be sand, gravel, or rock which would impact the ease of its removal.

The Select Board expressed that it seems there are two possible reasons for backing off, speed and responsiveness to abutter concerns. The Board expressed concern about backing off at the Gavins site. The intent with these solar projects was not to get rich quick but for long term sustainability and support of sources of renewable energy. The Board clarified with the Energy Advisory Committee that if in the future it becomes necessary to scale back the ability to do so would still exist. Considering that it would, it was the consensus of the Board that no position is necessary at this time.

FY2021 Budget Review Discussion/Town Administrator's Report

Mr. Turkington presented the following information for the Board.

The net increase to Town revenue from state aid amounts to \$225,000 compared to the December 6 allocation. The Priorities Committee voted 6-0 to allocate that money to \$125,000 to health insurance and \$100,000 OPEB. This leaves the operating budget at 2.94%.

Mr. Turkington provided handouts from the Finance Committee meeting and an update on borrowing. All bids were between 1.88-1.97. Final true interest cost of the winning bidder is 1.91%. This represents an overall interest savings of \$7.75 million.

There is \$25 million left to borrow much of which consists of a large contingency for the High School project. Proceeds could net \$1 million when invested. There will also be some turn back from the Town Hall project, will reduce the window of borrowing and increase savings as well.

The budgets with significant changes over the previous budget cycle have been provided for the Board and were discussed as outlined:

Health Department

The Board of Health has requested to increase the hours of the Administrative support staff and fund contractors or consultants for public health initiatives such as inspections. The savings over hiring a replacement Health Administrator is substantial.

Council on Aging

Susan Edinger has retired and a replacement has been hired. With contractual savings, there was enough funding to increase the hours for the new hire to full time and work with the Board of Health to broaden social worker services. Council on Aging has put forth a proposal to fund an additional receptionist for a minimum of 11 hours per week is requested for FY 2021. Funding the additional receptionist at the present wage level would increase the Council on Aging budget \$10,000.

Planning Board

There has been an increase in the Planning budget due to a request of \$11,000 for implementation of master plan. For a Town Planner or part-time Town Planner. Department staff is analyzing how much of the engineering department duties would be relieved in the creation of a Planner position. Grant funding is also being researched. There was a 1960 bequest to fund a master plan or plan of development. This fund presently has a balance of \$76,000. There is sufficient funding to do targeted work by either a part-time employee or a consultant.

Conservation

Greg Meister has retired and initial interviews with five candidates for his replacement will take place tomorrow morning.

Bond Authorization Note Approval

Confirmation vote of Board for acceptance of bond which authorizes the Treasurer to receive funds on Thursday.

I, the Clerk of the Select Board of the Town of Sharon, Massachusetts (the "Town"), certify that at a meeting of the board held February 11, 2020, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appear upon the official record of the board in my custody:

Voted: that we hereby determine, in accordance with G.L. c.70B, that the amount of the cost of the \$163,000,000 High School and Athletics Facility school project authorized by a vote of the Town passed on November 4, 2019 (Article 6), excluded from the limitations of Proposition 2½, so-called, on November 19, 2019 (Question 1) not being paid by the school facilities grant is \$109,176,995 and we hereby approve of the issuance of notes and bonds in such amount under said G.L. c.70B.

Further Voted: that the sale of the \$86,440,000 General Obligation Municipal Purpose Loan of 2020 Bonds of the Town dated February 20, 2020 (the "Bonds") to Raymond James & Associates, Inc. at the price of \$98,191,444.10 and accrued interest is hereby approved and confirmed. The Bonds shall be payable on February 15 of the years and in the principal amounts and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2021	\$ 570,000	5.00%	2031	\$6,490,000	4.00%
2022	885,000	5.00	2032	6,600,000	3.00
2023	1,725,000	5.00	2033	6,250,000	3.00
2024	2,795,000	5.00	2034	6,150,000	2.125
2025	4,000,000	5.00	2035	6,155,000	2.25
2026	4,860,000	5.00	2036	6,040,000	2.25
2027	5,205,000	5.00	2037	5,050,000	2.375
2028	5,730,000	5.00	2038	2,945,000	2.375
2029	5,920,000	5.00	2039	1,965,000	2.50
2030	6,155,000	4.00	2040	960,000	2.50

Further Voted: to approve the sale of a \$5,000,000 2.00 percent General Obligation Bond Anticipation Notes of the Town dated February 21, 2020 and payable February 19, 2021 (the "Notes") to TD Securities (USA) LLC at par and accrued interest plus a premium of \$41,200.00.

Further Voted: that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated January 22, 2020 and a final Official Statement dated February 4, 2020 (the "Official Statement"), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that in connection with the marketing and sale of the Notes, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated January 22, 2020 and a final Official Statement dated February 4, 2020, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Official Statement.

Further Voted: that the Town Treasurer and the Select Board be, and hereby are, authorized to execute and deliver continuing and significant events disclosure undertakings in compliance with SEC Rule 15c2-12 in such forms as may be approved by bond counsel to the Town, which undertakings shall be incorporated by reference in the Bonds and Notes, as applicable, for the benefit of the holders of the Bonds and Notes from time to time.

Further Voted: that we authorize and direct the Town Treasurer to establish post issuance federal tax compliance procedures and continuing disclosure procedures in such forms as the Town Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Bonds and Notes and to comply with relevant securities laws.

Further Voted: that each member of the Select Board, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above votes) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the Bonds or the Notes were taken in executive session, all in accordance with G.L. c.30A, §§18-25, as amended.

MOTION: To approve the bond note authorization.
(Smith-Lee - Switlekowski) 3-0 **PASSES**

Annual Town Meeting Warrant Articles

An updated list of articles was provided to the Board. Several articles were discussed at the Finance Committee meeting last evening. The petitioners were there to provide comments. Items related to Rattlesnake Hill will be consolidated. Mr. Shelmerdine presented articles for Cape Club and Sharon Gallery. It is expected that the Board will order the articles at the next meeting.

Discussion of Senior Tax Relief Programs

The agenda topic has been added due to discussions between Ms. Switekowski and Mr. Turkington. Ms. Switekowski has met with Council on Aging Advisory Board to hear senior concerns. Property taxes are of the greatest concern and Ms. Switekowski wondered whether there are programs for tax relief that town may or may not be taking advantage of.

Mr. Turkington advised that Sudbury has undertaken a program to subsidize property taxes. Senator Timilty has proposed modernizing tax relief for veterans. Ms. Switekowski wishes to begin discussing the possibility of a tax advisory committee to ensure that the Town is taking advantage of every opportunity to assist those in need.

Judy Crosby of 6 Condor Road explained that she came to the meeting specifically for information on this item. She explained that there is a current exemption offered by state law, specifically GL Ch. 59 §5 that not many are aware of. There is also a bill presently before the House of Representatives in the same vein of senior tax assistance, H2470, which Ms. Switekowski is following and would like to see expanded to include persons with disabilities. If the bill passes, Sharon must enact it through town meeting.

The Board requested that information be gathered and a summary of programs that are presently available to Sharon residents such as the trash program for seniors, water bill assistance, recreation programs be prepared along with how frequently these programs are being used.

Consider and vote to declare surplus - 14 Harding Street and 76 East Foxboro Street

This item concerns two small parcels taken in tax title to support the land swap for the Civil Defense building.

MOTION: That the two following parcels are declared surplus and available for disposition: The property known and numbered as 14 Harding Street, containing 0.11 acres of land, more or less, which property is described in a Tax Lien Judgment in favor of the Town recorded in the Norfolk Registry District of the Land Court as Document 1143386, and the property known and numbered as 76 East Foxboro Street, containing 0.15 acres of land, more or less, which property is described in a Low Value Tax Taking in favor of the Town recorded in said Registry District of the Land Court as Document No. 1412169.

(Smith-Lee - Switekowski) 3-0 **PASSES**

Consider and vote determination of uniqueness – 60R Cedar Road

This item concerns excess acreage being swapped to Sharon for two small tax title parcels without going through the bid process. This item also relates to the land swap process for the Civil Defense building.

MOTION: The Town of Sharon, acting by and through its Select Board, wishes to enter into an agreement with Temple Adath Sharon to acquire by purchase or otherwise a parcel of land containing approximately 6.0 acres of land, identified as “60R Cedar Street,” which is a portion of the land described in the deed to Temple Adath Sharon, recorded at the Norfolk Registry District of the Land Court in Certificate of Title No. 27523, and is shown on the “Civil Defense Building Land SWAP Map” dated January 21, 2020, attached hereto and available at the office of the Town Clerk, and is acquired for the purposes of dedication to public outdoor recreational use and open space purposes under Article 97 of the Massachusetts Constitution, in exchange for the removal of the land shown as “Parcel T” on said Map from parkland restrictions as described below.

Pursuant to the provisions of Massachusetts General Laws Chapter 30B, Section 16, the Town of Sharon must solicit proposals prior to acquiring the fee in real property at a cost exceeding \$25,000.00, unless the Town of Sharon determines in writing that advertising for the submission of proposals will not benefit the Town’s interest because of the unique qualities or location of the real property needed.

The Select Board hereby declares as follows: The Select Board has determined that advertising for proposals pursuant to the provisions of Massachusetts General Laws Chapter 30B, Section 16(d), will not benefit the interest of the Town of Sharon because the property to be acquired is uniquely situated adjacent to the existing Deborah Sampson Park, which contains existing, extensive wooded and open walking, hiking and biking trails and the property to be acquired will create new opportunities for visitors and the community to enjoy the natural resources available in the Park. 60R Cedar Street will allow the Town to expand and improve the existing walking, biking and hiking trails and could potentially be used for additional playing fields or other active recreational uses.

In light of the foregoing, it is the opinion of the Board that it is proper to waive the publication requirements of Massachusetts General Laws Chapter 30B, § 16 with respect to this acquisition.

The Board further declares that pursuant to the provisions of Massachusetts General Laws Chapter 30B, Section 16(e)(1), the Board shall publish this determination along with the names of the parties having a beneficial interest in the property and the proposed purchase price in the Massachusetts Central Register not less than thirty (30) days before the Town of Sharon executes a binding agreement to purchase the property.

(Smith-Lee - Switlekowski) 3-0 **PASSES**

Consent Calendar

- I. Vote to approve regular session minutes of January 28, 2020;
- II. Vote to award bid for delivery of the 2019 Annual Town Report to the Boy Scouts of America, Troop 95, Sharon MA in the amount of \$1,200
- III. Vote to approve the following banner requests:
 - i. Sharon Historical Society Annual Yard Sale, June 1-8, 2020, second position and waive fee

- ii. Sharon Cub Scout Pack 95 Annual Registration, August 24-31, 2020 in first position
- IV. Vote to approve legal certification designating the Town Administrator to execute documents related to the MSBA grant for the High School project

MOTION: To approve the February 11, 2020 consent calendar.
(Smith-Lee – Switekowski) 3-0 **PASSES**

Topics not reasonably anticipated forty-eight (48) hours in advance of the meeting

Vote to appoint Signe Peterson Flieger to the Board of Health for a term expiring December 31, 2020 (to maintain staggering).

Vote to appoint Jeanne Freeman to the Board of Health for a term expiring December 31, 2022.

MOTION: To approve said appointments to the Board of Health.
(Heitin– Switekowski) 3-0 **PASSES**

Adjournment

MOTION: To enter into Executive Session at for the purpose of discussing strategy with respect to the purchase and sale of real property and adjourn immediately following. Discussion of this item in open session may have a detrimental effect on the bargaining position of the Town.

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

List of Documents

- Conservation Commission membership list
- Board/Committee applications (3)
- Ice Cream truck vending application
- Access and safety improvement plans
- Transportation Advisory Board report
- Solar developer request to amend application
- Updated priorities sheets
- Budget review materials
- Bond note authorization
- Updated list of articles
- Draft article of Cape Club restriction release
- Plans showing Cape Club changes
- Draft article for Civil Defense land swap
- MA Council on Aging Summary of Acts
- Town of Sudbury exemption program
- Correspondence
- Correspondence from Town Counsel
- Minutes
- Annual Town Report delivery proposal
- Banner requests
- Certification of Legal Counsel for Town of Sharon