

MINUTES
SHARON SELECT BOARD
March 28, 2023

The meeting of the Sharon Select Board was called to order at 7:00 pm by Chair Hanna R. Switekowski remotely via Zoom. Select Board members Emily Smith-Lee and Kiana Pierre-Louis were in attendance as was Town Administrator Frederic E. Turkington, Jr. and Assistant Town Administrator, Lauren Barnes. The meeting commenced with the recitation of the Pledge of Allegiance. Ms. Switekowski asked to observe a moment of silence for those who lost their lives in the Nashville Covenant School shooting yesterday.

Public comment period

A resident expressed concerns about balance of power due to an elected member of the School Committee seeking election to the position of Moderator.

A resident commented about revenue for recreational marijuana as discussed at the Select Board's last meeting on March 14 and would like to see a report of expenditures in the categories mentioned in the Town Meeting warrant. In addition, it was remarked that the public comment period eliminates discourse. Comments were made during the public comment period about the marijuana topic, but further comment was not allowed during the Board's discussion on the matter. This gives the perception that the Board is preventing dialogue and an informed citizenry. Further, the resident feels that email distribution of the agenda is tardy. Receipt of the Select Board's agenda on Monday does not adequately allow members of the public to come up with public comment.

Another resident of Edge Hill Road requested to confirm receipt by the Select Board of their correspondence to DHCD regarding the LIP application for development on Edge Hill Road. It was acknowledged that the Board received the correspondence by certified mail on May 24. The resident then read the contents of the letter. Submitted to DCHD.

There being no other public comment, Ms. Switekowski moved on with the meeting.

Board/Committee interview – Susan Olson Drisko

Ms. Susan Olson Drisko introduced herself to the Board. She has submitted an application to be considered to fill a vacancy on the Conservation Commission. Ms. Olson Drisko provided the Board with her background and a summary of her experience. She explained that she is a master gardener and has worked in the past to eradicate invasive plants. She hopes to assist the Conservation Commission with their work in this area, particularly in the Sucker Brook area.

The Board thanked Ms. Olson Drisko for her time this evening. It was explained that it is the Board's policy to make appointments during the meeting immediately following interviews. Ms. Olson Drisko will be notified of the appointment by email after the Board's next meeting.

Water Management Advisory Committee – Discussion of sites for water treatment

Public Works Superintendent, Eric Hooper from DPW addressed the Board about water treatment and the process for eliminating PFAS from drinking water. Mr. Hooper explained that solving the PFAS problem will require construction of a treatment facility considerably larger than the small trailer-based temporary treatment system that the water department has been using for the past two years. Accordingly, the Water Department engaged Environmental Partners to perform a siting analysis to evaluate possible sites.

Sites were evaluated according to five primary criteria:

- Required Water Main Infrastructure
- Permitting
- Site Constructability

- Proximity to Residents
- Delivery Vehicle Access

A total of five locations were evaluated as follows:

- Well #2 Cleared Area
- Well #2 Hill Slope
- Well #3 Farnham Road
- Lot 41 (near Well #4, former MBTA Property)
- Well #4

No site is without issues, with the most problematic being either within or close to wetlands and FEMA determined flood plain areas. All sites will require various levels of water main infrastructure for raw and finished water delivery from the wells to the treatment facility and back into the distribution network. Well site #3 was ruled out because of the additional required water mains both from wells #2 and #4 and upgrades off site to increase water main capacity from the Farnham site.

The originally preferred site at Well #2 (the cleared area) was ruled out because of constructability issues and cost due to being entirely within the 100-year FEMA flood plain. The hillside location at Well #2 was ruled out because of the difficulty accessing the site because of the steepness of the hill and the cost to construct a benched site given the steepness of the hill. However, well site #2 is still under consideration pending discussion with Audubon for access to Audubon land adjacent to the well access drive off Moose Hill Parkway.

This left Well 4 and Lot 41 near Well 4. Both are located close to a limited number of residents although the Well #4 site is closer to abutting residents. The Lot 41 site would require an access way largely within the 100-year FEMA flood plain and within local wetlands jurisdiction which the Sharon Conservation Commission opposes, unless abutting property owners would grant the Water Department an easement to re-locate the access way out of the flood plain and local wetland jurisdiction.

Well site #4 would place the building off Tree Lane just up the hill from the existing well pump station and current temporary treatment facility. While a residential neighborhood has developed around the well site, Water Department office building and train station, the site already contains the Well #4 Pump Station, the KOH storage tank enclosure, the filter skid and trailer providing temporary PFAS treatment and the small shed housing the booster pump. This site does offer several benefits over the other site alternatives for the water treatment facility: site clearing and earthwork efforts are expected to be reduced compared to the alternative sites. Impact to wetland resources and associated permitting is expected to be the least intensive and the area of disturbance is expected to remain outside of the nearby flood plain and 75-foot no disturb buffer zone.

The Board thanked Mr. Hooper for his presentation.

Outdoor water use restrictions

Mr. Hooper explained that the outdoor water use restrictions are standard and have been in effect every year for the past 17 years now. Mr. Hooper's recommendation remains an odd/even watering schedule during the hours of 6-8 pm, two days per week.

MOTION: To approve the outdoor water use restrictions effective May 1 through October 1, 2023.
(Smith-Lee – Pierre-Louis)
(Pierre-Louis – Smith-Lee)

Switekowski: AYE

Smith-Lee: AYE

Pierre-Louis: AYE

3-0 **PASSES**

Terms of additional opioid settlement

The Board has voted previously to participate in the class action suit for overprescription of opioids. New national opioid settlements have been reached with Teva, Allergan, CVS, Walgreens, and Walmart.

The Town has received notice because the Commonwealth has elected to participate in one or more of the five national opioid settlements with Teva, Allergan, CVS, Walgreens, and Walmart. This notice concerns the opportunity to participate in one or more of the new settlements with new Settling Defendants (Teva, Allergan, CVS, Walgreens, and Walmart). The Town has an opportunity to participate in a new settlement even if it did not participate in a prior national settlement.

In the next few weeks, the Town will receive additional information and documentation to sign and return if you wish to join the new settlements. The Town must “opt in” to participate in the new settlements and to do so, must sign and return the documentation expected in the next few weeks. The deadline to return the required documentation is April 18, 2023.

MOTION: To authorize the Town Administrator to sign any documents accepting participation in the class action lawsuit and establish a special revenue fund for expenditures.
(Pierre-Louis – Smith-Lee)

Smith-Lee: AYE
Pierre-Louis: AYE
Switekowski: AYE

3-0 **PASSES**

Regional housing services Intermunicipal Agreement

The Board was provided with a copy of the Intermunicipal Agreement which would confirm Sharon’s participation in regionalization of housing services. Mr. Turkington provided an overview of the program. He explained that MAPC has been working with the 8 towns that had expressed interest through a survey. This program is modeled after a successful similar version in the Acton/Westford/Maynard/Marlborough area. Each community contributes a proportionate share of the expenses of the program. The office is headquartered in one of the participating communities; for this program it will be housed in Hopkinton. An employee will be hired to monitor affordable housing in each community and hold housing lotteries when necessary.

MOTION: To approve the Intermunicipal Agreement for regional housing services as outlined.
(Smith-Lee – Pierre-Louis)
(Pierre-Louis – Smith-Lee)

Switekowski: AYE
Smith-Lee: AYE
Pierre-Louis: AYE
3-0 **PASSES**

High School bond proceeds

Mr. Gupta and Mr. Turkington explained that they have been working with Mr. Gladstone on the upcoming bid for construction of the new Sharon Public Library. At this time, it is believed that there is a construction shortfall of 6.3 million. The bids for construction will be opened publicly on April 14 by the owner’s project manager. The Finance Committee will review financing options and vote their recommendation on the Town Meeting article on April 26.

It is requested that the Select Board sign a request to DRO to transfer \$3.3 million of surplus from the High School construction project to the library construction project without losing the debt exclusion. The Board may

recall that \$1.5 million was transferred to the High School project from the Public Safety building project. The letter provided by Joe Sullivan confirms there is no change to the scope of the project.

MOTION: To accept the Sharon Public Library project OPM Joe Sullivan's revised cost estimate report of March, 28, 2023 (provided). The Board also approves the DOR application for debt exclusion (DE-2) for the High School project surplus being transferred to the library project.
(Smith-Lee – Pierre-Louis)

Switekowski: AYE

Smith-Lee: AYE

Pierre-Louis: AYE

3-0 **PASSES**

Vote positions on the warrant articles for Annual Town Meeting

Ms. Switekowski explained that she would read through the list of articles provided. Select Board members should state whether they support, do not support, or wish to abstain.

Art. #	Agenda Topic	Smith-Lee	Pierre-Louis	Switekowski
7	Acceptance of MGL C53, §9A: Nomination papers	Support	Support	Support
8	Acceptance of MGL C53 §9K: Certified MA Municipal Clerk	Support	Support	Support
9	Amend General bylaw to authorize Select Board to modify date for Annual Town Meeting and Annual Town Election	Support	Support	Support
10	Amend Zoning bylaw: Change dimensional setbacks and height requirements	Support	Support	Support
11	Amend Zoning bylaw: Uses for overnight parking of heavy vehicles; add pet care business uses and requirements	Support	Support	Support
12	Amend Zoning bylaw: Address Atty General's concerns regarding Zoning sections 10.7.5 and 10.8.5	Support	Support	Support
17	Additional appropriation for Public Library project	Tabled		
18	Community Preservation Act annual funding and projects	Support	Support	Support
22	Long-term lease authorization for Middle School parking, DPW parking and DPW rooftop solar projects	Support	Support	Support
24	Eliminate personnel bylaw	Not support	Support	Support
26	Amend Zoning bylaw: Add short-term rental bylaw	Support	Support	Support
27	Amend Zoning bylaw: Accessory dwelling units	Support	Support	Support
28	Amend Zoning bylaw: Update solar bylaw	Support	Support	Support

Amendment to the Wilber School ground lease

When Beacon Properties began their lease at the Wilber School, available septic capacity was offered to neighbors. Mr. Wluka is now planning to renovate his buildings for mixed use on East Chestnut Street and

wishes to make a connection to the system. Apartment living space prompts the need for septic capacity. This amendment codifies the terms of the connection.

MOTION: To approve and sign the fifth amendment to the ground lease, lessor estoppel certificate and notice to tenant for connection to the Wilber School sewer system.
(Smith-Lee – Pierre-Louis)

Switlekowski: AYE
Smith-Lee: AYE
Pierre-Louis: AYE
3-0 **PASSES**

Consent calendar

- I. Vote to approve the open session minutes of March 14, 2023
- II. Vote to approve a banner request for the First Congregational Church of Sharon Annual Christmas Bazaar, November 27 through December 4, 2023 in first position
- III. Vote to approve display of the Progress Pride flag on the Town Hall façade during Pride month from June 1 to 30, 2023
- IV. Vote to approve display of the Progress Pride flag on the Veterans' Memorial Park Beach flagpole during the Sharon LGBTQ+ Pride Festival and Car parade on June 11 pending submission of required paperwork to the Recreation Department
- V. Vote to reappoint Colleen Tuck to the Board of Registrars of Voters for a term expiring March 31, 2026
- VI. Vote to approve a Common Victualler License for Sharon Country Club through December 31, 2023
- VII. Vote to accept donations for Beech Tree Park totaling \$587 in honor of Joel Gopen
- VIII. Vote to approve an ice-cream vendor license for Lauren Preneveau of Sweet Sixteen Ice Cream LLC through March 31, 2024

MOTION: To approve the consent calendar.
(Pierre-Louis – Smith-Lee)

Switlekowski: AYE
Smith-Lee: AYE
Pierre-Louis: AYE
3-0 **PASSES**

Report of the Town Administrator

Mr. Turkington provided the following update.

Annual Town Meeting update. The order of articles having been established; the Board will complete consideration of positions on articles at this meeting. A logistics meeting to plan for the first town meeting to be held in the new high school was held on March 22. Thanks to Lauren Barnes for all her hard work in preparing the warrant for printing.

Municipal aggregation. Price proposals for electricity provided to Sharon residences and small businesses through our municipal aggregation initiative were opened on March 21 for the electricity rates for the three-year period beginning January 2024 to take advantage of a current dip in the market. We will be contracting with Direct Energy of Houston, TX which was the low bidder among four companies. Constellation Energy, the current provider, didn't offer a three-year rate lock and was third in both one-year and two-year options. The basic rate will be 13.17 cents per kWh, with the default 40% renewable energy at 13.84 cents per kWh and 100% renewable energy priced at 15.49 cents per kWh. These figures compare to the expiring schedule of 10.73 cents per kWh for basic, 11.586 cents per kWh for the default 40% renewable energy, and 14.275 cents per kWh for 100% renewable energy. Peregrine Consulting stated that the difference was less than several recent bids they have managed.

Select Board Correspondence/Announcements

We received / exchanged approximately 19 pieces of correspondence between Friday, March 10 and 6:00 p.m. on Thursday, March 23. Topics included:

- Notices and invitations: two submissions related to consideration of appointment to Town boards and committees (Littman – master plan implementation; Kay – EDC); notices from One Book, One Town writing contest, state DPH declaration of the end of the pandemic state of emergency on May 11; legal update regarding SJC decision upholding challenge to Southborough's limits on public comment; MMA legislative briefing regarding municipal finance law changes and extended remote participation; and invitations to the Interfaith dinner on April 2, to the Sharon Education Fund speaker on March 30, and to participate in Sustainable Sharon Coalition Green Day event on May 7;
- Email from chair to Personnel Board supporting naming second Monday of October as Indigenous People's Day, together with DEIC advisory opinions and public hearing notice;
- Email from Personnel Board explaining their opposition to article eliminating personnel by-law;
- Email complimenting the professionalism of the EMT's who provided care;
- Emails concerning residential properties on Johnson Drive within 400' of proposed development at 990 Providence Highway;
- Email concerning discharge into Dry Pond;
- Email regarding concerts he wishes to have at his home at 7 Country Lane;
- Notice of summary judgment in appeal of ZBA special permit for library project;
- Email about barking dogs on Garden Street; and
- Copy of letter addressed to DHCD by Certified Mail.

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

Ms. Switekowski members of the community happy and healthy Passover, Easter, and Ramadan celebrations.

Adjourn

MOTION: To adjourn at 9:06 pm.
(Pierre-Louis – Smith-Lee)

Switekowski: AYE

Smith-Lee: AYE

Pierre-Louis: AYE

3-0 **PASSES**

List of Documents

- Application
- Membership list
- Interview questions
- Memoranda (2)
- Opioid payments
- Original signed opioid agreement
- Draft IMA
- Budget and scope
- Statement of bond proceeds
- Article list
- Draft amendment to ground lease
- Lessor estoppel certificate
- Tenant notice
- Minutes
- Banner request form
- Request letter
- Email from Sharon Democratic Committee
- Common Victualler application
- Ice cream vendor application