

**MINUTES**  
**SHARON SELECT BOARD**  
*May 26, 2020*

The meeting of the Sharon Select Board was called to order at 5:00 pm by Chair William A. Heitin remotely via Zoom in accordance with Governor Baker's emergency declaration regarding public gatherings. Select Board Members Emily E. Smith-Lee and Hanna R. Switekowski were in attendance as was Town Administrator Frederic E. Turkington, Jr; and Assistant to the Town Administrator, Lauren Barnes. The meeting commenced with the recitation of the Pledge of Allegiance.

**Discuss input from legislative delegation on FY2021 state aid**

Representative Kafka, Senator Feeney, and Senator Timilty updated the Board regarding state aid for Fiscal Year 2021. Representative Kafka began by stating that he wished he had better news to share. He has consulted with the Chair of the Ways and Means Committee as well as with the Speaker of the House and early estimates indicate that the FY2021 budget shortfall is expected to be in the \$4-6 Billion range. Both Senators Feeney and Timilty stated that their information reflects the same range and that consensus is building around a higher end of the range of \$8 Billion being likely. They noted, however, that the State has a robust stabilization, or rainy-day fund of approximately \$3.5 Billion which is believed to be the highest in the nation and a record for the Commonwealth of Massachusetts. While that is a positive note, those funds cannot be utilized all at once without consequences to the State's bond rating and ability to borrow money at a low interest rate. Senator Timilty also mentioned another variable being the Federal stimulus package. He commended the Federal Delegation for passing a third stimulus package which directed money to states across the country.

Mr. Turkington asked whether there has been any consideration for a local aid resolution ahead of adopting the State budget for FY21. It was explained that there have been discussions centered around, and the entire Delegation is advocating for a local aid resolution, but with the environment remaining so fluid and until the Federal stimulus comes through, there is no commitment at this time. Mr. Turkington also mentioned that if data on trends for meals tax and hotel tax collections were to surface, that information would be helpful to the Town for planning purposes.

The Board extended their gratitude to Representative Kafka, Senator Feeney, and Senator Timilty for taking the time to update the Board this evening.

**Consider and vote to appoint a new full-time police officer**

Chief Ford explained that there is a patrol opening due to Lieutenant Williams' retirement and subsequent related promotions. Therefore, he recommends Adrian Lingo as the candidate for consideration by the Select Board.

Mr. Lingo currently sits first on the list of eligible candidates and scored well on the last police exam. He grew up and went to school in Sharon but was born in Poland. He speaks Polish, Russian, and English fluently. He has been a special officer for a year and has performed exceptionally well in that role. He is endorsed by entire Sharon Police Department.

The Board thanked Adrian for his attendance this evening, considering that it couldn't be face-to-face as the Board prefers.

**MOTION:** To appoint Adrian Lingo as full-time officer to the Sharon Police Department to fill the vacancy left by the retirement of Lieutenant Donald Williams.  
(Smith-Lee - Switlekowski)

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

**Consider and vote to approve changes to parking tickets effective July 1, 2020**

Officer Balestra addressed the Board. He explained that he has been a police officer in Sharon for 24 years, serving as the traffic enforcement officer for the last 18 years. He has compared parking tickets to communities surrounding the Town of Sharon and found that the monetary amounts for parking violations in Sharon are well below average. The majority of tickets still have a penalty of \$10. With the exception of changes in the penalties for violations involving Handicapped Parking, parking violation fines have not been raised in 24 years. He suggests raising the minimum rate of a violation to \$25. He has reported his findings to Lisa Clark, Sharon Parking Clerk who is in favor of the increase in penalty. Officer Balestra went on to explain that he has conferred with Andrea Sullivan, Parking Enforcement Officer, and Lisa Clark regarding suggested additions and amendments in language to the Parking Citations. Those changes are as follows:

#5 Snow Removal

Change to read "Impede/Interfere with Snow Removal"

#8 Unauthorized parking in reserved parking space

Change to read "Parking in reserved/No Parking area"

#20 Handicapped parking

Change to read "Parking or Blocking Designated Handicapped Space/Ramp"

Add #21 "Parking on or over Painted Parking Lines"

There has been some confusion by residents when requesting a Hearing with the Parking Clerk. Some residents have mailed a written request for a hearing to the PO Box in Milford. Hearings should be mailed to Town Hall at 90 South Main Street. Officer Balestra recommends that the language of paragraph 3 at the bottom of the violation be changed as follows:

"If you wish to challenge the Violation, you must request a hearing by contacting the Parking Clerk. A hearing may be obtained by one of the following:

1. Written request by mail to: Parking Clerk, Town of Sharon, 90 Main Street, Sharon, MA 02067
2. In person at the Office of the Parking Clerk, Town of Sharon, 90 South Main Street, Sharon MA 02067
3. By email - [parkingclerk@townofsharon.org](mailto:parkingclerk@townofsharon.org)."

The Board agreed that the changes sound reasonable. Traditionally a vote on a matter of this nature is taken at the meeting following discussion. It was requested that this item be added to the consent agenda for the next meeting on June 9, 2020.

Officer Balestra continued with the proposed changes to the Town of Sharon Traffic Rules and Orders. After his review of the Traffic Rules and Orders, particularly Section 7-1 through 7-20, he recommends that the fees for violations be raised to \$50 per violation. Currently, violations are \$20 each; so low that they are under-utilized, if used at all.

The intent to use Traffic Rules and Orders as an alternative to M.G.L. Chapter 90 citation and benefit to Sharon residents. The \$50 violation is less than the average Chapter 90 citation. For example, a Chapter 90 red light or stop sign violation is \$105. All funds collected for violations of the Sharon Traffic Rules and Orders stays in town whereas Chapter 90 citation proceeds are split with the Commonwealth. Further, Sharon Traffic Rules and Orders violations are non-surcharge incidents and will not affect a driver's insurance rates. In 2019,

Officer Balestra has conferred with Town Counsel who has confirmed that these proposed changes are contained in the Town of Sharon Traffic Rules and Orders, which are regulations adopted by the Select Board under G. L. Chapter 40, §22; and not codified in the General Bylaws. Therefore, the Select Board may note to make such amendments with the need for a vote of Town Meeting. Officer Balestra stated that the intent of the changes are not to be punitive, rather to modify behavior.

The Board requested to include this item on the consent calendar of the June 9 meeting also to ensure that there are no unintended consequences of taking such action.

#### **Discuss and vote to approve implementation of 1/12 budget until Annual Town Meeting**

Mr. Turkington advised that the Board needs to approve implementation of a 1/12<sup>th</sup> budget which allows the town to operate for the next fiscal year at 1/12 of FY20 budget with allowance for payment of annual, semi-annual, or quarterly bills until such time as Annual Town Meeting can be held and the budget for the upcoming fiscal year is approved. The Board should expect to see a request for budget approval six weeks before each month until Town Meeting.

The Finance Committee has put a hold on the Fiscal 2021 budget due to uncertainty surrounding State aid. At this time, it appears that Annual Town Meeting may be held in September or October. This will allow sufficient time for reconsideration by both Priorities and Capital Outlay Committees as suggested by the Finance Committee. It was explained that any budget changes voted by the Board for fiscal year 2021 are on hold. Employee salaries and wages, with the exception of school employees, will remain at fiscal year 2020 rates into fiscal 2021 pending a vote on article 4 at Town Meeting. All capital expenditures are on hold until the capital article passes at Town Meeting.

**MOTION:** To adopt a 1/12<sup>th</sup> budget until Annual Town Meeting can be held and to approve the July 2020 budgets of \$8,646,629 and enterprise budget of \$649,740.  
(Heitin - Smith-Lee)

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

#### **Discuss and vote to approve revised beach fees**

Mr. Heitin explained that he has reviewed the materials put together by the Recreation Department and Recreation Advisory Committee in advance of this meeting. He feels it important to note that they solicited and received survey input from over 500 residents and inquired with other communities to try to come up

with an equitable solution for beach use this summer. An increase in use of the beach is expected this summer since most travel plans have been put on hold. The lake is a beautiful asset to the Town and the Board wants all residents to have the opportunity to use the beach.

Linda Berger, Recreation Director, thanked the Board, the members of the sub-committee of the Recreation Advisory Committee, Recreation Advisory Committee, Town Administrator Fred Turkington, and all residents who completed the survey for their valuable input to allow this plan to come together. As mentioned, coming to a fair, practical, and equitable solution for use of the beach and lake the summer has been no easy undertaking.

Ms. Berger delivered a comprehensive presentation which included recommended guidelines, staffing constraints, ability for physical distancing for safety of beach goers, and equitable considerations for beach pass distribution.

Information was provided on what other communities with lakes and ponds are doing. At this time, there are only 16 lifeguards confirmed to return. A typical season, there are 21-24 guards on staff to operate both sides of the beach. Recreation is actively trying to find additional guards from beaches/pools that have made the decision to close this summer to expand to staff both sides of the beach, if able to do so.

There would be a four gate guard rotation, with three lifeguards on staff from 9am-7pm. Stand two would be closed for swimming. Community Center Beach will be open for active swim only and/or kayak storage access. Gate guards will be on hand to ensure directions are being followed. If enough lifeguards can be hired, Community Center Beach may open for traditional beach use.

Initially, Recreation had planned to have children under 6 free, individuals ages 7-61 \$4 and ages 62 and over \$3. However, due to prioritizing limitations on capacity, we are unable to tier pricing to ensure we capped sales at 250 people per block. Therefore, we are recommending Ages 2 and under FREE and Ages 3+ \$3.50 per day per block.

It is the recommendation of the Recreation Advisory Committee that proposal A, described as follows, be considered for approval.

#### Daily Block Passes

Individuals could purchase entry online or at the recreation department office for three time slots each day; 9am-12pm, 12:30pm-3:30pm and 4pm-7pm. We would clear the beach/parking lot at the close of each time slot and make announcements 15-20 minutes prior to their time ending at the beach.

The 30 minutes between the blocks, staff would sanitize bathrooms. They would also sanitize chairs, picnic tables, etc. Chairs would be sanitized as part of each guard rotation. Although the majority in the survey wanted first come, first served; it would not help traffic and the committee didn't feel gate guards would be set up for success.

Proposal A allows for flexibility and beach passes would open the Thursday prior. Thursday is our late office day and staff could be available to help those without internet access.

Challenges include verification of residency, restroom sanitation, acquisition of PPE for staff, staff orientation and swim tests within social distancing guidelines, and COVID signage/waivers.

Financial implications include drawing on reserve funds from beach revolving account to support this year's operation.

Mr. Turkington recognized that a tremendous amount of work went into putting this information together. There were over 500 responses collected by residents were diverse and varied from free use of the beach for residents to unlimited passes but the idea from the three pods came about from the commitment to keeping the beach as accessible as possible to a many people as possible. He noted that it is important to sell as many passes as possible to meet the costs of operating the beach. The beach revolving fund has a balance of approximately \$80,000. The Town is prepared to use some of those funds to support the beach for the benefit of the residents but cannot run the beach as proposed this evening by selling only 25% of the available passes.

Ms. Smith-Lee asked for clarity on who ensures compliance by monitoring beachgoers. The American Red Cross says only that it is not the function of lifeguards. The goal is to limit police assistance unless absolutely necessary. The Select Board does have the option to suspend the program or close the beach entirely in a worst case scenario if non-compliance is observed but prefers trying to maximize access to the beach. Mr. Heitin and Mr. Turkington both stated that they are counting on everyone to follow the guidelines that have been set out for safe use.

The Board and Ms. Berger thanked all involved for their time and hard work in coming up with this plan.

**MOTION:** To approve Recreation Department's plan for opening the beach.  
(Smith-Lee - Switekowski)

Heitin: AYE

Switekowski: AYE

Smith-Lee: AYE

3-0 **PASSES**

Tim Traut-Savino provided a brief update on behalf of the Annual Fourth of July Celebration Committee. He explained that the Committee waited to have their meeting until after Governor Baker announced his phased opening plan. Based on that plan, the Board decided unanimously that the Road Race and July 3 events be cancelled. Linda was a guest at that meeting and there was a conversation about hosting the fireworks at a future event, possibly the first weekend in October or Columbus Day weekend. However, things are still too uncertain to make a decision on a date at this time. A letter has been drafted and sent to the Select Board outlining what the meeting minutes will reflect. If Select Board is in agreement, notice of cancellation will be posted on the website and disseminated to the best possible ability.

The Board expressed that they are saddened, but not surprised at this news. In the interest of public safety, this is the best course of action. The Board agrees that a combined celebration in the fall, if possible, would be great for the community.

#### **Consider and vote to approve solar leases**

This item was tabled until a future meeting as there was no new information to bring forward.

#### **Allocation and assignment of all alcohol package store licenses**

The Town recently received notification of approval of special legislation for all alcohol package stores in Sharon by the Commonwealth of Massachusetts.

Town meeting approved and authorized the Select Board to file special legislation to allow four all alcohol package stores to be located one in four of the five commercial zones in Town: Post Office Square, Heights Plaza, Shaw's Plaza, the Gallery, and Route 1. In November, while the bill was being considered by the

legislature, the Board considered and voted amendments to the alcohol licensing process and voted a \$2,500 fee for each of the four licenses and set up a process by which the Board may consider, allocate, and approve said licenses. A number of individuals expressed interest in applying for a license since Town Meeting approval. Inquiries were made with Town Counsel and ABCC and the process allows for the Board to assign the licenses based on the following criteria:

- number of applications for each of the five (5) permitted commercial zones and proximity of proposed locations to other applications;
- Proximity to a school or house of worship;
- Size of proposed business (square footage of retail space, projected sales volume, etc.) and other products to be sold at proposed establishment
- Potential for proposed business to further economic development goals of the Town; and
- Experience of applicant operating all-alcohol package stores; reputation of applicant.

It is recommended that the period of time for application acceptance begin on June 1 through June 30. A Zoom public hearing would then be scheduled in July for consideration. If there are multiple applications received for either the same site or same zone, the Board may apply this criteria if they wanted to award a license. The Board also has the ability to withhold a license and save it for a location if they wish to have the ability to have on in a location in the future.

**MOTION:** To approve the recommendation to open the application period for all alcohol package store licenses on June 1, 2020 through June 30, 2020 as discussed.  
(Heitin - Switlekowski)

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

#### **Pride Month - June, 2020**

Mr. Heitin explained that this topic was initially started at an earlier meeting where discussion centered on the possibility of displaying the Pride flag in honor of Pride month in June. Town Counsel was consulted to provide an overview of the requirements involved in displaying the flag on government property regarding governmental speech versus protected free speech and the ability of the Town to make determinations about groups who would have interest in doing so outside of this particular request. A summary was provided by email and distributed to the Board with the materials for this meeting. At this time, Sharon does not have a policy governing placement of non-governmental flags on the flag pole in front of a Town building. It is recommended that a policy consistent with Town views be developed for utilization of the flagpole. The difficulty is that Pride month is next month. Typically, the Board would support and recognize this with a proclamation. Perhaps there is an alternative such as a public reading of a proclamation for recognition rather than displaying the flag absent of a policy that would open the Town to recognition of speech that may not have been thoroughly contemplated or vetted.

Ms. Smith-Lee stated that she has read the memo provided by Town Counsel and asked, aside from utilization of the flagpole, how display of the Pride flag differs in opening the unknown than the diversity banners. Mr. Heitin and Mr. Turkington advised that an opinion from Town Counsel was not sought regarding diversity banners. The Board agrees that flag policy is necessary as without one, there would be no authority to decline a request from a group whose message may be offensive.

Ellie Zinno of 23 Grapeshot Road stated that she represents Sharon GSA. She is glad that this is being discussed. This is such an unprecedented time since students are not in school and may not have full support at home, Pride celebrations are small acts of recognition that could really do wonders. She feels that this is a way for Sharon to show support.

Esme Sammons is the Drama teacher at Sharon Middle School and the GSA advisor. She commented that existence is not political and it is important for everyone to feel like they have a place here in Sharon.

It is the position of the Board to do something to honor Pride month while moving forward with development of a formal flag policy. It was agreed that a proclamation will be drafted and presented at the next meeting.

MOTION: To draft a proclamation and set a celebration date as discussed.  
(Heitin - Switlekowski)

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

#### **Review and approve consent calendar**

- I. Vote to approve May 12, 2020 regular session minutes
- II. Vote to approve the Southeastern Regional Services Group contract for water and sewer treatment chemicals for a twelve month period commencing July 1, 2020 in the amount of \$107,125.00
- III. Vote to approve the Southeastern Regional Services Group contract for paper supplies to WB Mason for a twelve-month period commencing July 1, 2020 in the amount of \$58,072.18
- IV. Vote to approve the Southeastern Regional Services Group contract for DPW supplies for a twelve-month period commencing July 1, 2020 in the amount of \$372,582.50
- V. Vote to approve the recipients of the 2020 Helen Eaton Griffin Memorial Scholarship: Sarah Leavitt; Lauren O'Cain; and John William Schustek.
- VI. Vote to approve and read the proclamation for National Gun Violence Awareness/Wear Orange Day of Friday, June 5, 2020.

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

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

#### **Report of the Town Administrator**

Mr. Turkington updated the Board on the Town's reopening plan. Consistent with the Governor's guidelines, the Town has adopted policies which comply with the office standards that are recommended. Staff has

resumed working hours of 8:30 am to 5:00 pm, Monday through Thursday as of today. Town Hall will reopen to the public on June 8 with service hours of 9am to 12 pm Monday through Thursday and 3-6 pm on Thursday afternoons. Residents are encouraged to continue to do business remotely via phone or email to the extent possible. Town Hall staff remains available by appointment as necessary.

At this time, eligible CARES act expenses are being compiled. The Town of Sharon is eligible for \$1.7 million dollars. At this point, the State isn't approving replacement of lost revenue.

Reserve fund transfers are being identified for the Finance Committee.

As a follow up to the discussion at the last meeting on the Town Election, a direct mailer to residents has been issued and should be received later this week. This outlines the three options for voting: mail in early voting, absentee ballot, or in-person voting on June 23 from 12-6. Applications are located in the foyer of town hall, or are available online or by email by request of the Clerk's office.

As part of the CARES Act, there is an economic development grant of up to \$10,000 for microenterprises with five or fewer employees that services community of 80 percent, in this region that equates to \$95,000. Mr. Turkington has been working with MAPC on how best to identify business who may qualify. The text of application was emailed to the Board for their review. The deadline to apply is tomorrow.

**MOTION:** To authorize the Town Administrator to apply for the economic development grant as part of the CARES Act in the amount of \$50,000 to help support local businesses  
(Switekowski - Smith-Lee)

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

Mr. Turkington encouraged as many residents as possible to support local business as they begin to reopen. He stated that picnic tables are open at the lake without restriction until July 1.

Mr. Heitin would like to see if the Board would entertain discussion as restaurants begin their phased openings whether utilization of parking lots for outdoor seating may be feasible. Other surrounding communities are doing so. It was agreed to add this item to the next agenda. It was also agreed to invite the members of the newly formed Economic Development Committee to the next meeting to formally get the Committee up and running.

Mr. Heitin also wished to thank everyone for attending Sunday's Memorial Day celebration at Rockwood Cemetery. Turnout was larger than expected. He also expressed his thanks to Paul Bergeron for putting together the program and to Hanna for speaking on behalf of the Board. Flag Day celebrations will be held at Rockwood Cemetery at 1:30 on June 14.

<b>Topics not reasonably anticipated within 48 hours in advance of the meeting</b>
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## Adjourn

**MOTION:** To adjourn at 6:50 pm.  
(Smith-Lee - Switekowski)

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

### List of Documents

- Candidate biography
- Proposed changes to parking violation fines
- Proposed changes to Town of Sharon Traffic Rules and Orders
- May 19, 2020 correspondence from Linda Berger
- Veterans Memorial public beach budget samples
- Signed legislation
- Minutes of November 12, 2019
- Correspondence of November 7, 2019 with Town Counsel
- Draft motion for consideration
- May 19, 2020 correspondence from Town Counsel
- *South Coast Today* article regarding flag policy
- May 14, 2020 correspondence from Hanna Switekowski
- Printed articles regarding Pride month
- May 12, 2020 regular session minutes
- Contract awards
- Proclamation