

**MINUTES**  
**SHARON BOARD OF SELECTMEN**  
*August 23, 2016*

The meeting of the Sharon Board of Selectmen was called to order in the Town Hearing Room at the Community Center at 7:04pm with Chairman Walter B. Roach, Clerk John J. McGrath, Selectman William A. Heitin and Town Administrator Frederic E. Turkington, Jr.

**Discussion with DPW Superintendent Eric Hooper Regarding Further Water Restrictions**

Eric Hooper Superintendent of Public Works was present to discuss further water restrictions. Mr. Hooper noted he had participated in a conference call with the Drought Management Task Force, the Department of Environmental Protection and other state officials to acknowledge the current drought conditions. They want to be sure that public water suppliers are following the Water Management Act permit conditions which require water restrictions to be in place. He explained that the Town of Sharon implements a calendar based restriction policy based on the Sustainable Water Initiative.

Mr. Hooper believes the town should look carefully at restricting irrigation systems due to the drop in stream flows and ground water levels. He is not recommending an outright water ban at this time. He explained that 300,000-400,000 gallons more water are pumped out of the ground per day than are used than when irrigation systems are not in use. Mr. Hooper stressed that we are currently exceeding our water permit requirements and the irrigation ban will be a few steps beyond the restrictions currently in place.

Chairman Roach asked Mr. Hooper to outline his recommendations:

- Restrict/ban outdoor irrigation systems and sprinklers
- No restriction on watering with a handheld hose during specified hours
- Public playing fields should still be able to irrigate
- No authority to restrict private well irrigation systems (although they are encouraged to follow the restrictions)
- Recommends off peak watering to reduce evaporative losses
- Extend ban to commercial properties

Mr. Hooper explained that enforcement of the ban will be done by the Water Department. Chairman Roach noted that they already have fines in place for water use violations and will be strongly enforcing the ban.

Ms. Nancy Fyler asked the Board to clarify if the ban will also apply to commercial property. The Board confirmed that the ban will include commercial properties.

Keevin Geller of the Conservation Commission presented a letter to the Board of Selectmen. The Conservation Commission outlined the following suggestions to be incorporated into the ban:

- Include all lawn irrigation systems and sprinklers in the ban, with the exception of one hand-held hose or water can to be used only between the hours of 6:00 PM and 6:00 AM.
- Apply the ban uniformly to newly constructed lawns, residential, commercial and recreation uses, both private and town-owned, as well as to those residents with private wells.
- Exempt agricultural uses.
- Ensure the watering ban remain in effect until November 30, 2016.

The Conservation Commission also suggested that when creating notices regarding the ban the Board stress the importance of conserving water indoors as well and to avoid activities that could start or spread fire. Also, provide a phone number where violations can be reported and impose fines to those who do not comply.

Chairman Roach agreed with the Conservation Commission that the ban on outdoor water should be from 6:00 pm to 6:00 am rather than 5:00 pm to 9:00 am. There was a brief discussion about reporting violations. Selectman McGrath noted that calls to the Police Department would likely get redirected to the Water Department. The consensus was that violations should be reported to the Water Department. Selectman Heitin believes residents will comply with the ban. Chairman Roach agreed. In response to the Conservation Commissions suggestions, Mr. Hooper believes that in certain cases newly constructed lawns should be exempt from the ban to avoid erosion problems and that the town fields should remain irrigated as they are for public use and need to be maintained.

Nancy Fyler of the Canoe River Aquifer Advisory Committee noted she is pleased with the steps the town is taking but would like to see additional restrictions imposed such as washing cars and filling swimming pools. She also suggested the Town put a ban on private well irrigation systems since the water is essentially drawn from the same aquifer. Selectman McGrath explained that they cannot legally do that. Ms. Fyler asked the Board to consider a bylaw that would allow the Town to ban the use of private irrigation systems during these types of bans.

**MOTION:** Effective August 23, 2016 until October 1, 2016, the Board of Selectmen hereby votes to implement a full residential and commercial irrigation ban in the Town of Sharon, with the exception of the utilization of handheld hoses between 6:00 pm - 6:00 am  
(Heitin – McGrath) 3-0 **PASSES**

#### **Appointment of John Quigley as a Special Police Officer**

Police Chief Tilden Kaufman introduced John Quigley and recommended him to the Sharon Special Police. He spoke highly of Mr. Quigley who currently resides in Sharon with his wife and family. Chief Kaufman explained that he is a financial investigator at Citizens Bank and that he holds a bachelor's degree in criminal justice. Mr. Quigley has served in the Army since 2007 and has been deployed twice to combat. His military background includes intelligence, investigations and threat assessments. He is currently under active duty based out of Fort Devens.

Chief Kaufman explained that they need to fill some slots for Special Police left empty by recent Sharon Police officer hires.

Selectman McGrath noted that they have met before and appreciates Mr. Quigley's service. He welcomed him aboard.

Chairman Roach hopes that Mr. Quigley will seriously consider a permanent position with the Sharon Police Department. He believes he would make a fine officer. Chairman Roach thanked him for his time.

**MOTION:** To accept the recommendation of Chief Kaufman for the appoint John Quigley as a Town of Sharon Special Police Officer  
(McGrath - Heitin) 3-0 **PASSES**

## Sharon Cultural Council Interview – Lou Modestino

Chairman Roach asked Mr. Modestino to tell the Board a little about himself and why he would like to serve on the Sharon Cultural Council. Mr. Modestino explained that he has served on the Capital Outlay Committee, Housing Partnership, 250<sup>th</sup> Anniversary Celebration Committee and the 4<sup>th</sup> of July Committee. Mr. Modestino noted that he met the chairperson of the Sharon Cultural Council at Square Jam last year and thought it would be a good fit.

Selectman Roach explained some about the Sharon Cultural Council and how their budget is strictly state funded.

Selectman McGrath noted that Mr. Modestino is always willing to help and volunteer. Chairman Roach thanked Mr. Modestino for his time and explained that the Board does not typically appoint people the night of their interview.

## Amendment to Mitigation Agreement concerning Billboard Advertising

Town Administrator Fred Turkington noted that the Town has been offered an amendment to the Mitigation Agreement it has with Carroll Advertising Company, Inc. He further explained that the restructure of the agreement was brought about by an offer that was made to John Carroll for the purchase of his outdoor advertising sites in Sharon from a national firm.

The agreement offers the Town a lump sum payment of \$1.15 million upfront instead of the current agreement which is for \$1.435 million monetized over a 24 year period. After reviewing the offer, it is Mr. Turkington and Selectman Heitin's recommendation to take the offer.

**MOTION:** Vote to accept the Mitigation Agreement with Carroll Advertising Company, Inc. pending final review by Town Counsel  
(Heitin - McGrath) 3-0 **PASSES**

## Discussion Concerning Proposed Development of Lots and Zone Change at Spring Valley Country Club Property

Representing Spring Valley Country Club, Attorney Robert Shelmerdine was present along with Steve Robinson, President of the Club, and their engineer, Shane Oates of Coneco Engineering to discuss the proposed development and zone change request at the Country Club. Mr. Shelmerdine explained that the property was purchased by Jeffrey Weintraub of 25 Tiot Holdings, LLC, in May of this year. The property contains 210 acres and is located within the R-1 (rural one, 60,000 sf min) zoning district.

Mr. Shelmerdine explained that the owner is seeking to develop the property and that he is not a member of the course. During the purchase process, Spring Valley Country Club made it known that they would like for the course to remain. If alternate zoning is available the owner will consider keeping the course if a decision could be reached by the end of the year. The proposed plan takes out approximately 20 acres of land with 54 duplex units with some form "A" lots along Tiot Street and the driveway along the existing parking lot. An initial presentation was made to the Board of Selectmen on July 12 and since then Mr. Shelmerdine said they have sharpening their pencil to advance the issue for a zoning amendment change.

Mr. Shelmerdine explained that if an amendment can be made he would be willing to put a deed restriction on the land prohibiting residential development. In the event that the golf course does not continue, the owner would be willing to deed the course acreage to the Town for recreation. He explained that it would not

include the Club House but the course acreage. He has been negotiating with the Town Administrator other benefits to the Town they are willing to put into a memorandum of agreement in order to gain the Town's support. If they gain the Boards approval, they will also seek to work with Town Counsel to draft the warrant article for the Special Town Meeting and the Town of Norwood to bring in a water connection.

Mr. Shelmerdine asked the Board to support the project. He explained that he has a Planning Board meeting scheduled for Thursday, August 25 and Conservation Commission on Thursday, September 8. They plan to have a drafted warrant article and memorandum of agreement ready by early September. Mr. Shelmerdine has been in touch with Attorney Gelerman's office and believes that they will be within the dates to hold a Special Town Meeting. He pressed for a sense from the town if they would support this development subject to a memorandum of understanding to keep the process moving. Chairman Roach explained that the Board has made no decision to hold a special town meeting and asked if the developer would be willing to cover the cost of the meeting. Mr. Shelmerdine said his client is willing to cover the cost of the meeting and the expense of Town Counsel review. Chairman Roach explained that he is not prepared to vote tonight and wants to gather more information before making a decision.

Selectman McGrath believes that a project of duplexes would be less impactful on the town's resources than a subdivision of large homes. He is intrigued by the potential water connection with Norwood and proposed deed restrictions. Selectman McGrath asked if they have spoken to Norwood about a water hook-up. Mr. Shelmerdine explained that they plan to work very hard to negotiate for water and will try for sewer as well.

Selectman Heitin noted that they have been working hard with the developer to discuss what level of conventional development could be built. He noted that the site has wetlands. He explained that the Board has outlined some conditions for a memorandum of agreement allowing the town to get some additional benefits such as allowing the golf team to play and practice on the course, discounted membership rates for residents and other incentives. He believes they should continue discussions.

Selectman McGrath asked Mr. Turkington about the timeline needed to hold a special town meeting. Mr. Turkington explained that they would have to call a meeting at the next Board of Selectmen's meeting and gave a brief overview of the STM process. The consensus was that the timeline could work if the parties acted quickly. Mr. Shelmerdine is seeking the Board of Selectmen sponsorship for the warrant article, but could also ask the Planning Board. Selectman Heitin noted that the project needs additional review but could potentially have a vote from the Board of Selectmen soon.

Mr. Shelmerdine explained that he is under time constraints from the developer and would like a sense from the Board whether they are in favor of proposal. Selectman McGrath believes that the Board has given a lot of positive feedback tonight and is confident that Mr. Turkington will be able to negotiate a favorable deal.

Selectman Roach asked if the developer would wait until the Annual Town Meeting in May if we run into a road block with Norwood. Mr. Shelmerdine does not believe so. Steve Robinson, President of the Spring Valley Country Club explained that a major concern about waiting involves the employees of the Country Club. Waiting leaves them with uncertainty about their jobs and makes it difficult to book events such as weddings, noting the timing element goes beyond the investor's timeline.

Selectman McGrath noted that in an absence of a vote tonight, the developer has seen a lot of support from the Board.

#### **Discussion on Proposal of Sharon Creative Arts**

Chairman Roach asked Town Administrator Fred Turkington to explain the recent proposal brought to the Selectmen by Sharon Creative Arts Association to beautify the storage container at Deborah Sampson Park. At present, the storage container is a rusty eye sore. The proposal would be to host a contest for Sharon residents to design mural to be painted on the container with the supervision of the Sharon Creative Arts Association. They are proposing that the Selectmen coordinate the sanding and preparation of the container and have them approve the winning design. They would be seeking donations of paint for the mural and would need the Town to apply a sealer to protect against the elements.

Mr. Turkington believes there are too many impediments to the Town to move forward with the project. Selectman McGrath had concerns about the project noting that previous mural projects have not gone so well. Chairman Roach was in agreement with Selectman McGrath that is a thoughtful idea, but the location could invite vandals.

No vote was taken. Mr. Turkington explained that he would notify Sharon Creative Arts that the Board declines the offer.

<b>Vote to Appoint Members and Alternates to Budget Committees and Representatives to Collective Bargaining Negotiations</b>
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There was a brief discussion about which Selectman would serve on each of the Committees and would represent the collective bargaining negotiations for the Town.

**MOTION:** To appoint as follows:

Capital Outlay Committee members:

William A. Heitin ( <i>Roach – McGrath</i> )	3-0	<b>PASSES</b>
John J. McGrath ( <i>Heitin – Roach</i> )	3-0	<b>PASSES</b>
Alternate: Walter B. Roach, Jr. ( <i>Heitin – McGrath</i> )	3-0	<b>PASSES</b>

Priorities Committee members:

Walter B. Roach, Jr. ( <i>Heitin – McGrath</i> )	3-0	<b>PASSES</b>
William A. Heitin ( <i>McGrath – Roach</i> )	3-0	<b>PASSES</b>
Alternate: John J. McGrath ( <i>Heitin – Roach</i> )	3-0	<b>PASSES</b>

Collective Bargaining Representatives:

<u>Fire:</u> John J. McGrath ( <i>Heitin – Roach</i> )	3-0	<b>PASSES</b>
<u>DPW/AFSCME:</u> Walter B. Roach, Jr. ( <i>Heitin – McGrath</i> )	3-0	<b>PASSES</b>
<u>Mgmt Professionals:</u> Walter B. Roach, Jr. ( <i>Heitin – McGrath</i> )	3-0	<b>PASSES</b>
<u>Library:</u> William A. Heitin ( <i>McGrath – Roach</i> )	3-0	<b>PASSES</b>

<b>Consent Calendar</b>
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- I. Vote to approve regular & executive session minutes of August 9, 2016
- II. Vote to approve the changes to the 2016 Board of Selectmen Meeting Schedule
- III. Vote to appoint Richard Kates, Stephen Rabinovitz and Richard Caproni to the Cable Television Advisory Committee for terms expiring 12/31/17 (Kates); 12/31/18 (Rabinovitz); and 12/31/18 (Caproni)
- IV. Vote to appoint Autumn Andrade-Leon to the Sharon Cultural Council for a term expiring 6/30/19
- V. Vote to appoint Eli Hauser as the Selectmen's representative to the Master Plan Screening Committee
- VI. Vote appoint Julianne Vachon as a Crossing Guard

**MOTION:** To approve the August 23, 2016 consent calendar, with amended minutes as discussed  
(Heitin - McGrath) 3-0 **PASSES**

### **Town Administrator's Report**

The Town Administrator reported the following:

- The State's Supreme Judicial Court issued a decision that effectively blocks funding for the Spectra Natural Gas Pipeline. Eversource withdrew its application to the natural transportation and storage contracts. This information doesn't completely kill the project, but believes it is 95% dead from what it appears. The Town will continue to monitor the situation. There has been no contact from Spectra in regard to a request they made last month to do some test borings in the right-of-way on Norwood Street.
- Selectman McGrath has been serving on the sub-committee to the Personnel Board working on a new/consolidated process for evaluating department heads and other town professionals. The committee's last meeting will be Tuesday, August 30. He expects to have a report by September 7 and Personnel Board is review on September 8. Once approved they will use this new process moving forward for employee evaluations.
- He plans to meet with Selectmen McGrath in the next week or so to discuss One School Street regarding the license agreement.
- Meeting with dispatchers to wrap up their contract. Hoping to have for Board review at the next meeting.

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

Selectman Heitin announced that there will be a dedication celebration for the 250<sup>th</sup> Anniversary Monument on Sunday, August 28 at 1:00pm in front of the Sharon Community Center. The Town was fortunate to have a resident donate the monument to commemorate the 250<sup>th</sup> Anniversary celebration. He encouraged residents to attend.

Selectman McGrath announced the Veteran's Day programing to be held on Friday, November 11 in the center of Sharon at the intersection of Billings and Pond Streets. Displays will be available for viewing from 11:00am to 2:00pm with the ceremony taking place at noon. Veterans, scouts, friends, Sharon Police, Sharon Fire Department, high school students, military units, and Veterans organizations will assemble to conduct the programing.

Selectman McGrath noted that it is a great family event and encouraged folks to come out. The Board will offer a reminder as we get closer.

### **Executive Session - 8:18pm**

**MOTION:** To enter into Executive Session to discuss collective bargaining matters, and at the end, to adjourn of the evening. Discussion of this item in open session would be detrimental to the Town.  
(Roach - McGrath) 3-0 **PASSES**

Roach: Aye  
McGrath: Aye  
Heitin: Aye

## Adjournment

**MOTION:** To adjourn at 8:41pm  
(Heitin – McGrath) 3-0 **PASSES**

Roach: Aye  
McGrath: Aye  
Heitin: Aye