

MINUTES
SHARON BOARD OF SELECTMEN
May 23, 2019

The meeting of the Sharon Board of Selectmen was called to order at 7:30 pm in the Town Hearing Room at the Sharon Community Center with Chairman William A. Heitin, Selectman Emily E. Smith-Lee, and 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.

Review and Approve Intermunicipal Agreement and Development Agreement for Route 1 Hotel

Mr. David Wluka and Ms. Joanna Giorgio Hilvert presented a brief synopsis of the progress made in developing both agreements with the all parties with the help of Lisa Whalen, Town Counsel. The project entails construction of a hotel on the Sharon/Walpole line which will be in both communities, adjacent to Applebee's on Route 1. The Board has been presented with the agreements for review.

MOTION: To approve the Intermunicipal Agreement with the Town of Walpole and the Development Agreement with Optima Hospitality Group, LLC.
(Smith-Lee - Heitin) 2-0 **PASSES**

Update Regarding Four Daughters Compassionate Care

Brian Striar of Four Daughters Compassionate Care, along with his representative Stanley Rosen, provided the Board with an update on their position in the licensing process and advised that they are hopeful that approval will take place this summer. It is expected that the retail establishment will be in a good position to open at some point in September of 2019. Four Daughters' has responded to requests for information by the licensing body, the latest of which have centered on the Economic Diversity plan. It was explained the Massachusetts is a leader in the country for economic development.

Mr. Striar explained that the Economic Diversity plan can be a lot of different things. Essentially, the State has identified particular communities that are economically disadvantaged. It is up to the proponent to work with a local group who will agree to receive funding from the cannabis industry in addition to any mitigation required by the host community.

With respect to the retail establishment, which will be located at Two Merchant Street and fronts on Route 1, the Zoning Board of Appeals has approved the hours of operation of 10 am to 8 pm, Monday through Sunday. This building currently houses Vinovations and is a 2400 square foot space. It was explained that Four Daughters is working closely with Sharon Police Department on parking management at the retail facility. Although the building will be ready in September, there is a strong possibility that the licensure process may not have competed at that time.

The cultivation establishment will be located at 1200 Providence Highway. There will be 25,000 square feet of cultivation space and 4,000 square feet of manufacturing space. The building shell for this project will be complete in a few weeks. It is expected that operations will begin at the end of this year or early 2020.

Discussion of Comcast Franchise Agreement Renewal

Mr. Chuck Levine explained that the current agreement with Comcast is nearing expiration. In advance of this, Mr. Levine is seeking favorable consideration for retaining the services of Epstein and August, LLP to represent

Sharon in renewal negotiations. A copy of the client fee agreement with Epstein and August has been provided for review.

It was expressed again that Verizon has repeatedly been invited to discuss the possibility of installing FIOS service in Town. At the corporate level, Verizon has stated that they have no interest in installing service in any community where they don't already have an obligation to do so. It is been speculated that Verizon is focused on establishment of 5G service.

MOTION: To approve and authorize Frederic E. Turkington, Town Administrator, to sign the client fee agreement with Epstein and August, LLP.
(Smith-Lee - Heitin) 2-0 **PASSES**

Reading of Memorial Day Proclamation and Announcement of Memorial Day Programming

Selectwoman Smith-Lee read the Memorial Day proclamation prepared by Governor Baker.

The schedule of Sharon's Memorial Day activities are as follows:

Friday May 24, 2019

6:00 P.M.

Decoration of Veterans Gravesites - Rock Ridge Cemetery Sharon, MA

** Should there be heavy rain Friday, assembly will take place Saturday May 26, 2019 at 10:00 A.M.

Volunteers are needed: You need not be a Veteran.

Sunday, May 26, 2019

1:30 P.M.

Gravesite Services - Rock Ridge Cemetery

Assembly at 1:15 P.M. at the intersection of East and Mountain Streets

2:20 P.M.

Civic Ceremony

A Civic Ceremony will take place in front of Town Hall, 90 South Main Street

Essays will be read by Middle School students as part of the ceremony.

Review and approve consent calendar

- I. Vote to approve regular session minutes of April 30, 2019
- II. Vote to approve and send letter to Governor Baker to request special legislation to cure a posting defect for the Town's May 6, 2019 Annual Town Meeting.
- III. Vote to approve the following banner requests:
 - i. Sharon Historical Society Annual Yard Sale, May 28-June 3, 2019; first position
 - ii. Sharon Adult Center Lakeside Gallery Event, June 10-17, 2019; second position (*waive fee*)
- IV. Vote to approve the following FY20 Southeastern Regional Services Group (SERSG) contracts commencing July 1, 2019: office supplies to W. B. Mason in the amount of \$59,601.50; paper supplies to W. B. Mason; DPW supplies to various vendors in the amount of \$491,920.50; and water and sewer treatment chemicals to various vendors in the amount of \$100,707.00
- V. Vote to request favorable consideration by the Sharon Standing Building Committee for the purchase of cameras and all related equipment to meet the needs of the

- meeting room at the new Town Offices and that the funds for this equipment be taken from unexpended funds from the furniture, fixtures and equipment budget and/or contingency budget
- VI. Vote to approve the employment agreements for executive group amended to reflect FY2020 salaries
 - VII. Vote to elevate Joseph Garber from Alternate to Full Member of the Zoning Board of Appeals for the remainder of Seth Ruskin's term through December 31, 2019 as discussed
 - VIII. Vote to reappoint Judy Waxman and Barbara Freedman to the Sharon Cultural Council for a term through June 30, 2022
 - IX. Vote to approve wine sales at Crescent Ridge Dairy Farmer's Market between 10 am and 2 pm each Saturday from June 22, 2019 through October 5, 2019
 - X. Vote to approve one-day liquor license for SL Power Electronics, 6 Merchant Street on May 30, 2019
 - XI. Vote to approve the Dreamfar 10k road race scheduled for Sunday, January 12, 2020
 - XII. Vote to approve acceptance of grants/gifts to the Recreation Department in the amount of \$6,680 for special events

MOTION: To approve the consent calendar.

(Smith-Lee – Heitin) 2-0 **PASSES**

Reorganization of the Board

Typically, the member currently up for re-election would be appointed chair for the last year of the current term which would be Mr. Roach. Under the circumstances, Mr. Heitin expressed that it may be prudent to leave the organization of the Board as-is until Mr. Roach's status is better known. Ms. Smith-Lee mentioned that status-quo may need to be updated as she has been operating in the role of acting Clerk for record keeping purposes. Mr. Heitin suggested that she formally assume the role of Vice-Chair/Clerk.

MOTION: that Emily Smith-Lee be appointed Vice-Chair/Clerk.

(Heitin – Smith-Lee) 2-0 **PASSES**

Report of the Town Administrator

Mr. Turkington presented the following information for the Board.

As discussed in Mr. Heitin's opening remarks, the Library article passed by a wide margin. The Sharon Standing Building Committee will begin to work on contracts for design and construction. The process will take 8-10 months of preparation and will bid in the spring. A target building opening of fall 2021 is expected.

Depending on the timing of the Special Act process, we will need to amend the alcohol regulations to provide a license fee for the four all-alcohol licenses. In addition, consideration should be given to amending the beer and wine regulations to remove the requirement to also sell food on premises. The current regulations do not have a minimum square footage or food-to-beverage ratio, merely that the total retail space must be 1,000 square feet.

As of May 14, the National Park Service has rejected the planned land swap for the civil defense building because the land being swapped was already owned by the Town; intervention by our Federal legislative delegation didn't change the outcome. We explored curing the problem by giving care, custody and control of Parcel F to the Conservation Commission for \$1.00, but because state law doesn't require financial consideration for land transactions, it doesn't provide a solution. We are assessing options such as alternative land to offer in exchange

or an entirely different site for the civil defense building. Whatever solution is devised will require town meeting votes, likely on the November 5 Special Town Meeting warrant.

We are proud to announce that Assistant Town Engineer, Lance DelPriore, and Police Lt. Stephen Coffey have been selected to participate in the MMA/Suffolk University Certificate program in Local Government Management on 25 Fridays between September, 2019 and June 2020. This is the same program that Assistant to the Town Administrator, Lauren Barnes, completed in 2016-17. Congratulations to these employees and best wishes as they pursue advanced leadership training.

There is now a vacancy at DPW for an administrative assistant. The position has been advertised, open until filled.

Employee Development day is set for between 8:30 am to 1:00 p.m. on Friday, October 25, 2019. Please save the date.

Met with DPW staff on April 29 to develop a custodial and maintenance service program for Town Hall offices and ultimately the new library. The current contract with the cleaning contractor in place for the public safety building will likely be extended during the transition with DPW staff nearing retirement. There was also, discussion regarding the difficulty in retaining part-time electrical and plumbing inspectors. We are presently evaluating job-shares with other communities or split-position duties between performing inspection services and trace work that would otherwise be outsourced.

Met with MA DOT and state legislative delegation to discuss funding and construction schedule for the Maskwonicut Street Bridge project on April 17. The 25% design public hearing is scheduled for June 27, 2019 at 7:00 pm at the public safety building.

Four cell tower leases expire in the next 12 months for equipment on the Farnham Road tower and water tanks at Upland and Massapoag. These leases were made in 2009 and 2010 for ten years but lack the right to extend without an RFP. Town counsel advises that the agreement to capitalize the existing lease include future revenue streams and provided for a share of new revenues about existing base rent. The RFP for the T-Mobile location at 135R Upland Road (water tank), as well as an opportunity for up to two (2) additional carriers was issued last week with a response deadline of June 28. Similar opportunities for locating on the Massapoag Avenue water tank (on the new tank in spring 2020) to join Verizon and T-Mobile (lease expires June, 2019) and T-Mobile (expires May 2020) were issued. Current carriers may consolidate with upgraded equipment on a single site if a better coverage area can be achieved.

The next department director's meeting is scheduled for Wednesday, May 29 at 10:00 am at the public safety building training room. The preliminary agenda includes department updates, FY2019 closeout, fall Special Town Meeting, November 19 Special Election, US 2020 Census preparation and will end with a discussion from the State IT unit to discuss best practices for social media.

With respect to upcoming meeting agendas, Lauren will provide update on building construction and train station parking lot discussion.

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

None.

Adjournment to Executive Session

MOTION: To adjourn to Executive Session to discuss strategy with respect to pending Litigation – Mountain Street, LLC v. Sharon Zoning Board of Appeals Housing Appeals Court Docket # 04-01; Leslie Myatt, et al. v. Board of Appeals of the Town of Sharon and Mountain Street, LLC Norfolk Superior Court Civil Action No.: 0382CV02377; collective bargaining negotiations with dispatchers; and real property negotiations regarding 66 North Main Street, then adjourn for the evening at the conclusion. Discussion in open session may have a detrimental effect to the bargaining position of the Town.

Roll Call Vote: 2-0 **PASSES**

Smith-Lee: Aye

Heitin: Aye

List of Documents

1. Development Agreement with Optima Hospitality
2. Intermunicipal Agreement with Town of Walpole
3. Letter of Engagement
4. Minutes
5. Letter to Governor Baker
6. Banner Request Forms
7. SERSG Contract Award Sheets
8. Memorandum to SSBC
9. Email Correspondence and Quote
10. Article 4 – Personnel Bylaw of the Annual Town Meeting Warrant
11. Template Employment Agreement
12. Correspondence from Joe Garber
13. Zoning Board of Appeals Membership List
14. Sharon Cultural Council Membership List
15. Farmer's Market Beer and Wine License Application Materials
16. One Day Liquor License Application Materials
17. Request Letter for Dreamfar 10K Road Race
18. Memorandum from Linda Berger