

**MINUTES  
BOARD OF SELECTMEN MEETING**

Tuesday June 10, 2008  
7:00 p.m.

The meeting of the Board of Selectmen was held at 7:00 pm in the Sharon Town Offices with Chairman, Richard A. Powell, Selectman William A. Heitin, Selectman Walter “Joe” Roach and Town Administrator Ben Puritz

The meeting was called to order at 7:10 p.m.

**APPROVAL OF ONE-DAY LIQUOR LICENSE**

Sarah Horton came before the Board seeking approval for a one-day liquor license at the Community Center for Saturday June 21, 2008 from 7:00pm – 11:30pm.

**VOTED:** (Heitin/Roach) Voted unanimously to approve a 1-day liquor license for Sarah Horton for June 21, 2008 from 7:00pm – 11:30pm.

**Town Counsel Richard Gelerman and Associate Town Counsel Cindy Amara were in attendance to discuss the following items**

**SIGN ACCESS AGREEMENT, INDEMNIFICATION AGREEMENT AND RECORDABLE NOTICE FOR SHARON COMMONS**

Town Counsel Gelerman explained that the Selectmen were being asked to approve three documents:

- 1 – Indemnification agreement
- 2 – Site access agreement
- 3 – Recordable notice to be recorded at the Registry of Deeds which include the provision of the site access agreement

He further explained that the sitework is be secured by an \$880,000 Letter of Credit by the Euro-Hypo Bank.

**VOTED:** (Heitin/Roach) Voted unanimously to sign the access agreement, indemnification agreement and recordable notice as outlined by Town Counsel this evening.

**SIGN CONSENT FORM AND AMENDEMENTS TO WILBER SCHOOL GROUND LEASE**

Town Counsel Gelerman explained that the Wilber School developer has entered into an agreement with Aegon Financial. Aegon would lend the developer \$500,000 to begin construction. This document requires the Town’s consent. Attorney Gelerman said that he has reviewed the document and informed the Selectmen that if Beacon should default that the lender can take over the leasehold interest from the developer.

**VOTED:** (Heitin/Roach) Voted unanimously that the Board of Selectmen sign the consent from and amendments as discussed

**APPROVE SEVERAL CONTRACT FOR 43D ECONOMIC DEVELOPMENT GRANT**

The Board asked that these items be held until the meeting of June 24, 2008

**AWARD CONTRACT FOR ADDITIONAL HYDROGEOLOGICAL TESTING SERVICES OFF  
EDGE HILL ROAD/SHARON MEMORIAL PARK**

Department of Public Works Eric Hooper explained that last year in the Town's quest to locate additional wells the Town had done sub-surface exploration looking for an additional municipal water supply at Sharon Memorial Park. However, during the exploration phase the site on Edge Hill Road across from Sharon Memorial Park looked more promising. The next step is additional hydrogeological testing services to fully evaluate and assess the potential for a well site off Edge Hill Road. Under the proposed scope, two larger diameter wells will be bored and two short-term yield tests will be performed.

Selectman Roach asked that should we find the well has a good yield do we own enough of the land around the well to move forward or do we need to buy additional land? Superintendent Hooper said that the amount of land the Town owns as well as water quality are both issues to be addressed. Paul Lauenstein of the Water Management Advisory Committee (WMAC) was in the audience and said the WMAC is in support and glad to see that the Town is moving ahead. Superintendent Hooper recommends a contract be signed with the engineering firm ESS Group, Inc. of Wellesley, Massachusetts for \$35,085.

**VOTED:** (Heitin/Roach) Voted unanimously to approve the contract with ESS Group, Inc. for additional hydrogeologic testing services for \$35,085.

**DISCUSSION OF PROPOSED AMENDMENT TO BRICKSTONE DEVELOPMENT  
AGREEMENT**

Attorney John Twohig, Brickstone's Engineer Bob Daylor and Attorney Chris Regnier were in attendance.

Chairman Powell asked that the developer's representatives provide an overview of the changes that they are seeking. He further explained that the Board plans on having at least one additional meeting on the subject.

Attorney Twohig reviewed Brickstone's actions since Town Meeting. He said that on a preliminary basis a dozen issues have come up and he is at the meeting to discuss these with the Board. The 12 items are listed below:

1. Clarify Review Payments are for Building Permit Inspection Review, Not Pre-Filing
2. Add Obligation to Tie Waterline into Boulder Lane – Mr. Twohig said they would add a provision to tie the waterline into Boulder Lane mirroring the coach Lane provision.
3. Allow Optional Tie-In to Bay Road and Provide Town of Sharon \$300,000 Cash Payment
4. Waive Water Connection Fees for Boulder Lane
5. Clarify that Developer Pays for Permits it Needs but Not Private Residents/Municipal Tie-In for Water Line Improvements
6. *(Done)* Advance \$325,000 to Town as of April 30, 2008 (from June) *Mr. Twohig said the original agreement stated June 30, 2008 and he would like the move-up of the payment date to be memorialized in the agreement.*
7. Advance \$325,000 to Town as of April 30, 2009 (from June). *Same as above except for 2009*
8. *(Done)* Pay Memorial Beach Improvement \$50,000 on or before April 30, 2008
9. Clarify Developer will Provide Septic, Water and Electrical Service to Fire Sub-Station. *Mr. Twohig explained that this issue came up after discussion wit the Fire Chief and needs to be memorialized in agreement.*
10. Clarify that the 36 Acre Privately Restricted Land Will be Restricted in Phases (12 Acres Each) as Project is Built
11. Confirm, Given Extensive Mountain Street Work, that Mountain Street May be Used for Construction and Site Access
12. Confirm That Buildings can Shift, Prior to Site Plan Approval, more than 100' if the result of Design, Engineering, Topography (in all events, must be within setbacks)

Mr. Twohig further explained that the buildings will be built most likely in two phases with the build-out schedule depending on the market. There was also discussion about the water line being run down Bay Road and discussion about the residents of Coach Lane being guaranteed water. Mr. Twohig said that the 36 acres which are restricted will be in two or three different parcels.

There was extensive discussion about Mountain Street being used for Construction and Site Access. Chairman Powell asked for the scope of traffic particularly trucks and how the developer anticipated mitigating the impact on the roadway and neighborhoods. He said he is not willing to rely solely on Site Plan Approval and would like the mitigation to be spelled out in the Development Agreement as well. Mr. Daylor said that both Bay Road and Mountain Street will be used simultaneously during the construction period.

Selectman Roach asked why the developer is seeking to limit construction access from Bay Road after the road from Bay Road into the project is constructed. He said that the Memorandum of Agreement was very clear that the only access from Mountain Street would be for emergency access only. He said he didn't understand why Mountain Street needs to be used once there is access from the site to Bay Road.

Richard Mandell commented that trucks should not be allowed on Mountain Street during the hours when school busses are picking up children. He also asked for a schematic of where the buildings are going to be placed. Mr. Twohig said there was a small shift in the location of the buildings to benefit the siteline as well as to limit the blasting. However, he said that the location is not materially different.

Selectman Heitin asked that Brickstone representatives meet with the neighbors prior to the next meeting with the Selectmen. Attorney Gelerman further explained that rather than creating a new agreement that the first agreement would be amended. The next meeting will take place on June 24, 2008 at 8pm with the location to be determined. Chairman Powell asked the developer to formally notify the abutters.

2 MINUTE RECESS

#### **UPDATE: DAVID CROSBY WATER MANAGEMENT ADVISORY COMMITTEE (WMAC) CHAIR**

Mr. Crosby said that the WMAC has several goals:

1. Approach Stoughton about an emergency access connection at Chemung Road
2. Updating Water Master Plan
3. Working with Economic Development Committee on Downtown Project
4. Work with Conservation Commission on grant being submitted by NEPWRA
5. Creating Water Conservation website

Mr. Crosby also stated that the washing machine rebate is being utilized as opposed to the toilet replacement rebate which has little utilization. He said that other than connecting with Stoughton there are other possible connections are to the MWRA or connecting with the municipal systems at Walpole or Foxboro. There are capital costs associated with moving ahead with any of these alternatives. Chairman Powell thinks that the Board should move ahead and have a discussion with Stoughton on this issue alone. The group that would meet with Stoughton would include: Town Administrator Puritz, a Representative of the Board of Selectmen, a Representative of the Water Management Advisory Committee and Superintendent of Public Works Eric Hooper. Selectman Roach who will be the Selectmen's designee and David Crosby will be the WMAC's designee.

#### **DISCUSSION ABOUT TRASH WASTE RECYCLING COLLECTION OPTIONS**

Superintendent Hooper said the purpose of the meeting is to allow the public to learn more about what goes into the collection and disposal of waste. He explained that the current waste and recyclable collection contract is with Allied Waste and expires June 30, 2009. The waste is disposed at SEMASS of Braintree which operates a landfill and waste to energy facility. He further explained that the tipping fee applies only to trash and is \$95.00/ton for a Non-Tier 1 community. Because Sharon is a Tier 1 community we only pay about 1/3 of the

\$95.00/ton. Superintendent Hooper reviewed the potential changes for collection, billing, and recycling. Collection methods that he reviewed include automated tote-based and manual. He also said that pay per throw has designated bags and totes.

Superintendent Hooper reviewed separate stream recycling vs. co-mingled recycling which is what Sharon currently has. Metals, plastic and glass can be recycled together with paper separate. He reported that Sharon is lagging behind other communities in terms of recycling as we stand 210/310 communities. All of the top 10 communities utilize pay per throw systems for trash collection. He also said that the Town is looking at larger recycling containers for the next contract. In addition he added that the Town's low tipping fee has led to a disincentive for additional recycling. The tipping fee will increase dramatically in 2015.

Several citizens were in the audience including Marilyn Kahn who said she believes the only way to get people to increase their recycling is through a pay per throw system. In addition George Aronson, former Chair of the Recycling Committee suggested putting recycling tonnage on the web. The Selectmen agreed to revive the Recycling Committee.

**APPROVE CLOSING OF DUNBAR STREET FROM BRADFORD AVENUE TO PARK ROAD FOR BLOCK PARTY**

**VOTED:** (Heitin/Roach) Voted unanimously to close Dunbar Street from Bradford Avenue to Park Road for a block party on Sunday July 6, 2008 from 3:30pm – 6:30pm. as recommended by Chief Bernstein

**APPROVAL OF SITE FOR EMERGENCY EVACATION DURING ELECTION**

**VOTED:** (Heitin/Roach) Voted unanimously to approve the Community Center as an alternative election facility.

**APPROVAL OF CONTRACT FOR NORWOOD STREET WATER MAIN INSTALLATION**

Superintendent Hooper explained that the bids for the water main installation under Norwood Street were opened and the low bidder is Tom Gioioso Construction, Inc. of Rockland, MA in the amount of \$317,914.78. The location is between Edgell Road to Bullard depending on the finances. The available funds are from the Avalon Bay development agreement.

**VOTED:** (Heitin/Roach) Voted unanimously to award the Norwood Street Water Main Installation to Tom Gioioso Construction, Inc. of Rockland, MA in the amount of \$317,914.78.

**BANNER FOR THE FRIENDS OF THE 4<sup>TH</sup>**

The banner will include information about the fireworks scheduled for July 3, 2008 and the Road Race.

**VOTED:** (Heitin/Roach) Voted unanimously to approve the banner request by the Friends of the 4<sup>th</sup> from June 25<sup>th</sup> – July 3rd (1<sup>st</sup> position).

**APPROVE AGREEMENT WITH THE SHARON POLICE SUPERIOR OFFICERS ASSOCIATION**

Town Administrator Purity explained that the agreement includes a 3% wage adjustment and changes the compensation when the lieutenants fill in for a sergeant to the lieutenants' rate.

**VOTED:** (Heitin/Roach) Voted unanimously to approve the Sharon Police Superior Officers Association agreement from July 1, 2008 – June 30, 2009

**APPROVE AGREEMENT FOR POLICE UNION FISCAL YEAR '08 – FISCAL YEAR '10**

Town Administrator Puritz explained that this three year agreement includes the Network Blue program which results in higher co-pays and a higher contribution rate for new employees.

**VOTED:** (Heitin/Roach) Voted unanimously to approve the Sharon Police Union Contract for Fiscal Year 2008 – Fiscal Year 2010

**SUPPLEMENTAL AGENDA**

**CONSIDER APPROVAL OF CONTRACT FOR MOUNTAIN STREET LANDFILL MONITORING AND ENGINEERING SERVICES**

**VOTED:** (Heitin/Roach) Voted unanimously to award the contract to Weston & Sampson for ongoing Mountain Street Landfill Monitoring and Engineering Services for \$10,000.00

**ADDITION OF STOP SIGNS**

Due to Bay Road being closed Superintendent Eric Hooper has recommended that additional stop signs be placed in the Chessman Drive neighborhood. He explained that once the Selectmen vote to add the stop signs there will be a change to the Town of Sharon Traffic Rules and Orders whereby a notice of proposed change will be posted in the Sharon Advocate prior to installation of the signs. Should there be any challenges the Selectmen will have to hold a hearing regarding the placement of the stop signs.

**VOTED:** (Heitin/Roach) Voted unanimously to approve pending final notification a stop sign added to Chessman Drive at Williams to create a 4-way stop intersection

**VOTED:** (Heitin/Roach) Voted unanimously to approve pending final notification a stop sign added to Bishop Road at Chessman Drive to create a 3-way stop intersection.

**SHORT-TERM BORROWING**

**VOTED:** (Heitin/Roach) Voted unanimously to approve a short-term borrowing of \$956,500. A total of \$750,000.00 of this amount to cover the purchase of the Billing and Glenview properties, \$125,000 for the purchase of a street sweeper, \$16,500 for the purchase of a water rescue craft and additional \$65,000 for the additional \$65,000 Horizons for Youth project.

**OTHER**

Town Administrator Puritz said that the Sacred Heart Committee is looking for an opinion on the structure of the building. He said that DPW Superintendent Hooper and Building Inspector Joe Ken will look at the request.

**VOTED:** (Heitin/Roach) Voted unanimously to enter into Executive Session for the purpose of discussing collective bargaining, bargaining with non-represented employees and real property and at the end thereof adjourn for the evening.

The Board adjourned to Executive Session at 10:30P.M.

Powell: Aye  
Heitin: Aye  
Roach: Aye