

Sherborn Select Board
August 24, 2023
6:30 PM - Virtual

Members Present: Jeff Waldron, Marian Neutra, Eric Johnson, Paul DeRensis, Steven Tsai

Staff Present: Jeremy Marsette, Diane Moores

Call to Order and Recess to Executive Session

Jeffrey Waldron called the meeting to order at 6:30 pm and asked the Assistant Town Administrator to read the agenda items pertaining to Executive Session.

Motion to recess to Executive Session, to return to Open Session at 7:00 pm, for matters pertaining to:

Item 1: to discuss strategy with respect to threatened potential litigation if the Chair so declares that an open meeting may have a detrimental effect on the litigating position of the Select Board and Town, and the Chair does so declare, to discuss the matter of Five Star Bldg. Corp. v. Town of Sherborn, pursuant to MA GL, c 30A, s 21(a)(3) and (7) and Suffolk Construction v DCAM, 449 Mass. 444 (2007) (Library);

The Open Session of the meeting resumed at 7:00 pm and Jeffrey Waldron asked Diane Moores to read the agenda for the remaining items. Item #7 Consideration of Approval of SB Regulations for Town Codes was removed per the request from the Town Clerk.

Motion: Move to approve the agenda as amended by removing Item #7; *Approval of SB Regulations for Town Codes* to a meeting in September.

Moved: Paul DeRensis

Second: Eric Johnson

Vote: Johnson, aye; DeRensis, aye; Neutra, aye; Tsai, aye; Waldron, aye

Motion adopted 5-0-0

Public Service Announcement - Jeffrey Waldron spoke about the Sherborn Small Business Round Table being held on August 28th at 6:30 pm. Since there will be 3 members of the SB in attendance, it has been posted.

Paul DeRensis asked for a moment of silence for long time resident for Mike Kickham who passed away and to honor all of his many years of contributions of service to the town.

MGL C 90, Section 17C - Discussion regarding lower speed limits and request to amend special speed regulations in Downtown Business/Thickly Settled District

At the 2023 ATM, MGL Chapter 90, Section 17C was adopted which reduces the statutory speed limit throughout Town to 25 mph from 30 mph. Effective September 1,

2023 the speed limit for all roadways in Sherborn will be 25 mph unless otherwise posted.

Motion : Move to post the 25 mph speed signs at this time at Town Lines.

Moved: Paul DeRensis

Second: Eric Johnson

Vote: DeRensis, aye; Johnson, aye; Tsai, aye, Neutra, aye; Waldron

Motion Adopted 5-0-0

Eric Johnson brought up his concerns about enforceability again and would like the case law reference by the Police Chief to be reviewed by Town Counsel before a vote is taken and brought back for further discussion at the September 7, 2023 meeting

Consideration of Accepting Donations - \$250 from Wegman's and \$100 from Roche Bros for Veterans Day Celebration.

Motion : Move to accept donations with gratitude and to use proceeds for Veterans Day ceremony.

Moved: Paul DeRensis

Second: Marian Neutra

Vote: DeRensis, aye; Johnson, aye; Tsai, aye, Neutra, aye; Waldron

Motion Adopted 5-0-0

Public Pole Hearing: NStar/Eversource – 7:30PM

Jeffrey Waldron opened the Hearing and read the legal notice. Paul DeRensis recused himself.

NSTAR/Eversource is petitioning the SB to erect or construct to erect and construct a line of wires, poles, and other such fixtures including anchors and guys that may be necessary to sustain or protect the wires of the line on Farm Road on the northerly side approximately 667 feet east of Forest Street.

Jeff Waldron opened up the discussion to public comment, hearing none he asked for a motion.

Motion: Move to approve the installation of two poles as requested by NSTAR/Eversource.

Moved: Eric Johnson

Second: Steven Tsai

Vote: Johnson, aye; Tsai, aye, Neutra, aye; Waldron

Motion Adopted 4-0-0 DeRensis recused from vote

Special Town Meeting-October 17, 2023

Eric Johnson left the meeting for this discussion

Chapter 2 of the Acts of 2023 a Town may act by a vote of the SB, in agreement with the Moderator, to lower the quorum for Town Meetings. Quorum may not be less than 10 percent of the number otherwise required (100 for Sherborn). There was discussion about keeping the quorum for the Special TM at 50, the same as the spring Annual Town Meeting or to lower it further.

Motion: Move to approve lowering the quorum from 100 to 50 for the October 17, 2023 Special Town Meeting.

Moved: Marian Neutra

Second: Steven Tsai

Vote: DeRensis, aye; Neutra, aye; Tsai, aye; Waldron, aye

Motion adopted: 4-0-0

- *Review of Warrant Article Language* - the Warrant closed on August 17th at 5 pm.

There are 5 articles on the draft Warrant:

1. establish the North Sherborn Water and Sewer District
2. amendment of the Preliminary Development Plan approved at the Special Town Meeting of December 5, 2017 and replace with a new Preliminary Development Plan for the EA district to permit the development of newly constructed over-55 affordable age restricted housing
3. transfer the remaining funds from the Pine Hill Access Road Project and the paving of the Transfer Station to pay costs of roadway improvements to the intersection of Washington Street and Maple Street
4. amend General By-Laws to delete Chapter 5, Section 4 (Dog Fund)
5. accept provisions of MGL Chapter 53, Section 9A for the purpose of establishing provisions for obtaining and submitting nomination papers for town office

There was discussion about the articles and whether all needed to be included in the Special Town Meeting Warrant.

Motion: Move to approve subject to refining the Article Language by Town Counsel

Moved: Paul DeRensis

Second: Steven Tsai

Vote: DeRensis, aye; Neutra, aye; Tsai, aye; Waldron, aye

Motion adopted: 4-0-0

A final vote to approve and sign the Warrant will take place at the September 7th Select Board meeting.

Eric Johnson returned to Public Session for the Washington Street/Maple St Intersection discussion.

Reconstruction of Washington/Maple Street Intersection

The project cost for the construction of a roundabout at the intersection of Washington and Maple Streets, including a contingency of 10%, totals \$1,420,698. Sean Killeen emphasized the need to get funding in place by the end of this year in order to be able to proceed with construction during July 2024. There was discussion about funding sources beyond the STRAP grant to offset the cost of the project. Use of any remaining ARPA monies will be discussed at the next meeting.

Eric Johnson left the meeting for the evening

Consideration of Sending Comment Letter to MassHousing regarding Coolidge Street Homes: 40B - comments from the Groundwater Protection Committee, Conservation Commission, Sherborn Water Commissioners, Board of Health, and Planning Board were provided. A draft letter from the Select Board was discussed and public comments were taken.

Motion: Move to approve sending the Comment Letter as presented to MassHousing regarding Coolidge Street Homes 40B with amendments from Marian Neutra.

Moved: Paul DeRensis

Second: Steven Tsai

Vote: DeRensis, aye; Neutra, aye; Tsai, aye; Waldron, aye

Motion adopted: 4-0-0

Update on Legislation for North Sherborn Water/Sewer District

Marian Neutra highlighted the changes to the proposed legislation for the North Sherborn Water/Sewer District since the last discussion. More information on this subject can be found on the Town's Website and the meeting discussion can be found on www.youtube.com and on www.dsctv.com

Consent Agenda

Payroll Warrant - Town Administrator

Draft Minutes: 8/16/23

Next Scheduled Meeting: 9/7/23

Motion: Move to approve the Consent Agenda.

Moved: Paul DeRensis

Second: Marian Neutra

Vote: DeRensis, aye; Neutra, aye; Tsai, aye; Waldron, aye

Motion adopted: 4-0-0

Administrative Items & Routine Business

Select Board Reports - the railroad crossing gates on Rt 16/27 will be installed once they become available. Marina Neutra commented that the SB can indicate a local preference for earmarking up to 70% of the affordable units in 40B projects to local residents, family members of residents, town employees, etc. for example.

Town Administrator Report - the BOH approved the installation of irrigation wells at Laurel Fields at their meeting last night. PFAS testing at Town Hall exceeded limits in August for the second month in a row.

Motion to adjourn to at 9:30 pm.

Moved: Paul DeRensis

Second: Marian Neutra

Vote: 4- 0 via roll call

The meeting may be viewed in its entirety by going to www.youtube.com or www.dsctv.com

Submitted by: Amy Davis

Approved: 10-19-2023