

Sherborn Select Board
September 21, 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 7:30 pm, for matters pertaining to:

Item 1: pursuant to MGL c 30A s 21(a)(7) to comply with or act under the authority of the Public Records Law, MGL c 4 s 7(26), and to obtain legal advice pursuant to Suffolk Construction v DCAM, 449 Mass 444 (2007) (discuss privileged legal opinion regarding Farm Road Homes deed restriction);

Item 2: pursuant to MGL c 30A s 21(a)(3) to discuss strategy with respect to 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, and obtain legal advice from counsel (Narayanan v Board of Health, Middlesex Superior Court 2381CV02608);

Item 3: pursuant to MGL c 30A s 21 (a)(7) to comply with, or act under the authority of MGL c 30A s 22 to review the minutes of Executive Sessions; and Suffolk Construction v DCAM, 449 Mass 444 (2007) (review minutes of Executive Sessions on January 13, 2022; February 3, 2022; February 10, 2022; February 12, 2022; February 24, 2022; March 10, 2022; March 24, 2022; and January 10, 2023 (per a Public Records Request of Bob Murchison).

The Open Session of the meeting resumed at 7:50 pm and Jeffrey Waldron asked Diane Moores to read the agenda for the remaining items.

Motion: Move to approve the Agenda.

Moved: Paul DeRensis

Second: Steven Tsai

Roll Call: DeRensis, aye; Neutra, aye; Tsai, aye; Johnson, aye; Waldron, aye

Public Comment - none

Discussion and Support of Various Warrant Articles for 2023 Special Town Meeting

- *Article 1: Nomination Papers for Town Office*

Motion: Move to support the article as written.

Moved: Paul DeRensis

Second: Marian Neutra

Roll Call: DeRensis, aye; Neutra, aye; Tsai, aye; Johnson, aye; Waldron, aye

- *Article 2: Rescind "Dog Fund"*

Motion: Move to support the article as written.

Moved: Paul DeRensis

Second: Marian Neutra

Roll Call: DeRensis, aye; Neutra, aye; Tsai, aye; Johnson, aye; Waldron, aye

- *Article 3: Washington/Maple Street Intersection Improvements* - Eric Johnson stated he does not support this project without the Strap Grant funding (\$500,000). There were questions raised about the increased costs of the project if it was postponed until the Strap Grant funding result was known.

Sean Killeen asked that the SB not make the article contingent on the Strap Grant. He would like to line up the contractor for construction of the project by the end of this year as the summer months are busy for road construction and the material costs are likely to increase if the project is delayed. There was further discussion about the checks and balances in place to ensure fiscal responsibility. Paul DeRensis agreed to amend his motion.

Motion: Move to support the article as written.

Moved: Paul DeRensis

Second: Eric Johnson

Roll Call: DeRensis, aye; Neutra, aye; Tsai, aye; Johnson, aye; Waldron, aye

Eric Johnson left the meeting for Articles 4 and 5.

- *Article 4: Meadowbrook Commons amend Preliminary Development Plan* - there were questions raised about the low number of affordable units (7) in the plan. Marian Neutra stated discussions are ongoing with the developer to include 2 additional affordable units as required by the Town Bylaws. Bob Murchison commented that he believes the plan is not compliant.

Motion: Move to support the article provided the number of affordable units is consistent with the Town Bylaws.

Moved: Paul DeRensis

Second: Steven Tsai

Roll Call: DeRensis, aye; Neutra, aye; Tsai, aye; Waldron, aye

- *Article 5 - North Sherborn Water District*

Motion: Move to support the article as written.

Moved: Paul DeRensis

Second: Marian Neutra

Roll Call: DeRensis, aye; Neutra, aye; Tsai, aye; Waldron, aye

Eric Johnson returned to the Meeting.

Consideration of Saturday Hunting on Town Forest Lands - moved to October 5th agenda

Consideration of Re-appointment to the Sherborn Cultural Council

- Kristen Rainey for a term to expire October 15, 2026

Motion: Move to appoint Kristen Rainey to the Sherborn Cultural Council for a term to expire October 15, 2026.

Moved: Paul DeRensis

Second: Marian Neutra

Roll Call: DeRensis, aye; Neutra, aye; Tsai, aye; Johnson, aye; Waldron, aye

Consideration of Appointment to Board of Registrars

- Judy Fledderjohn for a term to expire April 1, 2026 (filing the vacancy of Mike Kickham)

Motion: Move to appoint Judy Fledderjohn to the Board of Registrars for a term to expire on April 1, 2026.

Moved: Paul DeRensis

Second: Marian Neutra

Roll Call: DeRensis, aye; Neutra, aye; Tsai, aye; Johnson, aye; Waldron, aye

Administrative Items & Routine Business

Select Board Reports - Steven Tsai reported that he met recently with the School Administration to look into engineering study for cooling Pine Hill which would also consider the useful life of the building.

Town Administrator Report - Jeremy Marsette spoke about: 1) the DPU/Municipal Aggregation Plan Order issued after 29 months requires Sherborn to revise and resubmit the plan; the Town Planner position has been re-advertised and interviews are being scheduled; Framingham will be paving the road near Lancers Farm; and the Fire Department Open House is scheduled for October 15th, 11 am - 2 pm.

Consent Agenda

Payroll Warrant - Town Administrator

Next Meeting: 9/27 Advisory Committee Hearing

Motion: Move to approve the Consent Agenda.

Moved: Paul DeRensis
Second: Eric Johnson
Roll Call: DeRensis, aye; Neutra, aye; Tsai, aye; Johnson, aye; Waldron, aye

Motion to adjourn to at 9:17 pm.

Moved: Eric Johnson

Second: Steven Tsai

Roll Call: DeRensis, aye; Neutra, aye; Tsai, aye; Johnson, aye; Waldron, aye

The documents presented at the meeting may be viewed by emailing
diane.moores@sherbornma.org

The meeting may be seen by going to www.youtube.com or www.dsctv.com

Submitted by: Amy Davis

Approved: 11-16-2023