

IN BOARD OF SUDBURY SELECTMEN
TUESDAY, SEPTEMBER 10, 2019

Present: Chairman Daniel E. Carty, Selectman Janie Dretler, Selectman Jennifer Roberts, Selectman William Schineller, and Interim Town Manager Maryanne Bilodeau.

Absent: Vice-Chairman Patricia Brown

The statutory requirements as to notice having been complied with, the meeting was convened at 6:30 p.m. at the Town Hall – Lower Level.

Chairman Carty called the meeting to order.

Opening Remarks by Chairman

Chairman Carty announced that the September 11 Commemoration to be held at the Memorial Garden on Wednesday, September 11 is cancelled due to the EEE situation. He noted the Community Information Fair will be held on September 21 and stated that additional information would be found on the Town website.

Chairman Carty recognized the efforts of Maryanne Bilodeau during her first week as Interim Town Manager.

Reports from Town Manager

Interim Town Manager Bilodeau thanked the Board of Health Director William Murphy, Nurse Phyllis Schilp, members of the Board of Health, Chief Nix and all affiliated Town personnel for their efforts concerning the EEE situation.

Reports from Selectmen

Selectman Dretler stated that she and Selectman Roberts attended the Emergency Board of Health meetings on Sunday and Monday and thanked the Board of Health for all their hard work. She extended her thoughts to the affected family.

Selectman Schineller reinforced Selectman Dretler's sentiment. He thanked Ms. Bilodeau for making a smooth transition as Interim Town Manager during a difficult week for the Town. Selectman Dretler agreed.

Selectman Roberts thanked all associated officials for their tremendous efforts regarding the EEE incident. She detailed the importance of personal precautions for the public and suggested that residents sign up to receive Town emergency alerts, if they are not currently receiving such notifications. Selectman Roberts stated that residents could refer to the Town website or contact the Board of Selectmen's Office in order to be added to the emergency notification list.

Citizen's comments on items not on agenda

Resident Ralph Tyler, One Deacon Lane, believed that it was a mistake not to schedule a fall Town Meeting, especially in consideration of the Fairbank Community Center. Chairman Carty commented that the Fairbank Center was not ready for presentation before May Annual Town Meeting. Chairman Carty added that Mr. Tyler could gather 200 signatures in order to conduct a fall Town Meeting.

Selectman Dretler stated that the Fairbank Community Center working groups and others interested were not ready to go through the process and the intent is to provide as much information as possible to the voters. She detailed that the user groups have been meeting at least once or twice a week.

Mr. Tyler indicated that the signing of the Sewataro contract should have been delayed in order to gather more residents' comments.

Mr. Tyler suggested that draft Board of Selectmen meeting minutes be released online as soon as they are available. Chairman Carty noted that the draft posting would be discussed. Interim Town Manager Bilodeau commented that much time and coordination goes into the finalization of minutes.

Update on EEE Incident

Present: William Murphy, Director of Public Health; Dr. Peter Hoenig, Board of Health Consulting Physician; Phyllis Schilp, Public Health Nurse and Linda Marie Huet-Clayton, Board of Health member

Chairman Carty acknowledged the seriousness of the EEE situation in Sudbury and MA and added that citizens are rallying for a “Go Fund Me” campaign for the family of the affected resident of Sudbury.

Mr. Murphy provided update on the EEE situation in Sudbury and stressed that the Board cannot act on unconfirmed reports, and active investigations are ongoing. He emphasized that personal protection and spraying are the best defenses against the mosquito-borne infection. In conjunction with the Commonwealth, it was determined that dual spraying was appropriate and will continue. He suggested that residents close their windows and go inside if they see a spray truck, and recommended that residents refer to the Town website for possible spraying schedules and locations. Mr. Murphy acknowledged the many related calls and e-mails and maintained that all communications would be addressed.

Dr. Hoenig stated the EEE infection is very rare with no absolutes in regard to treatment at this time. The highest incidence of EEE is in late summer or early fall and of those who get infected with EEE, 4% to 7% are critical cases, especially with children and the elderly. Spraying, elimination of stagnant water, window screens, no outside activities from dawn to dusk and use of personal spray repellants (DEET being the preferred personal spray), are the best means of protection. He stressed that there is no connection between DEET and cancer.

Chairman Carty asked for a recap in regard to the Sudbury Schools. Mr. Murphy responded that there is much planning with Sudbury Public School Superintendent Brad Cozier and Lincoln-Sudbury Regional High School Superintendent Bella Wong, who will soon be meeting with the School Committee.

Selectman Roberts asked about mosquito surveillance. Mr. Murphy explained that the East Middlesex Mosquito Control Project provides related surveillance studies for some 26 communities. He mentioned the surveillance program targets the most susceptible locations.

Selectman Roberts asked if the EEE incidence/rate would worsen. Mr. Murphy replied there are significant three-year cycles (with this year being one) and universal precautions must be taken.

Selectman Roberts inquired about aerial spraying. Mr. Murphy suggested that residents refer to the Town website. Dr. Hoenig stated that DEET is not sprayed.

Interim Town Manager Bilodeau recommended that residents read the EEE question and answer sections on the online sites.

Chairman Carty asked what the Board of Selectmen could do to help with the situation. Mr. Murphy replied that the Board could encourage prevention practices going forward. Dr. Hoenig agreed that prevention and education are the key strategies. Interim Town Manager Bilodeau stated that there are three EEE sign boards in Town currently.

Grant a 1-day Wine & Malt license to Sudbury Historical Society to accommodate a fundraiser on Saturday, September 14, 2019

Present: Rebecca Weeks, Vice-President of the Sudbury Historical Society.

Ms. Weeks explained that today the Historical Society decided to move the dinner fundraiser indoors to the Memorial Congregational Church at 26 Concord Road.

Chairman Carty inquired about the provided alcohol. Interim Town Manager Bilodeau stated that the alcohol is coming from a distributor.

Selectman Dretler expressed her gratitude that the Historical Society changed the venue to an indoor site in consideration of the public safety. Selectman Schineller also thanked the Historical Society for the timely change in venue.

Selectman Schineller motioned to grant a 1-day Wine & Malt license to Sudbury Historical Society, to accommodate a Dinner fundraiser on Saturday, September 14, 2019 from 5:30 PM to 10:00 PM at 26 Concord Road in Sudbury, subject to the use of a TIPS-trained bartender and a receipt of a Certificate of Liability. Selectman Dretler seconded the motion.

It was on motion unanimously

VOTED: To grant a 1-day Wine & Malt license to Sudbury Historical Society, to accommodate a Dinner fundraiser on Saturday, September 14, 2019 from 5:30 PM to 10:00 PM at 26 Concord Road in Sudbury, subject to the use of a TIPS-trained bartender and a receipt of a Certificate of Liability.

Interview Town Manager Search Firms: Municipal Resources, Inc., Community Paradigm Associates, UMass Collins Center. (30 minutes allocated for each firm) Also further discussion regarding composite interview ratings.

Chairman Carty detailed that the Board would be interviewing three Town Manager search firms and voting would take place at the September 17th meeting.

Municipal Resources, Inc.

Present: Representatives from Municipal Resources, Inc.; Alan S. Gould, President/COO and Robert Mercier, Senior Consultant.

Mr. Gould provided background information regarding his company and added that Municipal Resources, Inc. placed Melissa Murphy-Rodrigues in the Town Manager position four years ago.

Chairman Carty asked about recent successful town manager searches in towns similar to Sudbury and requested an example of a search which did not go well, initially.

Mr. Gould exemplified the successful placement of Melissa Murphy-Rodrigues in Sudbury four years ago as well as her recent Town Manager appointment in the Town of North Andover. Mr. Gould exemplified the Town of Bedford which did not start so well due to the fact that the Bedford was losing a 30-year Town Manager and Town administrators and citizens were very concerned about what candidate could possibly fill those shoes. Mr. Gould stated that his firm turned that fearful outlook around by coaching town department directors and assisting in forming a strong and diversified screening committee.

Chairman Carty asked how the firm screens a community in order to find the best candidate. Mr. Gould responded with attendance at community meetings, interviews with residents and employees, and utilization of effective search committees.

Selectman Dretler asked how many searches are concurrently worked on. Mr. Gould responded that two searches were currently in process.

Selectman Roberts mentioned former Town Manager, Melissa Rodrigues, and how was she determined to be the best candidate for Sudbury. Mr. Gould answered that his firm's considerations are used to determine the best candidate for the position, which included a good performance record, an upward mobility profile and board-based experience. Searches for candidates with finance and planning experience are strongly considered. Mr. Gould noted that in a time such as now, when the search pool is drying up, the firm looks at strong backgrounds other than Town Manager positions. He stressed that in these times his firm works harder and non-traditional candidates must be researched.

Selectman Schineller asked what Municipal Resources did in order to identify prospective candidates. Mr. Gould responded that the firm attends various community meetings, views prospective candidates at such public meetings, performs recruitment studies and participates in various community projects.

Selectman Dretler queried about unique search processes used by the firm. Mr. Gould responded that he relies heavily on input from stakeholders, public forums and active participatory recruiting aspects including requiring essay completion by qualified candidates and comparing those essays as part of the search process. He stressed that the community could customize that process and the firm could include a specialty panel for interviewing with the Board of Selectmen.

Mr. Mercier commented that while the selection process continues, the firm continues to search for additional qualified candidates. He stressed that many applicants would be drawn to Sudbury.

Selectman Schineller asked how the firm learns about the community. Mr. Gould replied via one-on-one interviewing with Town officials and the Board of Selectmen, as well as reviewing/studying public forums and open listening sessions. He added that the firm constantly examines the Town website. Mr. Mercier stated that Town input helps to find the best candidate.

Selectman Roberts asked how the Town alerts candidates to the issues of importance to Sudbury. Mr. Gould responded that the essays direct specific questions on the issues of the Town, as well as the incorporation of detailed phone interviews which also address such issues.

Selectman Roberts asked for an example of an essay question. Mr. Gould replied that a typical Sudbury-focused essay question could include Bruce Freeman Rail Trail aspects, balanced growth topic in consideration of recent and ongoing development in the Town and affordable housing. Mr. Mercier added that in consideration of such important topics, a candidate with land use experience might be identified.

Chairman Carty asked about the importance of candidate personality. Mr. Gould responded that personality traits of likability and ability to get along with people becomes apparent when conducting the phone interviews, and the screening committee also contributes to the personality determination factor.

Chairman Carty commented about a candidate having good experience but not a great personality. Mr. Gould stated that post-conditional offers are made and can be retracted if personality becomes an issue.

Community Paradigm Associates, Inc.

Present: Community Paradigm Associates, LLC representatives: Bernard Lynch, Principal/Manager, John Petrin, Senior Associate and Sharon Flaherty, Senior Associate.

Mr. Lynch provided a brief narrative regarding Community Paradigm Associates, LLC, their history and qualifications.

Selectman Dretler queried about the firm's successful searches and searches that did not go well initially. Mr. Lynch exemplified searches in Westwood, Dedham, Weston, Wayland, Norwood and Norfolk as successful searches and added that a difficult market exists with a 50% change in some three years. He exemplified the town of

Beckett, MA being less favorable search because the town is small and isolated and ultimately the candidate did not take the position and the firm had to think outside the box with public instruction.

Selectman Schineller asked what search processes the firm utilizes to set them apart from other search firms. Mr. Lynch responded that the main difference involves an understanding of the community, and noted that Mr. Petrin has great understanding of the Sudbury area since he was Town Manager of Ashland for seven years, the Town Administrator for Harvard, MA for 13 years and Town Administrator for the Town of Burlington for seven years. The team talks to people in the community, the Board of Selectmen and department heads as a group and individually. Mr. Lynch explained his firm assists in the community decision and highlighted the networking aspect and utilize any resources possible to encourage posting interest. He acknowledged the importance of a citizen screening committee and use of essay questions to have candidates demonstrate their experience with real life projects and the results of those projects. He noted the importance of references who will confirm the completion of such projects. In summary, he maintained that the firm will change the process as needed.

Selectman Dretler asked about the use of social media in the search process. Ms. Flaherty stated the social media is used to drive the profile of the community but not necessarily used to promote the candidate.

Selectman Roberts asked about methods used to alert candidates about the issues important to the Town. Mr. Lynch responded that he gets pertinent information regarding issues from assistant managers and directors.

Selectman Dretler asked about attracting the right personalities to the position. Mr. Lynch responded that when the firm works with the screening committee, the Board will further define the acceptable personality type. Mr. Petrin added that reference checks are very valuable in this area.

Selectman Schineller asked how many searches go on simultaneously. Mr. Lynch replied that several searches are worked on at any given time with various staff members covering different aspects of the search.

Edward J. Collins Jr. Center for Public Management

Present: Mary Flanders Aicardi, Lead Consultant

Ms. Aicardi provided search services offered by the firm.

Selectman Schineller asked about recent successful searches and asked for example of a search that reflected a negative experience. Ms. Aicardi detailed a positive search result in the town of Randolph and provided the challenges involved in that community. She cited the Town of Canton as the negative experience because Canton could not agree on candidate compensation and good candidates were presented. Ms. Aicardi stated that Canton dropped the Master's degree requirement and dropped the firm. Ms. Aicardi commented that the learning take-away was consideration of ways to extend a deadline.

Selectman Roberts asked what search processes set the firm apart from others. Ms. Aicardi responded that all search firms do the same thing and it was the people in those search firms that make the difference. She stressed that the key was development of relationship with a community's residents and Board of Selectmen and stressed the importance of the selected screening committee.

Chairman Carty queried if the firm would meet with each member of the Board of Selectmen as well as Town finance people, safety officials and hold two staff meetings to gather all input. Ms. Aicardi affirmed that process.

Selectman Dretler asked how the firm would alert candidates of Sudbury's issues. Ms. Aicardi responded that her firm would market the position but would not want to deceive a candidate in terms of possible conflicts within the Town. She provided possible examples (from other communities) such as race-related conflicts and budget crisis situations. Ms. Aicardi stressed that when providing an honest picture of the Town to the candidate, those who want such challenge will come forward.

Selectman Schineller inquired about attracting the right personality type. Ms. Aicardi answered that the personality must fit the town culture and must be able to represent this Board effectively.

Ms. Aicardi provided final closing remarks.

Interim Town Manager Bilodeau stated that each Board member would rate the three firms and submit the ratings to Ms. Golden tomorrow. She detailed that at the next Board of Selectmen meeting, the Board would vote on the chosen search firm and give authority to the Chairman and herself to negotiate a price for the search services.

Vote whether to delegate the Town's Right of First Refusal (ROFR) to the Sudbury Housing Authority (SHA) regarding property located at 6 Old County Road

Present: Adam Duchesneau, Director of Planning and Community Development and Sheila Cusolito, Executive Director of Sudbury Housing Authority (SHA)

Mr. Duchesneau provided the particulars regarding an affordable unit located at 6 Old County Road and stated that the SHA is proposing to buy the property directly from the owner and add it to the Town's affordable rental housing inventory.

Chairman Carty asked if the Town had sufficient funding to purchase the property and if it would remain an affordable unit. Mr. Duchesneau affirmed and Ms. Cusolito stated that CPC funds would be put towards the purchase.

Selectman Roberts asked if the unit was age-restricted. Ms. Cusolito replied that the two-bedroom unit was not age-restricted.

Selectman Dretler inquired about responsibilities of ownership vs. rental of the property. Ms. Cusolito responded there is no difference in income criteria, but all renters cannot afford to own, and in the rental situation there is a lease end date.

Selectman Dretler asked who would be responsible for maintenance. Ms. Cusolito stated that SHA would be responsible.

Owner Marcia Glatt, 6 Old County Road, has lived at the complex for nine years and ownership works at the complex because everyone works to afford and keep up the properties. She maintained that the right of first refusal was not communicated to the owners. Ms. Glatt asked if the SHA is interested in buying three other units on the site.

Chairman Carty asked if all units were presently owner-occupied. Mr. Duchesneau stated they were.

Selectman Roberts asked about SHA standards. Ms. Cusolito stated that there are strict requirements within the SHA lease and the Housing Authority is a responsible home owner, and tenant screening is a formalized procedure.

Resident Agatha Beninati, Unit 22 – 6 Old County Road, shared that the condo documents state trustees have a right to evict should regulations such as parking and noise be in violation.

Resident and SHA Chair Kaffee Kang, 96 Old Garrison Road, stated that this rental opportunity gives the Town a chance to look at the unit and see if it fits and there is no guarantee that SHA will purchase it. She stressed that SHA is very good about maintenance, does not allow subletting, and units are inspected yearly.

Ms. Beninati asked if tenants are given notice of yearly inspection. Ms. Kang responded affirmatively. Ms. Beninati questioned where other affordable rental units are in Town. Ms. Kang mentioned Fairbank Circle and stated there are other scattered houses around Town. Chairman Carty confirmed Ms. Kang's statement and added that those affordable rental properties are very well-maintained.

Selectman Dretler affirmed that if voted, SHA will be the owner and is responsible for the tenant. Chairman Carty commented that any owner can rent their unit if they choose.

Selectman Dretler motioned to delegate the Town's Right of First Refusal (ROFR) to the Sudbury Housing Authority (SHA) regarding property located at 6 Old County Road. Selectman Roberts seconded the motion.

It was on motion unanimously.

VOTED: To delegate the Town's Right of First Refusal (ROFR) to the Sudbury Housing Authority (SHA) regarding property located at 6 Old County Road.

Discussion and vote on Sewataro agreement

Present: Attorney Lee Smith, Attorney David Wiener and Scott D. Brody, Proposed Manager of Camp Sewataro, LLC.

Chairman Carty thanked Mr. Brody for his cooperation during the last couple of weeks.

Selectman Dretler said that she received the body of the document agreement on Friday, but the term sheet was not included. She noted that answers for submitted questions was received yesterday.

Selectman Dretler asked if the Board of Health had to regularly test the pond water which would be made available to residents during the summer months. Mr. Smith responded that the Board of Health would have to test the water regularly. Selectman Dretler questioned if the Conservation Commission had tested the waters as well. Interim Town Manager Bilodeau replied that the final report is not yet due. Discussion about the recreational pond took place.

Selectman Dretler asked about additional costs to the Town for pond usage. Selectman Roberts indicated that she was unsure that the pond met public standards and had concerns. Selectman Schineller commented that the Board of Health inspects all Town camps. Interim Town Manager Bilodeau commented that such inspections will take place before camp opens. Mr. Smith confirmed that such inspection is necessary for the running of the camp.

Selectman Dretler commented that the amended contract is much improved and questioned the public access portion of Camp Sewataro during the summer months. She questioned what activities the public might be able to do on the accessible portion.

Mr. Brody stated that he operates a camp in Sharon as well as several camps in NH and noted that the Sewataro pond is regulated by MA health codes. The public access area allows for game playing, picnicking and walking around the pond and does have a bathroom. He added that during the rest of the year, the remainder of the Sewataro property will be open to residents with the exception of securing the area of the buildings used for camp storage, and would be partnering with Park & Recreation for various things. He stressed that the goal is for Camp Sewataro to be the best partner it can be.

Selectman Roberts indicated that she was concerned that the accessible part of Camp Sewataro did not include the courts. Mr. Brody stated that as the tenancy continues, it might make sense to extend more of the property to the public.

Selectman Schineller asked if a committee liaison would be designated. Mr. Brody confirmed that there would be and it would help to determine if all Town programs could be served at the Camp.

Selectman Schineller inquired about opening the Camp swimming pools on Saturdays and Sundays. Mr. Brody responded that such a plan would not work at this time but could be revisiting after a first season of operating the Camp.

Selectman Dretler indicated that she was pleased with the prospect of additional access and stated that she was grateful that Mr. Brody considered the possible increase in Camp scholarships if increased accessibility were not possible.

Chairman Carty stated that he was optimistic about the future of the property.

Selectman Roberts mentioned that she felt more assured with the finalized agreement. She was concerned about lack of public review, and wanted to reassure the public that many questions were presented and answered.

Selectman Dretler detailed that financial aspects are still being studied and could affect other Town budgets and also wished that the Town had more time to review all mentioned documents.

Resident and Finance Committee member Susan Berry, 4 Dawson Drive, recommended language changes in Section 2.2, 3.1.1 and 5.1i. Board members and Mr. Smith agreed with Ms. Berry's edits, and thanked Ms. Berry for her suggestions.

Attorney David Wiener presented another edit regarding Exhibit 4.

Selectman Schineller thanked Interim Town Manager Bilodeau, Mr. Smith and Chairman Carty for their negotiation efforts and noted that balance was achieved. Interim Town Manager Bilodeau credited much of the success of the Camp to former Town Manager Rodrigues.

Selectman Roberts commented that a designated Sewataro committee should be formed. Chairman Carty recognized the importance of such a committee and mentioned that such a discussion will be on a future agenda.

Chairman Carty motioned that negotiated agreement between the Town and Camp Sewataro, LLC be approved. Selectman Dretler seconded the motion.

It was on motion unanimously

VOTED: To approve the negotiated agreement "Contractor for Day Camp Operator and Management of Real Property – Camp Sewataro," between the Town and Camp Sewataro, LLC.

Discussion on Fairbank Community Center

Selectman Dretler stated that a meeting took place today with the architect who presented a "block" prospective design and by the end of the week will supply further detail/information.

Chairman Carty questioned if the plans and financials are still on target for late October.

Selectman Schineller mentioned that 151 Plympton Road is on the market and the Town might consider purchase of the site as a Fairbank Center location. He stated that the property is under agreement, but if the agreement dissolves the Town might consider such purchase and explore it further.

Citizen's comments (cont.)

There were no citizen's comments.

Discuss upcoming agenda items

After Board discussion, it was agreed that the September 17 meeting agenda would include:

- Selection/vote on Town Manager Search firm and related negotiations
- Master Plan update (rescheduled)
- CSX Rail Trail update

Consent Calendar

Execute the deeds to Parcel G12-0013 and Parcel G12-0015 located off Water Row for the total sale price of \$42,750

Selectman Dretler motioned to execute the deeds to Parcel G12-0013 and Parcel G12-0015 located off Water Row for the total sale price of \$42,750 pursuant to the Agreement for Purchase of Lands between the Town and the U.S.A. Secretary of the Interior, Division of Realty, Fish and Wildlife Service executed pursuant to the vote of the Board of Selectmen on September 25, 2018. Selectman Schineller seconded the motion.

It was on motion unanimously

VOTED: To execute the deeds to Parcel G12-0013 and Parcel G12-0015 located off Water Row for the total sale price of \$42,750 pursuant to the Agreement for Purchase of Lands between the Town and the U.S.A. Secretary of the Interior, Division of Realty, Fish and Wildlife Service executed pursuant to the vote of the Board of Selectmen on September 25, 2018.

Approve the regular session minutes of 7/9/19, 7/23/19 and 7/24/19

Selectman Dretler motioned to approve the minutes. Selectman Schineller seconded the motion.

It was on motion unanimously

VOTED: To approve the regular session minutes of 7/9/19, 7/23/19 and 7/24/19.

Approve a special permit to Harold Cutler for the Colonial Fair and Muster of Fifes and Drums to be held on the Wayside Inn grounds from 10:00 a.m. to 5:00 p.m. on Saturday, September 28, 2019

Selectman Dretler motioned to approve a special permit. Selectman Schineller seconded the motion.

It was on motion unanimously

VOTED: To approve a special permit to Harold Cutler for the Colonial Fair and Muster of Fifes and Drums to be held on the Wayside Inn grounds from 10:00 a.m. to 5:00 p.m. on Saturday, September 28,

2019, subject to conditions and permits required by the Fire and Police Departments and the Board of Health.

Vote to approve a new Common Victualler License for New England Authentic Eats LLC, DBA Papa Gino's, 104 Boston Post Road

Selectman Dretler motioned to vote to approve a new Common Victualler License. Selectman Schineller seconded the motion.

It was on motion unanimously

VOTED: As the Licensing Authority for the Town of Sudbury, vote to approve a new Common Victualler License for New England Authentic Eats LLC, DBA Papa Gino's, 104 Boston Post Road, as requested in an application dated August 15, 2019, subject to conditions put forth by the Fire Department and Building Department.

There being no further business, the meeting adjourned at 11:00 p.m.

Attest: _____
Maryanne Bilodeau
Interim Town Manager-Clerk