

SUDBURY BOARD OF SELECTMEN
TUESDAY JULY 28, 2020
6:00 PM, TOWN HALL - LOWER LEVEL

| Item # | Time | Action | Item |
|-----------------------|---------|--------|--|
| | | | Call to Order/Roll Call |
| | | | Executive Session Roll Call |
| 1. | 6:00 PM | VOTE | Open in regular session and immediately vote to enter executive session to consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body, pursuant to General Laws chapter 30A, §21(a)(exception 6) with respect to the Sudbury portion of the CSX rail corridor. |
| 2. | | VOTE | Also discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declares (proposed Eversource transmission line), pursuant to General Laws chapter 30A, §21(a)(3). |
| 3. | | VOTE | Also to review executive session meeting minutes, pursuant to G.L. c. 30A, § 21(a)(7) “[t]o comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements” (“Purpose 7”), citing to the Open Meeting Law, G.L. c. 30A, §§ 22(f), (g). |
| 4. | | VOTE | Vote to close Executive Session and resume Open Session. |
| | 7:00 PM | | Roll Call and Opening remarks by Chairman |
| | | | Reports from Town Manager |
| | | | Reports from Selectmen |
| | | | Citizen's comments on items not on agenda |
| PUBLIC HEARING | | | |
| 5. | 7:00 PM | VOTE | Open public hearing for discussion and vote whether there is a need for a fall town meeting in accordance with Town Bylaw Article 1 Section 3. |
| 6. | | VOTE | Vote to close public hearing and resume open session |
| MISCELLANEOUS | | | |

These agenda items are those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.

| Item # | Time | Action | Item |
|-------------------------|-------------|---------------|---|
| 7. | | <i>VOTE</i> | Annual Town Meeting discussion on start time and backup date |
| 8. | | <i>VOTE</i> | Presentation of ATM Proposed Zoning Bylaw Amendments - Articles #37 and #38 |
| 9. | | <i>VOTE</i> | Discussion and vote whether to sign a comment letter to MassDOT for BFRT |
| 10. | | <i>VOTE</i> | VOTE: Shall the town of Sudbury be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to acquire the parcel of land shown as Mile Post QBS 3.40 to QBS 4.80 on a Railroad Map dated July 22, 2020 prepared by CSX Transportation, Inc., and a Plan dated July 20, 2020, copies of which are on file with the Town Clerk, consisting of 11.26 acres of land, more or less and any and all incidental and related costs associated therewith? |
| 11. | | <i>VOTE</i> | Vote to modify wording of the CSX town meeting article #17 to match the ballot question. |
| 12. | | | Discussion on Town Manager 90-day check-in, goals and 6-month evaluation |
| 13. | | <i>VOTE</i> | Discussion and possible vote on the Fairbank Community Center Town Forum. |
| 14. | | <i>VOTE</i> | Review Town Meeting article #18 (Fairbank) and possibly take position. |
| 15. | | | Discussion on Board's Social Media Policy |
| 16. | | <i>VOTE</i> | Discussion and possible vote on Key Performance Indicators (KPI) as requested by Selectman Schineller. |
| 17. | | | Discussion on Ballot question policy "pro" and "con". |
| 18. | | | Citizen's Comments |
| 19. | | | Upcoming Agenda Items |
| CONSENT CALENDAR | | | |
| 20. | | <i>VOTE</i> | Vote to accept the resignation of Connie Steward from the Council on Aging and send a letter of thanks for her service to the Town. |
| 21. | | <i>VOTE</i> | Vote to adjourn meeting |

These agenda items are those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.



SUDBURY BOARD OF SELECTMEN

Tuesday, July 28, 2020

EXECUTIVE SESSION

1: Exec session to discuss CSX

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Open in regular session and immediately vote to enter executive session to consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body, pursuant to General Laws chapter 30A, §21(a)(exception 6) with respect to the Sudbury portion of the CSX rail corridor.

Recommendations/Suggested Motion/Vote: Open in regular session and immediately vote to enter executive session to consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body, pursuant to General Laws chapter 30A, §21(a)(exception 6) with respect to the Sudbury portion of the CSX rail corridor.

Background Information:
attached

Financial impact expected:

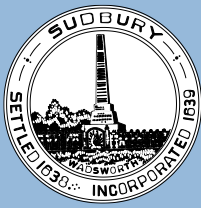
Approximate agenda time requested: 60 minutes

Representative(s) expected to attend meeting: Beth Suedmeyer, Environmental Planner

Review:

| | |
|----------------------|---------|
| Patty Golden | Pending |
| Henry L Hayes | Pending |
| Jonathan Silverstein | Pending |
| Daniel E Carty | Pending |
| Board of Selectmen | Pending |

07/28/2020 6:00 PM



SUDBURY BOARD OF SELECTMEN

Tuesday, July 28, 2020

EXECUTIVE SESSION

2: Executive Session - Historical Commission and Eversource

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Also discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declares (proposed Eversource transmission line), pursuant to General Laws chapter 30A, §21(a)(3).

Recommendations/Suggested Motion/Vote: Also discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declares (proposed Eversource transmission line), pursuant to General Laws chapter 30A, §21(a)(3).

Background Information:

Financial impact expected:

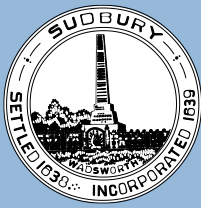
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

| | |
|----------------------|---------|
| Patty Golden | Pending |
| Henry L Hayes | Pending |
| Jonathan Silverstein | Pending |
| Daniel E Carty | Pending |
| Board of Selectmen | Pending |

07/28/2020 6:00 PM



SUDBURY BOARD OF SELECTMEN

Tuesday, July 28, 2020

EXECUTIVE SESSION

3: Exec Session to review minutes

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Also to review executive session meeting minutes, pursuant to G.L. c. 30A, § 21(a)(7) “[t]o comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements” (“Purpose 7”), citing to the Open Meeting Law, G.L. c. 30A, §§ 22(f), (g).

Recommendations/Suggested Motion/Vote: Also to review executive session meeting minutes pursuant to G.L. c. 30A, § 21(a)(7) “[t]o comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements” (“Purpose 7”), citing to the Open Meeting Law, G.L. c. 30A, §§ 22(f), (g).

Background Information:

Attached draft executive minutes of 12/3/19

Financial impact expected:

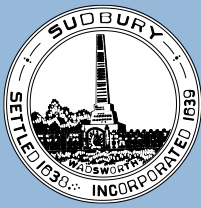
Approximate agenda time requested: 20 minutes

Representative(s) expected to attend meeting:

Review:

| | |
|----------------------|---------|
| Patty Golden | Pending |
| Henry L Hayes | Pending |
| Jonathan Silverstein | Pending |
| Daniel E Carty | Pending |
| Board of Selectmen | Pending |

07/28/2020 6:00 PM



SUDBURY BOARD OF SELECTMEN
Tuesday, July 28, 2020

EXECUTIVE SESSION
4: Close Executive session

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Vote to close Executive Session and resume Open Session.

Recommendations/Suggested Motion/Vote: *Vote to close Executive Session and resume Open Session.*

Background Information:

Financial impact expected:

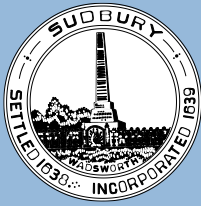
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

| | |
|----------------------|---------|
| Patty Golden | Pending |
| Henry L Hayes | Pending |
| Jonathan Silverstein | Pending |
| Daniel E Carty | Pending |
| Board of Selectmen | Pending |

07/28/2020 6:00 PM



SUDBURY BOARD OF SELECTMEN
Tuesday, July 28, 2020

PUBLIC HEARING

5: Public Hearing to vote Special Town Meeting

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Open public hearing for discussion and vote whether there is a need for a fall town meeting in accordance with Town Bylaw Article 1 Section 3.

Recommendations/Suggested Motion/Vote:

Background Information:

7:00 PM

Financial impact expected:

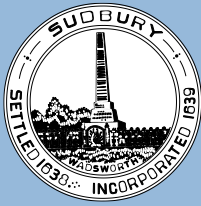
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

| | |
|----------------------|---------|
| Patty Golden | Pending |
| Henry L Hayes | Pending |
| Jonathan Silverstein | Pending |
| Daniel E Carty | Pending |
| Board of Selectmen | Pending |

07/28/2020 6:00 PM



SUDBURY BOARD OF SELECTMEN

Tuesday, July 28, 2020

MISCELLANEOUS (UNTIMED)

8: Presentation of ATM Zoning Articles

REQUESTOR SECTION

Date of request:

Requestor: Adam Duchesneau

Formal Title: Presentation of ATM Proposed Zoning Bylaw Amendments - Articles #37 and #38

Recommendations/Suggested Motion/Vote: Presentation of ATM Proposed Zoning Bylaw Amendments - Articles #37 and #38

Background Information:

Adam Duchesneau, Director of Planning & Community Development to present.
See attached presentations

Financial impact expected:

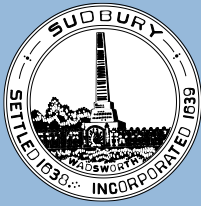
Approximate agenda time requested:

Representative(s) expected to attend meeting: Adam Duchesneau

Review:

| | |
|----------------------|---------|
| Patty Golden | Pending |
| Henry L Hayes | Pending |
| Jonathan Silverstein | Pending |
| Daniel E Carty | Pending |
| Board of Selectmen | Pending |

07/28/2020 6:00 PM



SUDBURY BOARD OF SELECTMEN
Tuesday, July 28, 2020

MISCELLANEOUS (UNTIMED)

9: MassDOT letter re: BFRT

REQUESTOR SECTION

Date of request:

Requestor: Selectman Dretler and Beth Suedmeyer

Formal Title: Discussion and vote whether to sign a comment letter to MassDOT for BFRT

Recommendations/Suggested Motion/Vote: Discussion and vote whether to sign a comment letter to MassDOT for B

Background Information:
attached documents

Financial impact expected:

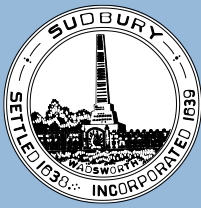
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

| | |
|----------------------|---------|
| Patty Golden | Pending |
| Henry L Hayes | Pending |
| Jonathan Silverstein | Pending |
| Daniel E Carty | Pending |
| Board of Selectmen | Pending |

07/28/2020 6:00 PM



SUDBURY BOARD OF SELECTMEN
Tuesday, July 28, 2020

MISCELLANEOUS (UNTIMED)

8: Presentation of ATM Zoning Articles

REQUESTOR SECTION

Date of request:

Requestor: Adam Duchesneau

Formal Title: Presentation of ATM Proposed Zoning Bylaw Amendments - Articles #37 and #38

Recommendations/Suggested Motion/Vote: Presentation of ATM Proposed Zoning Bylaw Amendments - Articles #37 and #38

Background Information:

Adam Duchesneau, Director of Planning & Community Development to present.
See attached presentations

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting: Adam Duchesneau

Review:

| | |
|----------------------|---------|
| Patty Golden | Pending |
| Henry L Hayes | Pending |
| Jonathan Silverstein | Pending |
| Daniel E Carty | Pending |
| Board of Selectmen | Pending |

07/28/2020 6:00 PM

Proposed Zoning Bylaw Amendments for 2020 Annual Town Meeting

Article 37: Solar Energy Systems
and
Article 38: Inclusion of Affordable Housing

July 28, 2020

Article 37: Solar Energy Systems

- Protected use under MGL Chapter 40A, Section 3 (can be regulated but not prohibited)
- Current nothing in Zoning Bylaw which regulates Solar Energy Systems
- Amendment strikes current Section 4800 regarding the Temporary Moratorium on Marijuana Establishments
- Purpose of New Section: Define the parameters for the installation of new Solar Energy Systems by providing standards for the placement, design, construction, operation, monitoring, modification, and removal of such systems that address public safety and minimize undesirable impacts on residential property and neighborhoods, as well as scenic, natural, and historic resources

Solar Energy Systems: Roof Mounted

- Systems on single- and two-family dwellings are permitted as of right
- Systems on multi-family dwellings and all non-residential buildings are permitted as of right, but shall require Site Plan Review
- Systems which require Site Plan Review may, at the discretion of the Planning Board, obtain Minor Site Plan approval
- Systems shall only be constructed within the footprint of the building upon which they are installed

Solar Energy Systems: Ground Mounted

- Systems shall require Site Plan Review (if need Special Permit from Zoning Board of Appeals, shall obtain Site Plan Review prior to submitting an application for a Special Permit)
- Systems may, at the discretion of the Planning Board, obtain Minor Site Plan approval
- All setback, yard, buffer, and screening requirements applicable in the zoning district in which the System, and all related structures, buildings, and equipment, are located shall apply, except for power feed and distribution lines
- Systems proposed to be located in the area between a property's lot frontage and an existing or proposed building shall require a Special Permit from the Zoning Board of Appeals

Solar Energy Systems: Other Regulations

- Location of security fences
- Visual impact mitigation
- Undergrounding of utility connections
- Limitations on clearing of existing vegetation
- Decommissioning Security required for Large Scale Ground Mounted Systems
- Lighting
- Discontinuance provision to protect Town

Solar Energy Systems: Definitions

- **Solar Energy System:** A system whose primary purpose is to harvest energy by transforming solar energy into another form of energy, such as electricity, or transferring heat from a collector to another medium using mechanical, electrical, or chemical means.
- **Solar Energy System, Ground Mounted:** An active Solar Energy System that is structurally mounted to the ground and is not roof mounted.
- **Solar Energy System, Large Scale Ground Mounted:** An active Solar Energy System that occupies more than 1,750 square feet of surface area (equivalent to a rated nameplate capacity of about 10 kW DC or greater), except in the Single Residence "A", Single Residence "C", and Wayside Inn Historic Preservation Residential Zone Districts, where such systems occupy more than 500 square feet of surface area.
- **Solar Energy System, Roof Mounted:** An active Solar Energy System that is structurally mounted to the roof of a building or structure.
- **Solar Energy System, Small Scale Ground Mounted:** An active Solar Energy System that occupies 1,750 square feet of surface area or less (equivalent to a rated nameplate capacity of about 10 kW DC or less), except in the Single Residence "A", Single Residence "C", and Wayside Inn Historic Preservation Residential Zone Districts, where such systems occupy 500 square feet of surface area or less.

Solar Energy Systems: Table of Principal Uses Section 2230, Appendix A

| PRINCIPAL USE | A-RES | C-RES | WI | BD | LBD | VBD | ID | LID | IP | RD |
|---|------------------|------------------|------------------|--------------------|--------------------|--------------------|------------------|------------------|------------------|------------------|
| D. INDUSTRIAL | | | | | | | | | | |
| 6. Small Scale Ground Mounted Solar Energy System | Y ^{vii} | Y ^{vii} | Y ^{vii} | Y ^{vii} | Y ^{vii} | Y ^{vii} | Y ^{vii} | Y ^{vii} | Y ^{vii} | Y ^{vii} |
| 7. Large Scale Ground Mounted Solar Energy System | N | N | N | ZBA ^{vii} | ZBA ^{vii} | ZBA ^{vii} | Y ^{vii} | Y ^{vii} | Y ^{vii} | Y ^{vii} |

^{vii} See Section 4800

Article 37: Solar Energy Systems

Questions/Discussion

Article 38: Inclusion of Affordable Housing

- Any development or any division of land subject to Massachusetts General Law Chapter 41, Sections 81-K through 81-GG, which will result in the creation of three (3) or more dwelling units shall require a Special Permit from the Planning Board, and shall include the following conditions.....

Inclusion of Affordable Housing: Conditions

- At least ten percent (10%) of the dwelling units in the development shall meet the criteria of Affordable Dwelling Units.
 - For developments consisting of at least three (3) and up to four (4) dwelling units, the applicant shall make a payment (re Section 5670) or shall provide an Affordable Dwelling Unit in accordance with Section 5630.
 - For developments consisting of at least five (5) and up to ten (10) dwelling units, a minimum of one (1) Affordable Dwelling Unit shall be included in the development.
 - For developments consisting of eleven (11) to fifteen (15) dwelling units, a minimum of two (2) Affordable Dwelling Units shall be included in the development.
 - For all other developments where ten percent (10%) of the dwelling units results in a fractional number, all fractional units of 0.5 or greater shall be rounded up to the nearest whole number to determine the total number of Affordable Dwelling Units required to be included the development.

Inclusion of Affordable Housing: Conditions

- The ratio of Affordable Dwelling Units to Market Rate Dwelling Units, built in any twelve-month period, shall be at least equivalent to the ratio of Affordable Dwelling Units to Market Rate Dwelling Units defined for the entire development
- Resale deed restrictions shall be established, which ensure Affordable Dwelling Units remain Affordable Dwelling Units in perpetuity or for as long a period as is allowed by law

Inclusion of Affordable Housing: Exemptions

- The following types of developments would be exempt:
 - Massachusetts General Law Chapters 40B or 40R
 - ZBL Section 4700A North Road Residential Overlay District
 - ZBL Section 4700B Melone Smart Growth Overlay District
 - ZBL Section 5100 Cluster Development
 - ZBL Section 5200 Flexible Development
 - ZBL Section 5300 Senior Residential Community
 - ZBL Section 5400 Incentive Senior Development

Inclusion of Affordable Housing: Provision of Affordable Dwelling Units (Section 5630)

- Constructed on the subject property
- Constructed off of the subject property in another location at 1.5 times the ratio of Affordable Dwelling Units to be constructed on the subject property
- Convert and preserve existing dwelling units, not previously established as Affordable Dwelling Units, on the subject property
- For calculations where fractional Affordable Dwelling Units result below 0.5, the applicant shall pay equivalent fees-in-lieu of constructing Affordable Dwelling Units (see Section 5670) or provide an additional Affordable Dwelling Unit
- Other alternatives to providing Affordable Dwelling Units which are not listed in this section will also be considered for approval

Inclusion of Affordable Housing: Permissible Types of Affordable Dwelling Units

- Single-family dwellings
- Two-family dwellings (consistent in character with the single-family dwellings in the same development)
- Multi-family dwellings (consistent in character with the single-family dwellings in the same development), provided:
 - i. No more than one (1) doorway faces the front yard area and further provided that, in terms of exterior appearance, the building is compatible in design and, to the extent practicable, indistinguishable from the single-family dwellings in the same development; and
 - ii. There shall be no more than four (4) dwelling units in any residential building; and
 - iii. The total number of multi-family dwellings shall not exceed 10% of the lots in the development.

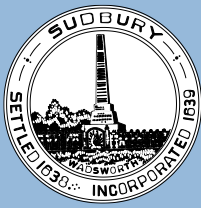
Inclusion of Affordable Housing: Fees-In-Lieu for Fractional Affordable Units (Section 5670)

- Applicants shall pay fees-in-lieu of the construction of fractional Affordable Dwelling Units below 0.5 or provide the Affordable Dwelling Unit in accordance with Section 5630.
- For the purposes of this Bylaw, the fees-in-lieu of the construction or provision of Affordable Dwelling Units shall be 300% of the Area Median Income (AMI) for a household of four (4) as reported by the most recent information from the United States Department of Housing and Urban Development (HUD), multiplied by the fractional Affordable Dwelling Unit figure.

Inclusion of Affordable Housing: Fees-In-Lieu for Fractional Affordable Units (Section 5670)

- For purposes of illustration, a 22-unit development shall provide two (2) Affordable Dwelling Units and shall also pay fees-in-lieu equal to 300% of the AMI x 0.2 or, alternatively, provide a total of three (3) Affordable Dwelling Units within the 22-unit development.
- Fees-in-lieu shall be paid to the Sudbury Housing Trust prior to the issuance of a Certificate of Occupancy for any unit in the development for the support, development, and preservation of affordable housing.

Article 38: Inclusion of Affordable Housing
Questions/Discussion



SUDBURY BOARD OF SELECTMEN
Tuesday, July 28, 2020

MISCELLANEOUS (UNTIMED)

9: MassDOT letter re: BFRT

REQUESTOR SECTION

Date of request:

Requestor: Selectman Dretler and Beth Suedmeyer

Formal Title: Discussion and vote whether to sign a comment letter to MassDOT for BFRT

Recommendations/Suggested Motion/Vote: Discussion and vote whether to sign a comment letter to MassDOT for B

Background Information:
attached documents

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

| | |
|----------------------|---------|
| Patty Golden | Pending |
| Henry L Hayes | Pending |
| Jonathan Silverstein | Pending |
| Daniel E Carty | Pending |
| Board of Selectmen | Pending |

07/28/2020 6:00 PM

DRETLE DRAFT LETTER

July 28, 2020

Patricia A. Leavenworth, P.E.
 Chief Engineer
 Massachusetts Department of Transportation
 10 Park Plaza
 Boston, MA 02116
 Attention Project Management Project File No. 608164

RE: Bruce Freeman Rail Trail Project in Sudbury (MassDOT Project File No. 608164, Bruce Freeman Rail Trail – Sudbury & Concord) – Design Public Hearing Comments

Dear Ms. Leavenworth:

The Town of Sudbury Board of Selectmen supports the Bruce Freeman Rail Trail (BFRT) Project, Phase 2D (608164) and appreciates the Massachusetts Department of Transportation's (MassDOT) commitment to advancing this valuable project. The Town of Sudbury and the Board of Selectmen are pleased that the BFRT project has reached the critical 25% design milestone and endeavor to continue to move this project forward to realize Boston Region MPO Transportation Improvement Program construction funding in FY2022.

Sudbury has worked for many years to move this important project to completion. Since 2006, the town's residents have voted at Town Meeting numerous times to appropriate significant tax dollars to advance the BFRT project for recreation, transportation, and connectivity.

The Bruce Freeman Rail Trail furthers the goals of unifying the Commonwealth via a system of recreational trails, connecting us to our land, our history, and our neighbors. It will link the Sudbury community as well as communities throughout the state. The BFRT is complete in Chelmsford, Westford, Carlisle, Acton, and most of Concord. The Sudbury section, and the southern end of the Concord portion will add 4.9 miles to the existing 15-mile trail north of Sudbury.

We present the following questions and comments after our review of the 25% Design Public Hearing. We understand that the Town will be leading the design, but we feel it is still important to inform MassDOT of the comments identified by Board members as we begin collaborating on the next phases of design.

- How will users access the right of way at Station Road? When will the Town be able to discuss the various options with MassDOT's MBTA and Rail Division?
- What are the next steps to determine the location of parking for trail access? Does MassDOT feel the Town's proposal to use existing Town-owned lots and properties is adequate?

- The Hudson Road intersection presents multiple challenges – including safety – that warrant careful review. (#608164_HudsonRoadCrossing.pdf, attached.)
- The trail crossing at Hudson Road is within the Town Center Historic District and should retain the town center’s historic character as much as is consistent with public safety.
- When will the final decision for the boardwalk south of Hudson Road be made and when will the public be able to comment on it?
- The statement was made during the presentation that “MassDOT is not subject to local bylaws, however, we will strive to meet the requirements of the Sudbury wetland bylaws for this project to the extent practical.” (Minute 31:35) and “MassDOT is exempt from review under local bylaws.” (Minute 36:26) While not technically part of the 25% design, it would be helpful for you to explain specifically the authority (law or regulation) which grants this exemption.

We are committed to keeping this important project on schedule and respectfully request that MassDOT help us achieve that goal by expediting current and future design submissions. Thank you for the opportunity to comment on the Bruce Freeman Rail Trail project in Sudbury. We hope our comments will contribute to a better outcome.

Sincerely,

Daniel E. Carty
Chair, Board of Selectmen

Patricia A. Brown
Vice-Chair, Board of Selectmen

Janie W. Dretler
Member, Board of Selectmen

Jennifer S. Roberts
Member, Board of Selectmen

William J. Schineller
Member, Board of Selectmen

BROWN DRAFT LETTER

We recognize that MassDOT is attempting to conduct a public hearing under the restrictions introduced in response to the COVID pandemic. We appreciate the efforts the Department has made. However, it is challenging to comment on the proposal given the very high-level tone of the presentation. Here are some suggestions for improving the process for other hearings going forward. All comments refer to the presentation for the Bruce Freeman Rail Trail Phase 2D, #608164, in Sudbury.

Process Comments

- It would be easier to comment on the slides if the slides were made available, even as handouts. Numbering the slides (Presenter_Slide#) would help in identify the slide to which comments refer. Thank you to VHB for doing this on some of the slides.
- Despite the purpose of the hearing (*a forum to provide factual information which is pertinent to the determination of the final alternative*), there is insufficient detail in the presentation to comment on design specifics. For example, the discussion of the Hudson Road trail crossing is not shown in sufficient detail to understand how the entrance to the proposed Ti-Sales parking area will be accommodated, or to explain the lane configuration of the adjacent street with the traffic island removed or to understand how public safety vehicles from the nearby police and fire stations will be accommodated. Similarly, the generic cross-section does not address specific concerns about areas built up between wetlands. (GIS map attached). At very least the presentation must identify to which design documents it refers to allow comments meaningfully to address specific concerns.
- It is not possible, given the presentation, to comment on the “evaluation of alternative routes” to which MassDOT refers or to understand to what extent it is valid. Comments concerning this aspect of the 25% design will necessarily refer to previous presentations as understood by various commenters. This information is not included in the 25% Design document, making it hard to know how MassDOT understands this determination.

There are, in addition, specific areas of the design with which we have comments and concerns.

Design Comments

- The southern terminus of this project (#608164) at the MBTA right of way provides no legal access for trail users. The MBTA controls the east-west corridor, the rail right of way to the south is owned by the CSX rail corporation, and the adjacent roadway crossing running east-west is privately owned. While the town has filed an NITU for the CSX-owned right-of-way, it has not acquired the parcel. The 25% design as shown does not address user access. How are users to enter or leave the right of way at the southern terminus?
- The design specifies no parking to the south of the Ti-Sales parking lot near the Hudson Road crossing—that is, there is no parking for approximately the southernmost 1.4 miles of the trail. It is surmised that commercial properties will provide parking. What

progress has been made on negotiating this parking, and what design alternatives are proposed if parking does not become available?

- There is no public street crossing south of the Old Lancaster crossing, which is about 0.8 miles north of the southern terminus. In Concord (#605189) the trail design was completed to the Concord/Sudbury boundary, but construction on the last half mile will not begin until the Sudbury project (#608164) is constructed to avoid building a “trail to nowhere.” Will the design of the Sudbury trail proceed for the full 4.6 miles, but the construction of the southern 0.8 miles south of Old Lancaster be delayed until the trail can be continued to the south, similarly avoiding the construction of a “trail to nowhere” in Sudbury?
- The typical cross sections shown for the trail during the design presentation do not address areas of concern like the high embankment between Old Lancaster and Hudson Roads. (#608164_Embankment_Topology.pdf, attached.) The plans do not indicate how this area as a challenge area nor specify how it will be addressed: reduced trail width to remain on the existing width, or to cut or fill. This is very close to wetlands, and the challenges of construction rather than “typical cross-section” should inform the design.
- The Hudson Road intersection with the trail is about 800 feet west of the Hudson/Concord Road intersection at Town Center, and about 1,100 feet east of the Hudson/Maynard road split in front of the Police/Fire Public Safety complex at #75 and #77 Hudson Road, respectively. The driveway leading to the proposed parking at Ti-Sales is about 220 feet west of the trail crossing on Hudson Road. Peakham Road, another heavily traveled road, enters Hudson Road from the south immediately to the west of the trail crossing. There is a business exit about fifty feet east of the trail crossing, as well. (#608164_HudsonRoadCrossing.pdf, attached.) Town Center (which is not a right-angle crossing) has a traffic signal but there is currently no traffic signal at the Hudson/Maynard Road intersection. All these crossings (Town Center, Peakham, and Maynard) seriously back up at peak periods, such that police and fire have marked off areas of Hudson Road on which traffic may not stop so that emergency vehicles can get onto the road at need. Backup occurs both eastbound and westbound on Hudson Road from the Town Center and Maynard Road intersections. Adding HAWK signals for trail users will exacerbate this. Installing a traffic signal at the Peakham/Hudson intersection would not only confuse things further, it’s not clear that there would be an open lane on Hudson for traffic to enter even after receiving a green light. (Note on the attachment that the “road” north of Hudson
- facing Peakham is actually not a road, but a private driveway for a business that carries considerable large truck traffic.) Prioritized emergency vehicles are a further confusing factor. Please consider holistically traffic between the Hudson/Maynard Road intersection and Town Center; evaluate putting a traffic signal at the Hudson/Maynard Road crossing and coordinating this with the signal at Town Center, rather than considering a traffic signal at Peakham Road.
- It is not clear from the plans presented whether the right-turn lane on Peakham Road northbound turning onto Hudson Road eastbound was preserved. It should be. Reducing Peakham Road to a single lane at the intersection would result in

unacceptable backups by traffic waiting behind a vehicle attempting to turn left. Also, the trail crossing at Hudson Road is within the Town Center Historic District and should retain the town center's historic character as much as is consistent with public safety.

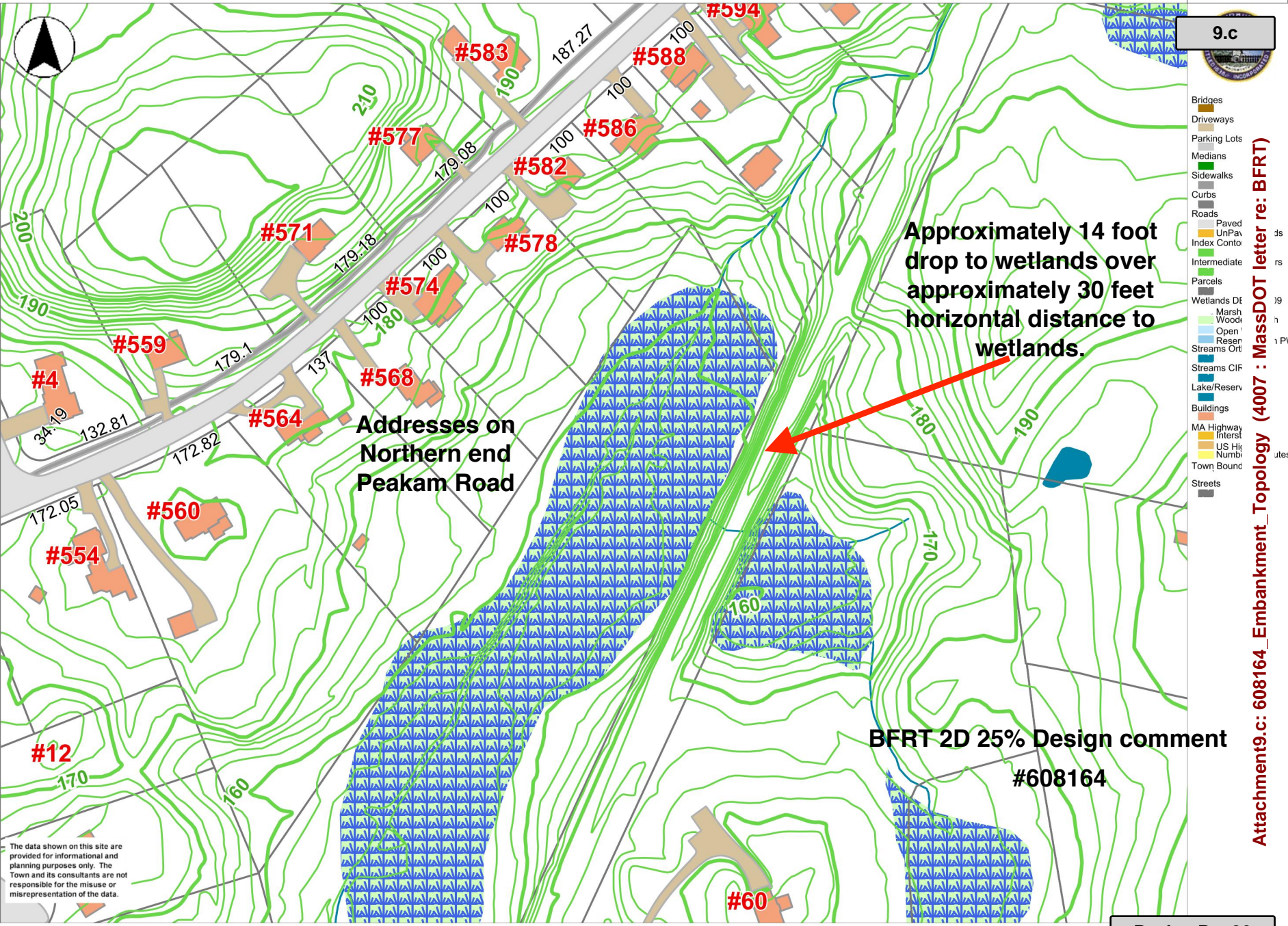
- Construction of the Hudson Road crossing must coordinate with public safety so that public safety vehicles can reliably get past the construction site to Town Center.
- The design presentation proposes a precast concrete arch over the remains of the Pantry Brook trestle. The original trestle was destroyed in 2016 when a beaver dam blocking the flow underneath was precipitately removed, creating a "firehose" as the backed-up water from an extensive lake was forced through the narrow opening under the bridge, destroying the abutments. The proposed design is not clear on what will support the concrete arch, with the statement "and the existing bridge elements, which will be left in place." What is the plan for dealing with future beaver dams and, specifically, are the foundations of the concrete arch susceptible to undermining or failure in a similar situation?
- HAWK beacons are proposed at the North Road (aka Route 117) trail crossing; however, traffic traveling eastbound on North Road approaches the trail crossing by descending approximately 40 feet in elevation over about 730 feet of horizontal distance: roughly a 5.5% grade. Particular care should be used to alert vehicles headed east toward the trail crossing prior to beginning this descent that it may be required to stop to prevent collisions with traffic stopped for trail users. (#608164_NorthRoadCrossing.pdf attached.)
- The statement was made during the presentation that "MassDOT is exempt from review under local bylaws." While not technically part of the 25% design, it would be helpful to state specifically the authority (law or regulation) which grants this exemption.
- It is not possible to evaluate the proposed alternative to the proposed boardwalk, since that has not been made available for review and its feasibility is pending on the ORAD amendment decision. When will the public have the opportunity to comment on the final decision?

Thank you for your willingness to accept public input. We hope these comments will contribute to a better outcome.



- Bridges
- Driveways
- Parking Lots
- Medians
- Sidewalks
- Curbs
- Roads
 - Paved
 - UnPav
 - Index Conto
- Intermediate
- Parcels
- Wetlands Df
 - Marsh
 - Wood
 - Open
 - Reasen
- Streams Orl
- Streams CIF
- Lake/Reserv
- Buildings
- MA Highway Intersect
- US Hw
- Numb
- Town Bound
- Streets

Attachment9.c: 608164_Embankment_Topology (4007 : MassDOT letter re: BFRT)



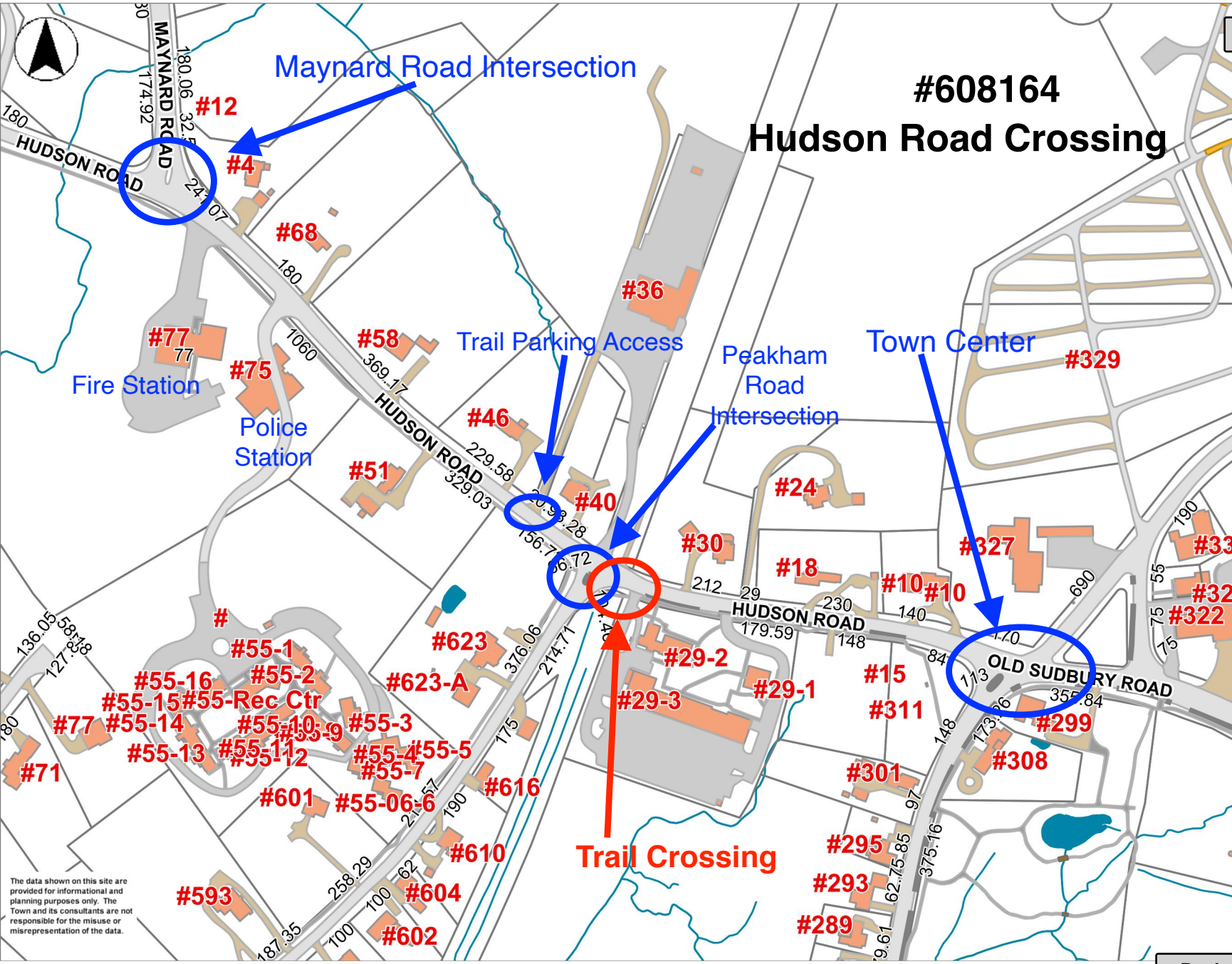
The data shown on this site are provided for informational and planning purposes only. The Town and its consultants are not responsible for the misuse or misrepresentation of the data.



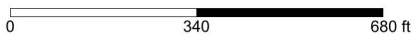
#608164 Hudson Road Crossing

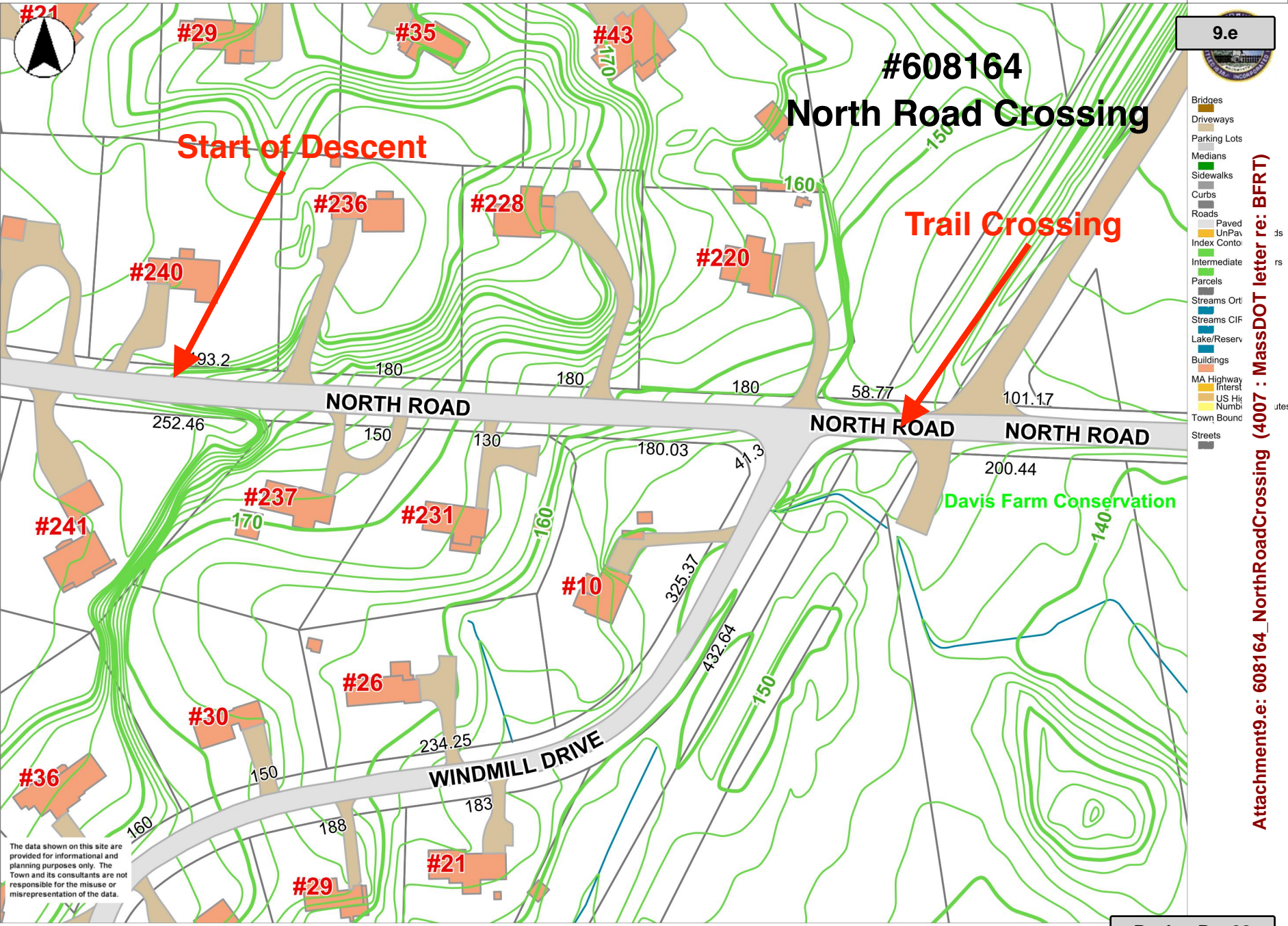
- Bridges
- Driveways
- Parking Lots
- Medians
- Sidewalks
- Curbs
- Roads
- Paved
 - UnPav
- Parcels
- Streams Ortl
- Streams CIF
- Lake/Reserv
- Buildings
- MA Highway Interest
- US Hw Numb
- Town Bound
- Streets

Attachment9.d: 608164_HudsonRoadCrossing (4007 : MassDOT letter re: BFRT)



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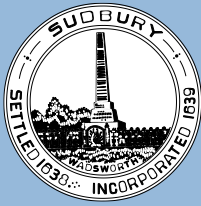




- Bridges
- Driveways
- Parking Lots
- Medians
- Sidewalks
- Curbs
- Roads
 - Paved
 - UnPav
- Index Conto
- Intermediate
- Parcels
- Streams Ort
- Streams CIF
- Lake/Reserv
- Buildings
- MA Highway
- Interst
- US Hig
- Numbi
- Town Bound
- Streets

Attachment9.e: 608164_NorthRoadCrossing (4007 : MassDOT letter re: BFR T)

The data shown on this site are provided for informational and planning purposes only. The Town and its consultants are not responsible for the misuse or misrepresentation of the data.



SUDBURY BOARD OF SELECTMEN

Tuesday, July 28, 2020

MISCELLANEOUS (UNTIMED)

12: Town Manager goals and evaluation

REQUESTOR SECTION

Date of request:

Requestor: Chair Carty

Formal Title: Discussion on Town Manager 90-day check-in, goals and 6-month evaluation

Recommendations/Suggested Motion/Vote: Discussion on Town Manager 90-day check-in, goals and 6-month evaluation

Background Information:
attached process and checklist

Financial impact expected:n/a

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

| | |
|----------------------|---------|
| Patty Golden | Pending |
| Henry L Hayes | Pending |
| Jonathan Silverstein | Pending |
| Daniel E Carty | Pending |
| Board of Selectmen | Pending |

07/28/2020 6:00 PM

From: Tassinari, Michelle (SEC) <michelle.tassinari@state.ma.us>
Sent: Friday, July 24, 2020 1:14 PM
To: Lee S. Smith <LSmith@k-plaw.com>
Cc: 'Klein, Beth' <KleinB@sudbury.ma.us>
Subject: RE: Sudbury Ballot Question Review

Good Afternoon Lee-

The BOS will need to vote the updated language for inclusion on the state election ballot. We will need a new certified vote from the BOS by August 5th.

Michelle

From: Lee S. Smith <LSmith@k-plaw.com>
Sent: Friday, July 24, 2020 12:44 PM
To: Tassinari, Michelle (SEC) <Michelle.Tassinari@sec.state.ma.us>
Cc: 'Klein, Beth' <KleinB@sudbury.ma.us>
Subject: Sudbury Ballot Question Review

Michelle,

The Town of Sudbury recently submitted the Ballot Question below for your review and approval. Today, I received a revised plan of land from the landowner with a new plan date. (The area of land described remains the same.) Accordingly, the Ballot Question below should be revised as shown below. Can you please let me know how to properly revise the Ballot Question submitted from the perspective of your office and please advise as to whether the Board of Selectmen should vote again on the language of the Ballot Question and whether the timing of that may affect the approval of your office. I can be reached at 617-654-1809 if you prefer. Thank you.

-Lee

Attachment10.a: Ballot Question Email_Lee_smith (4032 : Vote CSX ballot question wording)

IN BOARD OF SELECTMEN
July 21, 2020

By Majority Vote: To request, pursuant to the provisions of G.L. c.59, s. 21C, that the Secretary of the Commonwealth include on the ballot for the November biennial state election for use in the Town of Sudbury the following debt exclusion question:

Question 1

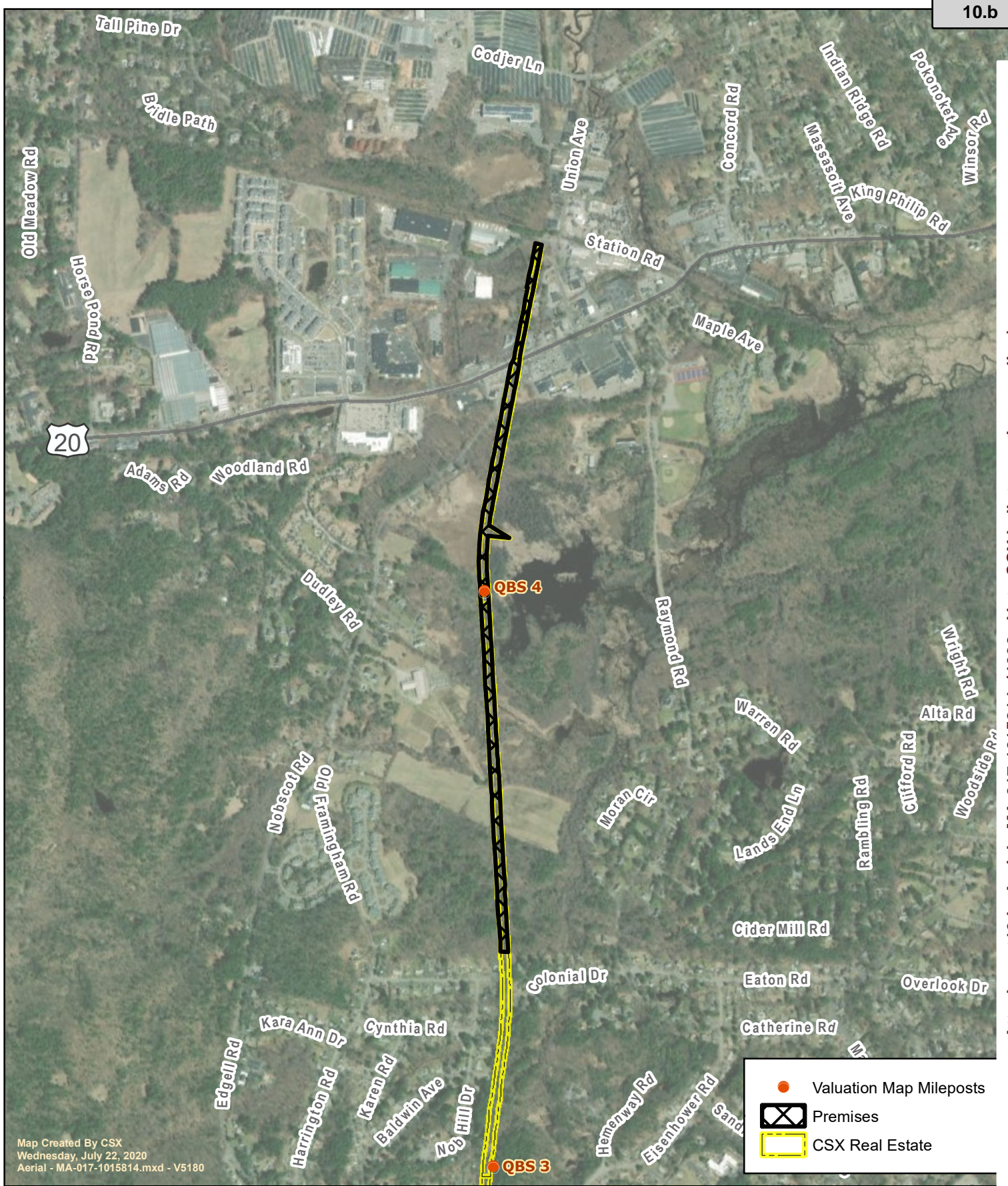
Shall the town of Sudbury be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to acquire the parcel of land shown as Mile Post QBS 3.40 to QBS 4.80 on a Railroad Map dated ~~4/21/2015~~ July 22, 2020 prepared by CSX Transportation, Inc., and a Plan dated July 20, 2020, copies of which are on file with the Town Clerk, consisting of 11.26 acres of land, more or less and any and all incidental and related costs associated therewith?

Yes _____ No _____

A true copy, attest

Beth Klein, Sudbury Town Clerk

Lee S. Smith, Esq.
KP | LAW
101 Arch Street, 12th Floor
Boston, MA 02110

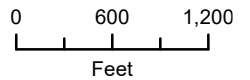


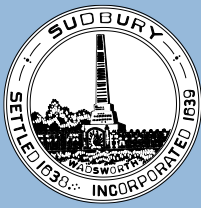
Map Created By CSX
 Wednesday, July 22, 2020
 Aerial - MA-017-1015814.mxd - V5180

Attachment 10.b: Aerial - MA-017-1015814 (4032 : Vote CSX ballot question wording)



SOUTH SUBURY INDUSTRIAL TRACK
SITE: MA-017-1015814
MIDDLESEX COUNTY - FRAMINGHAM, MA
N - NORTHERN - FITCHBURG
MILEPOST: QBS 3.40 - QBS 4.80





SUDBURY BOARD OF SELECTMEN
Tuesday, July 28, 2020

MISCELLANEOUS (UNTIMED)

15: Social Media Policy

REQUESTOR SECTION

Date of request:

Requestor: Chair Carty

Formal Title: Discussion on Board's Social Media Policy

Recommendations/Suggested Motion/Vote: Discussion on Board's Social Media Policy

Background Information:

Attached documents provided by Selectman Dretler

Financial impact expected:

Approximate agenda time requested: 10 minutes

Representative(s) expected to attend meeting:

Review:

| | |
|----------------------|---------|
| Patty Golden | Pending |
| Henry L Hayes | Pending |
| Jonathan Silverstein | Pending |
| Daniel E Carty | Pending |
| Board of Selectmen | Pending |

07/28/2020 6:00 PM

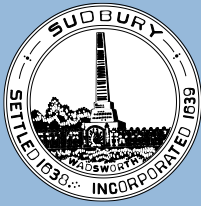
ARTICLE 17. CSX CORRIDOR

To see if the Town will vote to authorize the Board of Selectmen to acquire, by purchase, gift, eminent domain or otherwise, the fee or lesser interest in all or a part of the land shown as Mile Post QBS 3.38 to QBS 4.63 on a Railroad Map dated 4/21/2015 prepared by CSX Transportation, Inc., a copy of which is on file with the Town Clerk, consisting of 11.26 acres of land, more or less, for purposes of acquiring, establishing, constructing, operating and maintaining a multi-use rail trail/bicycle path for open space, conservation, and active recreation purposes, general municipal purposes, and for all other purposes for which rail trails are now or hereafter may be used in the Commonwealth, including leasing for purposes consistent with the use of the property, and to authorize the Board of Selectmen to lease the fee or lesser interest in all or a part of such property; and further to raise and appropriate, transfer from available funds, including the Community Preservation Fund, or borrow a sum of money for the acquisition of such property or interest therein and all incidental and related costs, including but not limited to, costs of title investigations, environmental investigations and other due diligence, closing, and attorneys' fees; and, for such purposes, to authorize the Treasurer with the approval of the Board of Selectmen to borrow a sum of money pursuant to G.L. c.44, §7 and G.L. c.44B, §11 or any other enabling authority, and issue bonds and notes of the Town therefor; and, in the event that Community Preservation funds are used for purposes of acquisition, to authorize the Board of Selectmen to grant a conservation restriction on all or a portion of said property meeting the requirements of G.L. c.184, §§31-33 as may be required in accordance with G.L. c.44B, §12; and further to authorize the Board of Selectmen to execute all instruments, including deeds, easements, leases, and/or other agreements, upon such terms and conditions as the Selectmen deem appropriate, and to take all other action as may be necessary to effectuate the vote to be taken hereunder, or take any other action relative thereto.

BOARD OF SELECTMEN REPORT: Article 17 requests an appropriation to fund the acquisition in fee simple of the 1.4 +/- mile CSX rail corridor that runs roughly from Union Avenue at the Chiswick Park entrance south to the Framingham city line, a total land area of approximately 11.26 acres. The parcel is generally 66-feet wide and is adjacent to significant wetlands, conservation lands, and water supply wells. In addition to water resource and conservation land protection, acquisition of the corridor is a priority for continuing the Bruce Freeman Rail Trail south to Route 20 in Sudbury and then to Framingham. Unlike the other rail corridors in Town, where ownership will be retained by government transportation agencies and leases for use have or may be issued, this corridor is available for outright purchase.

The Town began negotiating with CSX twenty years ago, has come close to acquiring the corridor a number of times since then, and now has permission from the Federal oversight entity, the Surface Transportation Board, to negotiate with CSX until December 2020. With new Federal policy in place, the Surface Transportation Board may not grant additional extensions beyond December and the opportunity to acquire the corridor could be lost.

The CSX Rail Corridor Acquisition project has been awarded \$100,000 in a state and federal Recreational Trails Grant funds, which expire if not spent by December, 2020. Additional grant opportunities are being pursued, but are not certain. These grants are reimbursable, so the request is for the full purchase amount, which will be reimbursed to the extent grant funds are received by the Town.



SUDBURY BOARD OF SELECTMEN
Tuesday, July 28, 2020

PUBLIC HEARING

5: Public Hearing to vote Special Town Meeting

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Open public hearing for discussion and vote whether there is a need for a fall town meeting in accordance with Town Bylaw Article 1 Section 3.

Recommendations/Suggested Motion/Vote:

Background Information:

7:00 PM

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

| | |
|----------------------|---------|
| Patty Golden | Pending |
| Henry L Hayes | Pending |
| Jonathan Silverstein | Pending |
| Daniel E Carty | Pending |
| Board of Selectmen | Pending |

07/28/2020 6:00 PM

TOWN OF SUDBURY TOWN MANAGER EVALUATION FORM

Instructions

A space has been provided for each statement within the performance areas. Check the number which most accurately reflects the level of performance for the factor. If you did not have an opportunity to observe or make a determination on a particular factor, please indicate so in the N/A space. Selectmen are encouraged to provide comments and suggestions, especially concerning significant areas of strength or weakness.

Rating Scale (1-5)

(1) Below Expectations/Unsatisfactory:

The Town Manager's work performance is inadequate and inferior to the standards of performance required for the position.

(2) Meets Some Expectations/Improvement Needed:

The Town Manager's work performance does not consistently meet the standards of the position.

(3) Meets Expectations/Satisfactory/Proficient:

The Town Manager's work performance consistently meets the standards of the position.

(4) Exceeds Expectations/Highly Effective:

The Town Manager's work performance is frequently or consistently above the level of a satisfactory employee.

(5) Excellent/Highly Commendable:

The Town Manager's work performance is consistently excellent when compared to the standards of the job.

| 1. Vision and Community Leadership | 1 | 2 | 3 | 4 | 5 | N/A |
|--|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| a. Demonstrates an understanding of the importance of mission and vision. Takes a leadership role in developing and communicating a vision for the Town. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Works with the Board of Selectmen to develop goals to protect and improve the quality of life of the Town of Sudbury and its core values. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Ensures that the Board’s goals are translated into strategies and action steps leading toward implementation on a timely basis. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d. Creates and facilitates an environment where Town government is open to input and participation, an exchange of ideas, creativity, and responsible experimentation. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Comments: | | | | | | |

| 2. Communications/Public Relationships | 1 | 2 | 3 | 4 | 5 | N/A |
|---|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| a. Projects a positive image in the community. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Communicates the Town’s vision, goals, and accomplishments effectively. Expresses ideas in a logical, forthright manner in written and oral presentations. Communicates effectively with a variety of audiences (e.g., staff, community, media). | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Develops a positive relationship with the press and uses various media, including social media, effectively. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d. Demonstrates an open and transparent approach to sharing information with the community. Is reasonably available to the public and responsive to citizen complaints and requests. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e. Encourages community involvement in Town government and supports the efforts of volunteer citizens. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| f. Maintains contacts with other town administrative leaders throughout the state, through professional organizations and other means, and with state and federal government officials. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Comments: | | | | | | |

Attachment 12.a: TM Eval Checklist (4016 : Town Manager goals and evaluation)

| 3. Board of Selectmen Support/Relations | 1 | 2 | 3 | 4 | 5 | N/A |
|--|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| a. Offers professional advice, including appropriate recommendations and alternatives, based on thorough study and analysis. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Implements the Board of Selectmen’s policies and directives. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Maintains a professional working relationship with the Board of Selectmen, promoting a climate of mutual respect and trust. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d. Keeps Board members informed of issues and activities in Town government and in the community. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e. Works with the Chair to establish an agenda that addresses issues in a timely manner. Provides support materials and sufficient lead time to allow for informed decision-making and policy formation. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| f. Helps the Board use Town Counsel to effectively achieve Town goals. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Comments: | | | | | | |
| 4. Personnel Management | 1 | 2 | 3 | 4 | 5 | N/A |
| a. Establishes procedures and practices for hiring, supervision, promotion, and termination that support the Town and are implemented in a consistent and fair manner. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Effectively leads collective bargaining. Informs and advises the Board of Selectmen as appropriate in matters of collective bargaining and grievance proceedings. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Recognizes, develops, and utilizes the abilities of staff. Encourages participation and shared decision-making with appropriate staff. Develops strong, open, and honest relationships with staff. Effectively delegates tasks and assignments. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d. Develops a meaningful staff evaluation process and opportunities for professional development that contribute to professional growth. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e. Ensures that staff members work effectively with relevant town boards and citizen volunteers, appropriately seeking their input, and are open to public input and participation. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Attachment 12.a: TM Eval Checklist (4016 : Town Manager goals and evaluation)

Comments:

| 5. Financial Management | 1 | 2 | 3 | 4 | 5 | N/A |
|--|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| a. Employs a comprehensive and transparent process of business planning and budgeting. Employs sound fiscal management procedures, techniques, and methods. Develops and maintains a long-term financial plan. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Employs budget forecasting, accounting, and control systems to protect the Town's financial health. Effectively monitors and controls expenditures. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Prepares the annual budget in a timely manner with input from department heads and the Finance Director, in accordance with adopted goals and town-wide needs. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d. Presents budget information to the Board of Selectmen, Finance Committee, the community, and Town Meeting in a manner which promotes full understanding. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e. Pursues alternative funding sources to supplement programs and accomplish established goals. Creatively manages available resources to increase efficiency, productivity, and effectiveness. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Comments:

| 6. General Management and Planning | 1 | 2 | 3 | 4 | 5 | N/A |
|--|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| a. Provides leadership, motivation, and support within the organization. Creates and facilitates an environment for long-range and strategic planning. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Monitors and plans for maintenance, repairs, and improvement of Town facilities, including plans for long-range capital needs. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Supervises and maintains in good order financial, personnel, and other records and documents. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d. Administers the Town in accordance with state and federal laws, rules, and regulations, with Town By-laws, and with Board of Selectmen policies and procedures. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Attachment 12.a: TM Eval Checklist (4016 : Town Manager goals and evaluation)

Comments:

| 7. Personal Qualities and Characteristics | 1 | 2 | 3 | 4 | 5 | N/A |
|--|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| a. Maintains high standards of ethics, honesty, integrity, and sound professional judgement. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Represents the Town in a professional manner at all times. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Displays the ability to be flexible, to manage conflict, to handle crisis, and to adjust to varying situations. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d. Displays creativity and innovation. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e. Maintains a high level of ongoing professional development. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Comments:

| 8. Overall Rating | 1 | 2 | 3 | 4 | 5 | N/A |
|--|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Overall, the Town Manager performs at the following level. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Comments:

TOWN OF SUDBURY EVALUATION PROCESS FOR THE TOWN MANAGER

PREFACE

The Sudbury Board of Selectmen is committed to an evaluation process that is positive, constructive, and measurable in assessing performance. The BOS seeks to provide sound and regular feedback to the Town Manager throughout the year. The purpose of the evaluation instrument is to formally appraise the Town Manager's performance on an annual basis. The BOS will assess the Town Manager's performance in management practices and in the accomplishment of goals. The evaluation process should be implemented with mutual respect for all involved, to assist the Town Manager in reviewing her effectiveness and to work toward the common goal of improving the Town of Sudbury.

PROCESS

The evaluation shall consist of:

SECTION 1: A narrative self-evaluation completed by the Town Manager, addressing major areas of responsibility and progress in meeting the goals agreed upon by the BOS and the Town Manager.

SECTION 2: A composite evaluation based on a checklist of the Town Manager's major areas of responsibilities. Each Selectman will complete an individual checklist review form to evaluate each area. The composite evaluation scoring for each area will be an average of the Selectmen's individual ratings, with each Selectman's score weighted equally. The Town Manager Evaluation Subcommittee will provide a draft summary of the comments provided by the Selectmen for each area, to be approved by the BOS.

SECTION 3: A composite evaluation concerning the Town Manager's progress in meeting the goals agreed upon by the BOS and the Town Manager. Each Selectman will complete an individual narrative concerning the Town Manager's progress in meeting these goals. The Town Manager Evaluation Subcommittee will provide a draft summary of the comments provided by the Selectmen for each goal, to be approved by the BOS.

PROCEDURE AND SCHEDULE

By **October 15** each year, the BOS will establish or update goals for the Town of Sudbury that may be annual or multi-year objectives, with a focus on the following calendar year. Within the context of these goals, the BOS and Town Manager together will outline specific annual goals, for the upcoming calendar year, to assist the Town Manager in identifying her role in implementing the Town goals. The BOS will establish a Town Manager Evaluation Subcommittee to draft these goals. The Town Manager's goals will be established by the end of **November**. The Town Manager also may establish administrative goals for the Town staff.

Throughout the year, individual Selectmen should identify any performance concerns or recommendations and discuss these directly with the Town Manager. Substantial concerns, including any that require corrective action, should be discussed by the BOS in an open session. In any event, the BOS will conduct an informal discussion concerning the Town Manager's performance in **July or August** each year.

To initiate the formal review process, the Town Manager will submit a narrative self-evaluation to the BOS by **March 1** each year, addressing the prior calendar year. Each Selectman will complete an individual Section 2 checklist form and a Section 3 goal narrative and submit these to the Town Manager Evaluation Subcommittee by **March 15**, evaluating the Town Manager's performance for the prior calendar year.

These individual evaluations, combined with information from the Town Manager's self-evaluation, will be compiled by the Subcommittee into a draft composite evaluation. The Subcommittee will then meet with the Town Manager to discuss the draft evaluation. The Subcommittee will submit the draft evaluation to the board by the first BOS meeting in **April**. The BOS will review and approve the evaluation by **April 30** to ensure that those members who have supervised the Town Manager during the preceding calendar year vote on the evaluation. All BOS discussion of the evaluation will occur in an Open Meeting and both individual and composite written evaluations will be available as public records.

The BOS will generally conduct the salary review for the Town Manager in **June** of each year.

FOR 2016: The process for 2016 will be different given that the Town Manager commenced employment on December 1, 2015. In the summer of 2016, the BOS will conduct an informal evaluation discussion with the Town Manager concerning the Town Manager's performance since December 1, 2015. Then, starting in March 2017, the BOS will follow the process described above to evaluate the Town Manager's performance from December 1, 2015, through December 31, 2016.



SUDBURY BOARD OF SELECTMEN
Tuesday, July 28, 2020

MISCELLANEOUS (UNTIMED)

13: Fairbank Forum discussion

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Discussion and possible vote on the Fairbank Community Center Town Forum.

Recommendations/Suggested Motion/Vote: Discussion and possible vote on the Fairbank Community Center Town Forum.

Background Information:

Financial impact expected:

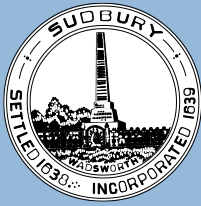
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

| | |
|----------------------|---------|
| Patty Golden | Pending |
| Henry L Hayes | Pending |
| Jonathan Silverstein | Pending |
| Daniel E Carty | Pending |
| Board of Selectmen | Pending |

07/28/2020 6:00 PM



SUDBURY BOARD OF SELECTMEN
Tuesday, July 28, 2020

MISCELLANEOUS (UNTIMED)

21: Vote to adjourn meeting

REQUESTOR SECTION

Date of request:

Requestor: Dan Carty

Formal Title: Vote to adjourn meeting

Recommendations/Suggested Motion/Vote:

Background Information:

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

| | |
|----------------------|---------|
| Patty Golden | Pending |
| Henry L Hayes | Pending |
| Jonathan Silverstein | Pending |
| Daniel E Carty | Pending |
| Board of Selectmen | Pending |

07/28/2020 6:00 PM

ATM 2020 Articles

| # | Article Title | Sponsor/ Submitted by | Article Presenter | BOS Position | FinCom Position | Report BOS position at ATM | Funding Source | Requested Amount | Required Vote | Consent Calendar |
|----|--|--------------------------|----------------------|-----------------|--------------------|-------------------------------------|---------------------|---------------------|------------------------|---------------------|
| | IN MEMORIAM RESOLUTION | | | | | | | | | |
| | FINANCE/BUDGET | | | | | | | | | |
| 1 | Hear Reports | BOS | | | n/a | | n/a | n/a | Majority | |
| 2 | FY20 Budget Adjustments (WITHDRAWN) | BOS | | support | n/a | | n/a | 0 | Majority | |
| 3 | FY21 Budget | Town Mgr | | support | | | Various | \$105,769,693 | Majority | |
| 4 | FY21 Capital Budget | Town Mgr | | support | | | Free Cash | \$722,076 | Majority | |
| 5 | FY21 Transfer Station Enterprise Fund Budget | Town Mgr | | support | 6-0 | | Enterprise Receipts | \$314,927 | Majority | |
| 6 | FY21 Pool Enterprise Fund Budget | Town Mgr | | support | | | Enterprise Receipts | \$464,249 | Majority | |
| 7 | FY21 Recreation Field Maintenance Enterprise Fund Budget | Town Mgr | | support | | | Enterprise Receipts | \$254,704 | Majority | |
| 8 | FY20 Snow & Ice Transfer (WITHDRAWN) | Town Mgr | | | | | n/a | \$0 | Majority | |
| 9 | Unpaid Bills (WITHDRAWN) | Town Accountant | | | | | n/a | n/a | Four-fifths | |
| 10 | Chapter 90 Highway Funding | DPW Director | | 5-0 support | 6-0 | | n/a | n/a | Majority | X |
| 11 | Stabilization Fund | BOS | | support | 8-0 | | Free Cash | \$40,496 | Majority | X |
| 12 | Goodnow Library Services Revolving Fund (new) | Library Director | | 5-0 support | 6-0 | | n/a | n/a | Majority | X |
| 13 | FY21 Revolving Fund limits | BOS | | support | 6-0 | | n/a | n/a | Majority | X |
| 14 | Capital Stabilization Fund | Town Mgr | | support | | | Free Cash | \$250,000 | Majority | |
| 15 | Fund Litigation Costs - Eversource | Town Mgr | | support | 6-0 | | Free Cash | \$150,000 | Majority | |
| 16 | Post-Employment Health Insurance Trust Funding | Town Mgr | | support | 6-0 | | HI Trust Fund | \$211,867 | Majority | X |
| 17 | CSX Corridor | BOS | | | | | Debt Excl | | Two-thirds if borrowed | |
| 18 | Fairbank Community Center Design and Construction Funds | BOS | | | 4-4 | | Debt Excl | \$28,832,000 | Two-thirds if borrowed | |
| 19 | WITHDRAWN | | | | | | | | | |

Attachment 14.a: Copy of Articles list ATM 2020_7.28.20 (4025 : Review Town Meeting articles)

7/28/2020

ATM 2020 Articles

| # | Article Title | Sponsor/ Submitted by | Article Presenter | BOS Position | FinCom Position | Report BOS position at ATM | Funding Source | Requested Amount | Required Vote | Consent Calendar |
|-------------------------|--|--------------------------|----------------------|-----------------|--------------------|-------------------------------------|--------------------------------------|---------------------|------------------------|---------------------|
| 20 | Construction of Housing/Living Addition - Fire Station #2 (WITHDRAWN) | Fire Chief | | | | | n/a | 0 | Two-thirds if borrowed | |
| CAPITAL ARTICLES | | | | | | | | | | |
| 21 | Purchase Fire Dept. Ambulance | Fire Chief | | 5-0 support | 8-0; CIAC 4-0 | | RRA | \$340,000 | Majority | |
| 22 | Dutton Road Bridge Project - Easements | DPW Director | | 4-0 support | | | | | Majority | x |
| 23 | WITHDRAWN | | | | | | | | | |
| 24 | Front End Loader with Plow (WITHDRAWN) | DPW Director | | IP | 8-0 | | n/a | \$0 | Majority | |
| 25 | Roadway Drainage Improvements | DPW Director | | | 8-0 | | Free Cash | \$120,000 | Majority | |
| 26 | Old Sudbury Road Culvert Design | DPW Director | | | 8-0 | | Free Cash | \$100,000 | Majority | |
| 27 | Multi-purpose Sidewalk Tractor (WITHDRAWN) | DPW Director | | IP | 8-0 | | n/a | \$0 | Majority | |
| 28 | Dump Truck with Plow | DPW Director | | | 2-4 | | Free Cash | \$110,000 | Majority | |
| 29 | One-Ton Dump Truck with Plow, Spreader and Wing | DPW Director | | | 2-4 | | Free Cash | \$140,000 | Majority | |
| 30 | 6-Wheel Combo Body Dump Truck with Plow and Spreader | DPW Director | | | 2-4 | | Free Cash | \$260,000 | Majority | |
| 31 | Sudbury Public Schools Surveillance Cameras | SPS Committee | | | 8-0 | | Free Cash | \$261,023 | Majority | |
| 32 | Sudbury Public Schools Playground Improvement | SPS Committee | | | 8-0 | | Free Cash/ grants/old articles | \$333,000 | Majority | |
| 33 | Sudbury Public Schools Non-resident Tuition Fund | SPS Committee | | 5-0 support | 8-0 | | n/a | n/a | Majority | X |
| 34 | Authorize BOS to petition for an additional alcohol pouring license for Meadow Walk development | BOS | | 4-0 support | n/a | | n/a | n/a | Majority | X |
| 35 | Acceptance of Provisions of the Massachusetts Veterans' Brave Act M.G.L. Chapter 59, Sect. 5, clause twenty-second H | Board of Assessors | | 5-0 support | 8-0 | | n/a | Annual RE Tax | Majority | X |
| 36 | Addition of Associate Member to the Historic Districts Commission | HDC | | 5-0 support | n/a | | n/a | n/a | Majority | X |

Attachment 14.a: Copy of Articles list ATM 2020_7.28.20 (4025 : Review Town Meeting articles)

7/28/2020

ATM 2020 Articles

| # | Article Title | Sponsor/ Submitted by | Article Presenter | BOS Position | FinCom Position | Report BOS position at ATM | Funding Source | Requested Amount | Required Vote | Consent Calendar |
|---|---|--------------------------|----------------------|-----------------|--------------------|-------------------------------------|-------------------|---------------------|---------------|---------------------|
| 37 | Amend Zoning Bylaw, Article IX: Remove Section 4800. Temporary Moratorium on Marijuana Establishments and insert Section 4800. Solar Energy Systems | Planning Board | | | n/a | | n/a | n/a | Two-thirds | |
| 38 | Amend Zoning Bylaw, Article IX: Insert Section 5600. Inclusion of Affordable Housing | Planning Board | | | n/a | | n/a | n/a | Two-thirds | |
| CONSERVATION COMMISSION ARTICLES | | | | | | | | | | |
| 39 | Exchange of Real Property - Brimstone lane parcels | ConComm | | support | | | n/a | n/a | Two-thirds | |
| 40 | Transfer Care & Custody of Town-Owned Water Row parcel to Conservation Commission (H11-401) | ConComm | | 5-0 support | | | n/a | n/a | two-thirds | |
| 41 | Transfer Care & Custody of Town-Owned Water Row parcel to Conservation Commission (H11-305) | ConComm | | 5-0 support | | | n/a | n/a | two-thirds | |
| CPC ARTICLES | | | | | | | | | | |
| 42 | Community Preservation Fund - Historic Resource Inventory Survey | CPC | | 5-0 support | 6-0 | | CPA Receipts | \$30,000 | Majority | X |
| 43 | Community Preservation Fund - Removal of Invasive Species from King Philip Woods | CPC | | 5-0 support | 6-0 | | CPA Receipts | \$47,000 | Majority | X |
| 44 | Community Preservation Fund - Design of Wayside Inn Road Bridge over Hop Brook | CPC | | 5-0 support | 0-6 | | CPA Receipts | \$125,000 | Majority | X |
| 45 | Community Preservation Fund - Remediation of Water Chesnuts from Hop Brook Pond System | CPC | | 5-0 support | 6-0 | | CPA Receipts | \$180,000 | Majority | X |
| 46 | Community Preservation Fund - Sudbury Housing Authority Acquisition, Creation, Preservation, and support of Affordable Rental Housing | CPC | | 5-0 support | 6-0 | | CPA Receipts | \$259,000 | Majority | X |
| 47 | Community Preservation Fund - Regional Housing Services Office (RHSO) membership fee | CPC | | 5-0 support | 6-0 | | CPA Receipts | \$30,000 | Majority | X |
| 48 | Community Preservation Fund - Library Historic Room Conversion | CPC | | 5-0 support | | | CPA Receipts | \$150,000 | Majority | X |

Attachment 14.a: Copy of Articles list ATM 2020_7.28.20 (4025 : Review Town Meeting articles)

7/28/2020

Page 3

NS-not support; S-support; IP-Indefinitely Postpone; RTM-Report at Town Meeting

Packet Pg. 47

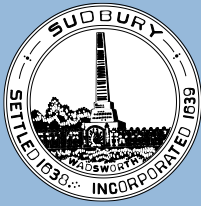
ATM 2020 Articles

| # | Article Title | Sponsor/ Submitted by | Article Presenter | BOS Position | FinCom Position | Report BOS position at ATM | Funding Source | Requested Amount | Required Vote | Consent Calendar |
|--------------------------|--|--------------------------|----------------------|-----------------|--------------------|-------------------------------------|-------------------|---------------------|-------------------------|---------------------|
| 49 | Community Preservation Fund - Reversion of Funds | CPC | | 5-0 support | 6-0 | | n/a | \$46,333 | Majority | X |
| 50 | Community Preservation Fund - General Budget and Appropriations | CPC | | 5-0 support | 6-0 | | CPA Receipts | \$2.59M | Majority | X |
| PETITION ARTICLES | | | | | | | | | | |
| 51 | Acquire ¼ mile of CSX Corridor (Station Rd to Rt 20) | Simon | | | | | | 300,000 | Two-thirds. If borrowed | |
| 52 | Expedite completion of BFRT | Simon | | | | | n/a | n/a | Majority | |
| 53 | Bicycle safety road signs | Porter | | 3-2 support | | | n/a | n/a | Majority | |
| 54 | Cost/benefit study on burying overhead utility lines | Pathak | | | | | n/a | n/a | Majority | |
| 55 | Polystyrene reduction | LS students | | 4-1 support | | | BOH supports | n/a | Majority | |
| 56 | Checkout bag charge | LS students | | 4-1 support | | | BOH supports | n/a | Majority | |
| 57 | Disposable plastic pollution reduction bylaw (straws & stirrers) | LS students | | 4-1 support | | | BOH supports | n/a | Majority | |

Attachment 14.a: Copy of Articles list ATM 2020_7.28.20 (4025 : Review Town Meeting articles)

7/28/2020

Page 4



SUDBURY BOARD OF SELECTMEN
Tuesday, July 28, 2020

MISCELLANEOUS (UNTIMED)

15: Social Media Policy

REQUESTOR SECTION

Date of request:

Requestor: Chair Carty

Formal Title: Discussion on Board's Social Media Policy

Recommendations/Suggested Motion/Vote: Discussion on Board's Social Media Policy

Background Information:

Attached documents provided by Selectman Dretler

Financial impact expected:

Approximate agenda time requested: 10 minutes

Representative(s) expected to attend meeting:

Review:

| | |
|----------------------|---------|
| Patty Golden | Pending |
| Henry L Hayes | Pending |
| Jonathan Silverstein | Pending |
| Daniel E Carty | Pending |
| Board of Selectmen | Pending |

07/28/2020 6:00 PM

From: Dretler, Janie
 Sent: Friday, July 24, 2020 8:20:35 AM
 To: Hayes, Henry
 Subject: Re: Selectmen's agenda 7/28/20

Hi Henry - Yes, here are links to various town social media policies as well as a news article and link to KP Law article. – Janie

A number of towns have adopted social media policies for their employees, boards and/or committees:

Carver:

https://www.carverma.gov/sites/g/files/vyhlf4221/f/uploads/social_media_code_of_conduct.pdf

Easton:

https://www.easton.ma.us/boards_and_committees/resources_for_committee_members/docs/Social_Media_Policy_board_commissions.pdf

Hubbardston:

<https://www.hubbardstonma.us/sites/g/files/vyhlf3276/f/uploads/socialmediapolicy.pdf>

Sandwich:

<https://www.sandwichmass.org/DocumentCenter/View/4720/Social-Media-Policy---Policy-11>

Templeton:

https://www.templetonma.gov/sites/g/files/vyhlf3911/f/file/file/social_media_policy-draft.pdf

Warren:

https://www.warren-ma.gov/sites/g/files/vyhlf3996/f/uploads/social_networking_policy.pdf

Wellfleet:

https://www.wellfleet-ma.gov/sites/g/files/vyhlf5166/f/file/file/29a_social_media_policy_adopted_2015-09-22.pdf

Westborough:

https://www.town.westborough.ma.us/sites/g/files/vyhlf5176/f/uploads/social_media_policy_2.pdf

West Boylston:

https://www.westboylston-ma.gov/sites/g/files/vyhlf1421/f/news/policy_j-2_-_draft_update_social_media_policy.pdf

A couple of articles about the subject:

<http://www.k-plaw.com/wp-content/uploads/2017/01/Open-Meeting-Law-and-Social-Media-Potential-Pitfalls.pdf>

<http://wilmington.wickedlocal.com/news/20170406/social-media-use-presents-opportunities-challenges-for-massachusetts-communities>

Selectmen Policies, Rules and Regulations

It is recognized that in order to operate efficiently and as a unit, a board shall have a system of policies to direct its decisions and actions.

Section 1. Procedural 3

Code of Conduct of the Board of Selectmen 3

Code of Conduct for Town of Sudbury Committees Whose Members are appointed by the Sudbury Board of Selectmen or the Sudbury Town Manager 5

Meeting Policy 6

Town Counsel Policy 7

Policy on Remote Participation 10

APPOINTMENT POLICY 13

SELECTMEN'S LIAISON AND WORK ASSIGNMENTS 14

Citizen Comment Procedure 15

Sudbury Board of Selectmen's Office Hours 16

EVALUATION PROCESS FOR THE TOWN MANAGER 17

PREFACE 17

PROCESS 17

PROCEDURE AND SCHEDULE 17

Section 2. Board of Selectmen Financial Management Policies 17

Introduction 17

Operating Budget Policy 17

Revenue Policy 18

Expenditure Policy 19

Reserves and Risk Management Policy 20

Capital Budgeting and Planning Policy 20

Debt Management Policy 21

Protection of Credit Rating Policy 22

Free Cash Policy 22

Section 3 Regulatory 23

Parade Policy..... 23

Alcohol Rules and Regulations 24

Fee Schedules..... 34

Regulations for Temporary Business or Industrial Trailers 36

LICENSING OF OUTDOOR AMUSEMENTS POLICY 38

FLAG CODE 39

TRAFFIC CONTROL SIGNS POLICY 40

FEE SCHEDULE..... 44

Section 4 Operational..... 48

Transfer Station..... 48

Section 5. General 57

CITATIONS AND PROCLAMATIONS..... 57

Memorial Bench Program 59

PURCHASE CONTRACTS..... 60

Community Event Signs on Town Property..... 61

Safe Community Policy..... 62

Minutes Policy..... 62

Ballot Question Policy 63

SAMPLE SOCIAL MEDIA POLICY..... 65

LANGUAGE POLICY..... 73

Town of Sudbury Donation Policy 74

Attachment15.b: draft social media policy (4015 : Social Media Policy)

SAMPLE SOCIAL MEDIA POLICY

I. INTRODUCTION

The [City/Town] of _____ permits departments to utilize social media sites and social networking sites (collectively “social media sites”) to further enhance communications with its residents and various stakeholders in support of [City/Town] goals and objectives. [City/Town] officials and [City/Town] departments have the ability to publish articles, facilitate discussions and communicate information through such media to conduct official [City/Town] business. Social media sites facilitate further discussion of [City/Town] government business, operations and services by providing members of the public the opportunity to participate in many ways using the Internet.

This policy sets forth general guidelines that must be adhered to with respect to utilization of social media sites for official [City/Town] purposes. Questions regarding this Policy should be directed to _____ [insert title of appropriate official]. These guidelines may be supplemented by more specific administrative procedures and rules as may be issued. Furthermore, this Policy may be amended from time to time, and is meant to be read in conjunction with all other applicable policies and procedures of the [City/Town] of _____.

II. DEFINITIONS

1. “Social media sites” and “social networking sites” refer to websites that facilitate user participation, networking, and collaboration through the submission of user generated content. Social media in general includes tools such as: blogs, wikis, microblogging sites, such as Twitter; social networking sites, such as Facebook and LinkedIn; video sharing sites, such as YouTube; and bookmarking sites such as Del.icio.us.

2.A “social media identity” is a specific user identity or account that has been registered on a third party social media site.

3. A “blog” (an abridgement of the term web log) is a [City/Town] of _____ website with regular entries of commentary, descriptions of events, or other material such as graphics or video.

4. A “moderator” is an authorized [City/Town] of _____ official (appointed or elected) or employee, who reviews, authorizes and allows content submitted by the [City/Town] officials, employees and public commentators to be posted to a [City/Town] of _____ social media site or sites.

III.POLICY

1.All [City/Town] social media sites shall be:

- a) approved by _____ [insert title of appropriate official]; and
- b) published using social media platform and tools approved by the Information Technology Department (“IT”).

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2. The official posting for the [City/Town] will be done by _____ [insert title of appropriate official] or their designee.

3. Departments have the option of allowing employees to participate in existing social media sites as part of their job duties, or allowing employees to create social media sites as part of their job duties. Department Heads may allow or disallow employee participation in any social media activities in their departments.

4. All [City/Town] social media sites shall adhere to applicable state, federal and local laws, regulations and policies including the Public Records Law, Public Records retention schedules, Open Meeting Law, Copyright Law and other applicable [City/Town] policies.

5.Public Records Law and e-discovery laws and policies apply to social media content. Accordingly, such content must be able to be managed, stored and retrieved to comply with these laws. Furthermore, once such content is posted on a social media site, it should stay posted, unless it is removed for one of the reasons set forth below in paragraph Numbers 10 or 11, or it is changed to fix spelling or grammar errors.

6. All social media sites and entries shall clearly indicate that any content posted or submitted is subject to public disclosure.

7. Each [City/Town] social media site shall include an introductory statement which clearly specifies the purpose and topical scope of the blog and social media/network site. Where possible, social media sites should link back to the official [City/Town] of _____ Internet site for forms, documents and other information.

8. Each [City/Town] social media site shall indicate to users that the site is subject to a third party's website Terms of Service. Furthermore, each [City/Town] social media site shall indicate that: the social media site provider could collect personal information through user's use of the social media site; and that this personal information may be disseminated by the third party; and that such dissemination may not be governed or limited by any state, federal or local law or policy applicable to the [City/Town].

9. All social media sites shall clearly indicate they are maintained by the [City/Town] of _____ and shall have the [City/Town] of _____ contact information prominently displayed.

10. The [City/Town] reserves the right to restrict or remove any content that is deemed in violation of this policy or any applicable law.

11. [City/Town] social media content and comments containing any of the following forms of content shall not be allowed for posting:

a) Comments or content not topically related to the particular site or blog article being commented upon;

b) Profane, obscene, or vulgar language or content;

2

c) Comments or content that promotes, fosters or perpetuates discrimination on the basis of race, color, gender, gender identity, national origin, religion, ancestry, age, sexual orientation, disability, maternity leave, genetic information, or active military status;

d) Comments or content that is threatening or harassing;

e) Sexual comments, content, or links to sexual content;

f) Conduct or encouragement of illegal activity;

- g)Information that may tend to compromise the safety or security of the public or public systems;
- h)Content that violates a legal ownership interest of any other party;
- i)Protected health information;
- j)Personnel information; or
- k)Other information that is not public record or is otherwise privileged from public disclosure.

12. All [City/Town] social media moderators shall be trained regarding the terms of this policy, including their responsibilities to review content submitted for posting to ensure compliance with the policy.

13. Where appropriate, [City/Town] IT security and/or computer use policies shall apply to all social media sites and articles.

14. Officials (elected or appointed) and employees representing the [City/Town] via social media sites must conduct themselves at all times as a representative of the [City/Town] and in accordance with all applicable rules, regulations, and policies (including personnel policies) of the [City/Town] of _____ . See Section IV, Employee Guidelines for Use of Social Media Sites.

15. No [City/Town] or department social media site can endorse or otherwise cite (either with approval or disapproval) vendors, suppliers, clients, citizens, co-workers or other stakeholders.

16. Employees found in violation of this policy may be subject to disciplinary action, up to and including termination of employment.

IV. EMPLOYEE GUIDELINES FOR USE OF SOCIAL MEDIA SITES

1. Electronic Communications and Computer Usage Policy. All employees are responsible for understanding and following the [City/Town]'s Electronic Communications and Computer Usage Policy, in addition to this Policy.

2.First Amendment Protected Speech. Although the [City/Town] can moderate the social media sites that accept comments from the public (such as blogs and wikis) to restrict speech that is obscene, threatening, discriminatory, harassing, or off topic, employees cannot use the moderation function to restrict speech with which the [City/Town] merely disagrees (i.e. subject matter restrictions). Users have some First Amendment rights in posting content to public social media sites hosted by municipalities. Moderators must respect those rights by posting all comments other than those excluded for specific legitimate reasons, as referenced above.

3

3. Copyright Law. Employees must abide by laws governing copyright and fair use of copyrighted material owned by others. Never reprint whole articles or publications without first receiving written permission from the publication owner. Never quote an excerpt of someone else's work without acknowledging the source, and, if possible, provide a link to the original.

4. Conflict of Interest. Employees are prohibited from using social media to engage in any activity that constitutes a conflict of interest for the Town or any of its employees, as defined by G.L. c. 268A.

5. Protect Confidential Information. Never post legally protected personal information that you have obtained from the [City/Town] (e.g., information that is not public record under the Public Records Law, G.L. c.66, §10 and G.L. c. 4, §7(26), or whose dissemination is restricted under applicable Federal or State privacy laws or regulations). Ask permission to publish or report on conversations that occur within the [City/Town]. Never post information about policies or plans that have not been finalized by the [City/Town], unless you have received explicit permission from your supervisor to post draft policies or plans on the department's social media sites for public comment.

6. Consider Your Content. As informal as social media sites are meant to be, if they are on a government domain or a government identity, they are official government communications. Social media sites will be sought out by mainstream media – so a great deal of thought needs to go into how you will use the social media in a way that benefits both the [City/Town] and the public. Employees should not comment about rumors, political disputes, or personnel issues, for example.

7. Handling Negative Comments. Because the purpose of many social media sites, particularly department blogs and wikis, is to get feedback from the public, you should expect that some of the feedback you receive will be negative. Some effective ways to respond to negative comments include:

- a) Providing accurate information in the spirit of being helpful;
- b) Respectfully disagreeing; and
- c) Acknowledging that it is possible to hold different points of view.

8. Respect Your Audience and Your Coworkers. Do not use ethnic slurs, personal insults, obscenity, or engage in any conduct that would not be acceptable in your department's workplace. Do not be afraid to be yourself, but do so respectfully. This includes not only the obvious (no ethnic slurs, personal insults, obscenity, threats of violence, etc.) but also proper consideration of privacy and of topics that may be considered objectionable or inflammatory— such as party politics and religion. Do not use your department's social media presence to communicate among fellow [City/Town] employees. Do not air your differences with your fellow [City/Town] employees on your department's social media's sites.

9. Use the Social Media Site or Identity Only to Contribute to your Department’s Mission. When you contribute to your department’s social media site or identity, provide worthwhile information and perspective that contribute to your department’s mission of serving the public. What you publish will reflect on the [City/Town]. Social media sites and identities should be used in a way that contributes to the [City/Town]’s mission by:

4

- a) Helping you and your co-workers perform their jobs better;
- b) Informing citizens about government services and how to access them;
- c) Making the operations of your department transparent and accessible to the public; d) Creating a forum for the receipt of candid comments from residents about how government can be improved; and
- e) Encouraging civic engagement.

10. Mistakes. The [City/Town] policy is that once something is posted, it should stay posted. Only spelling errors or grammar fixes should be made without making the change evident to users. If you choose to modify an earlier post, make it clear that you have done so—do not remove or delete the incorrect content; provide the correct information and apologize for the error. Ways to accomplish this include:

- a) Strike through the error and correct; or
- b) Create a new post with the correct information, and link to it from the post you need to correct or clarify.

Either method is acceptable. In order for the social media identity or site to achieve transparency, the [City/Town] cannot change content that has already been published without making the changes clearly evident to users.

11. Media Inquiries. [City/Town] or department social media identities or sites may lead to increased inquiries from the media. If you are contacted directly by a reporter, you should refer media questions to _____ [insert title of appropriate official].

12. Personal Comments. Make it clear when you are speaking for yourself as a resident or stakeholder, and not on behalf of the [City/Town] of _____. If you publish content on any website of the [City/Town] and it has something to do with the work you do or subjects associated with the [City/Town], use a disclaimer such as this: “The postings on this site are my own and don’t necessarily represent the [City/Town]’s positions or opinions.”

13. Employee or Official Profile. If you identify yourself as a [City/Town] employee or official, ensure your profile and related content is consistent with how you wish to present yourself to colleagues, residents and other stakeholders.

14. Defamation. Be aware that employees acting in their individual capacity (not on behalf of the [City/Town]) are not immune from defamation claims. Under Massachusetts law, defamation is established by showing that the defendant published a false, non-privileged statement about the plaintiff to a third party that either caused the plaintiff economic loss or was of the type that is actionable without proof of economic loss. Some statements, like imputation of a crime, are defamatory per se. Avoid statements that may be interpreted as defamatory.

15. Records Retention. Social media sites will contain communications sent to or received by [City/Town] officials and employees, and are therefore Public Records. Ensure that the [City/Town] or department retains a copy of the social media content in accordance with Public Records Retention Schedules. Review the third party social media service provider’s terms of service for its record retention practices. Note that while third party social media providers will

5

most likely save your content for some period of time, they generally will not save it indefinitely. To the extent their policies are inconsistent with Public Records Retention Schedules, the [City/Town] or department should retain copies of social media posts such as by printing or otherwise storing periodic “snapshots” of the social media sites.

16. Open Meeting Law. Be aware of the Open Meeting Law and possible violations for improper deliberations outside of a posted meeting. A series of individual postings on a social media site cumulatively may convey the position of a quorum of a governmental body regarding a subject within its jurisdiction, and may constitute improper deliberation among the members of a board or committee.

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6

SOCIAL MEDIA POLICY

This acknowledges that I have received and reviewed the Social Media Policy, with attachments, of the [City/Town] of _____ (“Policy”). By signing this form, I agree to abide by the Policy and any Guidelines promulgated thereunder, and I agree to review periodically any changes or modifications. I

Attachment 15.b: draft social media policy (4015 : Social Media Policy)

recognize that the law and associated Policy regarding use of Social Media are continually evolving. Therefore, I understand that my regular review of this Policy, as it may be amended, is required.

Print Name: _____

Signature: _____

Date: _____

To be included in employee's personnel file.

DRAFT

Attachment15.b: draft social media policy (4015 : Social Media Policy)



C: 1

OPEN MEETING LAW AND SOCIAL MEDIA – POTENTIAL PITFALLS

Attachment 15.c: Social Media pitfalls (4015 : Social Media Policy)

The Open Meeting Law and Social Media — Potential Pitfalls

The Open Meeting Law (OML) prohibits a quorum of a public body from deliberating outside of a properly posted public meeting about matters within the jurisdiction of that body. When the OML was revised in 2010, “deliberation” was expressly defined to include exchanges by email. There is ample precedent from the Attorney General’s Division of Open Government (“Division”) that a violation of the OML occurs when a quorum emails about official business. It is less clear, however, how the OML applies to social media, such as Facebook, Twitter or Instagram, where communication is typically less direct. In fact, there are an ever increasing number of social media formats that leave a record of written posts or other communications that could lead to OML violations. While there is no clear answer, members of multiple member bodies should approach the issue proactively, exercising caution to avoid social media exchanges that could result in a written exchange between a quorum of members in violation of the OML.

The Division found a violation of the OML when one board member sent an email to the other members expressing her opinion on a matter within the jurisdiction of that board, even though none of the other members responded. See OML 2012-93. In that case, the Division concluded that a single member had violated the OML by sharing her opinion with a quorum outside of a posted meeting. Trying to anticipate how this ruling would apply to exchanges on social media, consider the result if a board member posts a comment on her Facebook page concerning a pending application for a permit, and a majority of her fellow board members are Facebook “friends”. Is the fact that a quorum may have read the post enough to violate the OML? In the only formal determination concerning a Facebook post, the Division found no violation when a board of selectmen chairman posted an opinion on a matter before the board on his Facebook page, but the Division also specifically noted that the other Selectmen did not follow the chairman on Facebook. See OML 2013-27. This holding suggests that the Division could have found a violation if the other board members had access to each other’s Facebook pages, and that such a finding would have been even more likely if the other members posted comments in response to the original post.

Community social media platforms are often a constructive means for residents to exchange opinions and share ideas, and elected or appointed municipal board members may wish to similarly share their expertise, insight, and opinions. The Division recognizes that certain action taken by members of a multiple-member body may be “political” in nature, and has concluded that discussions between members of a public body may not violate the OML if they relate to a political statement. See OML 2012-10. However, the Division cautions that members of a board or committee must be “conscious, when formulating such statements, of the need to limit discussion to the political statement and avoid discussing matters that are within the public body’s jurisdiction”. The repercussions for making a mistake in this regard are potentially severe, ranging from an order that all posts be made part of a meeting record, to invalidating a vote or decision made by a board, or even imposing a fine for repeat offenses.

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While the Division has not yet issued much formal specific guidance on this topic, here are some issues members of a public body should consider when using social media:

1. The safest course is to avoid “friending” or “following” members of your board or committee, and further to refrain from commenting on “friends of friends” posts on other members’ pages or sites as to any matter within the jurisdiction of your board or committee.
2. If you do choose to “friend” or “follow” other members, avoid posting with respect to applications, hearings or other specific matters that are pending or likely to be pending before your board. Note that in addition to avoiding OML issues, this proactive approach will also protect the public body from a charge that the body has violated the due process rights of the applicant.
3. If you do choose to post concerning municipal matters, such posts should be made in a broad fashion so as to address the remarks to the public, i.e., all followers or “friends”, rather than targeting just fellow board members. We anticipate that the Division would look to whether the member’s comments were intended to reach the quorum, similar to an email addressed to a quorum, as opposed to reaching everyone with access to the social media site. In other words, while simply posting a comment may not violate the OML, even if a quorum of board members are “friends”, calling them out in the post, and/or sending a direct message, would be likely to do so.
4. If you see a post from a fellow board member on a specific pending matter, do not write a comment or reply in any way. If needed, you may request that the chair include the topic on the notice for a properly posted meeting.
5. Comments made to a closed listserv format, where the member is presumably aware that their fellow board members will “receive” the comments, if challenged, would likely pose a significant risk of a violation for improper deliberation.

In summary, members of boards and committees do not cede all of their first amendment rights when they take office. However, great caution should be exercised when using any social media platform to discuss matters within a board member’s official jurisdiction, particularly if the board member is “connected” with a quorum of members of their multiple-member body. Such “discussions” occurring in the context of a public hearing or other quasi-judicial process may also create a very real risk of due process claims. Finally, if social-media statements are made by elected or appointed officials concerning municipal matters, ensure that it is clear such statements are made in the political context, such as using a “campaign” page or the like.

Please contact Attorney Brian W. Riley (briley@k-plaw.com) or any member of the firm’s Government Access and Information Group at 617.556.0007 with further questions on the Open Meeting Law and social media.

Disclaimer: This information is provided as a service by KP Law, P.C. This information is general in nature and does not, and is not intended to, constitute legal advice. Neither the provision nor receipt of this information creates an attorney-client relationship with KP Law, P.C. Whether to take any action based upon the information contained herein should be determined only after consultation with legal counsel.

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TOWN OF EASTON SOCIAL MEDIA POLICY
FOR APPOINTED AND ELECTED BOARD/COMMITTEE MEMBERS

Acknowledgment of Receipt of Policy

I acknowledge receipt of this *Social Media Policy for Appointed and Elected Board/Committee Members*, and that I have read it. I understand that all social media usage and all information transmitted by, received from, or stored in these systems are the property of the Town. I also understand that I have no expectation of privacy in connection with the use of the Town's electronic communications or with the transmission, receipt or storage of information in these systems. I acknowledge and consent to the Town monitoring my use of its electronic communications at any time, at its discretion. Such monitoring may include reviewing Internet websites visited, including social media sites, printing and reading all e-mail entering, leaving or stored in these systems, and/or reviewing all documents created or downloaded. I understand that all e-mail messages are subject to the Town's e-mail deletion and retention procedures.

Name (Print)

Signature

Date

Witness

Approved by Board of Selectmen 9/12/16

TOWN OF EASTON SOCIAL MEDIA POLICY
FOR APPOINTED AND ELECTED BOARD/COMMITTEE MEMBERS

Social Media Policy

I. Policy:

A. **Introduction.** The Town of Town of Easton (the “Town”) depends upon an environment of tolerance and respect for the achievement of its goals in serving the citizens of the Town.

B. **Purpose.** The purpose of this policy is to provide notice to appointed and elected board and committee members that their use of social media must conform to the law and this policy. This policy is designed to promote and govern the professional and personal use of social media in a responsible manner and to avoid uses that can: (1) breach confidentiality by revealing protected information about the Town, its citizens, or its employees; (2) expose the Town to liability for behavior that may be harassing, offensive, or maliciously false; or (3) interfere with productivity and/or ability to perform the duties and responsibilities as Officials of the Town.

II. Definitions:

1. The Town: Town of Easton.
2. Official: An individual who holds office in the Town, whether elected or appointed.
3. Social Media: Online forums in which individuals participate in the exchange of ideas, messages, and content, including but not limited to, blogs, microblogs, and social networking sites (e.g., Facebook, LinkedIn, Twitter).
4. Electronic Media: All forms of electronic communication, transmission, or storage, including but not limited to, websites and any content contained therein or related thereto.

III. General Provisions:

A. While Officials may maintain and use personal web pages and websites, blogs, microblogs, social networking sites and other forms of social media while off-duty, their status as Officials of the Town requires that the content of any postings on those social media sites or other web pages not be in violation of existing Town by-laws, policies, directives, rules or regulations. The Town’s image as a professional organization comprised of professionals is critical to maintaining the respect of its constituents. Although the Town recognizes that Officials may choose to express themselves by posting personal information upon electronic media sites through personal websites, social networking sites, blogs, microblogs, chat rooms, or other electronic means or by making comments upon electronic sites hosted by other persons, groups or organizations, this right of expression should not interfere with the operation of the Town. That is, although the Town acknowledges its Officials have the First Amendment right to free speech, the right is not absolute and extends only to matters of public concern. Therefore, Officials should exercise caution with respect to comments they post, particularly those concerning the Town and the business of the Town.

Approved by Board of Selectmen 9/12/16

**TOWN OF EASTON SOCIAL MEDIA POLICY
FOR APPOINTED AND ELECTED BOARD/COMMITTEE MEMBERS**

B. This section describes acceptable and unacceptable uses of all social media by Officials. Officials should use their best personal judgment when using any form of social media and must ensure that their use does not violate this or any other Town policy.

C. Use of social media is also subject to the Town's Computers and Communications Policy, Sexual Harassment Policy, and Harassment of Individuals in Protected Classes Policy, as well as the Town's other policies and standards of conduct, rules, regulations, and by-laws.

D. All use of social media is subject to the following conditions:

1. There is no guarantee of privacy for electronic communications through Town systems or equipment. The Town reserves the right to review and/or monitor all electronic records and communications, at any time, with or without notice, including individual user folders and other information stored on the Town's electronic communications systems. In accessing the Internet, including social media sites, users should assume that all connections and sites visited using the Town's network will be monitored and recorded. This examination helps to ensure compliance with Town policies, assists when internal investigations must be conducted and supports the management of the Town's information systems. Use of the Town's electronic communication devices including, but not limited to, Town-issued email accounts, Internet services, Intranet, Town-owned lap tops and computers provided for remote use, and computer software constitutes acceptance of such monitoring. Content maintained electronically is also subject to the Public Records Law.
2. All Officials are expected and required to conduct themselves in a manner consistent with the Town's policies and standards of conduct.
3. Officials must not reveal any confidential or privileged information about the Town, its constituents, or its contractors. Officials must be particularly careful to protect against the inadvertent disclosure of confidential information.
4. Officials must not harass others in contravention of the Town's Computers and Communications Policy, Sexual Harassment Policy, and Harassment of Individuals in Protected Classes Policy, regardless of the time, place, form, or manner in which the information is posted or transmitted. Comments may be deemed to violate this Policy even if the Town's name or the name(s) of any individual is not specifically referenced.
5. Officials should be honest and accurate when posting information or news, and if they make a mistake must correct it quickly. Officials should not post any information or rumors they know to be false about the Town, its

TOWN OF EASTON SOCIAL MEDIA POLICY
FOR APPOINTED AND ELECTED BOARD/COMMITTEE MEMBERS

employees, constituents, officials, suppliers, vendors, contractors or any other entities or individuals.

6. Officials may express only their personal opinions and should never represent themselves as a spokesperson for the Town, their board or committee unless designated to do so. If the Town is a subject of the content created by an Official, the Official should be clear and open about the fact that he/she is an Official of the Town and should make it clear that his/her personal views do not represent those of the Town, or its employees, officials, suppliers, vendors, or any other agent of the Town unless designated to do so. Officials who publish blogs or other online posts related to their role with the Town should make clear that they are not speaking on behalf of the Town (unless designated to do so). Further, an Official's decision to express their personal opinions does not alleviate their responsibility as an Official to take appropriate action under the circumstances, which may include, but not be limited to, taking action themselves or reporting an issue to a supervisor.
7. Officials must also recognize that posting content regarding Town-related matters may result in the violation of the Open Meeting Law. Officials should consult the Open Meeting Law Guide provided to them by the Town Clerk's Office for more information. Town Counsel may also be consulted subject to the prior approval of the Town Administrator.
8. Officials are expressly prohibited from using social media to engage in any activity or conduct that violates federal, state, or local law (e.g., software or data piracy, child pornography, etc.).
9. Officials are prohibited from using social media to engage in any activity that constitutes a conflict of interest.
10. Officials are generally not authorized to provide employee references and are prohibited from using any review or recommendation feature or system on a social media site (e.g., LinkedIn) to post reviews or other comments about employees.
11. Officials must be mindful that residents, property owners and others appearing before Town boards or committees come from all walks of life. Public comments, in any forum, that contain racial slurs, express bigotry toward a group based on their race, religion, national origin, sexual orientation, gender, gender identity or any other legally protected classification shall be considered conduct unbecoming a Town Official and shall constitute good cause for removal for any appointed Official.

**TOWN OF EASTON SOCIAL MEDIA POLICY
FOR APPOINTED AND ELECTED BOARD/COMMITTEE MEMBERS**

E. The Town encourages anyone who uses social media in contravention of this policy to be honest and admit the error as soon as it occurs. Although errors cannot always be erased, prompt notification can make a significant difference in the Town's ability to correct or remedy the issue.

F. Beyond the above general provisions, appointed and elected board/committee members are strongly encouraged to consider the impact of their statements before making them. The Town strives to be professional in its operations and processes. Posts that suggest a likelihood of more or less favorable treatment toward any individual or group of individuals, e.g., based upon race, gender, national origin, sexual orientation, reflects poorly on the individual making an inappropriate statement as well as the Town and its citizens. Further, comments suggesting such treatment can expose the Town to liability and legal costs. All are strongly encouraged to carefully consider their comments before posting them.

IV. Complaints or Problems of Misuse:

Should any Official receive or become aware of a violation of this policy, the Official should report the violation to the Grievance Officer as soon as possible. The current Grievance Officers are Connor Read and Mary Southworth, both of whom can be reached at the Town Offices located at 136 Elm Street, North Easton, MA 02356, (508) 230-0510.

The Town prohibits taking action against anyone for reporting a possible violation of this Policy or for cooperating in an investigation.

V. Questions:

Anyone who is unsure whether a particular posting or contribution to online social media violates this policy is encouraged to ask the Town Administrator.

VI. Discipline.

Violation of this Policy may constitute good cause for removal of appointed Officials under the Town Charter. Elected officials may be subject to a request for their resignation, public censure or reprimand or a recall petition in accordance with the Town Charter. A failure to enforce this Policy does not constitute a subsequent waiver of any violation of this Policy. This Policy shall be read and interpreted in conjunction with all other Town policies and procedures.

TOWN OF EASTON SOCIAL MEDIA POLICY
FOR APPOINTED AND ELECTED BOARD/COMMITTEE MEMBERS

Acknowledgment of Receipt of Policy

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Name (Print)

Signature

Date

Witness

Attachment15.e: Social Media Policy from Easton 2020 (4015 : Social Media Policy)

Approved by Board of Selectmen 9/12/16

Town of Maynard Code of Ethics – Enforcement Process

- Once a Public Official (“Official”) is aware that a fellow Official has violated the Code of Ethics (“Code”), that Official shall notify the Chair of the Board of Selectmen (“Board”) in writing.
- Such notice must include a sufficiently detailed factual statement of the underlying conduct and the specific provision(s) of the Code that the Official is alleged to have violated.
- Upon receipt of such notice, the Chair shall at his/her earliest convenience investigate further to determine:
 - (1) Whether the alleged conduct can be substantiated; and if so,
 - (2) Whether such conduct appears to have violated the Code.¹
- Before making any of the foregoing determinations, the Official being accused of violating the Code will be given an opportunity to present to the Chair any exculpatory evidence and otherwise defend him/herself against the allegation(s).
- If the Chair determines that there is a sufficient basis upon which to determine that the Official has violated the Code and the Board could so reasonably find, the Chair shall report said findings to the Board.
- After notice is given to the Official who has allegedly violated the code, the Chair shall place the matter on an Agenda to be discussed by the Board. The Board shall determine, following consideration of the evidence presented by the Chair and information received and/or presented by the Official:
 - (1) Whether the alleged conduct is substantiated by the evidence presented; and if so,
 - (2) Whether such conduct violated the Code;² and if so,
 - (3) Which of the penalties set forth in Section 16 of the Code will be imposed.
- Each of the foregoing determinations shall require a majority vote of the Board.
- The Board may thereafter determine that the penalties set forth in Section 16 of the Code shall be imposed as follows:

¹ This determination is *not* limited to the provisions cited in the original written notice to the Board.

² This determination is *not* limited to the provisions cited in the original written notice to the Board.

- (1) The penalty shall be reduced to a writing that consists of:
 - a. A sufficiently detailed factual statement of the underlying conduct;
 - b. An explanation of how the Board substantiated such conduct;
 - c. An explanation of how, by engaging in such conduct, the Official violated the Code;³ and
 - d. An explanation as to why the penalty is appropriate.
- (2) The writing, once approved by majority vote and signed by the Chair or, if the Chair is the Official at issue, then another member of the Board, shall be read to the violating Official by the Board.

³ The explanation must include the specific provisions that the Official violated.

Preamble

To ensure that the Citizens and businesses of Maynard have a fair, impartial, ethical, and accountable local government that is effective and responsive to the needs of the people and each other and that has the Citizens' full confidence in the integrity of the Town's government, the Board of Selectmen has adopted this Code of Ethics (hereinafter referred to as "Code"). As such, the Town of Maynard hereby requires that its elected and appointed public officials:

- Comply with both the letter and spirit of laws and policies affecting the Town Government;
- Be independent, impartial, and fair in judgment and action;
- Work for the public good and not personal gain;
- Conduct public deliberations and processes openly, unless legally confidential; and
- Conduct all discussions and debate in an atmosphere of respect and civility.

This Code of Ethics applies to all elected and appointed public officials (hereinafter referred to as "Officials").

1. Actions in the Public Interest

Recognizing that stewardship of the public interest must be their primary concern; Officials will work for the common good of the citizens of Maynard and not for any private interest or personal gain. Official shall provide fair and equal treatment of all persons, claims, and transactions that come before them.

2. Compliance with the Law

Officials shall comply with the Laws of the United States, the State of Massachusetts, and the Town of Maynard in the performance of their public duties. These Laws include, without limitation, the United States and Massachusetts State constitutions and statutes; the Town of Maynard's Bylaws, and Policies; and the Town of Maynard Special Acts and laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities, and open processes of government, all of which are hereby incorporated herein by reference and made applicable.

3. Conduct of Members

The professional and personal conduct of Officials must be above reproach and must avoid any appearance of impropriety. Officials shall refrain from abusive conduct, from making personal charges or disparaging remarks, or from verbal attacks upon the character or motives of members of Town boards, committees, or commissions; of Town staff; of Town citizens; or of each other.

4. Respect for the Process

Officials shall perform their duties in accordance with the processes and rules of order established by their respective boards, committees, or departments. Each Official shall be committed to respect the democratic process that encourages meaningful involvement of the public and that governs the deliberation of public policy issues in the Town of Maynard. Officials should strive to thoughtfully consider the opinions and recommendations of other Officials, citizens, and town staff appearing before them and shall remain respectful in all interactions with these individuals. Officials shall have no legal authority outside of their respective boards, committees, or departments unless such authority has been lawfully delegated to them.

5. Conduct of Public Bodies

Officials who are members of a public body shall prepare themselves for open discussion of public issues, shall listen courteously and attentively to all public discussions before the body, and shall focus on the business at hand. Such Officials shall refrain from unnecessarily interrupting other speakers, from making personal comments not germane to the business of the body, and from otherwise interfering with the orderly conduct of meetings. The chairs of public bodies shall use their best efforts to ensure that the public who attend such meetings adhere to the same standards of conduct in this Code of Ethics as outlined for Officials

Such Officials pledge their respect to the public and each other. Such Officials asks the public to conduct themselves in a respectful, courteous manner, both with the Town's public bodies and with fellow members of the public. Should any member of a public body or any member of the public fail to observe this charge at any time, the Chair will ask the offending person to leave the meeting until that individual regains personal control. Should decorum fail to be restored, the Chair will recess the meeting until a genuine commitment to this charge is observed.

6. Conflict of Interest

Officials shall avoid any situation that may give rise to an actual or perceived conflict of interest. Where circumstances give rise to an actual or perceived conflict of interest, Officials who are members of a public body shall not participate in the deliberation of that matter unless the member has appropriately disclosed the situation and there has been a determination by the public body that the member's participation is appropriate. Additionally, any member who believes that any fellow member has an actual or perceived conflict with any agenda item before their public body, shall disclose that interest.

Once disclosure has been made as provided above or the issue of conflict has been raised relative to a member, the public body shall review the facts and shall vote on whether or not such member has a financial interest or a special interest with respect to the agenda item concerned. All conflict-of-interest questions relating to a particular agenda item shall be resolved prior to any consideration of the item concerned, and each member shall be entitled to vote on all actual or perceived conflict-of-interest questions except those questions pertaining to that member's alleged conflict of interest.

Once a member is determined to have a conflict of interest with respect to any agenda item, the member shall move to the area of the room occupied by the general public. The member shall not return to their regular seat as a member of the body until deliberation and action on the item has been completed.

7. Gifts and Favors

Officials shall not take advantage of services or opportunities for personal gain made available to them because of their position. Officials shall refrain from accepting or presenting gifts, favors, or promises of future benefits that compromise the dispassionate and impartial execution of their duties, or that might give the appearance of the same.

8. Confidential Information

No Official shall, without proper legal authorization, discuss or disclose confidential information concerning the property, personnel, government or affairs of the Town, nor shall any member use such information to advance the private or financial interests of himself or herself or members of his or her immediate family. Officials shall not discuss the privileged knowledge, executive sessions, or confidential business of any board, committee, or commission with unauthorized parties, either orally or in writing. For purposes of this subsection, "confidential information" shall mean any information, oral or written, which comes to the attention of or is available to such Official due to his or her position with the Town and is not a matter of public record. Information received and discussed by a public body during executive session shall be considered within the constraints of this section and shall not be disclosed to any party unless permitted by affirmative vote of a majority of such body.

9. Use of Public Resources

Officials shall not use public resources not available to the general public for private gain or for personal purposes such as Town staff time, equipment, supplies or facilities.

10. Representation of Third-party Interests

As stewards of the public interest, Officials shall not represent the interests of third parties before any Town board, committee, or commission, nor shall they appear before any of these bodies on behalf of the interests of third parties on matters related to the areas of service of these bodies. Nothing herein shall be construed to prohibit an Official from representing his or her own personal interest, or the interest of immediate family, by appearing before any Board on any item.

11. Advocacy

Officials shall represent the official policies and positions of the Town when designated as delegates for this purpose to the best of their ability. When presenting personal opinions and positions, Officials shall explicitly state that these opinions and positions do not represent their public body, commission, committee, department, or the Town of Maynard and make all reasonable efforts to prevent any perception to the contrary.

12. Respect for and Adhere to Town Administrator Structure of Government

Officials shall respect and adhere to the Town Administrator Structure of Town government. The Board of Selectmen shall determine the policies of the Town, with advice, information, and analysis provided by Town staff, by the Town's boards, committees, and commissions, and by the Citizens.

13. Independence of Boards, Committees, and Commissions

Officials shall refrain from using their positions to unduly influence the deliberations or outcomes of any board, committee, or commission proceeding.

14. Positive Workplace Environment

Officials shall endeavor to provide positive and constructive workplace environment for Town employees and for citizens and businesses dealing with the Town. Officials shall recognize their special role when dealing with Town employees and shall in no way create the perception of inappropriate direction of staff.

15. Implementation

This Code of Ethics shall be included in the orientation materials of all newly elected and appointed Public Officials. Upon adoption hereof, and then at the time of Officials entering office, said Officials shall sign a statement acknowledging they have received, read and understand the Town of Maynard's Code of Ethics. This Code of Ethics shall be reviewed annually by the Board of Selectmen, which shall consider updates to the Code as necessary.

16. Compliance and Enforcement

This Code sets forth the standards of conduct required of the Town of Maynard's Public Officials. The Officials themselves have the primary responsibility for ensuring that such standards are understood and met, and that the public can continue to have full confidence in the integrity of the Town government. The Chair of the Board of Selectmen has the responsibility for intervening when Officials

appear to have violated of the Code. In instances where the Chair appears to be in violation of the Code, any remaining Board of Selectmen member may act in his/her place.

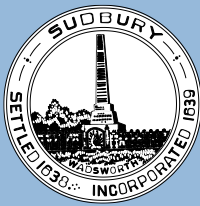
In addition to any other penalties or remedies as may be provided by law, the Board of Selectmen may intervene and counsel Officials whose conduct does not comply with the Code's standards.

When an Official has violated the code, penalties may range from a letter of reprimand by the Board, to a censure, to a request for resignation, or to removal. All penalties shall require a majority vote of the Board of Selectmen before being imposed upon the Official determined to have violated the code.

A violation of this Code shall not constitute a basis for challenging the validity of a decision made by any Town board, committee, commission, or department, but may be used as a basis for reconsideration.

17. Separability

If any section, subsection, sentence clause or phrase of this Code is for any reason held to be invalid or unconstitutional, such validity or unconstitutionality shall not affect the validity of the remaining portions of this Code of Ethics. Adopted by the Board of Selectmen, _____, 2020.



SUDBURY BOARD OF SELECTMEN

Tuesday, July 28, 2020

EXECUTIVE SESSION

1: Exec session to discuss CSX

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Open in regular session and immediately vote to enter executive session to consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body, pursuant to General Laws chapter 30A, §21(a)(exception 6) with respect to the Sudbury portion of the CSX rail corridor.

Recommendations/Suggested Motion/Vote: Open in regular session and immediately vote to enter executive session to consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body, pursuant to General Laws chapter 30A, §21(a)(exception 6) with respect to the Sudbury portion of the CSX rail corridor.

Background Information:
attached

Financial impact expected:

Approximate agenda time requested: 60 minutes

Representative(s) expected to attend meeting: Beth Suedmeyer, Environmental Planner

Review:

| | |
|----------------------|---------|
| Patty Golden | Pending |
| Henry L Hayes | Pending |
| Jonathan Silverstein | Pending |
| Daniel E Carty | Pending |
| Board of Selectmen | Pending |

07/28/2020 6:00 PM

Select Board Project Tracking Policy

(DRAFTED by Bill Schineller 2020-07-28)

Proposed language

Select Board Project Tracking Policy

On a quarterly basis, the Select Board shall revisit a current list of ongoing, significant Projects with the Town Manager.

The current list of significant Projects shall be determined by vote of the Select Board. In general, designation as a significant Project shall be a function of factors such as:

- Financial impact (including direct and indirect expense and revenue impact)
- Impact on town services (including public safety, education, recreation, housing)
- Impact on town character and natural resources (including historic, open space, water)

Triggers for consideration of adding a project to the list of ongoing, significant Projects shall include but are not limited to:

- Appropriations voted at Town Meeting exceeding a dollar threshold (e.g. the dollar threshold above which Select Board approval is required to approve contracts)
- Litigation whose outcome could have significant impact on the town
- Large items in the 5 year capital forecast

The goals, status, and timeline of each ongoing, significant Project shall be concisely summarized and made easily available for public inspection (such as posted in a prominent location on the town website). Non-public details which may have a detrimental effect on the negotiating position of the public body (as determined by the Board in Executive Session) may be omitted or redacted.

The most recent, concise summary per project shall be posted near the top of the Project “page” to include:

- Date project was first voted “Significant” by the Board
- Goal statement of the project
- Target completion date (original target, current target)
- Sequenced list of project milestones / dates
 - Original estimates
 - Current estimates
- Estimated costs to complete
 - Original estimates
 - Current estimates

- Sequenced list of funding sources
 - Current summary of expenditures against those funds
- Risk statement (what could cause project to not be successfully completed on time, on budget)
- Risk mitigation statement (what is being done to minimize the likelihood of each risk)

The project page for each significant Project shall also include organized links and attachments to relevant public documents and materials created or received by the Town.

KPIs and Project Status

2020 Select Board Goal

BOS 2020 Goal #4

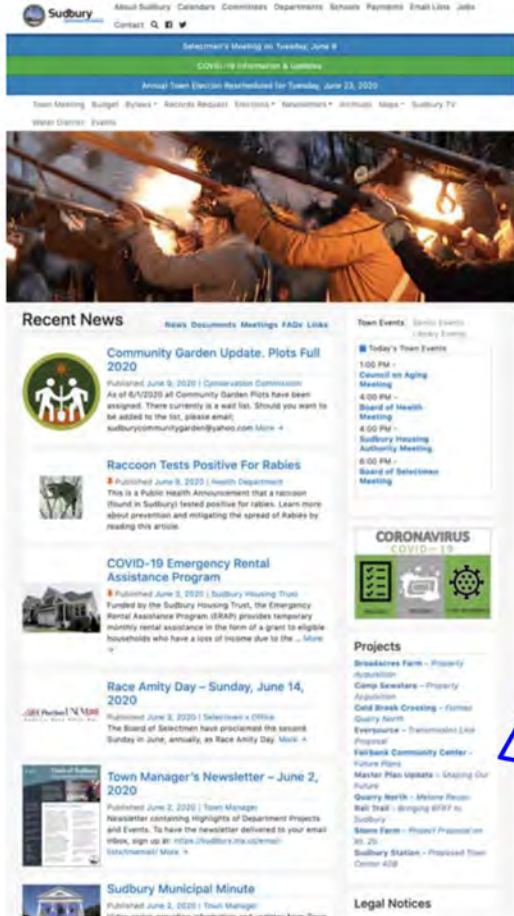
Goal: Develop Project Management Review, Control, and Reporting Process

Deliverable: Development of BOS policy. Project Key Performance Indicators and identification of metrics & milestones.

| BOS GOALS 2020 | | | | | | |
|---|---|-------------|----------------|-----------------|---|--|
| Goal | Primary Category | Total Score | Priority Level | Board Liason | Staff Liason | 2020 deliverable |
| Town Manager Search Completion | Effective Governance and Communication | 15 | High | Dan Carty | Maryanne Bilodeau | New Town Manager hired. |
| Fairbank Community Center | Town Services and Infrastructure | 14 | High | Jen Roberts | Town Manager/Bill Barletta/Deb Galloway/P&R Director/Dennis Keohane | New Fairbank Center - Warrant Article at May 2020 Town Meeting and Special Election. |
| Regional High School Agreement/Budgeting | Effective Governance and Communication | 8 | High | Pat Brown | Town Manager/Dennis Keohane | Secure Counsel to review agreement; Meeting between Sudbury BOS and Lincoln BOS. Dialogue with Legislators regarding regional budgeting. |
| Develop Project Management Review, Control, and Reporting Process | Effective Governance and Communication | 7 | High | Bill Schineller | Town Manager | Development of BOS policy. Project Key Performance Indicators and identification of metrics & milestones. |
| | Effective Governance and Communication | 7 | High | Bill Schineller | Town Manager | Fire Station 3 Upgrade to accommodate 3rd ambulance |
| Upgrade Fire Station 2 (Advanced Life Support Ambulance, Living Quarters) | Town Services and Infrastructure | 6 | High | Pat Brown | John Whalen/Bill Barletta | Warrant Article at May 2020 Town Meeting and Special Election. |
| Bruce Freeman Rail Trail | Open Space, Recreation, and Historic Assets | 5 | High | Janie Dretler | Beth Suedmeyer/Town Manager | Complete 25% Design; hire consultant for 75/100% Design. |
| CSX Rail Acquisition | Open Space, Recreation, and Historic Assets | 4 | | Jen Roberts | Beth Suedmeyer/Town Manager | CSX Rail Acquisition - Warrant Article at May 2020 Town Meeting. |
| School Administration Space Needs (Fairbank) | Town Services and Infrastructure | 4 | | Bill Schineller | Town Manager/Bill Barletta/Deb Galloway/P&R Director | Contingency plan for SPS Adm. needs (if the Fairbank Community Center Warrant Article doesn't pass). |

| | | | | | | |
|--|---|--|---|---------------|---|--|
| | Component of the Tax Levy, economic development, user fees, etc.) | Financial Management & Economic Resilience | 1 | Jen Roberts | Town Manager/Adam Duchesneau/Dennis Keohane | Assess if we are maximizing opportunities to diversify town revenue streams. |
| | Membership in Vocational Education | Town Services and Infrastructure | 1 | Dan Carty | Town Manager/Dennis Keohane | Define who is responsible for Voc Ed and choose membership school. |
| | Improve Communication Effectiveness | Effective Governance and Communication | 1 | Janie Dretler | Town Manager | Conduct communications survey; continue to expand upon communication channels so as to reach maximum amount of citizens. Push out agendas to subscribers of various committees. Periodically review communication metrics and results. Timely updating of department websites. Survey effectiveness of new newsletter delivery. Solve to post public agendas on Fridays. |

Are These Projects On Track?



Projects

- Broadacres Farm – Property Acquisition
- Camp Sewataro – Property Acquisition
- Cold Brook Crossing – Former Quarry North
- Eversource – Transmission Line Proposal
- Fairbank Community Center – Future Plans
- Master Plan Update – Shaping Our Future
- Quarry North – Melone Reuse
- Rail Trail – Bringing BFRT to Sudbury
- Stone Farm – Project Proposal on Rt. 20
- Sudbury Station – Proposed Town Center 40B

Attachment 16.b: Project Status and KPIs (4017 : Discussion

Example: Bruce Freeman Rail Trail

Bruce Freeman Rail Trail (BFRT) Design Project (BFRT, Phase 2D, MassDOT ID 608164)

Budget Summary

To date, the Town has appropriated (through Town Meetings) \$1,182,492.15 towards the BFRT design. Once the current contracts with VHB and Jacobs are completed, the estimated remainder of 2016 TM and 2018 STM funding will remain to complete the final design phase.

BFRT Project Design Account Balances and Contracts

| Active BFRT Accounts | | |
|---|-----------------------|---|
| Funding Source | Appropriation | Note |
| 2014 Town Meeting (for 25%) | \$202,492.15 | 25% Design |
| Donation Friends of BFRT (for 25%) | \$58,700.00 | 25% Design |
| 2016 Town Meeting (for advancing design) | \$330,000.00 | Jacobs Contract of \$146,700, which leaves \$183,300 for 75/100% Design |
| 2018 Special Town Meeting (for advancing design) | \$650,000.00 | 75/100% Design |
| TOTAL | \$1,241,192.15 | |
| Contracts | | Amount |
| 25% VHB Original | | \$261,000.00 |
| 25% VHB Amendments | | \$30,550.00 |
| 25% Structural - Jacobs | | \$146,700.00 |
| 25% Jacobs Amendment | | \$36,675.00 |
| Anticipated 75/100% Contract | | \$833,300.00 |
| Funding source for amendments were Planning, DPW, and Town Manager Budgets. | | |

As you know, the Project is on the Boston MPO Transportation Improvement Program (TIP) for construction funding in federal fiscal year 2022. In May of 2019, the revised construction funding amount approved by the MPO was \$9,334,137. The current estimated advertising date, our target final design date, is in December 2021. The project design must be "shovel ready" by October 2022 to take advantage of the state and federal funds for construction.

25% Design

Jacobs Engineering was contracted in August 2018 to prepare the 25% structural design and Bridge Sketch Plans. They have developed the geotechnical data collection plan (approved by MassDOT and the Conservation Commission), contracted with the boring sub-consultant, submitted the draft type selection worksheet for the boardwalk to MassDOT for comment, and are developing the sketch plans for Hop Brook. Additionally, a hydrological survey was conducted at Pantry Brook to inform the flood analysis and structural design. The boring work will begin and be completed in August resulting in the Geotechnical Report and Sketch Plans being submitted to MassDOT in September. A brief estimated schedule is outlined below.

Jacobs Structural Design Schedule

| GEOTECHNICAL TASKS | Approximate Schedule |
|--|----------------------|
| Preconstruction Meeting | Week of July 29 |
| Geotechnical Borings Start | Week of August 5 |
| Geotechnical Borings End | Week of August 19 |
| Soil Samples Analyzed and Tested and Final Environmental Monitoring Report submitted | Week of September 14 |
| Geotechnical Report Submitted | Week of September 23 |
| STRUCTURAL TASKS | |
| Sketch Plans Prepared | Week of September 14 |
| Sketch Plans Submitted to MassDOT | Week of September 23 |
| MassDOT REVIEW (could take 3 – 6 months) | End of 2019 |
| MassDOT DESIGN PUBLIC HEARING | Early 2020 |

Final Design

The remaining phases of the design, as designated for a MassDOT project, are the 75% design and the 100% phases. The 75% design activities include development of the special provision and itemized cost

Next Topic: Key Performance Indicators (KPIs)

Problem to be Solved: What Services is Sudbury delivering for our tax dollars?

GENERAL FUND BUDGET SUMMARY

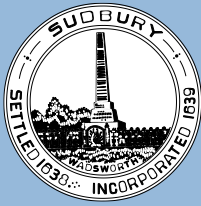
| | FY19 | FY20 | FY21 | Percentage |
|--|-------------------|--------------------|--------------------|--------------|
| EXPENDITURES | Actual | Budgeted | Recommended | Increase |
| Education - Sudbury Public Schools (SPS) | 38,309,355 | 38,535,653 | 39,608,834 | 2.78% |
| Education - LS Regional High School (LS) | 24,762,716 | 25,808,881 | 26,712,280 | 3.50% |
| Education - Vocational | 461,426 | 615,000 | 550,000 | -10.57% |
| General Government | 3,085,214 | 3,143,637 | 3,175,064 | 1.00% |
| Public Safety | 8,472,123 | 8,924,924 | 9,199,461 | 3.08% |
| Public Works | 5,146,416 | 5,460,288 | 5,607,520 | 2.70% |
| Human Services | 746,973 | 871,110 | 906,383 | 4.05% |
| Culture & Recreation | 1,327,814 | 1,422,707 | 1,462,889 | 2.82% |
| Town-Wide Operating and Transfers | 212,237 | 483,845 | 486,352 | 0.52% |
| Total Town Departments | 82,524,274 | 85,266,045 | 87,708,783 | 2.86% |
| Town Debt Service | 3,100,625 | 3,110,425 | 3,613,379 | 16.17% |
| Employee Benefits (Town and SPS) | 11,718,431 | 12,716,315 | 13,672,255 | 7.52% |
| OPEB Trust Contribution (Town and SPS) | 540,249 | 610,249 | 680,249 | 11.47% |
| Total Operating Budget | 97,883,579 | 101,703,034 | 105,674,666 | 3.91% |
| Capital Budget (Tax Levy) | 403,224 | 800,000 | 947,076 | 18.38% |
| TOTAL EXPENDITURES: | 98,286,802 | 102,503,034 | 106,621,742 | 4.02% |

Performance Measures:

| Description | 2017 | 2018 | 2019 |
|---|-------|-------|-------|
| Number of Students | 1,667 | 1,633 | 1,588 |
| Number of Faculty | 165 | 165 | |
| Percentage of Class of 2017 Attending a 2 or 4 year College | 94% | 98% | |
| Percentage of Students participating in co-curricular activities. | 85% | 85% | |

Consolidated Financial Information:

| | FY19 | FY20 | FY21 |
|--------------------------------------|-------------------|-------------------|-------------------|
| | Actual | Appropriated | Recommended |
| LS Regional High School | | | |
| Sudbury Operating Assessment | 23,864,710 | 24,923,953 | 25,846,224 |
| Sudbury Debt Assessment | 564,892 | 549,861 | 529,571 |
| Sudbury OPEB Normal Cost Assessment | 333,114 | 335,067 | 336,485 |
| Total LS Regional High School | 24,762,716 | 25,808,881 | 26,712,280 |



SUDBURY BOARD OF SELECTMEN
Tuesday, July 28, 2020

MISCELLANEOUS (UNTIMED)

13: Fairbank Forum discussion

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Discussion and possible vote on the Fairbank Community Center Town Forum.

Recommendations/Suggested Motion/Vote: Discussion and possible vote on the Fairbank Community Center Town Forum.

Background Information:

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

| | |
|----------------------|---------|
| Patty Golden | Pending |
| Henry L Hayes | Pending |
| Jonathan Silverstein | Pending |
| Daniel E Carty | Pending |
| Board of Selectmen | Pending |

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Warrant Schedule

September 12-13, 2020 Annual Town Meeting LSRHS Field

State Primary Election Sept. 1, 2020 Presidential/State Election/Special Town Election Nov. 3, 2020

July

| S | M | T | W | T | F | S | |
|----|----|----|----|----|----|----|--|
| | | | 1 | 2 | 3 | 4 | |
| 5 | 6 | 7 | 8 | 9 | 10 | 11 | July 14 – BOS votes to call Annual Town Meeting for Sept date. |
| 12 | 13 | 14 | 15 | 16 | 17 | 18 | July 14 - Also vote to place ballot questions (Fairbank and CSX) on state ballot |
| 19 | 20 | 21 | 22 | 23 | 24 | 25 | |
| 26 | 27 | 28 | 29 | 30 | | | July 28 – sign ATM warrant and send to printer (if ready) |

August

| S | M | T | W | T | F | S | |
|----|----|----|----|----|----|----|---|
| | | | | | | 1 | August 4 - DROP DEADLINE TO SIGN ATM WARRANT and send to print |
| | | | | | | | Aug 5 – deadline for state to <u>receive</u> ballot questions for 11/3 election |
| 2 | 3 | 4 | 5 | 6 | 7 | 8 | Aug 11 – BOS signs state primary election warrant |
| 9 | 10 | 11 | 12 | 13 | 14 | 15 | Aug 21 – Last day to register for 9/1 state primary |
| 16 | 17 | 18 | 19 | 20 | 21 | 22 | Aug 22 – 28 Early Voting |
| 23 | 24 | 25 | 26 | 27 | 28 | 29 | Aug 25 – posting deadline for state primary election warrant (9/1) |
| 30 | 31 | | | | | | Aug 26 – last day to register to vote at ATM |

September

| S | M | T | W | T | F | S | |
|----|----|----|----|----|----|----|---|
| | | 1 | 2 | 3 | 4 | 5 | Sept. 1 State primary election |
| 6 | 7 | 8 | 9 | 10 | 11 | 12 | Sept 4 ATM Warrant posting deadline |
| 13 | 14 | 15 | 16 | 17 | 18 | 19 | Sept. 12-13 Annual Town Meeting at LS field |
| 20 | 21 | 22 | 23 | 24 | 25 | 26 | Sept. 18 – deadline to post notice of proposed ballot questions and request for written pro/con arguments (for 11/3 special election) |
| 27 | 28 | 29 | 30 | | | | Sept. 29 – BOS signs 11/3 STE/state election warrant and sends STE warrant to print |

October

| S | M | T | W | T | F | S | |
|-------|----|----|----|----|----|----|---|
| | | | | 1 | 2 | 3 | |
| 4 | 5 | 6 | 7 | 8 | 9 | 10 | Oct 17–30 Early Voting |
| 11 | 12 | 13 | 14 | 15 | 16 | 17 | Oct 23 – Last day to register for state election 11/3 |
| 18 | 19 | 20 | 21 | 22 | 23 | 24 | Oct 27 - STE/state election warrant posting deadline for 11/3 election |
| 25 | 26 | 27 | 28 | 29 | 30 | 31 | Oct. 27 – Also deadline to submit ballot question pro/con to Town Counsel |
| Nov 1 | 2 | 3 | 4 | 5 | 6 | 7 | Nov. 3 state election/ special town election |

KEY: Yellow- SB meeting; Blue – holiday; Red – important date/deadline

Attachment 17.a: WARRANT SCHEDULE SEPT 2020 ATM (4026 : Ballot question "pro" and "con" discussion)

Board of Selectmen Ballot Question Policy

Chapter 180 of the Acts of 1996 requires the Sudbury Board of Selectmen to provide registered voters the following information for any ballot question submitted solely to Town voters (other than a ballot pursuant to M.G.L. ch.53, §18A): (1) the full text of such question; (2) a fair and concise summary of such question; and (3) arguments for and against such question. See Attachment.

Further requirements include the following:

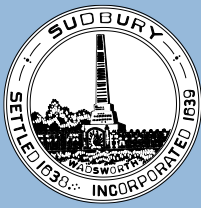
- The required information is to be sent to the voters at least 7 days before such an election.
- The Board of Selectmen, or when designated, Town Counsel, shall seek written arguments from the principal proponents and opponents of each question.
- The Board of Selectmen shall designate a date for receipt for such arguments and shall provide notice of such 14 days before the date arguments are to be received.
- The Board of Selectmen shall determine those best able to present the arguments for and against each question.
- If no argument is received within the time allowed, Town Counsel shall prepare such argument.
- No argument shall contain more than 250 words.

The requirements of this law will be implemented as follows for any ballot questions to be submitted for an Annual Town Election or a Special Town Election.

- Notice of proposed ballot questions and a request for written arguments for and against the questions will be posted on the Town website at least or 46 days before the election **plus additional days as needed to allow Board of Selectmen meetings for actions listed below.** The Board of Selectmen will also reach out to relevant parties including petitioners for citizen questions and ballot question committees.
- The Board of Selectmen will determine those persons best able to present the arguments for and against each question in an open meeting. In the absence of submission, Town Counsel will prepare the argument.
- Written arguments for and against ballot questions will be reviewed by Town Counsel for legal compliance. Neither Town Counsel nor the Board of Selectmen will review or edit the written arguments for substance, opinion, or accuracy.

| Days before election | Action | Purpose |
|-----------------------------|---|---|
| 46 + days for BOS meetings | Notice of proposed ballot questions and request for written arguments | |
| 39 + days for BOS meetings | BOS decides authors for pro and con arguments | To allow 14 days before due to Town Counsel |
| 35+ days for BOS meetings | Wording of final ballot questions to Town Clerk | To comply with state ballot law |
| 25 + days for BOS meetings | Written arguments submitted to Town Counsel | To allow 7 days for Town Counsel review and submission to BOS |
| 18 + days for BOS meetings | BOS approves final warrant | |
| 18 days | Delivery to printer | To allow printer 7 days before mailing date |
| 11 days | Delivery to Post Office | To allow 4 days for mail |
| 7 days | Posting and receipt of warrant | |

Approved by the Board of Selectmen February 7, 2017.



SUDBURY BOARD OF SELECTMEN

Tuesday, July 28, 2020

EXECUTIVE SESSION

3: Exec Session to review minutes

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Also to review executive session meeting minutes, pursuant to G.L. c. 30A, § 21(a)(7) “[t]o comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements” (“Purpose 7”), citing to the Open Meeting Law, G.L. c. 30A, §§ 22(f), (g).

Recommendations/Suggested Motion/Vote: Also to review executive session meeting minutes pursuant to G.L. c. 30A, § 21(a)(7) “[t]o comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements” (“Purpose 7”), citing to the Open Meeting Law, G.L. c. 30A, §§ 22(f), (g).

Background Information:

Attached draft executive minutes of 12/3/19

Financial impact expected:

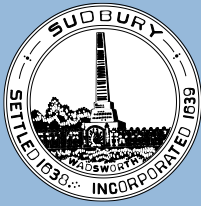
Approximate agenda time requested: 20 minutes

Representative(s) expected to attend meeting:

Review:

| | |
|----------------------|---------|
| Patty Golden | Pending |
| Henry L Hayes | Pending |
| Jonathan Silverstein | Pending |
| Daniel E Carty | Pending |
| Board of Selectmen | Pending |

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SUDBURY BOARD OF SELECTMEN
Tuesday, July 28, 2020

EXECUTIVE SESSION

4: Close Executive session

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Vote to close Executive Session and resume Open Session.

Recommendations/Suggested Motion/Vote: *Vote to close Executive Session and resume Open Session.*

Background Information:

Financial impact expected:

Approximate agenda time requested:

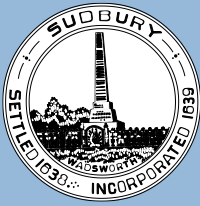
Representative(s) expected to attend meeting:

Review:

| | |
|----------------------|---------|
| Patty Golden | Pending |
| Henry L Hayes | Pending |
| Jonathan Silverstein | Pending |
| Daniel E Carty | Pending |
| Board of Selectmen | Pending |

07/28/2020 6:00 PM

| POTENTIAL UPCOMING AGENDA ITEMS/MEETINGS | |
|--|--|
| MEETING | DESCRIPTION |
| August 4 | <u>DROP DEADLINE to sign Annual Town Meeting Warrant</u> (in time for printing/posting for Sept. 12 ATM) |
| | Interview candidate for Historic Districts Commission |
| | Sign primary election warrant as requested by Town Clerk (Sept. 1) |
| | Eagle Scout recognition letters |
| August 11 | DPW Director Nason to present Town Meeting articles |
| | Continue discussion on community conversation forum |
| Saturday, Sept 12 | Annual Town Meeting at LSRHS Field (backup date TBD) |
| Date to be determined | Vote to elect chairman and vice-chairman of the Board of Selectmen (or SelectBoard) after Annual Town Meeting in Sept. |
| | Selectmen's Social Media Policy |
| | Work Session: Select Board/Town Manager Code of Conduct and other procedural training |
| | Invite Commission on Disability Chair to discuss Minuteman High School |
| | Eversource Public Hearing re: Grant of Location (<i>date TBD</i>) |
| | Approve BOS submission to 2019 Annual Town Report |
| | Annual meeting with state legislators (2020) |
| | Discussion on liaison assignments and Board membership on town committees (for 2020-2021) |
| | Fall Town Forum discussion (July) |
| | Update from BOS Policy Subcommittee |
| | Town meeting recap – year in review |
| | Transportation Committee extension |
| | Route 20 empty corner lot – former gas station |
| | Update on traffic policy (Chief Nix) |
| | Update on crosswalks (Chief Nix/Dan Nason) |
| | Citizen Leadership Forum |
| | Town-wide traffic assessment and improve traffic flow |
| | Temporary Trailer permit - 150 Boston Post Road |
| | Wayside Inn Road Bridge |
| | Eversource double pole discussion |
| | Future planning of Sewataro |
| STANDING ITEMS FOR ALL MEETINGS | BOS requests for future agenda items at end of meeting |
| | Citizens Comments, continued (if necessary) |
| | Fairbank Community Center update (ongoing) |
| | Bruce Freeman Rail Trail (BFRT) update (quarterly) |
| | COVID-19 update (as of 3/18/20) |



SUDBURY BOARD OF SELECTMEN

Tuesday, July 28, 2020

EXECUTIVE SESSION

2: Executive Session - Historical Commission and Eversource

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Also discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declares (proposed Eversource transmission line), pursuant to General Laws chapter 30A, §21(a)(3).

Recommendations/Suggested Motion/Vote: Also discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declares (proposed Eversource transmission line), pursuant to General Laws chapter 30A, §21(a)(3).

Background Information:

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

| | |
|----------------------|---------|
| Patty Golden | Pending |
| Henry L Hayes | Pending |
| Jonathan Silverstein | Pending |
| Daniel E Carty | Pending |
| Board of Selectmen | Pending |

07/28/2020 6:00 PM

July 14, 2020.

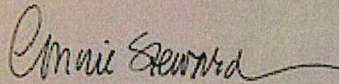
To: Debra Galloway
Director, Sudbury Senior Center

Hi Debra,

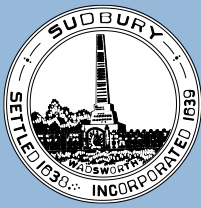
With this note, I am confirming my resignation from the Council on Aging.

It has been a pleasure to work with you. Thanks for your leadership and support of the many programs available to Sudbury residents who visit the center.

Best regards,



Connie Steward



SUDBURY BOARD OF SELECTMEN
Tuesday, July 28, 2020

MISCELLANEOUS (UNTIMED)

21: Vote to adjourn meeting

REQUESTOR SECTION

Date of request:

Requestor: Dan Carty

Formal Title: Vote to adjourn meeting

Recommendations/Suggested Motion/Vote:

Background Information:

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

| | |
|----------------------|---------|
| Patty Golden | Pending |
| Henry L Hayes | Pending |
| Jonathan Silverstein | Pending |
| Daniel E Carty | Pending |
| Board of Selectmen | Pending |

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