

SUDBURY BOARD OF SELECTMEN
 WEDNESDAY SEPTEMBER 30, 2020
 6:30 PM EXECUTIVE SESSION
 7:00 PM OPEN SESSION

Please click the link below to join the virtual Selectmen's Meeting:
<https://us02web.zoom.us/j/360217080>
 For audio only, call the number below and enter the meeting ID on your telephone keypad
 Call In number: **978-639-3366** or **470 250 9358**
 Meeting ID: **360 217 080**

Item #	Time	Action	Item
			Call to Order/Roll Call
EXECUTIVE SESSION			
1.	6:30 PM	VOTE	Open in regular session and immediately vote to enter executive session 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).
2.		VOTE	Vote to close executive session and resume open session.
	7:00 PM		Opening remarks by Chairman
			Reports from Town Manager
			Reports from Selectmen
			Citizen's comments
MISCELLANEOUS			
3.	7:15 PM	VOTE	Interview candidates John Porter and John Kraemer for appointment to the Permanent Building Committee. Following interview, vote to appoint _____ for a term to expire May 31, 2021.
4.	7:45 PM		Discussion and update on Cold Brook Crossing (with Adam Duchesneau and Andrew Lewis)
5.	8:05 PM		Discussion on Broadacres property and structures (Adam Duchesneau, Bill Barletta, and Lori Capone)
6.	8:25 PM	VOTE	Vote to adopt and sign the updated 2020 Hazard Mitigation Plan Resolution for submission to MEMA/FEMA.
7.	8:40 PM	VOTE	Discussion and vote whether to authorize the Town Manager to sign Inter-Municipal Agreement (IMA) for Regional Housing Service Office. Liz Rust, RHSO, to attend and make presentation.
8.	9:10 PM		Discussion on use of face coverings in public buildings and outside by Town employees. Report from Town Manager.

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
9.	9:15 PM	<i>VOTE</i>	Discuss Board of Selectmen notice seeking parties to write arguments supporting or opposing ballot questions on CSX Rail Corridor and Fairbank Community Center. Discussion on updated warrant schedule as provided by Town Manager.
10.	9:35 PM	<i>VOTE</i>	Discussion and vote to approve formation of Sudbury Diversity, Equity and Inclusion Commission
11.	9:50 PM	<i>VOTE</i>	Review regular session minutes of 8/4/20 and 8/11/20, and possibly vote to approve minutes.
12.	10:00 PM		Citizen's Comments (continued)
13.	10:05 PM		Upcoming Agenda Items
CONSENT CALENDAR			
14.		<i>VOTE</i>	Vote to accept a donation from the Sudbury Garden Club of a Heritage Park sign. Total cost of sign is \$6,120.
15.		<i>VOTE</i>	As the Local Licensing Authority, vote to approve the extension of previously approved applications for Temporary Outdoor Seating Permits. Currently, permits are effective through November 1, 2020, or until COVID-19 Order No. 35 is rescinded, whichever is sooner. The extension would allow the temporary permits to stay in effect for any period up to and until sixty (60) days after the end of the state of emergency, reverting to their original licensed premises on that date.
16.		<i>VOTE</i>	Approve award of contract by the Town Manager for irrigation installation at Grinnell Park, located at 15 Hudson Rd. and 311 Concord Rd., upon recommendation of the Department of Public Works Director; and further to execute any documents relative to said contract.
17.		<i>VOTE</i>	Pursuant to the 2020 Annual Town Meeting passage of Article 22, vote to accept the following easements relative to the Dutton Road Bridge Project: Permanent and Temporary Bridge Construction Easements, and Permanent Walkway Easement granted by property owners Laura M. Flynn and John R. Flynn, 510 Dutton Road, Sudbury, MA; Permanent and Temporary Bridge Construction Easements granted by property owner the Stearns Mill Pond Condominium Trust, 557 Dutton Road, Sudbury, MA.
18.		<i>VOTE</i>	Vote to accept, on behalf of the Town, a \$10,000 donation from B'nai B'rith Housing to the Council on Aging, as part of Condition IX.2 of B'nai B'rith's Comprehensive Permit for the Coolidge at Sudbury Phase II residential development. The donation is to be utilized at the discretion of the Council on Aging in a manner consistent with its mission.
19.		<i>VOTE</i>	Vote to accept, on behalf of the Town, a \$3,000 donation from BayPath Elder Services CARES Act grant to the Sudbury Senior Center. Funds to be utilized toward the Go Sudbury! Taxi Rides Transportation program.
20.		<i>VOTE</i>	Vote to approve execution by the Town Manager of a Charter Transportation Agreement between the Town and First Student, Inc. for Sudbury student transportation services to and from the Assabet Valley Regional Technical School for a period of one year with

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
			extensions as may be agreed by the parties, said contract subject to approval by Town Counsel.
21.		<i>VOTE</i>	Vote to approve award of contract by the Town Manager for the site evaluation of the CSX Rail Corridor property to Capital Environmental, LLC; and further, to execute any documents relative thereto.

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
Wednesday, September 30, 2020

EXECUTIVE SESSION

1: Exec Session to review minutes

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Open in regular session and immediately vote to enter executive session 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: Open in regular session and immediately vote to enter executive session 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 10/11/19 and 3/31/20

Financial impact expected:

Approximate agenda time requested: 30 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

09/30/2020 6:30 PM



SUDBURY BOARD OF SELECTMEN
Wednesday, September 30, 2020

EXECUTIVE SESSION

2: Close executive session and resume open 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:

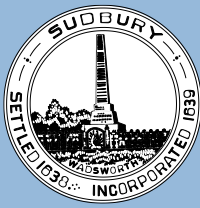
Approximate agenda time requested:

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

09/30/2020 6:30 PM



SUDBURY BOARD OF SELECTMEN
Wednesday, September 30, 2020

MISCELLANEOUS (UNTIMED)

3: Interview candidates for Permanent Building Committee

REQUESTOR SECTION

Date of request:

Requestor: Elaine Jones and Mike Melnick of PBC

Formal Title: Interview candidates John Porter and John Kraemer for appointment to the Permanent Building Committee. Following interview, vote to appoint _____ for a term to expire May 31, 2021.

Recommendations/Suggested Motion/Vote: Interview candidates John Porter and John Kraemer for appointment to the Permanent Building Committee. Following interview, vote to appoint _____ for a term to expire May 31, 2021.

Background Information:
attached documents provided by PBC chair

Financial impact expected:

Approximate agenda time requested: 30 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

09/30/2020 6:30 PM

August 28, 2020

Daniel Carty, Chair
Sudbury Select Board
278 Old Sudbury Road
Sudbury, MA 01776

Re: Permanent Building Committee membership vacancy

Dear Chairman Carty and Select Board Members:

The Permanent Building Committee voted at its meeting of August 19, 2020, to recommend to the Board of Selectmen the appointment of former member John Porter to the Permanent Building Committee for a term to serve until May 31, 2021. Mr. Porter's appointment will fill the remaining term of William Braun, a Select Board appointee, who is no longer a resident of Sudbury or member of the Permanent Building Committee.

From 2013 until January 2020, John Porter, P.E. served as the Sudbury Public Schools appointee to the Permanent Building Committee. He is qualified for such service by his technical expertise as a structural engineer and knowledge of the design and construction process for public buildings required under Massachusetts General Laws. Through his past service Mr. Porter has shown himself to be a valuable and active member of the PBC and has embraced the process by which the PBC under its charter, performs as an independent body charged with assuring that the design and construction of public buildings within the Town are thoroughly reviewed and completed in the best interest of the Town.

The Permanent Building Committee's recommendation for John Porter to fill the vacancy created by the resignation of Mr. Braun reflects the PBC's desire to avail itself of Mr. Porter's experience and expertise during the fulfillment of its charter. In the years in which Mr. Porter served as a PBC member, he was an active participant in the following PBC projects:

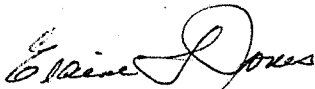
- MSBA funded partial roof replacement project at Nixon Elementary School
- Phase I contract for adaptive reuse of the Town Hall (BH+A architects)
- Police Headquarters design and construction
- Partial roof replacement at the Atkinson Pool to permit placement of rooftop HVAC system unit
- MSBA funded window, roof, door and envelope partial repair project at Nixon Elementary School
- Fairbank Community Center master planning (BH+A Architects) 2015 and 2016
- Repurposing of the Loring Parsonage for Historical Society Museum
- Design services and initial design process for Fire Station No. 2, Boston Post Road.

At its meeting on August 19, 2020, the Permanent Building Committee also had the opportunity to interview John Kraemer who has submitted his application for PBC membership to the Select Board. During the interview, Mr. Kraemer, a Project Manager with extensive construction

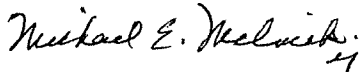
experience, exhibited the expertise and experience that would also be valuable to the PBC as it oversees the design and construction of Sudbury capital projects. Mr. Kraemer's experience and expertise were determined to be with private sector capital projects but the PBC is of the opinion that Mr. Kraemer would be a quick study with respect to the public municipal construction process. After the completed interview, the Committee enthusiastically voted to appoint Mr. Kraemer as an Associate Member to the Permanent Building Committee for an indefinite term, subject to the Select Board appointing Mr. Porter to complete Mr. Braun's term. Associate membership has been an effective and productive means of allowing the Associate to become familiar with the work of the Committee and the public construction process prior to becoming a full member while using his or her experience and expertise to assist the PBC in fulfilling its responsibilities to the Town.

Thank you for your consideration.

Very truly yours,



Elaine L. Jones, Co-Chair



Michael E. Melnick, Co-Chair

**TOWN OF SUDBURY
APPLICATION FOR APPOINTMENT**

BOARD OF SELECTMEN
278 OLD SUDBURY ROAD
SUDBURY, MA 01776

FAX: (978) 443-0756
E-MAIL: selectmen@sudbury.ma.us

Board or Committee Name: _____

Name: _____

Address: _____ Email Address: _____

Home phone: _____ Work or Cell phone: _____

Years lived in Sudbury: _____

Brief resume of background and pertinent experience:

Municipal experience (if applicable):

Educational background:

Reason for your interest in serving:

Times when you would be available (days, evenings, weekends):

Do you or any member of your family have any business dealings with the Town? If yes, please explain:

_____ (Initial here that you have read, understand and agree to the following statement)

I agree that if appointed, I will work toward furtherance of the committee's mission statement; and further, I agree that I will conduct my committee activities in a manner which is compliant with all relevant State and Local laws and regulations, including but not limited to the Open Meeting Law, Public Records Law, Conflict of Interest Law, Email Policy and the Code of Conduct for Town Committees.

I hereby submit my application for consideration for appointment to the Board or Committee listed above.

Signature _____ Date _____

Attachment3.b: PBC Application_JMPorter redact (4116 : Interview candidates for Permanent Building Committee)



John M. Porter, P.E.

Principal



Mr. Porter has over eighteen years of experience and has been with Simpson Gumpertz & Heger Inc. (SGH) for over thirteen years. He has extensive experience in design of new structures, investigation, repair, rehabilitation, and analysis of existing structures. Mr Porter has experience managing projects and project teams through design and construction phases for private and public clients.

Experience

- Simpson Gumpertz & Heger Inc., Waltham, MA, from 2004 to present.
- Edwards & Kelcey (E&K), Project Engineer, formerly CID Associates, Boston, MA from 1998 to 2004.

Representative Assignments

Unless otherwise specified, all projects listed below are with SGH.

Condition Assessments, Repair/Rehabilitation, and Structural Analysis and Design – Existing Structures

- Museum Square, Lawrence, MA. (Evaluation of deteriorated cast-in-place concrete building.)
- Concourse Village, Bronx, NY. (Condition assessment and structural/waterproofing rehabilitation of podium structure.)
- University of Massachusetts, Boston, MA. (Interim structural stabilization and repair of deteriorated garage/buildings.)
- Solomon Carter Fuller Mental Health Facility, Boston, MA. (Evaluation of deteriorated cast-in-place concrete building.)
- Brook House Condominiums, Brookline, MA. (Capital Reserve Study and Facade Garage, and Plaza Rehabilitation.)
- Reservoir Place, Waltham, MA. (Evaluation and repair of Filigree parking garage.)
- Parcel 7, Boston, MA. (Parking Garage Assessment and Rehabilitation).
- Mass Information Technology Center, Chelsea, MA. (Facade and roofing condition assessment and repair.)
- University of Massachusetts Boston, Boston, MA. (Study for demolition of plaza and Science Center and development of quadrangle.)
- Imperial Towers, Chestnut Hill, MA. (Assessment and rehabilitation of balconies and facade.)
- Boston College, Chestnut Hill, MA. (Assessment and rehabilitation of retaining walls and guardrails.)
- Hilton Back Bay, Boston, MA. (Facade and parking garage condition assessment.)
- 399 Boylston Street, Boston, MA. (Facade evaluation.)
- Whittier Place, Boston, MA. (Plaza and parking garage condition assessment.)
- Citizens Bank, Various Locations. (Structural design services for tenant fit-out.)
- Lincoln Plaza, Boston, MA. (Roofing and facade assessment and rehabilitation.)
- 707 Main Street, Waltham, MA. (Evaluation and stabilization of facade collapse.)
- Liberty Mutual, Various Locations. (Structural design services for tenant fit-out.)
- Massachusetts Institute of Technology, Cambridge, MA. (Assessment and rehabilitation of manholes throughout main campus.)
- 15 North Beacon Street, Allston, MA. (Parking garage condition assessment.)

Registrations

Professional Engineer

Connecticut
New York
Massachusetts
Maine
New Hampshire
Vermont

Other

NCEES Record

Education

Northeastern University, Boston, MA
M.S. in Structural Engineering, 2003
University of New Hampshire, Durham, NH
B.S. in Civil Engineering, 1998

SIMPSON GUMPERTZ & HEGER

41 Seyon Street, Building 1, Suite 500
Waltham, MA 02453

main: 781.907.9000 fax: 781.907.9009

www.sgh.com

Boston
Chicago
New York
San Francisco
Southern California
Washington, DC

- Building W79 and Simmons Hall, Massachusetts Institute of Technology Cambridge, MA. (Assessment and repair of below grade leakage.)
- 70-80 Park Street, Brookline, MA. (Assessment and rehabilitation of concrete balconies.)
- Courtyard Marriot, Boston, MA. (Design of elevator supports and shoring.)
- Bellarmine Retreat, Cohasset, MA. (Envelope and structural assessment.)
- New England Institute of Technology, East Greenwich, RI. (Structural peer review.)
- Francis Cabot Lowell Mill, Waltham, MA. (Condition assessment and rehabilitation of facade and chimney stack.)
- Stata Center, Cambridge, MA. (Evaluation and repair of cracked slabs.)
- 70 Fargo Street, Boston, MA. (Investigation and repair of transitional masonry building.)
- Crosstown Center, Boston, MA. (Assessment of parking garage and precast tee distress.)
- Union Wharf, Boston, MA. (Assessment and rehabilitation of wood-framed balconies.)
- W35, Massachusetts Institute of Technology, Cambridge, MA. (Condition assessment and rehabilitation of pool structure.)
- Regis College, Weston, MA. (Structural assessment of footbridge.)
- Soffits, UMass Boston, Boston, MA. (Investigation of failing soffits.)
- Stata Center Garage, MIT, Cambridge, MA. (Condition assessment and repair.)
- Albany Street Garage, MIT, Cambridge, MA. (Condition assessment and repair.)
- Utility Tunnel, MIT, Cambridge, MA. (Condition assessment and repair of cast-in-place tunnel and repair of failed utility supports.)
- Hawthorne Place, Boston, MA. (Evaluation and restoration of deteriorated plaza and parking structure.)
- University of Massachusetts, Boston, MA. (Evaluation of gas barrier membrane.)
- 216 St. Paul Street, Brookline, MA. (Evaluation and repair of deteriorated parking garage.)
- 96 Beacon Street, Boston, MA. (Evaluation of deteriorated cast stone.)
- 100 Massachusetts Avenue, Boston, MA. (Repair of failed elevator support structure.)
- 935 Main Street, Springfield, MA. (Tornado damage assessment.)
- 282 Central Street, Springfield, MA. (Tornado damage assessment.)
- Fletcher-Allen Health Care, Burlington, VT. (Investigation and repair of failed trench drain and damaged slab.)
- McClure Garage, Fletcher-Allen Health Care, Burlington VT. (Condition assessment of deteriorated garage.)
- Fletcher-Allen Health Care, Burlington, VT. (Roadway pavement investigation and repair.)
- Cathedral High School, Springfield, MA. (Tornado damage assessment.)
- Mission Park, Boston, MA. (Investigation of deteriorated pool structure.)
- The Colonnade, Jenkintown, PA. (Partial demolition, evaluation, and restoration of deteriorated parking structure.)
- Henry Moore Sculpture, MIT, Cambridge, MA. (Repair of deteriorated sculpture base.)
- MIT W45 Garage, Boston, MA. (Emergency stabilization of deteriorated concrete parking structure.)
- Mercantile Wharf, Boston, MA. (Repair of failed skylights and supports due to wind.)
- Peabody Terrace, Harvard University, Boston MA. (Evaluation and repair of deteriorated concrete balconies.)
- Central Artery Tunnel Project, Boston, MA. (Slurry wall investigation, waterproofing repair, and structural concrete repair.)

- The Venetia, Miami, FL. (Capital planning condition assessment.)
- University of Massachusetts, Boston, MA. (Vibration monitoring.)
- 1415 Hyde Park Avenue, Hyde Park, MA. (Pre-purchase condition assessment of existing structure.)
- Liberty Mutual, Boston, MA. (Settlement survey and monitoring.)
- 27 School Street, Boston, MA. (Pre-purchase condition assessment of existing structure.)
- 141 Tremont Street, Boston, MA. (Pre-purchase condition assessment of existing structure.)
- MassMutual Center, Springfield, MA. (Repair of damaged building components due to vehicle impact.)
- Allandale Condominiums, Chestnut Hill, MA. (Water damaged wood structure repair.)
- 31 St. James Avenue, Boston, MA. (Strengthening of deteriorated steel roof equipment support framing.)
- Twin City Plaza, Somerville, MA. (Concrete slab investigation and repair of deteriorated structure.)
- Franklin Car Wash, Franklin, MA. (Investigation of failed slab radiant heating system.)
- Liberty Mutual, Boston, MA. (Evaluation of existing structure for new high-density storage loads.)
- Curme Residence, Lenox, MA. (Addition to historic structure.)
- 141 Tremont Street, Boston, MA. (Sign and facade upgrades.)
- Lynn Classical High School, Lynn, MA. (Feasibility study to replace existing slab-on-grade with structural slab and investigation of ongoing settlement.)
- 1415 Hyde Park Avenue, Hyde Park, MA. (Analysis of existing structure for seismic load-resisting capacity.)
- Weymouth Plaza, Weymouth, MA. (Steel-framed roof structure and seismic upgrade.)
- Skyway Plaza, Caribou, ME. (Live load and seismic upgrade of "mothballed" building for new tenants.)
- Gate of Heaven Church, South Boston, MA. (Investigation of existing structure for expansion and seismic upgrades.)
- Broad Street, Boston, MA. (Load-bearing masonry wall removal and structural strengthening.)
- St. Mary's Church, Cambridge, MA. (Timber-roof structure analysis for code compliance.)
- Sawyer Building, Suffolk University, Boston, MA. (Investigation and strengthening of roof structure for code compliance.)
- Liberty Mutual, Boston, MA. (Structural strengthening and addition of high-density storage.)
- Exeter Towers, Boston, MA. (Alteration and addition to existing masonry load-bearing wall structure.)
- Bright Horizons, New York, NY. (Addition of ramps and elevators in an existing steel structure.)
- 210 Broadway Street, Cambridge, MA. (Concrete floor slab infill and structural strengthening.)
- Repligen, Waltham, MA. (Chemical storage support structure.)
- LeLacheur Field, Lowell, MA. (Alterations and addition to existing baseball stadium.)
- Liberty Mutual, Boston, MA. (Elliptical steel canopy and concrete planter design.)
- Pine Brook Country Club, Weston, MA. (Structural alterations to wood-framed building.)
- Gillette, Boston, MA. (Steel canopy design.)
- Twin City Plaza, Somerville, MA. (Alterations to existing load-bearing walls.)

- Liberty Mutual, Boston, MA. (Travertine wall panel support design.)
- Parris Landing, Charlestown Navy Yard, Charlestown, MA. (Roof addition to existing parking structure and seismic upgrade.)
- Commercial Lobster, Boston, MA. (Partial building demolition and structural alterations. With CID.)
- Legal Seafood Processing Facility, Allston, MA. (Structural investigation and seismic upgrade feasibility study. With CID.)
- WHDH-TV Channel 7, Boston, MA. (Seismic upgrade and floor infill. With CID.)
- 625 Mount Auburn Street, Cambridge, MA. (Three-story building facade replacement to repair deteriorated connections and structural-steel supports. With CID.)
- 10 High Street, Boston, MA. (Fourteen-story brick facade replacement and structural strengthening. With CID.)

Structural Analysis and Design – New Structures

- University of Massachusetts, Boston, MA. (Cast-in-place concrete switchgear building.)
- Hanson Pipe and Products Three-Sided Concrete Arch. (Precast-concrete arch design utilizing soil-structure interaction for over 140 projects in Massachusetts Florida, Texas, Louisiana, Ohio, and Pennsylvania.)
- Kiddie Academy. (Two wood-framed single-story buildings, Texas and Pennsylvania.)
- Thorn Street. Boston, MA. (Four-story steel and wood-framed building.)
- Crownspan Software Upgrade. (Upgrade of three-sided precast-concrete box software.)
- Blue Hills Water Storage Facility, Quincy, MA. (Design of two concrete water storage tanks and associated buried vault building.)
- Gaylord Convention Center, National Harbor, MD. (Concrete post-tensioning strand layout and design.)
- Newark Central High School, Newark, NJ. (Six new interconnected steel-framed buildings on drilled caissons. With EK.)
- Legal Seafoods, Boston, MA. (Two-story headquarters and distribution facility design With EK.)
- 625 Mt. Auburn Street, Cambridge, MA. (Four-story steel-framed building design With EK.)
- Dunkin Donuts, Bellingham, MA. (Single-story storage and distribution facility With CID.)
- WHDH-TV Channel 7, Needham, MA. (Steel-framed transmission building and antenna. With CID.)
- The Loop, Methuen, MA. (Multiple steel-framed retail buildings. With CID.)

Professional Activities

- International Concrete Repair Institute: Member.
- International Parking Institute: Member.
- International Parking Institute: Consultants Committee Member.
- New England Parking Council: Member.

Publications

- Anderson, J. and Porter, J., *Laying the Groundwork – The Right Steps to Extend the Life of Your Parking Facility*, The Parking Professional, May 2017.
- Boutin, N. and Porter, J., *The Best Fixes*, The Parking Professional, December 2015

John M. Porter, P.E.
Page 5

- Porter, J., *Planning for a Parking Garage Rehabilitation*; The Parking Professional September 2014.
- Cohen, G. and Porter, J., *Setting Priorities: Parking Structure Assessment and Putting Repairs in Order*; The Parking Professional, July 2012.

Attachment 3.c: John Porter's resume redact (4116 : Interview candidates for Permanent Building Committee)

**TOWN OF SUDBURY
APPLICATION FOR APPOINTMENT**

BOARD OF SELECTMEN
278 OLD SUDBURY ROAD
SUDBURY, MA 01776

FAX: (978) 443-0756
E-MAIL: selectmen@sudbury.ma.us

Board or Committee Name: _____

Name: _____

Address: _____ Email Address: _____

Home phone: _____ Work or Cell phone: _____

Years lived in Sudbury: _____

Brief resume of background and pertinent experience:

Municipal experience (if applicable):

Educational background:

Reason for your interest in serving:

Times when you would be available (days, evenings, weekends):

Do you or any member of your family have any business dealings with the Town? If yes, please explain:

_____ (Initial here that you have read, understand and agree to the following statement)

I agree that if appointed, I will work toward furtherance of the committee's mission statement; and further, I agree that I will conduct my committee activities in a manner which is compliant with all relevant State and Local laws and regulations, including but not limited to the Open Meeting Law, Public Records Law, Conflict of Interest Law, Email Policy and the Code of Conduct for Town Committees.

I hereby submit my application for consideration for appointment to the Board or Committee listed above.

Signature _____ Date _____

Attachment3.d: PBC Application_J Kraemer redact (4116 : Interview candidates for Permanent Building Committee)

JOHN E. KRAEMER

44 Maynard Farm Road • Sudbury, MA 01776 • XXXXXXXXXXXXX

EXPERIENCE2007-Present **TISHMAN CONSTRUCTION CORPORATION** Boston, MA*Director, Mission Critical (August 2019 – Present)**Senior Project Manager, Mission Critical (July 2015 - July 2019)**Project Manager, Mission Critical (January 2010 – June 2015)**Assistant Project Manager, Mission Critical (February 2007-December 2009)*

- Manages Mission Critical projects from inception to completion, through all phases of design, pre-construction, and construction.
- Works collaboratively with client to develop project scopes, including constructability reviews, prior to engineer engagement.
- Regularly communicates with client to review status of current projects, and further develop relationship for future projects.
- Manages bid process, including: review of bid procedures; invitation(s) to bid walk; develop trade scopes; subcontractor descoping; and recommend proposed subcontractor(s) to client.
- Notifies and manages subcontractors of approval and award, as well as unsuccessful subcontractors and provide appropriate reasoning as needed.
- Collaborates with client to establish long lead equipment (HVAC and Electrical) to procure/pre-purchase for the project in accordance with project specifications.
- Monitors all project activity including schedules, spending, and related items to ensure timely completion and high-quality work.
- Drafts project status reports, financial reports and project schedules
- Facilitates weekly project status meeting with owner, owner's representatives, vendors, subcontractors and others connected with the project. Prepares and distributes meeting minutes.
- Conducts internal staff meetings to disseminate appropriate project information, ensuring that all staff is informed of relevant information.
- Establishes and maintains effective working relationships with architect, engineers, and other vendors along with client, building representatives, subcontractors, and others on the project team.
- Prepares and provides timely and accurate information regarding monthly subcontractor/vendor billings to accounting to ensure proper invoice preparation to client.
- Communicates with the client as needed to ensure timely payment.
- Reviews with client, as early as possible, potential change orders throughout the project. Prepares and submits change orders for client approval.
- Reviews subcontractor invoices with accounting for final billing, including all change order documentation.
- Manages all project close out, including: submittal of all warranty information; affidavits; certificate(s) of occupancy; record drawings; coordination of final retainage payment(s); releases and accounting related documents. Ensures final payments are received from client and appropriate invoices are paid to subcontractors.
- Supervises, mentors, and trains project staff.

2006-2007 **NEWMARK, KNIGHT, FRANK – CONSTRUCTION SERVICES** New York, NY*Assistant Project Manager (April 2006 – February 2007)*

- Prepared, managed, and coordinated all project related documentation for assigned projects.

JOHN E. KRAEMER

EDUCATION**UNION COLLEGE**

Schenectady, NY

Bachelor Of Science, Electrical Engineering (June 2006)

- Member, Men's Varsity Baseball Team (2003-2004)
- Co-Founder, Men's Travel Club Baseball Team (2005-2006)

COMMUNITY INVOLVEMENT

- Member, Juvenile Diabetes Research Foundation (JDRF). Participates in annual fundraising for JDRF "One-Walk".



SUDBURY BOARD OF SELECTMEN
Wednesday, September 30, 2020

MISCELLANEOUS (UNTIMED)
4: Discussion on Cold Brook Crossing

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Discussion and update on Cold Brook Crossing (with Adam Duchesneau and Andrew Lewis)

Recommendations/Suggested Motion/Vote: Discussion and update on Cold Brook Crossing (with Adam Duchesneau and Andrew Lewis)

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

09/30/2020 6:30 PM



SUDBURY BOARD OF SELECTMEN
Wednesday, September 30, 2020

MISCELLANEOUS (UNTIMED)

5: Discussion on Broadacres

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Discussion on Broadacres property and structures (Adam Duchesneau, Bill Barletta, and Lori Capone)

Recommendations/Suggested Motion/Vote:

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

09/30/2020 6:30 PM



Attachment 5.a: 2019-02-28_Broadacre_Farm_Concept_A (4078 : Discussion on Broadacres)

BROADACRE FARM PARCEL AT FEATHERLAND PARK

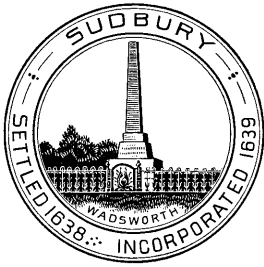
MASTER PLAN CONCEPT A



Attachment 5.b : 2019-02-28_Broadacre_Farm_Concept_B (4078 : Discussion on Broadacres)

BROADACRE FARM PARCEL AT FEATHERLAND PARK

MASTER PLAN CONCEPT B



Town of Sudbury

Building & Inspections Department

275 Old Lancaster Road, Sudbury, MA 01776
 978-440-5461 Fax 978-440-5404
 building@sudbury.ma.us

Andrew J. Lewis
 Inspector of Buildings
 Zoning Enforcement Agent

Patrick K. Ryan
 Assistant Building Inspector

Arthur J. Richard
 Wiring Inspector
 Supervisor of Town Buildings

July 8, 2019

Upon inspection of the Broadacre Farm, I found the following concerns:

The two barns on the south side of Morse Road are not secured, open to the weather and structurally deficient. They have electrical wiring hazards. They should both be demolished immediately.

The horse barn on the north side is in poor shape, has missing windows and holes allowing for bird and rodent infestation. It also has hazardous wiring conditions. The floor joist on the upper level are under sized and over spanned. The stairs to the upper level is a falling hazard. It would require a lot of repairs and maintenance. I recommend demolishing this as well but it is not an immediate concern.

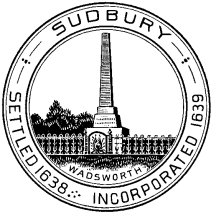
The residence has a ramp to the front door, but accessibility ends there. It has rotting and failing floor joist in the rear. The secondary means of egress is blocked in one spot and dangerous in another. The bump out in the rear is leaning, indicating floor or foundation failure. The group did not enter that section of the building. The stairs to the second floor and basement are narrow with low headroom. The guardrails and handrails were low or not existing, the basement had a wet floor and multiple wiring hazards. The drain, waste and vent piping are visibly rotted through in spots. I would be concerned with lead paint and or asbestos in the house. I would recommend demolishing the house.

The riding ring building was in fair shape. It did have indications of at least to two leaks in the roof. I would recommend the wiring be inspected by Wiring Inspector

Regards,

Andrew Lewis
 Inspector of buildings

Cc: Melissa Murphy-Rodrigues, Town Manager
 Adam Duchesneau, Town Planner
 Town counsel



Town of Sudbury

Facilities Department

275 Old Lancaster Road
Sudbury, MA 01776
978-440-5466; Fax 978-440-5404
facilities@sudbury.ma.us

William Barletta, Facilities Director

July 8, 2019

On June 26th I toured the Broadacres buildings and immediate surroundings with the Environmental Planner, Fire Chief, Building Inspector and Health Director. We were met and guided by the owner's attorney and longtime property manager.

The two-story wood frame house, with single story rear enclosed porch, was unoccupied and emptied of contents and appliances. We were told it had been occupied until April 2019. The roof appeared to be relatively new. The exterior and siding showed signs of neglect over time. I saw no signs of active water infiltration within the building. Floors appeared sound. Interior surfaces and finishes were very old and did not appear to have been updated for many decades. The concrete basement floor was wet, and it was explained that the riding ring and horse boarding stable water supply were fed from the basement. We were told the water heater was new and that the heating system was functioning. Railings and stairs throughout the building were inadequate and did not appear to meet current codes. The structure and surrounding areas do not meet current accessibility standards. The electrical system was old and I observed many exposed wires in various condition. The main cast iron plumbing waste line runs exposed from the second floor through the first-floor pantry and was observed to be rotted through in some areas releasing sewage waste, one can assume similar conditions exist within walls. I did see signs of blown in exterior insulation having been added at one point. I did not access the attic.

There was an attached single-story addition on the rear in extremely poor and unstable condition that was described as not having been entered in many years. Surrounding grades and vegetation were close to the sill and affecting condition around that structure and the main house. There is a propane fed generator next to the house we were told is functioning.

Unless the Town plans to completely gut and renovate the house it should be demolished. Given its current condition the house would need complete renovation and repair at a very significant cost.

The adjacent large enclosed riding ring is an uninsulated, dirt floor, long span, light wood truss roof pole barn with wood board siding and metal panel roof. We were told it was constructed in 1993. The roof has fiber glass light panels at regular intervals for daylighting. There are at least two active roof leaks within the space. Water is supplied from the house to one faucet in the riding area. There is interior and exterior lighting, and a small enclosed heated viewing booth on one end of the building. It should be noted that the roof should not be accessed, the light panels will not support the weight of a person and the structural condition of the metal panels is unknown. Any potential occupancy would require a more detailed structural and electrical investigation to fully assess loads and conditions.

There is a large two-story wood frame horse boarding barn on the left side of the house. It has electrical power and a bathroom that is supplied from the house. We were told it was constructed in 1954 following the fire loss of the original. The rear long side of the barn has a 10 plus foot high granite stone block foundation. This is a concern as this also serves as a retaining wall to the grade behind and does not appear to meet current codes. The second-floor wood framing appears to be undersized per current codes. The underside of the roof is covered in a sound deadening board made from a paper-based product. The roof should be investigated further for structural loads and integrity. There is evidence of significant rodent infestation. The structure and surroundings do not meet current accessibility standards. Any potential occupancy would require a more detailed structural investigation to fully assess structural loads and conditions, as well as plumbing and electrical conditions.

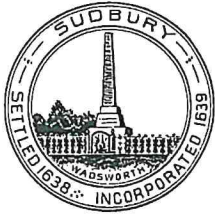
There are two horse open stables across the street. There is significant structural damage to roof framing and unapproved questionable wiring added over time. These buildings will be difficult to secure. For the reasons stated above both buildings create an immediate danger and should be demolished.

William Barletta
Facilities Director



Attachment5.e: BroadacresContext_towncenter_noSudStation (4078 : Discussion on Broadacres)

- Broadacres Farm
- Conservation
- Town of S



Town of Sudbury

Board of Health

DPW Office Building
275 Old Lancaster Road
Sudbury, MA 01776
978 440-5479

To: Board of Selectmen
Planning Board

7/8/19

From: Bill Murphy, Health Director *BM*

Re: Broadacres

The following is a list of questions or concerns with the Broadacre property after a site visit on 5/26/19:

1. Title 5 inspections required for real estate transactions. Septic systems for the main house #82 and horse stable could be difficult to replace due to ground water levels and location of the well.
2. A well serves the property. The Board of Health does not have records of type nor exact location. Approximate area of the well was identified under the driveway but no well head visible. Well should be located and tested at time of sale for potable drinking water standards. According to Sudbury Water District, a water main exists in front of the property so a connection is possible.
3. Main house-Many violations of 105 CMR 410.000 Minimum Sanitary Standards of Fitness for Human Habitation. A comprehensive inspection was not conducted but issues such a basement wiring, insufficient banisters on the second floor, disrepair of exterior siding, insect and rodent harborage, water quality, etc. exist. Chronic dampness in the basement identified. Basement sump pump should be inspected to prevent flooding.
4. Concerns with condition of lead paint (assumed to be present).
5. Animal Inspector (Jen Condon) should evaluate the stables.
6. Subsurface utility lines to the buildings should be identified. Street to house, house to barn, etc.
7. Town should consider a crosswalk at that location. Dangerous for pedestrians crossing the road from the house to the corral across the street.

Attachment5.f: Broadacres BoH Docs (4078 : Discussion on Broadacres)

#82

82 MORSE ROAD

5.f

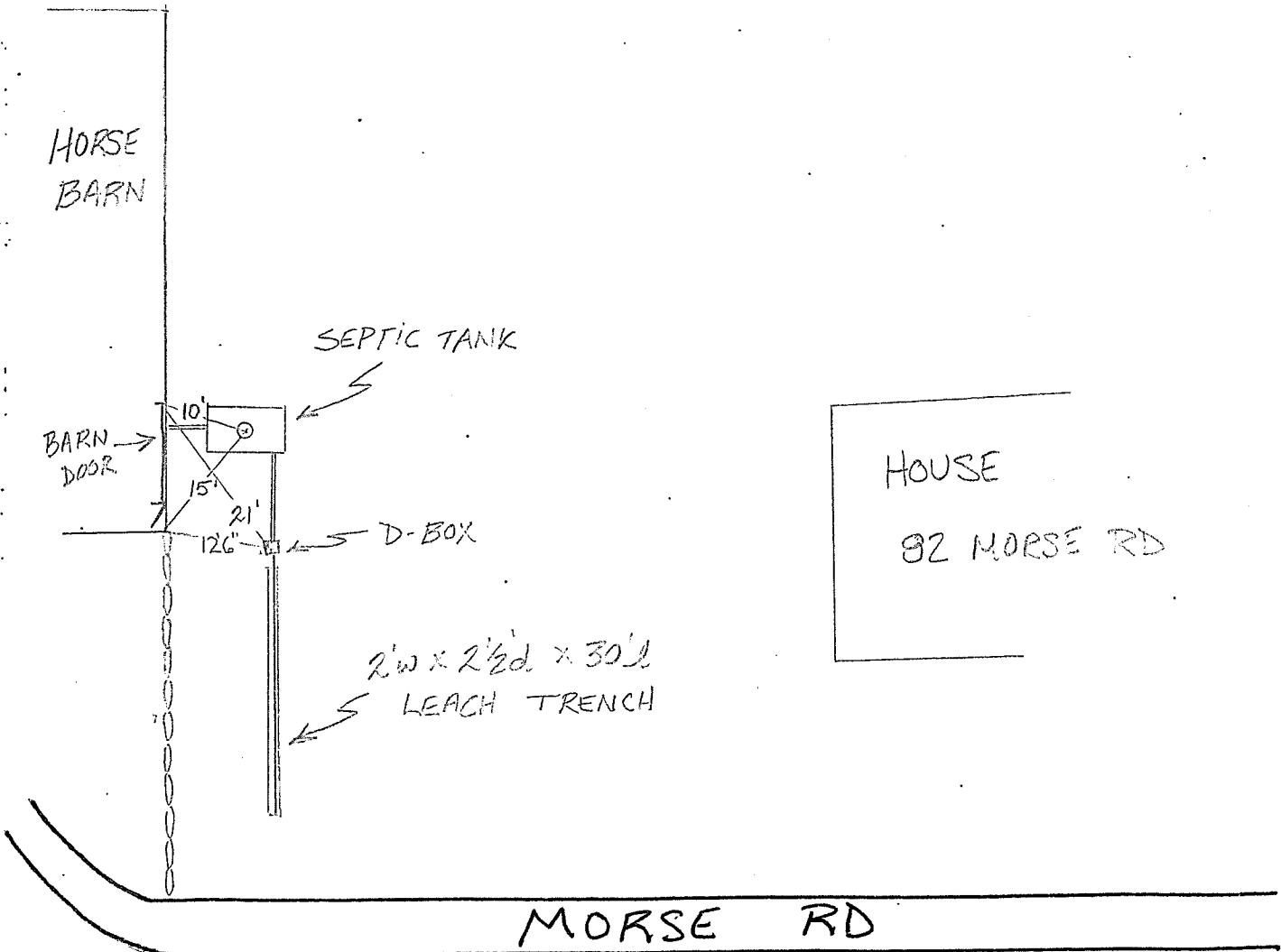
ADDRESS (BARN)

HAYNES, H.

DiModica

OWNER

INSTALLER



FINAL DATE

5/23/89

SUDBURY BOARD OF HEALTH

#82

82 Morse Road

5.f

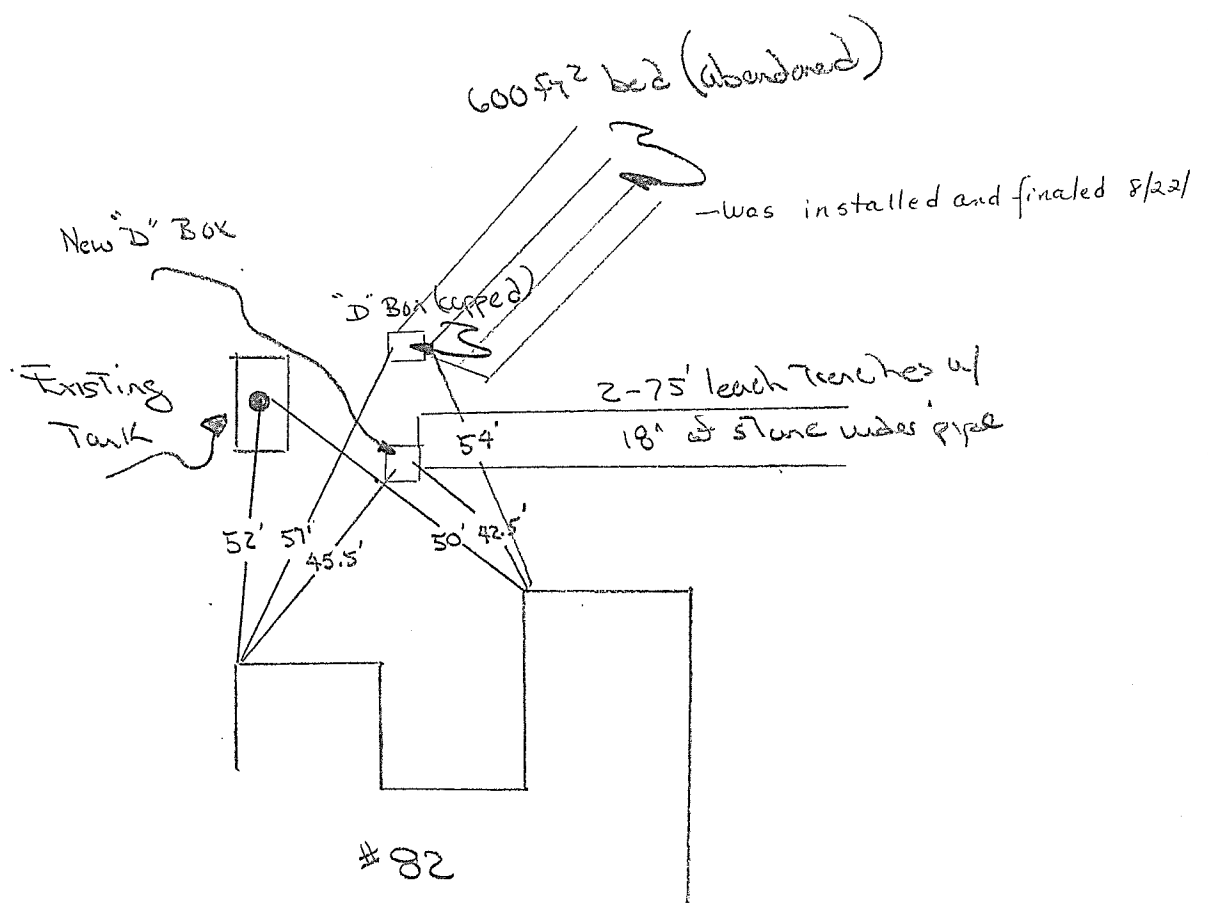
ADDRESS

Hayne, Honora

OWNER

DiModica

INSTALLER



Morse Rd

FINAL DATE 4/22/84

SUDBURY BOARD OF HEALTH

Attachment 5.f: Broadacres BoH Docs (4078 : Discussion on Broadacres)

782

TOWN OF SUDBURY
BOARD OF HEALTH

DATE: 5/23/89

ADDRESS: 82 MORSE RD

FROM: HAYNES, HONORA

TELEPHONE:

OWNER:
(IF OTHER THAN APPLICANT
PERMISSION IN WRITING ATTACHED)

DiModica

NEW

REPAIR

REASON FOR CALL: REPLACE CESSPOOL AT BARN
SERVING ONE TOILET

#89-1916

DATE PLAN APPROVED 5/23/89 DISAPPROVED _____ ENGINEER* _____

500 GALLON SEPTIC TANK 1 - 2' x 2 1/2' x 30' leach trench

IN ACCORDANCE WITH PLAN _____ SUBMITTED BY* DATED _____

INSPECTIONS: EXCAVATION PRIOR TO STONE 5/31/89

FINAL ON SYSTEM 5/31/89

OTHER INSPECTIONS _____

AS BUILT RECEIVED _____

NOTES:

Attachment 5.f: Broadacres BoH Docs (4078 : Discussion on Broadacres)

#82

TOWN OF SUDBURY

BOARD OF HEALTH

DATE June 1984

ADDRESS

FROM Honora Haynes
OR 82 Morse Rd

TELEPHONE

RE:

REASON FOR CALL

Repair

REFERRED TO

[Signature]

D. Madica

NOTES

6/15/84

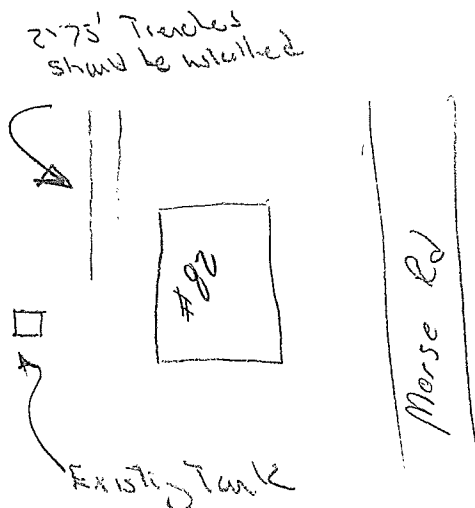
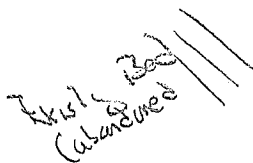
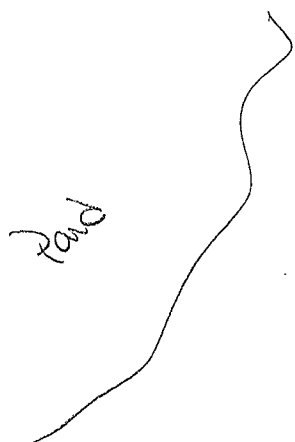
Existing Tank

#84-1187

2-75' leach trenches w/ 18" of stone

Trenches should be max. distance from pond + hill will be leveled.

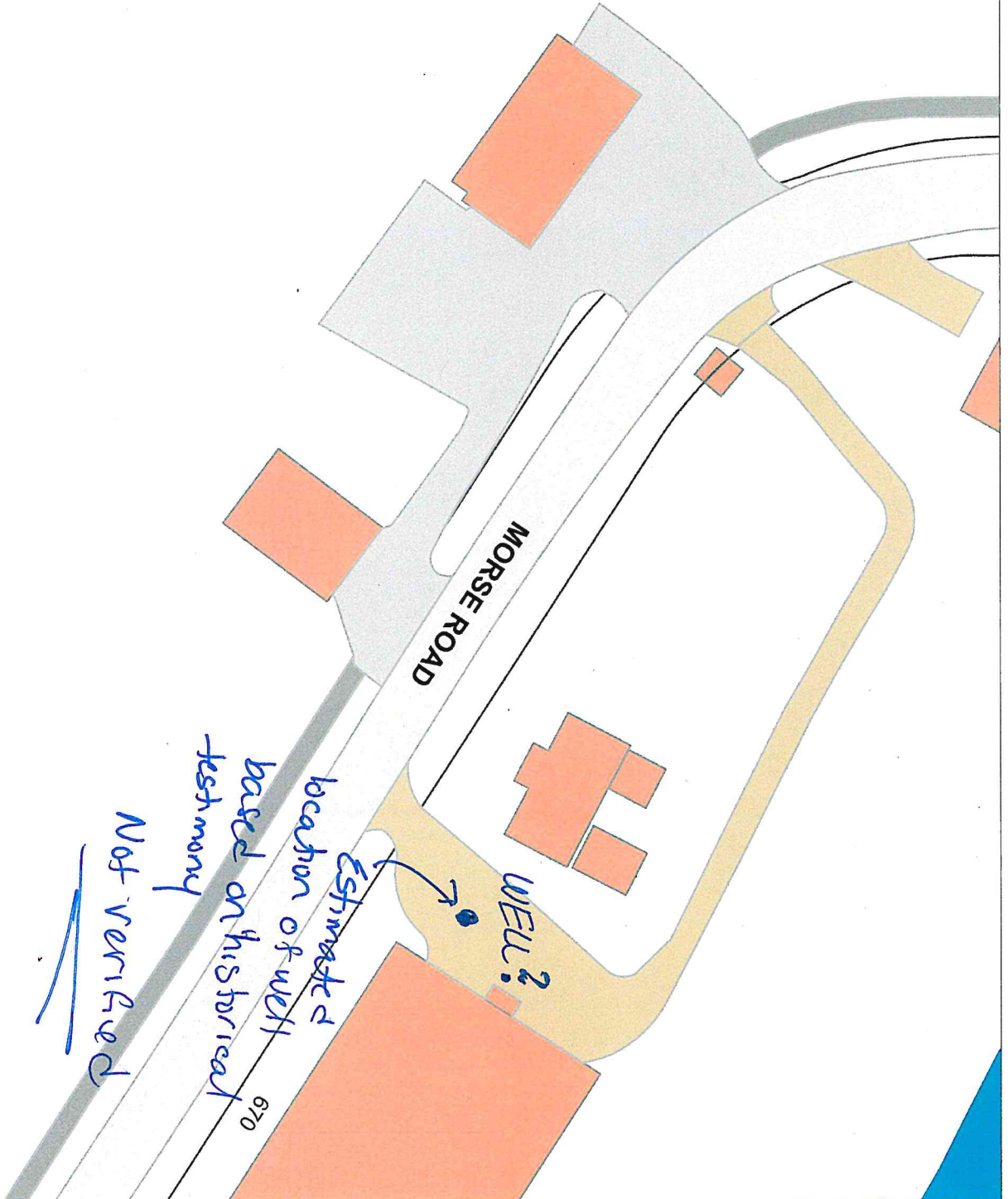
4/23/84 OK to backfill



Attachment 5.f: Broadacres BoH Docs (4078 : Discussion on Broadacres)



- Bridges
- Driveways
- Parking Lots
- Medians
- Sidewalks
- Cuts
- Roads
- Paved Roads
- Unpaved Roads
- Parcels
- Streams Ohio
- Streams CIR
- Lake/Reservoir
- Buildings
- MA Highways
- US Highways
- MS Highways
- NH Highways
- Routes
- Town Boundary
- Streets



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
Wednesday, September 30, 2020

MISCELLANEOUS (UNTIMED)

6: Hazard Mitigation Plan Resolution request

REQUESTOR SECTION

Date of request:

Requestor: Fire Chief John Whalen

Formal Title: Vote to adopt and sign the updated 2020 Hazard Mitigation Plan Resolution for submission to MEMA/FEMA.

Recommendations/Suggested Motion/Vote: Vote to adopt and sign the updated 2020 Hazard Mitigation Plan Resolution for submission to MEMA/FEMA.

Background Information:
attached

Financial impact expected: Loss of grant funding that paid for the completion of the HMP project.

Approximate agenda time requested: 15 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

09/30/2020 6:30 PM

**A TOWN OF SUDBURY RESOLUTION
IN RECOGNITION OF**

Sudbury’s Hazard Mitigation Plan

WHEREAS, A Town Hazard Mitigation Plan preserves the health, safety, and welfare of the citizens of Sudbury and their property; and

WHEREAS, The 2020 Hazard Mitigation Plan is an update to the Hazard Mitigation Plan last adopted by the Select Board on May 13, 2010; and

WHEREAS, The Town of Sudbury Local Hazard Mitigation Committee, and along with its contractor, the Horsley Witten Group, Inc. composed the plan and held a series of advertised and noticed public meetings from April 2019 through early 2020 on drafting the plan update; and

WHEREAS, Adoption of this plan is a federal requirement for the Town to be eligible for federal hazard mitigation grants as a result of a disaster or major mitigation planning project; and

WHEREAS, FEMA Region 1 has completed its review of the 2020 Town of Sudbury Hazard Mitigation Plan and approved it subject to approval by the Select Board; and

WHEREAS, Select Board approval will allow the Town to meet its local hazard mitigation planning requirements pursuant to 44 C.F.R. Section 201 (the Disaster Mitigation Act),

NOW, THEREFORE, BE IT RESOLVED that the Select Board of the Town of Sudbury do hereby accept and approve the Town of Sudbury 2020 Hazard Mitigation Plan as presented and outlined by the Fire/Emergency Management Department.

IN WITNESS WHEREOF, we have hereunto set our hands and caused the Seal of the Town of Sudbury to be affixed on this _____.

Janie W. Dretler, Chair

Jennifer Roberts, Vice Chair

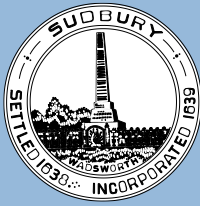
Daniel E. Carty, Member

Charles Russo, Member

William Schineller, Member

Henry Hayes Jr., Town Manager and Clerk

Attachment6.b: draft Resolution_updatedpost approval pending adoption (4158 : Hazard Mitigation Plan Resolution request)



SUDBURY BOARD OF SELECTMEN
Wednesday, September 30, 2020

MISCELLANEOUS (UNTIMED)

7: RHSO presentation and update

REQUESTOR SECTION

Date of request:

Requestor: Liz Rust of RHSO

Formal Title: Discussion and vote whether to authorize the Town Manager to sign Inter-Municipal Agreement (IMA) for Regional Housing Service Office. Liz Rust, RHSO, to attend and make presentation.

Recommendations/Suggested Motion/Vote: Discussion and vote whether to authorize the Town Manager to sign Inter-Municipal Agreement (IMA) for Regional Housing Service Office. Liz Rust, RHSO, to attend and make presentation.

Background Information:
presentation provided by Liz Rust

Financial impact expected:

Approximate agenda time requested: 30 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

09/30/2020 6:30 PM



Regional Housing Services Office

Serving Acton, Bedford, Concord, Lexington, Lincoln, Sudbury, Wayland, and Weston

Address: 37 Knox Trail, Acton, MA 01720

Website: WWW.RHSOhousing.org

Email: INFO@RHSOhousing.org

Phone: (978) 287-1092

July 31, 2020

To: John Mangiaratti, Sarah Stanton, Stephen Crane, James Malloy, Timothy Higgins, Henry Hayes, Louise Miller, Leon Gaumond, Roland Bartl, Nancy Tavernier, Kristen Guichard, Robert Hummel, Alyssa Sandoval, Marcia Rasmussen, Heather Gill, Lee Smith, Jerry Evans, Carol Kowalski, Amanda Loomis, Jennifer Burney, Paula Vaughn, Adam Duchesneau, Patricia Brown, Cynthia Howe, Sarkis Sarkisian, Imai Aiu, Sarah Rhatigan

CC: Jody Kablack, Lara Plaskon, Liz Valenta

From: Elizabeth Rust

RE: Regional Housing Services Office – FY20 Q4, Status Report

This is the year-end FY20 status report for activity from 4/1/20 through 6/30/20 (FY20 Q4) for Regional Housing Services Office, the inter-municipal collaboration between the eight towns of Acton, Bedford, Concord, Lexington, Lincoln, Sudbury, Wayland and Weston. Please let me know if you have any comments or questions.

RHSO Administration:

This year ended as we settled uneasily into the pandemic shift in all operations, we recognize all too well how our life, and the lives of those we serve, has changed. I know we speak for all residents to thank the municipal leaders for their thoughtful and quick action in crisis response and management.

The work of the RHSO has continued in a shut-down operation, with the staff working remotely, occasionally from the office, and meeting through ZOOM. Efforts on the workplan continue, with adjustments as needed. The RHSO COVID response activities are included in the following section.



This year completed the third three-year RHSO IMA term ending 6/30/20, and the towns have all signed a 90-day extension to end 9/30/20, when we can presumably meet and resume approvals in the standard manner. Invoices will be sent to municipalities as funds are appropriated. The IMA for the full three-year term will be circulated, presented and executed in the first quarter of FY21. From the staffing perspective, the RFP for the RHSO Consultants was finalized and published, and we look forward to the awards.

Maynard is officially joining the RHSO, effective 7/1/20, and we welcome our neighboring municipality. Maynard is the 9th community, which is the limit specified in the IMA.

The Advisory committee met in May (via ZOOM), and reviewed rental vouchers and vacancies, rental assistance programs, increased resale activity as well as a general community exchange. The Advisory committee will meet again in August.

Regional Activities:

Regional activities are performed for the RHSO communities equally and provide general housing resources, including trainings, reports, information and the website.



Regional Housing Services Office

Serving Acton, Bedford, Concord, Lexington, Lincoln, Sudbury, Wayland, and Weston

Address: 37 Knox Trail, Acton, MA 01720

Website: WWW.RHSOhousing.org

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Phone: (978) 287-1092

We presented and co-sponsored at the CHAPA Metrowest Regional Meeting, held via ZOOM with over 100 participants.

The RHSO is responding to COVID-19 in this fluid and changing environment.

- The RHSO implemented an Emergency Rental Assistance Program (ERAP) with guidance from Massachusetts Housing Partnership (MHP) and CHAPA. This has been rolled out in Acton and Sudbury, with Maynard coming in August. Plans and discussions are underway for Bedford and Weston to participate. and in partnership with interested RHSO member communities to provide short-term rental assistance for COVID-related decreases in income for possible Q4 initial implementation, including participation in a few state-level conference meetings.
- The RHSO website has a section on housing resources and referrals, including information on the state-funded RAFT and ERMA programs which provides temporary assistance to low-income tenants and homeowners;
- The RHSO is working with DHCD and the property managers of larger rental developments to reiterate the state guidance on moratorium on evictions and rent increases;
- The RHSO prepared buyer and seller agreements to use in resales outlining special considerations for showings and inspections during the COVID precautionary period;
- The RHSO sent letters via USPS to all ~380 owners of deed-restricted properties with information on COVID resources.

Our website service migrated to a new platform, and we supported their migration in our hosting services domain. We continue to update the website with new units and properties as created, and new owners for units that have been resold, and new opportunities for existing and future residents.

SHI, 40B Safe Harbor and Inventory Administration

Managing the SHI inventory is a key component of the RHSO services provided. A total of 894 units have been added to the Subsidized Housing Inventory for the member communities since they joined the RHSO, and 91 in FY20.

	Housing Units, 2010 Census	SHI Tracking			FY20 Activity			40B Safe Harbor
		True SHI Units (6/30/20)	% Subsidized	+/- 10%	FY20 SHI %	SHI Units FY20	FY20 Completed Activity	
Acton	8,475	657	7.75%	592	7.75%	89	Avalon (86), Mass Ave (-1), School St (2), PO Crossing (1), 146 Prospect (1)	Yes - HPP Certified, 7/18/21
Bedford	5,322	981	18.43%	883	18.43%	7	Evergreen (3), Pine Hill (4)	Yes - >10%
Concord	6,852	721	10.52%	649	10.52%	0	Black Birch II (2 non-SHI)	Yes - >10%
Lexington	11,946	1,334	11.17%	1201	11.17%	7	DDS (4), Jefferson Drive (3)	Yes - >10%
Lincoln	2,130	268	12.58%	239	12.58%	-30	Oriel Landing (-30 lapsed)	Yes - >10%
Sudbury	5,921	669	11.30%	603	11.30%	5	DDS (5)	Yes - >10%
Wayland	4,957	270	5.45%	237	5.45%	13	11 Hammond (1), Windsor Place (12), Cascade (-60 lapsed)	
Weston	3,952	151	3.82%	136	3.82%	0		
total	49,555	5,051	10.19%	4537	10.19%	91		



Regional Housing Services Office

Serving Acton, Bedford, Concord, Lexington, Lincoln, Sudbury, Wayland, and Weston

Address: 37 Knox Trail, Acton, MA 01720

Website: WWW.RHSOhousing.org

Email: INFO@RHSOhousing.org

Phone: (978) 287-1092

Monitoring:

The monitoring program is a core service of the RHSO with over 5,000 units of rental and ownership restricted housing across the communities.

The 2020 Income Limits were released by HUD on April 1, 2020, representing a 5% increase in the overall Area Median Income (AMI) overall, and an 8% increase in the AMI used in subsidized housing programs.

Ownership Units: The ownership monitoring is complete for FY20, with the following steps:

- Review the registry of deeds for any activity.
- Review owner mailing address versus town database.
- Self-certifications to each owner, 3 mailings
- Review on-line sites for rentals
- Provide annual certification reports to DHCD, awaiting one community.
- Sent quarterly Welcome Letters to new owners in Bedford and Lexington.

7/9/2020	FY20 Self-Declaration				FY19
	Sent	Rec'd	Open	% rec'd	% rec'd
Acton	61	58	3	95%	95%
Bedford	57	52	5	91%	93%
Concord	72	70	2	97%	96%
Lexington	30	30	0	100%	100%
Lincoln	58	49	9	84%	n/a
Sudbury	36	34	2	94%	97%
Wayland	38	34	4	89%	92%
Weston	26	23	3	88%	93%
<i>total</i>	<i>378</i>	<i>350</i>	<i>28</i>	<i>93%</i>	<i>94%</i>

Resales: One of the primary responsibilities of the monitoring agent is to locate eligible buyers upon resale of deed restricted ownership units. This falls to the municipality for units in the LIP Program, 40B units where the town is the named agent, or other local initiatives. FY20 saw an uptick in resales, and this trend is continuing strongly into FY21. The RHSO provides these resale services as part of its core monitoring efforts, and the town receives the resale fee (~\$4k -~\$5k) associated with the transaction.

In FY20, 6 units were resold in Acton, Concord (2 units), Lexington, Lincoln and Sudbury. There were 4 additional units that closed in FY21 this July (Acton, Concord, Lincoln, Weston), with another 4 units currently in marketing (Bedford, Lincoln (2), Sudbury). Municipalities can, and have, purchase additional hours if the resales extend past the contracted support level.

Rental Projects: The RHSO monitors Local Initiative Program (LIP) rental units and units funded with HOME funds on behalf on the member communities, as required by the funding Regulatory Agreements. This quarter we worked on a checklist to facilitate our review of rental vacancy leasing – marketing and waiting lists management as well as responding to monitoring issues due to COVID, such as rent increases, recertification delays, and tenant inquiries.

In general, the monitoring review includes:

1. Reviewing that the rents are calculated in accordance with the Regulatory Agreement.
2. Reviewing sample tenant files to ensure that tenant income is recertified using source documents according to the regulations
3. Verifying that tenants are selected in accordance with Fair Housing requirements and current Affirmative Fair Housing Marketing Plans (AFHMP) including advertising requirements.
4. Verification that the units are maintained in accordance with applicable standards.
5. Providing Town certification to DHCD, as required.
6. Follow-up during the year on compliance findings and recommendations.



Regional Housing Services Office

Serving Acton, Bedford, Concord, Lexington, Lincoln, Sudbury, Wayland, and Weston

Address: 37 Knox Trail, Acton, MA 01720

Website: WWW.RHSOhousing.org

Email: INFO@RHSOhousing.org

Phone: (978) 287-1092

7. Reviewing annual rent increase requests and recommending approvals.

The below table provides the detail schedule for the rental monitoring. There is some shift in schedule and scope due to COVID, including desk reviews in lieu of site visits. We plan to focus on a more thorough review of marketing and waiting list management. There is a moratorium of both rent increases and evictions, per DHCD guidance and rental recertifications are slower and delayed.

	Town	LIP Rental Development Name	SHI units	Subsidy Program	FY20 Status
1	Acton	Scattered sites (AHA)	8	LIP 40B	FY21
2	Acton	Inn at Robbins Brook	3	LIP-LAU	FY21
3	Bedford	Village at Concord Road	12	LIP 40B	FY21
4	Bedford	20 Railroad	4	HOME	In Process
5	Bedford	Patriot Place	10	LIP 40B	Completed
6	Bedford	Village at Taylor Pond	200	LIP-LAU	Completed
7	Bedford	447 Concord Road	1	HOME	Completed
8	Concord	Concord Mews	350	LIP 40B	Completed
9	Concord	Concord Park	16	Local	
10	Concord	405 Old Bedford Road (CHA)	4	LIP LAU	FY21
11	Concord	Brookside Square	8	LIP-LAU	Completed
12	Concord	Warner Woods	80	MH NEF	FY21
13	Concord	Thoreau St (CHA)	1	HOME	Completed
14	Concord	Peter Bulkeley (CHA)	4	HOME	Completed
15	Lexington	Avalon at Lexington Hills	97	LIP 40B	Completed
16	Lexington	Avalon Lexington	56	Local	Completed
17	Lexington	LexHAB Scattered Sites	48	various	In Process
18	Lexington	Pine Grove Village	3	HOME	In Process
19	Lexington	Keeler Farm	1	HOME	In Process
20	Lincoln	Commons	30	LIP 40B	Completed
21	Sudbury	Willis Lake (SHA)	1	LIP-LAU	FY21
22	Sudbury	Avalon	250	LIP 40B	Completed
23	Sudbury	Coolidge (Phase1)	1	HOME	In Process
24	Wayland	Residences At Wayland Center	12	LIP-LAU	Completed
25	Weston	Church, Jones, Pine, Viles	6	LIP LAU	In Process
26	Weston	Warren Ave	5	LIP 40B	In Process
27	Weston	Merriam Village	5	LIP LAU	In Process
			1216		

Town-Specific Monitoring

Other monitoring efforts include assisting residents with refinancing as well as maintaining the inventory with new projects, new owners, and other general updates.

In Acton: Supported the monitoring efforts at Anthem Village/Martin St by assisting with solar panel installation, condo complaints, and attending a ZOOM lottery for the last unit and then reviewing and recommending approval for the buyer. Marketed and located an eligible purchaser for the resale of two units – Parker St and Lalli Terrace, and worked with the Town on reviewing the restrictions at Brewster Lane and recommending approval for the buyer.



Regional Housing Services Office

Serving Acton, Bedford, Concord, Lexington, Lincoln, Sudbury, Wayland, and Weston

Address: 37 Knox Trail, Acton, MA 01720

Website: WWW.RHSOhousing.org

Email: INFO@RHSOhousing.org

Phone: (978) 287-1092

In Bedford: Marketed and located an eligible purchaser for the resale of a unit at Hartwell Farms, added the 4 units at Pine Hill Crossing to the SHI, recommended approval for a refinancing at a unit at Bedford Meadows, confirmed the Town loans for accountants at 447 Concord Road.

In Concord: Marketed and located an eligible purchaser at Walden Street, and supported the closing for the resale of a different unit at Walden Street, for the Concord Housing HUD Repositioning project - completed the Environmental Review reports and assisted with the Town support letter.

In Lexington: Marketed, located an eligible purchaser, and prepared the closing documents for the resale of a unit at Pine Grove Village, added the 3 units at Jefferson Drive to the SHI.

In Lincoln: Supported closings at Minuteman Commons and Cambridge Turnpike, worked with the Town and two owners at Battle Road Farm on selling their units, and started marketing 2A, reviewed and categorized all the individual deed riders at Battle Road Farm finding 4 distinct models.

In Sudbury: Started marketing a resale at Pinewood, worked with the parties on the offered unit at Eddy St, kept apprised on the Dutton Road unit, recommended approval for an applicant to the Frost Farm waiting list, updated the Frost Farm eligibility requirements for 2020, and completed a Maximum Resale Price calculation at Grouse Hill.

In Wayland: No monitoring activities this period.

In Weston: Marketed and located an eligible purchaser, and supported the closing for the resale of a unit at Highland Meadows.

HOME Support:

The HOME support category assists participating HOME communities (Bedford, Concord, Lexington, Sudbury and Wayland) commit and expend their available Program funds, develop HOME funded programs, as well as completing their administrative requirements. To date, the RHSO has assisted the member communities commit ~\$2,310,000 since FY13.

In this reporting period the RHSO requisitioned all the HOME admin funds, attended the quarterly HOME meeting in May, participated in the Consortium review of possible HUD COVID related waivers, as well as:

- Consolidated Plan: The HOME 5 Year FY21-FY25 Consolidated Plan provides a strategic look at the community's need and targets HOME projects to address that need. This period completed this year-long effort, responding to questions and comments on final materials.
- Analysis of Impediments: Supported focus groups for each community and preliminary report materials.
- Bedford: Completed HOME monitoring for 447 Concord Road; submitted requisition for the Bedford Housing Authority Ashby Place project. Work for Phase II is scheduled for Q1 FY21.
- Concord: No additional activity this period, planning to start environmental review and then funding commitment for Junction Village as project has received DHCD funding award.
- Lexington: Submitted requisition for the Lexington Housing Authority Pine Grove Village project. Work is scheduled for completion in Q1 FY21.
- Sudbury: Awaiting leasing for completion of Coolidge II HOME project with the final requisition. Construction and occupancy is for Q2 FY21.
- Wayland: Supported the Wayland Tenant Based Rental Assistance Program (TBRA), to-date awarding \$5,416 across three tenant cases.



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Local Support:

The local support category enables each municipality to have some amount of hours to support priority items that are not covered under other service categories. The following local support activities were performed for each community in this reporting period:

Acton: Continued monthly meetings with town and followed up as needed; provided comments on the Grandview ZBA application; completed the Housing Production Plan and obtained DHCD approval including incorporation of many comments through public review session. Rolled out the ERAP Program with an initial lottery, approval of 10 applicants by 6/30, and submission of payments for July rent. Supported the ACHC by updating the Capital Improvement Program with 2020 eligibility. Started analysis on the assessment values for the deed restricted ownership properties.

Bedford: Reviewed Plank Street proposal and sent letter to developer regarding timing of affordable housing component, supported the ACHC Capital Improvement Program by updating the application with 2020 eligibility, and started analysis on the assessment values for the deed restricted ownership properties.

Concord: Provided input to the CPC annual plan update. Supported the town and CHDC with the Junction Village development by preparing materials and information in advance of Town Meeting. Assisted the CHDC by investigating accounting services, administering the Small Grant Program including updating the application with 2020 eligibility and processing invoices for awarded funds. Started analysis on the assessment values for the deed restricted ownership properties.

Lexington: Assisted with final Moderate Income standards, prepared a Local Preference Justification for 186 Bedford Street, and started analysis on the assessment values for the deed restricted ownership properties.

Lincoln: Started analysis on the assessment values for the deed restricted ownership properties.

Sudbury: Assisted with Housing Choice returning community application, Started analysis on the assessment values for the deed restricted ownership properties. Supported the Sudbury Housing Trust by: preparing agendas, packets and attending meetings; and Small Grant Program by updating the application with 2020 eligibility, reviewing and presenting applications for consideration and award, and processing invoices for awarded funds. In addition, under the Sudbury Trust umbrella, the RHSO responded to a MassHousing RFP for Monitoring Agent services and performed lottery and resale services for other entities in the region, as follows:

- No new contracts this period
- Started and/or Completed Affirmative Fair Housing Marketing Plans for Harvard Pine Hill Village and Medford Wellington Woods
- Supported marketing efforts at Reading Postmark Square, Harvard Pine Hill Village, Medford Wellington Woods
- Completed tenant re-certifications for
- Qualified applicants and held the lottery at,
- Supported closings for Bedford Pine Hill Crossing, Concord Black Birch, Lexington Ridge, Sherborn Fields at Sherborn Falls,

Wayland: Started analysis on the assessment values for the deed restricted ownership properties.

Weston: Continued to work with the town on a proposal with to assist with the Housing Production Plan, specifically the Needs Assessment portion. Assisted the Trust and the Elderly Housing Committee (EHC) on



Regional Housing Services Office

Serving Acton, Bedford, Concord, Lexington, Lincoln, Sudbury, Wayland, and Weston

7.a

Address: 37 Knox Trail, Acton, MA 01720

Website: WWW.RHSOhousing.org

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Phone: (978) 287-1092

adding the additional units at the Brook School Apartments to the SHI through the LIP/LAU application process. Assisted the Weston Affordable Housing Trust with its projects and programs, including: preparing meeting agendas and packets; plans to develop the Housing Production Plan and ongoing asset management of Warren Avenue housing development; and continued support the development at 0 Wellesley through finalizing the RFP and assisting with its publication. Additionally, assisted the Trust in requesting CPA funding for Emergency Rental Assistance. Started analysis on the assessment values for the deed restricted ownership properties.

Attachment 7.a: FY20 Q4 RHSO Status Report (4142 : RHSO presentation and update)



Regional Housing Services Office

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FY20 Tracking:

The FY20 final hours are shown in the table.

These include FY20 supplemental hours purchase by Acton, Concord, Lincoln and Sudbury over the year.


Weston has rolled over 23 hours to FY21.

	FY20 Actual	FY20 Budget	Actual v Budget
Acton			
Monitoring	95.00	106.00	(11.00)
40B Monitoring	28.50	40.00	(11.50)
HPP	268.00	265.00	3.00
Local Support	118.50	100.00	18.50
Regional Activities	26.00	25.00	1.00
Admin	39.25	30.00	9.25
Total	575.25	566.00	9.25
Bedford			
Monitoring	149.50	80.00	69.50
HOME administration	76.50	75.00	1.50
Local Support	113.00	190.00	(77.00)
Regional Activities	26.00	25.00	1.00
Admin	39.25	30.00	9.25
Total	404.25	400.00	4.25
Concord			
Monitoring	168.25	80.00	88.25
HOME administration	69.00	75.00	(6.00)
Local Support (Town)	193.75	208.00	(14.25)
Local Support (CHDC)	123.50	200.00	(76.50)
Regional Activities	26.00	25.00	1.00
Admin	39.25	30.00	9.25
Total	619.75	618.00	1.75
Lexington			
Monitoring	101.00	125.00	(24.00)
HOME administration	67.00	75.00	(8.00)
Local Support	141.75	125.00	16.75
Regional Activities	26.00	25.00	1.00
Admin	38.75	30.00	8.75
Total	374.50	380.00	(5.50)
Lincoln (start 9/1)			
Monitoring	106.50	103.00	3.50
Local Support	61.25	50.00	11.25
Regional Activities	22.50	25.00	(2.50)
Admin	23.75	30.00	(6.25)
Total	214.00	208.00	6.00
Sudbury			
Monitoring	77.25	80.00	(2.75)
HOME administration	33.00	75.00	(42.00)
Local Support (Town)	81.75	200.00	(118.25)
Local Support (Trust)	675.00	525.00	150.00
Regional Activities	26.00	25.00	1.00
Admin	39.25	30.00	9.25
Total	932.25	935.00	(2.75)
Wayland			
Monitoring	22.25	40.00	(17.75)
HOME administration	51.25	50.00	1.25
Local Support	59.25	50.00	9.25
Regional Activities	26.00	25.00	1.00
Admin	39.25	30.00	9.25
Total	198.00	195.00	3.00
Weston			
Monitoring	48.00	40.00	8.00
Local Support (Town)	87.75	92.00	(4.25)
Local Support (Trust)	166.50	204.00	(37.50)
Regional Activities	26.00	25.00	1.00
Admin	39.25	30.00	9.25
Total	367.50	391.00	(23.50)
Totals	3685.50	3693.00	(7.50)

Attachment 7.a: FY20 Q4 RHSO Status Report (4142 : RHSO presentation and update)

REGIONAL HOUSING SERVICES OFFICE










Presentation for FY21 IMA, Sudbury 09.3021



Regional Agreement between Acton, Bedford, Concord, Lexington, Lincoln, Maynard, Sudbury, Wayland and Weston


RHSO Update – Service Model

REGIONAL HOUSING SERVICES OFFICE, ESTABLISHED 2011

Member Towns receive housing services for an annual fee per Inter- Municipal Agreement:

- Monitoring
- Inventory Management
- Program Development and Administration
- Assessment Valuations
- Local Support (Studies, analysis, feasibility, project review)
- RHSO Website
- Regional Collaboration



Town of Concord
Lead Community

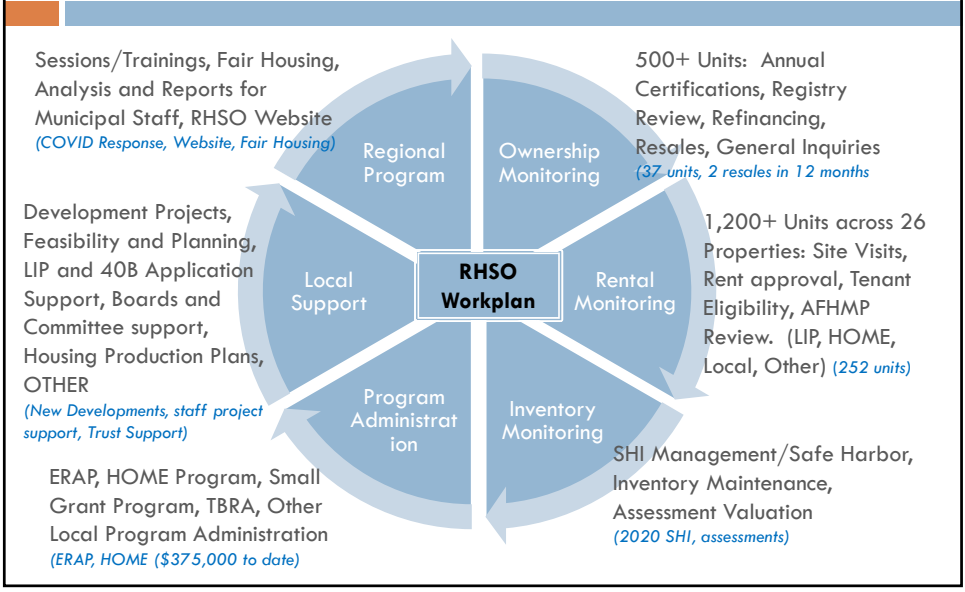
RHSO Personnel deliver services through Lead Community.

Membership Fee covers :

- Staffing
- Administrative expenses
- Accounting
- Office support
- Mail
- Technology
- Other

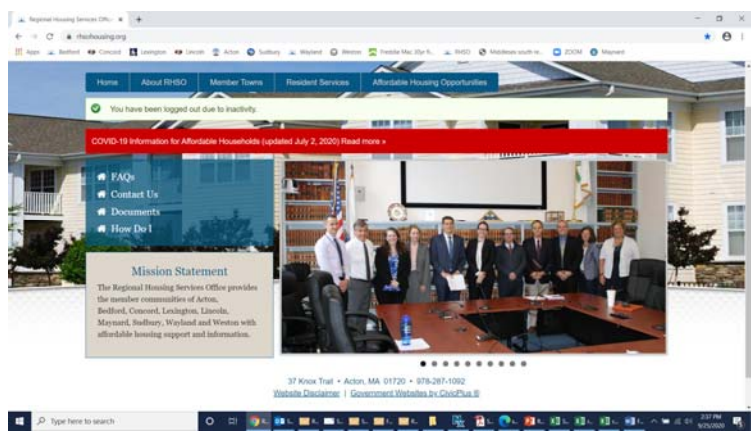
Member Town Statistics (FY21)				
	Housing Units	Restricted/ SHI Units	Restricted Ownership	SHI%
Acton	8,475	657	70	7.75%
Bedford	5,322	981	61	18.43%
Concord	6,852	721	71	10.52%
Lexington	11,946	1334	100	11.17%
Lincoln	2,130	298	59	13.99%
Maynard	4,430	401	6	9.05%
Sudbury	5,921	669	37	11.30%
Wayland	4,957	330	57	6.66%
Weston	3,952	149	11	3.77%
Total	53,985	5,540	472	10.26%

RHSO Workplan - Sudbury



RHSO Website – www.RHSOhousing.org

Resource for municipalities, residents, housing seekers



Attachment 7.b: RSHO Presentation FY21 IMA - Sudbury (4142 : RHSO presentation and update)

RHSO IMA FY21 to FY23

- IMA is a three-year term
 - ▣ Delayed start due to COVID
 - ▣ Annual renewal
- Sudbury's fee and service split between town (CPC) and trust

FY21 Membership Fee Schedule					
	Hours	% of hrs	FY21 Total Fee	FY21 Q1, Amendment	Q2, Q3, Q4 Remaining FY21
Acton	384	11%	\$29,950.00	\$7,487.50	\$22,462.50
Bedford	384	11%	\$29,950.00	\$7,487.50	\$22,462.50
Concord	615	17%	\$47,967.00	\$11,991.75	\$35,975.25
Lexington	384	11%	\$29,950.00	\$7,487.50	\$22,462.50
Lincoln	192	5%	\$14,975.00	\$3,743.75	\$11,231.25
Maynard*	140	4%	\$10,920.00	\$2,730.00	\$8,190.00
Sudbury	935	26%	\$72,925.00	\$18,231.25	\$54,693.75
Wayland	165	5%	\$12,870.00	\$3,217.50	\$9,652.50
Weston	370	10%	\$28,858.00	\$7,214.50	\$21,643.50
Total	3,569	100%	\$278,365.00	\$69,591.25	\$208,773.75

	Town (CPC)	Trust
Hours	370	565
Fee\$	\$30,000	\$42,925

RHSO Update – Summary

- RHSO successfully completed 10 years of operation
 - ▣ Supported by Select Boards annually
 - ▣ Hosted by Concord since FY15

Proactive Compliance Monitoring

- Preserve Units
- Maintain Housing Inventory

Resource Efficiency

- Centralize Information for existing and prospective residents
- Leverage Resources, Resource Continuity

Regional Approach

- Common Solutions for Common Challenges
- Enhance Municipal Services

AGREEMENT

THIS AGREEMENT is entered into by and between the Towns of Acton, Bedford, Concord, Lexington, Lincoln, Maynard, Sudbury, Wayland and Weston, hereafter referred to collectively as the “Municipalities,” this 1st day of October 2020, as follows:

WHEREAS, the Municipalities desire to share the services and costs of a common Regional Housing Services Office; and

WHEREAS, the Town of Concord is willing and capable of hosting a Regional Housing Services Office; and

WHEREAS, each of the Municipalities has authority to enter into this Agreement pursuant to G.L. c. 40, s. 4A;

NOW, THEREFORE, the Municipalities, in mutual consideration of the covenants contained herein, intending to be legally bound, agree under seal as follows:

1. Term. The term of this Agreement shall commence on October 1, 2020 and shall expire after a term of three years on June 30, 2023, unless earlier terminated as set forth herein. Any municipality may withdraw from the Agreement as defined below. The Agreement may be renewed for additional three-year terms as voted by each municipality through its respective Board of Selectmen by January 1 of the year of the expiring term.

2. Lead Municipality. During the Term of this Agreement, the Town of Concord shall act as the lead municipality. The Town of Concord shall perform or provide the following:
 - a. Issue Requests for Proposals for Consultants to provide housing administrative services described in Exhibit A: Core Housing Services, attached and incorporated herein, for all the Municipalities;
 - b. Enter into contracts with Consultants to provide said housing administrative services;
 - c. Manage the Consultant contracts;
 - d. Receive invoices from the Consultants and make payments in a timely manner for services rendered;
 - e. Provide office space and related utilities for the Consultants to operate the Regional Housing Services Office;
 - f. Administer the collection, accounting and use of funds provided by the Municipalities to fund the Consultant contracts;
 - g. Provide overall program oversight and related administration;
 - h. Provide conflict resolution in accordance with Section 10 below.

3. Duties of the Regional Housing Services Office. During the Term of this Agreement, the Regional Housing Services Office shall perform the housing administrative services as described in Exhibit A: Core Housing Services for an annual allocation of hours as indicated in Exhibit B: Fee Structure, attached and incorporated herein.

4. Funding Structure and Payment. The Town of Concord shall annually request funds from the Municipalities for the upcoming year by July 1 with payment due within 30 days of the written request and the Municipalities shall provide annual funding to the Town of Concord pursuant to the Fee Structure, attached as Exhibit B: Fee Structure. Funding for supplemental services not included in Exhibit A: Core Housing Services and for additional hours in excess of the allotted hours in Exhibit B: Fee Structure shall be requested separately, at the discretion of the Town of Concord and the individual municipality. The Town of Concord shall hold all funds in a separate revolving fund account in trust for each Municipality and shall not disburse such funds for any purpose other than payment of invoices from the contracted Consultants for services rendered and other program expenses. Any municipality may borrow or lend hours to other Municipalities upon written agreement between the impacted municipalities, provided that the total number of hours available to the Regional Housing Services Office remains constant.

5. Subsequent Year Adjustments. The annual allocation of hours in Exhibit B: Fee Structure shall be reviewed and adjusted, if necessary, annually, three (3) months prior to end of each year of the Term of this Agreement. The Town of Concord shall provide to all Municipalities a record of the actual hours of services provided to each municipality and propose an amended Exhibit B in order to make any adjustments necessary for the following year of the Term, which shall be adopted as the Municipalities may agree, in accordance with Section 14.

6. Indemnification. Notwithstanding the final sentence of G.L. c. 40, §4A, to the extent permitted by law, each Municipality (the “Indemnifying Municipality”) separately agrees to indemnify the Town of Concord, including all officials, officers, employees, agents, servants and representatives, from and against any claim arising out of the duties performed by the Regional Housing Services Office pursuant to the Agreement in or on behalf of the Indemnifying Municipality for any claim of liability, loss, damages, costs and expenses for personal injury or damage to real or personal property by reason of any negligent act or omission by the Regional Housing Services Office while performing services for the Indemnifying Municipality. As to any claim or occurrence, the express indemnification set forth above shall be town-specific: Acton's obligations shall be limited to the services provided for Acton; Bedford's obligations shall be limited to the services provided for Bedford; Concord's obligations shall be limited to the services provided for Concord; Lexington's obligations shall be limited to the services provided for Lexington; Lincoln's obligations shall be limited to the services provided for Lincoln; Maynard's obligations shall be limited to the services provided for Maynard; Sudbury's obligations shall be limited to the services provided for Sudbury; Wayland's obligations shall be limited to the services provided for Wayland; and Weston's obligations shall be limited to the services provided for Weston. The Indemnifying Municipality's obligation to indemnify under this Section shall be limited to and benefited by the immunities and the limits on liability that would be applicable under M.G.L. c. 258 and any other law or statute limiting the liabilities of municipalities as if the negligent act or omission had been made by an employee of the Indemnifying Municipality. Furthermore, the Indemnifying Municipalities shall not be liable for any claims arising from:

- a. Violations of state or federal civil rights statutes;

- b. Violations of state or federal discrimination statutes;
- c. Wrongful termination claims;
- d. Violations of any state or federal statute dealing with employment practices;
- e. Claims that are covered by any insurance policy.

7. Termination. (Subsection A) Any Municipality, by a vote of its respective Board of Selectmen or Select Board, may withdraw from and terminate this Agreement at the end of any year with the provision of at least two months' prior written notice to the Town of Concord. No such termination shall affect any obligation of indemnification that may have arisen hereunder prior to such termination. Upon such termination, the Town of Concord shall prepare full statements of outstanding unpaid financial obligations under this Agreement and present the same to the terminating Municipality for payment within thirty (30) days thereafter. The Town of Concord, by a vote of its respective Select Board, may terminate this Agreement upon the provision of at least one-month prior written notice to the participating Municipalities. After termination of this Agreement, the Town of Concord shall remain liable to the participating Municipalities for any portion of the payments received not earned. (Subsection B) Any Municipality may withdraw at the end of any fiscal year in which the municipal legislative body has not appropriated funds sufficient to support that municipality's participation in the subsequent fiscal year, provided that in such an event, the municipality shall give as much notice to other subscribers to this Inter-Municipal Agreement as the circumstances allow.

8. Advisory Committee. There shall exist an Advisory Committee comprised of one (1) representative from each municipality, whom shall be appointed by the Town Manager/Administrator of the municipality. The Advisory Committee shall endeavor to meet on a quarterly basis in August, November, February and May. The Town of Concord shall prepare and send to each municipality a quarterly status report prior to the quarterly meeting.

9. Conflict Resolution. The Advisory Committee may hold additional meetings to discuss and resolve any conflicts that may arise including, but not limited to, disagreements regarding the needs of each municipality and changes to the annual allocation of hours as indicated in Exhibit B: Fee Structure. Any recommendations made to the Director of the Regional Housing Services Office must be made by a majority vote. Any unresolved issues shall be decided by the Town Manager of the Town of Concord.

10. Additional Communities. The Advisory Committee may vote at any time to amend this Agreement to add an additional municipality or municipalities by unanimous vote and approval of the Lead Municipality, so long as there are no more than nine (9) member communities. If voted and approved as provided in this Section, the participation of said municipality or municipalities is effective as of July 1 of the fiscal year next after the vote is taken unless otherwise agreed among all parties. Any such additional municipality must be adjacent to at least one municipality participating in this Agreement unless waived by a majority of the Town Managers of the originally participating communities.

11. Financial Safeguards. The Town of Concord shall maintain separate, accurate and comprehensive records of all services performed for each of the Municipalities hereto, and

all funds received from the Municipalities. The Town of Concord shall issue a financial report for each fiscal year to each of the Municipalities by December 31 of the following fiscal year.

12. Assignment. None of the Municipalities shall assign or transfer any of its rights or interests in or to this Agreement, or delegate any of its obligations hereunder, without the prior written consent of all of the other Municipalities.

13. Amendment. This Agreement may be amended only in writing signed by all Municipalities duly authorized thereunto.

14. Severability. If any provision of this Agreement is held by a court of appropriate jurisdiction to be invalid, illegal or unenforceable, or if any such term is so held when applied to any particular circumstance, such invalidity, illegality or unenforceability shall not affect any other provision of this Agreement, or affect the application of such provision to any other circumstances, and the remaining provisions hereof shall not be affected and shall remain in full force and effect.

15. Governing Law. This Agreement shall be governed by, construed, and enforced in accordance with the laws of the Commonwealth of Massachusetts.

16. Headings. The paragraph headings herein are for convenience only, are no part of this Agreement and shall not affect the interpretation of this Agreement.

17. Notices. Any notice permitted or required hereunder to be given or served on any Municipality shall be in writing signed in the name of or on behalf of the Municipality giving or serving the same. Notice shall be deemed to have been received at the time of actual receipt of any hand delivery or three (3) business days after the date of any properly addressed notice sent by mail as set forth below:

Town of Acton
 Town Manager
 472 Main Street
 Acton, MA 01720

Town of Bedford
 Town Manager
 10 Mudge Way
 Bedford, MA 01730

Town of Concord
 Town Manager
 Town House, P.O. Box 535
 22 Monument Square
 Concord, MA 01742

Town of Lexington
 Town Manager
 1625 Massachusetts Avenue
 Lexington, MA 02420

Town of Lincoln
 Town Administrator
 Town of Lincoln
 16 Lincoln Road
 Lincoln, MA 01773

Town of Maynard
 Town Administrator
 Town of Maynard
 195 Main St
 Maynard, MA 01754

Town of Sudbury
 Town Manager
 278 Old Sudbury Road
 Sudbury, MA 01776

Town of Wayland
 Town Administrator
 41 Cochituate Road
 Wayland, MA 01778

Town of Weston
 Town Manager
 P.O. Box 378
 Weston, MA 02493

18. Complete Agreement. This Agreement constitutes the entire Agreement between the Municipalities concerning the subject matter hereof, superseding all prior agreements and understandings. There are no other agreements or understandings between the Municipalities concerning the subject matter hereof. Each Municipality acknowledges that it has not relied on any representations by any other Municipality or by anyone acting or purporting to act for another Municipality or for whose actions any other Municipality is responsible, other than the express, written representations set forth herein.

[SIGNATURE PAGES FOLLOW EXHIBIT B]

Exhibit A
Core Housing Services

1. Monitoring
 - Monitoring Database of Affordable Housing Developments and residents
 - Monitor ownership units
 - Monitor rental developments
 - Assist with resales of ownership units
 - Maintain municipal inventory records with the Subsidized Housing Inventory maintained by the Department of Housing and Community Development

2. HOME administration
 - Assist in the preparation of the Annual Action Plan and Annual CAPER documents
 - Monitor HOME Units
 - Consult on HOME funded projects

3. Local Support
 - Provide valuations to assessors for restricted ownership units
 - Meet with staff and housing entities
 - Consult on projects
 - Prepare and Review project documents

4. Regional Activities
 - Assist communities with regional linkages
 - Maintain and support RHSO website, including public and private pages
 - Provide programs and referrals to residents
 - Administer Programs on behalf of all communities

[SIGNATURE PAGES FOLLOW EXHIBIT B]

Exhibit B Fee Structure

The participating municipalities will proportionally share the total cost of operating the Regional Housing Services Office. The proportional share is determined based on the percentage of hours planned to support each municipality for core services as represented in the fee schedule.

Membership Fee Schedule Chart for FY21

This fee structure does not include payment for supplemental services which will be proposed and invoiced outside of this agreement or payment for additional hours in excess of the allotted hours.

FY21 Membership Fee Schedule					
	Hours	% of hrs	FY21 Total Fee	FY21 Q1, Amendment	Q2, Q3, Q4 Remaining FY21
Acton	384	11%	\$29,950.00	\$7,487.50	\$22,462.50
Bedford	384	11%	\$29,950.00	\$7,487.50	\$22,462.50
Concord	615	17%	\$47,967.00	\$11,991.75	\$35,975.25
Lexington	384	11%	\$29,950.00	\$7,487.50	\$22,462.50
Lincoln	192	5%	\$14,975.00	\$3,743.75	\$11,231.25
Maynard*	140	4%	\$10,920.00	\$2,730.00	\$8,190.00
Sudbury	935	26%	\$72,925.00	\$18,231.25	\$54,693.75
Wayland	165	5%	\$12,870.00	\$3,217.50	\$9,652.50
Weston	370	10%	\$28,858.00	\$7,214.50	\$21,643.50
Total	3,569	100%	\$278,365.00	\$69,591.25	\$208,773.75

Hereon duly authorized and executed as a sealed instrument,

TOWN OF ACTON
By its Town Manager

Date: _____, 2020

Attachment 7.c: Regional Housing Services Office IMA - FY21 (4142 : RHSO presentation and update)

Hereon duly authorized and executed as a sealed instrument,

TOWN OF BEDFORD
By its Town Manager

Date: _____, 2020

Attachment 7.c: Regional Housing Services Office IMA - FY21 (4142 : RHSO presentation and update)

Hereon duly authorized and executed as a sealed instrument,

TOWN OF CONCORD
By its Town Manager

Date: _____, 2020

Attachment 7.c: Regional Housing Services Office IMA - FY21 (4142 : RHSO presentation and update)

Hereon duly authorized and executed as a sealed instrument,

TOWN OF LEXINGTON
By its Town Manager

Date: _____, 2020

Attachment 7.c: Regional Housing Services Office IMA - FY21 (4142 : RHSO presentation and update)

Hereon duly authorized and executed as a sealed instrument,

TOWN OF LINCOLN
By its Town Administrator

Date: _____, 2020

Attachment 7.c: Regional Housing Services Office IMA - FY21 (4142 : RHSO presentation and update)

Hereon duly authorized and executed as a sealed instrument,

TOWN OF MAYNARD
By its Town Administrator

Date: _____, 2020

Attachment 7.c: Regional Housing Services Office IMA - FY21 (4142 : RHSO presentation and update)

Hereon duly authorized and executed as a sealed instrument,

TOWN OF SUDBURY
By its Town Manager

Date: _____, 2020

Attachment 7.c: Regional Housing Services Office IMA - FY21 (4142 : RHSO presentation and update)

Hereon duly authorized and executed as a sealed instrument,

TOWN OF WAYLAND
By its Town Administrator

Date: _____, 2020

Attachment 7.c: Regional Housing Services Office IMA - FY21 (4142 : RHSO presentation and update)

Hereon duly authorized and executed as a sealed instrument,

TOWN OF WESTON
By its Town Manager

Date: _____, 2020

Attachment 7.c: Regional Housing Services Office IMA - FY21 (4142 : RHSO presentation and update)



SUDBURY BOARD OF SELECTMEN
Wednesday, September 30, 2020

MISCELLANEOUS (UNTIMED)

8: Discussion on use of face coverings in public

REQUESTOR SECTION

Date of request:

Requestor: Chairman Dretler

Formal Title: Discussion on use of face coverings in public buildings and outside by Town employees.
Report from Town Manager.

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

09/30/2020 6:30 PM

From: Ann Rettman <acrettman@gmail.com>
Sent: Monday, September 14, 2020 8:27 PM
To: Hayes, Henry <HayesH@sudbury.ma.us>; Carty, Daniel <cartyd@sudbury.ma.us>; Dretler, Janie <DretlerJ@sudbury.ma.us>; Health Department <health@sudbury.ma.us>; Board of Selectmen <BoardofSelectmen@sudbury.ma.us>
Subject: Face Masks for Police Conducting Traffic Stops

Hi, Selectmen and Town Manager Hayes.

May I please have an update on your progress with regards to the police wearing masks during traffic stops?

It has been almost three months of being told by you, Mr. Hayes, and Representative Gentile that you're talking to Chief Nix and you're working on it.

I appreciate that you have a lot on your plate, and it was great to see the vote to charge for bags today, as that's vitally important, but I fear priorities are askew. In light of the events on Friday night, it is more important than ever that this is addressed immediately.

What is it that Chief Nix is saying in these numerous conversations? I ask honestly because he hasn't responded to any of the emails I've sent and I've lost my patience at this point. What excuse is he offering that's allowing him to continue putting more than 3,000 high risk members of our community in danger? It's got to be good and thoroughly researched if he disputes the work of the best scientists in the world.

Unless Chief Nix plans to build a wall around Sudbury and have Framingham pay for it, I don't see how his repeated refusal to make officers mask up during traffic stops is flying with town management.

I will continue to say this: I am stunned that this is a conversation that ever had to be pursued. Sudbury is better than this. Our community deserves better than this.

I appreciate your continued attention to the issue and I hope for a swift resolution.

Kind Regards,

Ann Rettman
978-443-3783

Attachment8.a: Rettman_email (4161 : Discussion on use of face coverings in public)



Sudbury Police COVID Protocols

 Inbox



me 10:54 AM

Hello, it has come to my attention that the Sudbury P



Carty, Daniel 12:42 PM

to me ▾



Thanks for the email Jessica. I plan on following with our Police Chief and Town Manager; let me back to you once I've spoken with them.

Respectfully,

Dan Carty

Chairman, Sudbury Board of Selectmen

From: Jessica Lin <jessica.lin87@gmail.com>

Sent: Tuesday, July 7, 2020 10:54 AM

To: Board of Selectmen

Subject: Sudbury Police COVID Protocols

...

 Reply

 Forward



Nix, Scott 1:46 PM
to me ▾



Good afternoon Ms. Lin,

Your concerns are duly noted. I will consult with those we collaborate with in the health field to ensure our protocols are appropriate. As well, I will be speaking with the officer conducting the stop. Do you have an approximate time of the motor vehicle stop. Thank you.

Respectfully,

Scott Nix

Chief of Police

Sudbury Police Department

[75 Hudson Road](#)

Sudbury, MA 01776

(978) 443-1042

nixs@sudbury.ma.us

...

← Reply

→ Forward

Attachment 8.c: Nixresponse (4161 : Discussion on use of face coverings in public)

----- Forwarded message -----

From: **Jessica Lin** <jessica.lin87@gmail.com>

Date: Tue, Jul 7, 2020 at 10:54 AM

Subject: Sudbury Police COVID Protocols

To: <boardofselectmen@sudbury.ma.us>

Hello, it has come to my attention that the Sudbury Police Department does not have any sort of guideline concerning COVID protections for both their staff and the citizens of Sudbury. This is very alarming, not even addressing police tensions in America currently, the fact that the police are meant to protect and serve the people, not potentially infect and kill them whether directly or indirectly.

Can you imagine the amount of interactions a police officer has with various people throughout the day? If a grocery store clerk, or any individual for that matter, is expected to wear a mask to protect others for the greater good, don't you think a police officer should be high on the list of someone trying to protect the greater good?

I found this out because a dear friend of mine's father was out running a quick errand and was pulled over by an officer. He is 77 years old and has respiratory issues and has been sheltering in place for the majority of the pandemic other than a quick errand here and there. During the entire interaction not once did the officer wear a mask, not even when he went to his vehicle to run the ID after seeing the driver was elderly did he bother to put a mask on.

Furthermore, when my friend contacted the Sudbury Police regarding their policy for wearing masks, she was met with derision and attitude. Sergeant Hagglund questioned the science of wearing a mask and said they had "their own" policies with which they follow, which strangely does not involve wearing a mask? Which government guideline does not recommend wearing a mask for protection I'd like to know?

Wearing a mask when dealing with the public should not be left to the whims of others, it should be a mandated protocol. If taxpayers fund the police to serve and protect, who are they protecting when they put people in the hospital or in the ground? Is common decency only expected of citizens but not from the people we pay to help us? I urge you to think of the citizens you are serving and how these police are gambling with people's lives.

With great concern,
Jessica Lin

Attachment8.d: Screenshot 2020-09-15 at 1.15.23 PM - Edited (4161 : Discussion on use of face



Scott Nix
Chief of Police

Sudbury Police Department

Office of the Chief of Police

75 Hudson Road
 Sudbury, MA 01776
 Business (978) 443-1042
 Fax (978) 443-1045
 nixs@sudbury.ma.us

September 29, 2020

To: Henry Hayes, Town Manager
 From: Scott Nix, Chief of Police
 RE: COVID Face Covering Protocols

Sir,

Please allow me to outline considerations along with expectations that will be reinforced with each shift at roll-call:

1. We have continually worked with the Sudbury Board of Health in assessing best practices relative to COVID protocols, particularly when concerns are raised. This collaboration will continue as we adjust in considering a plethora of issues, to include but not limited to, investigatory dynamics as well as officer safety.
2. Officers shall possess a face covering on their person at all times, particularly for unexpected encounters where social distancing (defined below) is not feasible.
 - a. This includes, but is not limited to, when outdoors or on a traffic post.
3. Motor vehicle stops
 - a. When conducting a motor vehicle stop, officers are not required to wear a face covering during the initial contact. Ability to communicate, maintain sensory indicators, officer safety, etc. are some of the factors utilized in assessing best practices.
 - i. When consulting with the Sudbury Board of Health, it was noted the typical interaction between an officer and operator during a motor vehicle stop is approximately 1 – 1 ½ minutes with said interaction outdoors. As well, this is well below the social distance guidelines of being less than 6 feet apart for more than 15 minutes along with increased ventilation outdoors.
 - b. In consideration of officer safety as well as citizen safety, once the initial engagement is complete, when returning to the vehicle, officers will wear a face covering unless officer safety considerations would negate doing so. This is to be evaluated on a case by case basis and not to be routine.
4. Non-emergency business/encounters
 - a. When department personnel enter a business or residence for non-emergent matters, personnel will wear a face covering.
 - b. Department personnel will wear a face covering when engaging anyone in the lobby of the station.

5. Emergency circumstances
 - a. When responding in emergency circumstances, officers will endeavor to don a face covering, although circumstances may not allow an officer to do so initially. Once safe to do so, officers will don a face covering.
6. In situations where the use of a face covering impedes the conducting of police actions, the officer has the discretion to engage as most appropriate while weighing the risk and mitigation measures. This is to be evaluated on a case by case basis.

Respectfully,

A handwritten signature in blue ink, appearing to read "Scott Nix".

Scott Nix
Chief of Police



SUDBURY BOARD OF SELECTMEN

Wednesday, September 30, 2020

MISCELLANEOUS (UNTIMED)

9: Ballot questions

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Discuss Board of Selectmen notice seeking parties to write arguments supporting or opposing ballot questions on CSX Rail Corridor and Fairbank Community Center. Discussion on updated warrant schedule as provided by Town Manager.

Recommendations/Suggested Motion/Vote: Discuss Board of Selectmen notice seeking parties to write arguments supporting or opposing ballot questions on CSX Rail Corridor and Fairbank Community Center. Discussion on updated warrant schedule as provided by Town Manager.

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

09/30/2020 6:30 PM

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.

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 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 _____

SUMMARY: The 2020 Annual Town Meeting held on September 12, 2020 voted to approve Article 17 authorizing a borrowing of \$1,220,500 for the acquisition of a former rail corridor from CSX Transportation, Inc. The property is being acquired for open space, conservation, passive and active recreation purposes including rail trail/bicycle path, general municipal purposes, for water protection and water supply purposes, and for all other lawful purposes. This ballot question seeks to exclude from the Proposition 2 ½ levy limit the amount needed to be raised by taxation to pay the principal and interest on bonds issued to pay for this land purchase. If this debt exclusion question is approved, permanent bonding will be obtained based on actual expenditures, which amount may be reduced by grant funding.

The estimated impact on the tax rate for bonding \$820,500 (\$1,220,500 reduced by \$400,000 in expected grant funds) is: \$0.02 per \$1,000 assessed value at the highest point of the bonding period (based upon a 10-year bond at 1.75%). For example, the tax impact on the 2020 average home value of \$746,260 is estimated at \$15 in the first year of debt service, and would average approximately \$14/year during the bonding period.

A “yes” vote on this question will authorize the Town to exclude from the levy limit the debt service required to repay the loan for the land purchase, and allow the acquisition to move forward.

A “no” vote will mean that the September 12, 2020 appropriation for the purchase will be null and void, and the Town cannot purchase the property at this time.

Question 2

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 design, permit, construct, and renovate the property located at 40 Fairbank Road, also known as the Fairbank Community Center and Atkinson Pool, and any and all incidental and related costs associated therewith, including without limitation the professional, design, engineering, and project management services, preparation of plans, specification and bidding documents, borrowing costs, purchase of equipment, technology, and furniture, as well as site preparation, demolition, landscaping, and relocation services and costs?

Yes _____ No _____

SUMMARY: The 2020 Annual Town Meeting held on September 12, 2020, voted to approve Article 22 requesting funding for the development and completion of a new building to be known as the Fairbank Community Center which will include space for the Senior Center, Parks and Recreation, and the Sudbury Public School offices with renovation of the existing pool area and replacement of accessory areas. The proposed building will also provide adequate emergency shelter use.

This ballot question seeks to exclude from the Proposition 2 ½ levy limit the principal and interest to pay for this project. If this debt exclusion receives approval via this ballot, bonding will be obtained upon completion of the project based on actual expenditures.

The estimated impact on the tax rate for a \$28,832,000 project is: \$0.31 per \$1,000 assessed value at the highest point of the bonding period (based upon a 30-year bond at 3%). For example, the tax impact on the 2020 average home value of \$746,260 is estimated at \$231/year during the bonding period.

A “yes” vote on this question will authorize the Town to exclude from the levy limit the debt required to fund the project expenditures connected thereto and a “no” vote will mean the project cannot go forward.

Golden, Patricia

From: jallaw@verizon.net
Sent: Tuesday, September 15, 2020 12:50 PM
To: Board of Selectmen
Subject: Fairbank Community Center

Hello All,

Unless a decision has already been made, I would like to volunteer to write the "Pro" comment for the Fairbank Community Center ballot question.

Jeff Levine

Attachment9.c: Levine_email_ballot_question (4144 : Ballot questions)

The new Fairbank Community Center building will replace an old, deteriorating building to meet the needs of our growing community. The new building provides:

- increased space to enhance and expand programs and services offered to our growing 4,200+ senior population.
- appropriate space for Park & Recreation to enhance and expand programs for residents, from toddler to adult, meeting the changing needs of Sudbury families and our 5700+ school aged children.
- up-to-date professional office space to retain and attract highly qualified school administration professionals for Sudbury Public Schools,
- updates to the Atkinson pool systems, new locker rooms, including a family locker room, and expanded observation areas, and
- expansion and enhancement of the Town's only emergency shelter.

The project takes a very practical approach to serve the Sudbury community. With modern design and construction protocols, and state of the art utility management systems, the Town anticipates reducing its energy footprint and maintaining level operating costs. Three professional architecture firms have each independently determined that there are no cost effective ways to salvage the current facility. The cost to build will likely only go up over time so we should not delay any further. The combination of historically low interest rates and the potential for a favorable bidding environment for design and construction, creates an opportunity to build Sudbury's new community center at a much lower cost.

It is in the best interests of Sudbury's residents to approve this Fairbank Community Center project proposal now. Please vote YES on Question 4.

Golden, Patricia

From: Jenn Stone <jennmunroe@gmail.com>
Sent: Tuesday, September 29, 2020 10:02 PM
To: Selectmen's Office
Subject: Ballot Question #2: Con Argument
Attachments: Fairbank Con Argument DRAFT.pdf

Hi,

Attached please find a con argument for Ballot Question #2.

Thanks,
Jenn Stone
35 Taintor Drive
617-645-6547
jennmunroe@gmail.com

Attachment9.e: Stone_email_Fairbank_con (4144 : Ballot questions)

The Covid-19 pandemic has created economic uncertainties for our schools, our community, and our residents. Committing to the Fairbank project, estimated to cost taxpayers \$44 million dollars over the next 30 years, is not prudent at this time.

We cannot assess the full life cost of this proposal because it is an incomplete design. The typical process requires an engineering design and review before committing to construction funds. We are not satisfying the Board of Selectmen's "Protection of Credit Rating Policy" that "The Town will analyze the full-life costs of multi-year decisions." Meanwhile, other capital projects, including fire station expansions and school roofs must be funded as well.

Updating the Senior Center may be a smart investment for Sudbury. But tagging on approximately \$5 million for SPS administration space (currently 27 employees) and over \$10 million for additional P&R space is imprudent.

Class A office space is available for lease in Sudbury, but we have not fully evaluated whether leasing or building new is the better option for the SPS Administration. Leasing could save taxpayers significant money.

Enrollment for Park and Recreation programming has diminished in recent years as alternatives develop in and around Sudbury at similar price points. Yet the proposal increases Parks and Recreation's footprint at Fairbank, for programs which may be served elsewhere.

This is not the right time for a \$28.8 million dollar project as we struggle to come to terms with the economic effects and consequences of Covid-19 on our community and our families.

Golden, Patricia

From: Leonard Simon <lensimon@comcast.net>
Sent: Monday, September 14, 2020 12:30 PM
To: Hayes, Henry
Cc: Board of Selectmen
Subject: Position statement for ballot questions

Hello Mr. Hayes,

I would like to submit a position statement for the CSX ballot question which will be on the November 3 ballot.

Please let me know the date that the Select Board will be requesting and accepting such position statements.

If there is a word limit for such position statements please let me know that as well.

Thank you.

Len Simon

Attachment9.g: Simon_email_ballot_question (4144 : Ballot questions)

Ballot Question 3 is a vote to fund the purchase the Sudbury section of the CSX rail corridor, a critical component to completing the Bruce Freeman Rail Trail through Sudbury. It will provide direct access to retail businesses, athletic facilities, recreational areas, and schools. Purchasing this land will protect our drinking water supply, and will prevent another utility corridor from coming through the heart of Sudbury.

Think of the rail trail as a 21.5-mile linear park that all residents can enjoy, from Sudbury to Lowell.

Sudbury Town Meeting overwhelmingly approved the purchase the CSX corridor. The purchase was supported by the Sudbury Conservation Commission, Planning Board, Land Acquisition Review Committee, Finance Committee, and Select Board. The purchase price is in line with independent appraisals.

The state has offered to help Sudbury buy the land with \$400,000 in use-it-or-lose-it grants. This is over a third of the \$1,145,500 purchase price. The full cost of trail construction will be paid with State and Federal funds. The average tax impact will be \$13-15 yearly for 10 years.

We need to act now. Federal law requires us to complete the purchase this year. Otherwise, the parcel becomes available to others (such as a utility company), or it could be divided and sold in pieces making acquisition of the pathway difficult, and we would lose the grant money.

This is a unique opportunity to make Sudbury stronger and protect our vital resources at the same time. Vote yes to purchase the CSX land.

From: ddepompei@verizon.net
To: [Selectmen's Office](#)
Subject: Arguments for Ballot Questions
Date: Monday, September 21, 2020 7:47:55 AM

Submittal info:

- A. Organization name: NA
- B. Daniel A. DePompei, 978-443-6390, ddepompei@verizon.net
- C. Question #1; Purchase of CSX
- D. I am providing a CON argument
 1. Draft Follows; 238 words:

Vote no on question 1. This is an unjustified expense for Sudbury. Purchase of the CSX Right of Way (RoW) is a State responsibility. It is the State's declaration, MA General Law Chapter 161C Section 1, to purchase, create and preserve railroad RoWs for public use. If Sudbury votes to not purchase the CSX RoW, the property will be abandoned (released from federal regulation and control) and CSX will sell the property. Ma General Law 161C provides the State Right of First Refusal to purchase railroad RoWs. Massachusetts standard practice for public use of these RoWs is the construction of recreational trails. The State has already purchased the entire railroad RoW from Sudbury's Station Road north through Concord, Acton, Carlisle, Westford and Chelmsford. The State leases the RoW to each Town for \$1/yr for use as their section of the Bruce Freeman Rail Trail. Sudbury's actions to delay this abandonment and State purchase for 20 years are, and always have been questionable. Recently voiced concerns about Sudbury's wells along the RoW are unsubstantiated. Sudbury Water District has not expressed any concerns. Town wells are provided the same legal and environmental protections irrespective of who owns the RoW. The State can and should treat all Towns equally in the funding and construction of the Bruce Freeman Rail Trail. The State can and should purchase the CSX RoW and lease it to Sudbury for \$!/yr. Vote no on Question 1.



SUDBURY BOARD OF SELECTMEN
Wednesday, September 30, 2020

MISCELLANEOUS (UNTIMED)

10: Discussion on Diversity, Equity and Inclusion Commission

REQUESTOR SECTION

Date of request:

Requestor: Selectman Dretler

Formal Title: Discussion and vote to approve formation of Sudbury Diversity, Equity and Inclusion Commission

Recommendations/Suggested Motion/Vote: Discussion and vote to approve formation of on Sudbury Diversity, Equity and Inclusion Commission

Background Information:
attached updated draft as of 9/30/20

Financial impact expected:

Approximate agenda time requested: 15 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

09/30/2020 6:30 PM

Sudbury Board of Selectmen Statement on Racial Justice

We, the Sudbury Select Board, mourn the killing of George Floyd and numerous others who fell victim to excessive force and brutality, after centuries of ongoing injustice. We staunchly uphold the American values of life, liberty, and the pursuit of happiness for all our citizens. We share the anger and sadness of those who are standing up to say enough is enough and agree that the time has come for meaningful change.

As elected leaders we recognize our responsibility to understand racial inequality in Sudbury and help foster any needed change. It is our desire for Sudbury to be a place where all individuals can live happily, free of fear, and with equal access to opportunities, regardless of race. Better understanding and action in our own community can contribute to greater systemic change at a regional, state, and national level. In upcoming days and weeks, we will engage in conversation with leaders and citizens to comprehend the current state of racial equality in Sudbury. Then importantly, we will seek to identify concrete actions that can be taken to address any areas of concern and opportunity. We look forward to the conversation and ensuing steps to advance racial equality and justice in Sudbury. We also request that our Governor and Legislators pursue a similar path to understanding and change. *Voted June 9, 2020 by Sudbury Board of Selectmen*

<https://s3-us-west-2.amazonaws.com/cdn.sudbury.ma.us/wp-content/uploads/sites/260/2020/06/BOS-Racial-Justice-6.9.20.pdf?version=600422ef3b82119aafda9f40999408dd>

DRAFT

Sudbury Diversity, Equity, and Inclusion Commission

Mission:

The Board of Selectmen is creating the Sudbury Diversity, Equity, and Inclusion Commission (Commission) to support diversity, achieve equity, and foster inclusion for every member of this community, respecting all aspects of identities. The Commission shall also critically consider intersections among these groups to facilitate learning, understanding, and unity.

The Commission will post, conduct, and record its meetings in compliance with the Massachusetts Open Meeting Law.

The Commission shall consist of fifteen members, with up to two associate members (non-voting) and a Select Board liaison. The Commission shall make recommendations on a quarterly (minimum) basis to the Sudbury Select Board on policies and programs to identify and eliminate conscious or unconscious biases and prejudices, to reject discrimination, and to measure, promote, and increase diversity, equity, and inclusion of Sudbury's historically disenfranchised populations. Within the first year, the commission will present an action plan to move the town toward the following goals.

Goals:

1. The Commission will meet at least monthly to hear testimony from towns people, deliberate on those discussions and submit a report within the first year, including an action plan, to the Select Board which will then oversee the implementation of the recommended actions. To accomplish this goal, the commission will:
 - a. Provide training for the members to self-examine and recognize their own experience with historically disenfranchised populations and unconscious bias.
 - b. Gather first-hand experiences in Sudbury from historically disenfranchised populations.
 - c. Solicit feedback from town departments, boards, and committees.
 - d. Collaborate with groups operating in town that are focused on related issues.
 - e. Facilitate discussions and education forums for town residents about issues of diversity, equity, and inclusion.
2. The Commission will identify ways to promote awareness, engagement, and community building around diverse experiences and to create a more inclusive community, including:
 - a. Brainstorm possible actions that can be taken to address any problems/issues found.
 - b. Produce a report, within one year of its first meeting, for the Select Board documenting the state of diversity, equity, and inclusion in town and in the schools, and make appropriate recommendations to address any problems found.

Membership:

The ***Sudbury Diversity, Equity, and Inclusion Commission*** shall be appointed by the Sudbury Board of Selectmen according to the following list. All appointments shall expire on June 30, 2022 but may be extended by the Board of Selectmen. The Commission may also have up to two associate members. Members will be reflective of the diversity of the Sudbury community. The membership will be established through an open request to all residents of the town. The Board of Selectmen will send notice of the application process to all faith communities, local civic organizations, town boards and committees, local media (including print and digital and social media) and any other outlet that will help to reach the broadest range of residents.

The Commission shall elect a Chair, Vice-chair, and a Clerk from among its members. The Chair will run the meetings, be the designated communications link with the Board of Selectmen, and schedule meetings.

Membership will include:

- Sudbury resident(s) (7 members)
 - Currently enrolled student at Lincoln-Sudbury Regional High School (1)
 - Parent/Caregiver of METCO student..... (1)
 - Two members nominated by SPS and LSRHS Committees (one each) (2)
 - One member nominated by Sudbury Housing Trust/Sudbury Housing Authority (1)
 - One member nominated by the Sudbury Clergy Association (1)
 - Sudbury Police Chief or delegate from Sudbury Police Department..... (1)
 - Town of Sudbury Town Manager (1)
- Total membership (15)
- Board of Selectmen liaison..... (1)
 - Associate member (nonvoting) (up to 2)

Areas of expertise for members may include but not limited to:

- Business representatives
- Human Resources
- Immigration law
- Medical and healthcare skills and experience
- Minority affairs
- Real estate/Affordable Housing
- Social Work

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Meetings will be open to the public, recorded, and will include community wide surveys and discussion groups.

Compliance with State and Local Laws and Town Policies

The members of the Diversity, Equity, and Inclusion Commission are responsible for conducting their activities in a manner which is in compliance with all relevant state and local laws and regulations including but not limited to the Open Meeting Law, Public Records Law, and Conflict of Interest Law, as well as all Town policies which affect commission membership. In particular, all appointments are subject to the following:

The Code of Conduct for Selectmen Appointed Committee

The Town's Email Communication for Committee Members Policy

Anyone appointed to serve on a Town committee by the Board of Selectmen agrees that he/she will use email communication in strict compliance with the Town of Sudbury's email policy, and further understands that any use of email communication outside of this policy can be considered grounds for removal from the committee by the Selectmen.

Use of the Town's Web site

The Committee will keep minutes of all meetings and post them on the Town's web site. The Committee will post notice of meetings on the Town's website as well as at the Town Clerk's Office.

DRAFT



SUDBURY BOARD OF SELECTMEN
Wednesday, September 30, 2020

MISCELLANEOUS (UNTIMED)

11: Minutes review/approval

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Review regular session minutes of 8/4/20 and 8/11/20, and possibly vote to approve minutes.

Recommendations/Suggested Motion/Vote: Review regular session minutes of 8/4/20 and 8/11/20, and possibly vote to approve minutes.

Background Information:
attached drafts

Financial impact expected:

Approximate agenda time requested: 15 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

09/30/2020 6:30 PM

SUDBURY BOARD OF SELECTMEN

TUESDAY AUGUST 4, 2020

(Meeting can be viewed at www.sudburytv.org)

Present: Chairman Daniel E. Carty, Vice-Chairman Patricia A. Brown, Selectman Janie Dretler, Selectman Jennifer Roberts, Selectman William Schineller, Town Manager Henry L. Hayes, Jr., Maryanne Bilodeau, Assistant Town Manager/HR Director

The statutory requirements as to notice having been complied with, the meeting was convened at 7:00 p.m., via Zoom telecommunication mode.

Chairman Carty called the meeting to order after being in executive session and resuming in open session.

Roll Call and Opening Remarks by Chairman

Roll Call: Brown-aye, Dretler-aye, Schineller-aye, Roberts-aye, Carty-aye, Hayes-aye

Chair Carty announced:

- Storms this evening and parts of Town are without power, including LSRHS where SudburyTV is based. He is currently recording the meeting via ZOOM.
- Sudbury is a recipient of the Mass Trails Grant for the Bruce Freeman Rail Trail corridor in the amount of \$300,000.00.
- Council on Aging has open seats on their committee.
- The first registered case of EEE in MA has been identified. Mosquito spraying scheduled for tonight was postponed to August 10 due to storms.
- Sudbury Public School meeting cancelled this evening due to the storm.
- State Primary Election - September 1. Town polling sites will be open 7:00 a.m. to 8:00 p.m.

Reports from Town Manager

Town Manager Hayes announced:

- Good Samaritan event – Mr. Dan Flaherty aided in saving a man’s life on Monday August 3rd at approximately 8:24 p.m. after the victim received a severe laceration to an extremity while working at 29 Hudson Road.
- A medical helicopter was called at approximately 7:30 p.m. on August 3rd in response to a swimming pool accident. The victim was transported to the hospital successfully.
- Town Manager will attend the Commission on Disabilities (COD) meeting Thursday, August 6th at 6:30 p.m. via ZOOM.

Town Manager Hayes recommended that all residents be vigilant and maintain good preventative measures during the COVID-19 pandemic, as well as being extremely cautious during mosquito season.

Health Department Update

Present: Health Director William Murphy

Mr. Murphy presented a health update and confirmed that over the past week, there had been five new cases of COVID-19 in Sudbury. He detailed that three of the five Sudbury COVID-19 cases occurred in community care sites.

Mr. Murphy reiterated the importance of social distancing, mask use, hand washing and avoiding larger gatherings. He noted that for those residents who have related concerns and chose not to contact the Sudbury Health Department, could contact the State Public Health Department, who will direct the comment/s to the Sudbury Health Department.

Mr. Murphy stated that the Town will be administering flu vaccines.

Mr. Murphy noted that the EEE case identification came early this year and increased sampling by the State Laboratory continues.

Reports from Selectmen

Vice-Chair Brown stated that she and Chair Carty held Selectmen Office Hours on July 29th and Selectmen Dretler and Roberts will be holding Office Hours on August 13th at noon.

Selectman Dretler had no specific reports.

Selectman Roberts stated that she had written an EEE article as part of the Selectmen's Newsletter, adding that there was a human EEE case found in Plymouth county, as well as additional EEE samples identified in Middlesex county. She emphasized that everyone must take necessary precautions regarding EEE.

Selectman Schineller stated that the Permanent Building Committee (PBC) had one open position, with two interested candidates that PBC plans to interview within the next two weeks. He noted that PBC is anticipating an update from Bill Barletta regarding the Fairbank Community Center proposal.

Citizen's comments on items not on agenda

There were no citizen's comments.

Discuss Annual Town Meeting date, time and location, and vote to add September 13, 2020 as an alternative date in addition to September 20

Chair Carty noted that the additional alternative Annual Town Meeting date was scheduled for September 13, 2020. He affirmed that September 12, 2020 remains that primary date for the Annual Town Meeting.

Vice-Chair Brown motioned and Chair Carty seconded the motion.

It was on motion 5-0; Brown-aye, Schineller-aye, Roberts-aye, Dretler-aye, Carty-aye.

VOTED: To add September 13, 2020 as an alternative date to the September 12, 2020 Annual Town Meeting date, starting at 9:00 a.m. on both days, with September 20, 2020, as a backup, starting at 9:00 a.m.

Interview candidate for Historic District Commission (HDC)

Present: Resident and Historic District Commission (HDC) candidate Susanna Finn, 58 Hudson Road

Ms. Finn stated that she would like to help preserve the historic nature of Sudbury. Ms. Finn commented that she lived in a Federal-style historic home and preserving such structures was important to her.

Board members made related comments and thanked Ms. Finn for her willingness to help serve the Town.

Selectman Dretler motioned to appoint Susanna Finn, 58 Hudson Road, to the Historic District Commission for a term expiring 1/1/2025. Vice-Chair Brown seconded the motion.

It was on motion 5-0; Schineller-aye, Brown-aye, Roberts-aye, Dretler-aye, Carty-aye.

VOTED: To appoint Susanna Finn, 58 Hudson Road, to the Historic District Commission for a term expiring 1/1/2025.

Interview candidates Kenneth Holtz, 175 Landham Road, and Jeremy Cook, 123 Maynard Farm Road, for appointment to the Conservation Commission

Present: Resident and Conservation Commission candidate; Kenneth Holtz, 175 Landham Road

Town Manager Hayes detailed that Jeremy Cook was not present and would be serving as associate member on the Conservation Commission, which did not require a Selectmen appointment. He stated that he spoke with Mr. Holtz and Mr. Cook and received great recommendations on each.

Town Manager Hayes noted that Charles Russo submitted his resignation as member of the Conservation Commission (ConCom).

Mr. Holtz stated that he has been an associate member of ConCom for a year and a half, attended all ConCom meetings and maintained great interest in conservation lands. He has completed Mass. Conservation Commissioner training preparation, including the specific Mass Wetlands Protection Act and the Sudbury Wetland Bylaws units.

Mr. Holtz explained that he had personal experience as an NOI (Notice of Intent) applicant and was looking forward to assisting NOI applicants when they come before ConCom.

Board members acknowledged that Mr. Holtz came highly recommended and thanked him for his willingness to serve the Town in this capacity. The Board thanked Mr. Cook for volunteering to help with conservation efforts of the Town.

Selectman Roberts moved and Chair Carty seconded the motion.

It was on motion 5-0; Dretler-aye, Schineller-aye, Brown-aye, Roberts-aye, Carty-aye.

VOTED: To approve the appointment of Kenneth Holtz, 175 Landham Road to the Conservation Commission, effective upon the resignation date of Charles Russo, for a term ending May 31, 2021.

Vote to accept the resignation of Charles Russo, 30 Juniper Road, member of Conservation Commission, and send a letter of thanks for his service to the Town

Mr. Russo mentioned that both Mr. Holtz and Mr. Cook were most impressive candidates. Mr. Russo confirmed that Mr. Holtz would not be able to vote on some outstanding Conservation business, but he would continue to participate in such voting.

Chair Carty moved and Selectman Schineller seconded the motion.

It was on motion 5-0; Dretler-aye, Schineller-aye, Roberts-aye, Brown-aye, Carty-aye.

VOTED: To accept the resignation of Charles Russo, 30 Juniper Road, member of Conservation Commission, and send a letter of thanks for his service to the Town.

Discussion on joint letter from BOS, SPS, Board of Health, and Lincoln BOS, Lincoln Schools, and Lincoln Board of Health

Chair Carty presented the joint letter regarding prevention and spread of COVID-19 in consideration of school re-openings.

The Board discussed and recommended three language and grammatical edits. Chair Carty stated that he would submit the proposed edits to the LSRHS School Committee.

Chair Carty motioned and Vice-Chair Brown seconded the motion.

It was on motion 5-0; Dretler-aye, Roberts-aye, Schineller-aye, Brown-aye, Carty-aye.

VOTED: To approve the joint letter from BOS, SPS, Board of Health, and Lincoln BOS, Lincoln Schools, and Lincoln Board of Health, with comments provided by the Sudbury Board of Selectmen.

Vote to open a joint meeting with the Finance Committee

Present: Finance Committee members: Eric Poch, Scott Smigler, Susan Berry, Lisa Gutch, Ron Brumback

Present on Roll Call: Carty-aye, Dretler-aye, Schineller-aye, Roberts-aye, Schineller-aye, Brown-aye.

Present on Roll Call: Poch-aye, Smigler-aye, Berry-aye, Gutch-aye, Brumback-aye.

At 8:00 p.m. Chair Carty motioned to open a joint meeting with the Finance Committee. Selectman Schineller seconded the motion.

It was on motion 5-0; Schineller-aye, Roberts-aye, Dretler-aye, Brown-aye, Carty-aye.

VOTED: To open a joint meeting with the Finance Committee.

Mr. Poch, acting as FinCom Chair, motioned to open a joint meeting with the Board of Selectmen. Ms. Gutch seconded the motion.

It was on motion 6-0; Poch-aye, Berry-aye, Smigler-aye, Gutch-aye, Nam-aye, Brumback-aye.

VOTED: To open a joint meeting with the Board of Selectmen

Finance Committee to present FY21 budget

Mr. Poch opened the joint meeting discussion and stated that the primary concerns of FinCom focused on known and unknown financial effects from COVID-19.

Mr. Poch affirmed that FinCom voted unanimously to support the Town Manager's FY 21 Town Budget. Mr. Poch outlined FinCom's recommendations to be included in the Town Warrant:

1. Create and provide insight into a CV-19 Crisis Management Plan that establishes a proactive process for decision making if the CV-19 virus has a greater impact to revenue and expenses and necessary response is different than currently anticipated.
2. Take a holistic approach to expected financial impacts (including third party vendors) related to CV-19 that considers not just the Town budget, but its taxpayer residents, employees and stakeholders as well. 3. Provide a quarterly report of key metrics related to CV-19's revenue and cost impacts that are relevant to taxpayers and residents, for the duration of the CV-19 health and economic crisis.
3. Avoid override scenarios and delay all but the most urgent capital projects until Spring 2021 Town Meeting or longer, based on duration of CV-19 related uncertainties.
4. Utilize Free Cash to reduce the tax levy appropriately, providing relief to taxpayers, but not to support one-time spending that otherwise should be funded through the operating budget.

Mr. Poch stated that FinCom agreed that it was appropriate to use Free Cash on this year's budget to lessen the levy impact for Town taxpayers who might be experiencing challenging financial circumstances. He recommended reducing capital funding as much as possible.

Mr. Poch referred to FinCom's "Estimated Impact of Town Meeting Spending on Your Fiscal 2021 Tax Bill." Selectman Schineller questioned aspects of the document. Mr. Smigler commented that the numbers presented were estimates.

Selectman Roberts initiated a discussion regarding the increase in the median tax rate as presented in "The Finance Committee Assessment of the Town Recommended FY 21 Budget." Selectman Roberts recommended that FinCom include the word "average" in their written document. Group discussion took place.

Chair Carty confirmed that FinCom would be making the corresponding budget presentation at Town Meeting. Mr. Poch affirmed the statement.

Selectman Dretler stated that she was heartened to see that the unemployment rate decreased in the month of July and hoped that FinCom was utilizing the current rate of unemployment stats. She suggested that FinCom supply additional information regarding State funding and that FinCom provide a link to the S&P report.

Ms. Berry reiterated that FinCom's intent was to provide tax relieve to the taxpayers as well as maintaining Town services.

Mr. Smigler stressed the importance of item #1 – inclusion of a COVID-19 Crisis Management Plan. Vice-Chair Brown commented that in this regard, it might be advisable to note what types of efforts have been made to date and what type of efforts could be made going forward. She suggested that FinCom submit all related questions/comments in writing, discuss such questions/comments in a formalized communication pattern; namely, via Town Manager.

Chair Carty commented that Town Manager Hayes had been managing the Town in a State of Emergency since he assumed his position. Chair Carty suggested if this situation were to continue for one or more years, then the Town would have to consider/plan for such a Crisis Management Plan.

Selectman Roberts stated that the practical reality was that National and State COVID-19 directives/changes come fast and the Town must act in an expedient fashion as well. She stated that Town Manager and staff are doing in great job in dealing with these directives.

Selectman Roberts asked about clarification regarding FinCom's language regarding "an inflexible budget" and the timing of such during current times. Mr. Poch responded that Town Manager Hayes and Finance Director Dennis Keohane were responsive in providing FinCom with assessment of the Town budget. Mr. Poch detailed that FinCom was not as successful in obtaining such assessment from the other two cost centers, namely the schools, which represented 75% of the budget.

Selectman Roberts stated that she had difficulty understanding the comments regarding the "Town's approach," as mentioned by FinCom.

Selectman Dretler stated that Town Manager Hayes and Finance Director Keohane had crafted a very conservative budget. Mr. Poch acknowledged and applauded such efforts by Town Manager and the Finance Director and mentioned "approach" aspects had more to do with what was actually included in that budget. Ms. Nam stated that FinCom was split and some members felt that missing information included projections when looking ahead, noting that projections outlined in October did not change.

Selectman Roberts affirmed that the current budget approach presented was strategic and analytical.

Selectman Roberts referenced recommendation #4 – "delay all but the most urgent capital projects," and stated that FinCom was clearly split regarding several capital projects before the Town.

Selectman Roberts mentioned FinCom's recommendation regarding the Fairbank Community Center. She noted that she received additional information from Mr. Keohane who maintained that FY22 and FY23 would reflect

interest from short term notes and FY24 would assume bulk of the debt service regarding potential Fairbank Community Center article funding. She recommended that FinCom include that consideration in their recommendation.

Mr. Keohane confirmed that such debt service would commence in FY22, at the earliest and the bulk would be present in FY23.

In reference to item #2, Selectman Dretler asked about the identity of third party vendors mentioned. Mr. Poch responded it was any party the Town used, and exemplified school transportation bus company and plow drivers.

Vice-Chair Brown stated that FinCom members indicated that Mr. Keohane and Town Manager Hayes had been very responsive and provided necessary financial information, but that other cost centers had not provided such information. Ms. Nam responded that FinCom members had different responses regarding adequacy of information provided.

Ms. Berry, SPS liaison, indicated that she had provided a full listing of requested items involving SPS. She noted that SPS may be facing additional COVID-19 related expenses and that those expenses would likely be known by mid-August. She acknowledged that presented these expenses to FinCom was her responsibility.

Mr. Smigler indicated that SPS was responsive and FinCom did receive such information. He acknowledged that SPS did not yet know what those expenses might be, in total.

Mr. Brumback, FinCom LSRHS liaison, indicated that he provided all requested information for FinCom, which was all that LSRHS knew at this time and was awaiting further information from the State. Internal discussion among FinCom members took place.

Selectman Roberts stated that she would like to see a quarterly COVID-19 financial report as it effects the State and Sudbury.

Selectman Schineller commented that a week ago it appeared that FinCom was going to present an alternate budget, but voted unanimously in support of the Town Budget proposed by Town Manager Hayes. He suggested that such a quarterly COVID-19 financial report be combined with a type of KPI (matrix) that would help the Town determine the appropriate direction to take.

Town Manager Hayes maintained that the presented FY21 Town Budget involved in-depth review and that he did not provide FinCom with minute level of detail, given the authority/discretion of his position and the numerous responsibilities he had at this time. He would appreciate receiving written comment from FinCom going forward.

Town Manager Hayes noted the Town Budget was within the limits of the assessments that FinCom had made, and was confident in the budget he prepared with the assistance of Finance Director Dennis Keohane, Assistant Town Manager Maryanne Bilodeau and other department leaders.

Town Manager Hayes confirmed that he fully understood what he was supporting in consideration of Sudbury Public Schools. He noted that he retained the digital scanning article, in consideration of the current national situation, and did not want to risk such Town archives being destroyed by fire, flood, or any other devastating occurrence.

Mr. Poch stated that FinCom existed as a resource for Town Manager, the Board of Selectmen, and the Town.

Chair Carty thanked FinCom for their help.

Vote to close a joint meeting with the Finance Committee and resume Board of Selectmen meeting

Chair Carty moved to close the joint meeting with the Finance Committee and resume the Board of Selectmen meeting. Vice-Chair Brown seconded the motion.

It was on motion 5-0; Schineller-aye, Roberts-aye, Brown-aye, Dretler-aye, Carty-aye.

VOTED: To close the joint meeting with the Finance Committee and resume the Board of Selectmen meeting.

Mr. Poch motioned to close the joint meeting with the Board of Selectmen. Ms. Gutch seconded the motion.

It was on motion 6-0; Poch-aye, Gutch-aye, Brumback-aye, Nam-aye, Smigler-aye, Berry-aye.

VOTED: To close the joint meeting with the Board of Selectmen.

Discuss Town Reopening Plan

Town Manager Hayes stated that Town buildings would be closed to the public in the month of August and he would be considering what measure of phasing might be possible going forward.

Town Manager Hayes maintained that Town services continue to be meet all Town needs and noted that a written Telework Plan was in place.

Selectman Roberts inquired about staff working arrangements. Town Manager Hayes responded that staff members were performing daily job specifications general public and reiterated that no services had been interrupted. He noted that staff members are not entering the office every day, but are maintaining their position responsibilities, and some staff members cannot work remotely – such as those employed at the Fire Department, Police Department, DPW and other areas.

Selectman Schineller commented that all Town services were functioning at the pre-Covid-19 level, such as the Goodnow Library, and the Fairbank Community Center. Town Manager Hayes mentioned that related Town services were consistent with such services offered in communities throughout the State. Town Manager Hayes explained that he had signed several remote entertainment contracts for the Senior Center.

Selectman Roberts stated that she was impressed with the many virtual offerings in Town.

Vice-Chair Brown anticipated receiving periodic updates regarding phased re-openings in Town. Town Manager Hayes confirmed that he would providing such updates.

Selectman Dretler stated that she appreciated the efforts made by Town staff and noted that with decreased traffic, many DPW projects had been completed. She mentioned pool services, mini-camps, Senior Center, and Library services were continuing effectively.

Chair Carty expressed his appreciation regarding the effectiveness of continued Town services and emphasized that safety was the main focus.

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

Chair Carty noted that Town Manager Hayes drafted a 30-day and 90-day goal checklist.

Town Manager Hayes presented his “Town Manager Goals, Objectives, Reviews, Assessments/Ratings” regarding the 30 and 90-day check-in.

Vice-Chair Brown stated that the evaluation must consider the fact that Town Manager Hayes walked into a State of Emergency status situation when he assumed his role as Sudbury Town Manager.

Selectman Dretler commented that she appreciated the weekly Town updates that Town Manager Hayes provided to the Board. Town Manager Hayes stated that he might not be able to present the weekly updates in such detail as had been provided. Selectman Dretler agreed that the updates did not need to be as extensive.

Chair Carty recommended that the 30-day evaluation be finalized at the next meeting on August 11.

Discussion and possible vote on the Fairbank Community Center Town Forum

Vice-Chair Brown confirmed that she and Selectman Roberts have been planning the Forum, and she met with Lynn Puorro of SudburyTV regarding the technical and broadcasting aspects of the Forum, and was waiting to hear from Mark Thompson regarding the ZOOM aspects of the Forum. She was also working with Leila Frank regarding publicity coverage.

Selectman Roberts noted that she was coordinating presenter availabilities and materials to be shared at the Forum and is working on the presenter's aspect and material to be presented.

Selectman Schineller inquired about the interactive aspect of the Forum. Chair Carty mentioned that the Forum might augment comments that might not necessarily be made at Town Meeting on September 12. Selectman Roberts commented that the user group presentations will be presented at the Forum and condensed for Town Meeting.

Vice-Chair Brown encouraged those with related questions to submit those questions/comments in advance of the Forum.

Chair Carty reinforced that the purpose of the Forum was to educate the public. He requested that the document entitled "Week in the Life of Recreation in the New Building Space," and his calendar graph, be included in the distribution of Forum materials.

Discussion on Board's Social Media Policy

Selectman Dretler opened the discussion regarding a social media policy. Selectman Dretler stated that many towns are incorporating such a policy.

Chair Carty cautioned that a social media policy should not be set for Town employees and the focus of the policy likely would highlight how the policy applies to the BOS and other Town boards/committees.

Selectman Dretler commented that such policies apply to BOS and might extend to other groups under the BOS "umbrella" with exception of Town staff.

Vice-Chair Brown commented that policies applied to other boards/committees appointed by BOS, but elected groups or those appointed by other Town bodies, would not be included in the mentioned "umbrella."

Selectman Roberts maintained that establishing a social media policy would be beneficial and suggested that two Board members could work on a proposed media policy.

Selectman Schineller asked if such a policy would avoid violations regarding the Open Meeting Law regulations. Selectman Roberts agreed and cited several examples.

Chair Carty asked if there was a difference between social media and other media forms. He presented the example of posting something on his personal Facebook page and submitting a letter to the editorial section of a newspaper.

Selectman Roberts commented that the Board should review social media recommendations made by KP Law.

Selectman Schineller commented that the Board need not detail a great amount in the proposed social media policy. He stressed that he did not want to violate the open meeting law.

Chair Carty suggested implementing a goal statement for the social media policy and related enforcement. Selectman Dretler offered to present an outline regarding social media policy.

Discussion on Ballot question policy "pro" and "con"

Town Manager Hayes recommended that the Board consider such “pro” and “con” positions. Deadlines for submission was discussed.

Vice-Chair Brown detailed the Ballot question policy. She noted that if no one steps forward with the “con” or opposing view, Town Counsel often presents the “con” position.

Citizen’s Comments

There were no citizen’s comments.

Review regular session minutes of 6/22/20 and possibly vote to approve minutes

Town Manager Hayes confirmed there were no minutes to review at this time.

Upcoming Agenda Items

- Town Meeting Warrant
- DPW Director Dan Nason to present DPW Articles
- Next update regarding racial safety/community conversations
- Executive Session
- Chair Carty suggested approving two minute sets per week
- BFRT Update – suggested by Selectman Dretler. Selectman Roberts recommended more frequent updates, perhaps every six weeks.
- Project tracking format – recommended by Selectman Schineller
- Eversource Double Pole Presentation
- Update on Quarry North/Cold Brook Crossing update in regard to ownership of Town Center land – suggested by Selectman Dretler
- Broadacres Structure/s Status – suggested by Selectman Roberts

Consent Calendar

Vote to sign the state primary election warrant

Vice-Chair Brown motioned and Selectman Dretler seconded the motion.

It was on motion 5-0; Schineller-aye, Brown-aye, Roberts-aye, Dretler-aye, Carty-aye.

VOTED: To sign the state primary election warrant which must be posted by Aug. 25, 2020.

Vote to add the following Annual Town Meeting articles to the Consent Calendar: 14, 15, 25, 26, 28, 29, 30, 39, 40, 41; and such other articles as may be approved by the sponsors and found to be legally suitable

The Board had related discussion.

Selectman Dretler motioned and Chair Carty seconded the motion.

It was on motion 5-0; Dretler-aye, Schineller-aye, Brown-aye, Roberts-aye, Carty-aye.

VOTED: To add the following Annual Town Meeting articles to the Consent Calendar: 15, 25, 26, 39, 40 and 41 and such other articles as may be approved by sponsors and found to be legally suitable.

Vote to enter into the Town record and congratulate Noah Buttner, Russell Forester, and William Maloney of Boy Scout Troop 61 for having achieved the high honor of Eagle Scout

Vice-Chair Brown motioned and Selectman Dretler seconded the motion.

It was on motion 5-0; Schineller-aye, Brown-aye, Roberts-aye, Dretler-aye, Carty-aye.

Voted: To enter into the Town record and congratulate Noah Buttner, Russell Forester, and William Maloney of Boy Scout Troop 61 for having achieved the high honor of Eagle Scout.

Vote to accept a \$100 donation from Friends of the Sudbury Senior Citizens, Inc.

Vice-Chair Brown motioned and Selectman Dretler seconded the motion.

It was on motion 5-0; Schineller-aye, Brown-aye, Roberts-aye, Dretler-aye, Carty-aye.

VOTED: To accept a \$100 donation from Friends of the Sudbury Senior Citizens, Inc. The purpose of this donation is for the Board of Health to purchase hand sanitizer for distribution to at-risk residents.

Vote to adjourn meeting

Selectman Schineller motioned to adjourn the meeting. Selectman Dretler seconded the motion.

It was on motion 5-0; Brown-aye, Dretler-aye, Schineller-aye, Roberts-aye, Carty-aye.

VOTED: To adjourn the meeting

There being no further business, the open meeting adjourned at 11:24 p.m.

SUDBURY BOARD OF SELECTMEN

TUESDAY AUGUST 11, 2020

(Meeting can be viewed at www.sudburytv.org)

Present: Chairman Daniel E. Carty, Vice-Chairman Patricia A. Brown, Selectman Janie Dretler, Selectman Jennifer Roberts, Selectman William Schineller, Town Manager Henry L. Hayes, Jr., Maryanne Bilodeau, Assistant Town Manager/HR Director

The statutory requirements as to notice having been complied with, the meeting was convened at 7:00 p.m., via Zoom telecommunication mode.

Chairman Carty called the meeting to order after being in executive session and resuming in open session.

Roll Call and Opening Remarks by Chairman

Roll Call: Brown-aye, Dretler-aye, Schineller-aye, Roberts-aye, Carty-aye, Hayes-aye

Chair Carty announced:

- Town Manager Hayes will be conducting Town Manager's Office Hours August 27, from 8:30 a.m. to 9:30 a.m.
- Fairbank Forum scheduled for Wednesday, August 26th at 7:00 p.m.
- Annual Town Meeting Schedule
- Selectmen's Office Hours hosted by Selectmen Dretler and Roberts on August 13, 12:00 p.m. to 1:00 p.m. The Board plans to conduct such office hours every two weeks.
- State Primary Election - September 1. Town polling sites will be open 7:00 a.m. to 8:00 p.m.
- Sudbury School Committees are meeting and working diligently in preparation of phased school re-openings.
- Selectmen edits regarding SPS-COVID-19 letter were approved.

Reports from Town Manager

Town Manager Hayes announced:

- COVID-19 status in MA and detailed that the State gatherings order allows for 50 people or less outdoors; indoor gatherings are limited to 25 people or less.
- The importance of continued wearing of masks, distancing, hand washing and avoidance of group gatherings.
- The Fairbanks Community Center virtual tour has been completed.
- He will be conducting a Municipal Minute with Planning and Community Development Director Adam Duchesneau.
- The Sudbury Fire Department/EMS team assisted with a home delivery recently; mother and baby are doing well.
- There will not be a Selectmen's Meeting on Tuesday, September 1 due to the State Primary Election.
- He will be participating at the next Commission on Disability meeting.

Reports from Selectmen

Vice-Chair Brown announced that the Fairbank Forum materials are on the front page of the Town website and invited all to attend the Forum.

Vice-Chair Brown noted that at their meeting last week, the Community Preservation Committee (CPC) announced the applications for the Fall. She invited those interested to apply and submit applications.

Selectman Roberts attended the MMA (Massachusetts Municipal Association) conversation for Municipal CEOs today, with representatives from DESE (Department of Elementary and Secondary Education), medical advisors, and Lt. Governor Polito. The focus of that conversation was school re-openings, and noted that several helpful matrix modes for community use were introduced by MMA.

Selectman Roberts requested that residents submit their Fairbank Community Center questions soon in order to be addressed at the Forum.

Selectman Dretler stated that she attended a virtual MAPC (Metropolitan Area Planning Council) session regarding Racial Equality and Equity municipal action planning.

Selectman Dretler informed the Board that she attended the MMA COVID-19 session today, and stressed the importance of following prescribed illness-prevention protocols, including the continued use of masks, hand washing, and social distancing.

Selectman Schineller commented about recent heat waves and recognized that the community is being efficient with energy usage at this time. He recognized the importance of solar energy and transmission line programs.

Citizen's comments on items not on agenda

Resident Sue Abrams, 24 Hudson Road, expressed her disappointment with the Board's delayed action regarding racial equality goals and community involvement. She noted that other neighboring towns have advanced efforts and suggested that the Town formally set goals and establish a related task force committee.

Discussion and update on Annual Town Meeting planning

Present: Town Moderator Beth Quirk

Town Manager Hayes stated that he and staff have been planning Town Meeting, and are giving considerable thought to special provisions for those attending who have special needs and mobility issues.

Town Manager Hayes detailed that Town Meeting presentations are being coordinated with SudburyTV and beginning August 21st such recorded presentations will be submitted. Ms. Quirk recognized that it would not be feasible to pre-record all Town Meeting presentations, and applauded the Board's efforts with including numerous articles included on the Consent Calendar.

Town Manager Hayes stated that there will be a central large screen and two secondary screens, and confirmed that the large screen will be designated for motions made.

Vice-Chair Brown asked about the closed caption option. Town Manager Hayes added that the closed caption screen viewing area will reflect seating priority. Ms. Quirk commented that those seats will be reserved.

Resident Kirsten Roopenian, 45 Harness Lane, inquired about amendments to articles. Ms. Quirk responded that receiving amendments in advance would be most useful

Selectman Schineller inquired about mask enforcement at the Town Meeting. Ms. Quirk responded that unless an attendee has a medical reason, everyone must wear masks.

Resident Kay Bell, 348 Old Lancaster Road, asked if incidences of COVID-19 should increase, would Town Meeting be rescheduled. Town Manager Hayes responded in the affirmative, adding that assessments are being made daily.

Selectman Roberts asked if attendees could bring their own umbrellas. Town Manager responded that the Town Moderator will need an uninterrupted line of vision, but opined about such umbrellas being used in the rear-most isles.

DPW Director Dan Nason to present ATM articles 22, 25, 26, 28, 29, 30

Present: DPW Director Dan Nason

It was confirmed that Article 22 was previously supported by the Board.

Mr. Nason presented the DPW articles.

Article 22 – Dutton Road Bridge Project – Easements

Mr. Nason commented that the project included a total of five easements; two being temporary easements. He explained the neighboring properties that would be effected.

Selectman Schineller asked if Town would have to provide funding for the easements. Mr. Nason responded not.

Vice-Chair Brown queried about the projected timeline. Mr. Nason responded that due to COVID-19 related delays, the project would likely not start before spring of 2021.

Article 25 – Road Drainage Improvements

Mr. Nason detailed that the improvements included the repair of corrugated metal pipes. The amount requested for the project was \$120,000.

Selectman Dretler asked if the requested funding amount for Article 25 reflected design aspects only. Mr. Nason confirmed that the article funding was allocated to the design aspect, and noted that some areas might require patching only.

Selectman Roberts inquired about the life of the existing pipes. Mr. Nason responded that most of the piping was at least fifty years old.

Article 26 – Old Sudbury Road Culvert Design

Mr. Nason noted that several areas of the culvert had collapsed, and if further damage incurred, the road would likely have to be closed to traffic. He suggested that areas of culvert repair might be performed by DPW. Mr. Nason confirmed that the funding amount was \$100,000.

Selectman Roberts inquired about the culvert being located in the Historic District. Mr. Nason responded affirmatively, and opined that because all required work would be underground, he believed there would be no special considerations. He stated that he would confirm that aspect.

Selectman Roberts recommended that a cost-benefit study be preformed with consideration that the culvert work might be able to be done by the DPW Department. She asked if further culvert failure could take place before beginning the project. Mr. Nason responded that further damage could take place.

Article 28 - Dump Truck with Plow

Mr. Nason detailed that the funding of the dump truck would be \$110,000.

Article 29 – One-Ton Dump Truck with Plow, Spreader and Wing

Mr. Nason detailed that the funding of such equipment would be \$140,000.

Mr. Nason explained that DPW was considering replacement of two trucks and spoke of the replacement schedule which involved the replacement of two vehicles per year. He advocated for a replacement schedule and spoke of multi-use vehicles.

Selectman Dretler mentioned utilizing a type of vehicle replacement evaluation tool. She noted that some towns use the Collins Center evaluation tool. Selectman Dretler offered to provide Mr. Nason with the link to the Collins Center evaluation tool. Mr. Nason indicated his appreciation.

Selectman Roberts asked about DPW Article amendments. Town Manager Hayes detailed that Article 24 and Article 27 were indefinitely postponed (IP).

Article 30 - 6-wheel Combo Body Dump Truck with Plow and Spreader

Mr. Nason stated that the funding amount of the 6-wheel combo body dump truck was \$260,000.

Chair Carty motioned and Vice-Chair Brown seconded the motion.

It was on motion 5-0; Schineller-aye, Brown-aye, Roberts-aye, Dretler-aye, Carty-aye.

VOTED: To support Articles 25, 26, 28, 29 and 30.

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

Selectman Roberts reviewed the edits made on the “Town Manager Goals, Evaluations, and Professional Development for Henry Hayes, Jr.” document.

Selectman Schineller stated that COVID-19 changed everything and Town Meeting could not be included in the 90-day goals document.

Selectman Roberts commented that a section of the 90-day check-in/evaluation document should include the leadership role of Town Manager Hayes during a state of emergency.

The Board recommended that Town Manager Hayes finalize the “Town Manager Goals, Evaluations, and Professional Development” document for next week’s meeting. Town Manager Hayes confirmed that he would submit the finalized documentation to the Board this evening.

Discussion and possible vote on the Fairbank Community Center Town Forum

Vice-Chair Brown acknowledged that Ms. Frank did an “awesome job” getting the Fairbank Community Center Town Forum information out to the community. She noted that the plan was for residents to submit Fairbank-related questions at least several days before the Forum, so that there will be sufficient time to get such questions answered during the Forum.

Selectman Roberts noted that the Forum was also advertised on the Town website and social media. She asked about e-mail opportunities.

Selectman Dretler asked if the Forum advertising could be placed in the Town Crier newspaper.

The Board reviewed the Fairbank advertising flier.

Selectman Roberts asked if a Forum announcement could be circulated to Town commissions and committees.

Selectman Schineller commented that Forum material included in the Town website was exceptionally well presented.

Discussion and possible vote on Key Performance Indicators (KPI)

The Key Performance Indicators (KPI) discussion was postponed to the next meeting scheduled for September 18th.

Continued discussion and possible vote on Safety and Race Community Conversation forum

Town Manager Hayes stated that a proposed working group or public community forum should include all populations effected by equity, disparity and fairness in Sudbury. He noted that the group should not be limited to ethnicity, since such a group in Sudbury represented only 1% of the population.

Town Manager Hayes detailed that a grant was available to help accelerate such community action, but indicated that the Town was not ready to apply for that application, but could strive for specific actions and perhaps partner with other involved organizations in Town.

Selectman Dretler agreed that the Town was not ready to apply for the grant at this time, but could apply for additional grants that would be coming along. She explained that the MAPC (Metropolitan Area Planning Council), The Federal Reserve Bank of Boston, and The Government Alliance on Race Equity were sponsoring the training grant program which would require 225 hours of municipality commitment towards a training and action program. Selectman Dretler noted that she participated in the MAPC meeting focusing on a racial equity plan.

Selectman Dretler confirmed that she will send the MAPC Equity Plan materials to Town Manager Hayes to share with the Board.

Chair Carty opined regarding the creation of a community task force. Selectman Roberts agreed and stated that during this time of COVID-19 and Town Meeting, it would be great to get direction in advancing this effort and did agree with expanding the topic, but not to the extent that promotes the focus to be compromised.

Selectman Schineller commented that the Police Department was not the problem in Sudbury, and stressed that the Sudbury schools would be important when considering any new group formation.

Vice-Chair Brown stressed that the Board must consider the mission and goal of the proposed group, decide who the members should be, and establish time parameters.

Selectman Dretler opined that as a precursor to group formation, the Board must consider the overall goal and rely on the input of the population that is most involved in such inequalities, and plan to invite them to a future Board meeting. Selectman Dretler stated that the proposed group should be chosen by the Board. Selectman Roberts agreed that the implementation should be a BOS - initiated program, with Town Manager Hayes as a part of that team effort.

Ms. Abrams asked that the Board frame a statement that prioritizes this issue. Chair Carty commented that in consideration of Town Meeting planning and scheduling, such a priority discussion could be included at a Board meeting in October. Ms. Abrams suggested that the Board get the word out now.

Town Manager Hayes asserted that the Board had to examine realities going forward, and reiterated that the inequities reflect more than race in Sudbury. He stated that education, health and cultural challenges were equally important.

Selectman Schineller offered to share race and safety materials at the next Board meeting. He stressed that the Board must examine the intended mission, foundation and the make-up of the proposed group.

Discussion and possible vote whether to include future Board member Charlie Russo in Executive Sessions

Selectman Dretler stated that she had no issue with Mr. Russo's inclusion in executive session meetings during the period before he became an official Select Board member.

Selectman Roberts indicated that inclusion of Mr. Russo at these executive meetings would help Mr. Russo better understand issues that the Board was currently involvement with.

Vice-Chair Brown commented that such inclusion could cause difficulty if a joint executive session meeting were to take place.

Selectman Dretler maintained that other individuals were included in Selectmen executive sessions with signed disclosures.

Chair Carty stated that this discussion was not about Mr. Russo specifically, but rather about setting precedent.

Mr. Russo commented that he did not take this matter personally, did not think that the topic would be controversial, and stated that he would be willing to sign a related disclosure.

The Board conceded not to grant Mr. Russo's presence at executive session before his official appointment to the Board.

Review regular session minutes of 6/17/20 and possibly vote to approve minutes

Selectman Dretler motioned to approve the regular session minutes of 6/17/20, as amended. Selectman Schineller seconded the motion.

It was on motion 5-0; Brown-aye, Dretler-aye, Roberts-aye, Schineller-aye, Carty-aye.

VOTED: To approve the regular session minutes of 6/17/20, as amended.

Citizen's Comments

There were no citizen's comments

Upcoming Agenda Items (August 18th)

- KPI Presentation – Selectman Schineller
- Social Media Policy – Selectman Dretler
- BFRT update
- Cold Brook Crossing and Town Center land exchange
- Broadacres structures
- Camp Sewataro
- Safety and Race task force planning
- Town Meeting discussion
- Town Warrant Articles
- Town Manager 90-day check-in

Consent Calendar

Vote to sign the Annual Town Meeting Warrant

Selectman Roberts commented that she needed more time to review the Town Meeting Warrant before signing. Town Manager Hayes confirmed that the Annual Town Meeting Warrant had to be signed this evening.

Chair Carty suggested that the Board recess for twenty minutes in order for the Board to review the Warrant. The Board recessed at approximately 10:14 p.m.

The Selectmen meeting resumed at approximately 10:41 p.m.

Selectman Schineller questioned Article 17 – CSX Corridor and asked if both the \$100,000 and \$300,000 grants could be included in the Article.

Selectman Schineller also questioned Article 18 – Fairbank Community Center Design and Construction Funds and indicated that the Warrant language should include that the Finance Committee did not vote in favor of Article 18, as the Finance Committee voted four in support and four against the Article.

Town Manager Hayes acknowledged that the Finance Committee did not recommend Article 18.

Selectman Roberts commented that face coverings at Town Meeting was mandated and indicated that the word “mask” had a stronger connotation. Selectman Roberts inquired about actual board/committee vote count including on the Annual Town Meeting Warrant. Chair Carty responded that such vote was usually mentioned at Town Meeting.

Related discussion took place. It was noted that Finance Director Dennis Keohane had submitted that latest version of the Annual Town Meeting Warrant.

Chair Carty motioned to approve item 15 of the Consent Calendar with amendments suggested by Selectman Schineller. Vice-Chair Brown seconded the motion.

It was on motion 5-0; Brown-aye, Roberts-aye, Dretler-aye, Schineller-aye, Carty-aye.

VOTED: To approve item 15 of the Consent Calendar with amendments suggested by Selectman Schineller.

Selectman Roberts recommended that the Board be provided enough time to review the Town Meeting Warrant in the future.

Town Manager Hayes confirmed that the language associated with Article 18 would reflect that the Finance Committee did not recommend approval of the Article.

Selectman Dretler noted that a tie vote was equivalent to a “no vote.”

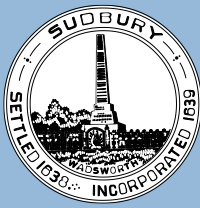
Vote to adjourn meeting

Chair Carty motioned to adjourn the meeting. Selectman Dretler seconded the motion.

It was on motion 5-0; Dretler-aye, Schineller-aye, Brown-aye, Roberts-aye, Carty-aye.

VOTED: To adjourn the meeting

There being no further business, the open meeting adjourned at 10:56 p.m.



SUDBURY BOARD OF SELECTMEN
Wednesday, September 30, 2020

MISCELLANEOUS (UNTIMED)
12: Citizen's Comments (continued)

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Citizen's Comments (continued)

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

09/30/2020 6:30 PM



SUDBURY BOARD OF SELECTMEN
Wednesday, September 30, 2020

MISCELLANEOUS (UNTIMED)

13: Upcoming Agenda Items

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Upcoming Agenda Items

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

09/30/2020 6:30 PM

POTENTIAL UPCOMING AGENDA ITEMS/MEETINGS

MEETING	DESCRIPTION
Oct. 6	Public Hearing on Alcohol License Transfer (Farmer's Daughter)
	Public Hearing on Comcast license renewal (for 10 years)
	Discuss goal setting
	KPI discussion
	BFRT update
Oct. 20	Public Utility Hearing – Eversource grant of location (install traffic light at intersection of Rte 20 and Landham Rd.)
	Sudbury Access Corp (SAC) contract extension (for 3 years)
	Town Manager 360 evaluation
	Social Media policy
	Fall Selectmen Newsletter topic discussion
Date to be Determined	Annual Tax Classification Hearing (tentative Nov.)
	Work Session: Select Board/Town Manager Code of Conduct and other procedural training
	Invite Commission on Disability Chair to discuss Minuteman High School
	Annual meeting with state legislators (2020)
	Update from BOS Policy Subcommittee
	Town meeting recap – year in review
	BFRT Committee Mission Statement update and member reappointment
	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
	Future planning of Sewataro
	Annual alcohol and common victualler license renewals - December
	By-law items to examine - Special Events & Demonstration Permits; Common Victualler License Holders (Related to Farm Act exemptions, citizen request); Nuisance / Blight Bylaw; Removal Authority of members from appointments
	Fairbank Community Center update (ongoing)
	Bruce Freeman Rail Trail (BFRT) update (quarterly: March, June, September and December)
	CSX Quarterly Update (January, April, July, October)
	Approved Executive Session Minutes review for possible release (February, May, August and November). Consider separate meeting solely for this purpose.
	Health/COVID-19 update (as of 3/18/20)
Standing Items for All Meetings	BOS requests for future agenda items at end of meeting
	Citizens Comments, continued (if necessary)



SUDBURY BOARD OF SELECTMEN
Wednesday, September 30, 2020

CONSENT CALENDAR ITEM

14: Accept donation from Sudbury Garden Club

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Vote to accept a donation from the Sudbury Garden Club of a Heritage Park sign. Total cost of sign is \$6,120.

Recommendations/Suggested Motion/Vote:

Background Information:
attached letter from Patti Walch, Sudbury Garden Club

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

09/30/2020 6:30 PM

Sudbury Garden Club
35 Pendleton Road
Sudbury, MA 01776
September 9, 2020

Office of Selectmen
Flynn Building
278 Old Sudbury Road
Sudbury, MA 01776

To the Board:

The Sudbury Garden Club would like to donate the Sign for Heritage Park that was approved by your Board on April 14, 2020 to the Town of Sudbury. This donation also includes the two granite posts and brackets that hold the sign. The Garden Club paid a total of \$6,120 for this project.

Attached please find a picture of the Sign which was installed on Monday, August 31st.

We are very pleased to call attention to this wonderful public space in town.

Sincerely,

Patti Walch
Vice President
Chair Civic Beautification
Sudbury Garden Club

HERITAGE PARK



911
Memorial

Cricket
Pond

Historical Walkway

SUDBURY GARDEN CLUB



INVOICE

Yankee Woodcarvers
63 Court Street
Plymouth, MA 02360
United States

508-591-7019
www.yankeewoodcarvers.com

BILL TO
Sudbury garden club
Patti Walsh
59 Hopestill Brown Road
Sudbury, Massachusetts 01776
United States

508-561-8642
Pattigoforit@yahoo.com

Invoice Number: 326
Invoice Date: April 30, 2020
Payment Due: April 30, 2020
Amount Due (USD): \$6,120.00

Items	Quantity	Price	Amount
COMMERCIAL SIGNAGE 4'x38" Double sided sign reading Heritage park , 911 memorial, cricket pond, historical walkway,, carved town seals . All fully carved and painted .. Lafayette green background with gold letters , black shadow on heritage park Lower Sudbury garden club sign painted milky way with black letters 5.5x36 Sign constructed from 3 inch thick material. 8 coats paint. Guaranteed 10 years minimum. Installed on site	1	\$4,200.00	\$4,200.00
Granite posts 7x7 x 10 foot granite posts . Delivered and installed on site with welded steel Standoffs painted black	1	\$1,920.00	\$1,920.00
Total:			\$6,120.00
Amount Due (USD) :			\$6,120.00

Attachment 14.c: Garden Club Sign Invoice 8 20 (4136 : Accept donation from Sudbury Garden Club)



SUDBURY BOARD OF SELECTMEN
Wednesday, September 30, 2020

CONSENT CALENDAR ITEM

15: Temporary Outdoor Seating Extension

REQUESTOR SECTION

Date of request:

Requested by: Leila S. Frank

Formal Title: As the Local Licensing Authority, vote to approve the extension of previously approved applications for Temporary Outdoor Seating Permits. Currently, permits are effective through November 1, 2020, or until COVID-19 Order No. 35 is rescinded, whichever is sooner. The extension would allow the temporary permits to stay in effect for any period up to and until sixty (60) days after the end of the state of emergency, reverting to their original licensed premises on that date.

Recommendations/Suggested Motion/Vote: As the Local Licensing Authority, vote to approve the extension of previously approved applications for Temporary Outdoor Seating Permits. Currently, permits are effective through November 1, 2020, or until COVID-19 Order No. 35 is rescinded, whichever is sooner. The extension would allow the temporary permits to stay in effect for any period up to and until sixty (60) days after the end of the state of emergency, reverting to their original licensed premises on that date.

Background Information:

Please see Extension of Allowance of Outdoor Table Service Advisory attached.

Financial impact expected:N/A

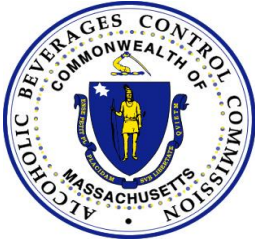
Approximate agenda time requested:

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

09/30/2020 6:30 PM



Jean M. Lorizio, Esq.
Chairman

Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
Chelsea, Massachusetts 02150

**ALCOHOLIC BEVERAGES CONTROL COMMISSION ADVISORY REGARDING
EXTENSION OF ALLOWANCE OF OUTDOOR TABLE SERVICE**

On September 10, 2020, Governor Charlie Baker issued an Order Making Certain Phase III Adjustments (also known as COVID-19 Order No. 50), which extends the period for outdoor table service by licensees licensed for on-premises consumption. The text of the Governor's Order can be found [HERE](#).

Pursuant to this Order, local licensing authorities ("LLA") may approve requests for expansion of outdoor table service or extensions of earlier granted approvals issued pursuant to Section 4 of COVID-19 Order No. 35¹, from November 1, 2020, for any period up to and until sixty (60) days after the end of the state of emergency. The LLA may issue extensions automatically to all licensees, or may do so on request from individual licensees.

The LLA may modify any prior approvals as the LLA deems proper and appropriate, including addressing snow removal, pedestrian traffic, and other similar concerns.

Any licensee that was previously granted approval but is not granted an extension by the LLA may still operate outdoor table service until November 1, 2020.

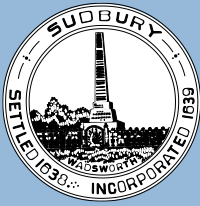
ABCC approval is not required on these extensions. Upon approval from the LLA the LLA may issue the amended license forthwith. The LLA must provide notice by mail to the ABCC on all application approvals. For further guidance on the process of approving and issuing these amended licenses LLAs should consult with their counsel.

Please be aware that all expanded premises approved pursuant to this Order are only effective through sixty (60) days after the end of the state of emergency and revert to their original licensed premises on that date.

The ABCC continues to retain supervision and oversight of all alcohol licensees, including those that expand their licensed premises pursuant to this Order. As always, all licensees must ensure that they comply with the laws of the Commonwealth of Massachusetts, and that sales of alcoholic beverages take place only as authorized by federal, state, and local law. All questions should be directed to Executive Director Ralph Sacramone at (617) 727-3040 x 731.

(Issued September 11, 2020)

¹ The text of COVID-19 Order No. 35 can be found [HERE](#).



SUDBURY BOARD OF SELECTMEN
Wednesday, September 30, 2020

CONSENT CALENDAR ITEM

16: Irrigation installation at Grinnell Park

REQUESTOR SECTION

Date of request:

Requestor: DPW Director Dan Nason

Formal Title: Approve award of contract by the Town Manager for irrigation installation at Grinnell Park, located at 15 Hudson Rd. and 311 Concord Rd., upon recommendation of the Department of Public Works Director; and further to execute any documents relative to said contract.

Recommendations/Suggested Motion/Vote: Approve award of contract by the Town Manager for irrigation installation at Grinnell Park, located at 15 Hudson Rd. and 311 Concord Rd., upon recommendation of the Department of Public Works Director; and further to execute any documents relative to said contract.

Background Information:

This project completes the irrigation system serving the Town Center funded under the 2016 Town Meeting CPC Article 40, Town Center Landscaping and has been approved by the CPC. The award will be made to the qualified bidder at a unit price not to exceed \$50,000.

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

09/30/2020 6:30 PM



SUDBURY BOARD OF SELECTMEN
Wednesday, September 30, 2020

CONSENT CALENDAR ITEM

17: Dutton Road Bridge project easements

REQUESTOR SECTION

Date of request:

Requestor: DPW Director Dan Nason

Formal Title: Pursuant to the 2020 Annual Town Meeting passage of Article 22, vote to accept the following easements relative to the Dutton Road Bridge Project: Permanent and Temporary Bridge Construction Easements, and Permanent Walkway Easement granted by property owners Laura M. Flynn and John R. Flynn, 510 Dutton Road, Sudbury, MA; Permanent and Temporary Bridge Construction Easements granted by property owner the Stearns Mill Pond Condominium Trust, 557 Dutton Road, Sudbury, MA.

Recommendations/Suggested Motion/Vote: Pursuant to the 2020 Annual Town Meeting passage of Article 22, vote to accept the following easements relative to the Dutton Road Bridge Project: Permanent and Temporary Bridge Construction Easements, and Permanent Walkway Easement granted by property owners Laura M. Flynn and John R. Flynn, 510 Dutton Road, Sudbury, MA; Permanent and Temporary Bridge Construction Easements granted by property owner the Stearns Mill Pond Condominium Trust, 557 Dutton Road, Sudbury, MA.

Background Information:

Consent Calendar Art. 22, ATM20, Dutton Road Bridge Project - Easements, was voted unanimously and enables the Board of Selectmen to accept Easements both temporary and permanent required for the bridge replacement project. The Easement documents drafted by Town Counsel have received the approval of the property owners.

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

09/30/2020 6:30 PM

EASEMENT

STEARNS MILL POND CONDOMINIUM TRUST, having and address of 557 Dutton Road, Sudbury, MA 01776 (“Grantor”), for consideration of the sum of One Dollar and 00/100 (\$1.00) and other good and valuable consideration paid, grants to THE TOWN OF SUDBURY, a municipal body politic having an office at 278 Old Sudbury Road, Sudbury, MA 01776 (the “Town”), with Quitclaim Covenants,

Permanent and temporary easements over, in, through, and under portions of the Grantor’s property in Sudbury, Massachusetts on certain parcels of land known and numbered as 557 Dutton Road and shown as Parcel G05-0039 on the Sudbury Assessor’s Map, further depicted on a Right-of-Way and Easement Plan entitled “Dutton Road Bridge Replacement Town of Sudbury MassDOT Bridge No. S-31011, BIN C6Q”, (the “Bridge Plan”), all as more particularly described below.

I. Permanent Bridge Construction Easements

The Town shall have the perpetual right and easement to construct, inspect, repair, remove, replace, reconstruct, operate, and maintain for all purposes for which public ways, roadways and bridges are used in the Town of Sudbury, including without limitation, drainage, utility, slope, grading and construction of improvements and structures, and other related purposes and all undertakings in connection with the bridge easement areas described above and shown as “Permanent Bridge Construction Easement 2” and “Permanent Bridge Construction Easement 3” on the Bridge Plan. The Town shall have the right to enter upon the Permanent Bridge Construction Easement Premises from time to time, including, without limitation, by foot, motor vehicle, and heavy equipment, for the aforesaid purposes.

II. Temporary Bridge Construction Easement

The Town shall have the temporary right and easement to construct, inspect, remove, replace, operate, and maintain for all purposes for which public ways, roadways and bridges are used in the Town of Sudbury, including without limitation, drainage, utility, slope, grading and construction of improvements and structures, and other related purposes and all undertakings in connection with the bridge easement area shown in the area described above and shown as “Temporary Bridge Construction Easement 2 and Existing Access Easement” on the Bridge Plan. The Town shall have the right to enter upon the Temporary Bridge Construction Easement Premises from time to time, including, without limitation, by foot, motor vehicle, and heavy equipment, for the aforesaid purposes.

Said temporary bridge construction easement shall terminate following construction on December 31, 2022.

III. Other

In exercising the rights and easements granted hereunder, the Town agrees that it shall perform the work within the Permanent and Temporary Bridge Construction Easement Premises in compliance with any applicable laws, rules, regulations, and/or bylaws; obtain any and all permits and approvals required by laws, rules, regulations, and/or bylaws to perform such work; repair any damage caused as a result of the Town's negligent acts or omissions, using good faith efforts to restore the surface of the Permanent and Temporary Bridge Construction Easement Premises, if disturbed, to its condition prior to such disturbance, as close as reasonably practicable.

The Town and its agents, contractors and subcontractors and assignees, shall have a right of entry upon and passage over the Permanent Bridge Construction Easement Premises and the Temporary Bridge Construction Easement Premises from time to time by foot and motor vehicles, including heavy equipment, for the purposes set forth herein and all uses necessary or incidental thereto, including, without limitation, using and temporarily storing, as needed, construction equipment, materials or other incidental items in, on, under, and upon the Permanent and Temporary Bridge Construction Easement Premises for the proper construction of the project. The Town shall have the right to remove any structures, objects, utilities and/or vegetation (including trees and shrubs) now or hereafter located within the Permanent Bridge Construction Easement whenever their removal shall be necessary or convenient to exercise the rights taken hereunder.

The Town shall, upon the completion of the Project, restore any portion of the Permanent and Temporary Bridge Construction Easement Premises damaged as a result of the Town exercise of the rights acquired herein to the condition existing prior to such disturbance, as closely as reasonably practicable.

All rights and privileges herein granted, including all benefits and burdens, shall run with the land and shall be binding upon and inure to the benefit of the parties hereto, their respective heirs, successors and assigns.

For Grantors' title, see Master Deed filed and registered in the Land Court, Middlesex South District, Book 831, Page 151.

(Signatures appear on the following pages.)

EASEMENT

We, Laura M. Flynn and John R. Flynn, having an address of 530 Dutton Road, Sudbury, MA 01776 (“Grantor”), for consideration of the sum of One Dollar and 00/100 (\$1.00) and other good and valuable consideration paid, grants to THE TOWN OF SUDBURY, a municipal body politic having an office at 278 Old Sudbury Road, Sudbury, MA 01776 (the “Town”), with Quitclaim Covenants,

Permanent and temporary easements over, in, through, and under portions of the Grantor’s property in Sudbury, Massachusetts on certain parcels of land known and numbered as 530 Dutton Road and shown as Parcel G05-0029 on the Sudbury Assessor’s Map, further depicted on a Right-of-Way and Easement Plan entitled “Dutton Road Bridge Replacement Town of Sudbury MassDOT Bridge No. S-31011, BIN C6Q”, (the “Bridge Plan”), all as more particularly described below.

I. Permanent Bridge Construction Easement

The Town shall have the perpetual right and easement to construct, inspect, repair, remove, replace, reconstruct, operate, and maintain for all purposes for which public ways, roadways and bridges are used in the Town of Sudbury, including without limitation, drainage, utility, slope, grading and construction of improvements and structures, and other related purposes and all undertakings in connection with the bridge easement area described above and shown as “Permanent Bridge Construction Easement 1” on the Bridge Plan. The Town shall have the right to enter upon the Permanent Bridge Construction Easement Premises from time to time, including, without limitation, by foot, motor vehicle, and heavy equipment, for the aforesaid purposes.

II. Permanent Walkway Easement

The Town shall have the perpetual right and easement to construct, inspect, repair, remove, replace, reconstruct, operate, maintain, and utilize for all purposes for which walkways are used in the Town of Sudbury in the area described above and shown as “Permanent Walkway Easement” on the Bridge Plan. The Town shall have the right to enter upon the Permanent Walkway Easement Premises from time to time including, without limitation, by foot, motor vehicle, and heavy equipment, for the aforesaid purposes. The Permanent Walkway Easement shall be open to the general public for all purposes for which public walkways are used in the Town of Sudbury.

III. Temporary Bridge Construction Easement

The Town shall have the temporary right and easement to construct, inspect, remove, replace, operate, and maintain for all purposes for which public ways, roadways and bridges are used in the Town of Sudbury, including without limitation, drainage, utility, slope, grading and construction of improvements and structures, and other related purposes and all undertakings in connection with the bridge and roadway easement areas shown in the area described above and shown as “Temporary Bridge Construction Easement 1” on the Bridge Plan. The Town shall

have the right to enter upon the Temporary Bridge Construction Easement Premises from time to time, including, without limitation, by foot, motor vehicle, and heavy equipment, for the aforesaid purposes.

Said temporary construction easement shall terminate sixty (60) days from the date that the Town of Sudbury's Town Engineer shall determine that the bridge and roadway project is complete. A notice of termination of the temporary construction easement shall thereafter be promptly recorded with the Land Court, Middlesex South District, by the Town of Sudbury.

IV. Other

In exercising the rights and easements granted hereunder, the Town agrees that it shall perform the work within the Permanent and Temporary Bridge Construction Easement Premises in compliance with any applicable laws, rules, regulations, and/or bylaws; obtain any and all permits and approvals required by laws, rules, regulations, and/or bylaws to perform such work; repair any damage caused as a result of the Town's negligent acts or omissions, using good faith efforts to restore the surface of the Permanent and Temporary Bridge Construction Easement Premises, if disturbed, to its condition prior to such disturbance, as close as reasonably practicable.

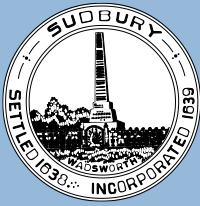
The Town and its agents, contractors and subcontractors and assignees, shall have a right of entry upon and passage over the Permanent Bridge Construction Easement Premises and the Temporary Bridge Construction Easement Premises from time to time by foot and motor vehicles, including heavy equipment, for the purposes set forth herein and all uses necessary or incidental thereto, including, without limitation, using and temporarily storing, as needed, construction equipment, materials or other incidental items in, on, under, and upon the Permanent and Temporary Bridge Construction Easement Premises for the proper construction of the project. The Town shall have the right to remove any structures, objects, utilities and/or vegetation (including trees and shrubs) now or hereafter located within the Permanent Bridge Construction Easement Premises whenever their removal shall be necessary or convenient to exercise the rights taken hereunder.

The Town shall, upon the completion of the Project, restore any portion of the Permanent and Temporary Bridge Construction Easement Premises damaged as a result of the Town exercise of the rights acquired herein to the condition existing prior to such disturbance, as closely as reasonably practicable.

All rights and privileges herein granted, including all benefits and burdens, shall run with the land and shall be binding upon and inure to the benefit of the parties hereto, their respective heirs, successors and assigns.

For Grantors' title, see Deed filed and registered in the Land Court, Middlesex South District, Book 1164, Page 79.

(Signatures appear on the following pages.)



SUDBURY BOARD OF SELECTMEN
Wednesday, September 30, 2020

CONSENT CALENDAR ITEM

18: Council on aging donation from Bnai Brith

REQUESTOR SECTION

Date of request:

Requestor: Debra Galloway

Formal Title: Vote to accept, on behalf of the Town, a \$10,000 donation from B'nai B'rith Housing to the Council on Aging, as part of Condition IX.2 of B'nai B'rith's Comprehensive Permit for the Coolidge at Sudbury Phase II residential development. The donation is to be utilized at the discretion of the Council on Aging in a manner consistent with its mission.

Recommendations/Suggested Motion/Vote: Vote to accept, on behalf of the Town, a \$10,000 donation from B'nai B'rith Housing to the Council on Aging, as part of Condition IX.2 of B'nai B'rith's Comprehensive Permit for the Coolidge at Sudbury Phase II residential development. The donation is to be utilized at the discretion of the Council on Aging in a manner consistent with its mission.

Background Information:
see attached memo from Deb Galloway.

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

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

09/30/2020 6:30 PM



Sudbury Senior Center
Sudbury Council on Aging
Town of Sudbury, Massachusetts

40 Fairbank Road • Sudbury, Massachusetts • 01776-1681 • www.sudburyseniorcenter.org
Phone: 978-443-3055 • Fax: 978-443-6009 • E-mail: senior@sudbury.ma.us

MEMORANDUM

TO: Town of Sudbury Select Board

CC: Henry Hayes, Sudbury Town Manager

FROM: Sudbury Senior Center Director Debra Galloway

DATE: September 18, 2020

RE: B'nai B'rith Housing Donation to Sudbury Council on Aging

The Sudbury Senior Center respectfully requests the Sudbury Select Board accept the following B'nai B'rith Housing donation to the Sudbury Council on Aging for a total of \$10,000, as part of Condition IX.2 of B'nai B'rith's Comprehensive Permit for the Coolidge at Sudbury Phase II residential development. The donation is to be utilized at the discretion of the Sudbury Council on Aging in a manner consistent with its mission.

Thank you!



SUDBURY BOARD OF SELECTMEN

Wednesday, September 30, 2020

CONSENT CALENDAR ITEM

19: Council on aging donation -BayBath Elder Services

REQUESTOR SECTION

Date of request:

Requestor: Debra Galloway

Formal Title: Vote to accept, on behalf of the Town, a \$3,000 donation from BayPath Elder Services CARES Act grant to the Sudbury Senior Center. Funds to be utilized toward the Go Sudbury! Taxi Rides Transportation program.

Recommendations/Suggested Motion/Vote: Vote to accept, on behalf of the Town, a \$3,000 donation from BayPath Elder Services CARES Act grant to the Sudbury Senior Center. Funds to be utilized toward the Go Sudbury! Taxi Rides Transportation program.

Background Information:

This Sudbury Senior Center respectfully requests the Sudbury Select Board accept a BayPath Elder Services CARES Act grant to the Town of Sudbury - Sudbury Senior Center for a total of \$3,000. The CARES Act funds to be utilized toward the Go Sudbury! Taxi Rides Transportation program that benefits older adults, residents with disabilities, veterans and residents with financial need.

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

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

09/30/2020 6:30 PM



Sudbury Senior Center
Sudbury Council on Aging
Town of Sudbury, Massachusetts

40 Fairbank Road • Sudbury, Massachusetts • 01776-1681 • www.sudburyseniorcenter.org
Phone: 978-443-3055 • Fax: 978-443-6009 • E-mail: senior@sudbury.ma.us

MEMORANDUM

TO: Town of Sudbury Select Board

CC: Henry Hayes, Sudbury Town Manager

FROM: Sudbury Senior Center Director Debra Galloway

DATE: September 18, 2020

RE: BayPath Elder Services CARES Act Grant Award

This Sudbury Senior Center respectfully requests the Sudbury Select Board accept a BayPath Elder Services CARES Act grant to the Town of Sudbury – Sudbury Senior Center for a total of \$3,000. The CARES Act funds to be utilized toward the Go Sudbury! Taxi Rides Transportation program that benefits older adults, residents with disabilities, veterans and residents with financial need.

Thank you!



SUDBURY BOARD OF SELECTMEN
Wednesday, September 30, 2020

CONSENT CALENDAR ITEM

20: Vote transportation services contract - First Student Inc.

REQUESTOR SECTION

Date of request:

Requestor: Town Manager

Formal Title: Vote to approve execution by the Town Manager of a Charter Transportation Agreement between the Town and First Student, Inc. for Sudbury student transportation services to and from the Assabet Valley Regional Technical School for a period of one year with extensions as may be agreed by the parties, said contract subject to approval by Town Counsel.

Recommendations/Suggested Motion/Vote: Vote to approve execution by the Town Manager of a Charter Transportation Agreement between the Town and First Student, Inc. for Sudbury student transportation services to and from the Assabet Valley Regional Technical School for a period of one year with extensions as may be agreed by the parties, said contract subject to approval by Town Counsel.

Background Information:

This Agreement facilitates bus services for Sudbury high school students to attend Assabet Valley Regional Technical School. A draft is currently under review by Town Counsel in discussion with counsel for First Student, Inc.

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

09/30/2020 6:30 PM



SUDBURY BOARD OF SELECTMEN
Wednesday, September 30, 2020

CONSENT CALENDAR ITEM

21: Approve contract for CSX site evaluation to Capital Environmental

REQUESTOR SECTION

Date of request:

Requestor: Beth Suedmeyer

Formal Title: Vote to approve award of contract by the Town Manager for the site evaluation of the CSX Rail Corridor property to Capital Environmental, LLC; and further, to execute any documents relative thereto.

Recommendations/Suggested Motion/Vote: Vote to approve award of contract by the Town Manager for the site evaluation of the CSX Rail Corridor property to Capital Environmental, LLC; and further, to execute any documents relative thereto.

Background Information:
attached documents provided 9/30/20

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

09/30/2020 6:30 PM

**AGREEMENT BETWEEN
TOWN OF SUDBURY AND
CAPITAL ENVIRONMENTAL, LLC.**

THIS AGREEMENT to provide professional services for an Environmental Site Assessment in connection with the proposed acquisition of the CSX rail corridor in Sudbury, Massachusetts (hereinafter referred to as the "Project"), is made the _____ day of September, 2020, by and between Capital Environmental, LLC. with a usual place of business at 46 Washburn Street, Northborough, MA 01532 (hereinafter referred to as the "CONTRACTOR"), and the Town of Sudbury, a municipal corporation with a usual place of business at 278 Old Sudbury Road, Sudbury, MA 01776 (hereinafter referred to as the "TOWN").

WITNESSETH that the CONTRACTOR and the TOWN, for the consideration hereinafter named, agree as follows:

ARTICLE 1: CONTRACT DOCUMENTS

The Contract Documents consist of the following, and in the event of conflicts or discrepancies among them, they shall be interpreted on the basis of the following priorities:

- 1) This Agreement between TOWN and CONTRACTOR
- 2) CONTRACTOR'S proposal
- 3) Copies of all required, certificates of insurance and licenses required under the contract,

EACH OF WHICH IS INCORPORATED HEREIN. These documents form the entire Agreement between the parties and there are no other agreements between the parties. Any amendment or modification to this Agreement must be in writing and signed by an official with the authority to bind the TOWN.

ARTICLE 2: SCOPE OF WORK

The CONTRACTOR shall furnish all materials, labor and equipment, and perform all work required in order to provide the Town with professional services as more fully described in the attached scope of services, set forth in proposal letter of September 29, 2020 attached hereto as Exhibit A, provided however, that the CONTRACTOR shall not perform such services until receiving a written notice to proceed from the TOWN for each task described in the said scope of services. An e-mail from the TOWN to the CONTRACTOR shall be sufficient written notice. The parties acknowledge and agree that the said scope of services may change depending on whether the landowner permits such work to proceed. Subject to the foregoing, the CONTRACTOR agrees to do everything required by this Agreement and the Contract Documents.

ARTICLE 3: TERMS OF AGREEMENT

- (a) The work to be performed under this Agreement shall be commenced upon contract signing, and shall be entirely completed on or before November 13, 2020 at noon, unless otherwise agreed.

ARTICLE 4: THE CONTRACT SUM

The TOWN shall pay the CONTRACTOR for the performance of this Agreement an amount not to exceed \$52,045.00 as set forth in the CONTRACTOR'S proposal.

The CONTRACTOR shall use his best efforts to complete the performance of his services within the amount set forth above. The CONTRACTOR shall advise the TOWN at such time as the estimated amount has been reached. The TOWN shall not be obligated to pay for any amount in excess of the estimated amount, unless the TOWN gives the CONTRACTOR a written notice authorizing the further performance of services and the incurring of additional costs for such services.

The TOWN shall pay the CONTRACTOR as services are performed by the CONTRACTOR based upon the portion of services complete in accordance with the fee set forth in the proposal. Bills shall be submitted monthly and shall include, if applicable, all charges for CONTRACTOR, subcontractors, plans, equipment, models, renderings, travel, reproductions, postage and delivery, and all other expenses. Bills shall be payable by the Town within 30 days of receipt.

ARTICLE 5: NON-PERFORMANCE

In the case of any default on the part of the CONTRACTOR with respect to any of the terms of this Agreement, the TOWN shall give written notice thereof, and if said default is not made good within such time as the TOWN shall specify in writing, the TOWN shall notify the CONTRACTOR in writing that there has been a breach of the Agreement, and thereafter the TOWN shall have the right to secure the completion of the work remaining to be done on such terms and in such manner as the TOWN shall determine. In case of such breach, the CONTRACTOR shall be entitled to receive payment only for work satisfactorily completed prior to said breach, less any retainage the TOWN is entitled to. The amount of any balance due the CONTRACTOR shall be determined by the TOWN and certified to the CONTRACTOR.

ARTICLE 6: TERMINATION

- (a) Notwithstanding any other provision of this Agreement, the TOWN reserves the right at any time to suspend or terminate this Agreement in whole or in part for its convenience upon fourteen days written notice to CONTRACTOR. TOWN shall incur no liability by reason of such termination for convenience except for the obligation to pay for work performed and accepted accruing through the date of termination less any offset or claim of TOWN. Such obligation shall not exceed the available appropriation. CONTRACTOR shall have no right to recover other amounts, including but not limited to amounts for lost profits, indirect, incidental or consequential damages.
- (b) If for any reason the TOWN terminates the Agreement due to lack of funding, CONTRACTOR hereby releases the TOWN and every member, agency, and agent thereof from all claims and liability to the CONTRACTOR for everything done, furnished for or relating to the work pursuant to this agreement.

- (c) The CONTRACTOR shall have the right to terminate this Agreement if the TOWN fails to make payment within 30 days after it is due.

ARTICLE 8: NOTICE

All notices required to be given under this Agreement shall be in writing and shall be effective upon receipt by hand delivery or certified mail to:

Town of Sudbury: Town Manager
Town of Sudbury
278 Old Sudbury Road
Sudbury, MA 01776

With copy to: Town of Sudbury
Planning and Community Development
278 Old Sudbury Road
Sudbury, MA 01776
Attention: Beth Suedmeyer

Contractor: Capital Environmental, LLC.
46 Washburn Street
Northborough, MA 01532

ARTICLE 9. INSURANCE

- (a) The CONTRACTOR shall, at its own expense, obtain and maintain motor vehicle liability insurance and general liability and policies protecting the TOWN and the landowner (CSX Transportation, Inc.) in connection with any operations included in this Agreement, and shall have the TOWN and the landowner named as an additional insured on the policies.
Automobile liability insurance shall be in the form of comprehensive automobile liability and shall provide limits of \$1,000,000 covering all owned, non-owned and hired vehicles, each person and each occurrence for bodily injury liability.
General liability coverage shall be in the amount of at least \$1,000,000 combined single limit per occurrence for bodily injury liability and property damage liability.
- (b) The CONTRACTOR shall carry a professional malpractice or an errors and omissions policy with limits of at least \$1,000,000 per claim and umbrella liability coverage with limits of at least \$1,000,000.
- (c) The CONTRACTOR shall, before commencing performance of this Agreement, provide by insurance for the payment of compensation and the furnishing of other benefits in accordance with Mass. General Laws chapter 152, as amended, to all employed under the Agreement and shall continue such insurance in full force and effect during the term of the Agreement. Worker's Compensation insurance shall have a limit of not less than \$500,000 per occurrence and, unless prohibited by state law, waive subrogation against the landowner.

- (d) All insurance coverage shall be in force from the time of the Agreement to the date when all work under the Contract is completed and accepted by the TOWN. **Certificates and any and all renewals substantiating that required insurance coverage is in effect shall be filed with the TOWN and shall list the TOWN and CSX Transportation, Inc. as additional insured for General Liability, Automobile liability and Professional Errors and Omissions policies.** Since this insurance is normally written on a year-to-year basis, the CONTRACTOR shall notify the TOWN should coverage become unavailable or if its policy should change. Any cancellation of insurance, whether by the insurers or the insured, shall not be valid unless written notice thereof is given by the party proposing cancellation to the other party and to the TOWN at least fifteen days prior to the intended effective date thereof, which date should be expressed in said notice.
- (e) The CONTRACTOR shall indemnify, defend, and save harmless the TOWN and all of the TOWN'S officers, agents and employees from and against all suits and claims of liability of every name and nature, including costs of defending any action, for or on account of any injuries to persons or damage to property of the TOWN or any person, firm, corporation or association arising out of or resulting from any act, omission, or negligence of the CONTRACTOR, subcontractors and its and their agents or employees in the performance of the work covered by this Agreement and/or failure to comply with terms and conditions of this Agreement. The foregoing provisions shall not be deemed to be released, waived or modified in any respect by reason of any surety or insurance provided by the CONTRACTOR under the Agreement.

ARTICLE 10: SUBCONTRACTING OF WORK

The CONTRACTOR shall not subcontract any of the work that it is required to perform under this Agreement to any corporation, entity or person without the prior written approval of the TOWN.

ARTICLE 11: OWNERSHIP OF DOCUMENTS

Upon completion of the final payment to the CONTRACTOR, the TOWN shall be the owner of all plans, specifications, electronic data and computations created by the CONTRACTOR that relate to this Agreement. The TOWN agrees that the information contained therein was produced specifically for this Agreement and agrees to hold the CONTRACTOR harmless from any liability of the TOWN'S use of these documents in any future project not directly related to the subject matter of this Agreement.

ARTICLE 12: STANDARD OF CARE

The Contractor's services shall be performed by qualified personnel. The CONTRACTOR'S Project team shall consist of those persons identified in the CONTRACTOR'S proposal. The employment by the CONTRACTOR of subcontractors for any of the services under this agreement shall be subject to the prior written approval of the TOWN. No member of the Project team shall be replaced without the consent of the TOWN. The TOWN shall have the right to require the CONTRACTOR to remove any personnel from the Project for reasonable cause. The CONTRACTOR shall perform its services in accordance with the highest professional standards of skill, care, and diligence.

ARTICLE 13: GOVERNING LAW

The CONTRACTOR shall perform the work required under this Agreement in conformity with requirements and standards of the TOWN and all applicable laws of the Commonwealth of Massachusetts, its political subdivisions, and the Federal Government.

This Agreement and performance thereunder are governed by the laws of the Commonwealth of Massachusetts and all other applicable by-laws and administrative rules, regulations and orders.

ARTICLE 14: BINDING AGREEMENT AND ASSIGNMENT OF INTEREST

This Agreement shall be binding upon the TOWN and the CONTRACTOR and the partners, successors, heirs, executors, administrators, assigns and legal representatives of the TOWN and the CONTRACTOR. Neither the TOWN nor the CONTRACTOR shall assign, sublet or transfer any interest in this Agreement without the written consent of each other, and such consent shall not be unreasonably withheld.

ARTICLE 15: LICENSURE AND COMPLIANCE WITH MASSACHUSETTS TAX LAW

By executing this Agreement, CONTRACTOR agrees and certifies that it is licensed to perform the services required by this Agreement, and that it will secure such licensure for so long as it is bound to perform services under this Agreement. CONTRACTOR shall comply with all applicable laws, ordinances, rules or regulations or codes of the State or Town in performing the work embraced by this Agreement. Pursuant to Mass. General Laws chapter 62C, section 49A, the CONTRACTOR certifies under the penalties of perjury that the CONTRACTOR has complied with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting of child support.

IN WITNESS WHEREOF the parties hereto have executed copies of this Agreement the day and year first above written.

CONTRACTOR:
Capital Environmental, LLC
By:

Print name: _____

Title: _____

TOWN OF SUDBURY:
By: Town Manager

Approved as to form



Lee S. Smith, Esq.
KP Law, P.C.
Town Counsel

Attachment21.a: KP-#731119-v1-SUDB- Capital Environmental_LSP_Contract_CSX (4163 : Approve contract for CSX site evaluation to Capital

EXHIBIT A

Contractor's Proposal / Scope of Services

Attachment21.a: KP-#731119-v1-SUDB- Capital_Environmental_LSP_Contract_CSX (4163 : Approve contract for CSX site evaluation to Capital



Capital Environmental, LLC

Environmental Engineers and Scientists

21.b

September 29, 2020

Ms. Beth Suedmeyer, Environmental Planner
Town of Sudbury
Flynn Building
278 Old Sudbury Road
Sudbury, MA 01776

Capital Proposal #: CP20-05-005 Revision Five

Sent Via E-Mail: SuedmeyerB@sudbury.ma.us

RE: Sampling of Soils along the CSX Railroad Corridor and Additional Services, Sudbury, MA

Dear Beth:

Thank you for this opportunity to provide assessment and testing services to the Town of Sudbury, Massachusetts. Based on our recent telephone conversations, and e-mails, I have prepared the following work scope and cost estimate for the sampling of soils and other assessment activities we discussed.

Capital Environmental, LLC (Capital) has reviewed the CSX guidance document, assessment documents and a MassDEP guidance Manual for Rail Trail Construction.

Scope of Services:

1. Conduct a ground penetrating radar (GPR) survey of the 1.5 mile stretch of the CSX Railroad Corridor. The purpose of this GPR survey is to determine the location of any unmarked utilities, evidence of railroad timbers and steel track, and any other unknown obstacles that may be discovered during the GPR survey. Conduct desktop research to know the past potential contaminants, former buildings, signal locations, etc. This information will be used to adjust the sampling plan and quantity of samples as the project progresses. This will be performed using Historic Sanborn Fire Insurance Rate Maps, Government Environmental Records review, Historic USGS Maps, and Historic Aerial Photographs. Town records, if available will also be requested and reviewed.
2. In accordance with the Railroad Guidance Document and recommendations from Capital, the following soil tests will be performed on the shallow soils along the subject Railroad Corridor:

Arsenic – 50 Samples

Lead – 50 Samples

Polynuclear Aromatic Compounds (PAHs) – 50 Samples

46 Washburn Street, Northborough, Massachusetts 01532
(508) 393-5550 ▲ (508) 393-5567 Fax
www.capital-enviro.com

Packet Pg. 132

Attachment 21.b: CP20-05-005 Town of Sudbury Revision Five Rail Trail CSX[1] (4163 : Approve contract for CSX site evaluation to Capital

Herbicide/Pesticide – 2 Samples

Extractable Petroleum Hydrocarbons (EPH) – 12 Samples

The samples will be collected by Geoprobe borings along the rail tracks and the associated road crossings. Composite samples will be generated and tested. Drilling with the Geoprobe unit is based on a maximum of three-days on-site. Distinct sample depths will be 1”-6” and 6”-12”. Additional drilling charges will apply if additional days are needed.

3. Conduct 3 sets of recycling soil test parameters including: Flash Point, Paint Filter, Semi-VOCs, Reactivity, Corrosivity, and Conductivity.
4. Utilizing the data generated from this scope of work, a Summary Report will be prepared including recommendations.
5. A Soil Management Plan will be developed and will meet the CSX requirements.
6. Clear a portion of the northmost corridor for access per ConCom approval.
7. Sample recycling parameters on Town of Sudbury owned land to complete recycling data package.

The cost associated with clearing the northern most section of the corridor based on ConCom approval is **\$3,500.00** (Three Thousand Five Hundred Dollars).

The cost associated with the GPR survey is **\$5,000.00** (Five Thousand Dollars)

The cost associated with the sampling tasks listed above is **\$37,675.00** (Thirty-Seven Thousand Six Hundred Seventy-Five Dollars).

The sampling of the Town owned lands for the completion of recycling parameters is **\$2,970.00** (Two Thousand Nine Hundred Seventy Dollars). This includes 3-VOCs, 3 RCRA Metals 13, 6-PCBs, and 3-TPH. Labor, vehicle, and equipment are included. These samples will be collected by hand.

The cost associated with the desktop research portion of the work is **\$1,000.00** (One Thousand Dollars).

The cost associated with the Soil Management Plan (SMP) is **\$1,900.00** (One Thousand Nine Hundred Dollars). Please note that based on the Town's design for the rail trail and volume of soil that will be removed for grading and construction, additional soil sample sets for recycling will be needed at the time of construction. The number of soil analytical sets for recycling in based on the volume of soil to recycle and the facility selected for recycling the displaced soils. Additional facility testing may be needed at a later date.

No sampling will be conducted in the wetlands. All proposed assessment activities will be performed within the railroad bed corridor adjacent to the wetlands. Please note that the soil borings proposed in the assessment will be drilling only 1-foot below grade based on the CSX guidance document. Additional charges may apply as soil sampling is performed and data is interpreted. Based on the volume of soil to be displaced during redevelopment, additional soil recycling testing may become necessary.

TERMS AND CONDITIONS:

The project invoice is due net 30-days. Unpaid amounts due will be subject to interest of one-and one-half percent (1 1/2%) per month if not paid. Capital's liability is limited to the cost of services provided under this agreement and paid in full.

The client is required to assist Capital in outlining the work area for the Rail Corridor. The Town of Sudbury is required to provide site drawings and figures. It is estimated that approximately four to six weeks will be needed to complete this project.

If additional time, equipment, and/or services become necessary, a written change order will be prepared for Town of Sudbury review and authorization to proceed.

AGREEMENT:

Capital warrants that its services are performed, within the limits prescribed by the Client, with the usual thoroughness and competence of the environmental consulting and testing profession. No other warranty or representation, either expressed or implied, is included or intended in its proposals, contracts, or reports. The Client acknowledges that Capital's services may require decisions, which are not based upon science, but rather upon judgmental considerations. Liability is limited to the cost of services provided by Capital and paid in full.

This budget estimate is based on the available data. Findings may result in the need for additional assessment activities. Capital shall have no responsibility or liability for any aspect or condition of the Site (work areas), now existing or hereafter arising or discovered.

If the terms of this agreement are acceptable, please return a copy with the original signature of an authorized representative of your company.

Signed: Robert S. Berger Date: 9/27/2020
Robert S. Berger, Owner
(Capital Representative)

Signed: _____ Date: _____
(Client Representative)

Attachment 21.b: CP20-05-005 Town of Sudbury Revision Five Rail Trail CSX[1] (4163 : Approve contract for CSX site evaluation to Capital