



SUDBURY BOARD OF SELECTMEN  
TUESDAY DECEMBER 1, 2020  
6:00 PM, ZOOM

Item #	Time	Action	Item
	6:00 PM		CALL TO ORDER
<b>EXECUTIVE SESSION</b>			
1.		<i>VOTE</i>	Vote to immediately 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.		<i>VOTE</i>	Vote to possibly release executive session minutes of: 4/26/16, 5/4/16, 5/17/16, 10/5/16, and 12/20/16.
3.		<i>VOTE</i>	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
<b>PUBLIC HEARING</b>			
4.	7:30 PM	<i>VOTE</i>	Tax Classification hearing - In accordance with General Laws Ch. 40, sec. 56, as amended, to determine the percentage of local tax levy which will be borne by each class of real and personal property, relative to setting the Fiscal Year 2021 tax rate. In attendance will be the Board of Assessors (Joshua M. Fox, Esq. Chair, Trevor A. Haydon, Liam J. Vesely), Cynthia Gerry, Director of Assessing, and presenting will be Harald Scheid and Wil Coelho, Principal Regional Assessors.
<b>MISCELLANEOUS</b>			
5.	8:00 PM		Annual Legislative update with Rep. Carmine Gentile, Senator Jamie Eldridge, and Senator Mike Barrett.
6.	8:30 PM		Update and discussion on Town of Sudbury town-wide ADA self-evaluation and assessment process. Town Manager Hayes and Facilities Director Bill Barletta to present.

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

Item #	Time	Action	Item
7.	8:45 PM		Camp Sewataro financial update with Town Manager Hayes and Facilities Director Bill Barletta to present. Discussion about programming at Sewataro.
8.	9:00 PM		Discussion of BFRT Advisory Task Force Candidate Selection Process
9.	9:30 PM	<i>VOTE</i>	Open 2021 ATM warrant and announce that Annual Town Meeting will commence Monday, May 3, 2021 at Lincoln-Sudbury Regional High School. Warrant to close Friday, January 29, 2021 at 12:00 Noon.
10.	9:50 PM	<i>VOTE</i>	Discussion and possible vote to approve goals from 11/16/20 meeting
11.	10:15	<i>VOTE</i>	Review open session minutes of 10/20/20 and 11/4/20 and possibly vote to approve minutes.
12.			Citizen's Comments (cont)
13.			Upcoming agenda items
<b>CONSENT CALENDAR</b>			
14.		<i>VOTE</i>	Vote to accept a \$165.80 donation from Jack Carty's Eagle Scout Project for deposit to the Program Contributions and Donations Account (191448/483100). Also vote to accept a \$1,000 donation from Lucinda Lagasse for deposit to the Pool Donations Account 191748/483100, as requested by Dennis Mannone, Park & Recreation/Aquatics Director.
15.		<i>VOTE / SIGN</i>	Vote to authorize the chairman to execute a letter requesting data from GIC to use in processing employees' W-2 forms, as requested by Robin Porcella, Asst. Town Accountant.
16.		<i>VOTE</i>	Vote to approve execution by the Town Manager of the Statement of Work between the Town of Sudbury and ePlus Technology, Inc. for the UC Upgrade of the Town's telephone/IP Communication system; and further to approve execution of any documents relative to said contract.
17.		<i>VOTE</i>	Vote to accept the resignation of Tania Vivitsky, 55 Hudson Road, #8, from the Cultural Council and send her a thank-you letter for her service to the Town.
18.		<i>VOTE</i>	Vote to authorize the Town Manager, through the Department of Public Works, to locate and mark the of town boundary markers; record such; and provide copy of records to contiguous towns and cities in accordance with G.L. chapter 42, section 2. This is a five-year cycle and applies to years ending with five and zero.
19.		<i>VOTE</i>	Vote to request that SudburyTV record all Goodnow Library Trustees meetings.
20.		<i>VOTE</i>	Vote to approve award of contract by the Town Manager for the Community-Wide Historic Properties Survey upon the recommendation of the Director of Planning and Community Development and pursuant to Article 42 of the September 12, 2020 Annual Town Meeting; and further, to execute any documents relative to said contract.

*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
21.		<i>VOTE</i>	Vote to approve the change of restricted entry times in the Pheasant Avenue/Meadow Drive neighborhood as follows: (1) Entering Meadow Drive from Old Lancaster Road be restricted from 7:00 AM to 9:00 AM (2) Entering Pheasant Avenue from Union Avenue be restricted from 2:30 PM to 5:30 PM. This request is due to the change in school start times.

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

**SUDBURY BOARD OF SELECTMEN**

Tuesday, December 1, 2020

**EXECUTIVE SESSION****1: Exec Session to review minutes****REQUESTOR SECTION**

Date of request:

Requested by: Patty Golden

Formal Title: Vote to immediately 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: Vote to immediately 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 6/22/20, 9/22/20, and 9/30/20.

Financial impact expected:

Approximate agenda time requested: 60 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

12/01/2020 6:00 PM





## SUDBURY BOARD OF SELECTMEN

Tuesday, December 1, 2020

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### EXECUTIVE SESSION

#### 2: Potential release of approved exec session minutes

##### REQUESTOR SECTION

Date of request:

Requestor: 30 min

Formal Title: Vote to possibly release executive session minutes of: 4/26/16, 5/4/16, 5/17/16, 10/5/16, and 12/20/16.

Recommendations/Suggested Motion/Vote: Vote to possibly release executive session minutes of: 4/26/16, 5/4/16, 5/17/16, 10/5/16, and 12/20/16.

Background Information:

These minutes were all approved at the 10/11/19 Executive Session meeting.

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

12/01/2020 6:00 PM



SUDBURY BOARD OF SELECTMEN  
Tuesday, December 1, 2020

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## EXECUTIVE SESSION

### 3: Close exec 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:

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

12/01/2020 6:00 PM

**SUDBURY BOARD OF SELECTMEN**

Tuesday, December 1, 2020

**PUBLIC HEARING****4: Tax Classification hearing****REQUESTOR SECTION**

Date of request:

Requestor: Board of Assessors/Cynthia Gerry

Formal Title: Tax Classification hearing - In accordance with General Laws Ch. 40, sec. 56, as amended, to determine the percentage of local tax levy which will be borne by each class of real and personal property, relative to setting the Fiscal Year 2021 tax rate. In attendance will be the Board of Assessors (Joshua M. Fox, Esq. Chair, Trevor A. Haydon, Liam J. Vesely), Cynthia Gerry, Director of Assessing, and presenting will be Harald Scheid and Wil Coelho, Principal Regional Assessors.

Recommendations/Suggested Motion/Vote: Tax Classification Hearing - In accordance with General Laws Ch. 40, sec. 56, as amended, to determine the percentage of local tax levy which will be borne by each class of real and personal property, relative to setting the Fiscal Year 2021 tax rate. In attendance will be the Board of Assessors (Joshua M. Fox, Esq. Chair, Trevor A. Haydon, Liam J. Vesely), Cynthia Gerry, Director of Assessing, and presenting will be Harald Scheid and Wil Coelho, Principal Regional Assessors.

Background Information:

Financial impact expected:

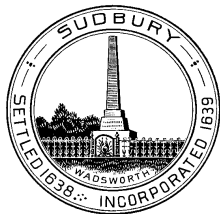
Approximate agenda time requested: 30 minutes

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

12/01/2020 6:00 PM



## TOWN OF SUDBURY

Office of Selectmen

[www.sudbury.ma.us](http://www.sudbury.ma.us)

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Sudbury, MA 01776-1843  
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Email: [selectmen@sudbury.ma.us](mailto:selectmen@sudbury.ma.us)

### TOWN OF SUDBURY PUBLIC HEARING ATTENTION: TAXPAYERS

In accordance with General Laws Ch. 40, sec. 56, as amended, the Sudbury Board of Selectmen will hold a public hearing on Tuesday, December 1, 2020, at 7:30 p.m. remotely via Zoom teleconference, to determine what percentage of the local tax levy will be borne by each class of real and personal property relative to setting the Fiscal Year 2021 tax rate.

The first policy decision of the Board of Selectmen will be to determine the Residential Factor, which means the percentage of the tax levy to be borne by residential property. The Residential Factor determines how different tax rates for residential, commercial and industrial properties will be established.

A Residential Factor of 1 means that the local tax rate will be a single rate uniformly applied to all properties. The other options to be considered are whether or not to allow a residential property exemption, a small commercial exemption, and a discussion of the open space exemption. In addition to the above, there will be some discussion regarding Sudbury's senior residential tax exemption with respect to the program's estimated total cost and impact on the residential tax rate for Fiscal Year 2021.

At this public hearing, the Board of Assessors will provide all information and data relevant to helping the Selectmen make a determination of a single or multiple tax rates and the fiscal effect of the available alternatives to taxpayers. Taxpayers may present oral or written information on their views prior to or at the public hearing.

#### SUDBURY BOARD OF SELECTMEN

Janie W. Dretler, Chairman  
Jennifer S. Roberts, Vice-chairman  
Daniel E. Carty  
Charles G. Russo  
William J. Schineller

For publication *Sudbury Town Crier* 11/12, 11/19

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cc: Board of Assessors  
Finance Director  
Town Accountant  
Chamber of Commerce

Finance Committee  
Council on Aging Director  
Assistant Town Manager  
Town Clerk

Attachment4.a: TAX CLASSIFICATION HRG 2020 (4227 : Tax Classification hearing)



**FISCAL YEAR 2021  
CLASSIFICATION HEARING**

**December 1, 2020**

*Board of Selectmen*

*Janie W. Dretler, Chair*

*Jennifer Roberts, Vice Chair*

*William Schineller*

*Daniel E. Carty*

*Charles Russo*

*Board of Assessors*

*Joshua M. Fox, Chair*

*Trevor Haydon*

*Liam J. Vesely*

*Harald Scheid Consulting Assessor & Wilmar Coelho Associate Assessor*

*Cynthia Gerry, Director of Assessing*

## Introduction

Each year, prior to the mailing of 3<sup>rd</sup> quarter tax bills, a public hearing is held by the Board of Selectmen in conjunction with the Board of Assessors. The public hearing known as the Classification Hearing provides an opportunity for the Selectmen to discuss and decide on the distribution of the tax burden to be allocated among the major classes of property. Chapter 40, Section 56 of the Massachusetts General Laws, dictates the hearing procedure.

Prior to the Hearing, all properties must be assessed at their full and fair cash value as of the January 1<sup>st</sup> assessment date. The Fiscal Year 2021 assessment date is January 1, 2020.

The steps necessary to complete the Classification Hearing and Tax Rate Setting process are defined below:

### Pre-classification Hearing Steps

- Step 1: Determination of the property tax levy (Budget Process)
- Step 2: Determine assessed valuations (Assessors)
- Step 3: Tabulate assessed valuations by class (Assessors)
- Step 4: Obtain DOR value certification (Assessors)
- Step 5: Obtain certification of new growth revenues (Assessors)

### Classification Hearing Steps

- Step 6: Classification hearing presentation (Assessors & Selectmen)
- Step 7: Review and discuss tax shift options (Selectmen)
- Step 8: Voting a tax shift factor (Selectmen)

### Post Classification Hearing Steps

- Step 9: Sign the LA-5 Classification Form (Selectmen)
- Step 10: Send annual recap to DOR for tax rate approval (Assessors)
- Step 11: Obtain DOR approval of tax rates (DOR)

## Terminology

The following represents frequently used tax discussion terminology:

**Levy:** The tax levy (or levy) is the amount of property taxes to be raised. The levy amount is determined by the budget process. The total amount of the approved budget less revenues from other sources like motor vehicle excise, municipal fees, and state aid is the amount to be raised through property taxation. In Sudbury, the levy to be raised is \$92,441,235. This represents a 3.0% increase over last year's levy of \$89,733,775.

**Levy Ceiling:** The levy ceiling is 2.5 percent of the full value of the town and represents the maximum property tax revenue that can be raised under Proposition 2 ½. Based on the

Sudbury's total valuation of \$4,812,305,728 the town cannot levy taxes in excess of \$120,307,643.

New Growth Revenue: Property taxes derived from newly taxable properties like new construction, additions, subdivisions, and personal property. The Department of Revenue has certified Sudbury's new growth for fiscal year 2021 at \$855,336.

Levy Limit: Also referred to as the "maximum allowable levy", the levy limit is calculated by adding 2.5 percent of the previous year's levy limit, plus new growth revenue, and proposition 2 ½ overrides, capital expenditure exclusions, and debt exclusions. The certified maximum allowable levy for fiscal year 2021 is \$93,076,677.

Excess Levy Capacity: Excess levy capacity is the difference between the levy and the levy limit. Sudbury's excess levy capacity is an estimated \$635,442.

### **The Fiscal Year 2021 Levy Limit and Amount to be Raised**

The following is a calculation of Sudbury's estimated levy for fiscal year 2021.

Fiscal year 2020 levy limit	\$87,791,953
Levy increase allowed under Prop. 2 ½	2,194,799
New growth revenue	855,336
Debt excluded under Prop. 2 ½	2,234,589
Fiscal year 2021 levy limit	93,076,677
<b>Levy to be raised (rounded by tax rate)</b>	<b>\$92,441,235</b>
Excess levy capacity	\$635,442

### **Valuations by Class Before Tax Shift**

<u>Major Property Class</u>	<u>Valuation</u>	<u>Percent</u>	<u>Res vs CIP%</u>
Residential	4,476,309,078	93.0180%	93.0180%
Commercial	193,733,270	4.0258%	
Industrial	32,737,300	0.6803%	6.9820%
Personal Property	109,526,080	2.2759%	
TOTAL	4,812,305,728	100.0000%	

### **Assessed Valuations**

Sudbury's valuations are adjusted annually to reflect changes in the real estate market. An assessment-to-sale ratio study comparing calendar year 2019 sales with fiscal year 2020 assessments indicate that most residential property valuations were reasonably in line with the market. Notable exceptions include most condominium developments where the median

assessment level fell below 90%, requiring that valuations be increased. A number of high-end home sales with assessments that were consistently above sale price, indicated a need to reduce assessed valuations for these properties.

A similar study of assessments and sale prices for multi-family residences, commercial and industrial properties indicated that property valuations for these property classes needed to be increased.

Property Class	21Valuation	Growth*	21AVlessGrowth	20Valuation	Change(apx.)
Single-family	4,055,677,200	6,080,100	4,049,597,100	4,062,640,634	-0.32%
Condominiums	243,520,000	29,767,400	213,752,600	204,903,940	4.31%
2-3 Family	11,483,800	0	11,483,800	11,483,800	0.00%
Multi-family	91,350,600	2,192,900	89,157,700	87,141,400	2.31%
Commercial	183,923,300	818,400	183,104,900	170,374,100	7.47%
Industrial	32,737,300	0	32,737,300	30,823,000	6.21%

*\*Note that new growth valuation shown above does not include adjustments that are made for a multitude of reasons including property reclassification, minor property improvements, and abatements. The overall property class value changes are approximate.*

## Shifting the Tax Burden

Municipalities with a large commercial/industrial tax base often see fit to shift the tax burden to help maintain lower residential taxes. Sudbury, though having a relatively small commercial tax base, has chosen to adopt a split tax rate.

In recent years, the Board of Selectmen has adopted a shift factor that has yielded relatively uniform tax rate increases in both the residential and commercial sectors. Though the commercial, industrial and personal property (CIP) sector makes up approximately 7 percent of the taxable valuation base, adoption of the classification shift factor (see below) has resulted in this sector paying about 9 percent of Sudbury's property taxes.

After taking into account small adjustments to assessments for condominiums and commercial properties from the prior fiscal year, a CIP shift factor of 1.33 would make each major property class responsible for approximately the same percent tax burden as last year.



## Tax Rates and Options

Sudbury's uniform, single tax rate without applying shift factors is \$19.21 per thousand.

There are any number of tax rate options the Board of Selectmen might chose. Several that might be considered are as follows:

Option	CIP Shift	Res. Shift	CIP Tax Rate	Res. Tax Rate
Single Tax Rate	1.0000	1.0000	19.21	19.21
10% Shift	1.1000	0.9925	21.13	19.07
20% Shift	1.2000	0.9850	23.05	18.92
30% Shift	1.3000	0.9775	24.97	18.78
33% Shift (balanced impact)	1.3300	0.9752	25.55	18.73
40% Shift	1.4000	0.9700	26.89	18.63
50% Shift (maximum allowed)	1.5000	0.9625	28.81	18.49

See Addendum B for additional tax rate options.

Based on the balanced CIP/Res. increase scenario above, the Board of Assessors has calculated the following tax rates. The following rates do not account for the means-tested exemption.

Property Class	FY2020	FY2021
Residential	18.35	18.73
Commercial	24.97	25.55
Industrial	24.97	25.55
Personal Property	24.97	25.55

## Tax Impacts

With a few exceptions, fiscal year 2021 residential valuations have remained unchanged from last year.

The average residential tax bill calculation would change as follows if a CIP shift factor of 1.33 were adopted:

FY 2020 Average Single-Family Valuation:	\$746,300
Taxes at \$18.45 per thousand	\$13,769
FY2021 Average Single-Family Valuation (estimated):	\$746,300
Taxes at \$18.83 per thousand	\$14,052
Average Tax Increase	\$283
Percentage Increase	2.0%

Note – the above estimates reflect an additional residential tax rate increase of approximately 9-10 cents to fund Sudbury’s means-tested exemption.

The Board of Assessors point out that a CIP shift factor of 1.33 with a corresponding residential shift factor of 0.9752 would result in a “relatively” uniform tax rate increase in both sectors.

### Sudbury’s Tax Shift Votes (18 Year History)

Fiscal Year	CIP Value	Total Value	R/O % of Total Value	CIP % of Total Value	Lowest Residential Factor Allowed	Max CIP Shift Allowed	Residential Factor Selected	CIP Shift
2003	178,344,978	2,839,782,978	93.7198	6.2802	0.966495	1.500000	0.979897	1.30000
2004	200,238,034	3,545,996,135	94.3531	5.6469	0.970075	1.750000	0.970075	1.50001
2005	211,105,466	3,600,973,272	94.1376	5.8624	0.968863	1.500000	0.970108	1.48000
2006	222,613,431	3,956,930,561	94.3741	5.6259	0.955291	1.750000	0.967213	1.55000
2007	241,153,003	4,231,531,337	94.3011	5.6989	0.954675	1.750000	0.969783	1.50001
2008	270,083,278	4,162,959,799	93.5122	6.4878	0.965310	1.500000	0.981268	1.26999
2009	278,781,214	4,064,434,979	93.1410	6.8590	0.963179	1.500000	0.982326	1.24000
2010	284,018,864	4,003,661,467	92.9060	7.0940	0.961822	1.500000	0.982438	1.23000
2011	274,711,172	3,874,281,828	92.9094	7.0906	0.961841	1.500000	0.978631	1.28000
2012	271,556,419	3,838,335,540	92.9251	7.0749	0.961932	1.500000	0.978938	1.27664
2013	273,337,212	3,864,083,107	92.9262	7.0738	0.961939	1.500000	0.978714	1.27963
2014	265,094,234	3,960,584,137	93.3067	6.6933	0.964132	1.500000	0.974606	1.35400
2015	263,058,002	4,088,915,905	93.5666	6.4334	0.965621	1.500000	0.973663	1.38304
2016	277,216,608	4,230,884,307	93.4478	6.5522	0.964942	1.500000	0.973356	1.38000
2017	280,876,280	4,408,953,695	93.6294	6.3706	0.965980	1.500000	0.974145	1.37999
2018	308,262,538	4,560,675,215	93.2409	6.7591	0.963754	1.500000	0.976078	1.33000
2019	331,554,958	4,728,363,583	92.9880	7.0120	0.962296	1.500000	0.975100	1.33021
2020	321,263,656	4,773,073,156	93.2692	6.7308	0.963917	1.500000	0.976300	1.32842

### Voting a Tax Shift Factor

If the Board of Selectmen were to balance the impact of the tax increase equally between CIP and Residential, the Board would vote as follows: The Sudbury Board of Selectmen votes in accordance with M.G.L., Ch. 40, Sec. 56, as amended, the percentage of local tax levy which will be borne by each class of real and personal property, relative to setting the Fiscal Year 2021 tax rates and sets the Residential Factor at 0.9752, (or other selected Factor) with a corresponding CIP shift of 1.33 (or other corresponding CIP shift), pending certification of the Town’s annual tax recap by the Massachusetts Department of Revenue.

### Optional Exemptions:

### Residential Exemption:

Adopting the Residential Exemption (conferred pursuant to M.G.L. c. 59, § 5C) would allow the Selectmen to exempt from qualified residential properties a percentage of the average assessed value for the class. The intent of this exemption is to promote owner occupancy. The residential exemption has the effect of shifting the tax burden from the lower valued properties to higher valued properties, and those, which are not owner-occupied.

An exemption of up to 35% of the average assessed value for Class I (Residential) properties is possible. If adopted a flat, uniform valuation reduction is applied to all qualifying owner-occupied residential home valuations. The tax levy in the community does not change based on adoption of this exemption. However, to compensate for the loss in residential valuation associated with this exemption, the residential tax rate increases. The exemption will reduce property taxes on the lower valued owner-occupied residential properties, while increasing property taxes on higher valued properties, and those residential properties, which are not owner-occupied.

In FY 2020, fifteen Massachusetts cities and towns adopted the Residential Exemption. Historically, the exemption has been adopted in those communities with a high percentage of apartments and other investment property or seasonal homes. In general terms, the exemption shifts real estate taxes onto Class I properties that are not occupied as the owner's principal residence and those which may be held for investment.

Residential Exemption Communities	
Boston	35%
Somerville	35%
Waltham	35%
Cambridge	30%
Chelsea	30%
Malden	30%
Everett	25%
Nantucket	25%
Provincetown	25%
Watertown	23%
Brookline	21%
Barnstable	20%
Truro	20%
Wellfleet	20%
Tisbury	18%

Sudbury's fiscal year 2021 data suggests 81% of the residential single family and condominium property owners could potentially meet the basic criteria for exemption this year.

## Residential Exemption Eligible and Ineligible Accounts

Residential Taxable		Number of	Residential Taxable	Eligible		Ineligible	
Property by Use	Use Code	Accounts	Assessments by Use	Accounts	Percent	Accounts	Percent
Single Family	101	5442	4,055,677,202	4781	88%	661	12%
Condominium	102	416	243,519,977	312	75%	104	25%
Two Homes on One Lot	109	19	24,121,900	12	63%	7	37%
Two Family	104	16	9,937,400	7	44%	9	56%
Three Family	105	2	1,546,400	1	50%	1	50%
Apartments	111-125	7	91,350,600	0	0%	7	100%
Vacant Land	130-132	386	28,175,200	0	0%	386	100%
Mixed use/Farm Homes	012-043	16	21,980,399	12	75%	4	25%
Totals		6304	4,476,309,078	5125	81%	1179	19%

Although many owner-occupied properties could receive a valuation exemption of up to \$248,652, the tax rate for the entire residential class would increase dramatically. One scenario suggests a residential tax rate of \$26.85. As a result, while approximately 3,981 residential properties would receive a tax break under the Residential Exemption option about 2,323 residential properties, including all residential vacant land parcels, all non-owner-occupied residential properties, and all properties assessed over the breakeven point of \$889,100 and certain trusts will be subject to a higher tax bill than without the exemption.

The following table displays a possible tax impact scenario if the maximum Residential exemption percentage of 35% were to be adopted in Sudbury.

## Tax Impact of a 35% Residential Exemption

A	B	C	D	E	F
Assessed Value	Residential Tax (at \$18.90)	Residential Exmp. Value Adjustment	Adjusted Assessed Value	Adj Residential Tax (at \$26.24)	Tax Impact of Residential Exemption
<400,500	5,887	248,652	62,814	\$1,648	-\$4,238
400,500	\$7,569	248,652	151,848	\$3,984	-\$3,585
500,000	\$9,450	248,652	251,348	\$6,595	-\$2,855
600,000	\$11,340	248,652	351,348	\$9,219	-\$2,121
700,000	\$13,230	248,652	451,348	\$11,843	-\$1,387
800,000	\$15,120	248,652	551,348	\$14,467	-\$653
850,000	\$16,065	248,652	601,348	\$15,779	-\$286
889,100	\$16,804	248,652	640,448	\$16,805	\$1
1,000,000	\$18,900	248,652	751,348	\$19,715	\$815
1,200,000	\$22,680	248,652	951,348	\$24,963	\$2,283
1,300,000	\$24,570	248,652	1,051,348	\$27,587	\$3,017
1,400,000	\$26,460	248,652	1,151,348	\$30,211	\$3,751
1,500,000	\$28,350	248,652	1,251,348	\$32,835	\$4,485
1,600,000	\$30,240	248,652	1,351,348	\$35,459	\$5,219
1,700,000	\$32,130	248,652	1,451,348	\$38,083	\$5,953
1,800,000	\$34,020	248,652	1,551,348	\$40,707	\$6,687
1,900,000	\$35,910	248,652	1,651,348	\$43,331	\$7,421
2,000,000	\$37,800	248,652	1,751,348	\$45,955	\$8,155
3,000,000	\$56,700	248,652	2,751,348	\$72,195	\$15,495
>3,000,000	\$63,464	248,652	3,109,248	\$81,587	\$18,122

*Please note; the Res tax is calculated based on last year's tax shift for the purpose of illustration only. In addition, the tax rate increase associated with the Sudbury Senior Means Exemption Program is not included in this scenario.*

### Small Commercial Exemption

An exemption (conferred pursuant to M.G.L. c. 59, § 5I) of up to 10% of the property valuation can be granted to commercial properties (not industrial) having one or more businesses employing 10 or fewer employees in total, and an assessed value of less than \$1,000,000.00. Implementing this exemption requires increasing the CIP tax rate to offset lost revenues from qualifying properties.

For fiscal year 2021, 31 properties in the Town have been identified as meeting qualifying standards. Sudbury's nominal commercial class for fiscal year 2021 hosts 190 accounts. In addition, there are 8-mixed use/part commercial, 42-chapter land, and 19 industrial properties all of which would be subject to an increased tax rate generated by the adoption

of a small commercial exemption. The class 3 value reduction for those qualifying properties if a 10% small commercial exemption is adopted is \$773,420 approximated with a corresponding tax rate increase of seven cents (for purposes of illustration we used a factor of 1 in our analysis). The average tax savings for the 31 accounts is approximately \$666.28/ account.

Considerations:

The qualifying 31 taxpayers will receive a tax benefit. Other small businesses (not qualifying) will bear the increased burden along with larger commercial and industrial properties.

Twenty-three of the qualifying 31 accounts are commercial condominiums. However, within the same condominium complexes 67 units will not make the cut for different reasons. The properties are otherwise quite similar in size, use, and assessment.

Many of the small businesses appearing on the Department of Unemployment Assistance (DET) list as qualifying will not benefit from the exemption, as they are tenants in larger commercial properties with assessed values exceeding the allowable \$1,000,000 cap.

Based on the foregoing, we can conclude the following:

The vast majority of Sudbury's small businesses will not stand to benefit by adoption of this exemption, as they are tenants in strip malls, and other large commercial buildings.

They in fact will be penalized by the increased tax rate. Mill Village is a good example of this.

The property consists of 30+ small businesses. Another example are the tenants at the Cummings building on Rte. 117 as well as the tenants in the various strip malls located on Route 20.

As evidenced by the small number of eligible accounts this exemption program will provide tax relief to very few of Sudbury's small business properties. The majority of all small businesses will not benefit from the exemption.

Small Commercial Exemption Communities	
Auburn	10%
Avon	10%
Bellingham	10%
Berlin	10%
Braintree	10%
Chelmsford	10%
Dartmouth	10%
Erving	10%
New Ashford	10%
Seekonk	10%
Swampscott	10%
Westford	10%
Wrentham	10%
North Attleborough	5%

## Open Space Exemption

In addition to the above-mentioned options, there is one more option, which must be reviewed, although not applicable in Sudbury at this time. It is known as the Open Space Exemption. In order for a municipality to utilize an open space exemption, the community must first have adopted the Open Space Class. While most residential land is Class 1, there is an additional classification which may be created for some vacant land (Class 2). The definition of open space in this context is: *land which is not otherwise classified and which is not taxable under provisions of chapters 61, 61A or 61B, or taxable under a permanent conservation restriction, and which land is not held for the production of income but is maintained in an open or natural condition and which contributes significantly to the benefit and enjoyment of the public.*

The Open Space Class was developed to provide a tax break to land owners, as incentive to preserve open land or at least slow development. Adopting this classification would result in a discount of the residential tax obligation of up to 25% for those parcels classified as open space. Any tax savings awarded to open space property owners will be subsidized by all other residential property owners. Commercial, Industrial, and Personal Property will not be affected. Sudbury currently has 62 parcels of land enrolled in the various chapter land programs. Chapter land enrollment carries certain program withdrawal restrictions which are described below. If a community were to adopt this open space classification, any property classified as open space (*not enrolled in chapter land programs*) would receive the benefit of the favorable tax structure without any of the restrictions associated with the existing chapter land programs. Implementation of the Open Space Classification would take up to a year following written request of the Board of Selectmen.

## Classified Land - Chapters 61, 61A and 61B

There are three "Chapter Land" programs available: Forestry (M.G.L. Chapter 61), Agriculture / Horticulture (M.G.L. Chapter 61A), and Recreation (M.G.L. Chapter 61B).

**Chapter 61 - Forestry Land** is designed to encourage the preservation and enhancement of the Commonwealth's forests. A parcel must consist of at least 10 contiguous acres of land under the same ownership and be managed under a 10-year management plan approved and certified by the State Forester in order to qualify for and retain classification as forest land under Chapter 61.

**Chapter 61A - Agricultural and Horticultural Land** is designed to encourage the preservation of the Commonwealth's valuable farmland and promote active agricultural and horticultural land use. The property must consist of at least 5 contiguous acres of land under the same ownership and be "actively devoted" to agricultural or horticultural use in order to qualify for and retain classification as agricultural or horticultural land under Chapter 61A. An equal amount of contiguous non-productive land may also qualify for classification.

For the land to be considered "actively devoted" to a farm use, it must have been farmed for the two years prior to the year of classification and must have produced a certain amount of sales. The minimum gross sales requirement is \$500 for the first 5 acres of productive land being classified.

**Chapter 61B - Recreational Land** is designed to encourage the preservation of the Commonwealth's open space and promote recreational land uses. Property must consist of at least 5 contiguous acres of land under the same ownership in order to qualify for and retain



classification as recreational land under Chapter 61B. The land must fall into **one** of the following two categories to qualify:

It must be maintained in a substantially natural, wild or open condition or must be maintained in a landscaped condition permitting the preservation of wildlife and natural resources. It does not have to be open to the public, but can be held as private, undeveloped, open space land.

It must be used for certain recreational purposes and must be open to the public or members of a non-profit organization.

#### Liens

Once an initial application for classification has been approved, the local assessors will record a statement at the Registry of Deeds indicating that the land has been classified as forestry under Chapter 61, agricultural / horticultural land under Chapter 61A or recreational land under Chapter 61B. The statement will constitute a lien on the land for all taxes due under the respective chapters.

#### Municipal Option to Purchase

The city or town has an option to purchase any classified land whenever the owner plans to sell or convert it to a residential, commercial, or industrial use. The owner must notify by certified mail the selectmen, assessors, planning board and conservation commission of the town of any intention to sell or convert the land to those uses. If the owner plans to sell the land, the town has the right to match a bona fide offer to purchase it. If the owner plans to convert it, the city or town has the right to purchase it at its fair market value, which is determined by an impartial appraisal. The city or town may also assign its option to a non-profit, conservation organization. The owner cannot sell or convert the land until at least 120 days have passed since the mailing of the required notices or until the owner has been notified in writing that the option will not be exercised, whichever is earlier.

#### Withdrawal Tax

With each of these programs, there is a conveyance tax penalty for withdrawing land. Whenever land which is valued, assessed and taxed under this chapter no longer meets the definition of forest land, agricultural /horticultural land, or recreational land it shall be subject to additional taxes, called roll-back taxes, in the tax year in which it is disqualified and in each of the four immediately preceding tax years in which the land was so valued, assessed and taxed. For each tax year, the roll-back tax shall be an amount equal to the difference, if any, between the taxes paid or payable for that tax year in accordance with this chapter and the taxes that would have been paid or payable in that tax year had the land been valued, assessed and taxed without regard to these provisions.

A summary of Sudbury's use of the Chapter Land programs follows.

Program	Number of Properties	Total No. of Acres Enrolled	Average Acres P Property
Agriculture/Horticulture	47	714	15.2
Forestry	6	49	8.2
Recreation	9	225	30.8
<b>Totals</b>	<b>62</b>	<b>988</b>	<b>18.07</b>



Bedford, which was the sole community in Massachusetts to utilize the Open Space Classification, discontinued that Classification in 2017. They attribute their decision to the fact that a very small number of parcels representing a small fraction of the Town's value qualified for this classification.

In Sudbury, the vast majority of the Town's taxable large land tracts are currently enrolled in at least one of the Special Chapter Land Programs conferred under M.G.L. Chapter 61, 61A and 61B.

As shown above, we currently have 62 parcels of land enrolled in the Special Chapter land programs representing just under 1000 acres.

Although there is a tax benefit associated with Chapter land program enrollment, there are also associated program withdrawal implications. One of the associated implications is the municipality's right to purchase the property should it become available for sale. In addition, there is a property tax recapture period when the property is withdrawn from its special classification whereby the municipality can recoup some of the lowered taxes.

There are no such restrictions or implications associated with the Open Space Classification designation. An owner is not restricted in developing or selling the property; the open space tax benefit would simply end.

By comparison with the chapter land programs, summarized below is the vacant land NOT in a chapter land program (FY 2020 data).

Vacant Land Summary						
Land Type	Land Use Code	Number	Acres	Assessed Value	Average Assessed Value	
					Per Property	Per Acre
Residential Land	130	43	149.7	17,229,800	\$400,693	\$115,000
Residential Land (Secondary)	131	8	20.6	2,243,700	\$28,046	\$108,900
Residential Land (Unusable)	132	314	643.7	4,545,600	\$14,476	\$7,000
Totals		365	814	24,019,100	\$65,805	\$29,500

The town's current wetlands pricing of \$500/acre and residual land pricing of \$20,000/acre are also significant when considering adoption of the Open Space classification.

Implementation of the Classification takes up to a year following written request of the Selectmen.

## VOTING THE EXEMPTIONS

Example Vote(s) on Residential and/or Small Commercial Exemption Options:

This language including negative and affirmative options speaks to the Residential Exemption only:

**Motion:** [Not] to adopt a Residential Exemption for Fiscal Year 2021, or

**Motion:** [To] adopt a Residential Exemption for Fiscal Year 2021 of \_\_\_\_% of the Average of all Residential Value for those eligible residential properties, which will shift the burden within the Residential Class.

This language including negative and affirmative options speaks to the Small Commercial only:

**Motion:** [Not] adopt the Small Commercial Exemption for Fiscal Year 2021, or

**Motion:** [To] adopt the Small Commercial Exemption for Fiscal Year 2021 business (as) on the DET list valued at less than \$1 million, which will shift the burden within the Commercial & Industrial Classes.

The Open Space exemption cannot presently be implemented, and therefore, no vote need be taken by the Board of Selectmen with respect to this exemption.

## ADDENDUM A

### SUDBURY'S MEANS TESTED SENIOR TAX EXEMPTION

Finally, we are asking this evening that the Board vote on the cap to be used to fund the Sudbury Senior Means Tested Exemption Program for Fiscal year 2021. Section 3 of Chapter 169 of the Acts of 2012, specifies that the total cap on the exemptions granted by the act shall be set annually by the board of selectmen, within a range of .5 to 1 per cent of the residential property tax levy for the town of Sudbury. The vote is traditionally taken following the mandatory Classification Hearing votes.

Massachusetts Chapter 169 of the Acts of 2012 established, and Chapter 10 of the Acts of 2016 renewed a pilot program in Sudbury for granting certain qualified senior residents a measure property tax relief. Fiscal year 2021 is the eighth year of the program. The exemption is similar to the Residential Tax Exemption in that it shifts the tax burden from qualified residential property owners to other residential property owners. For Fiscal year 2014, the statute limited the total exemptions granted under the pilot program to a dollar cap equal to 0.5% of the residential levy (after any CIP shift). For Fiscal year 2020, the Selectmen voted to increase the cap to 0.5189%. For fiscal year 2021, Selectmen have the option, if needed, to increase this percentage up to and including 1.0%.

Applications are required, and the Assessors administer this program for all applicants deemed qualified by the Board of Assessors. For fiscal year 2021, the Assessors received 102 applications and the Board of Assessors identified 101 applicants tentatively qualified to receive the exemption. In order for the Assessors to complete the necessary calculations, the Board of Selectmen must first vote the Residential Factor and CIP shift values for fiscal year 2021 in the Classification Hearing. That vote will determine a tentative residential tax rate, which will then be used in the calculations and result in an increase in the tentative residential tax rate.

For fiscal year 2021, the indicated need seems to point to a cap on the percentage of residential tax levy required to fund the program may be approximately the same as last year. Our calculations indicate the cap on the exemption percentage of the residential tax levy of .5\_\_\_\_% should be sufficient to fund the program for Fiscal year 2021. The exact percentage will be based upon the voted residential factor.

The Act also provides an alternative to increasing the cap, whereby the income threshold may be adjusted above the nominal 10.0% until the need is reduced to fall within the cap.

Suggested Motion:

Vote in accordance with Chapter 169 of the Acts of 2012, the total FY2021 cap on the exemptions granted by the Means Tested Senior Tax Exemption shall be.\_\_\_\_% of the residential property tax levy.

## Addendum B - More Tax Rate Options

CIP Shift	Res Factor	Res ET	Comm ET
1.0000	1.0000	19.21	19.21
1.0100	0.9992	19.19	19.40
1.0200	0.9985	19.18	19.59
1.0300	0.9977	19.17	19.79
1.0400	0.9970	19.15	19.98
1.0500	0.9962	19.14	20.17
1.0600	0.9955	19.12	20.36
1.0700	0.9947	19.11	20.55
1.0800	0.9940	19.09	20.75
1.0900	0.9932	19.08	20.94
1.1000	0.9925	19.07	21.13
1.1100	0.9917	19.05	21.32
1.1200	0.9910	19.04	21.51
1.1300	0.9902	19.02	21.71
1.1400	0.9895	19.01	21.90
1.1500	0.9887	18.99	22.09
1.1600	0.9880	18.98	22.28
1.1700	0.9872	18.96	22.47
1.1800	0.9865	18.95	22.67
1.1900	0.9857	18.94	22.86
1.2000	0.9850	18.92	23.05
1.2100	0.9842	18.91	23.24
1.2200	0.9835	18.89	23.44
1.2300	0.9827	18.88	23.63
1.2400	0.9820	18.86	23.82
1.2500	0.9812	18.85	24.01
1.2600	0.9805	18.83	24.20
1.2700	0.9797	18.82	24.40
1.2800	0.9790	18.81	24.59
1.2900	0.9782	18.79	24.78
1.3000	0.9775	18.78	24.97
1.3100	0.9767	18.76	25.16
1.3200	0.9760	18.75	25.36
1.3300	0.9752	18.73	25.55
1.3400	0.9745	18.72	25.74
1.3500	0.9737	18.70	25.93
1.3600	0.9730	18.69	26.12
1.3700	0.9722	18.68	26.32

1.3800	0.9715	18.66	26.51
1.3900	0.9707	18.65	26.70
1.4000	0.9700	18.63	26.89
1.4100	0.9692	18.62	27.09
1.4200	0.9685	18.60	27.28
1.4300	0.9677	18.59	27.47
1.4400	0.9670	18.57	27.66
1.4500	0.9662	18.56	27.85
1.4600	0.9655	18.55	28.05
1.4700	0.9647	18.53	28.24
1.4800	0.9640	18.52	28.43
1.4900	0.9632	18.50	28.62
1.5000	0.9625	18.49	28.81

## ADDENDUM C

### COMMERCIAL TAX HISTORY

**8 Year Commercial Tax History**

Year	2020	2019	2018	2017	2016	2015	2014	2013
	0.02497	0.0243	0.0243	0.02501	0.02511	0.02488	0.02494	0.02352
Total Nominal Class 3 Value	170,374,100	179,785,300	163,787,100	152,885,900	145,360,600	138,774,900	138,349,700	138,828,500
Parcel Count	188	189	190	187	188	186	186	187
Av Value	906245	951245	862037	817572	773195	746102	743816	742398
Av Com Tax Bill	22,629	23,115	21,560	19,867	19,415	18,563	18,551	17,461

Attachment 4.b: Classification Hearing Document FY 2021 12 1 (4227 : Tax Classification hearing)

## **ADDENDUM D**

### **OVERLAY**

Approximate (not certified) Overlay balance \$467,787 as of 6/20/2020.





SUDBURY BOARD OF SELECTMEN  
Tuesday, December 1, 2020

5

**MISCELLANEOUS (UNTIMED)**

**5: Annual Legislative Update**

REQUESTOR SECTION

Date of request:

Requestor: Chair Dretler

Formal Title: Annual Legislative update with Rep. Carmine Gentile, Senator Jamie Eldridge, and Senator Mike Barrett.

Recommendations/Suggested Motion/Vote: Annual Legislative update with Rep. Carmine Gentile, Senator Jamie Eldridge, and Senator Mike Barrett.

Background Information:  
attached questions from Board submitted to legislators on 12/1/20.

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

12/01/2020 6:00 PM

## Questions for Legislators – BOS meeting 12/1/20

### **Chair Janie Dretler**

Update on specific Bills and issues:

S.83 - An Act authorizing municipalities to expend certain funds for the acquisition of land to be used for rail trails

<https://malegislature.gov/Bills/191/s83/>

H.4388 - An Act making the charter of the Town of Sudbury gender neutral

<https://malegislature.gov/Bills/191/H4388>

Emergency Housing Assistance and need in Metrowest due to COVID

COVID impact public transportation/commuter rail service in

Metrowest: <https://www.mbta.com/news/2020-11-09/mbta-releases-proposed-service-changes-match-new-ridership-patterns>

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### **Vice-chair Jennifer Roberts**

- Do you expect there will be more COVID relief in 2021 for municipalities and businesses? Were all the funds from the CARES Act distributed?

- Can you please speak to where the state is in the development of its fiscal year 2021 budget? How have COVID expenses or possible suppressed revenues impacted the state's financial situation? How do you anticipate this will affect municipalities such as Sudbury in terms of aid or services?

- The Town of Sudbury recently approved a debt exclusion to build a new \$28.8M community center. The community center will house our Senior Center, Park & Recreation Department, and Sudbury Public Schools Administration. Are you aware of any programs or grants that would help offset some of this cost for our community?

- Please provide the status of S.83 and H.1790 related to using CPA funds for purchasing former rail corridors.

- Can you describe any legislative environmental initiatives that are underway and the status?

- What can we do as a Board to best inform and support the work that you do? How do you learn about the important initiatives or needs in Sudbury?

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### **Member Dan Carty**

Status of State Budget – when do you think it will be approved? Roadblocks?

- Status of Governor Baker's Housing bill (H3507/H4263)

- School Transportation – do they see the State addressing the potential high cost of school transportation in the Covid and post Covid world? Or do they envision that staying with the towns?
- Transportation in general – I realize the MBTA is taking a hit right now, but in Sudbury we don't use the MBTA...we are seeing great early feedback with our MAPC grant funded Taxi program...what do they see on the horizon for towns like us?
- Is there still a push towards more school regionalization?
- Do they see the Commonwealth working towards more electric vehicle charging stations? And what about electric vehicle benefits for purchasers? (e.g. S1923) Similar question w.r.t. solar panels and "power wall" type storage – how to entice more people to use them? (e.g. S1926, S1956 – S1958?)
- Status of H1216/S744 – Free Public Higher Education for Residents of the State
- Status of H2860 - the placement of new overhead transmission lines
- Status of H4388 - that the town of Sudbury be authorized to make the charter of said town gender neutral.
- Status of H1790/S83 - authorizing municipalities to expend certain funds for the acquisition of land to be used for rail trails
- Status of H662 - An Act establishing healthy voting habits among youth

Status of H5118 - that the town of Sudbury be authorized to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises in said town

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#### Member Charlie Russo

- Gentile/Eldridge: Status of Bill H4388 to adopt the "Select Board" designation in Sudbury? When might that occur?
- Gentile/Eldridge: Status of S.83 for legislation to authorize municipalities to expend certain funds for the acquisition of land to be used for rail trails. Is this still moving forward?
- Gentile/Eldridge/Barrett: a number of climate change-related bills are in process. Are there any that require local municipal action to implement?
  - Are there local bylaws we should be considering now to get ahead of any pending climate change legislation (e.g., electric vehicle charging stations, rooftop solar on municipal buildings, composting programs, etc.).
  - Does any of the climate change legislation have potential funding incentives for municipalities behind it, similar to the Green Communities or CPA programs?
- Gentile/Barrett: more information about S.382 regarding legislation relative to early voting in municipal elections. What changes might municipalities see in terms of early/mail-in voting in the future, post-pandemic?
- Gentile/Eldridge/Barrett: what is the outlook for any additional small business grant programs from the state? Apparently the state's \$50.8 million small business grant program administered via Mass Growth Capital Corp had \$518+ million worth of applications?

**SUDBURY BOARD OF SELECTMEN**

Tuesday, December 1, 2020

**MISCELLANEOUS (UNTIMED)****6: Town wide ADA self assessment****REQUESTOR SECTION**

Date of request:

Requestor: Chair Dretler

Formal Title: Update and discussion on Town of Sudbury town-wide ADA self-evaluation and assessment process. Town Manager Hayes and Facilities Director Bill Barletta to present.

Recommendations/Suggested Motion/Vote: Update and discussion on Town of Sudbury town-wide ADA self-evaluation and assessment process. Town Manager Hayes and Facilities Director Bill Barletta to present.

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

12/01/2020 6:00 PM

**From:** [Hayes, Henry](#)  
**To:** [Dretler, Janie](#); [Golden, Patricia](#)  
**Subject:** RE: Updated packet 12/1/20  
**Date:** Monday, November 30, 2020 2:30:17 PM  
**Attachments:** [IHCD Sudbury Kickoff Meeting 3.11.20.pptx](#)  
[COD Sudbury - completed questionnaire 3-9-20.docx](#)  
[image002.png](#)

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Patty: Please feel free to add this to the packet for the ADA discussion.

See below and 2 attachments.

**ADA Title II Action Guide for State and Local Governments** <https://www.adaactionguide.org/action-steps>

### **Involvement of people with disabilities**

There are several reasons to include people with disabilities. First, the regulation requires that public entities provide an opportunity for people with disabilities and other interested individuals or organizations to review and comment on the self-evaluation and transition plan. Second, involving the end users in the process will generate solutions that are creative and effective. Third, involving people with disabilities in decision-making will strengthen the accountability of the process and ensure wise use of limited public resources. The team should include representation of as wide a range of disabilities as possible. People with physical, visual, hearing, speech, intellectual, learning, behavioral health, and other disabilities may be included on the team.

#### **Step 1 - Start Implementation**

#### **Step 2 - Appoint an ADA Coordinator**

#### **Step 3 - Provide Public Notice**

#### **Step 4 - Adopt a Grievance Procedure**

#### **Step 5 - Conduct a Self-Evaluation**

#### **Step 6 - Develop a Transition Plan**

#### **Step 7 - Create an Action Plan**

From: "Barletta, William" [REDACTED]  
 Date: November 20, 2020 at 2:47:00 PM EST  
 To: [REDACTED] GUTHY [REDACTED]  
 Subject: ADA Self Evaluation update

Hello Pat,

I hope all is going well.

I just wanted to give you an update on the ADA Self Evaluation. The Institute for Human Centered Design has completed almost all their field survey work. I believe they have just the Transfer Station and some outdoor park facilities that will finish up the field work.

We have received and returned drafts on the DPW Building, DPW Garage, Fairbank Community Center, Goodnow Library, Town Hall, Broadacres, Horse Pond Road Playground, Willis Lake Access, Police Station, Fire Headquarters, Fire Station 2, Fire Station 3, Loring Parsonage, Parks and Grounds Building and Grinnell Park. So far 3 minor edits. One word in the Fairbank survey that read Library, a cut and paste error, one edit of Bleed Kit and AED equipment location in the Fairbank gym as it's now in a different location than when surveyed, and one edit to the area included in the Horse Pond Road Playground. They thought the [REDACTED] grill and picnic table were part of the playground property. I spoke with the team lead from IHCD regarding remaining drafts. He said the schools, Sewataro and remaining site drafts are in process and will be delivered soon. I'll keep you posted.

Let me know if I can provide more information, and I'm always happy to attend a COD meeting if desired.

Bill

William Barletta  
 Facilities Director  
 Town of Sudbury  
[275 Old Lancaster Road](mailto:william.barletta@townofsudbury.com)  
[Sudbury, MA 01776](mailto:william.barletta@townofsudbury.com)

Respectfully, Henry

Henry L. Hayes, Jr. (he, him)  
 Town Manager  
 Town of Sudbury  
 Phone: (978) 639-3381

Sustaining a SAFE, SECURE, SERVICED & STRONG SUDBURY!

The Secretary of State's office has determined that most e-mails to and from municipal offices and officials are public records. Consequently, confidentiality should not be expected.

Completed questionnaire

**Institute for Human Centered Design**

**ADA Self-Evaluation and Transition Plan for the Town of Sudbury**

**Disability Commission Questionnaire**

1. Do you have concerns related to accessing Town buildings or programs? If yes, please list your concerns below.

All of the Town Buildings, Facilities, and programs need to be surveyed, assessed, and evaluated. This includes buildings that have been recently built and renovated and the plans and proposals for new construction or renovation. The following is not a comprehensive list but includes:

- The Flynn Building (automatic door, restrooms, signage, handrails)
- Town Hall (the renovation of this facility is being discussed, but the evaluators need to review the proposal)
- Loring Parsonage to ensure that it meets ADA requirements
- The recently purchased Broad Acres
- and, in particular, the recently purchased Sewataro must be subjected to evaluation in light of Title II (municipally owned property) to ensure accessibility of facilities, and programming.
- All School buildings need to be evaluated especially in light of the August 2005 evaluation done by the Massachusetts Office on Disability on Lincoln Sudbury High School. Of special concern at the High School is parking and auditorium and accessibility to the fields for both students, visitors and spectators.
- All town-wide communication vehicles need to be evaluated to ensure that the communication vehicles can be accessed by those with low vision.
- The Town Website needs to be ADA compliant.
- Conservation Land and Trails need to be accessible and in compliance with ADA directives. In 2009, a preliminary survey of various conservation trails was attempted, but there was no documented follow-up on remediation of issues that surfaced.
- Playgrounds and bathroom facilities at these locations need to be ADA compliant and accessible.
- At Haskell Field, the equipment for those need adaption need to be addressed.
- Town-wide programs offered by Park and Recreation need to be evaluated to determine that those living with a disability can participate.

The above is only a partial list of concerns that the COD has. We will be happy to discuss this with the group. Four of the five members of the COD have been certified by the MOD as Community Access Monitors after participating in two-day intensive training.



2. Have you experienced challenges when navigating Town programs and activities? If yes, then please explain these challenges.

Yes. Accessing Town Buildings where there are no automatic door openers, parking on Town land where there is either no handicapped parking space designated, and/or where the parking area is not paved or surfaced with ADA compliant material. Walking paths themselves, in some locations, are not paved and the slope of the paths are very difficult to navigate and, in many cases, do not meet ADA code. There is no signage for those who need visual support or are hearing impaired and no adaptation for those with low vision. These are only a few of the challenges that have been brought to our attention. This needs to be addressed in this plan especially with the Bruce Freeman Rail Trail being developed.

3. Have you experienced challenges when navigating Town programs and activities? If yes, then please explain these challenges.

Yes. At Town Meeting there has been inconsistent provision for transcription of the proceeding, preferential seating for those with all types of disabilities is very limited, and signage for this seating is poorly placed. The overflow rooms are not at all accessible for those with mobility disabilities, low vision needs and hearing assistive requirements. Transportation to these Town-wide activities and events requires ahead of time reservations since transportation is only available during the week and, in some cases, during limited hours of operation. Polling sites in town do have adaptive voting equipment, but Election Wardens are not trained to be aware of the needs of those with disabilities and, in some cases, have not been adequately trained in the use of the adaptive equipment. Publications such as the Town Report and Town Warrant are not formatted to be accessible for those with low vision needs. This also is an issue for other Town wide publications such as the Park and Recreation quarterly brochure of program offerings and the Council on Aging monthly newsletter. The Town's website is also not ADA compliant. However, the Sudbury School System's website is. Again, this is not an exhaustive list but highlights of the challenges of which we are aware.

4. Where do you see the greatest limitations in Town buildings, facilities, and/or programming?

The greatest limitation in the area of ADA is the lack of training of Town staff and elected and appointed leaders, which leads to a lack of awareness of the requirements of the legislation. Many who sit on Town boards, commissions, and councils are not aware of their obligations to assure accessibility to facilities and programs for those living with a disability. The needs of the disabled do not automatically occur to them, thus these needs are overlooked and not addressed. Training is needed for both paid and unpaid staff on the rights of these individuals and on the proper way to work with them so to ensure that their Civil Rights are not violated. This needs to be a higher priority for the Town and the community than it has been.

**5. Where do you see the greatest successes in Town buildings, facilities and/or programming?**

The first success that we see is the re establishment of the Commission on Disability by the Select Board. The second success is the unanimous approval by the Select Board to fund this Self-evaluation and Transition Plan and to commit both paid and unpaid staff to this project. In the eyes of the community, this action cements the Town's desire to learn what needs to be done and to develop plans to address the issues that such a self-evaluation will discover.

**6. Would you be interested in receiving training(s) for the Disability Commission? If yes, then what topics would you like addressed?**

As noted above, 80% of the Commission has participated in training in addition to the Community Access Monitor training

- the Commission has had the MOD (Massachusetts Office on Disability) provide a half day professional development seminar
- The COD has arranged to have MOD present to the Sudbury Master Plan Steering Committee the requirements of ADA as this group is designing the Master Plan for the Town for the next 20 – 30 years.
- The COD is using the Metro-West Centers for Independent Living for on the job training for issues that arise under Title III of the legislation, and would seek additional formal training in this area.
- MOD offers advanced Community Access Monitor Training from time to time and members of the COD would take advantage of that.

Sudbury COD 2020/3



Institute for Human Centered Design



## ADA Self-Evaluation and Transition Plan Overview + Priority on Program Access Sudbury, Massachusetts

March 11, 2020

Meghan Dufresne, Project Manager  
David West, Project Manager

[www.HumanCenteredDesign.org](http://www.HumanCenteredDesign.org)

### Institute for Human Centered Design



An international design non-profit dedicated to enhancing the experiences of people of all ages and abilities through excellence in design.



[www.HumanCenteredDesign.org](http://www.HumanCenteredDesign.org)

## What IHCD does to meet that mission. . .

*in the US and globally*

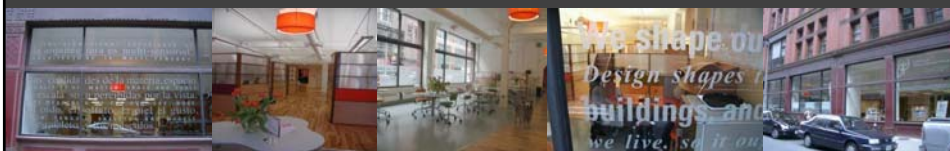
- ✓ **Education & Training** on Accessibility and Inclusive Design
- ✓ **Technical Assistance**
- ✓ **Consulting on Accessibility and Inclusive Design** (physical + digital)
- ✓ **Design Services** (physical + digital)
- ✓ **Research** - Contextual Inquiry with “User/Experts” in-situ

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Design powerfully and profoundly influences everyone and our sense of **confidence, comfort, and control.**

## *2 core ideas...*

Design matters most at the edges of the spectrum; if it works there, **it works better for everyone.**



[www.HumanCenteredDesign.org](http://www.HumanCenteredDesign.org)

## Institute for Human Centered Design Technical Assistance

New England  Center

One of ten national centers  
providing information, guidance  
and training on the Americans  
with Disabilities Act.

**800-949-4232 v/tty**

A member of the



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## ADA Checklist for Readily Achievable Barrier Removal

Based on the 2010 ADA Standards for Accessible Design



Produced by  
**Institute for Human Centered Design**  
[www.HumanCenteredDesign.org](http://www.HumanCenteredDesign.org)

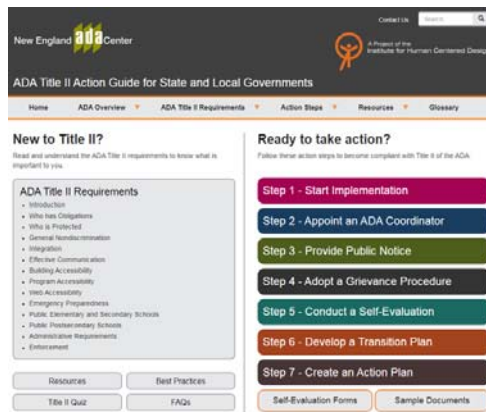
[www.ADAchecklist.org](http://www.ADAchecklist.org)  
2011



**ADA National Network**  
[www.ADAData.org](http://www.ADAData.org)

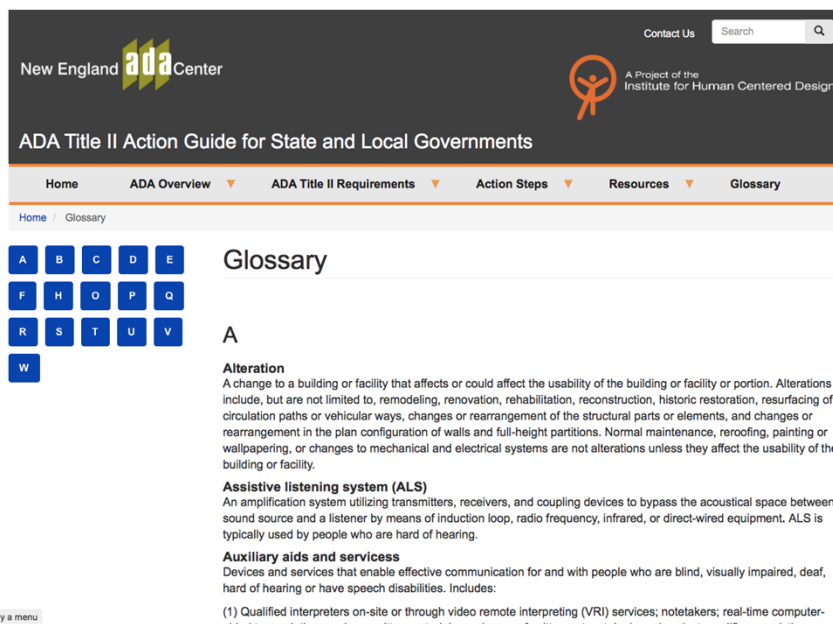
Questions on the ADA 800-949-4232 voice/tty  
Questions on checklist 617-695-0085 voice/tty

## ADA Title II Action Guide for State and Local Governments



[www.ADAActionGuide.org](http://www.ADAActionGuide.org)

[www.HumanCenteredDesign.org](http://www.HumanCenteredDesign.org)



[www.HumanCenteredDesign.org](http://www.HumanCenteredDesign.org)

## Agenda

- ✓ Brief Overview of Data on Disability
- ✓ Brief Overview of the ADA
- ✓ IHCD Scope of Work
- ✓ Process and Schedule

Who is a *person with a disability*?

[www.HumanCenteredDesign.org](http://www.HumanCenteredDesign.org)

## How Does the ADA Define Disability?

- Someone who has a physical or mental impairment that substantially limits one or more major life activity.
- This includes people who have a record of such an impairment, even if they do not currently have a disability.
- It also includes individuals who do not have a disability but are regarded as having a disability.

## How Common are Specific Disabilities?



Source: Americans with Disabilities: 2010, from Survey of Income and Program Participation

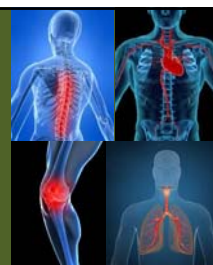
United States  
Census  
Bureau

U.S. Department of Commerce  
Economics and Statistics Administration  
U.S. CENSUS BUREAU



## Most common reasons for functional limitation of adults in the U.S.

- Arthritis
- Back problems
- Heart disease
- Hearing loss



Number of adults with a disability in US 56.7M\* (2014)

3.6 M use wheelchairs or scooters, projected to grow to 4.3 in 2030.

30.6 M difficulty walking or climbing stairs



Institute for Human Centered Design

**Data Prepared by:**  
Matthew Brault, MPP, Research  
Consultant

**Infographics Prepared by:**  
The Institute for Human Centered  
Design's New England ADA Center

**For questions about this data:**  
Contact: Oce Harrison  
617-695-1225 x 227  
oharrison@IHCDesign.org

**Funded by:**  
The Administration for Community Living  
through the National Institute on Disability,  
Independent Living and Rehabilitation  
Research Grant #90DP0087



## Data on Disability

August 2018



A project of the  
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## Glossary of Terms

### American Community Survey (ACS)

**About the American Community Survey:**  
This survey helps local officials, community leaders, and businesses understand the changes taking place in their communities. It is the premier source for detailed population information.

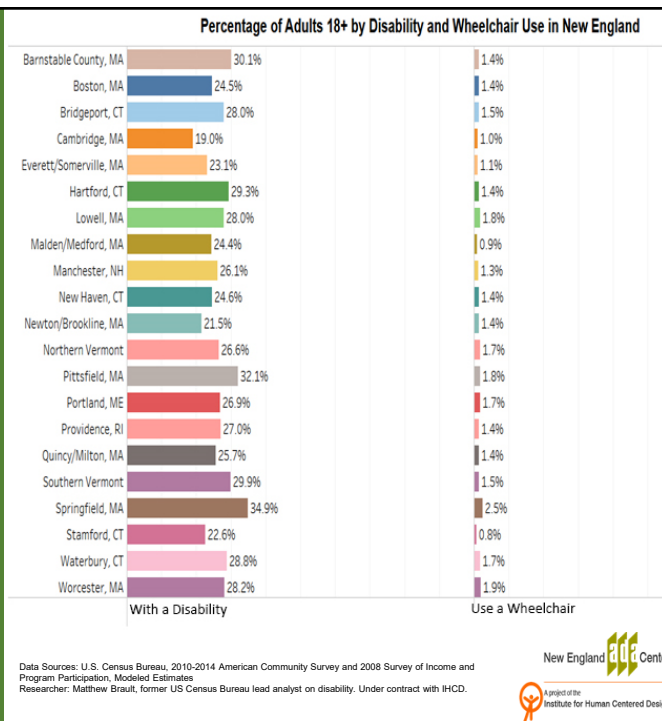
Sent to approximately 295,000 addresses monthly, it is the largest household survey that the Census Bureau administers.

- **Hearing difficulty:** Deaf or having serious difficulty hearing.
- **Mental disability:** Has a mental, emotional, or neurological condition that impairs functioning. Includes Alzheimer's disease, intellectual disabilities, autism, cerebral palsy, learning disabilities, trouble with anxiety, concentrating, coping with stress, and getting along with others.
- **Significant disability:** Long lasting. Significant disability is equivalent to the measure "severe disability" in the Census Bureau's Americans with Disabilities Report series.
- **Upper body limitations:** Has difficulty reaching, lifting, grasping, or pushing/pulling.
- **Use canes, crutches, walker:** Uses a cane, crutches or walker.
- **Use wheelchair:** Uses a wheelchair, electric scooter, or similar aid for getting around.
- **Vision difficulty:** blind or having serious difficulty seeing, even when wearing glasses.

New England **ada** Center

A project of the  
Institute for Human Centered Design

## Percentage of Adults 18+ by Disability and Wheelchair use in New England



## **Americans with Disabilities Act Signed by President G.H.W. Bush - 1990**

A comprehensive national mandate for the elimination of discrimination against people with disabilities.



## **The Americans with Disabilities Act (ADA)**

- Built on the Civil Rights Act of 1964
- Overarching Goals: equal participation & equal benefit
- Most comprehensive mandate with comprehensive infrastructure to support voluntary compliance

## The Americans with Disabilities Act

➡ Title I – Employment.

➡ **Title II – State and local government.**

Title III – Access to places of public accommodation and commercial facilities.

Title IV – Telecommunications.

Title V - Miscellaneous.

## Title II Integrated Setting Requirement

- A public entity shall administer services, programs, and activities in the most integrated setting appropriate to the needs of qualified individuals with disabilities.  
§ 35.150(d)

## Applies to all State & Local Government Activities

- ✓ Town meeting
- ✓ Recreation Programs
- ✓ Employment
- ✓ Voting
- ✓ Senior Centers
- ✓ Police
- ✓ Fire
- ✓ Public Housing
- ✓ Homeless Shelters
- ✓ Public Transportation
- ✓ Permits
- ✓ Camps
- ✓ Correctional Facilities
- ✓ Emergency Shelters

## Five ADA Administrative Requirements

1. Conduct **Self-Evaluation**
2. **Notice** to “beneficiaries” (public, customers, clients) and employees of a commitment to nondiscrimination on the basis of disability with detail on who to contact with questions, requests or complaints.
3. Designation of responsible employee to coordinate ADA obligations (**ADA Coordinator**).
4. Adopt a **Grievance Procedure**.
5. Develop a **Transition Plan** for facility access – *follows completion of the Self-Evaluation*.

## Program Accessibility Standard

- Ensure that each program, service and activity, when viewed in its entirety, is accessible to people with disabilities.
- Does not necessarily require a public entity to make each of its existing facilities accessible.
- Requires a cross-walk with facility access to set priorities for corrective action.
- Does not require a public entity to take any action that it can demonstrate would result in an undue financial and/or administrative burden.

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## 3 Components of Accessibility of Programs

A public entity must ensure:

- 1. Policies and practices are in place to provide equal opportunity to programs for people with disabilities**  
(and, if needed, modifications are made to policies, practices, and procedures if they result in discrimination against people with disabilities;)

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### 3 Components of Accessibility of Programs –

*Cont.*

#### 2. There is physical access to spaces

(i.e., so a person with a mobility disability can enter the building, travel through the facilities, use the restrooms, and participate in the programs in the program space);

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### 3 Components of Accessibility of Programs –

*Cont.*

#### 3. Auxiliary aids and services for programs are available

(i.e., so a person who is deaf/hard of hearing, blind/has low vision, or has a speech disability can experience equally effective communication as someone without a disability in order to understand and participate in the programs).

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## Program Accessibility

Ensure access to programs, services and activities

- **Priority 1** - Approach & Entrance
- **Priority 2** - Access to Goods & Services
- **Priority 3** - Toilet Rooms
- **Priority 4** - Additional Access

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## ADA Transition Plan Components

- List of barriers prioritized for corrective action to ensure program access.
- Provides specific timeline for corrective action.
- Specifies departments & names staff responsible for action.
- Estimated budget for corrective action (multi-year).

**NOTE:** any gaps in program access policies and procedures are addressed in the Self-Evaluation process but are not included in the Transition Plan.



## Self-Evaluation and Transition Plan Goals

- Priority of ensuring 'Program Access' with a goal of equal participation.
- All of the Town's programs, services and activities, *when viewed in their entirety*, are readily accessible to and usable by people with disabilities.
- Implementation strategy integrated into planning and budgeting.
- All residents, regardless of ability, feel that they know about and can participate in all the Town has to offer.

### Department of Justice's Project Civic Access Settlement Agreements Key Findings:



- ✓ Accessibility of the Town's **website**
- ✓ **Effective Communication** (auxiliary aids & services)
- ✓ Accessibility of **polling places**
- ✓ Accessibility of **Emergency Management**
- ✓ Accessibility of **Public Safety's 9-1-1**
- ✓ Accessibility of Town-operated **shelters** – homeless, domestic violence, emergency

<http://www.ada.gov/civicac.htm>

## IHCD Scope of Work ADA Self-Evaluation to ADA Transition Plan

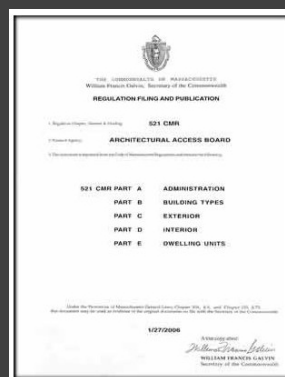
- Evaluation of Programs (programs, services and activities)
- Evaluation of Facilities (including adjacent sidewalks/walkways)
- Staff Involvement and Evaluation:
  - policies and procedures
  - review of draft priorities for corrective action
- Community Involvement:
  - After Town approval of full draft, draft priorities for corrective action are shared with the community, especially people with disabilities
- Support the Town with data that becomes the new ADA Transition Plan

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## Basis for Self-Evaluation



**2010 ADA Standards**  
Effective March 15, 2012

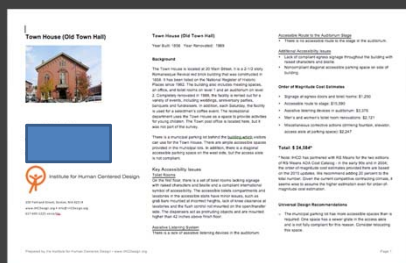


**MAAB – 521 CMR**  
Effective January 27, 2006

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## Deliverables

### Drafts for Review and Feedback



Each facility has a narrative  
report



and an illustrated  
catalog

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## Deliverables

### Drafts for Review and Feedback



Self-Evaluation

- report on facilities
- review of policies and procedures



Transition Plan  
spreadsheet

[www.HumanCenteredDesign.org](http://www.HumanCenteredDesign.org)

## Deliverables - Detail

### ADA Self-Evaluation

- Executive Summary;
- Building/Facility report narrative;
- Illustrated survey catalog with recommendations and cost estimates.

### ADA Transition Plan:

- Database of priorities for corrective action with cost estimates;
- Public meeting and presentation to the Town.

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## Questionnaire for Each Department

### Policies and Procedure Report (online survey)

#### Americans with Disabilities Act Compliance Assessment Questionnaire

\* Required

##### Background and Instructions

In 1990, the United States Congress enacted the Americans with Disabilities Act (ADA), building upon the Civil Rights Act of 1964 and establishing people with disabilities as a protected class. It committed the nation to a broad and sustained effort to transform and elevate the social and economic status of the nation's people with disabilities. The protections of the ADA cover an estimated 57 million Americans or about 20% of the nation's population. The ADA established a priority on 'program accessibility' for state and local governments. The obligation is to provide opportunities for equal participation for people with disabilities to all programs, services and activities offered by the Town.

Policies and procedures create the infrastructure to ensure equal access to programs, services and activities. This survey is a tool for understanding the current policy infrastructure of the Town of Sudbury in order to facilitate equal opportunities for people with disabilities to participate in all that Sudbury has to offer in the most integrated setting.

Please answer the following questions to the best of your ability.

- ☐ Respond by typing your answer into the document, using as much space as your answer requires.
- ☐ If you do not know the answer to any question, just type 'Don't Know'.
- ☐ If a question is not applicable to you or your department, please type 'N/A'.

The information will be used as a basis for review of the existing situation in Sudbury relative to ADA Policies, Practices and Procedures and to help create them if they don't exist or need updating.

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## Process & Schedule

- Provide an overview of the process in the kickoff meeting
- Determine the sequence of properties for scheduling
- Teams of two (2) people using the IHCD survey tools on iPads
- Field Work: four (4) weeks
- Preliminary report at 75% draft
- Town staff review the draft report
- Final version presented at a Town meeting
- Final deliverables: within three (3) weeks following the public meeting

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## Things IHCD needs to get started

- ✓ Drawings, floor plans, elevations for existing facilities; dates of construction and major renovations would be ideal if available;
- ✓ A contact list for the Town team who will be involved in the project;
- ✓ A point person at each facility who can coordinate access.

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*Thank you!*

[www.HumanCenteredDesign.org](http://www.HumanCenteredDesign.org)

**Contact us:**

David West

617-695-1225 x 246

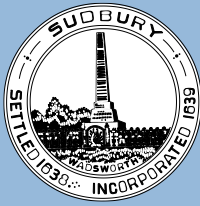
[dwest@ihcdesign.org](mailto:dwest@ihcdesign.org)

Meghan Dufresne

617-695-1225 x 230

[mdufresne@ihcdesign.org](mailto:mdufresne@ihcdesign.org)

[www.HumanCenteredDesign.org](http://www.HumanCenteredDesign.org)



SUDBURY BOARD OF SELECTMEN  
Tuesday, December 1, 2020

7

**MISCELLANEOUS (UNTIMED)**

**7: Camp Sewataro financial and programming update**

REQUESTOR SECTION

Date of request:

Requestor: Chair Dretler

Formal Title: Camp Sewataro financial update with Town Manager Hayes and Facilities Director Bill Barletta to present. Discussion about programming at Sewataro.

Recommendations/Suggested Motion/Vote: Camp Sewataro financial update with Town Manager Hayes and Facilities Director Bill Barletta to present. Discussion about programming at Sewataro.

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

12/01/2020 6:00 PM

**Camp Sewataro, LLC**  
**Profit and Loss**  
**Revenue Share Calculation Worksheet**  
**October 2019 - September 2020**

November 11, 2020 Accrual Basis

	<b>FYE 9/30/20</b>
<b>Income</b>	
<b>4000 Tuition - Even Year Season</b>	
4001 Tuition E S - CC	1,833,538.18
4002 Tuition E S - ECheck	159,379.00
4003 Tuition E S - Check	126,300.95
<b>Total 4000 Tuition - Even Year Season</b>	<b>\$ 2,119,218.13</b>
<b>4060 Refund</b>	
4062 Bus Refund	-2,464.95
4072 Tuition Refund	-51,265.50
<b>Total 4060 Refund</b>	<b>-\$ 53,730.45</b>
<b>Total Income</b>	<b>\$ 2,065,487.68</b>
<b>Gross Profit</b>	<b>\$ 2,065,487.68</b>
<b>Expenses</b>	
<b>6000 Activity Expense</b>	
6002 Archery	1,109.15
6004 Boating	36.62
6006 Camp Craft	20.91
6008 Camper Supplies	12,622.95
6010 Challenge Course	1,338.54
6012 CIT	41.87
6014 Clinic	6,938.94
6016 Crafts	2,568.59
6018 Creative Arts	41.95
6024 Special Events	100.00
6028 Fishing	1,272.17
6032 Garden/Cooking	1,377.11
6034 Golf	67.98
6038 Misc. - Activity	0.00
6042 Music studio	2,338.04
6044 Nature	262.73
6052 Paintball	618.06
6056 Pins	6,763.92
6068 Sports/Various Activities	6,046.58
6076 Waterfront	786.23
6080 PPE & Covid Expenses	11,988.79
<b>Total 6000 Activity Expense</b>	<b>\$ 56,341.13</b>
<b>6100 Advertising</b>	
6106 Misc. - Advertising	2,046.30
6108 Recruitment	2,513.99
6112 Promotional	3,514.24
6114 Referral Fees - Camper	2,250.00
6120 Web Site	4,409.28
<b>Total 6100 Advertising</b>	<b>\$ 14,733.81</b>

Attachment 7.a: Camp Sewataro Revenue Share FYE 9.30.2020 (4282 : Camp Sewataro financial and programming update)



**Camp Sewataro, LLC**  
**Profit and Loss**  
**Revenue Share Calculation Worksheet**  
**October 2019 - September 2020**

November 11, 2020 Accrual Basis

	<b>FYE 9/30/20</b>
6150 Camp Insurance	25,193.98
6152 Auto	1,311.82
6156 Comm Package	22,323.00
6158 Comm Umbrella	8,729.25
6162 Employment Related Practices	742.19
6170 Workers Compensation	28,055.00
<b>Total 6150 Camp Insurance</b>	<b>\$ 86,355.24</b>
6190 Contract Services	3,100.00
6200 Dues & Fees	488.75
6202 Appreciation	2,768.09
6208 CampMinder License Fees	6,600.00
6212 Corp Rpt Fee	5,511.71
6214 Courses	10,707.55
6222 Misc. - Dues & Fees	11,596.90
6226 Permits	155.48
6228 Subscriptions	5,617.62
6230 Water Testing	270.00
6232 Management Fee-Town of Sudbury	60,000.00
<b>Total 6200 Dues &amp; Fees</b>	<b>\$ 103,716.10</b>
6250 Employee Benefits	5,040.65
6252 Health Insurance	18,627.61
<b>Total 6250 Employee Benefits</b>	<b>\$ 23,668.26</b>
6280 Field Trips	1,110.00
6300 Financial	
6302 Bank Charges	-139.00
6304 Credit Card Processing Fees	66,061.92
<b>Total 6300 Financial</b>	<b>\$ 65,922.92</b>
6320 Food	
6322 Campers	93.00
6324 CIT	31.07
6326 Counselors	1,069.27
6330 Office Meeting	1,146.03
6336 Appreciation	5,186.24
<b>Total 6320 Food</b>	<b>\$ 7,525.61</b>
6350 Office	
6352 Computer	6,736.21
6354 Software	104.23
6356 Computer Equipment	116.86
6358 Computer Service	6,250.79
6360 Office equipment	4,916.40
6362 Office Supplies	4,127.61
6364 Postage & Freight	873.68
<b>Total 6350 Office</b>	<b>\$ 23,125.78</b>

Attachment 7.a: Camp Sewataro Revenue Share FYE 9.30.2020 (4282 : Camp Sewataro financial and programming update)

**Camp Sewataro, LLC**  
**Profit and Loss**  
**Revenue Share Calculation Worksheet**  
**October 2019 - September 2020**

November 11, 2020 Accrual Basis

	<b>FYE 9/30/20</b>
<b>6400 Payroll</b>	
6402 Employee Gross - Full Year	995,997.04
6406 Payroll Employer Tax	85,581.32
6408 Payroll Processing fees	3,180.95
6410 Pension	6,860.72
<b>Total 6400 Payroll</b>	<b>\$ 1,091,620.03</b>
<b>6450 Pond &amp; Pools</b>	6,530.20
<b>6470 Professional Fees</b>	475.00
6472 Accounting	28,835.12
6474 Legal	37,358.83
<b>Total 6470 Professional Fees</b>	<b>\$ 66,668.95</b>
<b>6500 Repair - Building</b>	
6502 Cleaning	10,925.00
6504 Electrician	2,301.56
6508 Misc. - Repair Building	31,550.69
6510 Equipment	970.65
6516 Plumbing	79.00
<b>Total 6500 Repair - Building</b>	<b>\$ 45,826.90</b>
<b>6550 Repair - Grounds</b>	
6551 Tools	7,490.64
6554 Misc. - Repair Grounds	66,787.95
6556 Rubbish	3,712.50
6558 Signs	4,236.09
6560 Tennis Courts	106.96
<b>Total 6550 Repair - Grounds</b>	<b>\$ 82,334.14</b>
<b>6600 Taxes</b>	86.36
<b>6620 Tee Shirts &amp; Sweatshirts</b>	4,946.75
<b>6630 Town Events</b>	217.09
<b>6640 Transportation - General</b>	141,589.00
<b>6700 Utilities</b>	
6704 Electric	18,129.54
6706 Water	16,660.58
6708 Telephone	6,669.86
6710 Oil & Propane	17,651.23
<b>Total 6700 Utilities</b>	<b>\$ 59,111.21</b>
<b>6750 Vehicles</b>	63.40
6752 Fuel	2,000.24
6754 Maintenance	729.77
<b>Total 6750 Vehicles</b>	<b>\$ 2,793.41</b>
<b>Total Expenses</b>	<b>\$ 1,887,322.89</b>
<b>Net Operating Income</b>	<b>\$ 178,164.79</b>
<b>Other Income</b>	
7000 Interest Income	1.76

Attachment 7.a: Camp Sewataro Revenue Share FYE 9.30.2020 (4282 : Camp Sewataro financial and programming update)

**Camp Sewataro, LLC**  
**Profit and Loss**  
**Revenue Share Calculation Worksheet**  
**October 2019 - September 2020**

November 11, 2020 Accrual Basis

	<b>FYE 9/30/20</b>
Total Other Income	\$ 1.76
Other Expenses	
8000 Depreciation Expense	35,056.11
Total Other Expenses	\$ 35,056.11
Net Other Income	-\$ 35,054.35
Net Income	\$ 143,110.44

*See attached schedule*

**Adjustments to Net Income:**

Less Scott Brody Compensation	150,000.00
Manager's Net Revenue (Loss)	(6,889.56)
Revenue Share Percentage, Year 1	20%
Revenue Share Payment, Year 1	-

Attachment 7.a: Camp Sewataro Revenue Share FYE 9.30.2020 (4282 : Camp Sewataro financial and programming update)

**Camp Sewataro LLC**  
**Depreciation Expense**

Financial

Fiscal Operating Year 10/01/2019 - 09/30/2020

System No.	Description	Date In Service	Method	Life	Cost	Bus./ Inv. %	Beg. Accum. Depreciation	Current Depreciation	Total Depreciation
<b>Camp Sewataro LLC</b>									
1	2018 Club Car	11/1/2019	SL	1.0000	8,657.81	100.0000	0.00	8,657.81	8,657.81
2	Office Furniture	11/1/2019	SL	1.0000	7,697.48	100.0000	0.00	7,697.48	7,697.48
3	2016 Ford F250	2/14/2020	SL	3.0000	32,569.88	100.0000	0.00	10,856.63	10,856.63
4	2011 Club Car	3/6/2020	SL	1.0000	2,500.00	100.0000	0.00	2,500.00	2,500.00
5	Tent	6/19/2020	SL	3.0000	16,032.59	100.0000	0.00	5,344.20	5,344.20
<b>Total: Camp Sewataro LLC FYE 9.30.20</b>					<b>67,457.76</b>		<b>0.00</b>	<b>35,056.11</b>	<b>35,056.11</b>

**SUDBURY BOARD OF SELECTMEN**

Tuesday, December 1, 2020

**MISCELLANEOUS (UNTIMED)****8: BFRT Advisory Task Force Candidate Selection Process****REQUESTOR SECTION**

Date of request:

Requested by: Leila S. Frank

Formal Title: Discussion of BFRT Advisory Task Force Candidate Selection Process

Recommendations/Suggested Motion/Vote: Discussion of BFRT Advisory Task Force Candidate Selection Process

## Background Information:

- Vacancy on updated BFRT Advisory Task Force posted on 11/5/2020
- Applications due by 9AM on Monday, 12/7/2020
- 2 Current Appointees wish to Renew their Appointment
- 11 New Applicants wish to Serve
- 3 have been recommended by the Friends of BFRT
- Conservation Commission, Park & Recreation Commission and Planning Board in process of appointing the BFRT Advisory Committee representatives

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

12/01/2020 6:00 PM

**DRAFT****Selection Process for Bruce Freeman Rail Trail Advisory Task Force At Large Members**

There has been significant interest in the at large member positions for the Bruce Freeman Rail Trail Advisory Task Force. The request for applications was announced on November 5, 2020 and will close on December 4, 2020 at noon. To date there have been two requests for reappointments and 11 new applications. Three of the new applications are consistent with the nominations from the Friends of the Bruce Freeman Rail Trail, per the Task Force Mission Statement. The Select Board is charged with making the appointments of four at large members of the Task Force. If two reappointments are made, there would be two new at large appointments to be made (one of these being from the Friends group nomination subset).

In the interest of facilitating an efficient selection process, Town staff were asked to prepare a recommended process for the selections. The following baseline framework for Select Board consideration is proposed.

Summary Process: A special meeting of the Select Board is proposed to review applications and select at large members of Task Force. In advance of this meeting, it is proposed that all applicants are asked to respond to a standard set of questions which will better help the Board understand their desire to serve on the Task Force and the experience they would bring. The original applications and response to questions will be distributed to the Board. The Board can then independently review and rank candidates based on their original applications and their response to the questions. If the Board chooses to rank the candidates based on responses to questions, the rankings could be sent to and compiled by staff prior to the special selection meeting. The Board could choose to interview all applicants or a subset of applicants. The rankings could be presented and utilized at the special selection meeting to select the candidates who would be interviewed. Interviews would be conducted and final selection made at the special selection meeting.

Proposed December 1, 2020 Board Meeting Tasks: 1) Consider vote to determine if previous at large members John Drobinski and Lana Swarz will be reappointed, and 2) Agree to a selection process and written questions for at large applicants.

**Proposed Timeline**

Questions sent to applicants: December 2, 2020

Deadline for Applications: Friday, December 4, 2020 at noon (Questions will immediately be sent to any applicants who submit in the final week).

Deadline for written response to questions and responses distributed to Board Members: Friday, December 11, 2020, noon

Select Board Members independently review/rank written responses prior to Date TBD special selection meeting

Select Board Special BFRT Advisory Task Force Selection Meeting: Date TBD

**DRAFT****Bruce Freeman Rail Trail Advisory Task Force****Request for Written Response from Applicants for At Large Appointment**

*(To be sent to all applicants: 1) the Task Force Mission Statement and 2) the Questionnaire.)*

*Responses for each question should be limited to 150 words or less.*

1. Please provide more detail on why you are interested in serving on the Task Force?
2. Why do you think you are a good fit for the Task Force?
3. Please briefly describe your experience and qualifications, if any, in the following categories.
  - a. Experience in rail trail development
  - b. Experience in rail trail operations and maintenance
  - c. Experience with community relations
  - d. Knowledge of the local business perspective
  - e. Prior rail trail committee experience
4. Please identify any potential conflicts of interest related to this project, rail trails in general, and/or your potential appointment to the Task Force, if applicable.

**SUDBURY BOARD OF SELECTMEN**

Tuesday, December 1, 2020

**MISCELLANEOUS (UNTIMED)****9: Open ATM warrant for 2021****REQUESTOR SECTION**

Date of request:

Requested by: Patty Golden

Formal Title: Open 2021 ATM warrant and announce that Annual Town Meeting will commence Monday, May 3, 2021 at Lincoln-Sudbury Regional High School. Warrant to close Friday, January 29, 2021 at 12:00 Noon.

Recommendations/Suggested Motion/Vote: Open 2021 ATM warrant and announce that Annual Town Meeting will commence Monday, May 3, 2021 at Lincoln-Sudbury Regional High School. Warrant to close Friday, January 29, 2021 at 12:00 Noon.

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

12/01/2020 6:00 PM





## SUDBURY BOARD OF SELECTMEN

Tuesday, December 1, 2020

**MISCELLANEOUS (UNTIMED)****10: Vote to approve goals****REQUESTOR SECTION**

Date of request:

Requested by: Patty Golden

Formal Title: Discussion and possible vote to approve goals from 11/16/20 meeting

Recommendations/Suggested Motion/Vote: Discussion and possible vote to approve goals from 11/16/20 meeting

Background Information:  
attached chart from 11/16/20 meeting

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

12/01/2020 6:00 PM

**From:** Town Manager  
**Sent:** Monday, November 16, 2020 12:23 PM  
**To:** Town Manager <[TownManager@sudbury.ma.us](mailto:TownManager@sudbury.ma.us)>  
**Cc:** Mark Thompson ([thompsonm@sudbury.ma.us](mailto:thompsonm@sudbury.ma.us)) <[thompsonm@sudbury.ma.us](mailto:thompsonm@sudbury.ma.us)>  
**Subject:** RE: SB/TM Note - Goal Setting documents - 2020 Nov

Voting Outcomes – raw data

SUBJECT	Dretler	Roberts	Carty	Schineller	Russo	Total
Financial Policies and Capital Planning/ Funding	3	3	4	4	5	19
LS Regional Agreement and Assessment Process	2	2	5	5	2	16
Upgrade Fire Station 2 (Rte 20)	4	5	3	2		14
Bruce Freeman Rail	5	4				9
Sewataro	1	1			3	5
Master Plan Implementation (Driven by PB - Support from SB)					4	4
Expand (Normalize) and Fund Transportation Option			1	3		4
Diversity, Equity and Inclusion Commision (underway)			2			2
Vocational Education					1	1
Eversource Ilitigation				1		1
Customer Services for Municipal Facilities						0
Enhance Website (More Self Service)						0
Remote Work Place Support						0
Development Project Mgt and Reporting System (KPI report)						0

Attachment10.a: GOALS 2020 (4281 : Vote to approve goals)

SUBJECT	Dretler	Roberts	Carty	Schineller	Russo	Total
House Keeping - including transparency, minutes website)						0
Update Policies and Procedures						0
3 year Calendar for BOS						0
Town Meeting - Increasing Engagement, Efficiency, and Participation						0
Increase Civic Leadership and Engaged Citizenry						0
Preventative Maintenance for Capital Assets						0
Customer Services for Municipal Facilities						0
Facilities Inventory						0
Staffing Plan for Future						0
Fairbank Comm Ctr						0
Sidewalks and Crosswalks Priorities						0
Pavement Management Plan						0
Roadway (bridges, culverts, drains)						0
Emergency Management and Response						0
Age Friendly and Dementia Friendly						0
Help Emergency Plan for Seniors						0
ADA Self Assessment and Transition Plan						0
Indoor Environmental Health						0
Town Hall Space needs						0
Comp Stormwater MGt. (MS-4)						0
Fire Station Number 3 (inc. ALS)						0

SUBJECT	Dretler	Roberts	Carty	Schineller	Russo	Total
CSX ROW Acquisition						0
Land Stewardship Comm ( Proactive)						0
Carding Mill Work						0
Broadacre						0
GPS Base for Trail Guides						0
Conservation Restriction Inventory						0
Historic Preservation Plan (Bigger than an Inventory)						0
Funding for Trail Maintenance						0
Complete Transaction Quarry Hill and Sudbury Station Transfer						0
EV Charging Stations						0
Nobscot Rd.and Rt. 20 Abandoned Property						0
Nuisance By-law						0
Sustainability - explore enhanced commitment						0
						0
						0



SUDBURY BOARD OF SELECTMEN  
Tuesday, December 1, 2020

11

**MISCELLANEOUS (UNTIMED)**

**11: Minutes review/approval**

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Review open session minutes of 10/20/20 and 11/4/20 and possibly vote to approve minutes.

Recommendations/Suggested Motion/Vote: Review open session minutes of 10/20/20 and 11/4/20 and possibly vote to approve minutes.

Background Information:  
attached draft minutes

Financial impact expected:

Approximate agenda time requested: 20 minutes

Representative(s) expected to attend meeting:

Review:

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

12/01/2020 6:00 PM

# SUDBURY BOARD OF SELECTMEN

TUESDAY OCTOBER 20, 2020

(Meeting can be viewed at [www.sudburytv.org](http://www.sudburytv.org))

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

The statutory requirements as to notice having been complied with, the meeting was convened at 7:01 p.m., via Zoom telecommunication mode.

## **CALL TO ORDER/ROLL CALL**

Chair Dretler conducted roll call and made announcement regarding the recording of the meeting and other procedural aspects included in the meeting.

Roll Call: Roberts-aye, Schineller-aye, Carty-aye, Russo-aye, Dretler-aye

## **Opening remarks by Chairman**

Chair Dretler spoke of a recent resident email which referred to the September 30<sup>th</sup> COVID discussion, and newly established Public Safety protocol. The resident indicated that treatment of the Police Department during that meeting was demeaning, and several Board members appeared not to be appreciative of the efforts made by the Police Department.

Chair Dretler affirmed that this accusation was not based on fact, and Sudbury Public Safety officials work around the clock to provide services to ensure community safety. She directed all to the August 18, 2020 Selectmen Newsletter which recognizes all the safety measures that the Police Department puts forth.

Chair Dretler recognized that the September 30<sup>th</sup> discussion was respectful/thoughtful, and dealt with evolving protocols in consideration of the uncertain pandemic period. She indicated that additional protocol review maybe necessary in light of the current COVID situation.

Chair Dretler encouraged all and anyone to contact the Board of Selectmen directly with any related concerns.

Chair Dretler commented regarding:

- Town moving forward with the Complete Streets Tier 3 funding opportunity – Town putting forward three projects for potential funding (reimbursement grant)
- Early voting commenced on October 17<sup>th</sup> and will continue through October 30; resident ballot document has been mailed
- Recent Town Manager Municipal Minute regarding Gold Star families
- Park & Recreation's Great Pumpkin Carving Drive-Thru on October 30
- Town put forward a COVID/Halloween advisory, which appears on the Town website

## **Reports from Town Manager**

Town Manager Hayes commented regarding:

- Camp Sewataro doing well, met with Camp Director Scott Brady today
- Town Manager's Newsletter was mailed to residents today
- Town will apply for Cares Act funding within ten days, and all funds must be utilized by December 30, 2020

- Board of Selectmen submitted a letter to MA DEP (Department of Environmental Protection) regarding Chapter 91 applications and scheduling of hearings
- Eversource litigation-related hearing with Conservation Commission and related interaction/performance standards
- Real estate/personal property taxes due November 2, 2020
- Political Sign Policy in place, and political signage on Town property is prohibited. Such signage will be removed

### **Reports from Selectmen**

Selectman Carty stated that he and Chair Dretler met with LSRHS School Committee representatives as well as SPS School Committee representatives regarding the Diversity, Equity, and Inclusion Commission. He noted that schools have begun budget meeting conversations on LSRHS turf field project (approximately \$1 million) and a new roof proposal within four to five years (\$4 million), and eight other proposed projects. Selectman Carty announced that the Sudbury School waiver program for breakfast and lunch will continue to the end of the school year.

Selectman Carty provided update on Go Sudbury! Taxi program with increased patronage, and data will be reviewed.

He commented that Cynthia Gerry, Director of Assessing, will be present at the November the BOS meeting.

MA DEP will be hosting a meeting regarding the new drinking water standards tomorrow morning with Sudbury Water District representatives to be in attendance

Selectman Carty mentioned The HOPEsudbury Telethon to take place November 9, 2020 from 3:00 p.m. to 9:00 p.m. He congratulated Ray Phillips as receiving the Citizen of the Year Award from the Sudbury Chamber of Commerce.

Selectman Carty thanked Town Manager Hayes for installing the mask wearing messaging, and reminder to vote on November 3.

Selectman Schineller provided a Permanent Building Committee meeting update.

Selectman Russo mentioned the Goodnow Library fundraiser and described other Halloween other activities during COVID. He noted a great author series regarding "Race and The Modern American Family."

Selectman Russo reminded everyone about the Pumpkin Carving drive-through, and the Camp Sewataro Scarecrow drive-through event.

Vice-Chair Roberts stated that she participated in the Flu Clinic on October 17<sup>th</sup> and thanked the Board of Health, the Health Department, Public Safety, and particularly EMTs for their efforts.

Vice-Chair Roberts asked everyone to take note of the Town's Halloween Advisory, and emphasized lower risk activities. She expressed concern regarding the increase in COVID cases. She and Selectman Russo would be hosting Selectmen Hours virtually on Thursday, October 22 from 12:00 p.m. to 1:00 p.m.

### **Citizen Comments**

There were no citizen's comments.

### **Consent Calendar**

### **Vote to accept a \$500 donation for the installation of a tree**

Selectman Carty motioned and Selectman Russo seconded the motion.

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

VOTED: To accept donation of \$500 for the installation of a tree, as requested by Peter Anderson.

**To approve award of contract by the Town Manager for design and permitting for the replacement of Old Sudbury Road culverts (2) to Woodard & Curran as approved by the 2020 Annual Town Meeting under Article 26; and for the execution of any documents relative thereto.**

Selectman Carty motioned and Selectman Russo seconded the motion.

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

VOTED: To approve award of contract by the Town Manager for design and permitting for the replacement of Old Sudbury Road culverts (2) to Woodard & Curran as approved by the 2020 Annual Town Meeting under Article 26; and for the execution of any documents relative thereto.

**Vote to accept a grant from the Executive Office of Public Safety in the amount of \$11,840 for the purchase of Personal Protective Equipment (PPE)**

Selectman Carty motioned and Selectman Russo seconded the motion.

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

VOTED: To accept a grant from the Executive Office of Public Safety in the amount of \$11,840 for the purchase of Personal Protective Equipment (PPE) to be used by Fire Department personnel to combat the COVID-19 pandemic.

**Vote to accept a grant for the Massachusetts Department of Conservation and Recreation (DCR) relative to the Sudbury Acquisition of the CSX Corridor to expand the Bruce Freeman Rail Trail in the amount of \$300,000 to be managed by Environmental Planner Beth Suedmeyer, and further, to authorize the Town Manager to execute any documents in connection therewith**

Selectman Carty asked if Ms. Suedmeyer or Town Manager Hayes would be responsible for the management of the \$300,000 grant. Town Manager Hayes responded that he would have the overall responsibility and oversight.

Selectman Carty motioned and Selectman Russo seconded the motion.

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

VOTED: To accept a grant for the Massachusetts Department of Conservation and Recreation (DCR) relative to the Sudbury Acquisition of the CSX Corridor to expand the Bruce Freeman Rail Trail in the amount of \$300,000 to be managed by Environmental Planner Beth Suedmeyer, and further, to authorize the Town Manager to execute any documents in connection therewith.

**Vote to sign a proclamation for 1st Lt. Dylan DeFlorio, acknowledging his safe return home from Afghanistan**



Selectman Carty motioned and Selectman Russo seconded the motion.

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

VOTED: To sign a proclamation for 1st Lt. Dylan DeFlorio, acknowledging his safe return home from Afghanistan, and proclaiming Tuesday, October 20, 2020 as 1st Lt. Dylan DeFlorio Day in Sudbury.

**Vote to thank resident John Porter, 2 Woodland Road, for his years of service on the Permanent Building Committee**

Selectman Carty motioned and Selectman Russo seconded the motion.

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

VOTED: To thank resident John Porter, 2 Woodland Road, for his years of service on the Permanent Building Committee from 2013 to 2019.

**Vote to accept a \$23,050 Emergency COVID-19 Taxicab, Livery, and Hackney Partnership Grant award from the MAPC and the Massachusetts Development Finance Agency (MassDevelopment), with the funds to be utilized toward the Go Sudbury! Taxi Rides Transportation Program**

Selectman Carty motioned and Selectman Russo seconded the motion.

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

VOTED: To accept, on behalf of the Town, a \$23,050 Emergency COVID-19 Taxicab, Livery, and Hackney Partnership Grant award from the Metropolitan Area Planning Council (MAPC) and the Massachusetts Development Finance Agency (MassDevelopment), with the funds to be utilized toward the Go Sudbury! Taxi Rides Transportation Program.

**Utility petition to approve a plan presented by Nstar Electric Company d/b/a Eversource Energy for the purpose of obtaining a Grant of Location to install conduit at pole 15/1. This work is necessary to provide new electric service TLBC (Traffic Light Control Box) at 209 Boston Post Road**

Present: Christine Cosby of Eversource

Chair Dretler called the Public Hearing to order at 7:30 p.m. Selectman Carty motioned to open the Public Hearing. Selectman Schineller seconded the motion.

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

VOTED: To open the Public Hearing

Ms. Cosby provided a summary of the utility petition for electric service installation at 209 Boston Post Road TLBC (Traffic Light Control Box).

Selectman Carty inquired if any utility poles would be removed. Ms. Cosby responded likely not as the project involved a straight underground conduit.

Selectman Russo asked about a completion schedule. Ms. Cosby responded that the project would likely be completed within a day or two.

Selectman Russo asked if the road would be closed during construction. Ms. Cosby indicated that the road would not be closed and Police detail may be included.

Chair Dretler asked if Town Manager Hayes would be coordinating the project. Town Manager Hayes responded in the affirmative.

Selectman Carty motioned and Selectman Schineller seconded the motion.

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

VOTED: To approve a plan presented by Nstar Electric Company d/b/a Eversource Energy for the purpose of obtaining a Grant of Location to install conduit at pole 15/1. This work is necessary to provide new electric service TLCB (Traffic Light Control Box) at 209 Boston Post Road.

Chair Dretler motioned to close the Public Hearing. Selectman Russo seconded the motion.

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

VOTED: To close the Public Hearing

**Comcast of Massachusetts III, Inc. - Extension of current license from November 6, 2020 through November 5, 2030**

Present: Jeff Winston, SAC and SudburyTV; Terry Lockhart, SudburyTV; Attorney William Solomon

Mr. Winston provided description regarding the franchise license procedure, and detailed the INET Agreement to go into effect on November 10, 2020.

Vice-Chair Roberts asked about INET funding. Mr. Winston replied that such funding would be payable every November, and SudburyTV would provide the first payment.

Selectman Schineller inquired about the fiscal budget and asked if Town online learning programs were dependent on INET. Mr. Lockhart stated that LSRHS had their own connection apart from INET, and IT Director Mark Thompson could provide more detail.

Selectman Russo asked about the 50% cost share aspect between the Town and SudburyTV. Mr. Lockhart confirmed the \$6,000 cost share status.

Town Manager Hayes questioned Mr. Solomon's representation, and queried about KP Law services. Mr. Winston responded that Mr. Solomon represented the Town, and KP Law was not used as counsel in this matter because of the specialized nature of media law. Mr. Winston suggested that the Board might consider a more detailed discussion of the matter in Executive Session.

Selectman Carty motioned and Selectman Schineller seconded the motion.

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

VOTED: To approve the renewal application for a cable television license in the Town of Sudbury and the extension of current license from November 6, 2020, through November 5, 2030.

**Vote to extend the Sudbury Access Corporation (SAC) contract for a three year-term to expire November 15, 2023**

Present: Jeff Winston, SAC and SudburyTV; Terry Lockhart, SudburyTV; Attorney William Solomon, Lynn Puorro, SudburyTV; Cliff McGann, SudburyTV; Matt Cranson, SudburyTV; Marty Greenstein, SudburyTV; Nancy Brumback, SudburyTV; Donna Fayad, SudburyTV

Mr. Winston detailed the many programs provided by SudburyTV, and stressed that SudburyTV has operated at full speed throughout the COVID pandemic. He highlighted various aspects of the SudburyTV report, and noted that three Sudbury Commissions/Committees were added to the coverage list.

Chair Dretler stated that SudburyTV does an amazing job, and Ms. Puorro is always accessible.

Vice-Chair Roberts inquired about contract terms. Mr. Winston responded the contract is approved every three years, and has remained the same since 2011. Vice-Chair Roberts asked if expenses incurred increased this year. Mr. Winston responded expenses increase with additional programming and staff coverage. He noted that cable companies provide 4.5% of revenues and the new license may increase that percentage to 5%.

Vice-Chair Roberts thanked all at SudburyTV and acknowledged the benefit associated with the added religious programming.

Selectman Carty also thanked the SudburyTV organization for all their great work.

Selectman Schineller noted that the \$286,000 expenses reflected payroll primarily. He asked how many employees were on the payroll. Ms. Puorro replied five. Mr. Winston added there were some outside contractors as well.

Selectman Russo inquired about audits. Mr. Winston stated that audits were performed yearly. Selectman Russo acknowledged that BOS appoints one member to the SudburyTV Board of Directors. Mr. Winston added that the other four members are appointed by the Board of Directors.

Selectman Schineller motioned and Selectman Russo seconded the motion.

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

VOTED: To extend the Sudbury Access Corporation (SAC) contract for a three year-term to expire November 15, 2023.

#### **Discussion on the BFRT Design Task Force Mission**

Present: John Drobinski, BFRT Advisory member; Environmental Planner Beth Suedmeyer; Director of Planning and Community Development Adam Duchesneau

Ms. Suedmeyer highlighted sections of her draft version of the BFRT Design Task Force Mission/Statement. She recognized that change resulted from the progression of the BFRT project, and noted that her draft document mimicked what other community rail trail groups had done especially in the Town of Concord.

Ms. Suedmeyer presented several areas which she revised from the original Bruce Freeman Rail Trail Advisory Task Force dated December 6, 2016:

- Mission Statement
- Change in Name
- Background
- Current Status
- Staffing Assistance
- Responsibilities and Functions adding construction operations and maintenance
- Membership and Officers
- Compliance with State and Local Laws and Town Policies

Selectman Schineller inquired about a long-term lease consideration by the Advisory Task Force. Ms. Suedmeyer responded the lease consideration did not apply because Mass DOT (Department of Transportation) implements a standard lease (99 years), which would be reviewed by Town Counsel and the Board of Selectmen. Mr. Drobinski confirmed the BFRT Advisory Task Force would not be involved with such lease negotiations.

Selectman Schineller asked about BFRT Advisory Task Force member appointments. Ms. Suedmeyer responded the preference was to appoint members from existing Town committees/boards, and members at large.

Selectman Carty asked how other Towns managed aspects of the BFRT project, as well as the involvement of other Planning Boards. Ms. Suedmeyer maintained in Concord the Advisory Task Force was heavily involved, and the Concord Planning staff lead the Concord BFRT project. Selectman Carty noted that many significant projects are under the management of Planning, and indicated that he would like more responsibility dedicated to the BFRT Advisory Task Force. Selectman Carty asked if the current BFRT Advisory Task Force membership would be retained. Ms. Suedmeyer responded the idea was to revise the membership somewhat.

Selectman Carty asked if the BFRT Advisory Task Force would be involved with the construction phase. Ms. Suedmeyer noted that most rail trail advisory groups were not in direct communication with construction professionals.

Selectman Carty recommended that CPC members and members of the Friends of the Bruce Freeman Rail Trail be eliminated from this Task Force, especially those who are not Sudbury residents.

Vice-Chair Roberts inquired about length of membership term. Ms. Suedmeyer responded that the last member iteration had an indefinite appointment term. Vice-Chair Roberts indicated that some of the original members might want to continue membership. Vice-Chair Roberts maintained she did not endorse an indefinite term; and suggested a four-year-term with staggering membership.

Vice-Chair Roberts stated that she was not opposed to a member from the Friends of BFRT being included as a member to contribute a regional prospective. Selectman Carty asked why the Friends of BFRT needed to be included in membership. Selectman Russo responded that Friends of the BFRT represented a regional grouping, and the BFRT was a regional trail. The inclusion of a Town Manager Screening Committee was mentioned.

Selectman Carty shared a Friends of the BFRT document which is felt was contentious and politically questionable.

Chair Dretler suggested that Board members provide edits/questions to Town Manager Hayes by October 26 to forward to Ms. Suedmeyer. She stated that continued review and discussion would take place at the next Board meeting on November 4.

### **Citizen's Comment**

Resident Patricia Brown, 34 Whispering Pine Road, asked if comments and responses from the BFRT Public Hearing regarding the 25% Design was going to be made available to the public, and to the prospective members of the BFRT Advisory Task Force. She noted that there was no posting of such on the website.

Resident Len Simon, 40 Meadowbrook Circle, asked if mission statement comments regarding the BFRT Advisory Task Force could be submitted by residents to Town Manager Hayes and Ms. Suedmeyer, as such revisions are considered. Chair Dretler responded that any resident could send comments/edits to Town Manager Hayes.

Mr. Simon maintained that the Friends of the BFRT documentation presented by Selectman Carty was informational only and was derived from other sources, and no positions were endorsed in that document. He also commented about consistency in membership. He recommended that consistency be maintained when considering the BFRT Advisory Task Force membership.

Selectman Carty recommended that Mr. Simon read the complete quote from the Friends of BFRT link, stressing that context matters.

Resident Terry Snyder, 102 Barton Drive, underscored the regional expertise of the Friends of BFRT members.

**Vote to exercise, or not exercise, the Town's right of first refusal to purchase the deed restricted affordable dwelling unit at 6 Old County Road, Unit 11 (The Villages at Old County Road) and inform the Department of Housing and Community Development (DHCD).**

Present: Director of Planning and Community Development Adam Duchesneau

Mr. Duchesneau clarified that DHCD was not involved with the property. He indicated the Sudbury Housing Trust and The Sudbury Housing Authority expressed no interest in the property.

Selectman Schineller asked if the Town has the responsibility of finding a suitable buyer for the property. Mr. Duchesneau responded affirmatively and stated that the resale fee would be reimbursed to the Town.

Mr. Duchesneau explained that the property was being marketed at \$227,290 for an eligible buyer, and maintains status as an affordable property, in perpetuity.

Chair Dretler motioned and Selectman Schineller seconded the motion.

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

VOTED: Not to exercise the Town's right of first refusal to purchase the deed restricted affordable dwelling unit at 6 Old County Road, Unit 11 (The Villages at Old County Road).

**Discussion and vote on Board representative and alternate for MAPC membership for three years**

Chair Dretler commented that the representative and alternate membership in MAPC (Metropolitan Area Planning Council) serve a three-year term, and Town Manager Hayes would appoint members.

Selectman Russo said he was interested in becoming a member of MAPC, he stressed he knew the subject matter, and was familiar with some people serving on MAPC. Selectman Carty commented that the Transportation Committee has extensive dealings with MAPC at this time.

Town Manager Hayes confirmed that he would reach out to interested parties soon.

As liaison to the Planning Board, Selectman Schineller stated that he would contact Planning and see if anyone in Planning had interest.

Chair Dretler confirmed that Planning should be given the opportunity first.

**Citizen's Comments**

There were no comments at this time.

**Lincoln-Sudbury Regional High School regional agreement review and next steps. Vote to possibly release executive session minutes of 8/4/20, 8/11/20, and 9/8/20.**

Chair Dretler announced that the executive session minutes of 8/4/20, 8/11/20, and 9/8/20 were approved and released by the Board.

Town Manager Hayes recommended that the Select Board ratify the vote taken in executive session, and vote to release the redacted minutes of 8/4/20, 8/11/20, and 9/8/20. Chair Dretler moved in the words of Town Manager Hayes. Selectman Carty seconded the motion.

It was on motion 3-1-1; Russo-aye, Schineller-abstain, Roberts-no, Carty-aye, Dretler-aye

VOTED: To ratify the vote taken in Executive Session, and release the redacted minutes of 8/4/20, 8/11/20, and 9/8/20.

Chair Dretler noted that the Board voted to address this topic in open session, and reviewed the existing LSRHS Agreement with legal counsel in executive session. She noted that a considerable amount of information was submitted today for Board review, and indicated that members may have not had the opportunity to review all of the submitted documentation.

Selectman Carty presented a summary of the LSRHS Agreement, which was a high priority BOS goal. He explained that KP Law could not provide consult to the Board because they represent the Lincoln schools, therefore, the Board consulted with Lampke Law.

He stressed that pre-COVID, the Board sought to secure counsel to review the LSRHS Agreement, to have a joint meeting with the Lincoln Board of Selectmen, and thirdly, have a dialogue with the legislators regarding regional budgeting.

Selectman Carty outlined the seven topics discussed with Lampke Law:

- Voter representation – 6 seats on the School Committee
- Vocational Education/Transportation
- Capital Apportionment – He exampled the \$4 million dollar roofing needed at LSRHS
- Timeline of Budget – In consideration that Sudbury Town Meetings/Elections and Lincoln Town Meetings/Elections do not coincide
- Considerations if either Sudbury or Lincoln withdrew from the regional school district (least preferable by Sudbury BOS)
- Apportionment of student costs and expenses
- Best way to move forward

Selectman Carty suggested the most important considerations at this time involve: vocational education/transportation, disparity between the timeline of the Sudbury budget and the Lincoln budget, the inclusion of an annual/bi-annual meeting clause, and determination of a pathway forward.

Selectman Russo agreed with Selectmen Carty's listing of the most important Agreement aspects.

Selectman Schineller indicated that the Towns of Sudbury and Lincoln should attempt to work collaboratively on the LSRHS Agreement.



Vice-Chair Roberts stated that she supported moving forward with the related discussion. Vice-Chair Roberts asked if Board members agreed that the Board of Selectmen is the entity to move this conversation forward, or if the LSRHS School Committee should assume that task.

Chair Dretler asked if the Board should vote to release letter from Lampke Law, dated September 8, 2020. Town Manager Hayes responded that the Board could release such document with the released set of minutes, or keep the letter confidential in accordance with attorney/client privilege.

Selectman Carty agreed that the September 8<sup>th</sup> letter be released. Selectman Carty stated the conversation is clearly the task of the Lincoln Board of Selectmen and the Sudbury Board of Selectmen, as they both signed the LSRHS Agreement.

Selectman Russo mentioned a discrepancy in the funding calculation and requested additional information be provided regarding the High School fields capital apportionment considerations.

Vice-Chair Roberts asked if Lampke Law made recommendation regarding release of the mentioned documents. Selectman Carty suggested that Town Manager Hayes contact Lampke Law to determine if they are in favor of releasing the documentation.

Chair Dretler recommended continuing the discussion to the next Board meeting on November 6, and stated that she would work on next steps with Town Manager Hayes.

#### **Citizen's Comments**

Mr. Simon asked if three executive sessions were held regarding the LSRHS Agreement topic. Chair Dretler answered there were three executive sessions addressing the topic.

#### **Discussion and vote on mission statement and application process for the Sudbury Diversity, Equity, and Inclusion Commission**

Chair Dretler noted that the Board might want to reconsider the proposed membership for the Sudbury Diversity, Equity and Inclusion Commission because the Sudbury schools had indicated they are overburdened at this time with COVID-related matters.

Vice-Chair Roberts mentioned that the community Race Amity Group have changed their name to the Sudbury Committee on Social Justice; and she wondered how such expertise could be shared. Selectman Schineller asserted that he was not concerned about the fact that there are many such groups, but there would be only one diversity group at the Town government level, and the Board of Selectmen would make that happen.

Selectman Carty agreed with the statement made by Selectman Schineller, adding that there are other citizen groups, and the Board focus involves the Town as a whole.

Selectman Russo confirmed there is much interest around the topic, and a Town commission would be necessary, even if the Board had to adjust the planning of such a Commission.

Vice-Chair Roberts stated that strong leadership would be needed, and a consultant could help with that aspect.

Chair Dretler forwarded several consultant names to Town Manager Hayes, and felt it was essential to have such guidance initially. Town Manager Hayes stated there was not much funding for such services, and noted that he was considering a training consultant group that has current affiliation with the Town. Chair Dretler said the contact was worth exploring, especially since that consulting group had municipal experience.

Chair Dretler stated that SPS did agree to participate in an advisory capacity, and Superintendent Crozier offered sharing related materials.

Selectman Russo mentioned that he compiled some materials, and would prefer not to present his findings tonight. In addition, he offered to research three or four local community commissions.

Selectman Schineller stated that a goal would be to involve both the youngest and oldest residents in this Commission.

Resident and member of the Sudbury Committee on Social Justice, Debbie Howell, 123 Victoria Road, commented that METCO (Metropolitan Council for Educational Opportunity) families should have a role in the Town commission as well as clergy and housing representation.

Resident Sue Abrams, 24 Hudson Road, expressed her hope that something could be done with Sudbury school participation, and the inclusion of a METCO member as well. Chair Dretler acknowledged that the Board of Selectmen had purview of the Town, but not the schools, especially LSRHS.

Selectman Russo maintained that the School Committee might not be the only way to get membership from teachers and students.

The Board agreed to take a five-minute recess.

#### **Town Manager 360 Assessment (Direct report evaluations ) 6 month review**

Board members reviewed the results of the 360 Assessment for Town Manager Hayes, and indicated that the responses were overwhelmingly positive. Board members maintained that the current unprecedented pandemic exemplified the continuous leadership and management skills of Town Manager Hayes.

Selectman Russo commented that he was not surprised by the favorable results of the 360 Assessment, and was continually impressed by the skills demonstrated by Town Manager Hayes.

Chair Dretler mentioned she was most impressed by the leadership of Town Manager Hayes during the Town Meeting in September, as well as his ability to inspire employees.

Vice-Chair Roberts acknowledged that Town Manager Hayes was a team player with great incentive building qualities.

Selectman Schineller stated that Town Manager Hayes always displays an appreciative attitude and maintains objectivity.

Selectman Carty recognized and agreed with the 360 Assessment component indicating that “a good leader, leads.” He noted that such statement was representative of Town Manager Hayes.

Board members highlighted areas for improvement as indicated in the 360 Assessment: staff feeling overworked, need to provide increased interaction with Town staff/management, and decrease reliance on Department Heads regarding decisions.

Chair Dretler indicated that within the next six months Town Manager Hayes would continue to increase his knowledge base, and will strongly apply his own vision for the Town in partnership with the Board of Selectmen.

Chair Dretler stated that the Board would provide Ms. Bilodeau with their feedback to present at the November 4<sup>th</sup> meeting. Chair Dretler stated that Town Manager Hayes would provide the Board with his finalized self-assessment.



### **2021 Board of Selectmen goal setting discussion**

Town Manager Hayes detailed that he met with Mike Ward and Bob Halpin in preparation of the Board of Selectmen Goal Setting Session.

Chair Dretler asked if the session would follow the same format of last year's session, including the multi-voting process. Town Manager Hayes responded affirmatively.

Vice-Chair Roberts inquired about the cost of the session. Town Manager Hayes replied \$500.

Town Manager Hayes noted that many department leaders would be present at the session, and asked if citizens could participate. Selectman Carty stated that the Board of Selectmen Goal Setting Session was considered an open meeting and anyone could participate.

Chair Dretler recommended discussion of the mission vision/value aspect. Town Manager Hayes acknowledged that some communities include such a mission/value statement. Selectman Schineller agreed with the merit of such discussion, but not necessarily to present at the upcoming goal setting meeting.

After related discussion, the Board agreed that the 2021 Board of Selectmen Goal Setting Session will be November 16, 2020 from 9:00 a.m. to 12:00 p.m.

### **Discuss topics to be assigned for the Fall 2020 Board of Selectmen Newsletter**

After brief discussion, Board members chose their Newsletter topics:

- Selectman Carty - Transportation
- Vice-Chair Roberts - Financial Plans/Policies (DLS and S&P Global Rating)
- Selectman Russo - Master Plan and Master Plan Implementation Committee
- Selectman Schineller - Review of Annual Town Meeting
- Chair Dretler – Interview with Fire Chief John Whalen

Town Manager Hayes noted that all articles must be submitted by November 2, 2020, with a recommended 500-word limit.

### **Review open session minutes of 8/25/20 and 9/8/20 and possibly vote to approve minutes**

Selectman Carty motioned to approve the 8/25/20 minutes as edited. Selectman Russo seconded the motion.

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

VOTED: To approve the 8/25/20 minutes as edited

Selectman Carty motioned to approve the 9/8/20 minutes as edited. Selectman Schineller seconded the motion.

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

VOTED: To approve the 9/8/20 minutes as edited

**Citizen's Comments (cont.)**

There were no citizen comments.

**Upcoming agenda items**

- KPI Vote
- Cultural Council interviews/appointments
- BFRT Advisory Task Force discussion
- LSRHS Agreement matters/release of minutes
- Town Manager's Assessment
- Tax Classification presentation

**Vote to adjourn meeting**

Selectman Carty motioned to adjourn the meeting. Selectman Russo seconded the motion.

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

VOTED: To adjourn the meeting

There being no further business, the meeting was adjourned at 12:12 a.m.

## SUDBURY BOARD OF SELECTMEN

WEDNESDAY NOVEMBER 4, 2020

(Meeting can be viewed at [www.sudburytv.org](http://www.sudburytv.org))

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

The statutory requirements as to notice having been complied with, the meeting was convened at 7:01 p.m. via Zoom telecommunication mode.

**CALL TO ORDER/ROLL CALL**

Chair Dretler conducted roll call and made announcement regarding the recording of the meeting and other procedural aspects included in the meeting.

Roll Call: Schineller-aye, Carty-aye, Russo-aye, Dretler-aye, Roberts-aye

**Opening remarks by Chairman**

Chair Dretler commented regarding:

- Review of the meeting agenda
- Ballot questions regarding the Fairbank Community Center and CSX land acquisition were approved
- Sudbury resident voting numbers increased from the 2016 election
- Local representatives were re-elected
- Town posting of latest State Travel Advisory during the holidays
- HOPEsudbury Telethon & Auction to take place Saturday, November 7, 3:00 p.m. to 9:00 p.m.
- MA Senate Counsel has not officially completed review of Bill H4388 to adopt the “Select Board” designation
- New MA COVID Advisory information dated November 2<sup>nd</sup> regarding early closure of businesses and activities, face coverings, and gatherings.
- Consent Calendar Item 17 will be postponed to a future date as a result of Governor Baker’s updated Advisory posting/restaurant operating hours

**Reports from Town Manager**

Town Manager Hayes commented regarding:

- His possible move to Sudbury with his family - appropriate disclosures would be provided if transaction is finalized.
- ADA assessments continue - draft reports will not be released, as they may contain information that is either inconsistent or inaccurate based on factors that may have changed since a visit occurred. Full report will be first released to the Board of Selectmen
- CARES Act Funds request made, Town rendering support to SPS and LSRHS
- Newsletter submissions needed, if not already provided
- Governor Baker updated COVID Advisory information for businesses and activities, which are posted on the Town website under “COVID Updates”
- Face covering orders address a growing concern with group gatherings. Entering a critical phase in the pandemic and more time will be spend indoors

- Per recommendation of Health Department, Sudbury residents are urged to adhere, cooperate, and avoid unsafe situations.
- The Health Department will continue to address citizen concerns, and recommend contacting/emailing the Health Department with concerns. Most important – requesting civility, per the Health Department.
- Contact tracing being dealt with via the Health Department, through the Contact Tracing Collaborative (CTC) run by the State is also being utilized in Sudbury due to increased incidence/tracing requirements
- Thanksgiving Advisory information included on the Town website
- Appointed Adam Duchesneau and alternate Beth Suedmeyer to MAPC (Metropolitan Area Planning Council)
- Fairbank Community Center Next Steps:
  - RFQ and OPM processes:
    - Develop timeline for entire project to determine intensity of work for OPM as budget is limited and funds for OPM will also be used for a full-time Clerk of Works once construction commences
    - Refine tasks for OPM tailored to project
    - Prepare RFQ including complete scope of work, evaluation criteria, contract document
    - Advertise in newspaper and Central Register – 3-week reply period which may include site visit
    - Send RFQ's to parties interested in applying
    - Upon receipt, evaluate all applicants based on established evaluation criteria noted in RFQ
    - Select three or more applicants for interview
    - Negotiation of price with selected candidate
    - Recommendation to Town Manager for contract
- Approximately 9,000 early voters from the 12,000+ who voted at this election. Proud of Town Clerk's Office, poll volunteers, and Police
- Comprehensive Waste Management Plan discussions have taken place
- Emergency Management Plan has been signed for implementation
- Great conversation with Sewataro Camp Operator

Town Manager Hayes read aloud the Sudbury Health Department "Health Message to Public:"

Health Message to Public  
Board of Selectmen Meeting 11/4/2020

The Governor issued revised Orders this week regarding gatherings, face covering, and early closings for businesses and activities. These Orders are posted on the Town website under the COVID Updates tab. We encourage residents and business to read and familiarize with the contents. We will be reaching out to affected businesses to discuss these Orders and their responsibilities to ensure compliance.

The face covering and gathering Orders attempt to address a growing concern with groups congregating without adhering to safety protocol. We are entering a critical period of the pandemic where we will be spending more time indoors and will be at a higher risk of infection. Sudbury residents are urged to adhere and cooperate and to avoid unsafe situations.

The Health Department will continue to address citizen concerns. We encourage residents to discuss issues with store management if applicable or call or email our office. Most importantly we ask for civility, common sense, and compliance. Thank you.

**Reports from Selectmen**

Chair Dretler thanked staff and volunteer poll workers who made the unprecedented Election possible.

Vice-Chair Roberts asked if additional information would be forthcoming, regarding necessary disclosures in connection with the possible move of Town Manager Hayes. Town Manager Hayes stated that any possible disclosures would go through the appointed authority BOS. He stated that this represents an ethical matter, and not a public issue.

Selectman Schineller thanked all who helped with the election process in Town. He provided thanks to the Park & Recreation Commission, and recognized the efforts made by Mara Huston regarding the Fairbank Community Center. He mentioned he was looking forward to advancing the project. Selectman Schineller attended the most recent Finance Committee meeting, and noted the Committee is interested in scheduling a joint meeting with BOS to discuss financial policies and KPIs.

Selectman Carty attended the LSRHS School Committee meeting on October 27<sup>th</sup> and are considering school shutting down the week of Thanksgiving and the week after Thanksgiving. He further detailed that LS is working on active COVID testing for teachers and students, and maybe reaching out for funding options. He also shared that SPS has hired an Assistant IT director in consideration of increased remote learning aspects.

Selectman Carty noted that the SPS School committee met on November considering COVID testing differently in consideration that the State is making two million rapid test kits available to symptomatic students.

Selectman Carty summarized that the Sudbury Taxi Program is accelerating and as of last week, 51 people have enrolled in the program, and wheelchair provision is also included. The Transportation Committee will likely apply for additional grant monies from MAPC. He attended the Goodnow Library Trustee meeting, and he and Town Manager Hayes will be meeting with the Chair of the Trustees. Selectman Carty attended his first MBTA Advisory Board meeting today. Mass Trail Grants 2021 have been advertised and applications are due by February 1, 2021.

Selectman Russo announced that 87% of Sudbury voters voted at this Election.

Selectman Russo shared that a virtual Master Plan Open House would be taking place, and additional information will be made available in the next couple of weeks.

Vice-Chair Roberts thanked all involved with a successful Election Day.

Vice-Chair Roberts received an email from the Finance Committee with several questions regarding this evening's agenda, including a request for scheduling of joint meetings with BOS. The Finance Committee would like to have discussion regarding the budget process and update on the KPI reporting status. The Finance committee expressed interest in the mentioned re-instatement of the Budget Strategies Task Force.

As liaison to the Sudbury Housing Authority, Vice-Chair Roberts commented that a member of the Housing Authority expressed frustration regarding BOS support of assessment regarding certain properties, such as the Broadacres property, a property behind the DPW building, and a property at Frost Farm. She noted that the Housing Authority is scheduling a site walk with the MA Housing Authority. Vice-Chair Roberts noted that the Housing Authority was surprised to learn that the property behind the DPW site might be considered as a water treatment plant. As a Board member, she felt it necessary to stand behind the support that the Board offered at the February 2020 meeting. She asked if the Board might consider any other available properties in Town.

**Citizen Comments**

There were no citizen's comments.

**Interview candidates for appointment to the Cultural Council**

Present: Bethany Shaw, Diana Peters, Erica O'Brien – Candidates for appointment to the Cultural Council

Ms. Shaw introduced herself and as a member of the Sudbury Art Association, and noted that she loved the community and arts/culture, which would be beneficial for the Town.

Selectman Russo asked Ms. Shaw about her goals for the Cultural Council. Ms. Shaw responded that she sought to bring additional art and culture to the Town.

Selectman Schineller acknowledged the contributions that Ms. Shaw had made to the Sudbury Art Association.

Chair Dretler thanked Ms. Shaw for her artistic contribution to the Sudbury schools and the Sudbury Arts Market.

The Board moved on to the next candidate, Diana Peters.

Ms. Peters introduced herself and spoke of her background as a voice actor with design experience.

Vice-Chair Roberts thanked Ms. Peters for her contribution in the areas of art, radio and print.

Selectman Russo commented that he appreciated Ms. Peters' plans for post-COVID activities.

The Board moved on to the next candidate, Erica O'Brien.

Ms. O'Brien introduced herself and mentioned her background at the MA College of Art and Design, and expressed her desire to work with the community again.

Selectman Carty suggested that the Cultural Council consider the staggering of appointment terms. Resident and chair of the Cultural Council, Ellen Gitelman, 19 Raynor Road, responded there have not been any simultaneous member resignations on the Council.

Vice-Chair Roberts motioned and Selectman Russo seconded the motion.

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

VOTED: To appoint Bethany Shaw, 850 Boston Post Road, Diana Peters, 62 Maynard Road, and Erica O'Brien, 3 Country Village Lane, to the Cultural Council for terms to expire 10/30/23.

**Cynthia Gerry, Director of Assessing, to provide an overview of the Tax Classification process**

Present: Director of Assessing Cynthia Gerry

Ms. Gerry acknowledged that on December 1<sup>st</sup> the Board would be voting on the Tax Classification, and the percentage of tax levy. She proceeded with an overview of the Annual Tax Classification process.

Ms. Gerry provided a summary of the tax exceptions, including the Residential Exception, the Small Commercial Exception, the Open Space Exemption (which is not applicable in Sudbury), and Senior Means Exemption.

Selectman Schineller stated that the current small business tax exemption did not seem to be enough. Selectman Schineller also inquired about overlay accounts/balance.

Selectman Russo inquired about the decline in some commercial property values and the status of 61A properties.

Vice-Chair Roberts asked about current economic impacts, and split rate considerations.



Selectman Carty asked about vacant land tax category. Ms. Gerry commented that classification 130 represents buildable land.

Chair Dretler mentioned the vacant land aspect in Sudbury.

Selectman Carty asked about the CSX corridor in relation to the 388 land code. Ms. Gerry responded that the CSX land has been categorized in the 388 land use code for a number of years.

Selectman Russo asked if financial impact of COVID had more impact with one taxable category when compared to the other categories. Selectman Schineller commented that there should be more deliberation on the topic. Selectman Russo suggested contacting the Chamber of Commerce in regards to this matter.

Ms. Gerry confirmed she would be providing the Board with additional information regarding their questions before the Tax Classification Hearing on December 1.

**Discussion and possible vote to authorize the Town Manager to enter-award a contract/agreement for Bruce Freeman Rail Trail (BFRT) contract for the most advantageous firm to complete the 75-100% design work**

Present: Environmental Planner Beth Suedmeyer, Director of Planning and Community Development Adam Duchesneau, DPW Director Dan Nason, BFRT Task Force Chair John Drobinski,

Before making a motion, Vice-Chair Roberts asked if the chosen contractor for the project was Fuss & O'Neill. Town Manager Hayes responded in the affirmative, and noted that Fuss & O'Neill was the preferred choice, and had the most experience and expertise.

Vice-Chair Roberts motioned to authorize the Town Manager to enter-award a contract/agreement for Bruce Freeman Rail Trail (BFRT) contract to Fuss & O'Neill to complete the 75-100% design work. Selectman Russo seconded the motion.

Selectman Schineller asked about the boardwalk aspect. Ms. Suedmeyer responded that recently the boardwalk proposal was eliminated, but the crossing of the stream would still need to be addressed. She stated that the design will meet the local bylaw, and MA DOT (Department of Transportation) has agreed to address mitigation options.

Selectman Schineller inquired about a proposed signal light. Ms. Suedmeyer provided description regarding the proposed light. Mr. Nason affirmed it would be best to coordinate the light signal system at the onset of the project.

Selectman Carty asked about project completion. Ms. Suedmeyer responded that the chosen consulting firm would proceed to the completion of the project.

Selectman Carty inquired about available parking.

Selectman Russo asked about new right of way protocol. Ms. Suedmeyer provided a summary of the new protocol, and confirmed that Fuss & O'Neill had just completed a project with the new protocol in place.

Selectman Russo asked about the full scope of the LSP work. Ms. Suedmeyer stated that MA DOT owns the project, and there is no recommendation to test soils beforehand, unless such soils would have to be removed.

Mr. Drobinski stated that as an LSP, he thought the area involved looked good.

Resident Patricia Brown, 34 Whispering Pine Road, stated that she was hoping to see MA DOT Public Hearing responses, and asked when such comments would be made available to the public. Ms. Suedmeyer responded that it was her understanding that the responses were being worked on, and a posting date had not been provided. Ms.

Suedmeyer stated that she would continue to communicate with MA DOT on this matter, in order to make such comments public.

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

VOTED: To authorize the Town Manager to enter-award a contract/agreement for Bruce Freeman Rail Trail (BFRT) contract to Fuss & O'Neill to complete the 75-100% design work.

### **Discussion and vote on the BFRT Advisory Task Force mission**

Present: John Drobinski, BFRT Advisory member; Environmental Planner Beth Suedmeyer; Director of Planning and Community Development Adam Duchesneau

Ms. Suedmeyer shared edits she included on the BFRT Advisory Task Force draft document.

Selectman Schineller suggested adding something to the mission which would address local concerns regarding environmental standards. He also recommended appropriate bylaws and include "mitigation to promote harmony between the rail trail and surrounding community and businesses" such as Cavicchio property. Selectman Schineller also stressed the importance of adding language advocating for the inclusion of historical, agricultural and open spaces.

Selectman Carty suggested adding language regarding BOS project update meetings on a monthly basis, and BFRT Advisory Task Force updates on a quarterly basis.

Selectman Russo suggested adding language including amenities, benches, appropriate informational signage regarding scenic viewpoints. He also suggested that a Board member act as liaison between the BFRT Task Force and the Board of Selectmen.

Selectman Schineller recommended inclusion of at-large members who had prior involvement in rail trails and community relations. He also suggested that the perspective of a local business and residential abutter be represented on the Task Force.

Selectman Carty indicated that the Task Force would serve the Town well without included membership of a lobby group such as the Friends of the BFRT.

Vice-Chair Roberts suggested that a Planning Board member might replace a CPC member. Ms. Suedmeyer recommended that membership could be composed of Conservation Commission membership, Planning membership, Parks & Recreation membership, and members from the original BFRT Advisory Design group.

Board members discussed all suggested additions/edits to the BFRT Advisory Mission statement.

Chair Dretler reviewed the disposition of all suggestions proposed to the "Bruce Freeman Rail Trail Advisory Task Force" document:

- Within the "Mission Statement" section – retain language referring to the long-term lease agreement "as other towns on the BFRT north of Sudbury have done."
- Within the "Background" section – remove language "addressing local concerns of respecting applicable environmental standards."
- Within the "Responsibilities and Functions" section – retain language regarding Task Force reporting to the Board of Selectmen "quarterly and as requested by the Board."
- Within the "Responsibilities and Functions" section – retain language "Documenting concerns and requests of abutters, businesses, and other residents and sharing them with the Selectmen."



- Within the “Responsibilities and Functions” section – remove language “Proposing necessary and appropriate bylaw changes if existing bylaws cannot be satisfied.”
- Within the “Responsibilities and Functions” section – retain language “and mitigations to promote harmony between the rail trail and surrounding community businesses.”
- Within the “Responsibilities and Functions” section – retain language “amenities and other facilities, such as benches, signs, informational kiosks, scenic viewpoints...”
- Within the “Responsibilities and Functions” section – retain language “Sudbury’s agricultural, historical, and open-space heritage should be enhanced.”
- Within the “Membership and Officers” section – retain language “The Board of Selectmen will vote to choose one of its members to act as liaison between the Task Force and the Selectmen.” And to remove language “The chair of the Board of Selectmen will act as liaison between the Task Force and the Selectmen.”
- Within the “Membership and Officers” section – retain language “One Sudbury Resident member selected by the Board of Selectmen from three recommendations to be provided by the Friends of the Bruce Freeman Rail Trail.”
- Within the “Membership and Officers” section, the terms agreed upon were: Existing Task Force Members – 2 Years; Conservation Commission, Planning Board, Park & Recreation Members – 1 Year; and New and Appointed at-large members – 3 Years

Vice-Chair Roberts motioned to approve the “BFRT Advisory Task Force” Document as amended. Selectman Schineller seconded the motion.

Selectman Carty indicated that he strongly opposed the inclusion of outside groups having a voting seat on the Task Force. Vice-Chair Roberts stated that she understood the sentiment expressed by Selectman Carty, but felt that the Friends of the BFRT have shared their trail expertise with many other communities, and she emphasized that such a member must be a resident of Sudbury.

Resident Len Simon, 40 Meadowbrook Circle said that abutters should be excluded from membership due to conflicting interest. He stressed that member continuity has great value, and having the same original members continue would be beneficial for the Town.

Mr. Simon stated that quarterly meeting/reporting to the BOS should be eliminated, and the Project Manager could perform such reporting.

Chair Dretler agreed with Mr. Simon’s comment about abutter membership being conflicting, and felt that such language should be removed from the Document.

Chair Dretler commented that the Document endorsed by the Board includes meetings with abutters.

Selectman Russo retracted the earlier motion made by Vice-Chair Roberts.

Vice-Chair Roberts motioned to approve the Bruce Freeman Rail Trail Advisory Task Force document as presented by Beth Suedmeyer, and amended by the Board of Selectmen. Selectman Schineller seconded the motion.

Resident Patricia Brown, 24 Whispering Pine Road, mentioned the contractor meeting with abutters, but not including abutters on the Task Force. She wondered how the abutters perspective (that was heard by the contractors) would be communicated to the Task Force.

It was on motion 4-1; Carty-no, Schineller-aye, Roberts-aye, Russo-aye, Dretler-aye

VOTED: To approve the Bruce Freeman Rail Trail Advisory Task Force document as presented by Beth Suedmeyer, and amended by the Board of Selectmen.

**Vote whether to approve and accept an Access Easement, Drainage Easement, and Conservation Restriction from Woodward Glen Realty Trust for the Greenscape Park/Woodward Glen Subdivision off of Powers Road (Assessor's Parcel B09-0001)**

Present: Rachel Watsky – Watsky Law; Adam Duchesneau, Director of Planning & Community Development

Mr. Duchesneau provided an overview of the access easement, drainage easement and Conservation Restriction at Greenscape Park. He added that the Conservation Commission and Town Counsel (KP Law) had approved and endorsed the proposal.

Selectman Schineller asked if there were any special considerations involved because the property abutted Concord. Mr. Duchesneau responded that the property did not actually abut the Town of Concord.

Vice-Chair Roberts inquired about lot sizes at the development. Mr. Duchesneau replied the minimum lot size at Greenscape Park was 40,000 sq. feet, and the larger lots doubled in size, and all lots met the requirements.

Chair Dretler commented that she was liaison to Planning Board when this development was being addressed, and affirmed that the Planning Board worked very diligently on this project. She indicated that she had no concerns.

Selectman Carty motioned and Selectman Russo seconded the motion.

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

VOTED: To approve and accept an Access Easement, Drainage Easement, and Conservation Restriction from Woodward Glen Realty Trust for the Greenscape Park/Woodward Glen Subdivision off of Powers Road (Assessor's Parcel B09-0001).

**Vote whether to approve emergency award of contract by the Town Manager to Mobile Emergency Housing Corp., of Farmingdale, NY for the rental of two (2) quarantine bunk units for use by the DPW; the Town Manager to execute all documents related thereto**

Present: DPW Director Dan Nason

Town Manager Hayes provided detail regarding the two quarantine bunk units for use by the DPW. He noted that DPW workers who work throughout storms and emergencies would provide distance sheltering in during COVID times. He noted that the Health Department also endorsed the bunk units, which would receive partial funding from the Cares Act.

Mr. Nason stressed that during this period of pandemic, safe rest time is important. He explained the lease/purchase option, and noted that the vehicles could be bought for \$155,000 after renting for five months.

Town Manager Hayes asked Mr. Nason if DPW funds are currently available for possible purchase. Mr. Nason responded affirmatively.

Vice-Chair Roberts inquired about other usage for the bunker units, and asked if a trial usage period could be provided. Mr. Nason stated that trial usage was not possible, and the units could be used for other Town emergencies as well.

Selectman Carty mentioned that this situation represented one of the many unexpected problems associated with COVID. He asked if the Fire Department had such a need. Town Manager Hayes responded that the Fire Department is fine at the present time, and stressed that the bunker units could be shared.

Chair Dretler commented that rental of the units was the preferable option. She asked about the life of the units. Mr. Nason estimated a life of 10 to 15 years if maintained properly. She asked where the units would be stored. Mr. Nason responded that the units would be stored at the DPW yard.

Chair Dretler stated that purchase of the units would require Town Meeting approval.

Resident and Finance Committee member Scott Smigler, 125 Plympton Road, suggested that the Fincom review the proposed transaction.

Selectman Schineller motioned and Vice-Chair Roberts seconded the motion.

It was on motion 4-1; Roberts-aye, Schineller-aye, Russo-aye, Carty-aye, Dretler- abstain.

VOTED: To approve emergency award of contract by the Town Manager to Mobile Emergency Housing Corp., of Farmingdale, NY for the rental of two (2) quarantine bunk units for use by the DPW; the Town Manager to execute all documents related thereto.

Chair Dretler indicated that further vetting of the project would be preferred.

At this time, the Board took a five-minute recess.

### **Town Manager 6-month evaluation**

Board members provided summary of Town Manager's evaluation.

Selectman Schineller stated that he had positive feedback, and was looking forward to continued growth by the Town Manager.

Chair Dretler inquired about the red-lined document included in the meeting packet. Town Manager Hayes confirmed that he initiated the document, and stated that a finalized copy of the document (without redlining) would be provided.

Selectman Carty noted that developing relationships with the Superintendents was important. He recognized that Town Manager Hayes met with Timothy S. Higgins, Lincoln Town Administrator, and commented that Town Manager Hayes keep up the good work.

Vice-Chair Roberts stated that Town Manager Hayes took the lead during these pandemic times, and felt that his emergency management background has been continually demonstrated. She also recognized the stellar communication, management and leadership skills exemplified by the Town Manager. Vice-Chair Roberts complimented Town Manager Hayes regarding his responsiveness with the Board, and mentioned that areas of opportunity included advancement of personal goals, independent decision making, and balanced time with staff.

Chair Dretler asked Town Manager Hayes to provide the Board an update regarding his professional development preparation. She provided some suggested goals in preparation of the one-year review.

Chair Dretler emphasized her appreciation regarding Town Manager's abilities and efforts during this most difficult time, including a successful Town Meeting.

### **Discussion and preparation for goal setting meeting Monday, 11/16 at 9:00 AM**

Town Manager Hayes confirmed that the BOS goal setting meeting will take place on Monday, November 16, 2020 at 9:00 a.m., and Bob Halpin of the UMass Edward J. Collins Center will be moderating the meeting.

Town Manager Hayes stated that last year's goals would be reviewed, and the session would essentially follow the same procedure as last year.

Vice-Chair Roberts inquired about scoring and high priority listing process. Chair Dretler suggested that members might consider this aspect, and have related discussion before the goal session meeting.

Town Manager Hayes suggested if the Board required additional discussion, such discussion should take place before the 9:00 a.m. meeting on November 16. The Board agreed that discussion regarding inclusion of a vision statement would not be possible for this goal setting meeting, but could be addressed sometime after the meeting.

**Review open session minutes of 9/15/20 and 9/25/20 and possibly vote to approve minutes**

Vice-Chair Roberts motioned to approve the 9/15/20 minutes, as edited. Selectman Russo seconded the motion.

It was on motion 4-0-1; Russo-aye, Schineller-abstain, Carty-aye, Roberts-aye, Dretler-aye

VOTED: To approve the 9/15/20 minutes, as edited.

Vice-Chair Roberts motioned to approve the 9/25/20 minutes, as edited. Selectman Russo seconded the motion.

It was on motion 4-0-1; Russo-aye, Schineller-abstain, Carty-aye, Roberts-aye, Dretler-aye

VOTED: To approve the 9/25/20 minutes, as edited.

**Citizen's Comments (cont.)**

There were no citizen's comments

**Upcoming agenda items**

**Consent Calendar**

- Continue Sudbury Diversity, Equity, and Inclusion Commission topic
- Continue Key Performance Indicators (KPI) topic
- Fairbank Community Center Update
- CSX topic for Executive Session
- Budget Strategies Task Force
- LSRHS Agreement
- Finalization Town Manager Evaluation/Self-Assessment

**Cultural Council reappointments and resignation**

Selectman Carty motioned and Selectman Russo seconded the motion.

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

VOTED: To reappoint Ellen Gitelman, 19 Raynor Road, Martha Romanoff, 21 Pokonoket Avenue, and Claudia Brandon, 60 Balcom Road to the Sudbury Cultural Council for terms to expire October 30, 2023. Also, vote to accept the resignation of Yael Kupiec-Dar, 77 Hemlock Road, upon completion of two consecutive terms, as a member of the Sudbury Cultural Council, and to send a letter of thanks for her service to the Town.

**Vote that pursuant to G.L. c. 30B s. 16, and the authority under Article 27 of 2019 Annual Town Meeting held on May 6, 2019, the Board of Selectmen declares Assessors' Parcel L08-0010 on Raymond Road consisting of approximately 8.86 acres available for disposition for water supply protection purposes.**

Vice-Chair Roberts recused herself from the discussion and vote on Consent Calendar Item 19.

Selectman Carty motioned and Selectman Russo seconded the motion.

It was on motion 4-0; Carty-aye, Russo-aye, Schineller-aye, Dretler-aye

VOTED: That pursuant to G.L. c. 30B s. 16, and the authority under Article 27 of 2019 Annual Town Meeting held on May 6, 2019, the Board of Selectmen declares Assessors' Parcel L08-0010 on Raymond Road consisting of approximately 8.86 acres available for disposition for water supply protection purposes.

Consent Calendar items 17 and 20 were taken off the agenda.

**Vote to adjourn meeting**

Selectman Russo motioned to adjourn the meeting. Selectman Carty seconded the motion.

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

VOTED: To adjourn the meeting

There being no further business, the meeting was adjourned at 12:15 a.m.



SUDBURY BOARD OF SELECTMEN  
Tuesday, December 1, 2020

12

**MISCELLANEOUS (UNTIMED)**

**12: Citizen's Comments (cont)**

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Citizen's Comments (cont)

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

12/01/2020 6:00 PM



## 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

12/01/2020 6:00 PM

## POTENTIAL UPCOMING AGENDA ITEMS/MEETINGS

MEETING	DESCRIPTION
<b>Dec. 8, 6:00 PM</b>	Discussion on DLS review of Capital Improvement Program and financial policies
<b>Dec. 15</b>	Public utility hearing (8:00 PM) re: Eversource Grant of Location related to Sudbury Transmission Project
	Annual alcohol and common victualler license renewals
<b>Date to be Determined</b>	Interview applicants for BFRT advisory task force
	Budget Strategies Task Force
	Sewataro Financial Statement review
	Interview COA applicant(s)
	Interview CIAC applicants
	Work Session: Select Board/Town Manager Code of Conduct and other procedural training
	Invite Commission on Disability Chair to discuss Minuteman High School
	Update from BOS Policy Subcommittee
	Town meeting recap – year in review
	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
	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)
<b>Standing Items for All Meetings</b>	BOS requests for future agenda items at end of meeting
	Citizens Comments, continued (if necessary)

Attachment 13.a: POTENTIAL UPCOMING AGENDA ITEMS\_12\_01\_20 (4262 : Upcoming agenda items)



**SUDBURY BOARD OF SELECTMEN**

Tuesday, December 1, 2020

**CONSENT CALENDAR ITEM****14: Park & Rec donation****REQUESTOR SECTION**

Date of request:

Requestor: Dennis Mannone, P&amp;R Director

Formal Title: Vote to accept a \$165.80 donation from Jack Carty's Eagle Scout Project for deposit to the Program Contributions and Donations Account (191448/483100). Also vote to accept a \$1,000 donation from Lucinda Lagasse for deposit to the Pool Donations Account 191748/483100, as requested by Dennis Mannone, Park & Recreation/Aquatics Director.

Recommendations/Suggested Motion/Vote: Vote to accept a \$165.80 donation from Jack Carty's Eagle Scout Project for deposit to the Program Contributions and Donations Account (191448/483100). Also vote to accept a \$1,000 donation from Lucinda Lagasse for deposit to the Pool Donations Account 191748/483100, as requested by Dennis Mannone, Park & Recreation/Aquatics Director.

Background Information:  
attached letter

Financial impact expected:

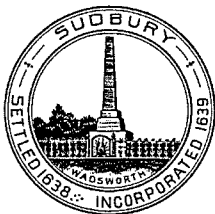
Approximate agenda time requested:

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

12/01/2020 6:00 PM



# Town of Sudbury

## Park & Recreation Department

Park and Recreation Department  
40 Fairbank Road  
Sudbury, MA 01776  
978-443-1092

RECEIVED  
BOARD OF SELECTMEN  
SUDBURY, MA

2020 OCT 26 P 3:55

RE: Donations  
DATE: October 15, 2020

To the Board of Selectmen:

Please accept the following donations to Park and Recreation/Atkinson Pool:

1. A check for \$165.80 from Jack Carty's Eagle Scout Project to be deposited into the Program Contributions and Donations Account – 191448/483100.
2. A check for \$1,000 dollars from Lucinda Lagasse to Atkinson Pool to be deposited into the Pool Donations Account - 191748/483100.

I have enclosed a copy of the checks/letters.

Please let me know when the donations are approved by the Selectboard and they will be deposited into the stated accounts.

Thank-you,

Dennis Mannone  
Director of Recreation/Atkinson Pool

Attachment 14.a: Donations to Park & Rec and Atkinson Pool\_redact (4252 : Park & Rec donation)

**SUDBURY BOARD OF SELECTMEN**

Tuesday, December 1, 2020

**CONSENT CALENDAR ITEM****15: GIC Data Request 2020****REQUESTOR SECTION**

Date of request:

Requestor: Robin Porcella, Asst. Town Accountant

Formal Title: Vote to authorize the chairman to execute a letter requesting data from GIC to use in processing employees' W-2 forms, as requested by Robin Porcella, Asst. Town Accountant.

Recommendations/Suggested Motion/Vote: Vote to authorize the chairman to execute a letter requesting data from GIC to use in processing employees' W-2 forms, as requested by Robin Porcella, Asst. Town Accountant.

Background Information:

Attached letter

Financial impact expected:see attached

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

12/01/2020 6:00 PM



# Town of Sudbury

Office of Selectmen

Flynn Building  
278 Old Sudbury Rd  
Sudbury, MA 01776-1843  
978-639-3381  
Fax: 978-443-0756

[selectmensoffice@sudburv.ma.us](mailto:selectmensoffice@sudburv.ma.us)

December 1, 2020

Ms. Stacie Hickey  
GIC Operations Division  
P.O. Box 8747  
Boston, MA 02114

Dear Ms. Hickey:

Please consider this our request for GIC data in regard to the value of each employee's health insurance benefit to enable the Town of Sudbury to properly include this information on our employees' 2020 W-2 forms.

Please use our Assistant Town Accountant's email address, [PorcellaR@Sudbury.MA.US](mailto:PorcellaR@Sudbury.MA.US), for the data transfer.

Thank you for your assistance.

---

Janie W. Dretler, Chairman  
Sudbury Board of Selectmen

Attachment 15.a: GIC letter 2020 (4254 : GIC Data Request 2020)

**SUDBURY BOARD OF SELECTMEN**

Tuesday, December 1, 2020

**CONSENT CALENDAR ITEM****16: ePlus Technology contract****REQUESTOR SECTION**

Date of request:

Requestor: Mark Thompson, Technology Administrator

Formal Title: Vote to approve execution by the Town Manager of the Statement of Work between the Town of Sudbury and ePlus Technology, Inc. for the UC Upgrade of the Town's telephone/IP Communication system; and further to approve execution of any documents relative to said contract.

Recommendations/Suggested Motion/Vote: Vote to approve execution by the Town Manager of the Statement of Work between the Town of Sudbury and ePlus Technology, Inc. for the UC Upgrade of the Town's telephone/IP Communication system; and further to approve execution of any documents relative to said contract.

**Background Information:**

This Unified Communications (Voice/Telephony) Project encompasses and updates our telephony infrastructure as the existing equipment is reaching end of life and end of support. All components of the existing Telephone/IP Communication system will be updated to the latest version of hardware and software. In addition, a new component will be added that will extend our Telephone system for use by remote workers. Employees will be able to make calls via their laptop or cell phone without VPN access and without exposing their personal phone numbers. ePlus, the company providing this update for us, is on the MA State Contract for Telephony, ITT50. Since the state already awarded the contract for these services, it enables us to get very competitive pricing without going through the bid process. We are utilizing CARES ACT funds for this project as it enables our employees to work remotely seamlessly.

Financial impact expected: CARES act funding

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

12/01/2020 6:00 PM

**STATEMENT OF WORK  
BETWEEN  
TOWN OF SUDBURY  
AND  
EPLUS TECHNOLOGY, INC.  
FOR THE  
UC UPGRADE  
SOW # 85149**

## 1 INTRODUCTION

The following document will serve as a Statement of Work ("SOW") between the Town of Sudbury ("The Customer") and ePlus Technology, inc. ("ePlus") to apply to work on the UC Upgrade. The entire agreement (the "Agreement") between the parties (the "Agreement") consists of the following documents in the following order of precedence: (1) the Commonwealth Standard Terms and Conditions; (2) the Commonwealth's Standard Form Contract; (3) Request for Response ("RFR") ITT50; (4) ePlus' response thereto as amended by this SOW.

## 2 DEFINITIONS

The terms used in this SOW, unless defined in this SOW or in an amendment made hereto, shall have the meaning ascribed to them in the other documents that constitute the Agreement between the parties.

**"Deliverable"** means any work product that ePlus delivers for the purposes of fulfilling its obligations to [The Customer] under the terms of the Agreement, including work product that ePlus must submit to [The Customer] for the Customer's approval in accordance with the formal acceptance procedures set forth within the SOW or the Task Order(s) entered into hereunder.

**"Milestone Payment"** means a defined payment amount associated with the completion of a particular Deliverable or set of Deliverables.

**"Task"** means a material activity engaged in by ePlus for the purpose of fulfilling its obligations to the Customer under the terms of the Agreement, which may or may not result in the creation of a Deliverable.

**"Task Order"** means an amendment to this SOW that specifies Tasks, Deliverables, or hourly rate services to be completed by ePlus under the terms of this Agreement.

## 3 OVERVIEW, EFFECTIVE DATE AND TERM

### Executive Summary of Services:

ePlus has been engaged by the Customer for the upgrade of current UC applications from 10.5 to 12.5, as well as installing two new BE6K servers and migrating the VMs to the new servers. ePlus will also be install new VMs for mobile remote access.

### Detailed Description of Services (and "Specifications" if applicable):

- Kick-off meeting
- Planning and design meeting
- Set up Smart Account for Customer and download licensing based on active Smartnet contracts
  - Download new ISO images and place on data stores
- Unbox, rack, stack, cable, and power-on two (2) BE6K servers
- Migrate nine (9) virtual machines from the legacy hardware to the newly built servers
- In-place upgrade of CUCM Publisher
- In-place upgrade of CUCM Subscriber
- In-place upgrade of CUC Publisher
- In-place upgrade of CUC Subscriber
- In-place upgrade of CER Publisher
- In-place upgrade of CER Subscriber
- In-place upgrade of IMP Publisher

- In-place upgrade of IMP Subscriber
- In-place upgrade to InformaCast
- Test end-to-end calls including CER and Unity Connection
- Provide up to four (4) hours of remote support on the first business day after upgrade
- Documentation and closeout

MRA configuration is after the system is upgraded and tested for a couple of days to verify there are no issues from the upgrade.

- Planning and design meeting to determine IP addresses, location of servers, and user authentication
- Install ten (10) new CUWL STD licenses and verify they are showing in Smart Account
- Install Expressway-C on internal BE6K server
- Install Expressway-E on customer-supplied hardware in DMZ
- Configure EXP-C and EXP-E to communicate with each other
  - **Note:** Customer is responsible for firewall rules to allow this secure communication
- Configure EXP-C to communicate with CUCM over SIP Trunks
- Configure MRA on EXP-C and EXP-E to support Jabber clients on laptops and mobile devices outside of the organization without VPN software installed
- Configure IMP and CUCM for MRA to include additional Service Profiles if needed
- Assist Customer with internal and external DNS entries to support MRA
- Test MRA inside and outside of firewall

#### **Deliverables**

- Backup configurations will be provided

#### **Place of Performance**

- 278 Old Sudbury Road, Sudbury, MA 01776
- 75 Hudson Road, Sudbury, MA 01776

#### **Additional Responsibilities**

- Provide remote access to ePlus resource as required throughout the project
- Provide on-site access to ePlus resource as required throughout the project
- Provide a clean, safe working environment for ePlus resource throughout the project
- Provide all hardware, software, and licensing related to the project - whether procured through ePlus or another vendor
  - The Customer is responsible for equipment counts. The Customer will take possession of hardware ordered through ePlus at the Customer site prior to ePlus engineering resources arriving on site for implementation. At the time of taking possession of the hardware, software, and licensing the Customer accepts ownership and therefore must be responsible for providing ePlus resources with appropriate equipment counts.
- Ensure active manufacturer support exists on hardware and software related to this project in the event a technical support case needs to be opened
  - In the event active manufacturer support is not available, ePlus' resource will work on an issue for up to two (2) hours. After that point the Customer is responsible for the resolution of the issue based on ePlus' recommendation
  - ePlus is not responsible for delays in the project timeline due to the lack of manufacturer-level support
- Customer is responsible for required cabling related to this project.
- Customer is responsible for ensuring hardware/software is at the appropriate installation site for ePlus resource if the items have been shipped directly to the Customer – this includes ensuring the hardware/software is located in close proximity to the IDF or MDF into which it will be installed.

- ePlus resource is not responsible for moving hardware/software.
- Customer is responsible for testing fiber to ensure desired bandwidth can be achieved
  - **Note:** This project does not include mode conditioning cables. The Customer is responsible for obtaining such items based on ePlus' recommendation in the event it is determined the existing fiber cannot provide adequate bandwidth.

#### **Unified Communications Project Responsibilities**

- Physical deployment of IP phones unless otherwise stated in this SOW
- CDP/LLDP configuration of voice VLANs on customer-provided switches that will be used in this project unless otherwise specified in this SOW.
- Identify prior to implementation, third-party products integrated into Exchange or system that may require integration into components included in this project
- Customer is responsible for configuration changes on hardware or software not listed in this SOW.
- Install end-user application clients after ePlus resource provides remote demonstration
- Troubleshoot end-user client operating system issues related to UC software installation
- Make required changes in LDAP server to accommodate for Unity Connection/Exchange integration
- Make required changes to the Exchange server to accommodate Unity Connection/Exchange integration
- Ensure carrier circuits are in place prior to on-site implementation, including required DID blocks if needed:
  - Interfaces should be mounted no more than six feet (6') from routing device. Customer should consult with their engineer as to the appropriate interface(s).
  - **Note:** ePlus will work with Customer for up to two (2) hours on carrier-related issue(s). After that point if the issue is not resolved, the Customer will be responsible for working with the carrier to remediate the problem(s).

#### **Additional Assumptions**

- Calls and meetings will be scheduled at a mutually agreeable time between the Customer's and ePlus' resources. The calls and meetings will be scheduled through ePlus' Project Manager.
- No training is included in this project unless otherwise specified in this SOW.
- Services schedule reflects work effort based on non-contiguous business days and does not include a full-time ePlus Engineer for staff augmentation during the project.

#### **Unified Communications Project Assumptions**

- This project is only inclusive of the installation of the UC applications listed in this SOW.
- This project assumes each user has only one (1) device associated to their user profile.
  - **Note:** Cisco has changed its licensing enforcement in version 9.0 and above. The Customer will need to ensure the "User ID field" in every device is completed prior to upgrading. If during the upgrade process it is uncovered that the Customer requires additional or upgraded licensing to continue existing functionality, the Customer will be responsible for purchasing licensing based on ePlus' recommendation.
- This project does not include the installation of video infrastructure such as Cisco VCS or MCU.
- There is no integration with new or existing paging system included in this project.
- This project does not include any Attendant Console functionality. It is the Customer's responsibility to inform ePlus that Attendant Console is currently in use.
- There is no wall mounting of phones included in this project.
- Single Number Reach (SNR) is not included in this project.
  - **Note:** When setting up Music on Hold (MoH), ePlus will only install .wav files where the Customer owns the music and the music is royalty-free.



- ePlus will remotely demonstrate to Customer how to re-install one (1) end-user client onto end-user devices, and the Customer will be responsible for the remainder.
- Regarding Automated Attendant configurations, ePlus will configure one (1) primary menu and one (1) sub menu. Also ePlus will only deploy Automated Attendant with the North American English option unless otherwise requested.
  - This deployment includes only a single language. If additional languages are needed it will be done as a CR to the project at an additional cost, unless already specified in this SOW.
  - If additional sub-menus are required, it will be done as a CR to the project at an additional cost, unless already specified in this SOW.
- Automated Attendant call trees, greetings, recorded voices, and holiday schedules are the responsibility of the Customer unless stated in this SOW.

This Agreement's term (the "Term") begins on the date on that it is executed by both parties (the "Effective Date") and shall terminate at 5:00 p.m. upon completion ("Termination Date"). Notwithstanding the foregoing, Sections System Security, Section Warranty, and Section, Title and Intellectual Property Rights shall survive the termination of the remainder of this SOW.

## 4 POINTS OF CONTACT

### 4.1 Single Point of Contact

ePlus and the Customer will each assign a single point of contact with respect to this SOW. It is anticipated that the contact person will not change during the Term of this Agreement. In the event that a change is necessary, the party requesting the change will provide prompt written notice to the other. In the event a change occurs because of a non-emergency, two-week written notice is required. For a change resulting from an emergency, prompt notice is required. ePlus' contact person is Lisa Ovalles, who can be reached at lovalles@eplus.com.

The Customer's contact is Mark Thompson who can be reached at 278 Old Sudbury Road Flynn Building, phone: 978-639-3306, email: thompsonm@sudbury.ma.us.

## 5 SYSTEM SECURITY

As part of its work efforts under this SOW, ePlus will be required to use Commonwealth data and IT resources. For purposes of this work effort, "Commonwealth Data" shall mean data provided by the Customer to ePlus, which may physically reside at a Commonwealth or the Customer or ePlus location.

### 5.1 Commonwealth Data

In connection with Commonwealth Data, ePlus will implement commercially reasonable safeguards necessary to:

- Prevent unauthorized access to Commonwealth Data from any public or private network;
- Prevent unauthorized physical access to any information technology resources involved in the development effort; and
- Prevent interception and manipulation of Commonwealth Data during transmission to and from any servers.

### 5.2 Commonwealth Personal Data

In addition to the above requirements for Commonwealth Data, ePlus may be required to use the following Commonwealth personal data under MGL ch. 66A and/or personal information under MGL ch. 93H, or to work on or with information technology systems that contain such data as [here Eligible Entity should list the categories of such data that the vendor will be required to use] in order to fulfill part of its specified tasks. For purposes of this work effort, electronic personal data and personal information includes data provided by the Customer to ePlus which may physically reside at a location owned and/or controlled by the Commonwealth or the Customer or

ePlus. In connection with electronic personal data and personal information, ePlus shall implement the maximum feasible safeguards reasonably needed to:

- Ensure the security, confidentiality and integrity of electronic personal data and personal information;
- Prevent unauthorized access to electronic personal data or personal information or any other Commonwealth Data from any public or private network;
- Notify the Customer immediately if any breach of such system or of the security, confidentiality, or integrity of electronic personal data or personal information occurs.

## 6 ACCEPTANCE OR REJECTION PROCESS

ePlus will submit the required Deliverables specified in this SOW, or any Task Order entered into hereunder, to the Customer Project Manager for approval and acceptance. the Customer will review work product for each of the Deliverables and evaluate whether each Deliverable has clearly met in all material respects the criteria established in this Agreement and the relevant Task Order specifications. Once reviewed and favorably evaluated, the Deliverables will be deemed acceptable.

Within ten (10) working days of receipt of each Deliverable, the Customer Project Manager will notify ePlus, in writing, of the acceptance or rejection of said Deliverable using the acceptance criteria specified in this Section and associated with the Task or Deliverable specifications in this Agreement. A form signed by the Customer shall indicate acceptance. ePlus shall acknowledge receipt of acceptance forms in writing. Any rejection will include a written description of the defects of the Deliverable. If the Customer does not respond to the submission of the Deliverable, within five (5) working days of Customer's receipt of each Deliverable, ePlus shall provide a reminder notice to the Customer Project Manager. If the Customer fails to reject a Deliverable within five (5) business days after the Customer's receipt of the reminder notice, the Task or Deliverable is deemed accepted.

If the Customer rejects a Deliverable, ePlus will, upon receipt of such rejection, act diligently to correct the specified defects and deliver an updated version of the Deliverable to the Commonwealth. the Customer will then have an additional 5 (five) business days from receipt of the updated Deliverable to notify ePlus, in writing, of the acceptance or rejection of the updated Deliverable. Any such rejections will include a description of the way in which the updated Deliverable fails to correct the previously reported deficiency.

Following any acceptance of a Deliverable which requires additional work to be entirely compliant with the pertinent specifications, and until the next delivery, ePlus will use reasonable efforts to provide a prompt correction or workaround.

## 7 PROJECT MANAGEMENT - PROJECT MANAGERS

ePlus and the Customer must notify the other party's Project Managers of any change in the name, address, phone number, fax number, or email address of their respective Project Manager.

### 7.1 Customer Project Manager

The Customer's Project Manager shall perform project management on behalf of the Customer for this engagement. The Customer's Project Manager will:

- 7.1.1 Work closely with ePlus Project Manager to ensure successful completion of the project.
- 7.1.2 Consult with ePlus Project Manager to develop the Project Management Plan.
- 7.1.3 Review weekly status reports and schedule weekly meetings with ePlus, as necessary.
- 7.1.4 Coordinate participation from [name other agencies and/or vendors] as required during the engagement.
- 7.1.5 Acquire the Customer project team members as needed.

- 7.1.6 Coordinate the Customer's review of the Deliverables and sign an acceptance form to signify acceptance for each accepted Deliverable.

## 7.2 Vendor Project Manager

ePlus' Project Manager shall perform project management on behalf of ePlus for this engagement. ePlus' Project Manager will:

- 7.2.1 Be responsible for administering this Agreement and the managing of the day-to-day operations under this Agreement.
- 7.2.2 Serve as an interface between the Customer Project Manager and all ePlus personnel participating in this engagement.
- 7.2.3 Develop and maintain the Project Management Plan, in consultation with the Customer Project Manager.
- 7.2.4 Facilitate regular communication with the Customer Project Manager, including weekly status reports/updates, and review the project performance against the project plan. Facilitate weekly project status meetings for the duration of the engagement.
- 7.2.5 Update the project plan on a weekly basis and distribute at weekly meetings for the duration of the engagement.
- 7.2.6 Sign acceptance forms to acknowledge their receipt from the Customer.
- 7.2.7 Be responsible for the management and deployment of ePlus personnel.

## 7.3 Issue Resolution

The Project Managers from each organization bear the primary responsibility for ensuring issue resolution.

## 8 AMENDMENTS TO THE SCOPE OF WORK

This Agreement may be amended prior to the end of the Term. The Project Manager who would like to request a change in scope for this engagement or any other terms contained within the Agreement, will provide the suggested amendment in writing to the other party's Project Manager. The Project Managers will jointly determine whether the change impacts any terms contained within the Agreement. The parties may mutually agree to the change through a written amendment to this SOW.

For any amendment entered into under this Agreement where ePlus will be providing services on a Time and Materials basis, the parties shall apply the Time and Materials terms as described in this SOW to the relevant Task Order.

## 9 ADDITIONAL TERMS

### 9.1 Code Review - NOT APPLICABLE

All Deliverables that include software code or applications shall follow current industry design and best practices, including, but not limited to those published by The National Institute of Standards & Technology (NIST), the SANS (SysAdmin, Audit, Network, Security (SANS) Institute), and other recognized bodies.

ePlus shall cooperate with Customer's code review of the relevant software or application Deliverables. Prior to implementation or acceptance of a Deliverable, ePlus shall subject Deliverables that include software code or script to independent application review by the Customer or its delegated reviewer to validate that all applicable enterprise IT standards and security policies have been met, as well as other specifications as identified in this Agreement or the relevant Task Order. The review shall be performed by individuals other than ePlus or the Customer's staff who developed the Deliverables. For purposes of this requirement, "independent"

may include other staff of the Customer provided no direct reporting relationships exist between the development and review organizations.

## 9.2 Warranty

Consistent with RFR ITT50, ePlus represents and warrants to the Customer that:

- 9.2.1 ePlus and its subcontractors are sufficiently staffed and equipped to fulfill ePlus' obligations under this Agreement;
- 9.2.2 ePlus' services will be performed:
  - By appropriately qualified and trained personnel;
  - With due care and diligence and to a high standard of quality as is customary in the industry;
  - In compliance with the Milestone Schedule and the terms and conditions of this Agreement; and
  - In accordance with all applicable professional standards for the field of expertise;
- 9.2.3 Deliverables delivered under this Agreement will substantially conform with the Tasks and Deliverable descriptions set forth in this Agreement;
- 9.2.4 All media on which ePlus provides any software under this Agreement shall be free from defects;
- 9.2.5 All software delivered by ePlus under this Agreement shall be free of Trojan horses, back doors, and other malicious code;
- 9.2.6 ePlus has obtained all rights, grants, assignments, conveyances, licenses, permissions and authorizations necessary or incidental to any materials owned by third parties supplied or specified by ePlus for incorporation in the Deliverables to be developed;
- 9.2.7 Documentation provided by ePlus under this Agreement shall be in sufficient detail so as to allow suitably skilled, trained, and educated the Customer personnel to understand the operation of the Deliverables. ePlus shall promptly, at no additional cost to the Customer make corrections to any documentation that does not conform to this warranty; and
- 9.2.8 Any systems created or modified by ePlus under this SOW shall operate in substantial conformance with the specifications for the system or modifications for a minimum of three months (the "Warranty Period") after Eligible Entity accept such system or modifications pursuant to Section 6 of this SOW. During the Warranty Period, ePlus shall correct any Severity Level I, II or III defects at no charge to the Customer.

## 9.3 Title and Intellectual Property Rights - NOT APPLICABLE

[These terms will apply if ePlus will be developing or modifying software or will be developing Deliverables that contain other intellectual property. They are subject to negotiation. However, the approval of the General Counsel for the Eligible Entity is required for any changes to these terms.]

### 9.3.1 Definition of Property

The term Property as used herein includes the following forms of property: (1) confidential, proprietary, and trade secret information; (2) trademarks, trade names, discoveries, inventions processes, methods and improvements, whether or not patentable or subject to copyright protection and whether or not reduced to tangible form or reduced to practice; and (3) works of authorship, wherein such forms of property are required by ePlus to develop, test, and install the [name product to be developed] that may consist of computer programs (in object and source code form), scripts, data, documentation, the audio, visual and audiovisual content related to the layout and graphic presentation of the [name product to be developed], text, photographs, video, pictures, animation, sound recordings, training materials, images, techniques, methods, algorithms, program images, text visible on the Internet, HTML code and images, illustrations, graphics, pages, storyboards, writings, drawings, sketches, models,

samples, data, other technical or business information, reports, and other works of authorship fixed in any tangible medium.

### 9.3.2 Source of Property

The development of the [name product to be developed] will involve intellectual property derived from four different sources: (1) a third party such as ...[this provision may not apply to all contracts, but it could apply if ePlus is using third party intellectual property to perform tasks or deliver Deliverables, e.g. configuring another entity's commercial off the shelf (COTS) software]; (2) that developed by ePlus for the open market (e.g. ePlus' COTS software); (3) that developed by ePlus for other individual clients, or for internal purposes prior to the Effective Date of this Statement of Work and not delivered to any other client of ePlus'; and (4) developed by ePlus specifically for the purposes of fulfilling its obligations to the Customer under the terms of this Agreement. Ownership of the first and second categories of intellectual property is addressed in separate agreements between the Customer and the contractors and resellers of work product. This Section 11 the Statement of Work addresses exclusively ownership rights in the third and fourth categories of intellectual property.

### 9.3.3 ePlus Property and License

ePlus will retain all right, title and interest in and to all Property developed by it, i) for clients other than the Commonwealth, and ii) for internal purposes and not yet delivered to any client, including all copyright, patent, trade secret, trademark and other intellectual property rights created by ePlus in connection with such work (hereinafter the "ePlus Property"). the Customer acknowledges that its possession, installation or use of ePlus Property will not transfer to it any title to such property.

the Customer acknowledges that ePlus Property contains or constitutes commercially valuable and proprietary trade secrets of ePlus, the development of which involved the expenditure of substantial time and money and the use of skilled development experts. the Customer acknowledges that ePlus Property is being disclosed to the Customer to be used only as expressly permitted under the terms herein. the Customer will take no affirmative steps to disclose such information to third parties, and, if required to do so under the Commonwealth's Public Records Law, M.G.L. c. 66 § 10, or by legal process, will promptly notify ePlus of the imminent disclosure so that ePlus can take steps to defend itself against such disclosure.

Except as expressly authorized herein, the Customer will not copy, modify, distribute or transfer by any means, display, sublicense, rent, reverse engineer, decompile or disassemble ePlus Property.

ePlus grants to the Customer, a fully-paid, royalty-free, non-exclusive, non-transferable, worldwide, irrevocable, perpetual, assignable license to make, have made, use, reproduce, distribute, modify, publicly display, publicly perform, digitally perform, transmit, copy, sublicense to any the Customer subcontractor for purposes of creating, implementing, maintaining or enhancing a Deliverable, and create derivative works based upon ePlus Property, in any media now known or hereafter known, to the extent the same are embodied in the Deliverables, or otherwise required to exploit the Deliverables. During the Term of this Agreement and immediately upon any expiration or termination thereof for any reason, ePlus will provide to the Customer the most current copies of any ePlus Property to which the Customer has rights pursuant to the foregoing, including any related documentation.

Notwithstanding anything contained herein to the contrary, and notwithstanding the Customer's use of ePlus Property under the license created herein, ePlus shall have all the rights and incidents of ownership with respect to ePlus Property, including the right to use such property for any purpose whatsoever and to grant licenses in the same to third parties. Vender shall not encumber or otherwise transfer any rights that would preclude a free and clear license grant to the Commonwealth.

### 9.3.4 Commonwealth Property

In conformance with the Commonwealth's Standard Terms and Conditions, all Deliverables created under this Agreement whether made by ePlus, subcontractor or both are the property



of the Customer, except for the ePlus Property embodied in the Deliverable. ePlus irrevocably and unconditionally sells, transfers and assigns to the Customer or its designee(s), the entire right, title, and interest in and to all intellectual property rights that it may now or hereafter possess in said Deliverables, except for the ePlus Property embodied in the Deliverables, and all derivative works thereof. This sale, transfer and assignment shall be effective immediately upon creation of each Deliverable and shall include all copyright, patent, trade secret, trademark and other intellectual property rights created by ePlus or ePlus' subcontractor in connection with such work (hereinafter the "Commonwealth Property").

All copyrightable material contained within a Deliverable and created under this Agreement are works made for hire. ePlus bears the burden to prove that a work within a Deliverable was not created under this Agreement. If work is determined to not be made for hire or that designation is not sufficient to secure rights, to the fullest extent allowable and for the full term of protection otherwise accorded to ePlus under such law, ePlus shall and hereby irrevocably does, assign and transfer to the Customer free from all liens and other encumbrances or restrictions, all right, title and interest ePlus may have or come to have in and to such Deliverable. ePlus HEREBY WAIVES IN FAVOR OF the Customer (AND SHALL CAUSE ITS PERSONNEL TO WAIVE IN FAVOR OF CLIENT IN WRITING SIGNED BY SUCH PERSONNEL) ANY AND ALL ARTIST'S OR MORAL RIGHTS (INCLUDING, WITHOUT LIMITATION, ALL RIGHTS OF INTEGRITY AND ATTRIBUTION) IT MAY HAVE PURSUANT TO ANY STATE OR FEDERAL LAWS OF THE UNITED STATES IN RESPECT TO ANY DELIVERABLE AND ALL SIMILAR RIGHTS UNDER THE LAWS OF ALL OTHER APPLICABLE JURISDICTIONS.

ePlus agrees to execute all documents and take all actions that may be reasonably requested by the Customer to evidence the transfer of ownership of or license to intellectual property rights described in this Section 11, including providing any code used exclusively to develop such Deliverables for the Customer and the documentation for such code. ePlus acknowledges that there are currently and that there may be future rights that the Commonwealth may otherwise become entitled to with respect to Commonwealth Property that does not yet exist, as well as new uses, media, means and forms of exploitation, current or future technology yet to be developed, and that ePlus specifically intends the foregoing ownership or rights by the Commonwealth to include all such now known or unknown uses, media and forms of exploitation.

The Commonwealth retains all right, title and interest in and to all derivative works of Commonwealth Property.

the Customer hereby grants to ePlus a nonexclusive, revocable license to use, copy, modify and prepare derivative works of Commonwealth Property only during the Term and only for the purpose of performing services and developing Deliverables for the Customer under this Agreement.

With respect to web site development contracts, the Customer will bear sole responsibility for registering the software or system domain name or URL, applying for any trademark registration relating to the software or system domain name or URL and applying for any copyright registration related to its copyright ownership with respect to any Commonwealth Property.

### 9.3.5 Third-party Intellectual Property

If the Deliverables contain or will contain any third-party intellectual property to which ePlus intends to provide a sublicense, ePlus must provide copies of all such sublicense agreements as early in the process as possible. The sublicense agreements must be included in ePlus' initial quotation to the Customer, or, if the requirement to utilize sublicensed intellectual property is not known at the outset of the project, as soon as the requirement becomes known. Sublicenses to third-party intellectual property can ONLY be provided under ITT50 if they are provided at no charge to the Commonwealth.

## 10 EPLUS TASKS AND DELIVERABLES

This Section describes the Deliverables that ePlus will provide to the Customer and the Tasks that ePlus will complete by the end of the engagement described in this SOW. A Task or Deliverable will be considered "complete" when all the acceptance criteria set forth in this SOW have been met or the prescribed review period for each Deliverable or Task has expired without written response from the Customer. The Task/Deliverable numbers are referred to in subsequent sections throughout this SOW.

All written documents shall be delivered in machine-readable format, capable of being completely and accurately reproduced by computer software on a laser printer. All itemized and/or annotated lists shall be delivered in computer spreadsheets, capable of being imported to Microsoft Excel 2000. Meetings must be scheduled at least three full business days in advance, with reasonable accommodation of attendees' schedules. All meeting results will be described in a follow-up report generated by ePlus Project Manager and approved by the Customer Project Manager.

### 10.1 Payment Terms

All payments under this Agreement shall be made in accordance with the Commonwealth's bill paying policy.

#### 10.1.1 Fixed Price Payments for Tasks and Deliverables

A Deliverable or Task will be considered "completed" when the Customer has determined that the acceptance criteria for that specific Deliverable or Task has been met as specified in Table 4 of this SOW or the relevant Task Order, and elsewhere in this Agreement. ePlus agrees to invoice the Commonwealth for the Deliverables or work completed per the requirements set forth in this SOW and the relevant Task Order. the Customer will make payments to ePlus only after receiving an accurate invoice for Tasks and Deliverables completed and accepted pursuant to this SOW. Payments for specific Tasks and Deliverables shall be made in accordance with Table 1 below.

**TABLE 1**  
**Fixed Price Deliverables and Tasks**

Task Number	Task Name	Milestone Payment
Milestone 1	Completion of Project Kickoff	\$10,000.00
Milestone 2	Project Completion	\$16,920.00

**Total                    \$26,920.00**

The undersigned hereby represent that they are duly authorized to execute this SOW on behalf of their respective organizations.

**Town of Sudbury**

**ePlus Technology, inc.**

**Town Manager**

\_\_\_\_\_  
[Eligible Entity Signatory and Title]

\_\_\_\_\_  
[Vendor Signatory and Title]

**Henry L. Hayes, Jr.**

\_\_\_\_\_  
[Printed Name]

\_\_\_\_\_  
[Printed Name]

**November 17, 2020**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

Attachment 16.a: SUDBURY SOW 85149 APPROVED 111120 (4258 : ePlus Technology contract)



**SUDBURY BOARD OF SELECTMEN**

Tuesday, December 1, 2020

**CONSENT CALENDAR ITEM****17: Accept resignation from Cultural Council****REQUESTOR SECTION**

Date of request:

Requested by: Patty Golden

Formal Title: Vote to accept the resignation of Tania Vivitsky, 55 Hudson Road, #8, from the Cultural Council and send her a thank-you letter for her service to the Town.

Recommendations/Suggested Motion/Vote: Vote to accept the resignation of Tania Vivitsky, 55 Hudson Road, #8, from the Cultural Council and send her a thank-you letter for her service to the Town.

Background Information:

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

12/01/2020 6:00 PM

**From:** Ellen Gitelman <[ellen.gitelman@gmail.com](mailto:ellen.gitelman@gmail.com)> **On Behalf Of** Ellen Gitelman  
**Sent:** Tuesday, July 7, 2020 5:52 PM  
**To:** Hobin, Carol <[HobinC@sudbury.ma.us](mailto:HobinC@sudbury.ma.us)>; Selectmen's Office <[selectmensoffice@sudbury.ma.us](mailto:selectmensoffice@sudbury.ma.us)>  
**Subject:** Re: Tania Vitvitsky - Resignation from Cultural Council

Hi Carol,

Here's Tania's email:

On 6/9/2020 3:53 PM, Tania Vitvitsky wrote:  
 Dear Ellen:

Your response to Brianne reminded me that I needed to write to you and let you know that I will need to resign from the Sudbury Cultural Council. The reason: with the primary election in September and the presidential election in November, I simply will not have time to review proposals as I am involved in political action every day. In addition, I have just been appointed to the Sudbury Housing Authority which will require me to get up to speed with state public housing regulations and procedures.

I enjoyed my brief time on the Council. Please say goodbye to the members and good luck with the new round!.

Tania Vivitsky

*Tania Vitvitsky*

OWN CLERK  
 SUDBURY, MASS  
 2020 NOV -9 PM 1:30

Attachment17.a: Cultural\_Council\_resignation (4259 : Accept resignation from Cultural Council)

**SUDBURY BOARD OF SELECTMEN**

Tuesday, December 1, 2020

**CONSENT CALENDAR ITEM****18: Perambulation of town boundaries****REQUESTOR SECTION**

Date of request:

Requestor: DPW Director/Town Manager

Formal Title: Vote to authorize the Town Manager, through the Department of Public Works, to locate and mark the of town boundary markers; record such; and provide copy of records to contiguous towns and cities in accordance with G.L. chapter 42, section 2. This is a five-year cycle and applies to years ending with five and zero.

Recommendations/Suggested Motion/Vote: Vote to authorize the Town Manager, through the Department of Public Works, to locate and mark the of town boundary markers; record such; and provide copy of records to contiguous towns and cities in accordance with G.L. chapter 42, section 2. This is a five-year cycle and applies to years ending with five and zero.

Background Information:

attached letter sent to all 9 abutting towns, and copy of MGL CH42 S2.

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

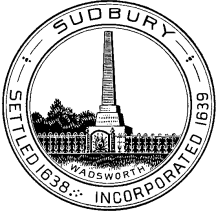
Daniel E Carty

Pending

Board of Selectmen

Pending

12/01/2020 6:00 PM



Henry L Hayes, Jr.  
Town Manager

**TOWN OF SUDBURY**  
*Office of the Town Manager*  
[www.sudbury.ma.us](http://www.sudbury.ma.us)

278 Old Sudbury Road  
Sudbury, MA 01776-1843  
Tel: 978-639-3381  
Fax: 978-443-0756  
Email: [townmanager@sudbury.ma.us](mailto:townmanager@sudbury.ma.us)

November 20, 2020

Dear Selectmen/Mayors of Framingham, Marlboro, Maynard, Stow, Wayland, Concord, Lincoln, Acton and Hudson:

The Town of Sudbury will be perambulating its boundaries starting on Monday, November 23, 2020 pursuant to Massachusetts General Laws Chapter 42, Section 2.

The outing will be conducted by the Sudbury Department of Public Works personnel and will include the nine (9) Town boundaries.

If you have any questions, please contact DPW Director Dan Nason at 978-440-5421 or email: [nasond@sudbury.ma.us](mailto:nasond@sudbury.ma.us).

Sincerely,

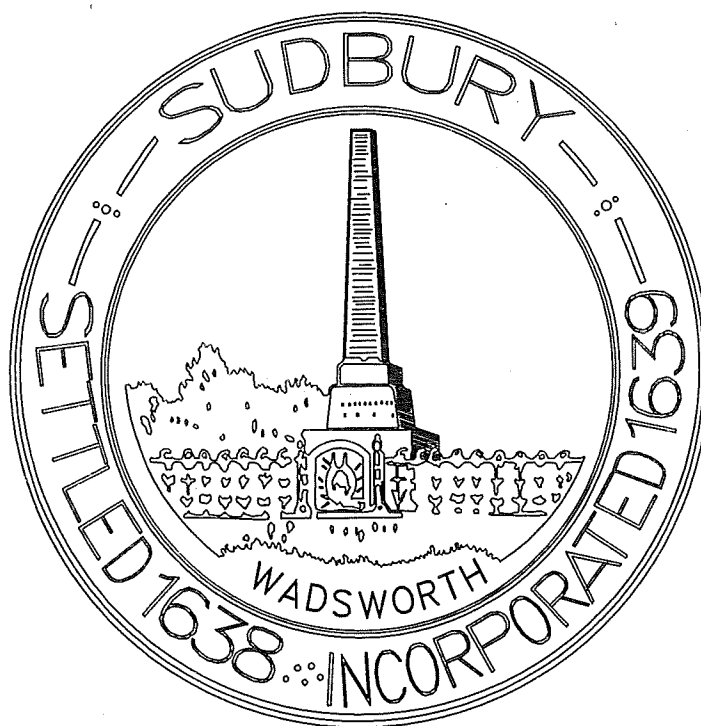
Henry L. Hayes, Jr.  
Sudbury Town Manager

**Part I** ADMINISTRATION OF THE GOVERNMENT**Title VII** CITIES, TOWNS AND DISTRICTS**Chapter 42** BOUNDARIES OF CITIES AND TOWNS**Section 2** LOCATING AND MARKING OF TOWN BOUNDARY MARKERS;  
RECORDATION; COPY OF RECORDS TO CONTIGUOUS TOWN

Section 2. The boundary markers of every town shall be located, the marks thereon renewed, and the year located marked upon the face thereof which bears the letter of the town locating its boundary, once every five years, by at least two of the selectmen of the town or by two substitutes designated by them in writing. The marking shall be made with a paint or other suitable marking material.

The proceedings shall be recorded with the town clerk and the board of selectmen of the town in writing signed under penalty of perjury setting forth which boundary marks were located, and those which were not located. A copy of such records shall also be sent, by registered letter, to the town clerk and the board of selectmen of any contiguous town.

# TOWN OF SUDBURY



## YEAR 2015 TOWN BOUNDARY PERAMBULATION

December 1, 2015

Ms. Melissa Murphy-Rodrigues  
Town Manager  
275 Old Sudbury Road  
Sudbury, MA 01776

Subject: Perambulation of Town Bounds

Dear Ms. Melissa Murphy-Rodrigues

In accordance with MGL Chapter 42, Section 2, the Engineering Department performed the perambulation of all Town bounds during the months of October and November 2015 and reported as follows:

	<u>Location</u>	<u>Condition</u>	<u>Comments</u>
1.	Sudbury/Framingham/Marlborough	Good	
2.	Sudbury/Hudson/Marlborough	Good	
3.	Sudbury/Hudson/Stow	Good	Leaning 12" northeasterly
4.	Sudbury/Maynard/Stow	Good	
5.	Sudbury/Maynard	Good	
6.	Sudbury/Acton/Concord/Maynard	Good	
7.	Sudbury/Concord/Lincoln/Wayland (2)		Witness mark found 1" Iron rod in large boulder
8.	Sudbury/Wayland (1) Center of Sudbury Sudbury/Wayland (2)		Unable to recover because of water level of Sudbury River
9.	Sudbury/Wayland (3)		Under Rt. 27
10.	Sudbury/Wayland (4)	Good	
11.	Sudbury/Wayland (5)	Good	
12.	Sudbury/Wayland (6)	Good	Leaning 6" easterly
13.	Sudbury/Wayland (7)	Good	Leaning 12" southwesterly
14.	Sudbury/Wayland (8)	Good	
15.	Sudbury/Wayland (9)	Good	Appears to be broken at base

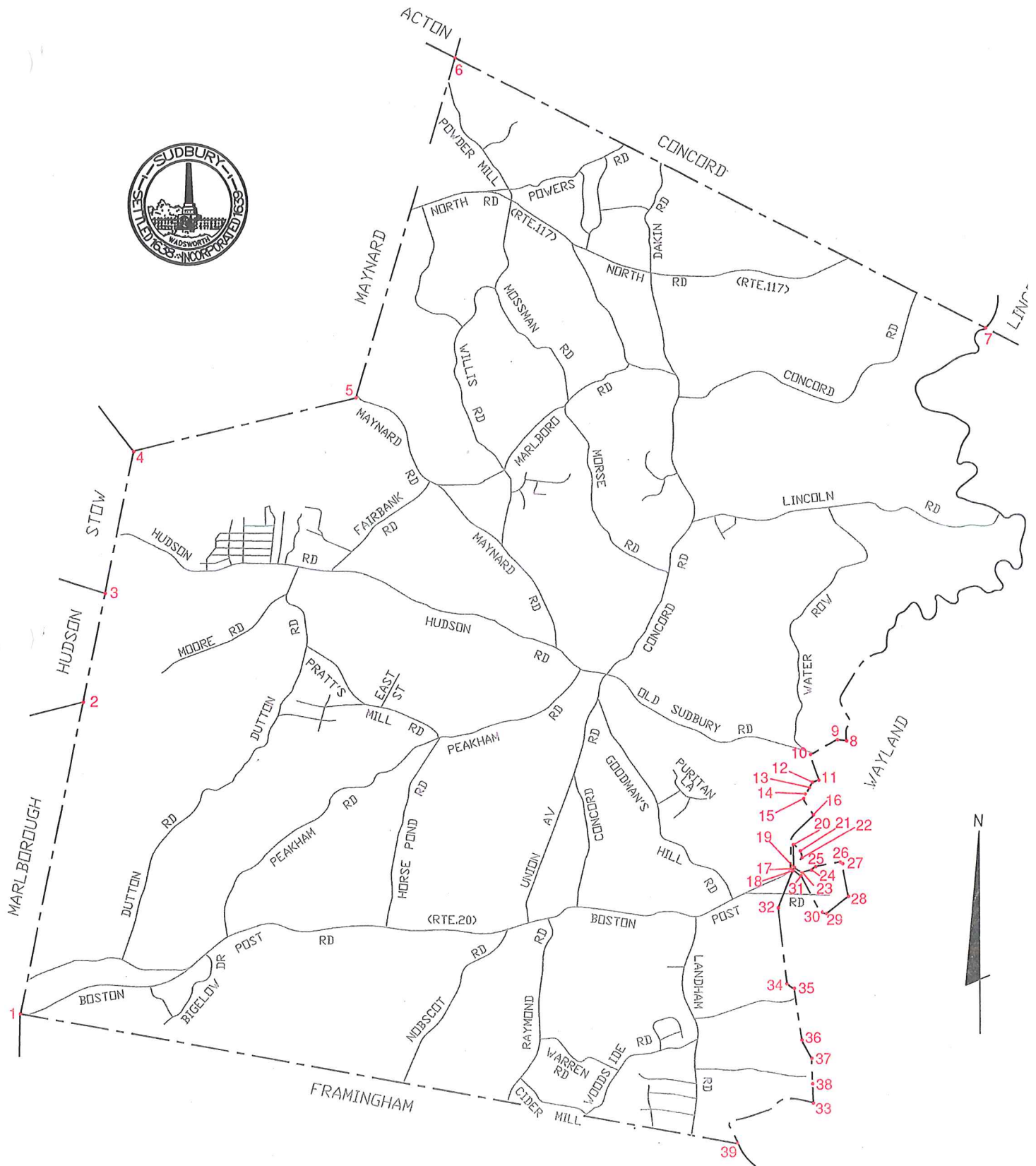
16.	Sudbury/Wayland (10)	Good	
17.	Sudbury/Wayland (11)	Good	
18.	Sudbury/Wayland (12, 27)	Good	
19.	Sudbury/Wayland (13, 17)	Good	Leaning 4" northwesterly
20.	Sudbury/Wayland (14)	Good	
21.	Sudbury/Wayland (15)	Good	
22.	Sudbury/Wayland (16)	Good	
23.	Sudbury/Wayland (18)	Good	
24.	Sudbury/Wayland (19)	Good	
25.	Sudbury/Wayland (20)	Good	
26.	Sudbury/Wayland (21)	Good	Leaning 12" northerly
27.	Sudbury/Wayland (22)	Good	
28.	Sudbury/Wayland (23)	Good	Leaning 12" northwesterly
29.	Sudbury/Wayland (24)	Good	
30.	Sudbury/Wayland (25)	Good	
31.	Sudbury/Wayland (26)	Good	
32.	Sudbury/Wayland (28)	Good	
33.	Sudbury/Wayland (29)	Good	Leaning 14" northeasterly
34.	Sudbury/Wayland (30)	Good	
35.	Sudbury/Wayland (31)	Good	
36.	Sudbury/Wayland (32)	Good	
37.	Sudbury/Wayland (33)	Good	
38.	Sudbury/Wayland (34)	Good	
39.	Sudbury/Framingham/Wayland	Good	

Respectfully submitted

I. William Place, P.E.  
Town Engineer/Director of DPW

IWP/ps  
attachments

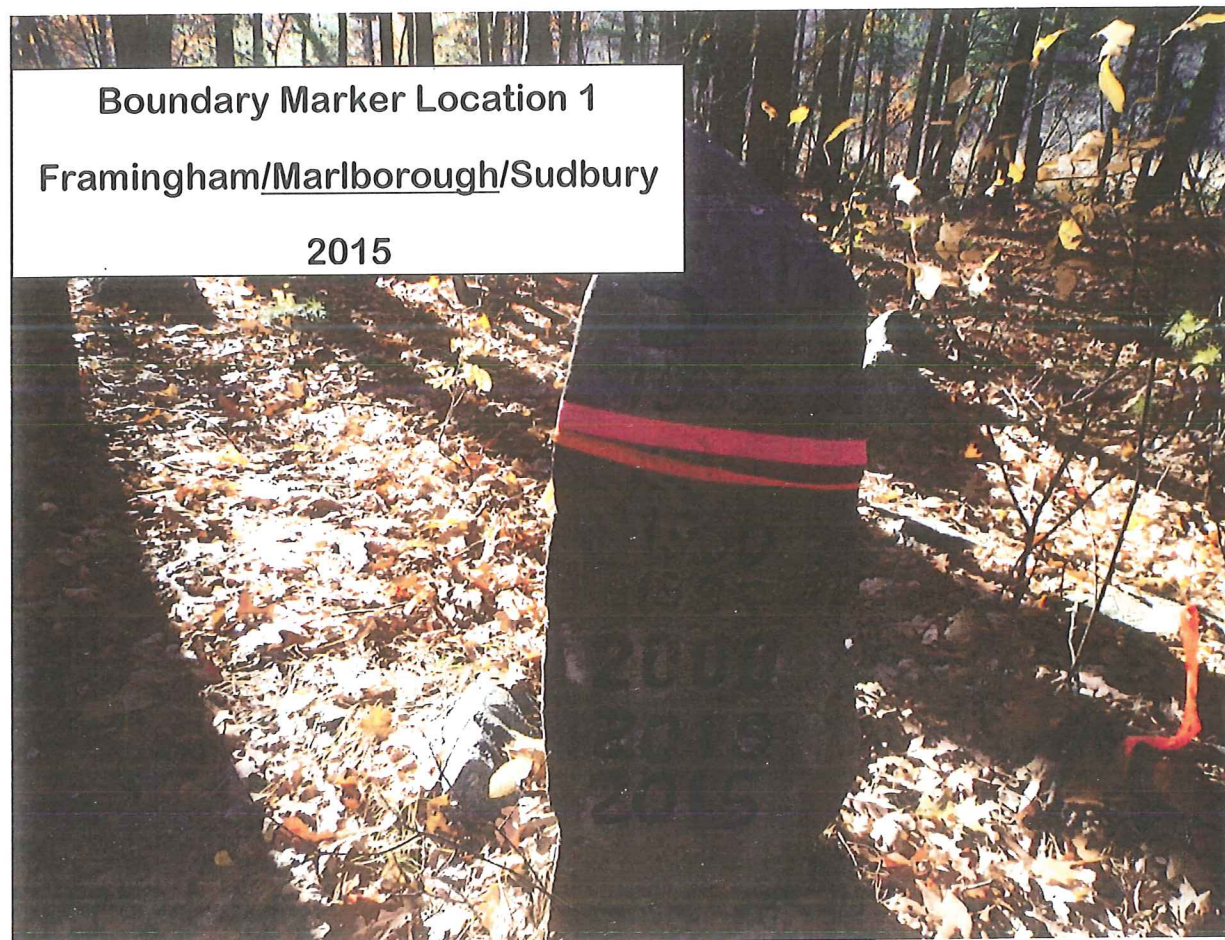




## BOUNDARY MARKER LOCATIONS

Attachment 18.c: peramb (4263 : Perambulation of town boundaries)

1.



Attachment18.c: peramb (4263 : Perambulation of town boundaries)



## SUDBURY BOARD OF SELECTMEN

Tuesday, December 1, 2020

**CONSENT CALENDAR ITEM****19: Goodnow Library Trustees meetings recorded by SudburyTV**REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Vote to request that SudburyTV record all Goodnow Library Trustees meetings.

Recommendations/Suggested Motion/Vote: Vote to request that SudburyTV record all Council on Aging meetings.

Background Information:

See attached Open Meeting Law 30A Sect 20F

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

12/01/2020 6:00 PM

**Part I** ADMINISTRATION OF THE GOVERNMENT**Title III** LAWS RELATING TO STATE OFFICERS**Chapter 30A** STATE ADMINISTRATIVE PROCEDURE**Section 20** MEETINGS OF A PUBLIC BODY TO BE OPEN TO THE PUBLIC; NOTICE OF MEETING; REMOTE PARTICIPATION; RECORDING AND TRANSMISSION OF MEETING; REMOVAL OF PERSONS FOR DISRUPTION OF PROCEEDINGS; OFFICE HOLDERS TO CERTIFY RECEIPT OF OPEN MEETING LAW AND EDUCATIONAL MATERIALS

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Section 20. (a) Except as provided in section 21, all meetings of a public body shall be open to the public.

(b) Except in an emergency, in addition to any notice otherwise required by law, a public body shall post notice of every meeting at least 48 hours prior to the meeting, excluding Saturdays, Sundays and legal holidays. In an emergency, a public body shall post notice as soon as reasonably possible prior to the meeting. Notice shall be printed in a legible, easily understandable format and shall contain the date, time and place of the meeting and a listing of topics that the chair reasonably anticipates will be discussed at the meeting.

(c) For meetings of a local public body, notice shall be filed with the municipal clerk and posted in a manner conspicuously visible to the public at all hours in or on the municipal building in which the clerk's office is located.

For meetings of a regional or district public body, notice shall be filed and posted in each city or town within the region or district in the manner prescribed for local public bodies. For meetings of a regional school district, the secretary of the regional school district committee shall be considered to be its clerk and shall file notice with the clerk of each city or town within the district and shall post the notice in the manner prescribed for local public bodies. For meetings of a county public body, notice shall be filed in the office of the county commissioners and a copy of the notice shall be publicly posted in a manner conspicuously visible to the public at all hours in the places as the county commissioners shall designate for the purpose.

For meetings of a state public body, notice shall be filed with the attorney general by posting on a website under the procedures established for this purpose and a duplicate copy of the notice shall be filed with the regulations division in the state secretary's office.

The attorney general may prescribe or approve alternative methods of notice where the attorney general determines the alternative methods will afford more effective notice to the public.



(d) The attorney general may, by regulation or letter ruling, authorize remote participation by members of a public body not present at the meeting location; provided, however, that the absent members and all persons present at the meeting location are clearly audible to each other; and provided further, that a quorum of the body, including the chair, are present at the meeting location. The authorized members may vote and shall not be deemed absent for the purposes of section 23D of chapter 39.

(e) A local commission on disability may by majority vote of the commissioners at a regular meeting authorize remote participation applicable to a specific meeting or generally to all of the commission's meetings. If a local commission on disability is authorized to utilize remote participation, a physical quorum of that commission's members shall not be required to be present at the meeting location; provided, however, that the chair or, in the chair's absence, the person authorized to chair the meeting, shall be physically present at the meeting location. The commission shall comply with all other requirements of law.

(f) After notifying the chair of the public body, any person may make a video or audio recording of an open session of a meeting of a public body, or may transmit the meeting through any medium, subject to reasonable requirements of the chair as to the number, placement and operation of equipment used so as not to interfere with the conduct of the meeting. At the beginning of the meeting, the chair shall inform other attendees of any recordings.

(g) No person shall address a meeting of a public body without permission of the chair, and all persons shall, at the request of the chair, be silent. No person shall disrupt the proceedings of a meeting of a public body. If, after clear warning from the chair, a person continues to disrupt the proceedings, the chair may order the person to withdraw from the meeting and if the person does not withdraw, the chair may authorize a constable or other officer to remove the person from the meeting.

(h) Within 2 weeks of qualification for office, all persons serving on a public body shall certify, on a form prescribed by the attorney general, the receipt of a copy of the open meeting law, regulations promulgated under section 25 and a copy of the educational materials prepared by the attorney general explaining the open meeting law and its application under section 19. Unless otherwise directed or approved by the attorney general, the appointing authority, city or town clerk or the executive director or other appropriate administrator of a state or regional body, or their designees, shall obtain certification from each person upon entering service and shall retain it subject to the applicable records retention schedule where the body maintains its official records. The certification shall be evidence that the member of a public body has read and understands the requirements of the open meeting law and the consequences of violating it.

**SUDBURY BOARD OF SELECTMEN**

Tuesday, December 1, 2020

**CONSENT CALENDAR ITEM****20: Community-Wide Historic Properties Survey****REQUESTOR SECTION**

Date of request:

Requestor: Adam Duchesneau, Director of Planning and Community Development

Formal Title: Vote to approve award of contract by the Town Manager for the Community-Wide Historic Properties Survey upon the recommendation of the Director of Planning and Community Development and pursuant to Article 42 of the September 12, 2020 Annual Town Meeting; and further, to execute any documents relative to said contract.

Recommendations/Suggested Motion/Vote: Vote to approve award of contract by the Town Manager for the Community-Wide Historic Properties Survey upon the recommendation of the Director of Planning and Community Development and pursuant to Article 42 of the September 12, 2020 Annual Town Meeting; and further, to execute any documents relative to said contract.

**Background Information:**

The Community-Wide Historic Properties Survey project entails the surveying of approximately up to 120 individual properties. This phase of surveying will focus on the presently under-documented historic resources, buildings, and structures facing development pressure. Historic surveys are important in identifying properties eligible, either individually or as a group, for listing on the State Register of Historic Places, the National Register of Historic Places, and/or inclusion in a local historic district. These survey forms provide the legal basis for review by both the Historical Commission (Demolition Delay Bylaw) and the Historic Districts Commission (design review). They are also frequently the only record of a building or resource once it is lost. The Request for Quotes (RFQ) which was distributed seeking consultants to perform this work has been included in the materials for this agenda item request, and contains additional information about the work to be conducted and the project's timeline.

These Massachusetts Historical Commission funded survey projects typically operate on one-year timelines, but due to Sudbury's late Annual Town Meeting in 2020, the project needs to move forward on an accelerated timeline. The Selection Committee is narrowing in on selecting a consultant to conduct this work and allowing the Town Manager to execute a contract to bring on a consultant will be extremely helpful in moving this project along to meet its deadlines.

Financial impact expected: Article 42 of the September 12, 2020 Annual Town Meeting allocated \$30,000 of Community Preservation Act funds to complete this project. However, the Historical Commission has also secured a \$15,000 reimbursement grant from the Massachusetts Historical Commission for this project. Therefore, the total cost of the project for the Town will only be \$15,000 once everything is completed.

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

12/01/2020 6:00 PM

**Town of Sudbury  
Historical Commission**

**REQUEST FOR QUOTES**

Sudbury Community-Wide  
Historic Properties Survey

**DATE OF ADVERTISEMENT:**

**Friday, October 16, 2020**

**SUBMISSIONS DUE:**

**Monday, November 16, 2020 at 10:00 AM**

Late Submissions Will Be Rejected

**DELIVER COMPLETED SUBMISSIONS TO:**

Town of Sudbury  
Planning and Community Development Department  
278 Old Sudbury Road  
Sudbury, MA 01776

For further information, please contact:

Adam L. Duchesneau, AICP  
Director of Planning and Community Development  
Town of Sudbury  
978-639-3387 or [DuchesneauA@sudbury.ma.us](mailto:DuchesneauA@sudbury.ma.us)

## REQUEST FOR QUOTES

### Sudbury Community-Wide Historic Properties Survey

The goal of this solicitation is to provide the best value of commodities and services to achieve the procurement goals of the Town of Sudbury (Town). The Town may negotiate a change in any element of contract performance or cost identified in the original request for the selected proposer or the selected proposer or contractor's response that results in a lower cost or more effective or better value than was presented in selected proposer or contractor's original response.

Costs not specifically identified in the Proposer's Response and accepted by the Town as part of a Contract, will not be compensated under any contract awarded pursuant to the Request for Quotes (RFQ). The Town will not be responsible for any costs or expenses incurred by Proposers responding to this RFQ.

The Town makes no guarantee any Commodities or Services will be purchased as a result of this solicitation.

The purpose of this solicitation is the selection of a qualified historic preservation consultant to provide professional research and documentation services to complete a historic properties survey meeting current Massachusetts Historical Commission survey standards.

#### **I. INTRODUCTION**

The Town of Sudbury (Town) is seeking responses from qualified historic preservation consultants to undertake an intensive-level, community-wide survey of cultural and architectural resources in the town of Sudbury. This Request for Quotes (RFQ) stipulates the procedures and requirements to be used by the Town in its selection for consulting services. The project will be divided into four phases, to be completed over a nine-month period:

- ❖ PHASE I – Identification of documentary materials available for the project and development of methodology;
- ❖ PHASE II – Identification of properties to be surveyed and production of sample inventory forms;
- ❖ PHASE III – Production of complete draft inventory forms for review by the Sudbury and Massachusetts Historical Commissions;
- ❖ PHASE IV – Production of final inventory forms, reports and maps.

The Town will evaluate all timely responses to ensure all required submittals have been included in responses and that all responses meet the selection criteria. Proposals deemed to be complete shall be presented to a selection committee consisting of the Director of Planning and Community Development and members of the Sudbury Historical Commission. Complete responses that meet the selection criteria will also be reviewed by the Massachusetts Historical Commission (MHC) before an award can be made.

Proposers must provide fee amounts for these four tasks in their proposal. The Town has established a budget not to exceed \$30,000.

All submissions regarding this Request for Quotes must be received by the Town **no later than 10:00 AM on Monday, November 16, 2020** and addressed to the attention of Adam L. Duchesneau, Director of Planning and Community Development, Town of Sudbury. Submissions may be emailed to [DuchesneauA@sudbury.ma.us](mailto:DuchesneauA@sudbury.ma.us) and, if emailed, must be marked “RFQ Historic Properties Survey” in the subject line. Submissions can also be faxed as well to 978-639-3314.

## **II. PROJECT AREA**

The project area will include the town of Sudbury, Massachusetts.

## **III. FUNDING SOURCE(S)**

The Project is being funded in part by the Town of Sudbury, and in part through a Massachusetts Historical Commission Survey and Planning Grant, with Federal funds from the National Park Service, U.S. Department of the Interior.

## **IV. PROJECT OBJECTIVES**

See Attachment A for the complete Scope of Work.

Ongoing historic surveys play a key role in Sudbury’s ongoing town planning and preservation efforts. Sudbury is currently undergoing a Master Plan update process, which includes a focus on historic and cultural resources. Documenting and preferably preserving historical assets is consistent with the previous Town Master Plan (2001) and thorough documentation via MHC inventory forms is identified as the first step in the preservation planning process, as recommended by the Sudbury Reconnaissance Report and Landscape Inventory (2006).

Many of the current Sudbury Historic Resource Inventory forms were completed in the 1960s by untrained volunteers and are not up to current historic preservation survey standards. Some need to be re-surveyed, especially properties which are the most historically significant and National Register eligible. Many of the under-surveyed buildings fall within current Historic Districts, while many significant buildings outside of current Historic District boundaries have not been surveyed at all (see Attachment E for a preliminary target list).

These surveys will focus on presently under and undocumented historic resources and buildings and structures facing development pressure, including full and partial demolition. The Sudbury Historical Commission (SHC) has identified potential individual properties and several neighborhood areas in need of documentation. A targeted list of properties to be surveyed has been developed and is included as part of Attachment A.

## **V. SUBMISSION REQUIREMENTS; QUALIFICATIONS**

Please note: any proposal that fails to include all of the above information – or is submitted by a person or persons who do not meet the qualifications outlined in Section V.B. below – will be rejected as unresponsive, and will not be afforded a complete review by the selection committee.

Five (5) copies of the submission must be furnished to the Director of Planning and Community Development for review by the Selection Committee. The overall proposal must include:

A. The identity of the individual, partnership, or corporation applying for contract award, credentials of the personnel who would actually perform the work, as well as their managers, and the nature of the supervision. State the responsibilities of each of the project personnel. If the consultant intends to sub-contract the photography or any other work required in the scope of services, the sub-contractor must be identified. Sample work products are required for all personnel. This item is a major determinant in assessing the proposer's qualifications and will be incorporated as a condition in the contract to be awarded.

B. A proposer's qualifications statement, including professional qualifications and work experience attesting to capacity to perform the required work program. Include resume(s), detailing academic and professional work experience attesting to capacity to perform the required work program. Resumes are required for all project personnel. Proposers must meet the following minimum criteria:

1. Bachelor's Degree in Historic Preservation, Architectural History, History, Art History, or a closely related field and at least two (2) years full-time experience in an area relevant to the project; or
2. Master's Degree in Historic Preservation, Architectural History, History, Art History, or a closely related field.

C. A detailed explanation of the proposer's approach to this project: methodology, demonstrated understanding of the scope of work and completion deadline, and the proposer's expectations of assistance and services from the Town. A technical work plan and project timeline for accomplishing the tasks described in the scope of services must be provided.

D. A client reference list, with names, addresses, telephone numbers, and e-mail addresses (if available) especially for clients for whom the proposer has performed similar services within the past five (5) years.

E. Sample work products for all personnel.

F. Any other information deemed relevant to the project, and which the proposer believes will further the competitiveness of the proposal.

G. Price Quotation Form, Proposer Signature Form, Certificate of Non-Collusion, Statement of Tax Compliance and Certificate of Vote of Corporation, as applicable (see Attachments B, C, D, and E).

## **VI. SELECTION CRITERIA**

**A. Quality and Depth of Project Experience.** The proposer's response demonstrates superior experience in providing services related to the Town's requirements. The response must demonstrate a wide depth of experience with similar projects (5 or more), and prior experience with municipally, privately, or MHC-funded not-to-exceed or fixed-fee contracts. Project work samples should be of outstanding quality in content and technical presentation.

**B. Qualifications of the Proposer.** The proposer's resume(s) demonstrates that proposer has superior training, educational background and work experience appropriate to the project described herein and all key project personnel demonstrate professional experience well beyond the minimum requirements.

**C. Desirability of Approach to the Project.** The proposer's response demonstrates a superior approach to the subject material, an understanding of the local historic and cultural resource issues addressed by the project, and a clear analysis of the time required for each phase of the project. The response

demonstrates a strong understanding of the history and development of local architectural forms in Massachusetts communities.

**D. Overall Quality of Client References.** References contacted spoke favorably of the work performed by the proposer and would use them again for a similar project. References confirmed that consultant had met schedule expectations and delivered an “on-time” project.

**E. Completeness and Quality of Proposal.** Response is complete, concise, informative, and highly detailed. Response reflects the proposer is able to perform in a superior manner acceptable to the Town. Selection committee is completely convinced about the proposer’s ability to provide the level of services as required by the Town. Response demonstrates excellent communication and documentation skills.

## **VII. BASIS OF AWARD**

The Town will award a contract resulting from this solicitation to the responsible proposer whose offer meets the stated requirements for technical expertise, project experience, qualifications, project approach, client references, proposal quality, and price.

Quotes should be submitted on Attachment B – Price Quotation Form.

## **VIII. PROJECT FEE**

The Town has established a budget not to exceed \$30,000 for the Scope of Services described herein. Proposers must complete Attachment B – Price Quotation Form. Project fees must be provided for each of the four phases of work as described on the Form. Fees shown shall include all costs and expenses (including materials, copying, mileage, photography, etc.) necessary to complete the scope of services defined in Attachment A of this RFQ.

## **IX. PROJECT SCHEDULE** (see Attachment A for description of work components):

- ❖ PHASE I – Identification of documentary materials available for the project and development of methodology – January 13, 2021;
- ❖ PHASE II – Identification of properties to be surveyed and production of sample inventory forms – March 12, 2021;
- ❖ PHASE III – Production of complete draft inventory forms for review by the Sudbury and Massachusetts Historical Commissions – July 16, 2021;
- ❖ PHASE IV – Production of final inventory forms, reports, and maps – September 3, 2021.

## **X. SUBMISSION**

Responses will be received at the Planning and Community Development Department, Town of Sudbury, MA **until Monday, November 16, 2020 at 10:00 AM. Responses received after that date and time will be rejected.**

**The mailing address for all deliveries and walk-in service is:**

**Town of Sudbury  
Planning and Community Development Department  
278 Old Sudbury Road  
Sudbury, MA 01776**

**XI. OTHER REQUIREMENTS**

**Insurance.** The Contractor shall maintain insurance in the amounts set forth below and shall name the Town as an additional insured with regard to liability coverage. Certification of said insurance coverage shall be forwarded to the Town prior to commencement of the work.

General Liability: \$1,000,000 Bodily Injury and Property Damage Liability, Combined Single Limit with a \$2,000,000 Annual Aggregate Limit.

Motor Vehicle Liability: At least \$100,000 per occurrence and \$300,000 aggregate.

The Town shall be named as an Additional Insured on the liability policies and the Contractor shall furnish proof of such insurance coverage to the Town at the time of execution of the contract.

## Attachment A

## SCOPE OF WORK

### Town of Sudbury Historic Resource Inventory Update

#### PROJECT OBJECTIVES

The purpose of this project will be to undertake an intensive-level community-wide survey of cultural and architectural resources in the Town of Sudbury. This project will be structured to provide professional cultural and architectural resource survey expertise to the community. A preliminary target list is attached to this scope of work (Attachment E). Specific project goals are as follows:

- 1) To conduct a community-wide survey to assess and document up to approximately 120 selected cultural and architectural resources, following Massachusetts Historical Commission (MHC) survey standards and methodology.
- 2) To identify contexts for National Register evaluation and to apply the National Register criteria to all resources identified in the survey;
- 3) To submit to MHC a list of individual properties and/or districts that are recommended for nomination to the National Register of Historic Places.

#### METHODOLOGY

##### The Analytical Framework:

The community-wide survey project must incorporate MHC criteria and methodology, to current standards. (See MHC's *Historic Properties Survey Manual: Guidelines for the Identification of Historic and Archaeological Resources in Massachusetts* (1992), *Survey Technical Bulletin #1* (1993), *MHC Interim Survey Guidelines* (March 1999, et seq.), *MHC Interim Guidelines for Inventory Form Photographs* (2009), and MHC's *Interim Guidelines for Inventory Form Locational Information* (2016). Both MHC survey guidelines and the tasks and products of the survey Scope of Work meet the Secretary of the Interior's *Standards and Guidelines for Identification* (1983).

The MHC criteria for conducting a community-wide survey are designed to identify the full range of cultural resources. Cultural resources are the physical elements in the landscape that remain from historical patterns of human activity. There are many components of a community's historical development that are associated with the location and type of surviving cultural resources. A community-wide survey should therefore relate cultural resources to historic patterns of architectural development, land use, economic development, social and demographic history, and events that had an impact on the community. The community-wide survey should recognize ethnic and cultural diversity within the community, and seek to identify cultural resources associated with the history of the minority social and cultural groups and individuals that may have played a role in the community's history.



The *MHC Reconnaissance Survey Town Report* for the town and the corresponding MHC Reconnaissance Survey Regional Report, existing survey forms and National Register nominations on file with the MHC will provide a preliminary framework and base of information for this analysis. Individual forms and area forms will expand upon the information in the *Town Report* and will relate inventoried properties to the significant themes in the historical development of the town.

#### Phase Meetings:

The project consists of four phases. Project personnel, both the consultant and the project coordinator, will participate with MHC staff in conference calls or online meetings to review project progress and products at the end of each phase. Work to be carried out during each phase and products due at the end of each phase, are described below.

#### The Inventory:

The community-wide survey will consider the full range of cultural resources in terms of period, theme, property type, architectural form and style, and geographic distribution. The survey will consider all periods of architectural and historic development from the period of first colonial European presence to circa 1970. Significant themes of historical and architectural development will be identified, and resources will be related to these themes.

The community survey will identify buildings and structures that are architecturally and historically significant in the history and development of the community. The survey will include both representative and outstanding examples of the building forms, types, and styles present in the community.

MHC individual property and area inventory forms, maps and National Register recommendations will be completed and submitted to MHC in accordance with the survey guidelines set forth in the MHC's *Historic Properties Survey Manual: Guidelines for the Identification of Historic and Archaeological Resources in Massachusetts* (1992) and *Survey Technical Bulletin #1* (1993), *MHC Interim Survey Guidelines* (March 1999 et seq.), and *MHC Interim Guidelines for Inventory Form Photographs* (2009), *MHC Interim Guidelines for Inventory Form Locational Information* (2016), as well as the Secretary of the Interior's *Standards and Guidelines for Identification* (1983, copies available from the MHC). These publications and memoranda are all incorporated into this contract by reference. The work to be carried out during each phase, and products due at the end of each phase, are described on the following pages.

## **SCOPE OF WORK**

### ***Phase I (6 weeks)***

#### Tasks:

- (Start-up meeting) Discuss with local project coordinator/local historical commission (LPC/LHC) and MHC staff to discuss the scope and inventory methodology of the project and to assess the available online documentary materials and other collections accessible by consultants ((LHC files, local and regional libraries and archive collections, etc. ); Select maps, including a working map and large-scale base map (assessor's parcel map is preferred), to identify inventoried areas and properties;
- Determine availability of electronic mapping and parcel data and of town-based GIS data suitable for use in the project;
- Review existing inventory forms on file at both the LHC and at the MHC;
- Conduct initial research and reconnaissance survey to verify the types and geographical distribution of cultural resources, and to develop criteria for selecting properties to be extensively researched in the survey.
- Discuss with local project coordinator/local historical commission (LPC/LHC) and MHC staff to review the products of Phase I and discuss outstanding issues related to the selection of properties in Phase II.

#### Products:

- Working maps and large scale base map(s) to be used to identify inventoried properties
- Methodology statement, specifying:
  1. Survey objectives;
  2. Criteria for selecting properties for survey;
  3. Procedures to be followed in the survey and forms of products to be created;
  4. Expectations about the kind, location, and character of historic properties to be recorded;
  5. An assessment of existing documentation;
  6. A brief description of the amount and kinds of information to be gathered about the properties;
  7. Bibliography, including identification of web-based resources to be used in the project.

*Phase I will be completed by Wednesday, January 13, 2021*

### ***Phase II (8 weeks)***

#### Tasks:

- Conduct continued architectural assessments and documentary research to identify important historic themes, events, and persons for the survey target areas, with particular attention to substantially synthesizing and supplementing the information already available. Research collections, should include relevant local, regional and state library and archive collections, as well as web-based research sites.
- Apply selection criteria and prepare list of specific properties to be surveyed.
- Complete representative draft inventory forms for different property types.
- Discuss with LHC and MHC staff to review property lists and draft forms.

Products:

- List of properties to be surveyed, arranged alphabetically by street address
- Representative draft inventory forms, to be submitted in both hard copy and MS Word format.

*Phase II will be completed by Friday, March 12, 2021*

***Phase III (18 weeks)***

Tasks:

- Conduct intensive research of properties selected for inventory
- Identify contexts for National Register evaluation and apply National Register criteria to inventoried areas and resources;
- Prepare draft list of all areas and resources recommended for National Register nomination;
- Prepare inventory forms with photographs and property location maps. Forms for any surveyed properties listed in the State Register of Historic Places must be marked at top front with appropriate designation code and date.
- Submit draft inventory forms with photographs, draft National Register contexts, and National Register recommendation to MHC and LHC for review and comment (comments to be incorporated during Phase IV).
- In consultation with LHC, MHC survey and MACRIS staff, develop lettering and numbering system for inventoried properties.
- Discuss with local project coordinator/local historical commission (LPC/LHC) and MHC staff to review the draft survey forms and National Register nomination recommendations.

Products:

- Unnumbered complete draft inventory forms for up to approximately 120 properties with photos and locus maps for all areas, buildings, sites, structures, and parks/landscapes. (This information may optionally be submitted in electronic form only for this project phase [CD or DVD].)
- Draft discussion of National Register contexts and list of all areas and resources recommended for National Register nomination

*Phase III will be completed by Friday, July 16, 2021*

***Phase IV (7 weeks)***

Tasks:

- Add inventory letters/numbers to forms, if these were not added in Phase III.
- Name MS Word files to conform to MHC file-naming convention.
- Complete National Register Recommendation statements to be attached to appropriate inventory forms.
- Prepare base map(s) identifying inventoried properties.
- Prepare street index of inventoried areas and properties.

Products:

- Hard-copy numbered MHC inventory forms for up to approximately 120 properties (two sets with original photographic prints: one for MHC and one for the LHC. Inventory forms must be

printed single-sided on 24 lb. bond paper of at least 25% cotton fiber content. Photographs must be 3½" x 5½" or 4" x 6" digitally produced ink jet prints using MHC approved printer/paper/ink combinations that produce prints with a minimum 75-year permanence rating. (The paper inventory forms should incorporate the electronic version photograph(s) in addition to an attached photographic print. Only one archivally-permanent paper print, of the primary view, is required for most inventory forms, clipped - not stapled - to each form.)

- Large-scale base map(s) with all inventoried areas and properties identified by inventory number (two sets: one for MHC and one for the LHC).
- Survey Final Report (four *paginated, unbound, single-sided* copies (two for MHC, two for LHC) which will include the following sections:
  1. Abstract;
  2. Methodology statement, including survey objectives, assessment of previous research, selection criteria, procedures followed in the survey, description of products and accomplishments and an explanation of how results of survey differed from those expectations;
  3. Street index of inventoried properties. Areas will be listed separately at the beginning, arranged alphabetically by area name. Individually inventoried properties follow, arranged alphabetically by street name. Property name (if any) and inventory number also will be included on this list;
  4. Final discussion of National Register contexts and list of recommendations for areas and properties to be nominated to the National Register of Historic Places
  5. Further study recommendations; and
  6. Bibliography.
- CD containing a MS Word file for each inventory form. Each Word file should conform to MHC file naming convention, and incorporate photograph(s) and map(s). The CD should also include an MS Word version of the final survey report.
- A separate CD containing high-resolution TIF or JPG images for surveyed properties, identified by street address or MACRIS number, following MHC file naming convention for photographic images. Digital images must be a minimum of 1.0 megapixels in resolution.

\*\* The Survey Final Report must identify the community repository and/or municipal office(s) where completed survey documentation (inventory forms, base maps and final report) will be made available to the public.

***Phase IV will be completed and submitted to the MHC and LHC by Friday, September 3, 2021.***

## Attachment B

**Town of Sudbury  
Planning and Community Development Department  
278 Old Sudbury Road  
Sudbury, MA 01776**

**Sudbury Community-Wide  
Historic Properties Survey**

**PRICE QUOTATION FORM**

The undersigned hereby submits this price quotation to perform the services outlined in the Request for Quotes for the Town of Sudbury Community-Wide Historic Properties Survey.

Proposer Signature: \_\_\_\_\_

(Print Name): \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The Proposer hereby pledges to deliver the complete scope of services required, for the rates and charges shown below:

Cost to complete the project:

Phase I: \_\_\_\_\_

Phase II: \_\_\_\_\_

Phase III: \_\_\_\_\_

Phase IV: \_\_\_\_\_

TOTAL COST: \_\_\_\_\_  
(Not to Exceed \$30,000)

Note: Five (5) copies of proposal are to be submitted.

## Attachment C

**Town of Sudbury,  
Planning and Community Development Department  
278 Old Sudbury Road  
Sudbury, MA 01776**

**Sudbury Community-Wide Historic Properties Survey**

**QUOTATION SIGNATURE FORM**

The undersigned, hereafter called the Proposer, having fully familiarized him/herself with all the request for quotation documents, hereby agrees and declares:

1. That prices inserted in the Price Quotation cover all necessary expenses to fulfill the conditions of the contract within the time stated.
2. Pursuant to M.G.L. c. 62C, § 49A, the Proposer hereby certifies that the Proposer has filed all state tax returns and paid all state taxes required under law.
3. The undersigned certifies under penalties of perjury that this response has been made and submitted in good faith and without collusion or fraud with any other person. As used in this certification, the word "person" shall mean any natural person, business, partnership, corporation, union, committee, club, or other organization, entity or group of individuals.

The following items are to be completed by the Proposer, if applicable:

Our Company is:    A Corporation                      \_\_\_\_\_  
                               A Partnership                                      \_\_\_\_\_  
                               Individually Owned                                      \_\_\_\_\_

Individual/Company Name: \_\_\_\_\_

Social Security or Federal Identification Number: \_\_\_\_\_

Signature of Individual or Authorized Official: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

E-mail \_\_\_\_\_

## Attachment D

**CERTIFICATE OF VOTE  
OF CORPORATION  
(if applicable)**

Date: \_\_\_\_\_

I, \_\_\_\_\_, Clerk-Secretary of the corporation named in the foregoing Quotation,  
certify that \_\_\_\_\_ who signed the said Quotation on behalf of  
said corporation, was then the \_\_\_\_\_ of said corporation; that I know his  
signature; (Title)

and that his signature thereto is genuine and that said Quotation was duly executed on

\_\_\_\_\_, 2020.

\_\_\_\_\_  
(Clerk-Secretary)

Date of Incorporation: \_\_\_\_\_

(Corporate Seal)

## Attachment E

## PRELIMINARY TARGET LIST

MACRIS Inv.	Street No.	Street Name	Historic Name	Year Built	Notes
n/a	23	Allan Ave		1929	Not Surveyed
n/a	47	Allan Ave		1930	Not Surveyed
SUD.374	359	Boston Post Rd		1900	Under Surveyed - Incl. in Area Form Only
SUD.7	850	Boston Post Rd	Hager House	1730	Unprofessional/Volunteer Survey
SUD.253	320-324	Boston Post Rd	Morse Barn	1900	Under Surveyed - Incl. in Area Form Only
SUD.372	354	Boston Post Rd		c 1900	Not surveyed
n/a	555	Boston Post Rd		1900	Not Surveyed - Possible Area Survey (Boston Post Road Agricultural)
n/a	559	Boston Post Rd		1947	Not Surveyed - Possible Area Survey (Boston Post Road Agricultural)
n/a	573	Boston Post Rd		1910	Not Surveyed - Possible Area Survey (Boston Post Road Agricultural)
n/a	577	Boston Post Rd		1930	Not Surveyed - Possible Area Survey (Boston Post Road Agricultural)
n/a	587, 589, 593	Boston Post Rd		c. 1900	Not Surveyed - Possible Area Survey (Boston Post Road Agricultural)
n/a	598	Boston Post Rd		1930	Not Surveyed - Possible Area Survey (Boston Post Road Agricultural)



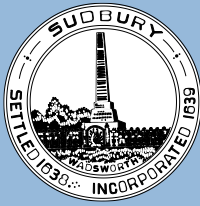
MACRIS Inv.	Street No.	Street Name	Historic Name	Year Built	Notes
n/a	604	Boston Post Rd		1930	Not Surveyed - Possible Area Survey (Boston Post Road Agricultural)
n/a	610	Boston Post Rd		1930	Not Surveyed - Possible Area Survey (Boston Post Road Agricultural)
SUD.5	882	Boston Post Rd	Howe, Adam House	r 1820	Unprofessional/Volunteer Survey
n/a	70	Butler Rd		1935	Not Surveyed - Possible Area Survey (Pine Lakes)
n/a	92	Butler Rd		1920	Not Surveyed - Possible Area Survey (Pine Lakes)
n/a	5	Candlewood Cir		1939	Not Surveyed
SUD.228	19	Church St	Oviatt, George Parker House	1905	Under Surveyed - Incl. in Area Form Only
SUD.379	18	Concord Rd		1900	Under Surveyed - Incl. in Area Form Only
n/a	246	Concord Rd		1900	Under Surveyed - Incl. in Area Form Only
SUD.178	248	Concord Rd	Saint Huberts House	1845	Under Surveyed - Incl. in Area Form Only
SUD.184	391	Concord Rd	Chadsey House	1840	Under Surveyed - Incl. in Area Form Only
SUD.102		Concord Rd	First Parish Church of Sudbury Carriage Sheds	1799	Unprofessional/Volunteer Survey
SUD.802		Concord Rd	Mount Pleasant Cemetery	1840	Unprofessional/Volunteer Survey
SUD.804		Concord Rd	New Cemetery	1843	Unprofessional/Volunteer Survey
SUD.117		Concord Rd	Puffer, Samuel Farm	1868	Unprofessional/Volunteer Survey

MACRIS Inv.	Street No.	Street Name	Historic Name	Year Built	Notes
SUD.805		Concord Rd	Sudbury Old Cemetery - Revolutionary Cemetery	c 1725	Unprofessional/Volunteer Survey
SUD.904		Concord Rd	Sudbury Town Pound	1797	Unprofessional/Volunteer Survey
SUD.95	272	Concord Rd	Moore	c 1853	Unprofessional/Volunteer Survey
SUD.96	277	Concord Rd		c 1789	Unprofessional/Volunteer Survey
SUD.200	285	Concord Rd	Spiller House		Unprofessional/Volunteer Survey
SUD.100	301	Concord Rd	Hunt, Jonas House	c 1875	Unprofessional/Volunteer Survey
SUD.104	324-326	Concord Rd	Sudbury Grange No. 121	1846	Unprofessional/Volunteer Survey
SUD.106	379	Concord Rd	Cider Mill	r 1720	Unprofessional/Volunteer Survey
SUD.109	427	Concord Rd	Whitehall	c 1815	Unprofessional/Volunteer Survey
SUD.197	452	Concord Rd	Wheeler, Elisha Barn - Twin Ash Farm Barn	r 1880	Under Surveyed - Incl. in Area Form Only
SUD.383	61	Concord Rd		c 1925	Under Surveyed - Incl. in Area Form Only
SUD.386	84	Concord Rd		c 1914	Under Surveyed - Incl. in Area Form Only
SUD.387	89	Concord Rd		c 1902	Under Surveyed - Incl. in Area Form Only
n/a	66	Dudley Rd		1905	Not Surveyed - Possible Area Survey (Boston Post Road Agricultural)
SUD.354		Dutton Rd	Pratt, Nathan L. Grain Mill Outbuilding	1905	Under Surveyed - Incl. in Area Form Only
SUD.3		Dutton Rd	Redstone School	1927	Unprofessional/Volunteer Survey
SUD.49	61	Dutton Rd	Parmenter House	r 1845	Under Surveyed - Incl. in Area Form Only

MACRIS Inv.	Street No.	Street Name	Historic Name	Year Built	Notes
SUD.309	10	Garrison House Ln		c 1850	Under Surveyed - Incl. in Area Form Only
SUD.310	12	Garrison House Ln		c 1780	Under Surveyed - Incl. in Area Form Only
SUD.199	315	Goodmans Hill Rd	Gregor House	r 1950	Under Surveyed - Incl. in Area Form Only
SUD.39	34	Goodmans Hill Rd	Goodnow, Jonathan House	r 1750	Unprofessional/Volunteer Survey
SUD.63	40	Hudson Rd	Framingham and Lowell Railroad Station	1890	Unprofessional/Volunteer Survey
SUD.173	51	Hudson Rd	Mack House	1890	Under Surveyed - Incl. in Area Form Only
SUD.62	58	Hudson Rd	Moore, R. House	1825	Unprofessional/Volunteer Survey
SUD.64	18	Hudson Rd	Stearns, Thomas House	c 1830	Unprofessional/Volunteer Survey
SUD.174	30	Hudson Rd	Schulte House	r 1925	Under Surveyed - Incl. in Area Form Only
n/a	568	Hudson Rd		1933	Not Surveyed
SUD.38	4	King Philip Rd	Goodnow, John House	1770	Unprofessional/Volunteer Survey
SUD.262	29	King Philip Rd	Woodbury, Robert C. House	1929	Under Surveyed - Incl. in Area Form Only
SUD.36	38	King Philip Rd	Richardson, Gideon House	1800	Unprofessional/Volunteer Survey
SUD.35	48	King Philip Rd	Bogle Sisters House	1800	Unprofessional/Volunteer Survey
SUD.34	62	King Philip Rd	Richardson, Benjamin House	1800	Unprofessional/Volunteer Survey
SUD.37	22	King Philip Rd	Morse, R. D. House	r 1845	Unprofessional/Volunteer Survey
SUD.261	25	King Philip Rd	Woodbury, Miriam L. House	c 1916	Under Surveyed - Incl. in Area Form Only
SUD.389	4	King Philip Rd	Goodnow, John Barn	1729	Under Surveyed - Incl. in Area Form Only

MACRIS Inv.	Street No.	Street Name	Historic Name	Year Built	Notes
SUD.366	15	Maple Ave		c 1915	Under Surveyed - Incl. in Area Form Only
SUD.368	25	Maple Ave		c 1938	Under Surveyed - Incl. in Area Form Only
SUD.370	31	Maple Ave		c 1914	Under Surveyed - Incl. in Area Form Only
SUD.371	34-36	Maple Ave		c 1920	Under Surveyed - Incl. in Area Form Only
n/a	174	Maynard Rd		1905	Not Surveyed
n/a	354	Maynard Rd		1932	Not Surveyed
n/a	60	Nobscot Rd		1840	Not Surveyed
SUD.148	256	North Rd	Conant, John M. Farm	c 1874	Unprofessional/Volunteer Survey
n/a	380	North Rd		1909	Not Surveyed
SUD.74	136	Old Sudbury Rd		1817	Unprofessional/Volunteer Survey
SUD.71	250	Old Sudbury Rd	Bigelow, Rev. Jacob Parsonage	1773	Unprofessional/Volunteer Survey
SUD.159	254	Old Sudbury Rd	Gelpke House	1908	Under Surveyed - Incl. in Area Form Only
SUD.158	262	Old Sudbury Rd	Moynihan House	1890	Under Surveyed - Incl. in Area Form Only
SUD.157	268	Old Sudbury Rd	Stearns House	1880	Under Surveyed - Incl. in Area Form Only
SUD.69	277	Old Sudbury Rd	Harrington House	1890	Unprofessional/Volunteer Survey
SUD.155	278	Old Sudbury Rd	White Building	c 1900	Under Surveyed - Incl. in Area Form Only
SUD.156	279	Old Sudbury Rd	Cossart House	c 1900	Under Surveyed - Incl. in Area Form Only
SUD.137	36	Pantry Rd		c 1800	Unprofessional/Volunteer Survey
SUD.48	11	Peakham Rd	Southwest School	c 1935	Unprofessional/Volunteer Survey

MACRIS Inv.	Street No.	Street Name	Historic Name	Year Built	Notes
SUD.313	232	Peakham Rd		c 1930	Under Surveyed - Incl. in Area Form Only
SUD.45	623	Peakham Rd	Parmenter House	r 1820	Unprofessional/Volunteer Survey
SUD.47	95	Peakham Rd	Walker House	c 1700	Unprofessional/Volunteer Survey
n/a	21	Pinewood		1929	Not Surveyed - Possible Area Survey (Pine Lakes)
n/a	25	Pinewood		1933	Not Surveyed - Possible Area Survey (Pine Lakes)
n/a	107	Plympton Rd		1920	Not Surveyed
SUD.270	9	Pokonoket Rd		c 1925	Under Surveyed - Incl. in Area Form Only
n/a	236	Raymond Rd		1937	Not Surveyed
n/a	250	Raymond Rd		1916	Not Surveyed
SUD.358	30	Rice Rd	Taylor, George New England Barn	r 1900	Under Surveyed - Incl. in Area Form Only
SUD.250	32	Rice Rd	Sears House	c 1900	Under Surveyed - Incl. in Area Form Only
n/a	4	Stagecoach Dr		1930	Not Surveyed
SUD.915		Water Row	Haynes Garrison House Site		Unprofessional/Volunteer Survey
SUD.314		Wayside Inn Rd	Outbuilding	c 1746	Under Surveyed - Incl. in Area Form Only
SUD.315		Wayside Inn Rd	Colonial Revival	1906	Under Surveyed - Incl. in Area Form Only
SUD.316		Wayside Inn Rd	Cider Mill	r 1905	Under Surveyed - Incl. in Area Form Only
n/a		Wayside Inn Rd	Barn		Not Surveyed
SUD.75	18	Wolbach Rd	Dr. S. Burt Wolbach House	r 1880	Unprofessional/Volunteer Survey
n/a	3	Woodside Rd			Not Surveyed



## SUDBURY BOARD OF SELECTMEN

Tuesday, December 1, 2020

**CONSENT CALENDAR ITEM****21: Readjustments of restricted entry times on Pheasant Ave**REQUESTOR SECTION

Date of request:

Requestor: Police Chief Scott Nix

Formal Title: Vote to approve the change of restricted entry times in the Pheasant Avenue/Meadow Drive neighborhood as follows: (1) Entering Meadow Drive from Old Lancaster Road be restricted from 7:00 AM to 9:00 AM (2) Entering Pheasant Avenue from Union Avenue be restricted from 2:30 PM to 5:30 PM. This request is due to the change in school start times.

Recommendations/Suggested Motion/Vote: Vote to approve the change of restricted entry times in the Pheasant Avenue/Meadow Drive neighborhood as follows: (1) Entering Meadow Drive from Old Lancaster Road be restricted from 7:00 AM to 9:00 AM (2) Entering Pheasant Avenue from Union Avenue be restricted from 2:30 PM to 5:30 PM. This request is due to the change in school start times.

Background Information:  
attached memo from Scott Nix to Town Manager Hayes.  
Also 2018 memo to Town Manager Rodrigues.

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

12/01/2020 6:00 PM



**Scott Nix**  
*Chief of Police*

# Sudbury Police Department

## Office of the Chief of Police

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

November 12, 2020

To: Henry Hayes, Town Manager  
From: Scott Nix, Chief of Police  
RE: Request for Increasing/Adjusting Restricted Times

Sir,

A request to expand the restricted times in the Pheasant Avenue/Meadow Drive neighborhood was made at the request of a number of residents back in July of 2018 (memorandum attached) to increase safety in light of the tremendous traffic volume using the neighborhood as a cut through. With the change in school start times this year, current restrictions do not coincide with said changes in what would be best for the safety of students in the area. Elementary Schools run from 7:55 AM to 2:25 PM. Curtis Middle School runs from 8:30 AM to 3:10 PM. Lincoln-Sudbury Regional High School runs from 8:25 AM to 3:15 PM during a typical school year.

In 2018, the Select Board approved expanding restricted entry onto Pheasant Avenue from Union Avenue. This restriction changed from 3:30 PM - 4:30 PM to 3:30 PM - 6:00 PM. Restricted times entering Meadow Drive from Old Lancaster Road remained the same at 8:00 AM - 9:00 AM.

In light of the change in school start times, I would respectfully request the Select Board consider changing the restricted times as follows:

1. Entering Meadow Drive from Old Lancaster Road be restricted from 7:00 AM to 9:00 AM. This allows for a buffer well before and well after commencing the school day as well as any adjustments that may occur.
2. Entering Pheasant Avenue from Union Avenue be restricted from 2:30 PM to 5:30 PM. Again, allowing for a buffer.

Thank you for your consideration.

Respectfully,

Scott Nix  
Chief of Police



**Scott Nix**  
*Chief of Police*

## Sudbury Police Department Office of the Chief of Police

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nixs@sudbury.ma.us

July 3, 2018

To: Melissa Rodrigues, Town Manager  
From: Scott Nix, Chief of Police  
RE: Request for Increasing Prohibited Times

Melissa,

A number of residents from the Pheasant Avenue/Meadow Drive neighborhood have been requesting assistance with safety concerns surrounding commuting traffic through their neighborhood. Residents in the area were hoping to restrict the area to residents only for the majority of the day which I suggested was not feasible. They felt there is a speed concerns as well as a volume issue for commuters trying to avoid the intersections Old Lancaster (West) at Concord Road and Union Avenue at Concord Road.

Currently there is a restriction for all traffic attempting to enter Meadow Drive from Old Lancaster Monday through Friday from 8:00 AM to 9:00 AM. Traffic attempting to enter Pheasant Avenue from Union Avenue is restricted Monday through Friday from 3:30 PM to 4:30 PM.

A traffic study was conducted demonstrating speed is within tolerance of the unposted 30 M.P.H. zone. The volume of traffic, however, is significant during the evening commute (copy of the study to be included). Therefore, I would respectfully request the Board of Selectmen consider expanding the restriction time from 3:30 PM to 6:00 PM. Thank you for considering my request. I would be happy to come before the Board to answer any questions or concerns. I know the residents would like to be present as well.

Respectfully,

Scott Nix  
Chief of Police

Attachment 21.b: Pheasant Avenue Restriction Request 2 (4276 : Readjustments of restricted entry times on Pheasant Ave)