

SUDBURY SELECT BOARD

TUESDAY JANUARY 12, 2021

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

Present: Chair Janie Dretler, Vice-Chair Jennifer Roberts, Select Board Member Daniel E. Carty, Select Board Member William Schineller, Town Manager Henry L. Hayes, Jr., Assistant Town Manager/HR Director Maryanne Bilodeau

Absent: Select Board Member Charles Russo (to join the meeting shortly)

The statutory requirements as to notice having been complied with, the meeting was convened at 5:34 p.m., via Zoom telecommunication mode.

CALL TO ORDER/ROLL CALL

Chair Dretler called the meeting to order and announced the recording of the meeting and other procedural aspects included in the meeting.

Select Board Roll Call: Roberts-present, Carty-present, Schineller-present, Dretler-present

Opening remarks by Chair

Chair Dretler mentioned:

- Protests turned violent at the Capitol in Washington, D.C.
- Governor Baker has ordered U.S. and MA flags at State public buildings to be at half-staff in memory of U.S. Capitol Officers Howard Liebengood and Brian Sicknick, and all law enforcement
- Select Board meeting – Friday January 12th regarding bond issuance
- Lincoln Select Board has invited the Sudbury Select Board to attend their meeting on March 8, 2021
- Select Board Members Carty and Russo will conduct Select Board Office Hours on January 14, 2021 at 12:00 p.m., via Zoom
- Positions available for the 2021 Annual Town Election, additional information on the Town website
- Sudbury is offering a free online Home Cyber Security course – information on Town website
- Historic Districts Commission, Permanent Building Committee and the Finance Committee are seeking members
- Open Burn Permits are available online from January 15 through May 1
- Board Member Carty will reach out to a LSRHS parent regarding in-person learning
- In recognition of February Teen Dating Violence Awareness month, the Sudbury–Wayland-Lincoln Domestic Violence Roundtable will be sponsoring at least two related events.

Reports from Town Manager

Town Manager Hayes mentioned:

- Town Manager Office Hours will take place Monday, January 25th at 3:00 p.m. via Zoom
- MA COVID positive numbers reached 7,000 in recent days
- The importance of everyone continuing to wear masks and follow precautionary protocol in Sudbury

Select Board Member Schineller mentioned:

- Historic Districts Commission decided not to include a bylaw change on the 2021 Annual Town Meeting Warrant
- The passing of retired COA coordinator Ed Gottman

Select Board Member Carty mentioned:

- The success of the Go Sudbury! Taxi Rides Program: 114 taxi rides provided in November, 233 rides provided in December, and 40 rides in the first week of January
- Planning Board discussing the final aspects of the Master Plan
- SPS capital projects for inclusion on the 2021 Annual Town Warrant
- SPS six-week COVID testing trial
- SPS summer program in the works

Vice-Chair Roberts mentioned:

- Recognized the protest event at the Capitol last week and encouraged everyone to keep things peaceful and respect the law.
- CPC approved several Town projects, including: Feeley Field and Housing Trust emergency rental incentives
- FinCom will be sharing budget recommendations in upcoming joint meetings with the Select Board

Citizen's comments on items not on agenda

There were no Citizen's Comments

Interview candidate for appointment to the Energy and Sustainability Committee

Present: Venk Gopal

Mr. Gopal introduced himself; detailed his 25-year energy-related background, and stated he was part of the initial Energy Aggregation Program begun in 1988.

Chair Dretler stated the Energy and Sustainability Committee voted unanimously in favor of Mr. Gopal's appointment.

Chair Dretler requested a motion to vote whether to appoint Venk Gopal, 4 Autumn Street, to the Energy and Sustainability Committee for a term ending 5/31/24. Board Member Carty moved in the words of the Chair. Vice-Chair Roberts seconded the motion.

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

VOTED: To appoint Venk Gopal, 4 Autumn Street, to the Energy and Sustainability Committee for a term ending 5/31/24.

Interview candidate for appointment to the Capital Improvement Advisory Committee (CIAC)

Present: William Kunkle

Mr. Kunkle introduced himself and detailed his background in engineering, finance, and facility management.

Chair Dretler stated that CIAC voted 5-1; 5 in favor and one abstention.

Board Member Russo joined the meeting at approximately 6:04 p.m.

Chair Dretler requested a motion to vote whether to appoint William Kunkle, 32 Pine Street, to the CIAC for a term ending 5/31/24. Board Member Carty moved in the words of the Chair. Vice-Chair Roberts seconded the motion.

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

Board Member Russo chose to abstain, due to his late arrival.

VOTED: To appoint William Kunkle, 32 Pine Street, to the CIAC for a term ending 5/31/24.

At approximately 6:09 p.m. Chair Dretler requested a motion to enter executive session pursuant to Exemption 6 (G.L. c. 30A, §21(a)(3) and (6)) – To consider the purchase, exchange, lease or value of real property related to the former Melone Property, Town of Sudbury, and to consider strategy with respect to related litigation in the matters of Presti v. Planning Board and Presti v. Zoning Board of Appeals, whereby a public discussion may have a detrimental effect on the negotiating and litigation position of the public body.

Board Member Schineller moved in the words of the Chair. Vice-Chair Roberts seconded the motion.

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

VOTED: To enter executive session pursuant to Exemption 6 (G.L. c. 30A, §21(a)(3) and (6)) – To consider the purchase, exchange, lease, or value of real property related to the former Melone Property, Town of Sudbury, and to consider strategy with respect to related litigation in the matters of Presti v. Planning Board and Presti v. Zoning Board of Appeals, whereby a public discussion may have a detrimental effect on the negotiating and litigation position of the public body.

Chair Dretler resumed the open session meeting at 7:03 p.m.

Select Board Roll Call: Carty-present, Schineller-present, Roberts-present, Dretler-present

BFRT Project Update by Beth Suedmeyer, Environmental Planner

Present: Environmental Planner Beth Suedmeyer, Director of Planning and Community Development Adam Duchesneau

Ms. Suedmeyer provided project update and presented the BFRT Project Status Update Report, dated January 8, 2021. She also reviewed the Fuss & O'Neill UD PDS Schedule/Invoice.

Board Member Carty asked if MA DOT responses from the July 2020 BFRT public hearing were submitted. Ms. Suedmeyer responded not. Mr. Carty opined at which point this becomes a bottle neck and asked if she agreed that the feedback is a gate to submitting 75% design. Ms. Suedmeyer responded that it should be wrapped before we finalize our submission at 75%.

Vice-Chair Roberts asked if the project consultant Fuss & O'Neill could do anything to hasten the project process. Ms. Suedmeyer responded given the extensive experience of Fuss & O'Neill, the deliverable timeline would be met.

Vice-Chair Roberts suggested the Select Board might submit a letter to MA DOT to encourage speedy receipt of the public hearing responses.

Interview candidates Christopher Menge, Frank Vitale, Glenn Pransky, John M. McQueen, Jr. and Patricia Brown for appointment to the Bruce Freeman Rail Trail Advisory Task Force. Following interview, vote to appoint _____ and _____ (2 new members) for terms to expire May 31, 2024.

Candidate Presentations/Introductions:

Resident Patricia Brown, 34 Whispering Pine Road, maintained that she possessed a wealth of useful skills and had many years of involvement with the project, as well as transportation planning involvement. She emphasized her strong listening and communication skills. Ms. Brown stressed her desire to help the BFRT become a great community asset.

Resident John McQueen, 265 Hudson Road, noted he had extensive experience with development of open spaces, and was a member of the Rose Kennedy Greenway Advisory Committee. He also highlighted his related experience with fund-raising, marketing, and advertising.

Resident Christopher Menge, 9 Fern Trail, stated that as an avid bicyclist, the completion of the BFRT would provide safe transportation for the community. He stressed his life-long environmental advocacy and his membership with the Sudbury Valley Trustees. Mr. Menge confirmed his experience as a transportation consultant.

Resident Glenn Pransky, 102 Barton Drive, affirmed as an environmental health professional, his communication skills would be of great value to the BFRT Advisory Force. He stressed the importance of related educational goals. Dr. Pransky detailed his involvement with the committee advocating for the CSX extension.

Resident Frank Vitale, 33 Alta Road, spoke of his extensive efforts when working on the Minuteman Bikeway and Blackstone Bikeway projects, which pass through eight communities. He added that he had worked with Chris Menge on related projects and had biked with Mr. Menge. Mr. Vitale maintained that his working relationships with DCR and MA DOT would benefit the BFRT project.

Chair Dretler asked for a motion to appoint Glenn Pransky to the Friends of the BFRT position on the BFRT Advisory Task Force for a term to expire May 31, 2024. Vice-Chair Roberts moved in the words of the Chair. Board Member Russo seconded the motion.

It was on motion 4-1-0; Roberts-aye, Carty-no, Russo-aye, Schineller-aye, Dretler-aye.

VOTED: To appoint Glenn Pransky to the Friends of the BFRT position on the BFRT Advisory Task Force for a term to expire May 31, 2024.

Board Member Carty reiterated his position that the Friends of the BFRT should not have seats dedicated on the BFRT Advisory Task Force.

Board Member Carty motioned to appoint Pat Brown to the BFRT Advisory Task Force, as a member-at-large for a term to expire May 31, 2024. Board Member Schineller seconded the motion.

It was on motion 3-2-0; Carty-aye, Schineller-aye, Roberts-no, Russo-no, Dretler-no

VOTED: Not to appoint Pat Brown to the BFRT Advisory Task Force as a member-at-large for a term to expire May 31, 2024.

Vice-Chair Roberts motioned to appoint Frank Vitale to the BFRT Advisory Task Force, as a member-at-large for a term to expire May 31, 2024. Board Member Russo seconded the motion.

It was on motion 4-1-0; Carty-aye, Schineller-no, Roberts-aye, Russo-aye, Dretler-aye

VOTED: To appoint Frank Vitale to the BFRT Advisory Task Force, as a member-at-large for a term to expire May 31, 2024.

Resident Len Simon, 40 Meadowbrook Circle, asked that all candidates interviewed continue to participate at the BFRT Advisory Task Force open meetings, and share their thoughts.

Joint meeting with the Finance Committee - 2020 Financial Condition/Forecast

Present: Dennis Keohane, Members of the Finance Committee: Scott Smigler-Chair, Susan Berry, Howard Feng, Michael Joachim, Sonny Parente, Eric Poch

Chair Dretler asked for a motion to enter joint meeting with the Finance Committee – 2020 Financial Condition/Forecast. Vice-Chair Roberts moved in the words of the Chair. Vice-Chair Roberts seconded the motion.

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

VOTED: To enter joint meeting with the Finance Committee

Chair Smigler called the meeting of the Finance Committee to order. Roll call; Smigler-present, Berry-present, Joachim-present, Feng-present, Parente-present, Poch-present.

Town Manager Haynes highlighted related sections within the “2020 Financial Condition of the Town.”

Mr. Smigler acknowledged that he had reviewed the “2020 Financial Condition of the Town” with Mr. Keohane and Town Manager Hayes. He indicated that the Finance Committee was please to see the increased collaboration between the Finance Committee, the Town Manager and the Finance Director. He acknowledged that the overlay fund needed further description in coordination with the Assessor’s Office.

Mr. Poch stressed the benefit of reviewing related discussion questions before the joint meetings between the Finance Committee and the Select Board.

Finance Committee Member Ron Brumback entered the meeting at approximately 8:34 p.m.

Topics covered in the joint meeting included:

- Redevelopment within commercial areas of Town
- S&P Report
- State Aide
- Vocational Education Budget
- School Operating budget

Board Member Russo inquired about an overview of the 2021 Budget. Mr. Keohane stated there was nothing particularly disturbing or unexpected regarding the 2021 Budget.

Board Member Carty referred to the overlay funds from last year and asked if such overlay would roll into free cash for the year. Mr. Keohane provided positive response and noted that such consideration would be part of this years’ calculations.

Board Member Schineller expressed interest in introducing new revenue opportunities for the Town. Mr. Poch agreed that new revenue opportunities should be explored.

Vice-Chair Roberts commented about discovering new revenue sources, especially in consideration of empty commercial sites. She opined about the benefit of forming an economic committee.

Chair Dretler acknowledged the benefit of further financial policy review in consideration of the new Master Plan direction and vision.

Resident Manish Sharma, 77 Colonial Road, inquired about the S&P AAA rating and Cares Act considerations. Mr. Keohane commented that the issuance of bonds this month would prompt another S&P rating.

Chair Dretler stated that the public could submit any related questions for consideration to be addressed at the next joint meeting with the Finance Committee on February 23.

Close joint meeting with Finance Committee and resume Select Board meeting

At approximately 9:28 p.m., Mr. Poch motioned to adjourn the Finance Committee joint meeting. Mr. Smigler seconded the motion.

Mr. Poch motioned to adjourn the Finance Committee joint meeting. Mr. Smigler seconded the motion.

It was on motion 7-0; Smigler-aye, Berry-aye, Joachim-aye, Feng-aye, Parente-aye, Poch-aye, Brumback-aye

VOTED: To adjourn the Finance Committee joint meeting.

Review open session minutes of 2/9/16 and 12/1/20, and possibly vote to approve minutes

Chair Dretler asked for a motion to approve the 2/9/16 open session minutes. Board Member Carty moved in the words of the Chair. Board Member Russo seconded the motion.

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

VOTED: To approve the 2/9/16 open session minutes

Chair Dretler asked for motion to approve the 12/1/20 open session minutes, as edited. Board Member Carty moved in the words of the Chair. Vice-Chair Roberts seconded the motion.

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

VOTED: To approve the 12/1/20 open session minutes, as edited.

Citizen's Comments (cont.)

There were no citizen's comments

Consent Calendar

Vote to authorize the Town Manager to submit 2021 Annual Town Meeting articles on behalf of the Board of Selectmen

Board Member Carty motioned to authorize the Town Manager to submit 2021 Annual Town Meeting articles on behalf of the Board of Selectmen. Board Member Russo seconded the motion.

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

VOTED: To authorize the Town Manager to submit 2021 Annual Town Meeting articles on behalf of the Board of Selectmen.

Vote to authorize the Town Clerk to place the vacant office for Sudbury Housing Authority member on the March 29, 2021 Annual Town Election Ballot at least 15 days prior to the last day to return nomination papers to the Board of Registers for certification.

Board Member Carty motioned to authorize the Town Clerk to place the vacant office for Sudbury Housing Authority member on the March 29, 2021 Annual Town Election Ballot at least 15 days prior to the last day to return nomination papers to the Board of Registers for certification. Board Member Russo seconded the motion.

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

VOTED: To authorize the Town Clerk to place the vacant office for Sudbury Housing Authority member on the March 29, 2021 Annual Town Election Ballot at least 15 days prior to the last day to return nomination papers to the Board of Registers for certification.

Upcoming Agenda Items

- Joint meeting with the Lincoln Select Board on March 8, 2021
- Sewataro Audited Financials
- Thank you letter to all BFRT Advisory Task Force applicants
- Chair Dretler suggested the Town Manager and Police Chief compose a joint statement regarding Town commitment to public safety, in consideration of recent violence at the Capitol
- Special Select Board meeting on Friday, January 15th regarding bond issuance
- KPI Tracking
- Possible financial policy subcommittee formation

Vote to Adjourn Meeting

Board Member Carty motioned to adjourn the meeting. Vice-Chair Roberts seconded the motion.

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

VOTED: To adjourn the meeting

There being no further business, the meeting was adjourned at 9:53 p.m.

1/12/21 Documents & Exhibits

1. Interview candidate for appointment to the Energy and Sustainability Committee. Following interview, vote whether to appoint Venk Gopal, 4 Autumn Street, to this committee for a term ending 5/31/24.

Attachments:

- 1.a Venk Gopal_2020_redact
- 1.b Re_FW_Volunteer Application - Energy and Sustainability committee

2. Interview candidate for appointment to the Capital Improvement Advisory Committee (CIAC). Following interview, vote whether to appoint William Kunkle, 32 Pine Street, to the CIAC for a term ending 5/31/24.

Attachments:

- 2.a CIAC_Kunkle_2020_redact
- 2.b CIAC_Ciaffi_email

3. Vote to enter executive session pursuant to Exemption 6 (G.L. c. 30A, §21(a)(3) and (6)) - To consider the purchase, exchange, lease or value of real property related to the former Melone Property, Town of Sudbury, and to consider strategy with respect to related litigation in the matters of Presti v. Planning Board and Presti v. Zoning Board of Appeals, whereby a public discussion may have a detrimental effect on the negotiating and litigation position of the public body.

Attachments:

- 3.a Melone Email for Exec Session

4. Continue 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).

Attachments:

- 4.a BOS Executive Session 12-1-2020_for_review
- 4.b BOS Executive Session 12-15-2020_for_review

6. BFRT Project Update by Beth Suedmeyer, Environmental Planner

Attachments:

- 6.a BFRT SB Project Status Update 21-01-08
- 6.b 608164_Sudbury_BFRT_75%Design Schedule_12-14-2020[1]
- 6.c Fuss O'Neill Summary Report

7. Interview candidates Christopher Menge, Frank Vitale, Glenn Pransky, John M. McQueen, Jr. and Patricia Brown for appointment to the Bruce Freeman Rail Trail Advisory Task Force. Following interview, vote to appoint _____ and _____ (2 new members) for terms to expire May 31, 2024.

Attachments:

- 7.a BFRT Advisory Task Force_Applicant Response Evaluations
- 7.b BFRT Advisory Task Force_Finalist Applications and Responses_BOS
- 7.c Friends of BFRT Recommendations

8. Vote to enter joint meeting with Finance Committee - 2020 Financial Condition/Forecast

Attachments:

- 8.a 2020 Town of Sudbury Financial Condition and Forecast - 2021Jan8 SB-FinCom

10. Review open session minutes of 2/9/16 and 12/1/20, and possibly vote to approve minutes.

Attachments:

- 10.a BOS 02-09-16_STM_minutes_for_review
- 10.b BOS_draft1_12.01.20_min_for_review_rev

12. Upcoming Agenda Items

Attachments:

- 12.a POTENTIAL UPCOMING AGENDA ITEMS_1_12_21

14. Vote to authorize the Town Clerk to place the vacant office for Sudbury Housing Authority member on the March 29, 2021 Annual Town Election Ballot at least 15 day prior to the last day to return nomination papers to the Board of Registers for certification.

Attachments:

- 14.a memo to BOS-add vacant office to ballot
- 14.b Layden resignation letter