

SUDBURY SELECT BOARD
TUESDAY MARCH 30, 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, Select Board Member Charles Russo, Town Manager Henry L. Hayes, Jr.

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

Chair Dretler announced the recording of the meeting and other procedural aspects included in the meeting. She acknowledged the Board had just adjourned in Executive Session.

Call to Order/Roll Call

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

Opening remarks by Chair

- Update regarding Annual Town Election – congratulated all
- Possibility of opening regional COVID vaccine center in Acton
- Sudbury Clean-up day April 24
- COA seeking members

Reports from Town Manager

- Reminded public can submit comments regarding ADA Self-Assessment and Transition Plan by April 1, 2021
- Community Input Survey – Residents and Town Staff are invited to complete survey – due by April 14, 2021
- Town Manager Office Hours – April 8, 3-4 PM
- Sudbury Clean-up Day – April 24

Reports from Select Board

Board Member Russo

- Thanked town staff for running election
- Happy Holidays to all
- Planning Board presented final comments on Master Plan last week and finalize at next meeting
- Attended ConCom meeting
- Governor signed Net Zero plan
- Participated in BFRT Advisory Meeting
- CDC Directors spoke of impending doom regarding increase in COVID and people should listen with April vacation coming up.

Vice-Chair Roberts

- Thanked all who participated in yesterday's Annual Town Election
- Significant Climate Legislation that passed on Friday in State, working towards Net Zero and what impacts it has on current projects in town.

Board Member Carty

- Thanked all who participated in Election

- Selectmen Office hours tomorrow

Board Member Schineller

- Thanked all for participation in Town Election
- He and Vice-Chair Roberts met in Financial Policies Subcommittee yesterday

Citizen's comments on items not on agenda

There were no citizen's comments.

KP Law to provide training on public hearings

Present: Counsel Brian Riley

Attorney Riley presented the public hearing topic and related statutes in conjunction with Open Meeting Law.

In his presentation, Mr. Riley presented the KP/Law document "How to Conduct a Public Hearing, which covered three types of Public Hearings:

Adjudicatory Hearings - Hearings dealing with legal rights, duties, license violations or dangerous dog hearings.

Application Hearings - Hearings dealing with applications for license, permit, variance or other approval

Regulatory Hearings – Hearings dealing with adoption or amendment aspects

Four Step Process:

1. Notice
2. Open the Hearing
3. Collect Evidence and Deliberate and Decide
4. Board Members presented several questions in regard to hearings.

Meeting Minutes 3/16/21

Board Members agreed to further discuss the 3/16/21 meeting minutes at the next Board meeting.

Interview candidate for Sudbury Housing Trust

Present: Karl Pops, 74 Bay Drive

Mr. Pops expressed his interest in participating in the Sudbury Housing Trust and his background in architecture.

Chair Dretler read in the words of the motion. Board Member Carty moved in the words of the Chair. Vice-Chair Roberts seconded the motion.

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

VOTED: To appoint Karl Pops, 74 Bay Drive, to the Sudbury Housing Trust for a term expiring May 31, 2023.

Resident Pat Brown, 42 Whispering Pine Road, mentioned staggering the term of appointments. Chair Dretler noted that the Housing Trust did have related discussion during their last meeting.

Consent Calendar

Board Member Russo requested that Consent item 13 – Vote to sign Annual Town Meeting warrant, be removed from the Consent Calendar and addressed later in the meeting.

Vote to accept a grant in the amount of \$75,000 from the Sudbury Foundation, which is the second and final installment of a two-year \$150,000 grant to fund playground renovations at the Loring and Nixon schools

Chair Dretler read in the words of the motion. Board Member Russo moved in the words of the Chair. Vice-Chair Roberts seconded the motion.

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

VOTED: To accept a grant in the amount of \$75,000 from the Sudbury Foundation, which is the second and final installment of a two-year \$150,000 grant to fund playground renovations at the Loring and Nixon schools.

Pursuant to the provisions of G.L. c. 83, §4, Article XII s. 1 and 3, of the Sudbury General Bylaws, and any other enabling authority, VOTE to accept the Grant of Easement set forth in the document entitled “DECLARATION OF RESTRICTIVE COVENANTS AND GRANT OF EASEMENT REGARDING STORMWATER MANAGEMENT SYSTEM” granted by The Apartments at Cold Brook Crossing LLC for stormwater system maintenance purposes upon the property at 16 & 36 North Road.

Chair Dretler read in the words of the motion. Board Member Russo moved in the words of the Chair. Vice-Chair Roberts seconded the motion.

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

VOTED: To accept the Grant of Easement set forth in the document entitled “DECLARATION OF RESTRICTIVE COVENANTS AND GRANT OF EASEMENT REGARDING STORMWATER MANAGEMENT SYSTEM” granted by The Apartments at Cold Brook Crossing LLC for stormwater system maintenance purposes upon the property at 16 & 36 North Road.

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Chair Dretler read in the words of the motion. Board Member Russo moved in the words of the Chair. Vice-Chair Roberts seconded the motion.

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

VOTED: To accept the Grant of Easement set forth in the document entitled “DECLARATION OF RESTRICTIVE COVENANTS AND GRANT OF EASEMENT REGARDING STORMWATER MANAGEMENT SYSTEM” granted by Quarry North Road LLC, declarant of the Cold Brook Crossing Condominium, for stormwater system maintenance purposes upon the property at 16 & 36 North Road.

Interview five (5) candidates for appointment to the Diversity, Equity and Inclusion Commission: Sue Abrams, 24 Hudson Rd; Susan Tripi, 23 Belcher Dr; Nuha Muntasser, 193 Dutton Rd; Yana Bloomstein, 84 Carriage Way and Tanisha Tate, 50 Fairbank Circle. Following interview, vote whether to appoint the

following four (4) candidates to the Diversity, Equity and Inclusion Commission for terms to expire May 31, 2022.

The Board presented several questions to each candidate.

Candidate Sue Abrams, 24 Hudson Road, presented her related background in education, co-chairmanship of Sudbury Community for Racial and Social Justice and involvement with METCO and EMI. Provided training in the areas of anti-racism and anti-bias and received advanced degrees in multicultural education. She noted that her membership in CIAC would not prohibit her from DEI Commission membership.

Candidate Susan Tripi, 23 Belcher Drive, stated that as a former nonprofit fundraiser, executive and leader, her life's work has been about social justice, addressing inequality in: gender bias, income, housing rights, education, and consumer patterns so that such groups in the United States (and across the world) are granted access to resources that leverage human rights with improving their quality of life, access and inclusion. Ms. Tripi confirmed she would be able to effectively initiate necessary dialog.

Candidate Yana Bloomstein, 84 Carriage Way, detailed that she was a person who immigrated from Russia when she was five years old in 1981 and understood the importance of welcoming community. She added that as an ESL instructor and sign language interpreter she has worked with populations from approximately 20 different cultures and will strive to represent people of all races, ethnicities, gender identities, sexual orientations, religions, backgrounds and countries of origin.

Candidate Tanisha Tate, 50 Fairbank Circle, stated that as a METCO student LSRHS graduating class of 1990, she worked as a METCO representative and provided teaching and coaching service at the High School. She noted that she continued with her equality mission while working in the public health field in the Town of Acton. She confirmed her mission to facilitate change.

Candidate Nuha Muntasser, 193 Dunton Road, noted she was a second generation American and was Muslim. She spoke of her personal experience with injustice and bullying. She detailed her legal experience and membership in the Innocence Network, The Sudbury Democratic Town Community and Amnesty International. Ms. Muntasser confirmed that she would advance the mission of compassion and empathy towards all if appointed to the DEI Commission.

Chair Dretler asked if the Board would consider supporting a change in the DEI mission statement to include 14 members. Roberts supported the increase in number of members. Board Members agreed to support such change in the mission statement. Chair Dretler confirmed that the vote would be taken at the next Select Board meeting.

Board Member Carty suggested that a Board liaison be appointed to the DEI Commission.

Presentation of Town Meeting article #22 (Means tested Senior Tax Exemption Extension)

Present: Josh Fox, Board of Assessors Chair; Cynthia Gerry, Director of Assessing.

Mr. Fox provided background regarding the Means tested Senior Tax Exemption Extension, noting that 98% of the applications are granted.

Board Member Schineller stressed related benefit to the Sudbury seniors and the benefit to the Town of Sudbury, as well. Board Member Schineller if financial aspects or health promote sale of homes owned by seniors. Ms. Gerry responded that both factors contribute to the senior population selling their homes in Sudbury, and generally selling to the younger families. Mr. Fox agreed.

Vice-Chair Roberts asked about the 10% decrease in recent senior exemption grants. Ms. Gerry noted that four applicants had passed away and the pool reflects qualification for circuit breaker status.

Vice-Chair Roberts opined if increased public awareness about the senior exemption program should be considered. Ms. Gerry responded that additional work could be done, and the Assessors Department reaches as many seniors as possible as does the AARP volunteers at COA.

Ms. Gerry and Mr. Fox agreed to include Article 22 – Means tested Senior Tax Exemption Extension on the Consent Calendar.

COVID-19 Reopening Plan

Town Manager Hayes confirmed that he met with Town department heads regarding the reopening plan, noting that the Commonwealth has expanded openings, lessened travel restrictions. He suggested incremental approach to openings for the Town and stressed that Town employees have done extremely well in providing services in the difficult pandemic time. Town Manager Hayes recognized the recent increase in COVID cases.

Board Member Russo agreed with the phased approach as outlined by Town Manager Hayes. He recommended the Sudbury Board of Health provide related guidance.

Board Member Schineller noted that related data supports the facts and cautious direction from the professionals was essential.

Board Member Carty recommended the same Town be consistent with the Sudbury schools as well, in consideration of in-person learning commencing next week.

Vice-Chair Roberts was in agreement and stressed that getting as many vaccinated as possible, was of prime importance. She inquired if the Town has received complaints about Town openings. Town Manager Hayes responded that comments about library openings were received, and comments regarding the transfer station have been addressed. Town Manager Hayes provided information about library opening aspects.

Vice-Chair Roberts suggested that a chart displaying interim department COVID operating plans be included on the Town website. She indicated that such documentation would be helpful for the community.

Chair Dretler inquired about the senior tax work-off program. Town Manager Hayes responded that appropriate adjustments were made.

Town Manager Hayes confirmed that school opening plans are in place with the school departments and Public Safety department in consideration of managing increased traffic as school opening commences.

Chair Dretler asked if a letter/communication could be drafted as a tentative opening schedule communication to residents.

Vote to take positions on any 2021 Town Meeting articles, designate articles for placement on consent calendar

Article 16 – Construction of Housing/Living Addition - Fire Station #2

The Board discussed FinCom vote regarding Fire Station #2. Chair Dretler stated that the this was a decision of the Select Board.

Chair Dretler supported the use of \$500,000 of the \$1MM land exchange sales proceeds as the purpose was public safety to build a fire station substation.

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

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

VOTED: To support Article 16 – Construction of Housing/Living Addition - Fire Station #2; with funding sources as presented.

Chair Dretler confirmed that Article #16 would not be included on the Consent Calendar.

Article 13 – Withdraw – Capital Stabilization Fund

Chair Dretler moved in the words of the motion. Vice-Chair Roberts moved on the words of the Chair. Board Member Carty seconded the motion.

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

VOTED: To withdraw Article 13 - Capital Stabilization Fund

Board Member Schineller acknowledged that the vote did not mean abandoning contribution to the Capital Stabilization Fund and there was intention to double funding at the next opportunity.

Board Member Russo noted that Article 21 – Street Acceptance – Anthony Drive required the approval of DPW Director Dan Nason. Town Manager Hayes confirmed an update would be provided to the Board.

Board Member Schineller motioned to put Article #22 – Means Tested Senior Tax Exemption Extension on the Consent Calendar. Board Member Russo seconded the motion.

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

VOTED: To put Article #22 – Means Tested Senior Tax Exemption Extension on the Consent Calendar.

Vice-Chair Roberts mentioned that the Consent Calendar should not be overloaded as it could appear that there is less transparency.

Board Member Schineller acknowledged this was a unusual year due to COVID and items included on the Consent Calendar served a purpose.

Resident Pat Brown added that Consent Calendar process was explained within the Annual Town Meeting Warrant booklet.

Article 18 – Front End Loader with Plow

Board Member Schineller motioned to vote to approve inclusion of Article 18 – Front End Loader with Plow on the Consent Calendar. Board Member Russo seconded the motion.

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

VOTED: To approve inclusion of Article 18 – Front End Loader with Plow on the Consent Calendar.

Article 19 – Multi-purpose Sidewalk Tractor

Board Member Schineller motioned to vote to approve inclusion of Article 19 – Multi-purpose Sidewalk Tractor on the Consent Calendar. Board Member Russo seconded the motion.

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

VOTED: To approve inclusion of Article 19 – Multi-purpose Sidewalk Tractor on the Consent Calendar.

Article 20 – Six-wheel Combo Dump Truck with Plow and Wing

Board Member Schineller motioned to vote to approve inclusion of Article 20 – Six-wheel Combo Dump Truck with Plow and Wing on the Consent Calendar. Board Member Russo seconded the motion.

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

VOTED: To approve inclusion of Article 20 – Six-wheel Combo Dump Truck with Plow and Wing on the Consent Calendar.

Discussion on Town Manager evaluation process

Chair Dretler provided detail regarding the 360° Assessment-report process and requested that the number of 360° Assessment Reports would reflect six (6) Town Director reports, plus a Superintendent report.

Related discussion took place.

Chair Dretler read in the words of the motion. Vice-Chair Roberts moved in the words of the Chair. Board Member Russo seconded the motion.

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

VOTED: To approve the number of 360 Town Manager Evaluation Reports would reflect six (6) Town Director reports, plus a Superintendent report.

Due to a previously scheduled work-related obligation, Board Member Carty left the meeting at 10:16 p.m.

Citizen's Comments (cont.)

Resident Pat Brown, requested that the KP Law Public Hearing documentation would be available to other Boards/Committees and the public. She further acknowledged that the TIP Bruce Freeman Rail Trail hearing transcript was made public.

Upcoming Agenda items

- Vote on DEI Mission Statement and appoint the interviewed DEI Candidates interviewed – 4/6
- Town Forum discussion– 4/6
- 3/16/21 Minutes for approval – 4/6
- KPI Discussion – 4/27
- Select Board Financial Policies update – 4/27
- Special Town Meeting in Fall – To discuss in May
- Housing Choice discussion

Warrant Discussion

Board Member Russo provided several warrant edits/amendments. Other edits were presented by Board members.

Vice-Chair Roberts motioned to vote to approve edits to the Annual Town Meeting Warrant. Board Member Russo seconded the motion.

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

VOTED: To approve edits to the Annual Town Meeting Warrant

Vote to Adjourn Meeting

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

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

There being no further business, the meeting was adjourned at 10:40 p.m.

3/30/21 - Documents & Exhibits

1. Vote to enter executive session to review, approve and possibly release 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:

- 1.a BOS Executive Session 4-14-20_approved_possible_release
- 1.b BOS Executive Session 5-05-2020_for_review
- 1.c BOS Executive Session 5-12-2020_for_review
- 1.d SB Executive Session 3-09-2021_for_review
- 1.e SB Executive Session 3-16-21_for_review

3. KP Law to provide training on public hearings. Town Counsel Brian Riley to attend.

Attachments:

- 3.a Public Hearing_001 (003)

4. Interview candidate for Sudbury Housing Trust. Following interview, vote whether to appoint Karl Pops, 74 Bay Drive, to the Sudbury Housing Trust for a term expiring May 31, 2023.

Attachments:

- 4.a Trustee Appointment Recommendation - Pops 210311
- 4.b Karl Pops Application 210304_redact

5. Interview five (5) candidates for appointment to the Diversity, Equity and Inclusion Commission: Sue Abrams, 24 Hudson Rd; Susan Tripi, 23 Belcher Dr; Nuha Muntasser, 193 Dutton Rd; Yana Bloomstein, 84 Carriage Way and Tanisha Tate, 50 Fairbank Circle. Following interview, vote whether to appoint the following four (4) candidates ___ to the Diversity, Equity and Inclusion Commission for terms to expire May 31, 2022.

Attachments:

- 5.a Nuha Muntasser_DEI_rd
- 5.b Sue Abrams_DEI_rd
- 5.c Susan Tripi_DEI_rd
- 5.d Yana Bloomstein_DEI_rd
- 5.e Tanisha Tate_DEI_rd

6. Presentation of Town Meeting article #22 (Means tested Senior Tax Exemption Extension) by Board of Assessors chair Joshua Fox. Also attending will be Cynthia Gerry, Director of Assessing.

Attachments:

- 6.a Means Tested Senior Tax Exemption Extension

8. Vote to take positions on any 2021 Town Meeting articles, designate articles for placement on consent calendar.

Attachments:

- 8.a Articles list ATM 2021_3.23.21_rev_HH
- 8.b WARRANT SCHEDULE MAY 2021 ATM_rev

9. Discussion on Town Manager evaluation process

Attachments:

9.a Town-Manager-Contract_Henry-L-Hayes-Jr_March2020

11. Review open session minutes of 3/16/21 and possibly vote to approve minutes.

Attachments:

11.a SB_draft1_3.16.21_min_for_review

12. Upcoming Agenda Items

Attachments:

12.a POTENTIAL UPCOMING AGENDA ITEMS_3_30_21

13. Vote to sign Annual Town Meeting warrant which must be delivered to residents by May 14, 2021.

Attachments:

13.a 2021 Warrant_final 3-25-21

14. Vote to accept a grant in the amount of \$75,000 from the Sudbury Foundation, which is the second and final installment of a two-year \$150,000 grant to fund playground renovations at the Loring and Nixon schools.

Attachments:

14.a Sudbury Foundation Grant acceptance \$75K