



SUDBURY SELECT BOARD  
TUESDAY JULY 27, 2021  
6:15 PM, ZOOM

Item #	Time	Action	Item
	6:15 PM		CALL TO ORDER
<b>EXECUTIVE SESSION</b>			
1.		<i>VOTE</i>	Vote to open in regular session and immediately vote to enter executive session pursuant to G.L. c. 30A, s. 21(a)(3) to discuss strategy with respect to potential litigation if discussing the matter in open session will have a detrimental effect on the Town's litigating position and the chair so declares (29 Stone Road).
2.		<i>VOTE</i>	Continue 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).
3.		<i>VOTE</i>	Vote to close Executive Session and resume Open Session
	7:00 PM		Opening remarks by Chair
			Reports from Town Manager
			Reports from Select Board
			Citizen's comments on items not on agenda
<b>MISCELLANEOUS</b>			
4.	7:30 PM	<i>VOTE</i>	Vote to continue the public hearing from 7/13/21 for discussion, subsequently Vote to close the public comment portion of the hearing, and then Vote whether or not there is a need for a 2021 Fall Town Meeting in accordance with Town Bylaw Article 1 Section 3. (~30 min)
5.	7:30 PM	<i>VOTE</i>	Vote to close the public hearing from 7/13/21 to discuss a possible Fall Town Meeting, and resume Select Board meeting.
6.			Update from Sewataro subcommittee - planning for Fall and progress toward Select Board goals (~30 min.)
7.		<i>VOTE</i>	Discussion and possible vote on Transportation Committee appointments and corresponding updated mission statement (~15 min)

*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. Some items may be taken out of order or not be taken up at all. The Chair will strive to honor timed items as best as possible, however, the estimated timing may occasionally be inaccurate.*

<b>Item #</b>	<b>Time</b>	<b>Action</b>	<b>Item</b>
8.			Discussion on Financial Policies (~30 min)
9.		<i>VOTE</i>	Newsletter discussion and potential vote on desired way forward for the Newsletter (~15 min).
10.			Discuss topics to be assigned for Summer 2021 - Select Board newsletter (~10 min).
11.		<i>VOTE</i>	Discussion regarding pre-scheduling dates of Select Board office hours for the remainder of the year (~10 min)
12.			Citizen's Comments (cont)
13.		<i>VOTE</i>	Review open session minutes of 6/15/21, 6/23/21, 6/29/21 and possibly vote to approve minutes (~15 min).
14.			Upcoming Agenda Items
<b>CONSENT CALENDAR</b>			
15.		<i>VOTE</i>	Vote to accept donation of \$1400 for the installation of a bench, as requested by Girl Scout Troop 62505.
16.		<i>VOTE</i>	Vote to accept the resignation of Town Historian, Christopher Morely, and send a letter of thanks for his service to the Town.
17.		<i>VOTE</i>	Vote to appoint Election Officers for a one-year term, commencing August 15, 2021 and ending August 14, 2022, as recommended by the Democratic and Republican Town Committee Chairs and the Town Clerk.
18.		<i>VOTE</i>	Vote whether to approve the annual Select Board's re-appointments of those listed (all of which are subject to acceptance), to acknowledge the resignations of those who choose not to be re-appointed, and to send a letter of appreciation to the resigning volunteers for their service to the community.
19.		<i>VOTE / SIGN</i>	Vote to accept the grant of easements, both temporary and permanent, set forth in the Easement document executed by property owners Friedel S. Vongoeler and Darlene M. Murphy for property located at 270 Marlboro Road and shown on "Easement Plan Marlboro Road, Sudbury, Massachusetts" dated April 20, 2021, revised June 10, 2021, prepared by Chappel Engineering Associates, LLC.
20.		<i>VOTE</i>	Vote to approve the Town Manager appointment of Kathryn J. McGrath, 39 Pilgrim's Path, as an Associate member to the Historical Commission for a term to expire 5/31/24.
21.		<i>VOTE</i>	Vote to approve the execution of the First Amendment of the Professional Services Agreement for the Transportation Pilot Program Manager Services in the amount of \$44,915 pursuant to an Agreement under a Community Compact Best Practices state grant program initiated by the Town Manager on May 5, 2021 to Nelson/Nygaard Consulting Associates, Inc.

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SUDBURY SELECT BOARD

Tuesday, July 27, 2021

**EXECUTIVE SESSION**

**1: Executive Session 29 Stone Rd**

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Vote to open in regular session and immediately vote to enter executive session pursuant to G.L. c. 30A, s. 21(a)(3) to discuss strategy with respect to potential litigation if discussing the matter in open session will have a detrimental effect on the Town’s litigating position and the chair so declares (29 Stone Road).

Recommendations/Suggested Motion/Vote: Vote to open in regular session and immediately vote to enter executive session pursuant to G.L. c. 30A, s. 21(a)(3) to discuss strategy with respect to potential litigation if discussing the matter in open session will have a detrimental effect on the Town’s litigating position and the chair so declares (29 Stone Road).

Background Information:  
attached documents provided by Gregg Corbo of KP Law

Financial impact expected:

Approximate agenda time requested: 15 minutes

Representative(s) expected to attend meeting: Health Director Bill Murphy, Gregg Corbo of KP Law

Review:

Patty Golden	Pending
Henry L Hayes	Pending
Jonathan Silverstein	Pending
Jennifer Roberts	Pending
Select Board	Pending

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SUDBURY SELECT BOARD

Tuesday, July 27, 2021

**EXECUTIVE SESSION**

**2: Exec Session to review minutes**

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Continue 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).

Recommendations/Suggested Motion/Vote: Continue 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).

Background Information:

Attached draft executive minutes of 6/15/21 and 6/29/21.

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
Jennifer Roberts	Pending
Select Board	Pending

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SUDBURY SELECT BOARD  
Tuesday, July 27, 2021

**EXECUTIVE SESSION**

**3: Close Exec Session and resume Open Session**

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

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

Recommendations/Suggested Motion/Vote:

Background Information:

Financial impact expected:

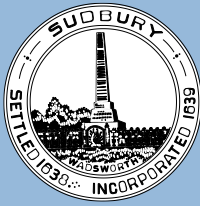
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Henry L Hayes	Pending
Jonathan Silverstein	Pending
Jennifer Roberts	Pending
Select Board	Pending

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SUDBURY SELECT BOARD  
Tuesday, July 27, 2021

**MISCELLANEOUS (UNTIMED)**

**4: Continue public hearing**

REQUESTOR SECTION

Date of request:

Requestor: Chair Roberts

Formal Title: Vote to continue the public hearing from 7/13/21 for discussion, subsequently Vote to close the public comment portion of the hearing, and then Vote whether or not there is a need for a 2021 Fall Town Meeting in accordance with Town Bylaw Article 1 Section 3. (~30 min)

Recommendations/Suggested Motion/Vote: Vote to continue the public hearing from 7/13/21 for discussion, subsequently Vote to close the public comment portion of the hearing, and then Vote whether or not there is a need for a 2021 Fall Town Meeting in accordance with Town Bylaw Article 1 Section 3. (~30 min)

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
Jennifer Roberts	Pending
Select Board	Pending

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**Article 1, Section 3 of Sudbury General Bylaw states:**

A Town Meeting shall be held during the months of September, October or November at such date, time and place as the Selectmen shall determine, unless the following applies. **By the end of July**, the Board of Selectmen shall discuss in public session, hold a public hearing and vote to determine whether a fall Town Meeting should occur. The **public hearing** shall be posted in accordance with the Open Meeting Law. The Board of Selectmen shall also **solicit input from the Town** via email or mail for a period of one week before the public hearing.

## Golden, Patricia

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**From:** Pat Brown <patbrownian@me.com>  
**Sent:** Monday, July 5, 2021 4:12 PM  
**To:** Select Board's Office  
**Subject:** Fall 2021 Special Town Meeting

To the Select Board:

**Please do not convene a Special Town Meeting in Fall 2021 for the following reasons:**

1) In the absence of pressing business, holding a fall Town Meeting constitutes an unnecessary obligation for citizens.

The Select Board has not communicated to the Town any pressing business to be conducted in the fall of 2021. The public assumes that, if such business existed, the Select Board would announce it prior to soliciting public comment on the desirability of holding a Town Meeting.

2) Holding a Town Meeting incurs a significant expense. Holding an unnecessary Town Meeting incurs that expense to no good end.

It is difficult to quantify the incremental cost of holding a Fall Town Meeting without knowing if it would be held Saturday or evening; outside or inside. However, from the October 26, 2020, minutes of the Finance Committee here: <https://sudbury.ma.us/financecommittee/fincom-mtg-minutes-october-26-2020/>

2. Report from Town Manager and Finance Director  
 Town Manager Henry L. Hayes – Town Meeting cost, Health Department budget request, other relevant updates. The Town Manager shared an update on Town Meeting costs as of October 23, 2020. He stated that the typical cost for Town Meeting is approximately \$10K, but this year's Town Meeting costs totaled \$39,828.37.

The 2020 Town Meeting described above was held outdoors on a Saturday, and concluded business in one day. Without any specifics on how a Fall Town Meeting would be conducted (indoors or outdoors? daytime/weekend or evening? one day or multiple days?), it is difficult to estimate the cost this would impose—but again, there should be a compelling reason to spend between \$10,000 and \$40,000 to hold a fall town meeting. No such reason has been presented.

3) Holding a fall Town Meeting imposes significant burdens on staff, committees, and departments, and can jeopardize capital planning priorities. If there were compelling business to be conducted at a Fall Town Meeting, then the effort of creating warrant articles and presentations, obtaining feedback from the various boards and committees responsible for reviewing these proposals, filming presentations for public consumption, obtaining legal review, formatting and laying out the warrant would be a justifiable effort by Town staff. If there were a justification for holding a town meeting, all of these tasks would be time-consuming but necessary. In the absence of a justification, these tasks are a distraction from the other duties staff must discharge. The Select Board has offered no justification for calling a Fall Town Meeting. The spending proposals made at a fall town meeting should ideally be prioritized among all FY22 proposals, many of which will not be fully understood until Annual Town Meeting in the spring. The impulsive rush to spend free cash in the fall as soon as it is certified nullifies the town's thoughtful and deliberate capital project planning and prioritization .

Thank you for your willingness to accept public input.



Pat Brown  
34 Whispering Pine Road  
Sudbury

Attachment4.b: Email\_Fall\_TM (4722 : Continue public hearing)

From: Len Simon  
To: Select Board, BFRT Advisory Task Force, Town Manager, Beth Suedmeyer, Adam Duchesneau,  
Re: BFRT  
Date: July 12, 2021

I am writing after having read Project Manager Beth Suedmeyer's email of July 8, sent in response to my email of June 17.

I am still concerned that the information coming from the Project Manager is incomplete, confusing, or indefinite.

### **EASEMENTS**

For instance, I wanted the Project Manager to confirm her earlier statement that a 'work around' for construction was possible if a resident refused an easement.

In response, Project Manager now says, "Yes, in most cases the design team will be able to adjust the design to work around it." So, how then could the project be advertised for construction if access is denied at some locations, and no 'work around' is feasible?

And, if the design team will need to adjust the design to 'work around' it, wouldn't that modification need to be included in the 100% and final design submissions to DOT? By delaying resolution of definitive easement access the final designs cannot be submitted. What good reason is there to put off securing the answer to that issue?

Would we not be in a better position having those answers sooner rather than later? In other words, there is a logical progression with easements being a necessary preliminary step to submitting the final design. Why is there so much secrecy of this issue? Why does there appear to be an effort not to deal with this issue directly?

It seems to me that clarification of the sequence of events, particularly as they relate to easements, is essential to making an informed decision regarding the timing of calling a town meeting. Otherwise, undesirable delays may thwart the will of the residents of Sudbury.

The Project Manager's email now says town meeting action is required on a number of issues: 1) private property easements, 2) town-owned property easements, and 3) lease approval. Why would it be appropriate to put off **any** of these matters beyond a fall town meeting, considering the remaining designs are due this year and town meeting approval is needed for the project to advance?

*The Select Board has the obligation to know if a town meeting vote in favor of **any of the above three issues** is required for the 100% design submission, or the final design submission? If so, for which issues and for which design submissions?*

Residents have a right to know that information as well, and should not be in the position of having to drag the answers out of staff and the Town Manager to get it.

Why is town meeting approval needed if an easement is allowed by a landowner? This seems to be an entirely new development. This was not the process in other towns on the BFRT and is not something the Project Manager had disclosed previously.

Most importantly, the question arises:

Could a landowner who denies an easement file a legal action that could tie the project up for months or years? Or stop the BFRT project, even temporarily?

The Select Board should raise this question with town counsel. A private property easement has not yet been denied so this is only for informational purposes. As the Project Manager noted, counsel should be providing explanations and making recommendations to the Select Board.

A list should be provided by the Project Manager to the Select Board and the BFRT Advisory Task Force detailing each property for which an easement is needed - those permitted by property owner and those refused by property owner.

The Town must have a Plan B in place for those landowners who would deny an easement, so as not to stop the construction of the BFRT.

Why are we only learning about of these project-critical questions requiring BOTH legal advice AND a town meeting action so very late in the process? The 100% design is due in 3 months.

The Project Manager had told the town that construction would begin in the summer of 2022. However, if a town meeting vote on any issue was required for submitting the remaining designs, and there was no fall or special town meeting, then the remaining designs could not be submitted until May 2022 at the very earliest. Then, DOT would want to review those designs before allowing the project to go out to bid. In that case, construction would not begin in 2022 as promised. And the programed FY 2022 funding year would close.

## PERMITTING

Permitting by the Conservation Commission is required for the BFRT. It is not on their agenda for July 12, 2021, and their next meeting is July 26. Knowing this process can take several meetings, with potential legal challenges, it does not seem prudent to have waited this long to begin permitting.

## CHAPTER 91

The Chapter 91 Application for Determination of Applicability was not filed with DEP until May 4, 2021, six or seven months after the Project Manager learned from Fuss & O'Neil it was an issue to secure DOT's approval for the BFRT. It has been more than 60 days since the Application was filed and it is still an open question. It should have been filed earlier.

The practice of allowing tasks to wait until the very last moment, and varying statements about what is required, have placed the entire BFRT project in jeopardy. Deadlines have routinely been moved back and missed. As you may recall, Sudbury was on the MPO's "At high risk for not making advertising deadline" (delinquency list) in 2020 and the BFRT 2D was again highlighted in purple earlier this year as not being ready.

The Bruce Freeman Rail Trail project has lacked transparency and candor with inconsistent explanations for delays.

In 2020 Town Meeting overwhelmingly voted to expedite the completion of the BFRT design, and so instructed staff and the Town Manager. That vote is still operative.

The Town Manger has said he is committed to completing the BFRT on time. Now his actions must match his words.



SUDBURY SELECT BOARD  
Tuesday, July 27, 2021

**MISCELLANEOUS (UNTIMED)**

**5: Close public hearing and resume SB meeting**

REQUESTOR SECTION

Date of request:

Requestor: Chair Roberts

Formal Title: Vote to close the public hearing from 7/13/21 to discuss a possible Fall Town Meeting, and resume Select Board meeting.

Recommendations/Suggested Motion/Vote: Vote to close the public hearing from 7/13/21 to discuss a possible Fall Town Meeting, and resume Select Board meeting.

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
Jennifer Roberts	Pending
Select Board	Pending

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SUDBURY SELECT BOARD  
Tuesday, July 27, 2021

**MISCELLANEOUS (UNTIMED)**

**6: Update from Sewataro subcommittee**

REQUESTOR SECTION

Date of request:

Requestor: Chair Roberts

Formal Title: Update from Sewataro subcommittee - planning for Fall and progress toward Select Board goals (~30 min.)

Recommendations/Suggested Motion/Vote:

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
Jennifer Roberts	Pending
Select Board	Pending

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ITEM	STATUS	ACTION	Assigned To
<b>Short Term</b>			
<b>Increase public use (swimming summer weekends)</b>	Not currently planned	<ul style="list-style-type: none"> <li>• FlashVote to gauge interest? <ul style="list-style-type: none"> <li>○ \$100 annual fee?</li> <li>○ \$10 per visit fee?</li> <li>○ \$25 per family per visit fee?</li> </ul> </li> <li>• Check with Dennis M.</li> <li>• Check with Bill Murphy on BoH concerns</li> <li>• Get update – would this interfere with camp activities?</li> </ul>	<p>Charlie R. Check with Dennis M.</p> <p>Bill S. dialog with Scott Brody</p>
<b>Increase documentation of activities and uses</b>	Incorporate into third party use agreement?	Review documentation being submitted by Sewataro. Is this data we can track?	<p>First November update. March 5 request put in for monthly update. 2 newsletter/reports to date (March and April). To be submitted on the 15<sup>th</sup> of each month. Calendar has been posted on Town website.</p> <p>Latest one on July 13.</p> <p>Bring back to SB for feedback at a future meeting. – Bill S.</p>
<b>Safeguard property</b>	Is this an issue? At least one full-time property manager lives on site to provide safeguarding services.	<p>Fencing has been added.</p> <p>No action necessary at this time.</p> <p>Check with Bill Barletta</p>	Bill Sc.
<b>Add policy addendum regarding user fees</b>	<p>In process.</p> <p>Compare with Park &amp; Rec, Police Community Room, Goodnow Library, School spaces</p> <ul style="list-style-type: none"> <li>- Consistency across town</li> </ul>		<p>With Henry. – CQ with Henry on status.</p> <ul style="list-style-type: none"> <li>- Charlie to take on</li> </ul>
<b>Prior To June 2022</b>			



<b>Update Agreement</b>	In process.		
<b>Consider tax exempt debt option (lease vs management agreement)</b>	Seek input from Dennis K., consider in advance of agreement update.		
<b>Longer Term:</b>			
<b>Formulate evaluation team</b>	Form a citizens committee on Sewataro?		
<b>Define strategic vision, options and next steps</b>	Sewataro as a Town forum?		
<b>Compare data from other communities</b>	Make a list: NARA Park, Acton Walden Pond area, Concord Everwood, Sharon Rec Park, Andover Stevens Estate, North Andover		
<b>Examine / evaluate best uses for the property</b>	Unsure what additional information has come in since taking ownership? What information do we need?		

Attachment 6.a: Sewataro Actions Table (4723 : Update from Sewataro subcommittee)

# Town of Sudbury Sewataro Use Policy

v1.76 Updated 89 June-July 2021

## 1. Intent

It is the Town of Sudbury’s desire that all residents of Sudbury enjoy safe and appropriate use of Town property, including Sewataro. This use should take place with proper regard to accessibility for all residents, safety of participants, and with respect for the preservation of the property for future Town use. The intent of this document is to be consistent with the Management Contract between the Town and the camp Operator and with existing Town policies regarding Town facilities.

Commented [CR1]: Check to be sure this does not conflict with the Management Contract

## 2. Public Access Times

While Camp Sewataro is operating, public access of the grounds is allowed for recreational purposes only during designated times in order to avoid conflicts. These designated public access times are:

Camp Season Public Access (June 1 – August 31)

- Monday-Friday: 6pm-Dusk in the front section of the property
- Saturdays, Sundays and Federal holidays: 9am-Dusk in the front section of the property

Note: During camp season, public access is available only to the front section of the property to ensure the security of Town, Camp, and camper property.

“Off” season Public Access (September 1 – May 31)

- Monday-Sunday: 9am – Dusk

## 3. Permitting Authority

The permitting authority for the use of the Sewataro property shall be the Town Manager. Larger events involving food trucks, electrical equipment, or stage work may require additional inspections or approvals from the Town Manager, Health Department, Building Department, or other Town departments.

First-time reservations for exclusive use of property facilities (e.g., lodges and pavilions as listed below) by organized groups is not allowed without permission from the Town Manager or his/her delegate, which may be the Sewataro Community Liaison. Use of Sewataro is not allowed for for-profit, religious, or lobbying purposes without permission from the Town Manager or his/her delegate. In certain circumstances Town Manager may seek input from the Select Board in its role as policy-making body in Town. No applicant is guaranteed to receive permission.

((CQ WITH HENRY for input - what scale event requires TM and/or SB permission -- e.g. is 500 people with a pavilion tent or a determination of scale?))

((CQ consider language guiding reasons for potential rejection of application))

Commented [CR2]: Want to maybe fine tune this sure it is consistent with Town-wide facilities. Not to exclude, just seeking to provide guidance for when Sewataro reps must check in with Town Manager.

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## 4. Facility Reservations

For organized events and meetings, specific spaces can be reserved during designated times.

The scheduling of reservations shall be the responsibility of the Camp Sewataro community liaison.

As of June-July 2021, contact Kristen Drummey, Camp Sewataro Community liaison, at kristen@sewataro.com with questions or to book. A calendar depicting Sewataro reservations is available here:

<https://sudbury.ma.us/townmanager/2021/03/15/sewataro-resident-event-calendar/>

Reservations should be made at least **forty-eight (48) hours**, excluding Saturdays, Sundays and legal holidays, in advance prior to the event. In the event of extenuating circumstances, the 48-hour advance notice requirement may be waived by the Town Manager. Larger events involving food trucks, electrical equipment, or stage work may require additional inspections and several weeks' notice is recommended.

Written reservations must include:

- Name of the group requesting the reservation
- The primary contact person for the group, along with their phone number and email address
- **The information required might change based on whether or not a specific application form is required. The Schools have a facility use application form we could copy.**

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#### 5. Group Reservation Responsibilities

A group's primary contact person is responsible for coordinating the event and shall be responsible for ensuring:

- That the space, facility, and/or general location used is kept in clean condition and proper order following the conclusion of the meeting, including removal of all garbage or waste materials, removal of all decorations, and return of any furniture or equipment to their original locations at the conclusion of the event.
- All restrictions are adhered to.
- **Completion of the Sewataro Property Use Form in advance of the meeting. ((Bill/Charlie to get samples from similar facilities for how this might look. Form would include name, contact info, email, hours they wish to reserve, number of attendees, what the plan to do, any special equipment or accommodations they request, etc.))**

#### 6. Reservation Priority

Reservations shall be made on a first-come, first-served basis. However, when in conflict, priority shall be given to local government organizations, then local residents, then local groups, and then non-Sudbury organizations or individuals.

There may be times when a site plan and additional equipment may be required, this coordination will begin with the reservation process. If additional toilets are needed to complement the event, at least one shall be in compliance with Americans with Disabilities Act (ADA) requirements.

#### 7. Available spaces

The spaces available to reserve include:

Facility	Maximum Occupancy	Attributes	Notional Use Fee
Liberty Lodge	150	4000 sq. ft. Covered roof	???
Meeting Hall	50	1200 sq. ft. Covered Roof	???
Tree House	???	Covered roof	???
Craft Deck	???	Tented Roof (usually seasonally available in the summer)	???

Tennis Courts (two available)	???	???	???
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8. Fees

The Select Board shall set the amount of the fee so as to recover a reasonable approximation of the costs to the Town in processing the requested item, and to recoup reasonable maintenance and repair costs of the property ((and in certain cases generate revenue for the Town.)) --- ENSURE CLARITY AROUND WHERE FEE GOES, (e.g., into an enterprise fund or similar vs. general fund or other.

Commented [CR3]: Some debate around this co Will seek input from Henry on appropriateness of t

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(1) Facilities may be used without rental fee, provided there is no charge to the public either by admission fee or sales, by:

- a. Town, State or Federal departments.
- b. Non-profit organizations whose functions are charitable, civic, or patriotic.
- c. Community service groups, such as Scouts, youth recreational groups, etc.

(2) Facilities may be used with rental fee by:

- a. Any organization charging admission or conducting sales.

(Informational: \$40 per day at Town Hall currently, - check Weston, Nobscot Scouts)

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(3) Rental fee Schedule – per date (each day): Shall be in accordance with the Fee Schedule in Section 7.

Any revenue from fees charged for use of programming/meetings held at the Sewataro property during “public access hours” shall remain with the Town. Any revenues generated from Town-organized programming/meetings shall remain with the Town. ~~Non camp events organized by Camp Sewataro shall follow the revenue share agreement between the Town and Camp Sewataro, e.g., public swimming facilitated by camp operator, which will staff and collect fees~~

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Fees MUST be justified and reasonable, not arbitrarily established. How much is needed for general maintenance, recovery, cleaning, permit review, etc.

Rates and Fees:

- Sometimes raising/establishing rates results in less use

- Deficits need to drive rate increases

Commented [CR4]: I think this is all captured in “recoup” idea in the opening paragraph, and in the to be consistent with town-wide facilities.

- Should we consider two categories: low fee group of more local-type organizations and a high fee group for, say, weddings or corporate outings. Capture this in a table. Possibly escalating amounts based on headcount (e.g. 0-50 attendees, 51-150 attendees, 151+ attendees??)

	Non-resident Group	Resident Group	Private/Corporate Group
0-50	\$20	\$5	\$50
51-100	\$40	\$10	\$100
101+	\$60	\$20	\$150

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9. Insurance Requirements

Insurance requirements shall be in accordance with Town Park & Recreation Department policies (<https://sudbury.ma.us/recreation/wp->

[content/uploads/sites/335/2014/08/TownofSudburyFacilityusepolicyJune12012update.pdf](#)). Proof of insurance coverage may be required of any organized group requesting reservations at Sewataro and requested at any time. Groups and/or individuals that carry liability insurance should add the property to their policies and share a copy with the camp operator for file.

The Town or its representative shall request an event's group's primary contact person should obtain a special event policy listing the camp and the town as additional insured. In the event this special event policy cannot be obtained, a liability waiver or deposit will suffice.

This will be problematic in some cases, a liability waiver or deposit would-will suffice.

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Liability Waiver  
Town of Sudbury.pc

#### 10. Acceptable Use

Any use of the Sewataro property shall adhere to acceptable use guidelines as put forth by the Town Park & Recreation Department. Refreshments shall be allowed, but all garbage must be cleaned up and disposed of in appropriate receptacles.

#### 11. Maximum Occupancy

Maximum Occupancy of each structure shall be in accordance with Town Fire Department regulations. Maximum occupancy is listed in the table above.

#### 12. Restrictions

- All use of facilities is at your own risk
- Residents are required to "carry in and carry out" anything brought onto the property, including trash.
- Smoking or vaping is not permitted in Sewataro.
- Vehicles are prohibited from driving on interior roadway, walkways, and any grassed area without express permission.
- Parking is permitted only in the designated lower and upper parking lots.
- No alcoholic beverages are allowed at Sewataro without express permission from the licensing authority.
- Sledding: Sledding is at your own risk. It is recommended that any sledding be done on the hill towards the fields.
- No dogs or large pets allowed, leashed or otherwise.
- No ice skating on the ponds in the winter.
- No swimming in the ponds.
- Any fishing in the ponds should be catch-and-release. These fish should not be eaten.
- No open fires or grills without a special permit issued by the Select Board, with review by the Fire Department required.

#### 13. Exclusive Use

Under no circumstances will exclusive use of the Sewataro property be granted to one group during the public access hours as described in Section 2.0 Public Access Hours.

#### 14. Emergency Contact

In case of an emergency, user is to [call 911](#).

**15. Postings**

Any posting at the Sewataro property shall be consistent with the Town’s policy on Advertising and Directional Signs; no “signs of an advertising nature” on behalf of for-profit organizations shall be allowed. Public postings shall be allowed only at the informational kiosks located at the front and back entrances to Sewataro.

**16. Restrooms**

There are **two (2)** Port-a-Potties available, an ADA-accessible one located near Liberty Lodge and a general use one available near the lower parking lot, available for use as restrooms during public access times. **For events with 25 or more people, an additional fee of \$XYZ for servicing before and after the event will be incurred.**

**For events with 100+ people, the user will be required to contract for its own port-a-pottie services.**

**[Check for consistency with Haskell regulations and/or summer concert series. #port-a-potties?](#)**

**17. Traffic Management**

Should the event be large enough, the Police Department may require a police detail or other arrangements to appropriately direct traffic.

**18. Parking Spaces**

Parking is permitted only in the designated lower and upper parking lots. There are 10 parking spaces in the upper lot, with XYZ# ADA compliant handicapped accessible spaces, with 90 parking spaces in the lower lot, with XYZ# ADA compliant handicapped accessible spaces, and approximately 30 additional overflow parking spaces in the front field. Event organizers shall consider the number of required parking spaces when making reservations.

**[Consider additional description around parking areas to help potential users navigate/choose parking lot location.](#)**

**19. Park and Recreation Coordination**

Sewataro event organizers shall confer with the Park and Recreation and other Town departments as appropriate to ensure there are no [similar](#) events scheduled [for conflicting dates](#) (e.g., the two contract community events per year). In the event of a conflict, the Town-organized event shall take precedence.

**20. Hold Harmless Individual User Agreements**

On behalf of myself and/or my minor child, (User), I understand that part of the facility and experience involves activities and group interactions that may be new to us, and that they come with uncertainties beyond what we may be used to dealing with at home, including but not limited to uneven terrain, collisions, being struck by thrown objects, insects, wild and domestic animals, inclement weather, remote locations, communicable diseases including but not limited to COVID-19, and other risks, including use of the facility by members of the public. I am aware of these risks and are assuming them on behalf of me and my child. We realize that no environment is risk-free, and understand and, if applicable, have instructed my child on the importance of abiding by the facility’s rules, and we agree that we are familiar with these rules and will obey them.

To the fullest extent permissible by law, user agrees to save and hold harmless Camp Sewataro, LLC and the Town of Sudbury, including its owners, employees, trustees, agents or officers from and against any claim, suit, cause of action settlement or judgment brought against it by any party arising out of user’s breach of its duty of reasonable

**Commented [CR5]:** Maybe these two sections go into Sewataro Use Application?

care or intentional act arising out of user’s use of the property or facilities, including attorneys fees and other costs of suit, and further to waive any and all claims or causes of action against Camp Sewataro, LLC and the Town of Sudbury, except those that are the result of their gross negligence or intentional acts.

**21. Hold Harmless Group User Agreements**

User understands that part of the facility and experience involves activities and group interactions that may be new to our participants, and that they come with uncertainties beyond what our participants may be used to dealing with at home, including but not limited to uneven terrain, collisions, being struck by thrown objects, insects, domestic and wild animals, inclement weather, remote locations, communicable diseases including but not limited to COVID-19, and other risks, including use of the facility by members of the public. We are aware of these risks, and we are assuming them on behalf of our participants. We realize that no environment is risk-free, and so we have instructed our participants on the importance of abiding by the facility’s rules, and we agree that they are familiar with these rules and will obey them.

To the fullest extent permissible by law, user agrees to save and hold harmless Camp Sewataro, LLC and the Town of Sudbury, including its owners, employees, trustees, agents or officers from and against any claim, suit, cause of action settlement or judgment brought against it by any party arising out of user’s breach of its duty of reasonable care or intentional act arising out of user’s use of the property or facilities, including attorneys fees and other costs of suit, and further to waive any and all claims or causes of action against Camp Sewataro, LLC and the Town of Sudbury, except those that are the result of their gross negligence or intentional acts.

The undersigned represents that they are authorized to execute this agreement and to bind the group.

**22. Accessibility**

To the greatest extent practicable, organizers shall work with the Camp Operator and Town, as appropriate, to implement temporary adjustments that will offer access to the widest population use during the planned event. This may require coordination with the fire, building, and combined facilities departments. This may also include things like ADA compliant ramp use, potable restrooms, protective surface enhancements, or other appropriate considerations.

**23. Reportable**

It is imperative to report any additional service or logistical items required by an event. These include:

- Food
- Electricity
- Noise
- Stage

Commented [CR6]: More detail here from the town about items to report?

**24. Open Flames, fire pits, cooking devices**

Public use of any fire pit, grill or open flame, etc. on the property would require a special permit that was issued by the Select Board, with review by the Fire Department required. This increases liability to the Town and is not recommended on this or any Town property. We would have no control over these non-commercial cooking devices that could cause injury to the public. We do not allow any grilling on Parks. (Many times these small inexpensive grills are used and just left behind on the property for the Town to pick up.)

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**From:** Scott Brody <[scott@kenwood-evergreen.com](mailto:scott@kenwood-evergreen.com)>  
**Date:** June 28, 2021 at 11:28:02 AM EDT  
**To:** "Schineller, Bill" <[SchinellerB@sudbury.ma.us](mailto:SchinellerB@sudbury.ma.us)>  
**Cc:** Kristen Drummey <[kristen@sewataro.com](mailto:kristen@sewataro.com)>, Town Manager <[TownManager@sudbury.ma.us](mailto:TownManager@sudbury.ma.us)>  
**Subject:** Re: request for plan for providing public swimming at Sewataro

Hi Bill,

I do believe a September 30th deadline is achievable. We will have to explore a couple of options. The pools aren't large, but with the right investment in an automated chlorination system, we might be able to keep them operating through all or part of the weekends. The swimming pond is the better option, though keeping it in the right condition involves a bit of alchemy! :)

I'd like to set up a couple of meetings for early September so that I can get a clearer sense of the scope of access that will hit the sweet spot for the town. We need to keep camp clients happy and cash flowing through the town, while expanding access to all we can reasonably serve. We can figure that out together, and I can then construct an operational plan to make it happen. It might make sense to schedule a site visit for this summer...maybe in late July or early August...so that we can brainstorm and visualize options together. What do you think?

Scott

## Scott Brody

Owner & Director  
 Camps Kenwood & Evergreen



T: 781-793-0091  
 E: [scott@kenwood-evergreen.com](mailto:scott@kenwood-evergreen.com)  
 winter: 239 Moose Hill St, Sharon, MA 02067  
 summer: 114 Eagle Pond Rd, Wilmot NH 03287



On Mon, Jun 28, 2021 at 11:19 AM Schineller, Bill <[SchinellerB@sudbury.ma.us](mailto:SchinellerB@sudbury.ma.us)> wrote:

Hi Scott,

Understood about camp season.

Can you provide a deadline by which you would deliver a plan?

Understood it can be after Aug 31, but we'd like a date certain by which we will see a plan in writing, at which point we can discuss in the Fall.

What does seem time critical to me, is that during the course of this camp season, as you maintain water quality etc for the Monday-Friday campers, that you work out the feasibility of having clean, safe for swimming

water at other non-camp hours. Also, consider how Sewataro staff scheduling could schedule lifeguards for non-camp days. Perhaps this is something you can discuss with staff in 2021, to be ready for 2022.

To eliminate uncertainties this summer, so that whatever plan you deliver for public swimming later will be feasible, not an experiment on the fly.

The Town's 'budget season' kicks into gear into September, at which point the Town allocates funds for FY2023 (July 11, 2022 - June 30, 2023). The budget starting June 30, 2022 gets locked down by December 2021, even though it doesn't get voted on until May 2022.

Similarly, Sewataro Assessment and Recommendations subcommittee will need to deliver findings to the full Select Board in the Fall, to inform decisions about the renewal of Operator Agreement by June 30, 2022.

Our ask is not a 'drop everything and do this now', but rather to give sufficient advance notice of our request so that you have time to gather data as you manage a more 'normal' summer of the Monday-Friday day camp.

Hopefully that makes sense?

Would a deadline for delivering a written plan by September 30 be achievable?

Have a great summer!

-Bill

On Jun 28, 2021, at 10:46 AM, Scott Brody <[scott@kenwood-evergreen.com](mailto:scott@kenwood-evergreen.com)> wrote:

Hi Bill,

It is opening day at Sewataro and at Everwood, and my overnight camp just opened on Saturday. I am eager to work with you and Charlie on this, but it might be more realistic to circle back at the end of the camp season. Is there a time factor that is critical that I'm not aware of? Could we work on this together after August 31st? You know we are committed to a strong and sustainable relationship with the Town of Sudbury and will work with you to develop a plan that meets everyone's needs.

With warm regards,

Scott

**Scott Brody**

Owner & Director

Camps Kenwood & Evergreen

---



T: 781-793-0091

E: [scott@kenwood-evergreen.com](mailto:scott@kenwood-evergreen.com)

winter: 239 Moose Hill St, Sharon, MA 02067

summer: 114 Eagle Pond Rd, Wilmot NH 03287



On Thu, Jun 24, 2021 at 9:42 AM Schineller, Bill <[SchinellerB@sudbury.ma.us](mailto:SchinellerB@sudbury.ma.us)> wrote:

Hi Scott,

Hope summer is off to a great start!

I'm writing you as a member of the Select Board's 'Sewataro Assessment and Recommendations Subcommittee' (composed of myself and fellow Select Board member Charlie Russo). For Open Meeting Law reasons, Charlie is left off this thread; he and I agreed in our last public meeting that I would contact you.

Swimming facilities at Sewataro are one of the unique aspects of this Town property.

Based on resident interest, we are requesting a plan for providing public swimming at Sewataro, facilitated by Sewataro. This will help inform our subcommittee's assessment and recommendations to the Board, in advance of decisions concerning extension of the Term of the camp operator and property management contract.

A plan for facilitating public swimming could fall within provision 1.2.6 Programmatic Activities of the contract, which provides flexibility for planning by the property Manager, and the allocation of cost by mutual agreement of the parties.

Our request is for a plan facilitated by the Operator/Property Management company, minimizing Town / Parks and Recreation Department staffing requirements. (We are also pursuing a different option with more Parks and Recreation Department involvement.)

We ask that your plan include such details as:

- days / hours for public swimming
- estimated number of swimmers / public on site
- estimated staffing requirements
- estimated cost of staffing

- approach for Sewataro to hire / schedule necessary staff
- approach for adequate parking
- approach for adequate bathroom facilities
- approach for sanitization / health and safety
- approach for accessibility
- approach for issuing / checking swim passes (resident and optionally non-resident)

We are not asking you to suggest fees, but rather to focus on costs. However, should we desire to collect fees to defray costs, control occupancy, we request you propose how Sewataro could manage the fee collection, pass issuing process.

For reference on offerings in nearby towns, please look at how Acton Nara Beach and Wayland Town Beach operate.

<https://www.acton-ma.gov/312/NARA-Park>

<https://www.wayland.ma.us/beach>

Regarding accessibility, please be aware of Sudbury's recent ADA Self-Evaluation and Transition Plan, developed with the assistance of IHCD (Institute for Human Centered Design).

<https://sudbury.ma.us/townmanager/2021/04/09/ada-evaluation-and-transition-plan/>

Document 'Camp Sewataro - Grounds 012221' <https://sudbury.ma.us/townmanager/wp-content/uploads/sites/357/2021/02/Camp-Sewataro-Grounds-012221.pdf?version=cf5b628e23f1e9bc4ae10f9d27adcba4> addresses how the Town may fulfill its obligations under the Americans with Disability Act (ADA).

Please let us know roughly when you could deliver a draft plan. We would hope to be able to review such a plan this Fall to inform our subcommittee's assessment and recommendations to the Select Board.

You may recall our recent conversation as well as my communication to you in June 2020:

*Thinking ahead though, I suggest paying close attention to how water treatment can be scheduled such that there will be periods of time on weekends and holidays in 2021 when the public can safely swim without compromising the day camp. I'd encourage you to consult with how this is done elsewhere. Seems a solvable problem.*

Public swimming at Sewataro would represent a great benefit to the community. We thank you for your consideration and partnership.

Sincerely,

Bill Schineller, Member Sudbury Select Board & Sewataro Assessment and Recommendations Subcommittee



## Sudbury Public Schools Application for Building Use

Facility Request Information: Note that all approved use will be limited to days and locations indicated. Start and end times should reflect the time in the space not necessarily the event hours. Custodial charges may be applied for set-up and clean-up. Organizations must name a designated contact person in the event of emergency cancellations.

Date of Application: \_\_\_\_\_

Organization name: _____	Address: _____
Designated contact person: _____	Email: _____
	Phone: _____
Official in charge: _____	Email: _____
<i>(during event)</i>	Phone: _____
Bill to: _____	Address: _____
	Email: _____

**Building Use Category – Check Box that Applies**

- |  |   |
|--|---|
| <input type="checkbox"/> Category 1 (school groups) <ul style="list-style-type: none"> <li><input type="checkbox"/> PTO</li> <li><input type="checkbox"/> SEPAC</li> <li><input type="checkbox"/> SEA</li> <li><input type="checkbox"/> Town Boards/Committees</li> <li><input type="checkbox"/> School Sponsored Clubs</li> </ul> | <input type="checkbox"/> Category 2 (non-school groups) |
|--|---|

- Gym     
  Cafeteria     
  Kitchen     
  Auditorium     
  Classroom     
  Library

Equipment needed: \_\_\_\_\_  
*(Additional charges may apply)*

Day of Week	Start Date (mm/dd/yyyy)	End Date (mm/dd/yyyy)	Start Time	End Time	Description of Activity

Estimated Attendance: _____	Admission will be charged: <input type="checkbox"/> Yes <input type="checkbox"/> No
	Contributions will be received: <input type="checkbox"/> Yes <input type="checkbox"/> No
	Certification of Insurance attached: <input type="checkbox"/> Yes <input type="checkbox"/> No
	Police will be necessary: <input type="checkbox"/> Yes <input type="checkbox"/> No

**Applicant Agreement:** I have reviewed the policies and regulations in the School Committee Policy Manual KF Use of School Facilities and accept full responsibility for the compliance with the building use requirements including all rules, care and protections of the property, and responsibility for behavior and discipline of persons present in connection with permit. I understand this is only an application and not automatically approved and I will be contacted with final Building Use charges and formal approval.

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**For Office Use Only:**

Date Received: \_\_\_\_\_ Available: \_\_\_ Yes \_\_\_ No

Proof of Insurance: \_\_\_ Yes \_\_\_ No Principal Approval: \_\_\_\_\_ Date: \_\_\_\_\_

Rental Fee: \_\_\_\_\_ Custodian Fee: \_\_\_\_\_ Cafeteria Staff Fee: \_\_\_\_\_ Additional Equipment Fee: \_\_\_\_\_

Fee Total: \_\_\_\_\_ Special Instructions: \_\_\_\_\_

Attachment 6.d: SPS Building Use Request (4723 : Update from Sewataro subcommittee)

**Sudbury Public Schools  
Building Use Fee Schedule**

<b>Building Use Fees</b>		
	<b>Category 1 School Groups</b>	<b>Category 2 Non-School Groups</b>
Gym	\$0	\$50/hour
Cafeteria	\$0	\$50/hour
Kitchen	\$0	\$50/hour
Auditorium	\$0	\$100/hour
Classroom – Elementary	\$0	\$30/hour
Library – Elementary	\$0	\$30/hour
Classroom – Curtis	\$0	\$50/hour
Library - Curtis	\$0	\$50/hour
<b>Additional Fees</b>		
Custodian (3 hour minimum)	\$43/hour	\$43/hour
Kitchen Staff	\$50/hour	\$50/hour
Additional Equipment	TBD	TBD



# Town Of Sudbury

## Park, Recreation & Aquatic Department

### Atkinson Pool

Parks & Recreation Dept.  
40 Fairbank Road  
Sudbury MA 01776  
978-443-1092  
[www.Sudburyrec.com](http://www.Sudburyrec.com)

#### Recreation Field/Facility use Policy

Updated 5/23/17

This policy applies to all Town of Sudbury and School fields (K-8, after school hours), Lincoln-Sudbury Community/Stadium Field, Park/Playgrounds, and courts located in the Town of Sudbury Massachusetts; as well as Fairbank Community Center. All guidelines included in this policy must be met or the Park and Recreation Department has the right to revoke use of the requested facility by applicants.

The Park and Recreation Department will make every reasonable effort to treat all organizations, teams, and individuals requesting field/facility usage in a fair and equitable manner when establishing priorities for use. Further, all players, coaches, and spectators are expected to abide by generally accepted standards of good sportsmanship; as well as standards set forth by youth groups and Sudbury Public Schools core values. User groups must allocate facility usage so as not to discriminate on the basis of disability, gender, race or religion.

#### Applications

All users, regardless of user type, MUST complete a Field/Facility use form. Completing a Field/facility use form does not guarantee field or facility space.

#### Submitting Applications:

1. Applications must be submitted to Kayla McNamara, Director of Park, Recreation & Aquatics.
2. Applications may be submitted via e-mail at [McNamaraK@Sudbury.ma.us](mailto:McNamaraK@Sudbury.ma.us) or by visiting 40 Fairbank Road, Monday – Friday 8:30am – 4:00pm. Telephone reservations will not be accepted.
3. All applicants must be at least 18 years of age or older and must be present throughout the entire use of rental period.
4. Applications must be filled out completely, including proper contact name, phone number, e-mail, etc.
5. If your request is preliminarily approved, it will be entered into the system and you will receive a confirmation via e-mail. Rosters, proof of insurance, and fees are due within three weeks of the preliminary approval (and prior to the start of your requested day). If proper information is not received within the time period your preliminary approval will be voided and your reservation will be cancelled from the system.
6. No events may begin before 8:00am or past dusk, with the exception of the lighted fields; which may be scheduled up until 10:00pm.
7. All applicants wishing to utilize field lights (Featherland Softball, Feeley Baseball) will be required to pay a light fee, separate from the standard user fee.
8. All applications must state the actual time you wish to use the field/facility. NO BLOCK RESERVATIONS. (Schedules may be required).
9. Field permits may not be “sublet”, and must be utilized by the users stated on the application.
10. A separate application must be submitted for each field/facility/park you wish to use. Multiple fields at one location will be considered one request.





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11. Fields are requested and paid for by season, Spring April 1 (weather permitting) – June 30, Summer July 1- August 31, Fall September 1 – November 1 (weather permitting), Winter November 1 – March 30.
12. Applications are not confirmed until application has met all requirements and receives the official permit (separate from preliminary permit).

### User Priority

Reservations will be accepted on a first come first serve basis and will be considered for all reservations according to the following priority list:

1. Park & Recreation
2. School Department K-8 & Lincoln-Sudbury Regional High School – There is no charge for schools, however proper paperwork must be completed.
3. Sudbury Youth Organization – Town Sponsored youth groups are the following: Sudbury Youth Soccer, Sudbury Girl's Softball, Sudbury Girl's Lacrosse, Lincoln-Sudbury Boys Lacrosse, Lincoln-Sudbury Youth Baseball, Metrowest Youth Rugby, and Sudbury Youth Football.
4. Sudbury Youth Organizations – Non-Town Sponsored youth groups must contain a minimum of 80% Sudbury residents on rosters to receive this priority level.
5. Sudbury Adult Organization – To receive this priority level your roster must contain a minimum of 40% Sudbury Residents.
6. Sudbury Based Businesses – Any business based in Sudbury MA.
7. Non-Sudbury Youth Organization – If you do not meet the 80% Sudbury youth residents, you fall in this category.
8. Non-Sudbury Adult Organizations – If you do not meet the 40% Sudbury Adult residents, you fall into this category.
9. All other

### When to Apply

To receive priority use according to the above priority user list, you MUST submit an application by the following dates. Any request submitted after the dates below will be considered on a first come first serve basis, not following priority of use.

#### **Field/Outdoor Facility**

<u>Season</u>	<u>Application Submission</u>	<u>Permit Issued</u>
Spring	January 1 – February 1	March 1
Summer	April 1 – May 1	June 1
Fall	June 1 – July 1	August 1



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## Gym & Room/Fairbank Community Center

Season	Application Submission	Permit Issued
Spring	January 1 – February 1	March 1
Summer	April 1 – May 1	June 1
Fall	June 1 – July 1	August 1
Winter	Continuous	Continuous

## Fees & Classification

All fees and charges are based on operational costs, administrative costs, preparation/set up costs, staff, clean-up, field maintenance, field expenses, capital projects, and equipment replacement costs. The fees are established by the Town of Sudbury Park and Recreation Commission and reviewed on an annual basis. The fees and charges set forth are non-negotiable and include all fields and courts in Town, including K-8 school fields, LSRHS community field and softball field. A request to waive or reduce any fee must be submitted to the Park and Recreation Commission [PRC@sudbury.ma.us](mailto:PRC@sudbury.ma.us). All charges are subject to a 1 hour minimum.

- ❖ Sudbury K-8 Public Schools/LSRHS/Town Recreation Programs – No charge
- ❖ Sudbury Youth Organizations - \$40 per child/sport/season
- ❖ Sudbury Adult Organizations - \$45 per person/sport/season
- ❖ Nonresident Youth Organization - \$85 per child/sport/season
- ❖ Nonresident Adult Organization - \$85 per person/sport/season
- ❖ Outdoor Camp - \$50 per person/sport/season. Camps must provide operational permit from Board of Health.
- ❖ Jamboree/Tournament - \$10 per person
- ❖ Cutting Turf & LSRHS Community Field Resident one time usage - \$70 per hour, with a 1 hour minimum, maximum of two consecutive days or two dates within a two week period to be considered one time usage
- ❖ Cutting Turf & LSRHS Community Field Nonresident one time usage - \$110 per hour, with a 1 hour minimum, maximum of two consecutive days or two dates within a two week period to be considered one time usage
- ❖ Grass Fields Resident one time usage - \$70 per hour, with a 1 hour minimum, maximum of two consecutive days or two dates within a two week period to be considered one time usage
- ❖ Grass Fields Nonresident one time usage - \$145 per hour, with a 1 hour minimum, maximum of two consecutive days or two dates within a two week period to be considered one time usage
- ❖ Light Fee (Featherland Softball & Feeley Baseball) - \$75 per hour, per field; \$35 per hour, per field for seasonal usage – Users will be charged according to time requested on Field Request Form.
- ❖ Tennis Courts Resident - \$15 per court, per hour, per season
- ❖ Tennis Court Nonresident - \$20 per court, per hour, per season



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- ❖ Outdoor Basketball Court Resident - \$15 per court, per hour, per season
- ❖ Outdoor Basketball Court Nonresident - \$20 per court, per hour, per season
- ❖ Sand Volleyball Court Resident - \$15 per hour, per season
- ❖ Sand Volleyball Court Nonresident - \$20 per hour, per season
- ❖ Fairbank Community Center Gym & Room Rental - \$45 per hour, per room

## Liability & Insurance

All organized groups requesting field or facility usage is required to provide a Certificate of Liability prior to scheduled usage.

1. Certificate of Liability, listing the Town of Sudbury as additionally insured is required within three weeks of the preliminary approval of Field/Facility usage.
2. All applicants will be responsible for any and all damage to the Town of Sudbury premises, equipment, and property. If after an activity, additional janitorial maintenance is required (in excess of normal cleaning services), the applicant will be charged accordingly.
3. The applicant will be held responsible for all actions, behaviors and damages caused by his/her guests/attendees.
4. The Park and Recreation Department reserves the right to revoke any permit(s) issued due to a group causing damage to any field/facility or inappropriate behavior or activities caused by the groups use.
5. The Park and Recreation Department reserves the right to revoke any permit(s) issued due to organized usage outside of permitted allowance.
6. The Park and Recreation Department reserves the right to require a police detail at any event; and the permit holder would be responsible for arranging a police detail with the Sudbury Police Department prior to a finalized permit. Permits will not be issued until a detail is acquired.

## Field Lining & Maintenance

Seasonal permits are responsible to working with the Park and Ground crew to go over lining plans well in advance of the season; if advanced notice is not given, the Park and Ground crew will utilize the layout they feel best appropriate. Fields are not lined for short-term permits.

Restrooms are not available at all fields. The Park and Recreation Department only places porta potties at select locations; additional porta potties may be arranged for an additional fee. To reserve a porta pottie, for an additional fee, you must contact the Park and Recreation Department 20 days prior to the reservation.

Dumpsters are not available at all locations. Users are responsible for taking any and all trash out of the field with them. Additional dumpsters can be made available for an additional fee; the Park and Recreation Department must be contacted at least 20 days prior to the rental, to request a dumpster.

Any and all maintenance issues should be reported promptly to the Park and Recreation Department.



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#### Field Closure Guidelines

All recreational fields in the Town of Sudbury are closed during the months of late November – beginning of April. To prevent damage and for safety reasons, the fields are not to be used during rain or wet conditions. Please do not allow your participants to play in any unsafe conditions.

The Park and Recreation Department follows the below guidelines when determining field status:

1. If a footstep leaves an impression on the turf or if the grass is removed easily with a cleat, it is considered a wet field.
2. Standing puddles of water on a field, is considered a wet field.
3. Footing is slippery and unsafe.
4. Ground is water logged and squishy.
5. Lightening or thunder is present or severe weather is expected.
6. Unsafe facility conditions, such as, exposed stones, severe holes/dips, glass, etc.
7. Frozen fields.

Field status is determined by the Park and Recreation Director and Park and Grounds Foreman, considering many factors, user safety being the main concern. Any team caught playing on a closed field, may forfeit their permit for that field for the remainder of their season.

It is the responsibility of field users to check the Park and Recreation Department website, [www.sudburyrec.com](http://www.sudburyrec.com), in the case of inclement weather. The Park and Recreation Department will do their best to contact user groups in the event of field closure; however, it is the responsibility of the user group to check the field status. Field status, in the case of inclement weather, will be posted online by 1:00pm. If there is a question regarding current field status, please contact the Park and Recreation office, 978-443-1092 or [recreation@sudbury.ma.us](mailto:recreation@sudbury.ma.us).

#### Cancellations & Refunds

The Town of Sudbury Park and Recreation Department does not give credits or refunds for fields that cannot be used due to weather or natural conditions. If an event is cancelled due to weather, every effort will be made to reschedule the event for a later date. Refunds will only be given if the request is in writing at least 3 weeks prior to the start date and is at the discretion of the Park and Recreation Department.

#### General Rules & Regulations

The Town of Sudbury and The Director of Park and Recreation retain the right to set conditions and requirements suitable for safe, reasonable, and orderly use of the park, fields, and facilities. Violation of the rules and regulations may result in the user permit being revoked.

1. Any person (s) violating the established Rules and Regulations or constituting a public nuisance may be required to leave the premises.
2. Permit holders are only to use those fields or gym specifically designated on the permit. There may be another group following yours, so it is essential that the field



# Town Of Sudbury

Park, Recreation & Aquatic Department  
Atkinson Pool

Parks & Recreation Dept.  
40 Fairbank Road  
Sudbury MA 01776  
978-443-1092  
[www.Sudburyrec.com](http://www.Sudburyrec.com)

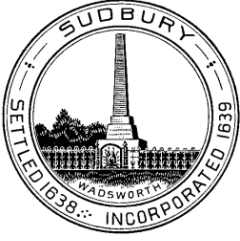
is vacated by the scheduled ending time.

3. Gambling on Town property is prohibited.
4. The reservation is for field/gym use only. Field/gym permits are issued "AS IS": bases, goals, balls and other equipment are not included in the permit.
5. Vehicles may not be driven or parked on turf areas, sidewalks, service driveways, or emergency zones.
6. All trash must be taken off the field and placed in proper receptacles.
7. No food or drink, other than water, in gym or turf field facilities.
8. Sneakers must be worn in the gym.
9. There is no alcohol or tobacco consumption allowed on Town owned property.
10. The Town of Sudbury carries no medical insurance for users of its facilities.  
Users participate at their own risk of injury.
11. There is no subletting of any field or facility in the Town of Sudbury. Permit holder must be present on site during the field or facility usage.
12. Full responsibility and financial liability for any property damage will be assumed by the user group.
13. There is no grilling (either gas or charcoal) allowed at all field/facility in town.

### Fairbank Community Center Usage

All rooms and the gym at the Fairbank Community Center are available for rental. Fairbank facility use is not included in any other permit, and is subject to a fee.

1. A minimum of 1 adult is required in each room as supervision. A minimum of 1 adult is required to supervise bathroom area.
2. The person signing the permit application is responsible for restoring the order and cleanliness of the gym, rooms, and bathrooms; including removal of all trash, decorations, setting up/taking down of chairs and tables.
3. Upon leaving the FCC Building users should make sure that all lights have been turned off, windows and doors locked, and heat/air conditioning properly set. All patrons must enter and exit through the pool front entrance for safety concerns for both the patrons and our staff.



# Town of Sudbury

## Park & Recreation Department

Park and Recreation Department  
40 Fairbank Road  
Sudbury, MA 01776  
978-443-1092  
fields@sudbury.ma.us

### Field Request Form

All Town of Sudbury fields are available for rental through the Sudbury Park, Recreation & Aquatics Department; this includes all Town of Sudbury School Fields (after school hours), and Lincoln Sudbury High School Community Stadium Field and Softball Field (after school hours & around high school events); Feeley Tennis Courts, and Featherland Tennis Courts. To request rental of a field or fields, the following form needs to be completed in its entirety; including attaching the appropriate paperwork, certificate of liability, roster, and schedule. The completed form must be given to the Park & Recreation Director. Completing this form does not guarantee rental.

All guidelines in the field rental policy must be met or the Park and Recreation Department has the right to revoke use of field(s). Field requests are on a first come first serve basis, and following the priority list. The Park and Recreation Department will make every reasonable effort to treat all field requests in a fair and equitable manner when establishing priorities of use. Priority list is as follows:

1. Sudbury Park & Recreation
2. Sudbury School Department K-8 & LSRHS
3. Sudbury Youth Organizations –Town Sponsored
4. Sudbury Youth Organizations
5. Sudbury Adult Organizations
6. Sudbury Businesses
7. Non-Sudbury Youth Groups
8. Non-Sudbury Adult Organizations
9. Camps & Clinics/Club Teams/Other

All rentals requests must be submitted during the appropriate time frame and only for that specific season. Any request submitted before the time frame will not be reviewed until the appropriate time; any request submitted after the deadline will be considered on a case by case basis. All field rental requests will only be reviewed on Wednesdays; if your request is submitted after Wednesday in a particular week it will not be reviewed until the following Wednesday. The timeline is as follows:

	Spring	Summer	Fall
Application Submission	January 1 – February 1	April 1 – May 1	June 1 – July 1
Season	April 1 (TBA) – June 30	July 1 – August 31	September 1 – November 30 (TBA)
Review	Wednesday's	Wednesday's	Wednesday's
<b>Any applications submitted after the submission times will be considered on a case by case basis</b>			

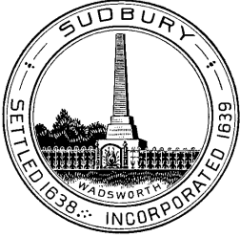
A field request will not be reviewed without all proper paperwork. All rental forms **must include a certificate of liability** listing the Town of Sudbury as additionally insured, a roster listing names and addresses, and a specific schedule (no block scheduling). Payment must be made within two weeks of the issued permit, or the permit is null in void. If a special payment deadline of special roster accommodation is needed, that must be communicated at the time of the rental request submission.

Please see the Town of Sudbury Park and Recreation Field Use Policy for full list of rules and guidelines.

***I have read and understand all conditions of my rental request. I understand submitting a request does not guarantee rental.***

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



# Town of Sudbury

Park & Recreation Department

Park and Recreation Department  
 40 Fairbank Road  
 Sudbury, MA 01776  
 978-443-1092  
 fields@sudbury.ma.us

## Field Request Form

All fees and charges are based on operational and administrative costs, preparation, set-up/clean-up time, and maintenance.

For classification on the category you fall under please refer to the Town of Sudbury Recreation Facility Use Policy, located on the Sudbury Park and Recreation Department website.

### YOUTH ORGANIZATIONS

SEASONAL USAGE	Per Child/Per Season	Total Participants	Total Due
Resident	\$49.45	X =	
Non-resident	\$104.65	X =	

### ADULT ORGANIZATIONS

SEASONAL USAGE	Per Adult/Per Season	Total Participants	Total Due
Resident	\$55.20	X =	
Non-resident	\$104.65	X =	

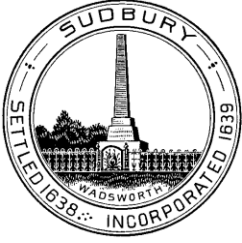
### SPECIAL EVENTS

CAMPS/CLINICS	Per Child/Per Camp	Total Participants	Total Due
Resident	\$62.10	X =	
Non-resident	\$62.10	X =	

JAMBOREE/ TOURNAMENT	Per child/per tournament	Total Participants	Total Due
Resident	\$12.65	X =	
Non-resident	\$12.65	X =	

### ONE TIME USAGE

TURF FIELDS	Per Field/Per Hour	Total Hours	Total Due
Resident	\$86.25	X =	
Non-resident	\$135.70	X =	



# Town of Sudbury

Park and Recreation Department  
40 Fairbank Road  
Sudbury, MA 01776  
978-443-1092  
fields@sudbury.ma.us

## Park & Recreation Department

GRASS FIELDS	Per Field/Per Hour	Total Hours	Total Due
Resident	\$86.25	X =	
Non-resident	\$178.25	X =	

## TENNIS COURTS

FEELEY & FEATHERLAND	Per Court/Per Hour	Total # of Courts	Total Due
Resident	\$18.40	X =	
Non-resident	\$24.15	X =	

## BASKETBALL COURTS

	Per Court/Per Hour	Total # of Courts	Total Due
Resident	\$18.40	X =	
Non-resident	\$24.15	X =	

## VOLLEYBALL COURTS

	Per Court/Per Hour	Total # of Courts	Total Due
Resident	\$18.40	X =	
Non-resident	\$24.15	X =	

## LIGHTS

LIGHT FEE	One-time Usage	Seasonal Usage	Total # of hours	Total Due
Featherland	\$92.00 per hour	\$42.55 per hour	X =	
Feeley	\$92.00 per hour	\$42.55 per hour	X =	

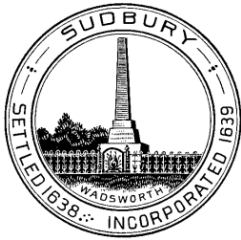
**Cancellations/Refunds** – The Town of Sudbury Park and Recreation Department does not give credits for fields that cannot be used due to weather or natural conditions. Users can contact the Recreation Department to see if the date can be rescheduled, however a rescheduled date is NOT guaranteed. Refunds will only be given in the event that a request is made in writing at least three weeks in advance of the event, and/or at the discretion of the Park & Recreation Director.

*I have read and understand all fee structures and requirements of my rental request. I understand payment must be received no later than 5 business days after submitted request. I understand Sudbury Park, Recreation, and Aquatics Department does not invoice for payment.*

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date





# Town of Sudbury

## Park & Recreation Department

Park and Recreation Department  
40 Fairbank Road  
Sudbury, MA 01776  
978-443-1092  
fields@sudbury.ma.us

### Field Request Form

Rental #: \_\_\_\_\_

Organization/Group: \_\_\_\_\_

- Type of Organization:
- Sudbury Youth Organization
  - Sudbury Business
  - Non-Sudbury Youth Organization
  - Non-Sudbury Business
  - Non-Profit
  - Sudbury Adult Organization
  - Sudbury Residents
  - Non-Sudbury Adult Organization
  - Non-Sudbury Residents
  - For Profit (Please check all that apply)
  - Sudbury Public Schools
  - Non-Sudbury Public Schools

Contact Name: \_\_\_\_\_

Contact E-mail: \_\_\_\_\_

Contact Address: \_\_\_\_\_

Home Phone: \_\_\_\_\_

Cell Phone: \_\_\_\_\_

#### Rental Information

- One time use
- Seasonal Use – Attach Schedule
- Program use – Attach program & schedule

Rental Start Date: \_\_\_\_\_ Rental End Date: \_\_\_\_\_

Rental Start Time: \_\_\_\_\_ Rental End Time: \_\_\_\_\_

- Field(s) Requested:
- Crime Lab
  - Curtis
  - Cutting
  - Davis
  - FCC Backfiled
  - Featherland
  - Feeley
  - Haskell
  - Haynes
  - Heritage Park
  - LS Community Field
  - LS Softball
  - Loring
  - Nixon
  - Noyes
  - Ti-Sales
  - Feeley Tennis Court
  - Featherland Tennis Court

Field Type: \_\_\_\_\_ Field Size: \_\_\_\_\_ Number of Fields: \_\_\_\_\_

Reason for Rental: \_\_\_\_\_

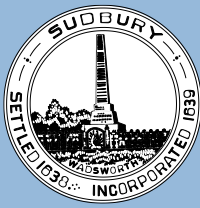
#### FOR OFFICIAL USE ONLY

(Updated 07/01/2021 15%)

Date Received: \_\_\_\_\_ Date Reviewed: \_\_\_\_\_ Reviewed By: \_\_\_\_\_

Approved  Denied  Amount Due: \_\_\_\_\_ Cash: \_\_\_\_\_ Check #: \_\_\_\_\_

Copy of all documentation provided:  Yes  No Permit Sent: \_\_\_\_\_



SUDBURY SELECT BOARD

Tuesday, July 27, 2021

**MISCELLANEOUS (UNTIMED)**

**7: Transportation committee appointments**

REQUESTOR SECTION

Date of request:

Requestor: Member Carty

Formal Title: Discussion and possible vote on Transportation Committee appointments and corresponding updated mission statement (~15 min)

Recommendations/Suggested Motion/Vote: Discussion and possible vote on Transportation Committee appointments and corresponding updated mission statement (~15 min)

Background Information:

Financial impact expected:

Approximate agenda time requested: 15 minutes

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Henry L Hayes	Pending
Jonathan Silverstein	Pending
Daniel E Carty	Pending
Janie Dretler	Pending
Select Board	Pending

07/27/2021 6:15 PM

## Members

Members					
Name	Position	Address	Term	End Date	Appointed By
Daniel E. Carty	Chairman	15 Stonebrook Rd	1	05/31/2020	Select Board
Doug Frey	Member	74 Cutler Farm Rd	1	05/31/2020	Select Board
Sandy Lasky	Member	19 Abbottswood	1	05/31/2020	Select Board
Alice Sapienza	Member	70 Ridge Hill Rd	1	05/31/2020	Select Board
Adam Duchesneau	Staff	278 Old Sudbury Road	1	05/31/2020	Select Board
Debra Galloway	Staff	40 Fairbank Road	1	05/31/2020	Select Board
Daniel Nason	Staff	275 Old Lancaster Road	1	05/31/2020	Select Board

## Sudbury Transportation Committee

 — [Subscribe to Content Updates](#)

The Sudbury Transportation Committee was created by the Selectmen to address a key feature of livable communities: transportation. A livable community is defined as

...one that is safe and secure, has affordable and appropriate housing and transportation options, and offers supportive community features and services. ...Well-designed, livable communities promote health and sustain economic growth, and they make for happier, healthier residents — of all ages... See [AARP Network of Age-Friendly States and Communities](#)

With the exception of specialized transportation provided by the Council on Aging, Sudbury is currently car-dependent, putting a number of residents at risk of isolation, loss of work, inability to access medical care, etc. There is no public transportation within town boundaries; parking space for commuter rail in adjoining towns is limited; and, there are few pedestrian-friendly routes from residences to likely destinations (e.g., town buildings, library, houses of worship, etc.).

### Recent News

[Subsidized Transportation Options Summary Sheet](#) June 25, 2021

[Low Cost Transportation Options for Sudbury](#) May 12, 2021

[Remote Participation for Meetings Under Emergency Order](#) April 7, 2020

### Search

### Contact

Email: [transportation@sudbury.ma.us](mailto:transportation@sudbury.ma.us)



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Send questions and comments to [webmaster@sudbury.ma.us](mailto:webmaster@sudbury.ma.us).

Attachment 7.a: Transportation Committee members (4630 : Transportation committee appointments)



## SUDBURY TRANSPORTATION COMMITTEE

**Voted to establish by the Sudbury Board of Selectmen April 10, 2018**

**Updated October 30, 2018**

**Updated October 24, 2019**

### Mission Statement

The Sudbury Transportation Committee was created by the Selectmen to address a key feature of livable communities: transportation. A livable community is defined as

...one that is safe and secure, has affordable and appropriate housing and transportation options, and offers supportive community features and services. ...Well-designed, livable communities promote health and sustain economic growth, and they make for happier, healthier residents — of all ages (<http://www.aarp.org/livable-communities/net-work-age-friendly-communities/info-2014/an-introduction.html>).

With the exception of specialized transportation provided by the Council on Aging, Sudbury is currently car-dependent, putting a number of residents at risk of isolation, loss of work, inability to access medical care, etc. There is no public transportation within town boundaries; parking space for commuter rail in adjoining towns is limited; and, there are few pedestrian-friendly routes from residences to likely destinations (e.g., town buildings, library, houses of worship, etc.).

Thus, the purpose of the Transportation Committee includes the following:

- To undertake specific assessments/studies of transportation and evaluate pilot experiments, both locally and regionally, at the direction of the Town Manager or her designee
- To consider all functional elements of transportation: public, specialized, traffic congestion, paths and walkways (as distinct from recreational facilities) for all residents—inclusive of but not solely focused on senior residents and residents with disabilities

- To review published assessments/studies to inform the Board of Selectmen, Town Manager, and relevant offices and departments (e.g., the Traffic Safety Coordinating Committee) regarding, especially, opportunities to expand transportation options
- To advise the Board of Selectmen, Town Manager and other town entities about the transportation implications of both residential and business development.
- To consider the sustained attractiveness of the town for businesses and residents and contribute to the environmental goals defined by the Energy and Sustainability Green Ribbon Committee in any recommendations.
- To accomplish other transportation-related tasks requested by the Board of Selectmen.
- To advise the Town Manager how to transition the duties of the Transportation Committee to Town staff or other elected or appointed bodies.

The Transportation Committee will take a proactive role in addressing transportation challenges affecting the town and may establish *pro tem* subcommittees as needed and approved by the Board.

The Board of Selectmen will review the contributions of the Transportation Committee in the spring of 2019 to assess how the Committee has fulfilled its role and to decide whether this structure should be continued until spring of 2020. It is envisioned that the Committee's purpose and tasks will become part of the responsibilities of town departments or bodies by spring 2020. The Transportation Committee, in cooperation with the Town Manager or her designee, will provide recommendations on how to integrate these responsibilities within Town Government.

### **Membership and Structure**

The Transportation Committee consists of a small group of Core and a larger roster of Advisory members. Core members are voting members and must be available and willing to attend the majority of scheduled meetings. They may draw upon the expertise of advisory members, who will be requested to attend meetings and/or discuss topics for which their expertise is needed. The Core group will elect a Chair and a Clerk from among these members. The Chair will run meetings, be the designated communications link with the Town Manager and other Town staff, and schedule committee meetings. The Clerk will ensure that full minutes and a list of members in attendance are kept of each meeting and promptly submitted to the Core for approval, filing with the Town Clerk, posting to the Town's website, and disseminating to the Advisory membership within 15 days of the meeting.

Quorum consists of a majority of serving Core members.

Recommended roles and individuals for membership are listed in the table, below.

### **Compliance With State and Local Laws and Town Policies**

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

The Code of Conduct for Selectmen-Appointed Committee. A resident or employee who accepts appointment to a Town committee by the Board of Selectmen agrees that s/he will follow this code of conduct.

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

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

**Sudbury Transportation Committee: Recommended Examples (updated October 24, 2019)**

<b>CORE GROUP</b>		
<b>Representation</b>	<b>Individual</b>	<b>Contributions</b>
Select Board	Dan Carty	Liaison for Select Board; industrial engineering/operations research and economics; CQI
Council on Aging	Sandy Lasky	One of key stakeholders for extended transportation services
Town Planner	Adam Duchesneau	Link to regional (e.g., Minuteman Advisory Group on Interlocal Coordination), state, and local agencies involved in land use and transportation
Department of Public Works	Dan Nason	Responsible for infrastructure elements related to all modes of transportation
Commission on Disability	Doug Frey	Link to residents with disabilities to provide perspective of transportation options
Metrowest Regional Transit Authority (MWRTA)	Debra Galloway	Director Sudbury Sr. Center; liaison with MetroWest Regional Transit Authority; co-liaison Cross Town Connect (CTC); senior/disabled transportation
Citizen	Alice Sapienza	Sudbury Age-Friendly Ambassador; Harvard MBA, DBA
<b>ADVISORY GROUP (To be expanded as Needed)</b>		
Public Safety	Police (Chief Nix)	Impact of transportation options on and/or by Sudbury Public Safety
Chamber of Commerce	Charlie Dunn	Business needs for employment transit; impact of transportation options on retail sales, etc.
Board of Health	Bethany Hadvab	Town Social Worker; link to residents in most need of transportation services
Planning Department, CrossTown Connect (CTC)	Beth Suedmeyer	Sudbury Planning Department; co-liaison Cross Town Connect (CTC)
Sudbury Public Schools	Lisa Kouchakdjian	Liaison for Sudbury Public School Committee

Lincoln-Sudbury Regional High School	Ellen Joachim	Liaison for Lincoln-Sudbury Regional High School (LSRHS) School Committee
State Representative	Carmine Gentile	Link to state, regional (e.g., MWRTA, and local agencies involved in transportation
Clergy Association	Rotating individuals (leaders of town faith communities)	Transportation identified by this group as a major need
Citizen(s)	TBD	various





## SUDBURY TRANSPORTATION COMMITTEE

Voted to establish by the Sudbury Board of Selectmen April 10, 2018

Updated October 30, 2018

Updated October 24, 2019

Updated July 21, 2021

### Mission Statement

The Sudbury Transportation Committee was created by the Selectmen to address a key feature of livable communities: transportation. A livable community is defined as

...one that is safe and secure, has affordable and appropriate housing and transportation options, and offers supportive community features and services. ...Well-designed, livable communities promote health and sustain economic growth, and they make for happier, healthier residents — of all ages (<http://www.aarp.org/livable-communities/net-work-age-friendly-communities/info-2014/an-introduction.html>).

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### Compliance With State and Local Laws and Town Policies

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### Sudbury Transportation Committee: Recommended Examples (updated October 24, 2019)

#### CORE GROUP

Representation	Individual	Contributions
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<del>Citizen-Sudbury AARP Age-Friendly/Livable Communities Ambassador (Town Manager Appointee)</del>	Alice Sapienza	<del>Sudbury Age-Friendly Ambassador;</del> Harvard MBA, DBA

#### ADVISORY GROUP (To be expanded as Needed)

Public Safety	Police (Chief Nix)	Impact of transportation options on and/or by Sudbury Public Safety
Chamber of Commerce	Charlie Dunn	Business needs for employment transit; impact of transportation options on retail sales, etc.
Board of Health	Bethany Hadvab	Town Social Worker; link to residents in most need of transportation services

Planning Department, CrossTown Connect (CTC)	Beth Suedmeyer	Sudbury Planning Department; co-liaison Cross Town Connect (CTC)
Sudbury Public Schools	<del>Lisa Kouhadjian</del> TBD; to be assigned by SPS School Committee Ad Hoc/as needed	Liaison for Sudbury Public School Committee
Lincoln-Sudbury Regional High School	<del>Ellen Joachim</del> Mary Warzynski	Liaison for Lincoln-Sudbury Regional High School (LSRHS) School Committee
State Representative	Carmine Gentile	Link to state, regional (e.g., MWRTA, and local agencies in-volved in transportation
Clergy Association	Rotating individuals (leaders of town faith communities)	Transportation identified by this group as a major need
Citizen(s)	TBD	various



**Position Description:**  
**Age-Friendly/Livable Communities Ambassador**

**Purpose of the Volunteer Position:**

The Age-Friendly/Livable Communities Ambassador will act as a liaison between the Age-Friendly Community and the AARP MA Age-Friendly staff lead to exchange knowledge and resources, build capacity, and become a sustained, on the ground presence for their community's Age-Friendly work. There are numerous Age-Friendly communities, therefore, **responsibilities will be shaped by the needs of each community and may diverge from the full list below.**

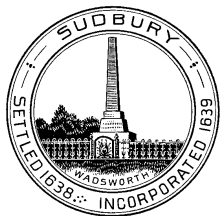
**Qualifications for Volunteer Position:**

- Working knowledge of community being represented
- Understanding of and commitment to the Age-Friendly mission
- Possess basic computer skills and have an email account
- Proven ability to communicate effectively and efficiently, both orally and in writing
- Ability to work independently and as part of a team
- Ability to travel within the community and occasionally, to other parts of the state (mileage reimbursement available)

**Responsibilities of Volunteer Position may include:**

- Serve as liaison between the Age-Friendly Community and AARP MA Age-Friendly staff lead
- Participate in all phases of the age-friendly process (where possible), including enrollment as an Age-Friendly Community, and assessing, planning, implementing, and evaluating the community's action plan and strategy
- Maintain regular communication between AARP MA and Age-Friendly Community to guarantee optimal utilization of AARP resources and knowledge
- Attend online and in-person meetings to achieve understanding of resources, and ongoing support from AARP and the Network of Age-Friendly Communities which will include sharing best practices and assisting with problem solving
- Join and take part in the Network of Age-Friendly Communities Learning Network (under development) and participate in conference calls to bring new knowledge and best practices back to community
- Work with AARP staff to schedule programs that align with Age-Friendly, such as Home Fit, Driver Safety, and Fraud Watch
- Participate in Age-Friendly/Livable Communities local advocacy
- Develop relationships with new partners in the community to further the Age-Friendly mission
- Inspire and encourage volunteers engaged on livable communities and age-friendly issues
- Attend additional trainings, refresher courses, and meetings as needed

**Time commitment will vary from community to community.**



## TOWN OF SUDBURY

*Office of the Town Manager*

*www.sudbury.ma.us*

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Sudbury, MA 01776-1843

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Melissa Murphy-Rodrigues, Esq.  
Town Manager

August 8, 2018

Alice M. Sapienza

70 Ridge Hill Road

Sudbury, MA 01776

Dear Ms. Sapienza,

It is my pleasure to appoint you to the position of Age-Friendly/Livable Communities Ambassador.

This is a volunteer position. You will serve as the liaison between the Town of Sudbury and AARP MA Age-Friendly staff, and participate in the age friendly process here in Town. Your responsibilities will include assessing, planning, implementing and evaluating Sudbury's action plan and strategies regarding age-friendly initiatives. Your commitment to the Town of Sudbury and to making this community friendly and accommodating for all residents make you the perfect fit for the ambassador position.

This appointment is made by the Town Manager. You will be directly supervised by the Director of the Senior Center and work collaboratively with many Town Departments, to including the Planning Office and the Board of Health Department.

I look forward to working with you.

Best,

*Melissa Murphy-Rodrigues, Esq.*

Melissa Rodrigues, Esq.

CC:

Maryanne Bilodeau

Debra Galloway

Attachment 7.e: ambassador appointment (4630 : Transportation committee appointments)



SUDBURY SELECT BOARD

Tuesday, July 27, 2021

**MISCELLANEOUS (UNTIMED)**

**8: Financial policies discussion**

REQUESTOR SECTION

Date of request:

Requestor: Chair Roberts

Formal Title: Discussion on Financial Policies (~30 min)

Recommendations/Suggested Motion/Vote: Discussion on Financial Policies (~30 min)

Background Information:  
updated documents attached

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
Jennifer Roberts	Pending
Select Board	Pending

07/27/2021 6:15 PM

Town of Sudbury  
 Select Board Financial Policies  
 Thresholds and Targets - Capital Expenditures  
 July 13, 2021

	2017	2018	2019	2020	2021	2022
<i>General Fund Budget (Budget)</i>	91,043,226	95,474,975	98,516,637	101,703,034	105,613,075	107,093,804
<i>Capital Expenditures:</i>						
Taxation (within Levy Limit)	404,000	413,190	428,322	800,000	-	202,180
Capital Exclusion	365,000	-	-	-	-	-
Free Cash	-	2,120,235	1,425,148	1,470,000	2,225,023	3,077,500
Debt (net of MSBA reimbursement)	2,021,658	1,847,283	1,494,858	1,504,658	1,870,679	2,433,239
<b>Total</b>	<b>2,790,658</b>	<b>4,380,708</b>	<b>3,348,328</b>	<b>3,774,658</b>	<b>4,095,702</b>	<b>5,712,919</b>
<i>Capital Expenditures % of Budget</i>						
Taxation (within Levy Limit)	0.44%	0.43%	0.43%	0.79%	0.00%	0.19%
Capital Exclusion	0.40%	0.00%	0.00%	0.00%	0.00%	0.00%
Free Cash	0.00%	2.22%	1.45%	1.45%	2.11%	2.87%
Debt (net of MSBA reimbursement)	2.22%	1.93%	1.52%	1.48%	1.77%	2.27%
<b>Total % of Operating Budget</b>	<b>3.07%</b>	<b>4.59%</b>	<b>3.40%</b>	<b>3.71%</b>	<b>3.88%</b>	<b>5.33%</b>
<b>Total Target (6%)</b>	<b>5,462,594</b>	<b>5,728,499</b>	<b>5,910,998</b>	<b>6,102,182</b>	<b>6,336,785</b>	<b>6,425,628</b>
<b>Total Excess/(Short)</b>	<b>(2,671,936)</b>	<b>(1,347,791)</b>	<b>(2,562,670)</b>	<b>(2,327,524)</b>	<b>(2,241,083)</b>	<b>(712,709)</b>
<b>Non-Debt Target (3%)</b>	<b>2,731,297</b>	<b>2,864,249</b>	<b>2,955,499</b>	<b>3,051,091</b>	<b>3,168,392</b>	<b>3,212,814</b>
<b>Non-Debt Excess/(Short)</b>	<b>(1,962,297)</b>	<b>(330,824)</b>	<b>(1,102,029)</b>	<b>(781,091)</b>	<b>(943,369)</b>	<b>66,866</b>
<b>Debt Target (3%)</b>	<b>2,731,297</b>	<b>2,864,249</b>	<b>2,955,499</b>	<b>3,051,091</b>	<b>3,168,392</b>	<b>3,212,814</b>
<b>Non-Debt Excess/(Short)</b>	<b>(709,639)</b>	<b>(1,016,966)</b>	<b>(1,460,641)</b>	<b>(1,546,433)</b>	<b>(1,297,713)</b>	<b>(779,575)</b>



Town of Sudbury  
 Select Board Financial Policies  
 Thresholds and Targets - Financial Reserves  
 July 13, 2021

	2017	2018	2019	2020	2021
<i>General Fund Budget (Budget)</i>	91,043,226	95,474,975	98,516,637	101,703,034	105,613,075
<i>Financial Reserves</i>					
General Stabilization	4,384,807	4,574,740	4,885,336	5,000,904	5,325,176
Capital Stabilization	100	100	250,100	250,100	500,100
Free Cash	3,074,985	2,793,163	2,012,070	3,833,030	4,249,754
<b>Total</b>	<b>7,459,892</b>	<b>7,368,003</b>	<b>7,147,506</b>	<b>9,084,034</b>	<b>10,075,030</b>
<i>Financial Reserves % of Prior Year Budget</i>					
General Stabilization	4.94%	5.02%	5.12%	5.08%	5.24%
Capital Stabilization	0.00%	0.00%	0.26%	0.25%	0.49%
Free Cash	3.47%	3.07%	2.11%	3.89%	4.18%
<b>Total % of Operating Budget</b>	<b>8.41%</b>	<b>8.09%</b>	<b>7.49%</b>	<b>9.22%</b>	<b>9.91%</b>
<i>Financial Reserves Targets</i>					
General Stabilization					
5% Target	4,435,600	4,552,161	4,773,749	4,925,832	5,085,152
Excess/(Short)	(50,793)	22,579	111,587	75,072	240,024
Capital Stabilization					
2% Target	1,774,240	1,820,865	1,909,500	1,970,333	2,034,061
Excess/(Short)	(1,774,140)	(1,820,765)	(1,659,400)	(1,720,233)	(1,533,961)
Free Cash					
Lower Threshold Target (3%)	2,661,360	2,731,297	2,864,249	2,955,499	3,051,091
Excess/(Short)	413,625	61,866	(852,179)	877,531	1,198,663
Lower Threshold Target (5%)	4,435,600	4,552,161	4,773,749	4,925,832	5,085,152
Excess/(Short)	(1,360,615)	(1,758,998)	(2,761,679)	(1,092,802)	(835,398)
<i>Total Financial Reserves</i>					
Lower Threshold Target (10%)	8,871,200	9,104,323	9,547,498	9,851,664	10,170,303
Excess/(Short)	(1,411,307)	(1,736,319)	(2,399,992)	(767,630)	(95,274)
Upper Threshold Target (12%)	10,645,439	10,925,187	11,456,997	11,821,996	12,204,364
Excess/(Short)	(3,185,547)	(3,557,184)	(4,309,491)	(2,737,963)	(2,129,334)

does not include special purpose stab funds

Town of Sudbury  
 Select Board Financial Policies  
 Thresholds and Targets - Debt Within Levy  
 July 13, 2021

	2017	2018	2019	2020	2021	2022
<i>General Fund Budget (Budget)</i>	91,043,226	95,474,975	98,516,637	101,703,034	105,613,075	107,093,804
<i>Debt</i>						
Total Debt	3,627,425	3,453,050	3,100,625	3,110,425	3,476,446	2,433,239
Less: MSBA Reimbursement	(1,605,767)	(1,605,767)	(1,605,767)	(1,605,767)	(1,605,767)	-
Total Debt (net of MSBA Reimbursement)	2,021,658	1,847,283	1,494,858	1,504,658	1,870,679	2,433,239
Less: Excluded Debt	(1,787,169)	(1,670,954)	(1,325,469)	(1,320,997)	(1,705,018)	(2,182,313)
Debt within Levy Limit	234,489	176,329	169,389	183,661	165,661	250,926
<i>Debt % of Operating Budget</i>						
Total Debt	3.98%	3.62%	3.15%	3.06%	3.29%	2.27%
Less: Debt Exclusions	-1.96%	-1.75%	-1.35%	-1.30%	-1.61%	-2.04%
Less: MSBA Reimbursement	-1.76%	-1.68%	-1.63%	-1.58%	-1.52%	0.00%
Net Debt % of Operating Budget	0.26%	0.18%	0.17%	0.18%	0.16%	0.23%
<i>Debt Target (within Levy Limit)</i>						
Target (3%)	2,731,297	2,864,249	2,955,499	3,051,091	3,168,392	3,212,814
Excess/(Short)	2,496,808	2,687,920	2,786,110	2,867,430	3,002,731	2,961,888
<b>Overall Debt Threshold upper limit (added by JR)</b>						
Target (10%)	9,104,323	9,547,498	9,851,664	10,170,303	10,561,308	10,709,380
Excess/(Short)	(5,476,898)	(6,094,448)	(6,751,039)	(7,059,878)	(7,084,862)	(8,276,141)
<b>Overall Debt reasonable range</b>						
Target (5%)	4,552,161	4,773,749	4,925,832	5,085,152	5,280,654	5,354,690
Excess/(Short)	(924,736)	(1,320,699)	(1,825,207)	(1,974,727)	(1,804,208)	(2,921,451)
Target (7%)	6,373,026	6,683,248	6,896,165	7,119,212	7,392,915	7,496,566
Excess/(Short)	(2,745,601)	(3,230,198)	(3,795,540)	(4,008,787)	(3,916,469)	(5,063,327)

Town of Sudbury  
 Select Board Financial Policies  
 Thresholds and Targets - Financial Reserves  
 July 13, 2021

	2017	2018	2019	2020	2021
<b>Enterprise Funds Budgets</b>					
Transfer Station	292,732	314,092	327,506	312,646	309,103
Pool	574,279	574,434	503,447	468,279	464,136
Recreation Field Maintenance	236,758	240,337	239,866	251,198	230,786
<i>Total Enterprise Funds Budget</i>	1,103,769	1,128,863	1,070,819	1,032,123	1,004,025
<b>Financial Reserves</b>					
Transfer Station (Free Cash)	170,654	195,822	214,756	189,892	189,424
Pool (Free Cash)	93,317	70,413	38,834	(3,315)	(77,394)
Recreation Field Maintenance (Free Cash)	34,475	37,347	50,367	15,831	(19,691)
<b>Total</b>	298,446	303,582	303,957	202,408	92,339
<b>Financial Reserves % of Prior Year Budget</b>					
Transfer Station	33.14%	66.89%	68.37%	57.98%	60.59%
Pool	16.14%	12.26%	6.76%	-0.66%	-16.53%
Recreation Field Maintenance	14.39%	15.77%	20.96%	6.60%	-7.84%
<b>Total % of Operating Budget</b>	22.40%	27.50%	26.93%	18.90%	8.95%
<b>Financial Reserves Targets</b>					
<b>Transfer Station</b>					
Lower Threshold Target (3%)	15,449	8,782	9,423	9,825	9,379
Excess/(Short)	155,205	187,040	205,333	180,067	180,045
Lower Threshold Target (5%)	25,748	14,637	15,705	16,375	15,632
Excess/(Short)	144,906	181,185	199,051	173,517	173,792
<b>Pool</b>					
Lower Threshold Target (3%)	17,341	17,228	17,233	15,103	14,048
Excess/(Short)	75,976	53,185	21,601	(18,418)	(91,442)
Lower Threshold Target (5%)	28,902	28,714	28,722	25,172	23,414
Excess/(Short)	64,415	41,699	10,112	(28,487)	(100,808)
<b>Recreation Field Maintenance</b>					
Lower Threshold Target (3%)	7,188	7,103	7,210	7,196	7,536
Excess/(Short)	27,287	30,244	43,157	8,635	(27,227)
Lower Threshold Target (5%)	11,979	11,838	12,017	11,993	12,560
Excess/(Short)	22,496	25,509	38,350	3,838	(32,251)

Policy Decision	Description	Comments
Name a second document for Action Plan 1 (versus Policy doc) HOWTO: initially achieve Capital Stabilization 2 Fund target balance	"How to achieve targets Plan": For example: consider over time increasing the in-levy debt capacity. E.g. when there is capital that we might have historically considered paying with debt or capital exclusions, attempt to fit within the levy. FIRE STATION EXAMPLE... Map out in How to document, plan to get to 2% target. (Approach may include "wheel of free cash")	
3 overall reserves target	10-12 percent of prior year General Fund budget (Stabilization funds (5%) + Free Cash (3%) + Capital Stabilization Fund (2%))	
4 free cash target	year-to-year goal of maintaining free cash in the range of 3-5 percent of prior year General Fund budget	
5 acceptable uses of free cash what to do with free cash in excess of max	Town will limit its use of free cash to funding one-time expenditures (like capital projects or emergencies and other unanticipated expenditures) appropriate any excess above 5 % of the General Fund to reserves or to offset unfunded liabilities or to set aside for existing debt	
6 target 7 general Stabilization Fund target	5% of prior year general fund budget	
8 general Stabilization Fund withdrawal policy	If any necessary withdrawal drives the balance below the minimum level, the withdrawal should be limited to one-third of the general stabilization fund balance	
general Stabilization Fund replenishment 9 policy capital-related Special Purpose Stabilization	Replenishment of the funds should be made annually at the Fall Town Meeting, or the earliest available meeting after Free Cash has been certified.	
10 Fund(s) target	2% of prior year General Fund budget (per DLS) Capital Stabilization Fund (target of 2% of prior year general fund budget). Also we are recommending not using fund until target balance is achieved. If funds are used they should be replenished at the next Town Meeting as free cash allows.	
11 Capital Stabilization Fund target Close Melone Stabilization Fund and transfer		
12 to Capital Stabilization Fund	DLS recommendation "Close Melone Stabilization Fund"	
Limit the number of stabilization funds to small few that have clear but broadly defined 13 purposes	does Turf fund fit this recommendation (clear but broadly defined?) and to what degree do we want to limit stabilization funds? Do we want to keep this? DLS recommendation to eliminate special purpose stabilization funds. Currently we put \$20K a year in (\$10K from field maintenance enterprise fund and \$10K from the general fund.)	
14 Turf Stabilization Fund		

- adopt Sale of Moveable property policy (to fix  
15 Vehicle Surplus bylaw problem)

Sale of moveable property: M.G.L. c. 44, § 53 \*\*\* DLS option... if we want to divert to Capital Stabilization, we could accept 4th para of ... M.G.L. c. 40 § 5B and specify a percentage of each sale (of moveable property e.g. Vehicles that will be dedicated, without further appropriation, to the capital stabilization fund.
- 16 use of Overlay Surplus funds policy

treat like other one-time revenues for non-recurring expenses
- Annual Capital Spending (non-debt) target  
17 policy

target of 3% of prior year's General Fund budget [see DLS pg 22 terminology and targets]  
How to determine how much each year, considering 'catch up contributions' - we chose to not specify within Policies (consider for How To document)
- 18 OPEB Trust Fund annual contribution policy
- 19 special one-time revenue to offset Debt policy

In policies, "set aside for existing debt" e.g. Sewataro. Can't 'pre-pay' in this year's debt payment, but can make conscious decision to set aside revenue and not to raise corresponding amount of funds from levy next year for next years payment  
New growth (residential or commercial) permanently adds to the tax base. The Town should attempt to dedicate 50 to 75% of all (commercial?) new growth levy amounts to capital expenditures or reserves. In talking to Dennis determined this was too aggressive. Changed to "The Town should endeavor to contribute any new growth in excess of 1 percent of prior year's general fund budget to capital expenditures or reserves."
- special New growth revenue towards capital  
20 expenditures policy
- Policy on "Town departments that charge fees  
21 (Enterprise Funds and recreation programs...)"

Town departments that charge fees (Enterprise Funds and recreation programs, for example) shall annually review their fee schedules and propose adjustments when needed to ensure coverage of service costs and endeavor to generate retained earnings of 3-5% of prior year's enterprise fund budgets for asset replacement.
- 22 Overlay Surplus transparency

At the annual Tax Classification Hearing, the Select Board shall request an update from the Board of Assessors on the balance of the overlay account
- Minimizing debt by maximizing use of  
23 available funds

Use available funds to the greatest extent possible to reduce the amount of borrowing on all debt-financed projects
- 24 Long-term borrowing circumstances

Confine long-term borrowing to capital improvements and projects that cost at least \$100,000 and that have useful lifespans of at least ten years or whose lifespans will be prolonged by at least ten years.

NOTE: is this too aspirational / infeasible? Might we make the notional 1% a value that the Select Board initially sets at lower bar, and increases as we gain more discipline and debt within the levy capacity? (Back of envelope: 1% of prior years general fund revenue is ~ \$1M. Only purchases of around \$20M or more would have first year Principal payment of > \$1M. ?? So this would say Broadacres, Sewataro would not have qualified for a debt exclusion.)

- 25 Debt exclusion circumstances
  - Restrict debt exclusion borrowing to proposals which meet all three of these criteria:
    - (1) useful life of 20 years or more;
    - (2) estimated cost of the **principal payment in the first year** of the debt issuance must be greater than **1% of the prior year's general fund revenue** ; and
    - (3) the expenditure is either for town-owned land, buildings, or infrastructure or for a LSRHS capital assessment.
  - The policy of the Select Board shall be to include sufficient debt capacity within the levy, such that capital items can be more predictably funded.
- 26 Debt within the levy
  - As debt within the levy decreases annually, this amount shall be used for capital, future debt, or set aside for future capital.
- 27 Total debt service limit
  - 1.Total debt service, including debt exclusions and any self-supporting debt, shall be limited to 10 percent of general fund revenues, with a target balance of 5-7 percent.
  - The Town will limit bond maturities to no more than 10 years, except for major buildings, water and water facility projects, land acquisitions, and other purposes in accordance with the useful life borrowing limit guidelines published by the Division of Local Services (DLS).
- 28 Bond term limit 10 years except for...
- 29 Debt re-funding options
  - Issue debt with optional call dates no later than 10 years from issue
- 30 Annual Capital Spending Target
  - Annually, the minimum level of capital funding (spending) the town should target year to year should be equivalent to 6% of the prior year's general fund budget, (drawn equally from within-levy debt and cash capital sources).
- 31 Requirement for adding item to CIB and CIP list
  - require a Capital Project Submission Sheet for every item listed on CIB (this year) and CIP (5 years plan)
  - The CIP shall not include items that cost less than \$20,000 or have a useful life of less than 5 years. Items that do not meet this threshold should be included within the Town's operating budget.
- 32 CIP inclusion / exclusion threshold

- 33 require potential funding sources including CPA eligibility be in the CIP (for each project submission)

Alongside the CIP prioritization, potential Funding Sources shall be identified. Wherever possible, funding sources should be derived from 'cash capital' and within levy debt funding options. Funding sources for capital may include:

  - Community Preservation Act (CPA) funds (if eligible; Open Space, Recreation, Historic)
  - Town Manager's Capital Budget (items <\$100K)
  - New growth dedicated to capital
  - Capital Stabilization Fund
  - Special-purpose stabilization funds
  - Free Cash
  - In-levy Debt
  - Dedicated revenue sources (i.e. Sewataro revenue share).
  - Capital Exclusion
  - Debt Exclusion
  
- 34 put maintenance and small, shorter life capital in Dept budget

The CIP shall not include items deemed to be departmental maintenance. Rather, such smaller, shorter life maintenance items should be included in departmental budgets
  
- 35 do not include / itemize LSRHS capital in Sudbury CIP

LSRHS capital assets, while funded by Sudbury and Lincoln taxpayers, are not to be itemized in the Town of Sudbury Capital Improvement Plan. Rather, a single line item per year in each of the 5 and 15 year plans shall represent Sudbury's contribution to LSRHS's own independent capital plan (We did not choose to do this).
  
- 36 Transparency of CIP edits

Annually, the 5 year capital improvement plan shall be posted and accessible for public view on town website for public review at all times, reflecting updates for any changes made. The Capital Project Submission Sheet for each project on the 5 year CIP shall be posted and linked from the CIP.

or eliminate this step from policies: "The Town Manager will submit a capital program to the Capital Improvement Advisory Committee (CIAC). The proposed program will detail each capital project, the estimated cost, description and funding. \*\*\*\* POLICY DECISION – IF WE FOLLOW DLS TAB'S RECOMMENDATION TO DISCONTINUE CIAC FOR LEANER, CENTRALIZED PROCESS / EMPOWERED TOWN MANAGER... THEN CAN ELIMINATE THIS STEP OF SUBMITTING TO CIAC. \*\*\*"
  
- 37 Continue CIAC?

- 38 Deadlines confirm Jan 31 for articles for CIB, Feb 5 bylaw to send to Fincom appropriate and compatible dates
- Prescriptive Use of Free Cash (Wheel of Free  
39 Cash) Decided to keep out of Policies, more appropriate for How to Get There document  
Decided not to address in Policies, other than to list M.G.L. c. 40 § 5B with laws we comply with. \*\*\* DLS option... if we want to divert to Capital Stabilization, we could accept 4th para of ... M.G.L. c. 40 § 5B and specify a percentage of each sale (of moveable property e.g. Vehicles that will be dedicated, without further appropriation, to the capital stabilization fund.
- 40 Moveable property Town Manager shall maintain an inventory of all 'capital assets" (see Financial Policies Draft Appendix for definition).
- 41 Capital Asset Inventory

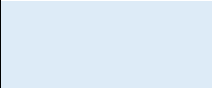
- 42 Debt Schedule Length Policy Removed policy of "The Town will attempt to maintain a long-term debt schedule so that at least 50 percent of outstanding principal will be paid within 10 years."

Changed to 3. For non-excluded debt the Town will generally choose terms less than 20 years and structure as level principal payments, so that over time the annual debt payment goes down, opening up capacity for future capital.



Section	Threshold/Target	Policy Value	Dennis Current Value
Financial RESERVES policy	Maintain overall reserves in the level of [X-Y%] of the prior year General Fund budget	10-12%	9.91%
Financial RESERVES.B.Free Cash	Maintaining its free cash in the range of [X-Y%] of the prior year's General Fund budget.	3-5%	4.18%
Financial RESERVES.B.Free Cash	Should appropriate any free cash excess above [X%] of the General Fund budget to reserves, to offset unfunded liabilities, or to set aside for existing debt.	5%	
Financial RESERVES.C.Stabilization Fund (and FORECASTING.A.Revenue Guidelines)	Endeavor to maintain a minimum balance of [X%] of the prior year's General Fund budget in its general stabilization fund	5%	5.24%
Financial RESERVES.C.Stabilization Fund	Pay outright for moderate-range (under \$X) capital expenditures [through Capital Stabilization Fund]	\$1M	
Financial RESERVES.C.Stabilization Fund (and FORECASTING.A.Revenue Guidelines)	Endeavor to achieve and maintain a combined target balance for all capital-related special purpose stabilization funds equal to [X%] of prior year General Fund budget	2%	0.49%
FORECASTING.A.Revenue Guidelines	Annual Capital Spending (non-debt; target of X% of prior year's General Fund budget	3%	3.06%
FORECASTING.A.Revenue Guidelines	Endeavor to contribute any new growth in excess of X% of prior year's General Fund budget to capital expenditures or reserves	1%	
FORECASTING.A.Revenue Guidelines	Endeavor to generate retained earnings of [X-Y%] of prior year's enterprise fund budgets for asset replacement	3-5%	8.95%
DEBT MANAGEMENT.A.Debt Financing	Confine long-term borrowing to capital improvements and projects that cost at least[\$X] and that have useful lifespans of at least [Y] years or whose lifespans will be prolonged by at least [Z] years.	\$100,000, ten years, ten years	
DEBT MANAGEMENT.A.Debt Financing	Restrict debt exclusion borrowing to proposals which meet all three of these criteria: (1) useful life of [X] years or more (2) estimated cost of the principal payment in the first year of the debt issuance greater than [Y%] of the prior year's General Fund revenue.	20 years, 1%	
DEBT MANAGEMENT.B.Debt Limits and Targets	Total annual debt service, including debt exclusions and any self-supporting debt, shall be limited to [X%] of General Fund revenues, with a reasonable range of [Y-Z%]	10%, 5-7%	2.27%
DEBT MANAGEMENT.B.Debt Limits and Targets	As dictated by state statute MGL ch 44 section 10, the Town's debt limit shall be [X%] of its most recent equalized valuation	5%	
DEBT MANAGEMENT.B.Debt Limits and Targets (and DEBT MANAGEMENT.A.Debt Financing)	Endeavor to gradually and consistently pursue future debt issuances financed by within-levy dollars with a target of [X%] of prior year's General Fund budget	3%	0.23%
DEBT MANAGEMENT.C.Structure and Term of Debt	The Town will limit bond maturities to no more than [X years], except for major buildings, water and water facility projects, land acquisitions, and other purposes in accordance with the useful life borrowing limit guidelines published by the Division of Local Services (DLS).	10 years	
DEBT MANAGEMENT.C.Structure and Term of Debt	For non-excluded debt the Town will generally choose terms less than [X years] and structure as level principal payments, so that over time the annual debt payment goes down, opening up capacity for future capital	20 years	
DEBT MANAGEMENT.D.Bond Refunding	Issue debt with optional call dates no later than [X years] from issue	10 years	
DEBT MANAGEMENT.F.Reporting	The Finance Director, with the Town's financial advisor, will file the annual audit and official disclosure statement within [X days] of the end of the fiscal year	270 days	
CAPITAL ASSETS.Applicability (and CAPITAL ASSETS.A.Capital Improvement Plan)	In order to be included in Sudbury's Capital Improvement Program, Capital Assets must cost [\$X] or more and have a useful life of [Y or more years]. Items or improvements that do not meet this threshold should be included within the Town's operating budget. //////////////// The CIP shall not include items that cost less than [\$X] or have a useful life of less than [Y years]. Items that do not meet this threshold should be included within the Town's operating budget.	\$20,000, 5 years	
CAPITAL ASSETS.A.Capital Improvement Plan	Annually, the minimum level of capital spending the town should target year to year should be equivalent to [X%] of the prior year's General Fund budget, drawn [equally] from within-levy debt and cash capital sources. The [X%] target shall guide how much capital spending can be planned in each year of the CIP	6%, equally	5.33%
CAPITAL ASSETS.A.Capital Improvement Plan	Town Manager's Capital Budget (items < [\$X] )	\$100K	
CAPITAL ASSETS.A.Capital Improvement Plan	Town Manager's Capital Budget (items < [\$X] in a single year or < [\$Y] over multiple years, as per General Bylaws Section 2, Article XXV Capital Planning)	\$100K, \$200K	
DEBT MANAGEMENT.A. DEBT FINANCING	Restrict debt exclusion borrowing to proposals which meet all three of these criteria: (1) useful life of 20 years or more (2) estimated cost of the principal payment in the first year of the debt issuance greater than 0.5% of the prior year's General Fund revenue. This criterion applies after target level for in-levy debt of 3% is initially achieved, as per Section B. Debt Limits and Targets Item 3.	0.50%	No current target/threshold

This is the combined amount. The Pool and Field Maintenance Funds had NEGATIVE Free Cash (fund deficits).



Section	Threshold/Target	Policy Value	FY 21 Dennis Current Value (% of FY 20 Budget)	Plan to Get There	\$ Amount Difference	Note
Financial RESERVES policy	Maintain overall reserves in the level of [X-Y%] of the prior year General Fund budget	10-12%	9.91%	See Capital Stabilization Fund	(\$95,274 - \$2,129,334)	
Financial RESERVES.B.Free Cash	Maintaining its free cash in the range of [X-Y%] of the prior year's General Fund budget.	3-5%	4.18%	Near threshold/target	\$1,198,663 - (\$835,398)	
Financial RESERVES.C.Stabilization Fund (and FORECASTING.A.Revenue Guidelines)	Endeavor to maintain a minimum balance of [X%] of the prior year's General Fund budget in its general stabilization fund	5%	5.24%	Near threshold/target	\$240,024	
Financial RESERVES.C.Stabilization Fund (and FORECASTING.A.Revenue Guidelines)	Endeavor to achieve and maintain a combined target balance for all capital-related special purpose stabilization funds equal to [X%] of prior year General Fund budget	2%	0.49%	Consistent annual contribution of \$250K - 500K for ~3-6 years from free cash; No withdrawals until achieved. Once withdrawals begin, there must be replenishment at following Town Meeting.* Could consider adding available Melone Stabilization fund at appropriate time (\$1.1 MM).	\$1,533,961	
FORECASTING.A.Revenue Guidelines	Annual Capital Spending (non-debt; target of X% of prior year's General Fund budget	3%	3.06%	Near threshold/target	\$66,866	
FORECASTING.A.Revenue Guidelines	Endeavor to generate retained earnings of [X-Y%] of prior year's enterprise fund budgets for asset replacement*	3-5%	8.95%	This is the combined amount. The Pool and Field Maintenance Funds had negative Free Cash (fund deficits) but are expected to approach goal in future.	Transfer Station: \$180,045 - 173,792 Pool: (\$91,442 - 100,808) Field: (\$27,227 - 32,251)	
DEBT MANAGEMENT.B.Debt Limits and Targets	Total annual debt service, including debt exclusions and any self-supporting debt, shall be limited to [X%] of General Fund revenues, with a reasonable range of [Y-Z%]	10%, 5-7%	2.27%	Generally, we will likely naturally get here in time as we approve and bond more projects.	(\$8,276,141) and (\$2,921,451 - 5,063,327)	Closer to 4% when future Fairbank and Fire Station debt added.
DEBT MANAGEMENT.B.Debt Limits and Targets (and DEBT MANAGEMENT.A.Debt Financing)	Endeavor to gradually and consistently pursue future debt issuances financed by within-levy dollars with a target of [X%] of prior year's General Fund budget	3%	0.23%	As applicable projects are approved**, debt should be put in-levy. Currently there is \$250K in-levy debt. To add \$2,961,888 to close gap, it will require consistently putting new debt projects in-levy over time. (An example would be six \$8.5 MM projects with annual principal payments of ~\$500K.) As this happens, impacts to operating budget will need to be assessed. Note, a general override might need to be considered to preserve operational expenses in levy.	\$2,961,888	CWMP \$500K (\$30 K/yr) currently financed with in-levy debt. Fire Station \$3.3 MM (\$200K/yr) (likely FY '24-25) will be financed with in-levy debt.
CAPITAL ASSETS.A.Capital Improvement Plan	Annually, the minimum level of capital spending the town should target year to year should be equivalent to [X%] of the prior year's General Fund budget, drawn [equally] from within-levy debt and cash capital sources. The [X%] target shall guide how much capital spending can be planned in each year of the CIP	6%, equally	5.33%	Nearing threshold/target if including debt exclusions; See in-levy debt target.	\$712,709	
DEBT MANAGEMENT.A. DEBT FINANCING	Restrict debt exclusion borrowing to proposals which meet all three of these criteria: (1) useful life of 20 years or more (2) estimated cost of the principal payment in the first year of the debt issuance greater than [X]% of the prior year's General Fund revenue. This criterion applies after target level for in-levy debt of 3% is initially achieved, as per Section B. Debt Limits and Targets Item 3.	0.50%	No current target/threshold	This is new policy; See in-levy debt target.	N/A	

\*At 2021 Annual Town Meeting there was no contribution to Capital Stabilization fund. Plan is to request \$500K contribution from free cash at 2022 Annual Town Meeting.

\*\*For projects where principal payment in the first year of the debt issuance is less than .5% of the prior year's general fund revenue (~\$500K annual payment or ~\$8.5 MM total project).

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*Town of Sudbury, Massachusetts*  
Financial Policies Manual  
**DRAFT July 2, 2021**



Attachment 8.b: Select Board Financial Policies WORKING DRAFT 2021 07.09.21 Edited (4736 : Financial policies discussion)

## Introduction

The Town of Sudbury is committed to safeguarding public funds, protecting local assets, and complying with financial standards and regulations. To that end, this manual of financial policies provides guidance for local planning and decision making. The policies as a whole are intended to outline objectives, provide formal direction, and define authority to help ensure sound fiscal stewardship and management practices. Each is a living document that should be reviewed periodically and updated as necessary.

With these policies, the Town of Sudbury, through its [Select Board](#), Town Manager, and employees, commits to the following objectives:

- Sustaining a consistent level of service and value for residents
- Safeguarding financial integrity and minimizing risk through a system of internal controls
- Ensuring the quality and maintenance of capital assets ([see Appendix A for definition of capital assets](#))
- Conforming to general law, uniform professional standards, and municipal best practices
- Protecting and enhancing the town's credit rating
- [Promoting transparency and public disclosure](#)
- [Revisiting and reviewing the policies every three years to assess thresholds and targets.](#)

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**Town of Sudbury, Massachusetts**  
**Financial Policies Manual**

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Attachment 8.b: Select Board Financial Policies WORKING DRAFT 2021 07.09.21 Edited (4736 : Financial policies discussion)

## **FINANCIAL RESERVES**

### **PURPOSE**

To help the Town stabilize finances and maintain operations during difficult economic periods, this policy establishes prudent practices for appropriating to and expending reserve funds. With well-planned sustainability, Sudbury can use its reserves to finance emergencies and other unforeseen needs, to hold money for specific future purposes, or in limited instances, to serve as revenue sources for the annual budget. Reserve balances and policies can also positively impact the Town's credit rating and consequently its long-term cost to fund major projects.

### **APPLICABILITY**

This policy pertains to short- and long-range budget decision making and applies to the Select Board, Sudbury Public School Committee, and Town Manager in those duties. It also applies to the related job duties of the Finance Director, the Town Accountant, the Board of Assessors, and the Finance Committee.

### **POLICY**

The Town of Sudbury commits to building and maintaining its reserves so as to have budgetary flexibility for unexpected events and significant disruptions in revenue-expenditure patterns and to provide a source of available funds for future capital expenditures. **The Town will strive to maintain overall reserves in the level of 10-12% of the prior year General Fund budget.** These reserves are comprised of the general stabilization fund, special purpose stabilization funds and free cash target. Adherence to this policy will help the Town withstand periods of decreased revenues and control spending during periods of increased revenues. Other types of reserves include retained earnings and overlay surplus.

#### **A. Protection of Credit Rating**

Maintenance of the highest-level credit rating possible is important to the continued financial health of Sudbury as it reduces the costs of issuing debt. Credit rating firms consider management practices to be very important factors. Poor management practices can inadvertently jeopardize the financial health of a local government. To be proactive in assuring the Town of Sudbury does not engage in these practices, the Select Board of the Town of Sudbury has adopted the following credit rating protection policies. The Town will not rely on reserves to sustain operating budgets. Use of such reserves will be limited to helping the Town deal with short-term or emerging financial stress. In the subsequent year, the Town will either reduce spending to within the limits of recurring revenues or seek approval for additional revenues from the voters of the Town. The Town will not defer current costs, such as pension or benefit costs, to a future date.

#### **A.B. Free Cash**

The Division of Local Services (DLS) defines free cash as “the remaining, unrestricted funds from operations of the previous fiscal year, including unexpended free cash from the previous year.” DLS must certify free cash before the Town can appropriate it in the new year.

By August 15th each year, the Town Accountant shall submit to DLS a year-end balance sheet, free cash checklist, and year-end reporting checklist. Once DLS certifies free cash, the Town Accountant will provide copies of the certified balance to the Select Board, Town Manager, and Finance Director.

Each spring, the Town Manager shall include the Town's free cash balance in the proposed budget submitted to the Select Board and Finance Committee for the ensuing fiscal year, along with details on the proposed uses of and/or retention level of free cash. Any proposed use of free cash for capital equipment or improvements shall be consistent with needs identified in the Town's capital improvement program.

The Town shall set a year-to-year goal of maintaining its free cash in the range of 3-5% of the prior year's General Fund budget. To achieve this, the Finance Director shall assist the Town Manager in proposing budgets with conservative revenue projections, and department heads shall carefully manage their appropriations to produce excess income and budget turn backs. Further, budget decision makers will avoid fully depleting the Town's free cash in any year, so that the succeeding year's calculation can begin with a positive balance. Moreover, as much as practicable, the Town will limit its use of free cash to funding one-time expenditures (like capital projects or emergencies and other unanticipated expenditures) and will should appropriate any free cash excess above 5% of the General Fund budget to reserves, to offset unfunded liabilities, or to set aside for existing debt.

#### B-C. Stabilization Funds

A stabilization fund is a reserve account allowed by state law to set aside monies to be available for future spending purposes, including emergencies or capital expenditures, although it may be appropriated for any lawful purpose. Prior to the adoption of this policy, the Town established and appropriated to a general stabilization fund and special purpose stabilization funds for capital projects.

**General Stabilization:** The Town will endeavor to maintain a minimum balance of 5% of the prior year's General Fund budget in its general stabilization fund. Withdrawals from general stabilization should only be used to mitigate emergencies or other unanticipated events that cannot be supported by current General Fund appropriations. When possible, withdrawals of funds should be limited to the amount available above the 5% minimum reserve target level. If any necessary withdrawal drives the balance below the minimum level, the withdrawal should be limited to one-third of the general stabilization fund balance at a time, endeavoring to never fully deplete it. Replenishment of the funds should be made annually at the Fall Town Meeting, or the earliest available meeting after free cash has been certified.

#### Special Purpose Stabilization Funds

**Capital Stabilization:** The Town will appropriate annually to the capital stabilization fund so that over time it achieves a target balance sufficient to cover the Town's cash outlay for capital. Doing so enables the Town to pay outright for moderate-range (under \$1M) capital expenditures and thereby preserve debt capacity for major, higher-dollar

purchases or projects. This approach balances debt with pay-as-you-go practices and protects against unforeseen costs. The Town should endeavor to achieve and maintain a combined target balance for all capital-related special purpose stabilization funds equal to 2% of prior year General Fund budget.

Withdrawals from the Capital Stabilization Fund should be avoided until the target balance has been achieved. Once achieved, funds should be replenished annually at the Fall Town Meeting, or the earliest available meeting after free cash has been certified (subject to free cash availability).

**Turf Stabilization:** The Town maintains a special purpose fund to offset the cost of periodic replacement of designated town-owned turf fields. As originally created, this fund applies to the Cutting Field but could be expanded to other fields in the future.

#### G.D. Overlay Surplus

The overlay is a reserve the Town uses to offset unrealized revenues resulting from property tax abatements and exemptions. Sudbury officials will prudently manage the overlay in accordance with the Town's Overlay policy to avoid the need to raise overlay deficits in the tax levy. At the conclusion of each fiscal year, the Board of Assessors shall submit to the Town Manager and Finance Director an update of the overlay reserve with data that includes, but is not limited to, the gross balance, potential abatement liabilities, and any transfers to surplus. If the balance exceeds the amount of potential liabilities, the Town Manager may request that the Board of Assessors vote to declare those balances surplus, available for one-time expenditures (as with free cash).



## **FORECASTING**

### **PURPOSE**

To assess the range of choices available to budget decision makers when determining how to allocate resources, this policy establishes guidelines for evaluating revenue sources and the requirement to determine an expenditure strategy as part of the annual budget process and longer-range fiscal planning. Forecasting helps local officials understand the long-range implications of pending near-term decisions.

### **APPLICABILITY**

This policy applies to the Town Manager as the Town's chief budget decision maker. It also applies to the job responsibilities of the Finance Director, Sudbury Public Schools Superintendent, Sudbury Public Schools Business Manager, Select Board, Sudbury Public Schools Committee, and Finance Committee.

### **POLICY**

#### **A. Revenue Guidelines**

The Town will continually seek to diversify its revenue to improve the equity and stability of sources. Each year and whenever appropriate, the Town will reexamine existing revenues and explore potential new sources. A balance will be sought between elastic and inelastic revenues to minimize any adverse effects caused by inflation or other economic changes. Additionally, intergovernmental revenues (e.g., local aid, grants) will be reviewed annually to determine their short- and long-term stability in order to minimize detrimental impacts.

The Town will generally avoid using one-time revenues to fund ongoing or recurring operating expenditures. These one-time revenue sources can include, but are not limited to, free cash, bond premiums, overlay surplus, sale of municipal equipment, legal settlements, insurance proceeds, and gifts. Additionally, the Town hereby establishes the following priority order when appropriating one-time revenues:

- General Stabilization Fund (maintenance of 5% of prior year's General Fund budget)
- Annual Capital Spending (non-debt; target of 3% of prior year's General Fund budget)
- Capital Stabilization Fund (target of 2% of prior year's General Fund budget)
- OPEB Trust Fund
- Existing debt

New growth (residential or commercial) permanently adds to the tax base. The Town should endeavor to contribute any new growth in excess of 1% of prior year's General Fund budget to capital expenditures or reserves.

Economic downturns or unanticipated fiscal stresses may compel reasonable exceptions to the use of one-time revenue. In such cases, the Town Manager, in consultation with the Finance Director, can recommend its use for operational appropriations. Such use will trigger the Town Manager to develop a plan to avoid continued reliance on one-time revenues.

State laws impose further restrictions on how certain types of one-time revenues may be used. The Town will consult the following General Laws when the revenue source is:

- Sale of real estate: [M.G.L. c. 44, §63](#) and [M.G.L. c. 44, §63A](#)
- Gifts and grants: [M.G.L. c. 44, §53A](#) and [M.G.L. c. 53A½](#)
- Bond proceeds: [M.G.L. c. 44, §20](#)
- Sale of moveable property: [M.G.L. c. 44, § 53](#)

This policy further entails the following expectations regarding revenues:

- The Assessing Department will maintain property assessments for the purpose of taxation at full and fair market value as prescribed by state law.
- Town departments that charge fees (Enterprise Funds and recreation programs, for example) shall annually review their fee schedules and propose adjustments when needed to ensure coverage of service [costs and endeavor to generate retained earnings of 3-5% of prior year's enterprise fund budgets for asset replacement.](#)
- The Building Department will notify the Finance Director of any moderate-to-large developments that could impact building permit volume.
- Department heads will strive to be informed of all available grants and other aid and will carefully consider any related restrictive covenants or matching requirements (both dollar and level-of-effort) to determine the cost-benefit of pursuing them.
- Revenue estimates will be adjusted throughout the budget cycle as more information becomes available.

#### B. Expenditure Guidelines

Annually, the Town will determine a particular budget approach for forecasting expenditures, either maintenance (level service), level funded, or one that adjusts expenditures by specified increase or decrease percentages (either across the board or by department). A maintenance budget projects the costs needed to maintain the current staffing level and mix of services into the future. A level funded budget appropriates the same amount of money to each municipal department as in the prior year and is tantamount to a budget cut because inflation in mandated costs and other fixed expenses still must be covered.

#### C. Financial Forecast Guidelines

To determine the Town's operating capacity for each forthcoming fiscal year, the Finance Director will annually create and provide the Town Manager with a detailed budget forecast. The Finance Director shall also annually prepare a three-year financial projection of revenues and expenditures for all operating funds.

These forecasts shall be used as planning tools in developing the following year's operating budget as well as the five-year capital improvement plan.

To ensure the Town's revenues are balanced and capable of supporting desired levels of services, forecasts for property taxes, local receipts, and state aid shall be conservative based on historical trend analyses and shall use generally accepted forecasting techniques and appropriate data. To avoid potential revenue deficits, estimates for local receipts (e.g., inspection fees, investment income, license fees) should generally not exceed 90% of the prior year's actual collections without firm evidence that higher revenues are achievable.

Additionally, the forecast model should assume that:

- The Town will maintain its current level of services.
- Property taxes (absent overrides) will grow within the limits of Proposition 2½.
- New growth will be projected conservatively, considering the Town's three-year average by property class.
- The Town will annually meet or exceed the state's net school spending requirements.
- Local receipts and state aid will reflect economic cycles.
- The Town will pay the service on existing debt and adhere to its Debt Management policy.
- The Town will make its annual pension contributions and continue appropriating to its other postemployment benefits trust fund.
- The Town will build and maintain reserves in compliance with its Financial Reserves policy.

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## OVERLAY

### PURPOSE

To set guidelines for determining the annual overlay amount in the Town's budget and for deciding whether any overlay balance can be certified as surplus.

The allowance for abatements and exemptions, commonly referred to as the overlay, is an account whose purpose is to offset anticipated abatements and exemptions of committed real and personal property taxes. Effective December 7, 2016, the Municipal Modernization Act ([Chapter 218 of the Acts of 2016](#)) provides for a single overlay account. Previously, a community had to maintain separate overlay reserves for each fiscal year and could not use the surplus from one year to cover another year's deficit without a multistep process involving the assessors, accounting officer, and local legislative body. However, the Act allows all existing overlay balances to be transferred to a single account. Although this policy treats overlay as a single account, to continue historical information and facilitate reconciliations, the Town may elect to maintain subsidiary ledgers by levy year for overlay balances.

### APPLICABILITY

This policy applies to the job duties of the Board of Assessors, Director of Assessing, Town Manager, and Finance Director.

### POLICY

#### A. Annual Overlay

Each year, the Board of Assessors shall vote in an open meeting to authorize a contribution to the overlay account as part of the budget process and to raise it without appropriation on the Town's Tax Recap Sheet. The Principal Assessor will propose this annual overlay amount to the Board of Assessors based on the following:

- Current balance in the overlay account
- Five-year average of granted abatements and exemptions
- Potential abatement liability in cases pending before, or on appeal from, the Appellate Tax Board (ATB)
- Timing of the next certification review by the Division of Local Services (scheduled every five years under the Municipal Modernization Act) The Board of Assessors shall notify the Finance Director of the amount of overlay voted

#### B. Excess Overlay

Annually, the Finance Director and Director of Assessing will conduct an analysis to see if there is any excess in the overlay account by factoring the following:

- Current balance in the overlay account after reconciling with the Town Accountant's records

- Balance of the property tax receivables, which represents the total real and personal property taxes still outstanding for all levy years
- Estimated amount of potential abatements, including any cases subject to ATB hearings or other litigation

Upon determining any excess in the overlay account, the Principal Assessor shall present the analysis to the Board of Assessors for its review.

### C. Overlay Surplus

If there is an excess balance in the overlay account, the Board of Assessors shall formally vote in an open meeting to certify the amount to transfer to overlay surplus and shall notify the Town Manager and Finance Director in writing of its vote. If the Town Manager makes a written request for a determination of overlay surplus, the Board of Assessors shall vote on the matter within the next 10 days and notify the Town Manager and Finance Director of the result in writing. In advance of At the annual Tax Classification Hearing, the Select Board shall request an update from the Board of Assessors on the balance of the overlay account.

After being certified, Town Meeting may appropriate overlay surplus for any lawful purpose until the end of the fiscal year. However, the appropriation should be as prescribed in the Town's Forecasting policy (re: treatment of one-time revenues) and its Financial Reserves policy (re: overlay surplus). Overlay surplus not appropriated by year-end closes to the General Fund's undesignated fund balance.

## **DEBT MANAGEMENT**

### **PURPOSE**

To provide for the appropriate issuance and responsible use of debt, this policy defines the parameters and provisions governing debt management. Policy adherence will help the Town to responsibly address capital needs, provide flexibility in current and future operating budgets, control borrowing, and maintain capital investment capacity. This policy is also intended to maintain and enhance the town's bond rating so as to achieve long-term interest savings.

### **APPLICABILITY**

This policy applies to the Town Manager, Select Board, Sudbury Public School Committee, and Finance Committee in their budget decision making and in the Finance Director's debt reporting. It also applies to the Finance Director's budget analysis duties. Additionally, in the role as Treasurer/Collector, the statutory responsibilities associated with debt management.

### **POLICY**

Under the requirements of federal and state laws, the Town may periodically issue debt obligations to finance the construction, reconstruction, or acquisition of infrastructure and other assets or to refinance existing debt. The Town will issue and manage debt obligations in such a manner as to obtain the best long-term financial advantage and will limit the amount of debt to minimize the impact on taxpayers. Debt obligations, which include general obligation bonds, revenue bonds, bond anticipation notes, lease/purchase agreements, and any other debt obligations permitted to be issued under Massachusetts law, shall only be issued to construct, reconstruct, or purchase capital assets that cannot be acquired with current revenues.

#### **A. Debt Financing**

Debt may be financed either within the levy, or beyond the levy (a debt exclusion which requires a Proposition 2 ½ voter referendum).

In financing with debt, the Town **will:**

1. Issue long-term debt only for objects or purposes authorized by state law and only when the financing sources have been clearly identified.
2. Use available funds as appropriate to the greatest extent possible to reduce the amount of borrowing on all debt-financed projects.
3. Confine long-term (QUESTION) borrowing to capital improvements and projects that cost at least \$100,000 and that have useful lifespans of at least ten years or whose lifespans will be prolonged by at least ten years.
4. Restrict debt exclusion borrowing to proposals which meet all three of these criteria:
  - (1) useful life of 20 years or more
  - (2) estimated cost of the principal payment in the first year of the debt issuance be greater than 0.54% of the prior year's General Fund revenue. This criterion applies after target level for in-levy debt of 3% is initially achieved, as per Section B. Debt Limits and Targets Item 3.

(3) the expenditure is either for town-owned land, buildings, or infrastructure or for a LSRHS capital assessment.

5. Refrain from using debt to fund any recurring purpose, such as current operating and maintenance expenditures.
6. The policy of the Select Board shall be to include sufficient debt capacity within the levy, such that capital items can be more predictably funded.
- ~~3.7.~~ As debt within the levy decreases annually, this amount shall be used for capital, future debt, or set aside for future capital.

#### B. Debt Limits and Targets

The Town will adhere to these debt parameters:

1. Total annual debt service, including debt exclusions and any self-supporting debt, shall be limited to 10% of General Fund revenues, with a reasonable range a target of 5-7%.
2. As dictated by state statute MGL ch 44 section 10, the Town's debt limit shall be 5% of its most recent equalized valuation.
- ~~2.3.~~ The Town shall endeavor to gradually and consistently pursue future debt issuances financed by within-levy dollars with a target of 3% of prior year's General Fund budget.

#### C. Structure and Term of Debt

The following shall be the Town's guidelines on debt terms and structure:

1. The term of any debt shall not exceed the expected useful life of the capital asset being financed and in no case shall it exceed the maximum allowed by law.
2. The Town will limit bond maturities to no more than 10 years, except for major buildings, water and water facility projects, land acquisitions, and other purposes in accordance with the useful life borrowing limit guidelines published by the Division of Local Services (DLS).
- ~~2.3.~~ For non-excluded debt the Town will generally choose terms less than 20 years and structure as level principal payments, so that over time the annual debt payment goes down, opening up capacity for future capital.
- ~~3.4.~~ Any vote to authorize borrowing will include authorization to reduce the amount of the borrowing by the amount of the net premium and accrued interest.
- ~~4.5.~~ The Town will work closely with its financial advisor to follow federal regulations and set time frames for spending borrowed funds to avoid committing arbitrage, paying rebates, fines and penalties to the federal government, and jeopardizing any debt issuance's tax-exempt status.

#### D. Bond Refunding

To achieve potential debt service savings on long-term debt through bond refunding, the Town will:

1. Issue debt with optional call dates no later than 10 years from issue.

2. Analyze potential refunding opportunities on outstanding debt as interest rates change.
3. Use any net premium and accrued interest to reduce the amount of the refunding.
4. Work with the Town's financial advisor to determine the optimal time and structure for bond refunding.

#### E. Protection of Bond Rating

To protect its bond rating, the Town will:

1. Maintain good communications with bond rating agencies, bond counsel, banks, financial advisors, and others involved in debt issuance and management.
2. Follow a policy of full disclosure on every financial report and bond prospectus, including data on total outstanding debt per capita, as a percentage of per capita personal income, and as a percentage of total assessed property value.
3. The Town will not rely on reserves to sustain operating deficits. Use of such reserves will be limited to helping the Town deal with short-term or emerging financial stress, but then the Town will either reduce spending to within the limits of recurring revenues, or seek approval for additional revenues from the voters of the Town.
4. The Town will not defer current costs to a future date. This includes costs such as pension costs or benefits costs. From time to time, the State offers municipalities the option of deferring payments to their pension system, or other costs, as a short-term way of balancing a fiscal year's budget. However, it is the intention of the Town of Sudbury not to rely on these options.
5. The Town will follow the policies as outlined in this policy statement.

#### F. Reporting

1. The Town's Annual Town Report, Town Manager's Budget Request and Annual Town Meeting Warrant will give comprehensive summaries of the debt obligations of the Town.
2. The Finance Director will include an indebtedness summary as part of a report on receipts and expenditures in Sudbury's Annual Town Report.
3. The Finance Director, with the Town's financial advisor, will file the annual audit and official disclosure statement within 270 days of the end of the fiscal year.



## **INVESTMENTS**

### **PURPOSE**

To ensure the Town's public funds achieve the highest possible, reasonably available rates of return while following prudent standards associated with safety, liquidity, and yield, this policy establishes investment guidelines and responsibilities. It is further designed to comply with the Governmental Accounting Standards Board's recommendation that each community disclose its key policies affecting cash deposits and other long-term investments to ensure they are managed prudently and not subject to extraordinary risk.

### **APPLICABILITY**

This policy pertains to short-term operating funds, including general funds, special revenue funds, bond proceeds, capital project funds, and to all accounts designated as long-term (e.g., trusts, stabilization funds, other postemployment benefits trust fund (OPEB), and others the Town may set aside for long-term use, including scholarship and perpetual care funds). It does not pertain to the Town's retirement fund, which is managed by the Middlesex County Retirement Board. This policy applies to the Finance Director, in the role as Treasurer, his or her designee(s), and any advisors or other professionals in their responsibilities for investing and managing Town funds.

### **POLICY**

The Finance Director shall invest funds in a manner that meets the Town's daily operating cash flow requirements and conforms to state statutes governing public funds while also adhering to generally accepted diversification, collateralization, and the prudent investment principles regarding safety, liquidity, and yield. The Finance Director will report investment performance to the Select Board each August. Additionally, they will report any deviation from the investment policy to the Select Board. (Other language from JD?) check language from JD and ask Dennis if this is reasonable.

See additional details in the Town of Sudbury Investment Policy (TODO: ADD DOC TO WEBSITE AND LINK) document as well as the Town of Sudbury CPA Investment Policy document.

## CAPITAL ASSETS

### PURPOSE

To ensure Sudbury's capital assets can cost-effectively sustain the town's desired service levels into the future.

### APPLICABILITY

This policy applies to the Town Manager as the Town's chief budget decision maker. It also applies to the job responsibilities of the Finance Director, School Superintendent, School Business Manager, [Select Board](#), [Sudbury Public](#) School Committee, and Finance Committee.

[Capital Assets are defined as the community-owned collection of significant, long-lasting, and expensive real and personal property used in the operation of government, including land and land improvements; infrastructure, such as roads, bridges, water and sewer lines; easements; buildings and building improvements; vehicles, machinery and equipment. In order to be included in Sudbury's Capital Improvement Program, Capital Assets must cost \\$20,000 or more and have a useful life of 5 or more years. Items or improvements that do not meet this threshold should be included within the Town's operating budget.](#)

### POLICY

#### A. Capital Improvement Plan

[The Town Manager shall maintain an inventory of all Town 'capital assets' \(defined in Appendix A\), their age, value, and condition. The Town Manager will update and adopt annually a five-year capital improvement plan \("CIP"\), including the upcoming annual capital improvement budget \("CIB"\) and a four-year projection of capital needs and expenditures, which details the estimated cost, description and anticipated funding sources for capital projects. The CIP should govern projects undertaken either to build, buy, expand or replace a long-life asset or to an asset's condition beyond its original state of quality, efficiency, or useful life expectation.](#)

[Annually, the minimum level of capital spending the town should target year to year should be equivalent to 6% of the prior year's General Fund budget, drawn equally from within-levy debt and cash capital sources.](#)

[The 6% target shall guide how much capital spending can be planned in each year of the CIP.](#)

1. [The Town Manager shall establish criteria to determine capital asset prioritization, including but not limited to:](#)
  - [mitigation of safety hazards](#)
  - [legal compliance](#)
  - [ADA compliance \(Americans with Disabilities Act\)](#)
  - [operating cost reduction](#)
  - [service or efficiency improvement](#)
  - [availability of outside funding sources](#)

- conformance to asset replacement schedule
  - contributing to execution of Master Plan
  - enhancement of quality of life
2. The Town Manager shall consult with Department Heads annually regarding the composition and prioritization of the capital plan and create an ordered list sorted by urgency score, with appropriate justification (identifying criteria and which department it supports).
- 2-3. A Capital Project Submission Sheet shall be required for every item listed on the five-year CIP.
4. The CIP shall not include items that cost less than \$20,000 or have a useful life of less than 5 years. Items that do not meet this threshold should be included within the Town's operating budget.
5. Alongside the CIP prioritization, potential Funding Sources shall be identified. Wherever possible, funding sources should be derived from 'cash capital' and within levy debt funding options. Funding sources for capital may include:
- Community Preservation Act (CPA) funds (if eligible; Open Space, Recreation, Historic)
  - Town Manager's Capital Budget (items <\$100K)
  - New growth dedicated to capital
  - Capital Stabilization Fund
  - Special-purpose stabilization funds
  - Free Cash
  - In-levy Debt
  - Dedicated revenue sources (i.e. Sewataro revenue share).
  - Capital Exclusion
  - Debt Exclusion
  - Grants
6. The Town will emphasize preventive maintenance as a cost-effective approach to infrastructure maintenance. Exhausted capital goods will be replaced as necessary.
7. The CIP shall not include items deemed to be departmental maintenance. Rather, such smaller, shorter life maintenance items should be included in departmental budgets.
- 3-8. Annually, the Town shall request LSRHS's 5 and 15 year capital plans. The Town's obligation per the LSRHS agreement shall be factored into the Town CIP.

## B. Risk Management

1. The Town will maintain an effective risk management program that provides adequate coverage, minimizes losses, and reduces costs.
2. The Town will annually work with the Town's insurance carrier to update all listings of Town owned assets and the value and condition of such covered assets.

## C. Reporting

1. Annually by December 31st, the 5 year capital improvement plan shall be posted and accessible for public view on town website for public review at all times, reflecting

updates for any changes made. The Capital Project Submission Sheet for each project on the 5 year CIP shall be posted and linked from the CIP.

- 4.2. The Town Manager will submit a capital program annually to the Capital Improvement Advisory Committee (CIAC). The proposed program will detail each capital project, the estimated cost, description and funding.
- 2.3. The Town Manager shall submit Town Meeting articles for the CIB by January 31<sup>st</sup>.
4. The Select Board shall report all requests for capital appropriations to the Finance Committee on or before February 5. (Bylaws Article IV Section 5).
- 3.5. The Town Manager shall coordinate the timely distribution of the CIB, CIP, and associated Capital Project Submission Sheets to the Select Board, CIAC, and Finance Committee and other stakeholders. They will also solicit and coordinate receipt of questions in advance of a joint meeting of the above-mentioned boards, committees, and commissions. This joint meeting shall occur on or before March 1.
- 4.6. The Town Manager will present the CIB for approval at the Annual Town Meeting (generally the 1<sup>st</sup> Monday in May).

DRAFT

## **OTHER POSTEMPLOYMENT BENEFITS LIABILITY (OPEB)**

### **PURPOSE**

To provide the basis for a responsible plan for meeting the Town's obligation to provide other postemployment benefits (OPEBs) to eligible current and future retirees. This policy provides guidelines designed to ensure OPEB sustainability and achieve generational equity among those called upon to financially support OPEBs, thereby avoiding transferring costs into the future.

### **APPLICABILITY**

This policy encompasses OPEB-related budget decisions, accounting, financial reporting, and investment.

### **BACKGROUND**

In addition to salaries, the Town of Sudbury compensates employees in a variety of other forms. Many earn benefits over their years of service that they will not receive until after retirement. A pension is one such earned benefit. Another is a set of retirement insurance plans for health, dental, and life. These are collectively referred to as other postemployment benefits or OPEBs.

OPEBs represent a significant liability for the Town that must be properly measured, reported, and planned for financially. As part of a long-range plan to fund this obligation, the Town established an OPEB Trust Fund, which allows for long-term asset investment at higher rates of return than those realized by general operating funds.

### **POLICY**

The Town of Sudbury is committed to funding the long-term cost of the benefits promised its employees. To do so, the Town will accumulate resources for future benefit payments in a disciplined, methodical manner during the active service life of employees. The Town will also periodically assess strategies to mitigate its OPEB liability. This involves evaluating the structure of offered benefits and their cost drivers while at the same time avoiding benefit reductions that would place undue burdens on employees or risk making the Town an uncompetitive employer.

#### **A. Accounting and Reporting**

The Finance Director will obtain actuarial analyses of the Town's OPEB liability every two years and will annually report the Town's OPEB obligations in financial statements that comply with the current guidelines of the Governmental Accounting Standards Board.

The Town Auditor shall ensure that the Town's independent audit firm reviews compliance with the provisions of this policy as part of its annual audits.

#### **B. Mitigation**

On an ongoing basis, the Town will assess healthcare cost containment measures and evaluate strategies to mitigate its OPEB liability. The Finance Director shall monitor proposed laws

affecting OPEBs and Medicare and analyze their impacts. The Human Resources Director shall regularly audit the group insurance and retiree rolls and drop any participants found to be ineligible based on work hours, active Medicare status, or other factors.

### C. Funding

To address the OPEB liability, decision makers shall analyze a variety of funding strategies and subsequently implement them as appropriate with the intention of fully funding the obligation. The Town shall derive funding to invest in the OPEB trust from taxation, free cash, and any other legal form.

## Appendices

### Appendix A: Definition of Capital

#### Sudbury Capital Asset "Definition"

~~Capital Assets are the community-owned collection of significant, long-lasting, and expensive real and personal property used in the operation of government, including land and land improvements; infrastructure, such as roads, bridges, water and sewer lines; easements; buildings and building improvements; vehicles, machinery and equipment. In order to be included in Sudbury's Capital Improvement Program, Capital Assets must cost \$20,000 or more and have a useful life of 5 or more years. Items or improvements that do not meet this threshold should be included within the Town's operating budget.~~ CAPITAL DEFINITION MOVED TO CAPITAL SECTION

### CREDIT POLICY Appendix B: Protection of Credit Rating Policy

~~Maintenance of the highest-level credit rating possible is important to the continued financial health of Sudbury as it reduces the costs of issuing debt. Credit rating firms consider management practices to be very important factors. Poor management practices can inadvertently jeopardize the financial health of a local government. To be proactive in assuring the Town of Sudbury does not engage in these practices, the Select Board of the Town of Sudbury has adopted the following credit rating protection policies. The Town will not rely on reserves to sustain operating budgets. Use of such reserves will be limited to helping the Town deal with short-term or emerging financial stress. In the subsequent year, the Town will either reduce spending to within the limits of recurring revenues or seek approval for additional revenues from the voters of the Town. The Town will not defer current costs, such as pension or benefit costs, to a future date.~~ MOVED TO RESERVES SECTION



SUDBURY SELECT BOARD  
Tuesday, July 27, 2021

**MISCELLANEOUS (UNTIMED)**

**9: Newsletter discussion**

REQUESTOR SECTION

Date of request:

Requestor: Board Member Dretler

Formal Title: Newsletter discussion and potential vote on desired way forward for the Newsletter (~15 min).

Recommendations/Suggested Motion/Vote:

Background Information:

Financial impact expected:

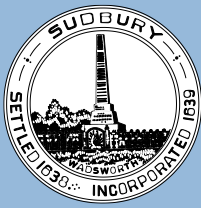
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Henry L Hayes	Pending
Jonathan Silverstein	Pending
Jennifer Roberts	Pending
Select Board	Pending

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SUDBURY SELECT BOARD  
Tuesday, July 27, 2021

**MISCELLANEOUS (UNTIMED)**

**10: Spring 2021 Select Board Newsletter Topic Discussion**

REQUESTOR SECTION

Date of request:

Requested by: Leila S. Frank

Formal Title: Discuss topics to be assigned for Summer 2021 - Select Board newsletter (~10 min).

Recommendations/Suggested Motion/Vote: Discuss topics to be assigned for Summer 2021 - Select Board newsletter (~10 min).

Background Information:  
List of previous topics attached

Financial impact expected:N/A

Approximate agenda time requested:

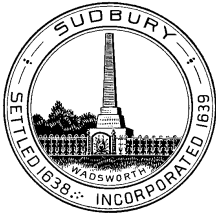
Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Henry L Hayes	Pending
Jonathan Silverstein	Pending
Jennifer Roberts	Pending
Select Board	Pending

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# Town of Sudbury

Office of Select Board

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

[sbadmin@sudbury.ma.us](mailto:sbadmin@sudbury.ma.us)

Date: July 27, 2021  
To: Select Board  
From: Leila Frank  
Re: **Summer 2021 Select Board Newsletter Topics**

To help facilitate discussion of topics for the upcoming Select Board Newsletter, below is a list of topics from previous editions.

## **JUNE 2021**

Town Manager Henry Hayes, Jr.  
Diversity, Equity and Inclusion  
Fairbank Community Center Update  
Conservation Land Trails  
ADA Assessment & Transition Plan

## **FEBRUARY 2021**

Town Meeting  
Financial Policies Review  
Mail-In Voting  
Conservation Office  
Restaurant Gift Card Drive

## **NOVEMBER 2020**

Finance  
Fire Chief Whalen  
Master Plan  
Transportation

## **AUGUST 2020**

Pat Brown Reflections  
Brandale Randolph Interview  
EEE Update  
Park & Recreation  
Eversource Update

### **SUMMER 2021 NEWSLETTER DEADLINES**

SB Meeting to Discuss Topic Assignments- Tuesday, July 27

Submission Deadline- Monday, August 9

SB Meeting Approval- Tuesday, August 31



SUDBURY SELECT BOARD

Tuesday, July 27, 2021

**MISCELLANEOUS (UNTIMED)**

**11: Prescheduling of SB office hours**

REQUESTOR SECTION

Date of request:

Requestor: Vice-chair Russo

Formal Title: Discussion regarding pre-scheduling dates of Select Board office hours for the remainder of the year (~10 min)

Recommendations/Suggested Motion/Vote: Discussion regarding pre-scheduling dates of Select Board office hours for the remainder of the year (10 min)

Background Information:

Financial impact expected:

Approximate agenda time requested: 10 minutes

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Henry L Hayes	Pending
Jonathan Silverstein	Pending
Jennifer Roberts	Pending
Select Board	Pending

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# July - December 2021

July						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

August						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

September						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

October						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

November						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

December						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

Attachment 11.a: july-december-2021-calendar (4737 : Prescheduling of SB office hours)



SUDBURY SELECT BOARD  
Tuesday, July 27, 2021

**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
Jennifer Roberts	Pending
Select Board	Pending

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SUDBURY SELECT BOARD

Tuesday, July 27, 2021

**MISCELLANEOUS (UNTIMED)**

**13: Minutes review**

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Review open session minutes of 6/15/21, 6/23/21, 6/29/21 and possibly vote to approve minutes (~15 min).

Recommendations/Suggested Motion/Vote: Review open session minutes of 6/15/21, 6/23/21, 6/29/21 and possibly vote to approve minutes (~15 min).

Background Information:  
See attached drafts.

Financial impact expected:

Approximate agenda time requested: 15 minutes

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Henry L Hayes	Pending
Jonathan Silverstein	Pending
Jennifer Roberts	Pending
Select Board	Pending

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SUDBURY SELECT BOARD

TUESDAY JUNE 15, 2021

SUDBURY TOWN HALL, 322 CONCORD ROAD

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

Present: Chair Jennifer Roberts, Vice-Chair Charles Russo, Select Board Member Daniel E. Carty, Select Board Member William Schineller, Select Board Member Janie Dretler, Town Manager Henry L. Hayes, Jr.

The statutory requirements as to notice having been complied with, the meeting was convened at 7:29 p.m., via Zoom telecommunication mode. The meeting was also in-person at Lower Town Hall.

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

**Call to Order/Roll Call**

Select Board Roll Call: Schineller-present, Carty-present, Russo-present, Dretler-present, Roberts-present. Board Member Carty confirmed he was participating remotely, and was traveling for business.

**Opening remarks by Chair:**

- First in-person meeting in over a year, and as of today, MA legislation will be extending remote meetings
- Public can participate in tonight's meeting either in person or by calling in
- Antisemitic incident at LSRHS two weeks ago; officials taking this matter seriously
- As a national holiday, Juneteenth is being recognized as the day in 1865 when the last of the slaves in Texas were freed
- Commission on Disability (COD) highlighted that the Home Bound COVID Vaccination Control program was in place; residents can call 833-983-0485, Monday through Friday, from 9:00 a.m. to 5:00 p.m.
- Diversity, Equity and Inclusion (DEI) Commission had its second meeting last week, now planning the work for the year
- FinCom's last meeting focused on minutes, liaison assignments, and results of Town Meeting

**Reports from Town Manager:**

- Great feedback from everyone regarding the recent Annual Town Meeting; thanked all who participated with special recognition to the new Town Moderator Cate Blake
- College student Joseph Sziabowski, Senior at Clark University, is involved in a shadow program with Town Manager

**Reports from Select Board**

Board Member Dretler:

- Recent Swastika incident LSRHS; urged the community to educate and be aware of antisemitic activities in Town – which is not acceptable

- Spoke of school introductory webinar titled “Building and Sustaining an anti-racist school Community”
- Social Justice Group and Sudbury Valley Trustees will be hosting a two and a half-mile walk at Memorial Forest to symbolize the two and a half years it took for all slaves in Texas to learn they were freed
- Pleased that virtual meetings will continue
- Spoke to Governor Baker on Friday and relayed the importance and benefit of the remote meeting mode

Vice-Chair Russo:

- Grateful for healthcare workers, first responders, and teachers who have been doing their jobs in person for some time
- Several organizations in Town planning Juneteenth celebrations
- Sudbury Art Association event took place this past weekend
- Sewataro Subcommittee members (he and Board Member Schineller) met last week, and will be updating the Board in July

Board Member Schineller:

- Mentioned significance of Juneteenth
- Sewataro Subcommittee Meeting (he and Vice-Chair Russo) contacted the Sewataro camp operator regarding public swimming opportunities going forward
- Spoke to Senator Eldridge regarding the Town’s housing target numbers, transportation, and other important topics
- Representative Carmine Gentile looking into the master rail division agreement to ensure there will be no delay in the construction of the BFRT

Board Member Carty:

- Indicated he would have been happy to be part of the in-person meeting tonight, but is away on business
- SPS extended the contract for Superintendent Crozier for an additional four years
- SPS Chair and Vice-Chair seats were appointed
- Loring Playground project has begun
- Congratulated LSRHS graduates

**Citizens comments on items not on agenda**

No comments presented

**As the Licensing Authority for the Town of Sudbury, vote to approve a new Common Victualler License (Change of Ownership) for Sudbury Coffee Works LLC, DBA Sudbury Coffee W, 15 Union Ave, as requested in an application dated May 24, 2021, subject to conditions put forth by the Fire Department and Building Department.**

Present: Roksana Sasanfar, Applicant/Owner

Board Members indicated their support of the application to approve a new Common Victualler License (Change of Ownership) for Sudbury Coffee Works LLC.

Chair Roberts stated that the only pending item involved the sprinkler system to be approved by the Fire Department. Town Manager Hayes confirmed the sprinkler system needed adjustment.

Board Member Dretler inquired about the applicant's related experience. Ms. Sasanfar responded that she and her husband have owned another restaurant and market in Watertown for ten years.

Ms. Sasanfar reiterated that nothing would be changing at Sudbury Coffee Works.

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

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

VOTED: To approve a new Common Victualler License (Change of Ownership) for Sudbury Coffee Works LLC, DBA Sudbury Coffee W, 15 Union Ave, as requested in an application dated May 24, 2021, contingent on Fire Department final approval.

### **Discussion on Financial Policies with Finance Director Dennis Keohane**

Present: Finance Director Dennis Keohane

Chair Roberts provided an update regarding the previous Financial Policies discussion. She commented the Board left off with the Investments Topic.

Chair Roberts led Board discussion, referencing the "Town of Sudbury, Massachusetts Financial Policies Manual Draft."

Mr. Keohane confirmed that review of Town investments usually takes place in August. Ms. Dretler commented if there was any deviation from policy it be brought to the attention of the Select Board as soon as possible. Mr. Keohane agreed.

### **Capital Improvement Plan/Capital Assets Discussion**

Chair Roberts reviewed edits made to this section, and stated that several edits were made. She stressed that inventory including all Town Capital Assets was best practice.

Board Member Carty suggested that the Board be aware of all LSRHS capital assets, and determine how to address those assets.

### **Capital Improvement Plan Discussion**

Town Manager Hayes commented that he would be reviewing the Capital Improvement Plan format/form this summer. Board Member Dretler stated it would be helpful to see what items were brought before the Town but not passed; she wanted to understand what the history of those capital items might have been. Board Member Carty agreed with Board Member Dretler, and stressed the importance of capital planning.

Board Members agreed that the Master Plan and recommendations brought forth from the Livable Sudbury Report should be incorporated into capital planning. Chair Roberts endorsed the submittal of Capital Project Submission sheets.



The Board reviewed topics within the Capital Improvement Plan section – items 1 through 7, as well as Risk Management, and Reporting.

#### CIAC Reports Discussion

Town Manager Hayes advocated for a Capital Meeting Night, with participation of all related Boards/Committees and departments. Chair Roberts endorsed the idea of a Capital Meeting Night.

Board Member Schineller stated that the CIAC was composed of a group of knowledgeable members with insight. He maintained the CIAC should be continued. Board Member Carty agreed, adding that the CIAC brought value to the Town.

Chair Roberts commented that DLS suggested that Staff was performing similar tasks as the CIAC is undertaking.

#### OPEB Reports Discussion

Chair Roberts confirmed that the Subcommittee made no policy changes to the OPEB section.

#### Appendix A, B Discussion

##### Definition of Capital Discussion

Mr. Keohane recommended that the “Prediction of Credit Rating Policy” be relocated to a different part of the report such as the financial reserves section.

Chair Roberts proposed that she and co-subcommittee member Schineller pull the edits together, and present a final report to the Board within the next several weeks. Chair Roberts noted that FinCom suggested reviewing edits and changes at a joint meeting in August.

Resident Manish Sharma, 77 Colonial Road, asked if the Board Members would be reviewing each financial asset of the Town including all Town-owned real estate, as well as solar panel installations. Mr. Sharma questioned if the Board had discussed the structure and term of debt in accordance with guidelines suggested by DLS. Mr. Sharma suggested that Mr. Keohane and Ms. Peterson of SPS did not have enough financial experience. Chair Roberts confirmed the Board was working on improvements of Town Financial policies, adding that Mr. Keohane was an excellent financial director.

Board Member Dretler requested additional information regarding the solar program. Chair Roberts replied that the solar topic would be addressed at the next Board meeting.

FinCom Chair, Scott Smigler, confirmed that he would look forward to a joint meeting with the Select Board.

#### **Discussion and update on Remote/Hybrid meeting legislation and related Town planning**

Chair Roberts summarized recent State legislation regarding remote meetings.

Board Members agreed that the remote meetings operated efficiently, and promoted increased civic engagement/participation.

Chair Roberts recommended conducting Board meetings in the remote mode until other options have been fully examined.

Town Manager Hayes mentioned that the Board and other Town committees must be mindful of scheduling conflicts, and opined about the quality of recording and playback via the cloud. Town Manager Hayes mentioned the testing of other Town locations in addition to the Town Hall would be examined.

Town Manager Hayes detailed remote meetings did require additional staff time in consideration of technology aspects.

Board Member Dretler suggested the members of Town committees/boards could receive additional training to help assist in the process. Town Manager Hayes agreed. Chair Roberts also agreed, and noted that she and Vice-Chair Russo had been trained and were assisting with the technological aspects associated with the remote meetings.

**Discuss process for Town Manager review and goal setting**

Chair Roberts stated the process for Town Manager review and goal setting would be discussed at the next Board meeting on June 29, 2021. She suggested that Members think about immediate goals as well as long-term, multi-year goals.

Chair Roberts acknowledged that Town Manager contract aspects would be discussed in Executive Session on June 29, 2021.

**Follow-up discussion and expected vote to ratify vote taken in Executive Session on proposed letter to ISO-New England**

Board Member Carty recused himself from the discussion.

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

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

VOTED: To ratify vote taken in Executive Session on proposed letter to ISO-New England

Chair Roberts noted that the ISO-New England letter would be added to supporting materials for tonight's meeting.

**Consent Calendar**

**Vote to appoint Sandy Lasky as a temporary member of MWRTA advisory board until the return of Debra Galloway (Senior Center Director).**

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

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

VOTED: To appoint Sandy Lasky as a temporary member of MWRTA advisory board until the return of Debra Galloway (Senior Center Director).

**Vote to accept the resignations of Thomas Friedlander as a full member of the Conservation Commission, and Erica Silverman from the Diversity, Equity and Inclusion (DEI) Commission, and send both a thank you letter for their service to the Town**

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

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

VOTED: To accept the resignations of Thomas Friedlander as a full member of the Conservation Commission, and Erica Silverman from the Diversity, Equity and Inclusion (DEI) Commission, and send both a thank you letter for their service to the Town

**Vote to appoint Thomas Friedlander as an Associate member of the Conservation Commission for a term expiring 5/31/23**

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

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

VOTED: To appoint Thomas Friedlander as an Associate member of the Conservation Commission for a term expiring 5/31/23.

**Vote to enter into the Town record and congratulate Colby Chung and Ryan I. Grummer of Scout Troop 63 for having achieved the high honor of Eagle Scout**

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

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

VOTED: To enter into the Town record and congratulate Colby Chung and Ryan I. Grummer of Scout Troop 63 for having achieved the high honor of Eagle Scout.

**Discussion on Fall Town Meeting**

Several Board Members indicated that there may be a need for a Fall Town Meeting. Town Manager Hayes confirmed that a public hearing would be necessary, and suggested that such public hearing could be scheduled for the July 13<sup>th</sup> meeting.

Chair Roberts commented that she wanted a better understanding regarding the easement considerations. Board Member Carty stated that Staff had already addressed that aspect, and agreed a Fall Town Meeting was not necessary. Town Manager Hayes indicated that a Fall Town Meeting was not necessary.

Board Member Dretler mentioned that certain Town goals had great importance, and requested a meeting with Environmental Planner Beth Suedmeyer and Town Manager Hayes.

Board Member Schineller acknowledged there was uncertainty regarding Fall Town Meeting, and a public hearing would help in making that decision.

**Discussion and vote new Select Board liaison assignments**

Board Member Carty commented that the role of a liaison includes advising and reporting; not acting as a part of the Board or Committee. Board Member Dretler added that a liaison is not a member, but can provide information.

Board Member Carty agreed to assuming the liaison role for Board of Assessors.

Board Member Schineller indicated he would be liaison for the Fire Station.

Vice-Chair Russo agreed to being the liaison for the Cultural Council.

Board Member Dretler agreed to be liaison for the Park & Recreation Commission and the 9/11 Memorial Garden Committee.

Board Member Dretler detailed that the Master Plan Steering Committee had dissolved when the Master Plan was approved, and she and Board Member Carty were members of that Commission.

Chair Roberts agreed to be liaison for the Board of Health. She noted that some committee memberships needed to be reviewed.

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

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

VOTED: To approve and amend Select Board liaison assignments

**Discussion and potential vote to release Town Counsel Opinion related to Park and Recreation User Fees authority**

Town Manager confirmed that Town Counsel recommended this vote be made in open meeting. He detailed that he, the Director of Park & Recreation, and the Finance Director have had a series of meetings regarding fee structure and related matters. Town Manager Hayes confirmed there was a budgetary review and a Commission review; the goal is to continue being collaborative and cooperative.

Vice-Chair Russo suggested it would be wise to capture all fee schedules.

Vice-Chair Russo motioned to release Town Counsel Opinion related to Park and Recreation User Fees authority. Board Members Schineller seconded the motion.

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

VOTED: To release Town Counsel Opinion related to Park and Recreation User Fees authority.

**Review open session minutes of 5/13/21 and 5/18/21 and possibly vote to approve minutes****Minutes of 5/13/21**

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

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

VOTED: To approve the 5/13/21 minutes, as edited

Minutes of 5/18/21

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

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

VOTED: To approve the 5/18/21 minutes, as edited

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

None

**Upcoming Agenda Items**

June 29<sup>th</sup>

- Financial Polices Discussion
- Town Manager Goal Setting
- Newsletter Format
- Review of Historic Districts Commission discussion regarding Police Department request for gate
- Boards/Committees annual reappointments
- Transportation Committee appointments and MWRTA programs

Future Meetings

- SudburyTV – OARS Discussion
- Solar Update
- Nobscot property contract negotiations update
- BFRT update (July 13)
- Public Hearing regarding Fall Town Meeting (July 13<sup>th</sup>)
- LSRHS Agreement discussion
- Sewataro Subcommittee update – July
- Executive Session to Discuss Contract of Town Manager and Self-Evaluation Process (June 29)
- American Rescue Plan Discussion

**Vote to Adjourn Meeting**

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

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

VOTED: To adjourn the meeting

There being no further business, the meeting was adjourned at 11:31 p.m.

## SUDBURY SELECT BOARD

WEDNESDAY, JUNE 23, 2021

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

Present: Chair Jennifer Roberts, Vice-Chair Russo, Select Board Member Daniel E. Carty, Select Board Member William Schineller, Select Board Member Janie Dretler, Town Manager Henry Hayes

The statutory requirements as to notice having been complied with, the meeting was convened at 7:14 p.m., via Zoom telecommunication mode.

Chair Roberts announced the recording of the meeting and other procedural aspects included in the meeting.

**Call to Order/Roll Call**

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

**Opening Remarks by Chair**

The Chair did not share any opening remarks.

**Reports from Town Manager**

There were no reports presented by Town Manager.

**Reports from Select Board**

Board Members did not share reports.

**Citizen's Comments**

Resident Pat Brown, 24 Whispering Pine Road, asked that information regarding the former Boy Scout property on Nobscot Road be provided to the public and the Board. She added the Sudbury Housing Trust had provided abutters with such information regarding the property.

Ms. Brown requested that the Nobscot Road information be shared at a Select Board meeting in July.

**Discussion and possible Vote on potential events, activities, or actions for the community that may increase awareness and sensitivities towards acts of antisemitism and respecting all of humanity**

Chair Roberts stated that she had received several e-mails suggesting that the Board consider, and perhaps issue a statement regarding recent antisemitic events which took place at Sudbury schools. Chair Roberts confirmed that she spoke to Police Chief Scott Nix and to Rabbi Freeman, Rabbi Breindel and Rabbi Eiduson. She stated that on Friday, Board Member Dretler suggested the Board take timely action.

Board Member Dretler stated that she reached out to local clergy inquiring if they wanted to hear from the Select Board regarding the incidents. Chair Roberts added that she received feedback from Rabbi Freeman today, who expressed his support and gratitude about the Board discussing the matter. She added that Chief Nix confirmed an increase in such antisemitic actions.

**Discussion and possible vote to create and release a statement related to the recent antisemitic incidents in the Town**

Chair Roberts maintained that a joint statement had been released by the Town Manager and Chief Nix, but nothing presented by the Select Board.

Vice-Chair Russo stated that such a statement from the Select Board was important in efforts to stop additional acts from occurring. He indicated that the Board was striving for a prejudice and harassment-free community.

Board Member Schineller agreed with the sentiments expressed, and emphasized that hate does not belong in Sudbury. Board Member Schineller stated he was personally affected by such actions when he was in high school.

Chair Roberts stressed that the Board had to take a leadership role at this time.

Board Member Carty stated he also released a public message, and agreed to submit that message to the Board. He indicated that the Board needed to tread lightly in consideration of Sudbury Public Schools and Police Department policy regarding the incidents. Chair Roberts acknowledged that all entities required respect, and any actions suggested by the Board would be proactive.

Vice-Chair Russo maintained that the Board was not discussing anything out of the Board's jurisdiction.

Board Member Carty questioned the necessity of Town Manager Hayes working on this problem on Juneteenth, which could have been addressed today and tonight.

The "Statement of the Sudbury Select Board against Antisemitism in Our Community" drafted by Board Member Dretler, emphasized that the Sudbury Select Board "strongly condemns the recent acts of antisemitic behavior in Sudbury."

The "Statement" included that the Board would reach out to the New England Chapter of the Anti-Defamation League (ADL), local clergy, and faith organizations to help advance partnership.

The "Statement" further detailed that the Sudbury DEI was charged with the mission "to support diversity, achieve equity, and foster inclusion for every member of this community, respecting all aspects of identities."

The last sentence of the "Statement" emphasized the Town's goal of creating a safe, inclusive environment in Sudbury.

Board Members reviewed the "Statement," and provided edits.

Board Member Carty stated that because the two incidents happened at Town public schools, the "Statement" should include language that the Board and other interested parties are partnering with school and police policies. Board Member Dretler agreed, and asked if the School Superintendents had reached out to the ADL. Board Members agreed that it was important that the Select Board partner with SPS and LSRHS. Vice-Chair Russo asserted that "we are stronger together."

Vice-Chair Russo recommended that the Board make the initial request to ADL, and DEI can organize prospective meetings with ADL. Chair Roberts agreed that the initial outreach to ADL should be performed by the Select Board.

Town Manager Hayes recommended that the word “tolerance” be substituted with the word “acceptance.” as it appeared in the closing sentence of the “Statement.”

Board Members agreed with all suggestions.

Board Member Dretler indicated that she would submit the “Statement” to the local newspapers, the front page of the Town webpage, and the Town Facebook page.

Chair Roberts confirmed that she would contact the ADL, and attend the DEI Commission meeting tomorrow, and would report back to the Board.

Resident Pat Brown stated she appreciated the statements made regarding the recent events. She stated that the Board has made no effort to understand what actually happened, and who was at fault.

Board Member Dretler motioned to approve the “Statement of the Sudbury Select Board against Antisemitism in our Community,” as edited; allowing for grammatic and spelling review prior to publication. Board Member Schineller seconded the motion.

Board Member Dretler withdrew her motion until public comments were heard.

### **Citizen’s Comments**

Resident Linda Faust, 189 Boston Rd, commented that she cried when she heard about the incident. Her grandparents died in concentration camps, and her parents had been through tough times. She opined about what the swastika symbol means to kids.

Chat comment received from Toby (last name and address not provided), who stated that two antisemitic actions are too many, and education with a zero-tolerance approach are necessary.

Resident Sue Abrams, 24 Hudson Road, maintained that the goal would be to interrupt acts of anti-Semitism/hate; and include such language in the “Statement.”

Resident Marla Platt, 144 Peakham Road, suggested that the “Statement” include respect, understanding mutual acceptance, and celebration of diversity in Sudbury.

Resident Helen Shik, 252 Old Lanchaster Road, stated that her children attended the Sudbury Public schools and participated in the STOP (Students Opposing Prejudice) Program, which began 25 years ago (the time that a similar swastika graffiti occurred at the Peter Noyes School. Ms. Shik suggested the Town investigate who the perpetrator/s might be.

Resident Carl Offner, 46 Sunset Path, mentioned the history and background of antisemitism.

Resident Sharon Schmidt-Gross, 298 Maynard Road, provided details regarding her group which educates people. She recommended the Board work with the ADL.



Resident Nalini Luthra, 941 Concord Road, suggested the words “public engagement” be included in the “Statement.”

Board Member Dretler motioned to approve the “Statement of the Sudbury Select Board against Antisemitism in our Community,” as edited; allowing for grammatic and spelling review prior to publication. Board Member Schineller seconded the motion.

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

VOTED: To approve the “Statement of the Sudbury Select Board against Antisemitism in our Community,” as edited; allowing for grammatic and spelling review prior to publication.

Chair Roberts offered to complete the grammatic and spelling review prior to publication.

### Adjourn

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

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

VOTED: To adjourn the meeting

There being no further business, the meeting was adjourned at 8:56 p.m.

## SUDBURY SELECT BOARD

TUESDAY, JUNE 29, 2021

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

Present: Chair Jennifer Roberts, Vice-Chair Charles Russo, Select Board Member Daniel Carty, Select Board Member William Schineller, Select Board Member Janie Dretler, Town Manager Henry Hayes, Jr.

The statutory requirements as to notice having been complied with, the meeting was convened at 7: 06 p.m., via Zoom telecommunication mode.

Chair Roberts announced the recording of the meeting and other procedural aspects included in the meeting.

### **Call to Order/Roll Call**

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

### **Opening remarks by Chair**

- The Board met in hybrid session on June 15 at Town Hall, and is now conducting remote sessions as voted on by MA Legislation on June 16
- Working group studying flexibility regarding remote meetings/hybrid meetings
- Fire was controlled at Coffee Works on Union Avenue today; she recognized Police and Fire Departments who acted immediately
- The Board finalized the “Statement of the Sudbury Select Board against Antisemitism in Our Community” document included on the Town website, and reached out to Anti-Defamation League (ADL) regarding the antisemitic actions
- Public Hearing scheduled for July 13, 2021 to discuss possibility of Fall Town Meeting

### **Reports from Town Manager**

- Proudly acknowledged the many accomplishments of Town staff; especially recognized the skill of Public Safety staff who fought the fire at Coffee Works
- Recent staff retirements and additions to the team
- Hybrid meeting format being studied by Technology Director Mark Thompson; consideration of new camera and microphone system which would allow SudburyTV to host numerous meetings
- Suggested the Board consider that the hybrid meeting format would possibly increase staff time; though there is the possibility that the meeting host could control the technical operations via laptop

### **Reports from Select Board**

Vice-Chair Russo:

- Mentioned the importance of National Pollinator Week
- 4<sup>th</sup> of July Road Race enrollment limited, suggested prompt registration

- Mosquito spraying to begin tomorrow at Haskell Field during evening hours – see Town website for additional spraying sites/information
- Open Volunteer positions are listed on the Town website

Board Member Carty:

- Transportation Committee confirms several transportation options are running again: Sudbury Connection Van, MWRTA Van, the GO Sudbury! Taxi, and the Go Sudbury! Uber programs
- Thanked Kay Bell from Commission on Disability (COD) and Alice Sapienza of the Transportation Committee, who drafted an informative article detailing the various transportation options offered in Sudbury; article is on the Town website
- Loring Playground construction project is underway
- SMILE (Summer Math Intervention and Literacy Engagement) Program to start next week with 155 students enrolled and more to be added
- Joint meeting with SPS to fill a vacancy and appoint a replacement on the SPS School Committee
- Recommended that Board Members watch last night's SPS meeting
- Congratulated LSRHS Senior Track and Field Team members Joe Duggan and Caleb McGee, who were invited to the National High School event at the University of Oregon in several weeks – mentioned his son came in third in discus and shotput competition

Board Member Dretler:

- Recognized the Fire and Police Departments who quickly resolved a fire at Coffee Works earlier today
- In consideration of another hot day tomorrow; inquired about cooling stations, such as the Goodnow Library or other locations in Town
- Received unfavorable news on June 25, regarding the SJC ruling against Sudbury's Eversource appeal
- Confirmed she watched the SPS meeting last night, and mentioned the exemplary SPS evaluation process

Board Member Schineller:

- He and Board Member Dretler conducted Select Board Office Hours; the topic of speed limits was discussed
- Received resident comments on the subject of Town trees
- Thanked Sudbury Police and Fire who came to the rescue of a neighbor, and averted a potentially life-threatening situation several weeks ago
- DEI Commission met on June 24, and further addressed the antisemitic actions with Rabbi Freeman, who offered thoughtful statements
- Sewataro Subcommittee recently had dialogue with Camp Operator Scott Brody regarding public swimming at the site
- Sewataro Sounds of Summer Event – additional information on Town Website
- Disappointed about the SJC Ruling regarding the Town's Eversource/Siting Board appeal; Eversource has not completed all Town permitting - MEPA Certificate appeal still outstanding

**Citizen's Comments**

There were no relevant citizen's comments.

**In accordance with General Bylaws Art. VII, Legal Affairs, vote to appoint Attorney William Solomon as Special Counsel to perform legal services related to the Verizon New England, Inc. cable license renewal, and to authorize the Town Manager to execute a contract relative thereto**

Present: Jeff Winston, Attorney William Solomon

Town Manager Hayes explained the process and the request to appoint special counsel to perform legal services related to the Verizon New England, Inc. cable license renewal.

Chair Roberts read in the words of the motion. Board Member Carty moved in the words of the Chair. Board Member Schineller seconded the motion.

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

VOTED: To appoint Attorney William Solomon as Special Counsel to perform legal services related to the Verizon New England, Inc. cable license renewal, and to authorize the Town Manager to execute a contract relative thereto

**Vote to approve a request dated June 15, 2021 from Austin Richard, Pilot Construction, Inc. to grant permission for one 36 ft. temporary office trailer at 36 North Road, Cold Brook Crossing Development, from July 12, 2021 through June 20, 2022, subject to approval of the Building Inspector.**

Present: Andrew Lewis, Building Inspector; Drew Carter of Pilot Construction

Mr. Carter stated the purpose of the purpose of the temporary office trailer was to provide a construction office site and to provide shelter at the site.

Vice-Chair Russo asked if the berm would hide the view of the proposed trailer. Mr. Carter confirmed it would.

Mr. Lewis recommended approval for the temporary office trailer.

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

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

VOTED: To approve a request dated June 15, 2021 from Austin Richard, Pilot Construction, Inc. to grant permission for one 36 ft. temporary office trailer at 36 North Road, Cold Brook Crossing Development, from July 12, 2021 through June 20, 2022, subject to approval of the Building Inspector.

**Discussion and vote whether to authorize the Town Manager to sign Inter-Municipal Agreement (IMA) Amendment FY22 for Regional Housing Service Office (RHSO)**

Present: Liz Rust, Director of RHSO

Ms. Rust provided the annual review of the “Regional Housing Services Office” – Sudbury RHSO Update via PowerPoint presentation.

Ms. Rust provided detail in the following areas:

- RHSO Leadership – Annual Budget Process, Quarterly Status Report, Monthly Tracking of hours, Updates to Boards/Committees, as requested
- RHSO FY21Recap – Safe Harbor, Resales, Local Support and Program Administration, Training/Workshops
- Sudbury Model – Town Housing Activities (Funded by CPA) and Trust Housing Activities
- Sudbury Local Preference – Families with children in the Sudbury/LS public schools, Town Employees, 40B allowed in new construction; with 127 affordable vacancies filled in Sudbury
- RHSO FY22 Goals – Support for Member Committees, Maintain RHSO Office
- RHSO FY22 Budget – Budget is mostly staffing
- RHSO Update-Summary – RHSO has completed ten years of service

Ms. Rust noted that RHSO has been in operation for ten years.

Board Member Carty inquired about the Sudbury 2020 Census. Ms. Rust responded that she would get that answer to the Board as new numbers would be available in September.

Board Member Schineller asked if RHSO would aid the 65+ folks going through the housing process. Ms. Rust responded that RHSO would refer that group to various sources.

Vice-Chair Russo congratulated the Town on its Safe Harbors efforts, and he was looking forward to seeing related numbers in September.

Board Member Dretler mentioned that affordable housing units help recipients as well as the economy of Sudbury.

Chair Roberts mentioned that some RHSO communities display pricing variability. Ms. Rust responded that such variability reflected emergency goals during COVID, and additional administrative assistance.

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

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

VOTED: To authorize the Town Manager to sign Inter-Municipal Agreement (IMA) Amendment FY22 for Regional Housing Service Office (RHSO).

### **Establish Town Manager goals and discuss review process**

Chair Roberts mentioned that Town Manager goals would be discussed, and recommended that the Town Manager’s review process would begin in March at the latest.

Vice-Chair Russo stated that the review process should not be interrupted by Town Meeting. Board Member Carty agreed with Vice-Chair Russo.

Chair Roberts initiated the discussion regarding Town Manager Goals, Evaluations, and Professional Development.

Town Manager Hayes reviewed his Town Manager Goals. Chair Roberts recommended the listed goals be prioritized. Town Manager Hayes acknowledged that many of the goals were ongoing.

Board Member Carty commented that Town Manager goals were more administrative in orientation and Select Board goals were more policy orientated. The group discussed short-term, multi-year goals and long-term goals.

Town Manager multi-year goals included:

- Municipal Vulnerability Preparedness/Hazard Mitigation Plans, Cemetery Space, Ongoing Work with various Committees and Commissions

Town Manager Short/Term, more immediate goals included:

- Staff Enhancement Plan, ADA Compliance Project, Capital Planning, Sewataro Policy, Trail Development

Board Members and Town Manager Hayes agreed the Capital goal was a short-term goal as well as a multi-year goal, as was the Fairbank Center goal and aspects of the Town Center Land.

Board Member Dretler inquired about the status of Center Town Land, and asked if the 40-acre property was now accessible to the public.

Board Member Dretler stated that she was uncomfortable about including the slogan – “a safe and secure Sudbury” as a Town Manager goal. Several Board Members confirmed that the slogan was an appropriate goal.

Vice-Chair Russo recommended maximizing COVID grant opportunities.

Chair Roberts acknowledged there may be additional goals to add to the list.

**Vote to open a joint meeting with Planning Board to vote to appoint a new full member, Anuraj Shah, 257 Concord Road, to the Planning Board for a term ending 5/31/22. This is to replace former member Charles Karustis who has resigned**

Present: Planning Board Members, Applicant Anuraj Shah, Adam Duchesneau, Director of Planning and Community Development

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

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

VOTED: To open the joint meeting with the Planning Board

Mr. Garvin opened the joint meeting with the Select Board, requesting roll call: Garvin-aye, Finnicum-aye, Hincks-aye, Sugrue-aye

Mr. Shah stated he wanted to give back to the community, and could provide assistance given his background in architecture and construction.

Chair Roberts asked if this was the only application received. Mr. Duchesneau Adam responded in the affirmative.

Board Member Dretler commented that Mr. Shah would make for a good voting member.

Vice-Chair Russo echoed the comments made by Board Member Dretler, and stated that he was glad Mr. Shah was now seeking voting membership after serving as associate member.

Board Member Carty confirmed that every voting Planning Board member started as an associate member.

Board Member Schineller asked if Mr. Shah was leaving membership of another Board/Committee to become a member of the Planning Board. Mr. Shah responded he was leaving the CPC.

Chair Roberts stated that Mr. Shah added value to the Planning Board, and she had seen him in action.

Mr. Garvin confirmed that Mr. Shah has contributed much to the Board during his time as Associate Member. He added that Mr. Shah's insight has been valuable. Mr. Hincks noted that Mr. Shah took an active role as Associate Member. Mr. Sugrue agreed with comments made. and Mr. Finnicum confirmed his full endorsement of Mr. Shah.

Board Member Dretler motioned to appoint a new full member, Anuraj Shah, 257 Concord Road, to the Planning Board for a term ending 5/31/22. Vice-Chair Russo seconded the motion.

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

VOTED: To appoint a new full member, Anuraj Shah, 257 Concord Road, to the Planning Board for a term ending 5/31/22.

Mr. Hincks motioned to appoint a new full member, Anuraj Shah, 257 Concord Road, to the Planning Board for a term ending 5/31/22. Mr. Finnicum seconded the motion.

It was on motion 5-0; Finnicum-aye, Hincks-aye, Sugrue-aye, Garvin-aye,

VOTED: To appoint a new full member, Anuraj Shah, 257 Concord Road, to the Planning Board for a term ending 5/31/22.

#### **Vote to close joint meeting with Planning Board**

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

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

VOTED: To close the joint meeting with the Planning Board.

Mr. Garvin closed the Planning Board meeting of June 29, 2021.

**Discussion on Police Station security fencing/gate, and project's scope including expected cost, funding source, purpose, etc.**

Board Member Dretler stated that she watched the June 3rd Historic Districts Commission meeting where the fencing/gate at the Police Station was considered. Board Member Dretler indicated she did not feel comfortable about proposed security fencing/gate, which would block access to this public way. She confirmed that she researched some eleven communities, and those communities who had security gates were part of a DPW yard.

Board Member Dretler questioned the intent of the message the Town wanted to send to the community.

Town Manager Hayes commented that security measures and incursion prevention were the reasons behind the proposed fencing/gate. He noted that DPW was also considering security fencing.

Town Manager Hayes confirmed that such fencing/gate at the Police Department would not limit access to the building.

Board Member Carty stated that the fencing might be offensive to many, but it is not within the purview of the Select Board. He stated that the Board should not disrespect the Police Department.

Board Member Dretler maintained that she was not disrespecting anyone, and it was a matter of gating appearing to be unwelcoming. She asked if other security options might be considered, instead of the fencing/gate, which would be funded by resident tax dollars.

Board Member Carty disagreed and indicated that the reflected an anti-police sentiment. Vice-Chair Russo commented that the intention was not anti-police, but rather, a recommendation to maintain community connections at the site.

Chair Roberts commented that such fencing might not be necessary. She suggested other solutions be considered, in order to avoid the creation of a "physical wedge." She stressed that this might not be the message the Town wants to convey, and hoped that a middle ground could be considered.

Resident Sue Abrams, 24 Hudson Road, commented that Chief Nix was sponsoring empathy training, and the proposed fencing would send a conflicting message.

Resident Jeff Levine, 42 Shanty Road, stated the Police department had security cameras and lights. He indicated the fencing was not welcoming, and would be a waste of tax monies.

Resident and League of Women Voters Member Nancy Brumback, 36 Canterbury Drive, stated that blocking the parking lot would make the community room inaccessible, and the Town lacked public meeting spaces.

Resident and Historic Districts Commission Member Ron Brumback, 36 Canterbury Drive, expressed his opposition to the proposal, and felt security fencing was not justified. Mr. Brumback urged the Board not to support this proposal.

Town Manager Hayes confirmed that public discussions regarding Police security policy and incidents was not possible. Town Manager Hayes confirmed that driveway reconstruction would be more expensive than proposed fencing. He confirmed that public meetings would still be encouraged at the Police Station.



Board Member Schineller confirmed that Chief Nix offered the Police Station meeting room to the DEI commission at their last meeting.

Board Member Dretler asked that the Board receive additional information on this item.

**Update and post the Appointment Policy process (30-day advertisement requirement)**

Vice-Chair Russo detailed that the Select Board had approved the 30-day advertisement requirement at the March 9, 2021 Board meeting.

Board members reviewed the appointment policy, and discussed implementing an amendment to the policy.

Board Member Dretler asked if a Policies tab could be added to the Policy website, and suggested that a more accessible area within the webpage be considered. It was suggested that the ConCom page be reviewed as an example.

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

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

VOTED: To update and post the Appointment Policy process (30-day advertisement requirement), as amended

**Newsletter discussion and potential vote on desired way forward for the Newsletter**

Given the time restraints associated with tonight's meeting, Chair Roberts stated that the discussion would be postponed to the next Board meeting.

Chair Roberts motioned that the Board take a five-minute recess. Board Member Dretler seconded the motion.

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

VOTED: To take a five-minute recess

The Board meeting resumed at 10:48 p.m.

**Discussion/update and potential vote regarding Transportation Committee membership**

Board Member Carty requested extension of a Transportation Committee membership, and suggested the redrafting of related membership information to be presented at the next Board meeting.

Chair Roberts confirmed that re-appointments should be handled consistently. Board Member Schineller agreed that the Transportation Committee at-large membership should require a 30-day advertisement.

Board Member Carty stated that he would update the posting for the 30-day advertisement.

**Review open session minutes of 5/25/21 and 6/1/21 and possibly vote to approve minutes**

5/25/21 Open Session Minutes

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

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

VOTED: To approve open session minutes of 5/25/21, as amended

#### 6/1/21 Open Session Minutes

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

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

VOTED: To approve open session minutes of 6/1/21, as amended

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

There were no citizen comments

#### Upcoming Agenda Items

July 13:

- Fall Town Meeting Public Hearing
- OARS Discussion
- DEI Update
- Financial Policies Discussion
- Nobscot Road Property Update
- Financial Policies Discussion
- Traffic Safety and Study Committee Mission
- BFRT Update
- Sewataro Committee Update
- Select Board Newsletter Discussion

#### CONSENT CALENDAR

#### **Grant a special permit to Myke Farricker, Committee CoChair, to hold a "Ride to Defeat ALS" bike ride on Sunday, September 19, 2021, from 7:00 a.m. through approximately 3:00 p.m.**

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

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

VOTED: To grant a special permit to Myke Farricker, Committee CoChair, to hold a "Ride to Defeat ALS" bike ride on Sunday, September 19, 2021, from 7:00 a.m. through approximately 3:00 p.m., following the same route as in previous years, subject to Police Department safety requirements, proof of insurance coverage and the assurance that any litter will be removed at the race's conclusion.

**Approve the FY22 amendment extending the contract between the MetroWest Regional Transit Authority (MWRTA) and the Town of Sudbury to provide transportation services for elderly and disabled persons through the Council on Aging effective July 1, 2021**

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

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

VOTED: To approve the FY22 amendment extending the contract between the MetroWest Regional Transit Authority (MWRTA) and the Town of Sudbury to provide transportation services for elderly and disabled persons through the Council on Aging effective July 1, 2021, as requested by Ana Christina Olivera, Acting Senior Center Director, said Agreement to be executed by the Town Manager.

**Accept an allocation of \$16,000 from the Massachusetts Historical Commission's FY2021 Survey and Planning Grant Program to conduct a Sudbury Town-Wide Historic Preservation Plan**

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

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

VOTED: To accept an allocation of \$16,000 from the Massachusetts Historical Commission's FY2021 Survey and Planning Grant Program to conduct a Sudbury Town-Wide Historic Preservation Plan; and further, to approve the award by the Town Manager for contracting relative thereto.

**Approve the FY22 contract between the Town on behalf of the Goodnow Library (Participant) and Minuteman Library Network, Inc. for the purchase, installation and maintenance of telecommunications equipment provided to the Goodnow Library for participation in the Network, effective July 1, 2021**

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

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

VOTED: To approve the FY22 contract between the Town on behalf of the Goodnow Library (Participant) and Minuteman Library Network, Inc. for the purchase, installation and maintenance of telecommunications equipment provided to the Goodnow Library for participation in the Network, effective July 1, 2021, as requested by the Goodnow Library Director, said Agreement to be executed by the Town Manager.

**Adjourn**

Chair Roberts read in the words of the motion. Vice-Chair Russo motioned in the words of the Chair. Board Member Carty seconded the motion.

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

VOTED: To adjourn the meeting

There being no further business, the meeting was adjourned at 11:35 p.m.

DRAFT



SUDBURY SELECT BOARD  
Tuesday, July 27, 2021

**MISCELLANEOUS (UNTIMED)**

**14: 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
Jennifer Roberts	Pending
Select Board	Pending

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## POTENTIAL UPCOMING AGENDA ITEMS/MEETINGS

MEETING	DESCRIPTION
<b>August 10</b>	Public hearing re: new alcohol license – 29 Hudson Road
	DEI commission update
	KPI quarterly update
	Nobscot Road property discussion – Housing Trust
<b>August 31</b>	Interview candidates for DEI commission vacancy
<b>Date to be Determined</b>	American Rescue Plan discussion
	Budget Strategies Task Force
	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
	Citizen Leadership Forum
	Fairbank Community Center update (ongoing)
	FinCom joint meeting re: Financial policy review
	Health/COVID-19 update (as of 3/18/20)
	Housing Choice discussion
	Invite Commission on Disability Chair to discuss Minuteman High School
	LS agreement
	Local receipts – fee schedule review (Vice-chair Russo)
	Quarterly update from Diversity, Equity and Inclusion Commission (DEI) (November, February, May, August)
	Quarterly update on Key Performance Indicators (KPIs) projects to track (August, November, February, May)
	Quarterly review of approved Executive Session Minutes for possible release (February, May, August and November). Consider separate meeting solely for this purpose.
	Quarterly update on Bruce Freeman Rail Trail (BFRT) (March, June, September, December)
	Quarterly update on CSX (January, April, July, October)
	Route 20 empty corner lot – former gas station
	Sewataro Financial Statement review
	Sewataro Future planning - \$ for negotiations, insurance, contract
	Sidewalks discussion
	State of Emergency rescinding letter
	Town Manager Goals and Evaluation process
	Town meeting recap – year in review
	Town-wide traffic assessment and improve traffic flow
	Update from SB Policy Subcommittee
	Update on crosswalks (Chief Nix/Dan Nason)
	Update on traffic policy (Chief Nix)
	Work Session with Town Counsel: Select Board/Town Manager Code of Conduct and other procedural training
	Select Board requests for future agenda items at end of meeting
<b>Standing Items for All Meetings</b>	Citizens Comments, continued (if necessary)



SUDBURY SELECT BOARD  
Tuesday, July 27, 2021

**CONSENT CALENDAR ITEM**

**15: Bench Donation - Lea Wallerstein**

REQUESTOR SECTION

Date of request:

Requestor: Lisa Tursi or behalf of Sudbury Girl Scout Troop 62505

Formal Title: Vote to accept donation of \$1400 for the installation of a bench, as requested by Girl Scout Troop 62505.

Recommendations/Suggested Motion/Vote: Vote to accept donation of \$1400 for the installation of a bench, as requested by Girl Scout Troop 62505.

Background Information:

Request Form, location and bench sample image attached.

<https://beta.sudbury.ma.us/finance/wp-content/uploads/sites/292/2014/08/SudburyTrust.pdf>

Financial impact expected:\$1400 bench donation

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
Jennifer Roberts	Pending
Select Board	Pending

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## BENCH PROGRAM

Cost of the program is \$1400 per bench. This fee includes cost of a granite bench with a brass plaque or engraving, installation and perpetual care of the bench. Plaques may be inscribed with up to two lines of text. After the bench is installed, the contact person will receive a certificate and map of the location for each bench.

For more information, call the Department of Public Works at 978-443-2209 ext. 1221.



## BENCH ORDER FORM

Contact Name:

Lisa Tuttle

E-mail address:

Magicalisa@yahoo.com

Phone number:

508 353 8503

Mailing address:

61 Maynard Farm Rd  
Sudbury MA 01776

Plaque to read: (Max 2 lines, 20 letters/spaces per line)

Girl Scout Troop 62505  
remembers Lea Wallerstein;  
forever in our hearts

**Make checks payable to:** Town of Sudbury.

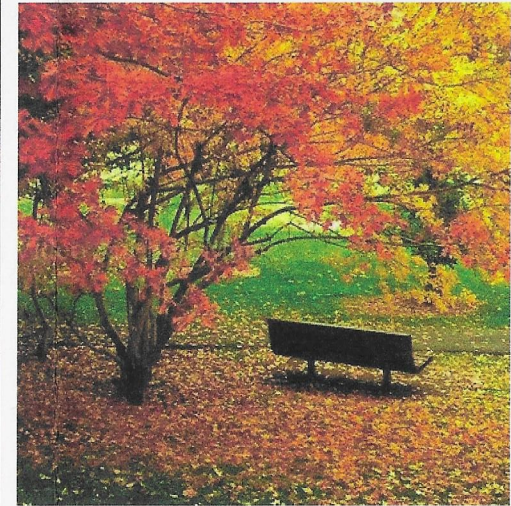
Mail check & order form to:

Town of Sudbury, Selectmen's Office,  
278 Old Sudbury Road, Sudbury, MA  
01776

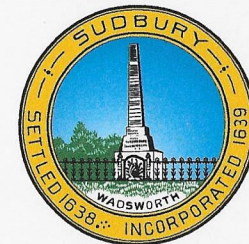
## MEMORIAL

TREE & BENCH

PROGRAM



Town of Sudbury  
Sudbury Trust  
[www.sudbury.ma.us](http://www.sudbury.ma.us)

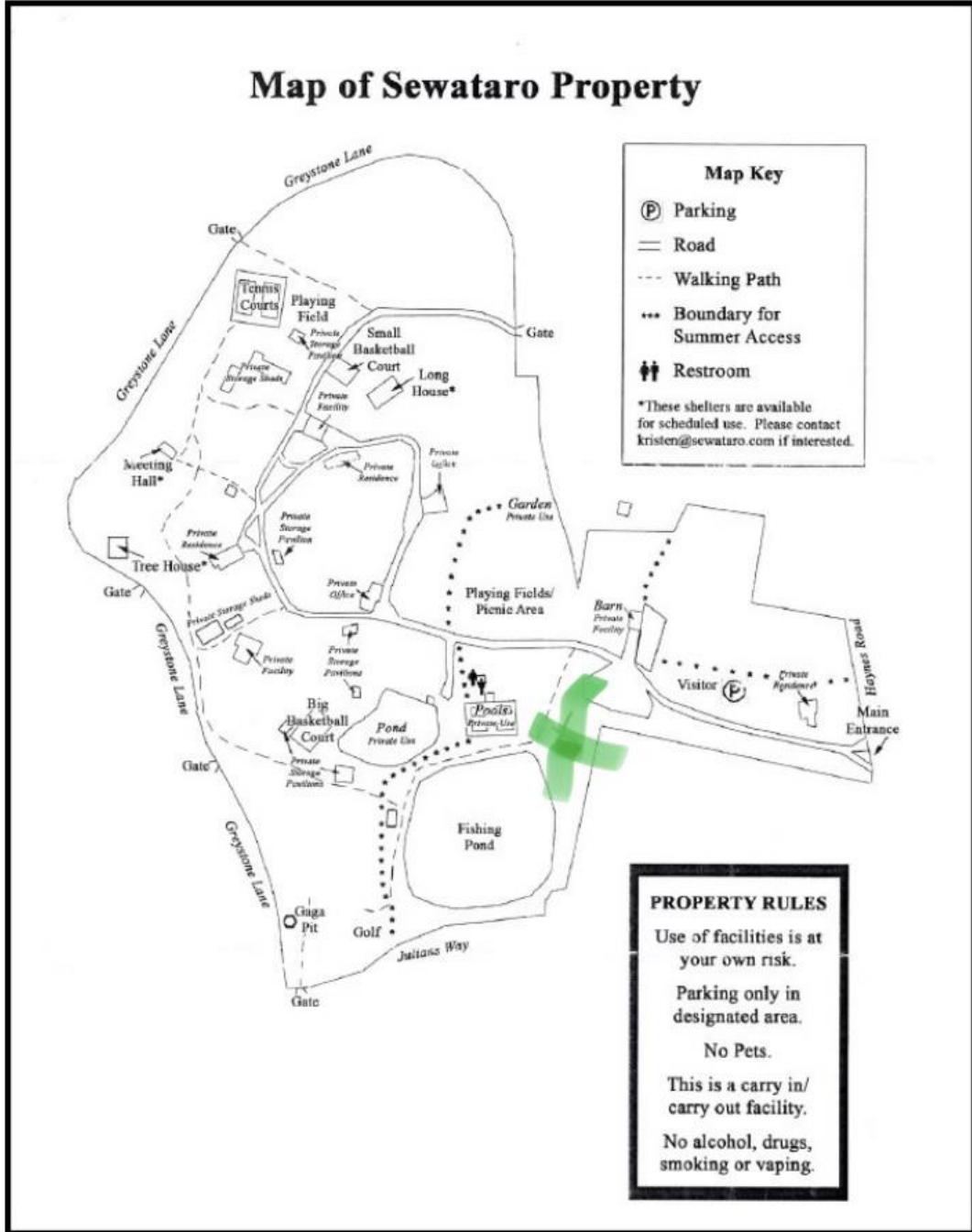




# Bench Donation

## Location

Camp Sewataro Property, as shown below. Bottom of the path leading to the fishing pond.



Attachment 15.b: Bench Donation\_Lea Wallerstein (4702 : Bench Donation - Lea Wallerstein)



Attachment15.b: Bench Donation\_Lea Wallerstein (4702 : Bench Donation - Lea Wallerstein)



Attachment15.b: Bench Donation\_Lea Wallerstein (4702 : Bench Donation - Lea Wallerstein)



Attachment15.b: Bench Donation\_Lea Wallerstein (4702 : Bench Donation - Lea Wallerstein)



**Attachment15.b: Bench Donation\_Lea Wallerstein (4702 : Bench Donation - Lea Wallerstein)**



Attachment15.b: Bench Donation\_Lea Wallerstein (4702 : Bench Donation - Lea Wallerstein)

**Bench**

Recycled plastic bench. Resembles wood, eco-friendly, durable, low maintenance.

**Message**

Sudbury Girl Scout Troop 62505 remembers Lea Wallerstein; forever in our hearts.

**Donor**

Sudbury Girl Scout Troop 62505

**Submitted**

Lisa Tursi, Sudbury Resident, Co-Leader of Girl Scout Troop 62505, *June 4, 2021*

**Feedback**

I have no issues with the project. We will order, assemble then store the bench until the fall when we will then set bench at the agreed upon site.

*-Chris Felt, Parks & Grounds Department, July 13, 2021*

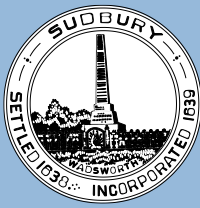
My only point is that this will be an addition that will add to the ADA non-compliance listing, seeing that there is no path or location where someone in a wheelchair or other equipment may need a smooth surface or space next to the bench.

*-Henry Hayes, Jr., Town Manager, July 13, 2021*

I wholeheartedly approve! All set Henry?

*-Scott Brody, Camp Sewataro Operator, July 12, 2021*

No other Staff concerns noted.



SUDBURY SELECT BOARD  
Tuesday, July 27, 2021

**CONSENT CALENDAR ITEM**

**16: Accept resignation of Town Historian**

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Vote to accept the resignation of Town Historian, Christopher Morely, and send a letter of thanks for his service to the Town.

Recommendations/Suggested Motion/Vote: Vote to accept the resignation of Town Historian, Christopher Morely, and send a letter of thanks for his service to the Town.

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
Jennifer Roberts	Pending
Select Board	Pending

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July 19, 2021

Sudbury Select Board c/o

Henry L. Hayes, Jr.

Sudbury Town Manager

278 Old Sudbury Road

Sudbury, MA 01776

Dear Mr. Hayes-

For the purposes of formal niceties, I am writing to hereby resign my appointed position of Sudbury Town Historian. I am pleased to hear that my recommended replacement has agreed to do so, and I stand ready should he or anyone else in Town government have need to seek out my counsel.

Respectfully yours,

Christopher Morely



SUDBURY SELECT BOARD  
Tuesday, July 27, 2021

**CONSENT CALENDAR ITEM**  
**17: Election Worker Reappointments**

REQUESTOR SECTION

Date of request:

Requestor: Town Clerk

Formal Title: Vote to appoint Election Officers for a one-year term, commencing August 15, 2021 and ending August 14, 2022, as recommended by the Democratic and Republican Town Committee Chairs and the Town Clerk.

Recommendations/Suggested Motion/Vote: Vote to appoint Election Officers for a one-year term, commencing August 15, 2021 and ending August 14, 2022, as recommended by the Democratic and Republican Town Committee Chairs and the Town Clerk.

Background Information:  
attached lists

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Henry L Hayes	Pending
Jonathan Silverstein	Pending
Jennifer Roberts	Pending
Select Board	Pending

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## Democrat/Unenrolled Election Officers 2021-2022

**Tatiana Vitvitsky - Democratic Town Committee Chair**

Last/ First Name	Election Position	Political Party
Abrams, Susan F.	Election Officer	Democrat
Adelson, Paula	Election Officer	Democrat
Bausk, Joseph D.	Election Officer	Democrat
Blatz, Beverly	Election Officer	Democrat
Boyce, Sheila J.	Election Officer	Democrat
Cabral, Dorothy A.	Election Officer	Democrat
Cline, Sherrill	Election Officer	Democrat
Curtis, Heather	Election Officer	Democrat
Dziekhan, Michael W.	Election Officer	Democrat
Ehrmann, Debra D.	Election Officer	Democrat
Fridman, Eva Jane	Election Officer	Democrat
Gazza, Vera R.	Election Officer	Democrat
Goldsmith, Howard	Election Officer	Democrat
Greene, Steven	Election Officer	Democrat
Gross, Judith S.	Election Officer	Democrat
Hawrylak, Christine	Election Officer	Democrat
Hollocher, Thomas C.	Election Officer	Democrat
Huppert, Lawrence	Election Officer	Democrat
Marotta, Paul J.	Election Officer	Democrat
Oldroyd, Dorothy	Election Officer	Democrat
Pakos, Patricia	Election Officer	Democrat
Radoski, Elizabeth	Election Officer	Democrat
Rettman, Bonita	Election Officer	Democrat
Rushfirth, Susan	Election Officer	Democrat
Shulman, Carol	Election Officer	Democrat
Signorino, Carolina	Election Officer	Democrat
Silverman, Erica	Election Officer	Democrat
Travers, Jo Susan	Election Officer	Democrat
Weinstein, Julie	Election Officer	Democrat
Wilson, Barbara	Election Officer	Democrat
Anderson, Carolyn A.	Election Officer	Unenrolled
Barrett, Sarah	Election Officer	Unenrolled
Baumgartner, Diane	Election Officer	Unenrolled
Bennett, Joanne	Election Officer	Unenrolled
Bennett, Michael	Election Officer	Unenrolled
Biller, Beverly	Election Officer	Unenrolled
Booth, Lisa	Election Officer	Unenrolled

Burkley, Elaine	Election Officer	Unenrolled
Burns, Joan H.	Election Officer	Unenrolled
Carlson, Gillian	Election Officer	Unenrolled
Carty, Maura	Election Officer	Unenrolled
Conlin, Jeffrey	Election Officer	Unenrolled
Corley, Mary G.	Election Officer	Unenrolled
Cutler, Betsey	Election Officer	Unenrolled
Dawson, Maria	Election Officer	Unenrolled
Derby, Janet	Election Officer	Unenrolled
Diefenbacher, Elizabeth	Election Officer	Unenrolled
Drobinski, Patricia	Election Officer	Unenrolled
Fraize, Ellen	Election Officer	Unenrolled
French, Mary Ellen	Election Officer	Unenrolled
Friedlander, Thomas	Election Officer	Unenrolled
Gershengorn, Wendie	Election Officer	Unenrolled
Glaser, Marion	Election Officer	Unenrolled
Goldsmith, Barbara	Election Officer	Unenrolled
Graham, Jane	Election Officer	Unenrolled
Greene, Ruth	Election Officer	Unenrolled
Hawkins, Edward	Election Officer	Unenrolled
Hayes, Patricia	Election Officer	Unenrolled
Hertzberg, Marc R.	Election Officer	Unenrolled
Hoover, Stewart V.	Election Officer	Unenrolled
Howard, Patricia B.	Election Officer	Unenrolled
Hubbell, Sarah	Election Officer	Unenrolled
Hurtig, Debbie	Election Officer	Unenrolled
James, Erika	Election Officer	Unenrolled
Johnson, Sandra	Election Officer	Unenrolled
Kaplan, Diane M.	Election Officer	Unenrolled
Kaufman, Phyllis	Election Officer	Unenrolled
Kreutz, Edward V.	Election Officer	Unenrolled
Lee, Chongfang	Election Officer	Unenrolled
Lesser, Maria Y.	Election Officer	Unenrolled
Longo, Joanne	Election Officer	Unenrolled
MacLean, Marilyn	Election Officer	Unenrolled
Mattione, Richard P.	Election Officer	Unenrolled
Maxon, Patricia	Election Officer	Unenrolled
McCormack, Mary	Election Officer	Unenrolled
Merra, Judith A.	Election Officer	Unenrolled
Murphy, Susan K.	Election Officer	Unenrolled
Nelson, Muriel	Election Officer	Unenrolled
Nikula, Elizabeth	Election Officer	Unenrolled
Nozik, Gail	Election Officer	Unenrolled
O'Connor, Susan	Election Officer	Unenrolled

Osterling, Lucy	Election Officer	Unenrolled
Phillips, Joanne	Election Officer	Unenrolled
Reed, Judy Ann	Election Officer	Unenrolled
Rhodes-Dufault, Tammie	Election Officer	Unenrolled
Roopenian, Kirsten	Election Officer	Unenrolled
Royea, Marie	Election Officer	Unenrolled
Ryan, David	Election Officer	Unenrolled
Schmidt, Susan M.	Election Officer	Unenrolled
Schow, Joan M.	Election Officer	Unenrolled
Scott, Mary	Election Officer	Unenrolled
Simon, Gail-Ann	Election Officer	Unenrolled
Sklenak, Deanna	Election Officer	Unenrolled
Sobol, Elizabeth	Election Officer	Unenrolled
Swirsky, Gabrielle	Election Officer	Unenrolled
Synnott, Cheryl E.	Election Officer	Unenrolled
Thompson, Judith F.	Election Officer	Unenrolled
Travers, Thomas S.	Election Officer	Unenrolled
Tyler, Patricia	Election Officer	Unenrolled
Wallace, Linda M.	Election Officer	Unenrolled

**This list is to be approved by the Democrat Chair, Tatiana Vitvitsky**

**Chair Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

Attachment17.a: Democrat-Unenrolled Election Officers 2021-2022 (4710 : Election Worker Reappointments)

# Republican/Unenrolled Election Officers 2021-2022

## Deanna Bisson- Republican Town Committee Chair

Last/ First Name	Election Position	Political Party
Burke Catherine	Election Officer	Republican
Caimano, Sonya V.	Election Officer	Republican
Connor, George	Election Officer	Republican
DeSantis, SantaJean	Election Officer	Republican
Gelsinon, Madeleine R.	Election Officer	Republican
Gray-Nix, Elizabeth	Election Officer	Republican
Guthy, Patricia	Election Officer	Republican
Hullinger, Siobhan Condo	Election Officer	Republican
Tate, Evelyn J.	Election Officer	Republican
Thomas, Susan	Election Officer	Republican
Wallingford Elizabeth J.	Election Officer	Republican
Anderson, Carolyn A.	Election Officer	Unenrolled
Barrett, Sarah	Election Officer	Unenrolled
Baumgartner, Diane	Election Officer	Unenrolled
Bennett, Joanne	Election Officer	Unenrolled
Bennett, Michael	Election Officer	Unenrolled
Biller, Beverly	Election Officer	Unenrolled
Booth, Lisa	Election Officer	Unenrolled
Burkley, Elaine	Election Officer	Unenrolled
Burns, Joan H.	Election Officer	Unenrolled
Carlson, Gillian	Election Officer	Unenrolled
Carty, Maura	Election Officer	Unenrolled
Conlin, Jeffrey	Election Officer	Unenrolled
Corley, Mary G.	Election Officer	Unenrolled
Cutler, Betsey	Election Officer	Unenrolled
Dawson, Maria	Election Officer	Unenrolled
Derby, Janet	Election Officer	Unenrolled
Diefenbacher, Elizabeth	Election Officer	Unenrolled
Drobinski, Patricia	Election Officer	Unenrolled
Fraize, Ellen	Election Officer	Unenrolled
French, Mary Ellen	Election Officer	Unenrolled
Friedlander, Thomas	Election Officer	Unenrolled
Gershengorn, Wendie	Election Officer	Unenrolled
Glaser, Marion	Election Officer	Unenrolled
Goldsmith, Barbara	Election Officer	Unenrolled
Graham, Jane	Election Officer	Unenrolled

Greene, Ruth	Election Officer	Unenrolled
Hawkins, Edward	Election Officer	Unenrolled
Hayes, Patricia	Election Officer	Unenrolled
Hertzberg, Marc R.	Election Officer	Unenrolled
Hoover, Stewart V.	Election Officer	Unenrolled
Howard, Patricia B.	Election Officer	Unenrolled
Hubbell, Sarah	Election Officer	Unenrolled
Hurtig, Debbie	Election Officer	Unenrolled
James, Erika	Election Officer	Unenrolled
Johnson, Sandra	Election Officer	Unenrolled
Kaplan, Diane M.	Election Officer	Unenrolled
Kaufman, Phyllis	Election Officer	Unenrolled
Kreutz, Edward V.	Election Officer	Unenrolled
Lee, Chongfang	Election Officer	Unenrolled
Lesser, Maria Y.	Election Officer	Unenrolled
Longo, Joanne	Election Officer	Unenrolled
MacLean, Marilyn	Election Officer	Unenrolled
Mattione, Richard P.	Election Officer	Unenrolled
Maxon, Patricia	Election Officer	Unenrolled
McCormack, Mary	Election Officer	Unenrolled
Merra, Judith A.	Election Officer	Unenrolled
Murphy, Susan K.	Election Officer	Unenrolled
Nelson, Muriel	Election Officer	Unenrolled
Nikula, Elizabeth	Election Officer	Unenrolled
Nozik, Gail	Election Officer	Unenrolled
O'Connor, Susan	Election Officer	Unenrolled
Osterling, Lucy	Election Officer	Unenrolled
Phillips, Joanne	Election Officer	Unenrolled
Reed, Judy Ann	Election Officer	Unenrolled
Rhodes-Dufault, Tammie	Election Officer	Unenrolled
Roopenian, Kirsten	Election Officer	Unenrolled
Royea, Marie	Election Officer	Unenrolled
Ryan, David	Election Officer	Unenrolled
Schmidt, Susan M.	Election Officer	Unenrolled
Schow, Joan M.	Election Officer	Unenrolled
Scott, Mary	Election Officer	Unenrolled
Simon, Gail-Ann	Election Officer	Unenrolled
Sklenak, Deanna	Election Officer	Unenrolled
Sobol, Elizabeth	Election Officer	Unenrolled
Swirsky, Gabrielle	Election Officer	Unenrolled
Synnott, Cheryl E.	Election Officer	Unenrolled
Thompson, Judith F.	Election Officer	Unenrolled
Travers, Thomas S.	Election Officer	Unenrolled
Tyler, Patricia	Election Officer	Unenrolled

Wallace, Linda M.	Election Officer	Unenrolled
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**This list is to be approved by the Republican Chair, Deanna Bisson**

**Chair Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

Attachment 17.b: Republican-Unenrolled Election Officers 2021-2022 (4710 : Election Worker Reappointments)





SUDBURY SELECT BOARD

Tuesday, July 27, 2021

**CONSENT CALENDAR ITEM**

**18: 2021 Annual Board & Committee Re-appointments**

REQUESTOR SECTION

Date of request:

Requested by: Leila S. Frank

Formal Title: Vote whether to approve the annual Select Board's re-appointments of those listed (all of which are subject to acceptance), to acknowledge the resignations of those who choose not to be re-appointed, and to send a letter of appreciation to the resigning volunteers for their service to the community.

Recommendations/Suggested Motion/Vote: Vote whether to approve the annual Select Board's re-appointments of those listed (all of which are subject to acceptance), to acknowledge the resignations of those who choose not to be re-appointed, and to send a letter of appreciation to the resigning volunteers for their service to the community.

Background Information:

Serving committee members and board/committee chairs were asked to provide feedback on continuing service by July 12, 2021. Expiring appointments were posted to the public and applications were requested by July 19, 2021.

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
Jennifer Roberts	Pending
Select Board	Pending

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# Board/Committee Reappointments

July 27, 2021

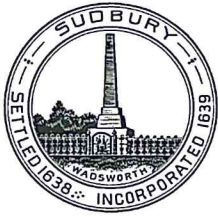
Board/Committee Name	First Name	Last Name	Member Response	Chair Response	Appt. Term
Agricultural Commission	Nicholas	Clayton			3
Board of Appeals	Benjamin	Stevenson			1
<b>Board of Appeals</b>	<b>David</b>	<b>Booth</b>	<b>No</b>		<b>1</b>
Capital Improvement Advisory Committee	Matthew	Dallas	Yes		3
Community Preservation Committee	Lynne	Remington	Yes	<i>see attached</i>	3
Conservation Commission	Bruce	Porter	Yes	Yes	3
Conservation Commission	Kenneth	Holtz	Yes	Yes	3
Conservation Commission	Mark	Sevier		Yes	3
Disability, Commission on	Patricia	Guthy	Yes		3
Earth Removal Board	Benjamin	Stevenson		Yes	1
<b>Earth Removal Board</b>	<b>David</b>	<b>Booth</b>	<b>No</b>	<b>Yes</b>	<b>1</b>
<b>Earth Removal Board</b>	<b>Jonathan</b>	<b>Gossels</b>	<b>No</b>	<b>Yes</b>	<b>1</b>
Earth Removal Board	Jonathan	Patch	Yes		1
Energy & Sustainability Committee	Joseph	Martino		Yes	3
Energy & Sustainability Committee	Kenneth	Nathanson		Yes	3
Energy & Sustainability Committee	Mark	Sevier		Yes	3
Land Acquisition Review Committee	Christopher	Morely	Yes - My institutional knowledge in this area is broad and long, and my interest still high.		2
Land Acquisition Review Committee	Jan	Hardenbergh	Yes		2
Land Acquisition Review Committee	Matthew	Barach	Yes		2
Memorial Day Committee	Elizabeth	Dow			3
Memorial Day Committee	James	Wiegel			3
Memorial Day Committee	Kenneth	Hiltz			3
<b>Memorial Day Committee</b>	<b>Laura</b>	<b>Abrams</b>	<b>No -This committee needs some new energy...</b>		<b>3</b>
Memorial Day Committee	Suzanne	Steinbach			3
Permanent Building Committee	John	Kraemer	Yes		3

# Board/Committee Reappointments

July 27, 2021

Ponds and Waterways Committee	Diane	Muffitt	No - I can only continue to serve through the summer.		3
Ponds and Waterways Committee	Marjorie	Keene	No		3
Ponds and Waterways Committee	Mary	Addonizio	No		3
Ponds and Waterways Committee	Miriam	Chandler	No		3
Sudbury Housing Authority	Tatiana	Vitvitsky			5
Sudbury Housing Trust	Carmine	Gentile	Yes	<i>see attached</i>	2
Sudbury Housing Trust	Robert	Hummel	Yes	<i>see attached</i>	2
Sudbury Housing Trust	Susan	Scotti	Yes	<i>see attached</i>	2
Town Historian	Christopher	Morely	No - I was, originally, strongly urged to take up this position, and have appreciated it these few years. But back then, and still today, I believed that Jan Hardenbergh would be an excellent choice to be Town Historian.		1

Attachment 18.a: Board Committee Reappointments 2021\_v2 (4730 : 2021 Annual Board & Committee Re-



# Town of Sudbury

## Community Preservation Committee

cpc@sudbury.ma.us

Flynn Building  
278 Old Sudbury Road  
Sudbury, MA 01776  
978-639-3387  
Fax: 978-639-3314  
www.sudbury.ma.us/cpc

May 5, 2021

Ms. Janie W. Dretler, Chair  
Select Board  
Flynn Building  
278 Old Sudbury Road  
Sudbury, MA 01776

Re: Appointment of Lynne Remington to the Community Preservation Committee

Dear Chair Dretler,

At their meeting on May 5, 2021, the Community Preservation Committee voted unanimously to recommend the Select Board appoint Lynne Remington to one of the At-Large seats on the Community Preservation Committee.

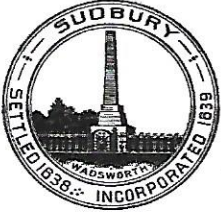
Therefore, I am writing to recommend the Select Board appoint Ms. Remington to the Community Preservation Committee, and to request the Select Board consider this recommendation at an upcoming meeting.

Please do not hesitate to contact me if you have any questions about this candidate. Please advise if you think an interview with the candidate will be necessary. Thank you.

On behalf of the Community Preservation Committee,

Adam L. Duchesneau, AICP  
Director of Planning & Community Development

cc: Community Preservation Committee



# Town of Sudbury

## Housing Trust

HousingTrust@sudbury.ma.us

Flynn Building  
278 Old Sudbury Road  
Sudbury, MA 01776  
978-639-3387  
Fax: 978-639-3314  
www.sudbury.ma.us/housingtrust

July 22, 2021

Ms. Jennifer S. Roberts, Chair  
Select Board  
Flynn Building  
278 Old Sudbury Road  
Sudbury, MA 01776

Re: Carmine Gentile, Robert Hummel, and Susan Scotti Appointment Recommendations to Sudbury Housing Trust

Dear Chair Roberts,

At their meeting on May 13, 2021, the Sudbury Housing Trust voted unanimously, 5-0, to recommend to the Select Board the appointment of Carmine Gentile of 33 Surrey Lane, Robert Hummel of 414 Dutton Road, and Susan Scotti of 26 Longfellow Road to the Sudbury Housing Trust for terms ending May 31, 2023.

Therefore, I am writing to recommend the Select Board appoint Mr. Gentile, Mr. Hummel, and Ms. Scotti to the Sudbury Housing Trust, and to request the Select Board consider these recommendations at an upcoming meeting.

Please do not hesitate to contact me if you have any questions about these candidates. Please advise if you think interviews with the candidates will be necessary. Thank you.

On behalf of the Sudbury Housing Trust,

Adam L. Duchesneau, AICP  
Director of Planning & Community Development

cc: Sudbury Housing Trust



## Sudbury Commission on Disability

June 3, 2021

Select Board Town of Sudbury  
278 Old Sudbury Road  
Sudbury, Ma 01776

Dear Select Board Member,

Since September 25, 2018 Pat Guthy has been a member of and chaired thirty-eight meetings of the Sudbury Commission on Disability. The COD had not submitted minutes since September of 2014 and Ms. Guthy led the small group of COD members through a process of reinvigorating a process that the Town of Sudbury chose to commit to at the Town Meeting of April 4, 1993, about two years after the passage of the ADA.

How did Ms. Guthy lead the COD to become a well-informed, active commission with seven members who work to shed light on important issues facing people in our community who live with disabilities, to bring useful information to Town leaders and staff and the general public, and to support the efforts of those leaders and staff and other community groups to build an inclusive Sudbury?

Ms. Guthy launched the COD's outreach effort that continues today - making connections with department heads, attending meetings and events of town and community groups, submitting articles and announcements in various media venues. She has helped establish members as liaisons to and participating members on a number of committees whose work involves accessibility concerns.

Ms. Guthy promoted COD members obtaining skills and knowledge through the Massachusetts Office on Disability's Community Access Monitor training and a panoply of other workshops and trainings offered by MOD and the New England ADA Center and the Institute for Human Centered Design. She twice brought expert assistance to the COD's work by soliciting technical information and guidance from the Metro West Center for Independent Living on various topics and by twice inviting MOD Assistant Director for Community Services, Jeff Dougan, to convey basic knowledge of the ADA to Sudbury. When Mr. Dougan presented to the Master Plan Steering Committee, the

Assess \* Educate \* Assist  
making an inclusive community

members of that group expanded their mindset handily to embrace inclusion and accessibility in many aspects of their study and reporting.

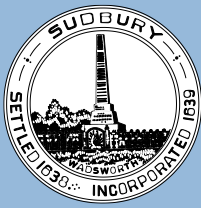
Ms. Guthy has been a tireless recruiter for the COD. When she took on the leadership role of the COD there were three members. Today The COD has seven members who bring a broad spectrum of skills and experience, including the lived experience of disability either themselves or alongside a close family member.

From the COD's work on its goals and objectives to the in-the-trenches analysis and reporting on acceptable and unacceptable variances or out-of-compliance conditions, Ms. Guthy has led the commission with integrity, intelligence, and indefatigable energy. Talents she has accrued through her work in business and education and her life-long dedication to the vulnerable in our community have combined to the great benefit of our Town. We, the members of the Commission on Disability, are grateful for that and wholeheartedly encourage you to accept Ms. Guthy's application for reappointment to the Commission on Disability.

Sincerely,

*Kay Bell*

Kay Bell, Vice Chair, on behalf of the Sudbury Commission on Disability



SUDBURY SELECT BOARD  
Tuesday, July 27, 2021

**CONSENT CALENDAR ITEM**

**19: Easement request for 270 Old Marlboro Road**

REQUESTOR SECTION

Date of request:

Requestor: Dan Nason, DPW Director

Formal Title: Vote to accept the grant of easements, both temporary and permanent, set forth in the Easement document executed by property owners Friedel S. Vongoele and Darlene M. Murphy for property located at 270 Marlboro Road and shown on “Easement Plan Marlboro Road, Sudbury, Massachusetts” dated April 20, 2021, revised June 10, 2021, prepared by Chappel Engineering Associates, LLC.

Recommendations/Suggested Motion/Vote: Vote to accept the grant of easements, both temporary and permanent, set forth in the Easement document executed by property owners Friedel S. Vongoele and Darlene M. Murphy for property located at 270 Marlboro Road and shown on “Easement Plan Marlboro Road, Sudbury, Massachusetts” dated April 20, 2021, revised June 10, 2021, prepared by Chappel Engineering Associates, LLC.

Background Information:

Pursuant to the vote under Article 17 of the 2021 Annual Town Meeting for the reconstruction of the Marlboro Road Culvert replacement, both temporary and permanent easements are required from the property owners at 270 Marlboro Road.

**NOTE: THIS REQUIRES A WET SIGNATURE (ORIGINAL)**

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Henry L Hayes	Pending
Jonathan Silverstein	Pending
Jennifer Roberts	Pending
Select Board	Pending

07/27/2021 6:15 PM



## EASEMENT

We, Friedel S. Vongoeler and Darlene M. Murphy, having an address of 270 Marlboro Road, Sudbury, MA 01776 (“Grantor”), for consideration of the sum of One Dollar and 00/100 (\$1.00) and other good and valuable consideration paid, grant to THE TOWN OF SUDBURY, a municipal body politic having an office at 278 Old Sudbury Road, Sudbury, MA 01776 (the “Town”), with Quitclaim Covenants,

Permanent and temporary easements over, in, through, and under portions of the Grantors’ property in Sudbury, Massachusetts on a certain parcel of land known and numbered as 270 Marlboro Road and shown as Parcel D09-0202 on the Town of Sudbury Assessor’s Map, further depicted on a Right-of-Way and Easement Plan entitled “Easement Plan, Marlboro Road, Sudbury, Massachusetts” dated April 20, 2021, and revised June 10, 2021, by Chappell Engineering Associates, LLC., (the “Easement Plan”), all as more particularly described below.

### I. Permanent Retaining Wall Easement

The Town shall have the perpetual right and easement to construct, inspect, repair, remove, replace, reconstruct, operate, and maintain for all purposes for which public ways, roadways, retaining walls and culverts which are used in the Town of Sudbury, including without limitation, drainage, utility, slope, grading and construction of improvements and structures, and other related purposes and all undertakings in connection with the retaining wall easement area described above and shown as “Permanent Retaining Wall Easement” on the Easement Plan. The Town shall have the right to enter upon the Permanent Retaining Wall Easement premises from time to time, including, without limitation, by foot, for the aforesaid purposes. Any type of vehicles or heavy construction equipment is excluded from entering the Permanent Retaining Wall Easement premises.

### II. Temporary Retaining Wall Construction Easement

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

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

#### IV. Other

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

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

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

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

For Grantors' title, see Deed filed and registered in the Land Court, Middlesex South District, Book 64361, Page 463.

(Signatures appear on the following pages.)

Executed under seal this 20<sup>th</sup> day of July, 2021.

[Signature]  
Friedel S. Vongoeler

[Signature]  
Darlene M. Murphy

MIDDLESEX, SS.

On this 30 day of July, 2021, before me, the undersigned notary public, personally appeared Friedel S. Vongoeler, who proved to me through satisfactory evidence of identification, which was MA-Drivers Licenses and acknowledged to me that he signed it voluntarily for its stated purpose.

[Signature]  
Notary Public  
My Commission expires: January 30, 2026

MIDDLESEX, SS.

On this 30 day of July, 2021, before me, the undersigned notary public, personally appeared Darlene M. Murphy who proved to me through satisfactory evidence of identification, which was MA-Drivers Licenses and acknowledged to me that she signed it voluntarily for its stated purpose.

[Signature]  
Notary Public  
My Commission expires: January 30, 2026



Attachment 19.a: Easement (4711 : Easement request for 270 Old Marlboro Road)

**ACCEPTANCE**

The Town of Sudbury, acting by and through its Board of Selectmen, hereby accepts the foregoing Easement from Friedel S. Vongoeler and Darlene M. Murphy pursuant to the authority granted under M.G.L. c.83 s.1, acceptance by vote of Article 17 at the 2021 Annual Town Meeting, and any other authority hereto pertaining, on this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

TOWN OF SUDBURY  
BOARD OF SELECTMEN

\_\_\_\_\_  
Jennifer Roberts, Chair

\_\_\_\_\_  
Janie W. Dretler, Vice-Chair

\_\_\_\_\_  
Daniel E. Carty

\_\_\_\_\_  
William Schineller

\_\_\_\_\_  
Charles Russo

COMMONWEALTH OF MASSACHUSETTS  
MIDDLESEX, SS.

On this \_\_\_\_\_ day of \_\_\_\_\_, 2021, before me, the undersigned notary public, personally appeared \_\_\_\_\_, a Member of the Board of Selectmen of the Town of Sudbury, proved to me through satisfactory evidence of identification, which \_\_\_\_\_ and who has stated to me that he/she signed it voluntarily for its stated purpose on behalf of the Town of Sudbury Board of Selectmen.

\_\_\_\_\_  
Notary Public  
My commission expires:

Attachment 19.a: Easement (4711 : Easement request for 270 Old Marlboro Road)

FOR REGISTRY USE ONLY

GENERAL NOTES:

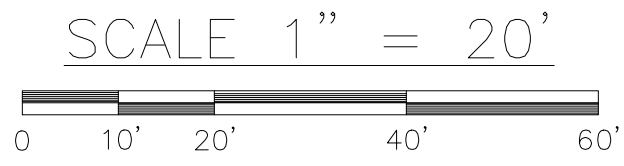
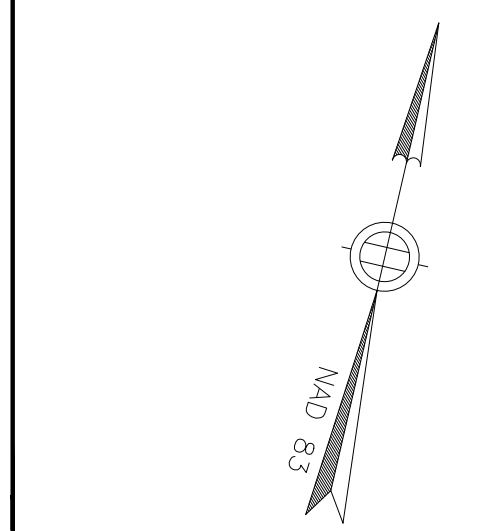
1. THIS PLAN IS THE RESULT OF AN ON-THE-GROUND SURVEY PERFORMED BY CHAPPELL ENGINEERING ASSOCIATES, LLC., BETWEEN AUGUST 20TH - 22ND, 2019.
2. ALL DEED/PLAN REFERENCES ARE TO MIDDLESEX REGISTRY OF DEEDS SOUTHERN DISTRICT.
3. PORTION OF PROPERTY DOES RESIDE IN MUNICIPAL OPEN SPACE BARTON FARMS CONSERVATION AREA, ZONING DISTRICT RESIDENCE A.
4. PLAN REFERENCES: (PLAN NO. / PLAN YEAR)  
183-4 OF 1982 14 OF 1987 312 OF 2012 268 OF 2018
5. HORIZONTAL DATUM: NAD 83 MASS STATE PLANE MAINLAND ZONE HORIZONTAL CONTROL SYSTEM.



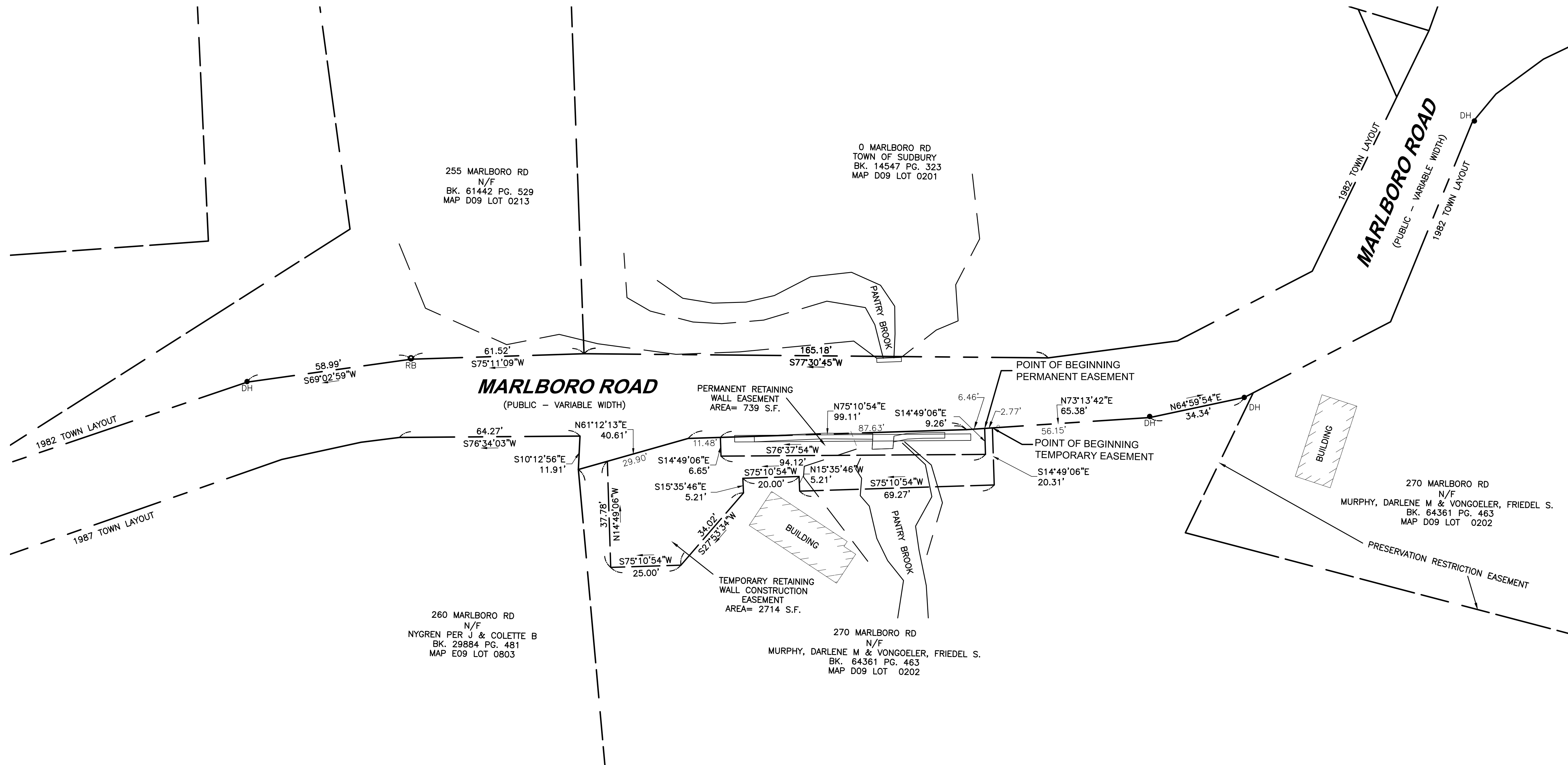
LOCUS MAP

THIS PLAN HAS BEEN PREPARED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS IN THE COMMONWEALTH OF MASSACHUSETTS AND IN COMPLIANCE WITH THE RULES AND REGULATIONS FOR THE PRACTICE OF LAND SURVEYING IN THE COMMONWEALTH OF MASSACHUSETTS. THIS CERTIFICATION IS INTENDED TO MEET THE REQUIREMENTS OF THE REGISTRY OF DEEDS AND IS NOT A CERTIFICATION OF THE TITLE OR OWNERSHIP OF THE LAND SHOWN HEREON.

I HEREBY CERTIFY THAT THE PROPERTY LINES SHOWN ON THIS PLAN ARE THE LINES OF OWNERSHIPS, AND THE LINES OF THE STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED, AND THAT NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIP OR FOR NEW WAYS ARE SHOWN.



DATE WILLIAM E. TIRRELL PLS # 49930



- STREET R.O.W. LINE
- ABUTTER PROPERTY LINE
- EASEMENT LINES

LEGEND

REVISIONS

REV. #	DATE	DESCRIPTION
1	6/10/21	REV TEMP ESMT/EDITS

PROJECT NO. 1934.01	DRAWN BY: MLT/WET CHECK'D BY: PC/WET	SCALE: 1" = 20'
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EASEMENT PLAN  
MARLBORO ROAD,  
SUDBURY, MASSACHUSETTS

**CHAPPELL ENGINEERING ASSOCIATES, LLC**  
Civil Structural Land Surveying  
201 BOSTON POST ROAD WEST-SUITE 101  
MARLBOROUGH, MA 01752  
TEL (508) 481-7400

APRIL 20, 2021

SHEET 1 OF 1



SUDBURY SELECT BOARD

Tuesday, July 27, 2021

**CONSENT CALENDAR ITEM**

**20: Historical Commission associate appointment**

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Vote to approve the Town Manager appointment of Kathryn J. McGrath, 39 Pilgrim's Path, as an Associate member to the Historical Commission for a term to expire 5/31/24.

Recommendations/Suggested Motion/Vote: Vote to approve the Town Manager appointment of Kathryn J. McGrath, 39 Pilgrim's Path, as an Associate member to the Historical Commission for a term to expire 5/31/24.

Background Information:  
application and resume

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Henry L Hayes	Pending
Jonathan Silverstein	Pending
Jennifer Roberts	Pending
Select Board	Pending

07/27/2021 6:15 PM



# KATHRYN J. MCGRATH, RPA

Historic Preservation Graduate Certificate, Boston Architectural College, May 2021  
M.A., Anthropology, Ohio State University, 1993  
B.A., *summa cum laude*, Anthropology, Folklore minor, Ohio State University, 1990



## SUMMARY OF EXPERIENCE

Kathryn McGrath has over 17 years of experience in North American archaeology. During this time, responsibilities have included planning projects, archival research, field reconnaissance and excavation, office management, report management, and laboratory management roles. Ms. McGrath's field experience has ranged from Phase I surveys to Phase III data recovery. Laboratory experience has included analysis of varied materials within multiple cultural areas, microwear analysis on lithics, supervision of analysts and volunteers, collections management, and turnover to multiple repositories. During her 13-year tenure at Corn Island Archaeology, Ms. McGrath contributed to numerous master plans, cultural resources sensitivity assessments, and historic contexts for parks and other institutions.

## RELEVANT WORK HISTORY

2019 to present	On-call Project Archaeologist. Corn Island Archaeology LLC., Louisville, Kentucky.
2007 to 2019	Vice President of Operations, Senior Archaeologist, and Laboratory Supervisor. Corn Island Archaeology LLC., Louisville, Kentucky.
2002 to 2003	Staff Archaeologist, one-to-two days per week. AMEC Earth & Environmental, Inc. (now Wood), Louisville, Kentucky.
1993 to 1999	Co-Laboratory Supervisor, Assistant Project Manager, Crew Chief. R. Christopher Goodwin & Associates, Inc. Frederick, Maryland.

## RELEVANT SPECIALIZED TRAINING AND WORKSHOPS

2020 to 2021	<i>American Architecture: Colonial Period through Postmodernism, Adaptive Reuse and Development Process, Historic Preservation Philosophy and Practice, and Historic Preservation Planning and Law.</i> Courses at Boston Architectural College.
2020	<i>CPA Historic Preservation Workshop.</i> June 13, 2020, 2.5 hours. City of Boston.  <i>Part 1: Legal Issues</i> , 1 hour on May 19, 2020 and <i>Transforming Digital Engagement at Historic Sites</i> , 1 hour on April 20, 2020. National Trust for Historic Preservation Leadership Forum. Webinars.  <i>ACUA Underwater Cultural Heritage.</i> Conference workshop with four hours of RPA continuing credit.
2017	<i>Introduction to Using Drones for Archaeology.</i> Center for Digital Archaeology. Webinar.
2016	<i>Advanced Digital Data Management.</i> SAA sponsored and RPA continuing credit. Webinar.
2015	<i>Introduction to Digital Data Management, Conservation and Management of Rock Art: an Integrated Approach, and Fundamentals of Budgeting for Archaeological Projects.</i> SAA sponsored/RPA continuing credits. Webinars.
2013	<i>Defining the Area of Potential Effects (APE) and Updates to National Register Bulletin 38: Traditional Cultural Properties.</i> Advisory Council on Historic Preservation. Webinars.
2012	<i>Conservation and Care of Collections.</i> 10-week online course. University of Victoria, British Columbia.
2010	<i>Section 106 Training Workshop,</i> Ohio Department of Transportation, Columbus, Ohio.
2009	<i>Excavation and Trenching, Advanced Safety &amp; Health,</i> Louisville, Kentucky.

### PROFESSIONAL MEMBERSHIPS

- Register of Professional Archaeologists (RPA)
- Society for Historical Archaeology (SHA)

### NON-PROFIT MEMBERSHIPS

- Massachusetts Archaeological Society
- Historic New England

1995 *Introduction to Federal Projects and Historic Preservation Law*. GSA Training Center and the Advisory Council on Historic Preservation, Baltimore, Maryland.

## RELEVANT PLANNING EXPERIENCE AND HISTORIC CONTEXT DEVELOPMENT

**2021 Cultural Resources Sensitivity Assessments, various counties, Kentucky.** Various clients and counties for Kentucky Transportation Cabinet's statewide planning studies contract, for Olmsted Parks Conservancy, and for Louisville Metro Parks. Since 2007, completion of overviews, master plans, and scoping studies compiling recorded and potential cultural resources within pertinent study areas varying in size from a few miles to large portions of the counties.

**2019 Cultural Resources Services in Support of the Camp Zachary Taylor World War I Memorial, Jefferson County, Kentucky.** Stantec Inc. for Louisville Metro Parks. Lead cultural resources team member. Provide research and recommendations for the selection of the location for the Camp Zachary Taylor World War I Memorial within the park system, guidance on the selection and exhibition of materials, and recommendations on interpretive themes.

**2019 Archaeological and Cultural-Historic Overview for the Eastern Parkway Planning Study, Jefferson County, Kentucky.** Gresham Smith for Kentucky Transportation Cabinet. Archaeological resource sensitivity assessment along this Olmsted parkway.

**2017 Cultural Resources Reconnaissance Prepared in Concert with the Riverside, the Farnsley-Moremen Landing Master Plan, Jefferson County, Kentucky.** Gresham Smith and Partners for Louisville Metro Parks. Prepared an overview of known resources and previous investigations, prepared an agricultural context, and provided guidance with recommendations on the preservation and interpretation of cultural resources at this house and farm museum.

**2016 to 2019 Costing and Proposals for Scoping Studies and Field Projects.** Completed proposals for various projects in Northern Kentucky, Falls of the Ohio area, and Western Kentucky that varied in scope from scoping studies to field projects. Most entailed coordination with client and completion in formats required by the transportation cabinet.

**2016 Appendix C: Kentucky's Electric Interurbans (1893-1945) in A Context of the Railroad Industry in Clark County and Statewide Kentucky.** City of Winchester for Kentucky Transportation Cabinet. Researched and contributed historic and environmental contexts.

**2016 to 2019 Costing and Proposals for Scoping Studies and Field Projects.** Completed proposals for various projects in Northern Kentucky, Falls of the Ohio, and Western Kentucky that varied in scope from scoping studies to field projects. Most entailed coordination with client and completion in formats required by the transportation cabinet.

**2015 Revision to the National Register Listing for the Wilson's Creek National Battlefield, Greene and Christian Counties, Missouri.** The Westerly Group for the National Park Service. Completed research and contributed pre-contact and historic contexts.

**2015 Archaeological Analyses and Contributions to the Locust Grove National Historic Landmark Master Plan, Jefferson County, Kentucky.** Gresham Smith and Partners for Louisville Metro Parks. Completion of artifact analyses, interpretation of deposit functions based on artifact patterning, and recommendations on preservation and interpretation of resources. Worked with team members to define goals and research objectives pertinent to the cultural resources, which included synthesis of the previously completed archaeological survey, data from informant interviews, public meetings, and public archaeology. Plan won the Kentucky Association of Landscape Architects' 2015 Merit Award in Planning and Analysis.

**2012 Historic Preservation Management Plan for the R.C. Byrd Hydroelectric Plant in Gallia County Ohio and Mason County, West Virginia.** MWH Americas, Inc. for U.S. Army Corps of Engineers, Huntington District. Completed review of pertinent legislation and project impacts then provided recommendations.

**2008 Volume on a 1950s Recreational Development, Otsego County, Michigan.** Volunteer project incorporating submissions from 18 partners along with development of the North Woods environmental and cultural contexts; lead author.

**1990 Context Development of Appalachian Culture, Family Farms, and Outmigration, Grainger County, Tennessee.** Research, genealogical review, interviews, and folklore documentation on own family while developing the context for submission to Honors Committee. Defended thesis and presented at Eastern Colleges Science Conference, Manhattan College, Riverdale, New York.



## ARCHAEOLOGICAL ANALYSIS EXAMPLES

**2018** Historical Analysis and Laboratory Supervision for the Intensive Archaeological Investigations from 19 City Lots within the Maple Street Hazard Mitigation Grant Program, Louisville, Jefferson County, Kentucky. Metropolitan Sewer District for the U.S. Army Corps of Engineers, Louisville District. Analysis of artifacts dating from mid-nineteenth to late twentieth centuries, supervision and coordination of other analysts, assemblage analysis, database management, and coordination with outside researchers.

**2017** Phase I and II Archaeological Investigations of Approximately 165 Acres for the Riverport Phase 5 Property, Jefferson County, Kentucky. Louisville and Jefferson County Riverport Authority in support of the U.S. Army Corps of Engineers, Louisville District. Completed Native American and eighteenth- through twentieth-century historical artifact analyses, supervised another analyst, completed assemblage write-up, and interpretation.

**2016** Analysis of Pre-Contact Native American Materials for the Phase II Archaeological Evaluation of the Miles Rockshelter Site, 15JF671, Jefferson County, Kentucky. The Corradino Group for the Louisville and Jefferson County Regional Airport Authority. Completion of artifact analysis, assemblage write-up, database management, and coordination with outside researchers.

**2011 to 2015** Historical Analysis for the Phase II and Phase III Archaeological Investigations of the Yager/Ward Farmstead, Site 15JF781, at the Planned Claiborne Crossings Residential Development, Jefferson County, Kentucky. TDK Construction, Inc. for Housing and Urban Development. Completed historic and prehistoric artifact analysis, research, supervision of other analyst, laboratory management, and report co-authorship pertaining to socioeconomic status and consumer behaviors. Material dated from the early nineteenth to early twentieth centuries, which included reflections of African/African American spiritual traditions.

**2010** Artifact Analysis of Historic and Pre-Contact Native American Artifacts Recovered during Public Archaeology at Site 15HD848, the Lincoln Heritage House, Hardin County, Kentucky. Brockington and Associates for City of Elizabethtown Completed identification, research, and analysis of assemblage using Surfer. Coordinated with other analysts and company. Co-author of report.

## RECENT FIELDWORK

**2018 to 2019** Phase I Archaeological Surveys for Nine Bridge Replacements in Henry, Jefferson, Oldham, Shelby, and Spencer Counties, Kentucky. Qk4 for the Kentucky Transportation Cabinet. Completed survey, artifact analysis, and reporting.

**2017** Salvage Archaeology for the Cricket Field at Hays Kennedy Park, Jefferson County, Kentucky. Louisville Metro Parks. Surface collections over four-month period during construction. Included obtaining multiple permits, hiring FAA-certified drone pilot for imaging, and deterring numerous collectors.

**2016** Archaeological Testing and Monitoring during Restoration at the Jefferson Jacob Rosenwald Site (15JF919), Jefferson County, Kentucky. Prospect Lodge No. 109. Partially volunteer project to complete shovel testing adjacent to 1917 African American schoolhouse prior to demolition of the non-contributing 1960s addition. Contribution to landscape history in cultural-historic report.

**2013 to 2019** Reconnaissance of Rockshelters within Jefferson County, Kentucky. Kentucky Archaeological Survey for Kentucky Transportation Cabinet. Landowner contact, field reconnaissance, and limited testing aimed at pinpointing locations of and cultural resources associated with rockshelters. Conferred with Kentucky Karst Conservancy. Contributed to mitigation volume.

**2010 to 2019** One-to-two-day Participation on Phase II/III Excavations at the Buffalo Run Site in Bullitt County and Yager/Ward Farmstead in Jefferson County, Kentucky; and the Colston Park and Ellingsworth Project in Clark County, Indiana.

## GRANT WRITING

**2010** Compilation and Co-author of Federal Survey and Planning Grant Administered by the Kentucky Heritage Council to Falls of the Ohio Archaeological Society for the Conrad Seaton House (JF278) and Pottery Site (15JF740), Jefferson County, Kentucky. Development of relational database for redware research, definition of study types, and analysis of redware. Separate database developed for tracking various funding categories within two organizations. Definition of study types pertained to morphological types, composition, and decorative motifs. Analysis manual compiled to guide future research at the pottery.

2010 **Compilation and Co-author of Federal Survey and Planning Grant Administered by the Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology to Falls of the Ohio Archaeological Society for the Loop Island Wetlands, Floyd County, Indiana.** Grant was used to complete a Phase I archaeological survey for the landowner. Materials dated from the late 1800s and included research and analysis of items from an adjacent tannery.

## COMMUNITY INVOLVEMENT AND EDUCATION

2016 **Advisory Committee for the 36 Miles Project.** Input pertaining to the Ohio River and the Falls of the Ohio for University of Louisville and University of Kentucky photography student projects in preparation for exhibition.

1996 to 2016 **Public Archaeology and Education Events in Indiana, Kentucky, Ohio, Maryland, and West Virginia.** Public excavation during Archaeology Day with Falls of the Ohio Archaeological Society in Clark County, Indiana, at the Conrad Redware Pottery Site during annual Gaslight Festivals, National Archaeology Day presentation at Louisville Classical Academy, Women in Science Day at Frazier History Museum, multi-year presentations during Tully Elementary School fieldtrips and to Girl Scouts during Festival of the Arts. Volunteer participation during excavations at the Civil War-era Edgewood Manor farmstead in Berkeley County, West Virginia with Division of Culture and History involving excavation of slave quarters. Contributions included aerial photographs of site.

## EXHIBITIONS AND ARTIFACT DISPLAYS

2015 to 2019 **Traveling Exhibition for the Riverport Industrial Park Phase II Investigation, Jefferson County, Kentucky.** Completed artifact analyses, supervision of materials recovered from three sites, interpretations of these assemblages, and supervised another analyst. Co-author of report. Assemblages included pre-contact Native American, Antebellum, and Postbellum materials. Coordinated an exhibition traveling to area libraries and parks over four-year period.

2018 **Assistance in Artifact Selections for the Online Artifact of the Week and Media Visits from the Beecher Terrace Public Housing Renewal Project, Jefferson County, Kentucky.** Selection of presentation materials aimed at highlighting the variety of materials, diversity of local manufacturers, and hooks for public support of the project. Conferring with experts on photograph type and preservation. Materials represented nineteenth to early twentieth century transitions from immigrant enclaves to “Louisville’s Harlem” area.

2018 **Artifact Selections for Metropolitan Sewer District’s Maple Street History Trunks Comprised of Culled Material for Public Education, Jefferson County, Kentucky.** In order to decrease the amount of material to be curated, duplicate materials were culled for public education trunks, topics of which were to include medicines, toys, hygiene, education, and beverages.

2018 **Artifact Selections for the AC Hotel by Marriott NuLu District, Louisville, Jefferson County, Kentucky.** Provided images, inventories, and delivery of potential artifact selections for permanent display within the hotel lobby.

2014 ***Working in the Light of the Kiln: Archaeological Discoveries at the Conrad Pottery.*** Curator of Conrad redware pottery exhibition at the Jeffersontown Historical Museum. Coordination with collection owner and facility, obtained permissions for digital images, provided opportunities to high school’s Visual Communications Program to provide graphics.

## NAGPRA RELATED

2013 to 2014 **Repatriation of the Meyer Site Mortuary Assemblage (12SP1082), Spencer County, Indiana.** Completed follow-up artifact analysis, inventory revision and finalization, contribution to report, and preparation of collection for turnover to tribe.

1995 **Documentation of NAGPRA-related Collection Locations at USACE Repositories in Kentucky, West Virginia, and Tennessee for the USACE Mandatory Center of Expertise.** With R. Christopher Goodwin & Associates. Compilation of data from repositories with other team members.

1994 **Phase I and Phase II Archaeological Investigation at Moorefield, Hardy County, West Virginia.** With R. Christopher Goodwin & Associates. Supervision of laboratory analysis and analysis of materials dating from ca. 1625 Native American burial contexts that included copper, glass, and gold trade items. Participation in repatriation transfer meeting.

**TOWN OF SUDBURY  
APPLICATION FOR APPOINTMENT**

SELECT BOARD  
278 OLD SUDBURY ROAD  
SUDBURY, MA 01776

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

Board or Committee Name: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_ Email Address: \_\_\_\_\_

Home phone: \_\_\_\_\_ Work or Cell phone: \_\_\_\_\_

Years lived in Sudbury: \_\_\_\_\_

Brief resume of background and pertinent experience:

Municipal experience (if applicable):

Educational background:

Reason for your interest in serving:

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

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

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

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

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

Signature \_\_\_\_\_ Date \_\_\_\_\_

Attachment 20.b: Kathryn McGrath Application 210420 (4716 : Historical Commission associate appointment)

# TOWN OF SUDBURY APPLICATION FOR APPOINTMENT

SELECT BOARD  
278 OLD SUDBURY ROAD  
SUDBURY, MA 01776

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

Board or Committee Name: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_ Email Address: \_\_\_\_\_

Home phone: \_\_\_\_\_ Work or Cell phone: \_\_\_\_\_

Years lived in Sudbury: \_\_\_\_\_

Brief resume of background and pertinent experience:

Municipal experience (if applicable):

Educational background:

Reason for your interest in serving:

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

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

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

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

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

Signature \_\_\_\_\_ Date \_\_\_\_\_

Attachment 20.c: Kathryn McGrath Application 210420\_fields\_adjusted (4716 : Historical Commission associate appointment)



SUDBURY SELECT BOARD

Tuesday, July 27, 2021

**CONSENT CALENDAR ITEM**

**21: Agreement for Transportation Pilot Program Manager Services**

REQUESTOR SECTION

Date of request:

Requestor: Adam Duchesneau, Director of Planning & Community Development

Formal Title: Vote to approve the execution of the First Amendment of the Professional Services Agreement for the Transportation Pilot Program Manager Services in the amount of \$44,915 pursuant to an Agreement under a Community Compact Best Practices state grant program initiated by the Town Manager on May 5, 2021 to Nelson/Nygaard Consulting Associates, Inc.

Recommendations/Suggested Motion/Vote: Vote to approve the execution of the First Amendment of the Professional Services Agreement for the Transportation Pilot Program Manager Services in the amount of \$44,915 pursuant to an Agreement under a Community Compact Best Practices state grant program initiated by the Town Manager on May 5, 2021 to Nelson/Nygaard Consulting Associates, Inc.

Background Information:  
see attached information

Financial impact expected:\$44,915 (\$5,000 initially authorized and contracted under the Transportation Pilot Grant program not included)

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Henry L Hayes	Pending
Jonathan Silverstein	Pending
Jennifer Roberts	Pending
Select Board	Pending

07/27/2021 6:15 PM

**AGENDA REQUEST BACKGROUND INFORMATION:**

The Town of Sudbury was awarded a Community Compact Best Practices grant by the Commonwealth of Massachusetts in the spring of 2019 to create a multijurisdictional program of on-demand transportation pilots, called Making the Connections. Since that time, the Metropolitan Area Planning Council (MAPC) provided some technical assistance in the startup process, which involved crafting the initial draft of an Intermunicipal Agreement (IMA) to be entered into by and between the Towns of Sudbury, Concord, Maynard, Stow, and others. This IMA has now been signed and has been tailored to the specific program that is focused on connecting seniors, people with disabilities, financially vulnerable residents, and veterans to health services, community resources, and economic opportunities with on-demand transportation services.

By partnering with vehicle providers that utilize appropriate dispatch and operational software, the collaborating communities seek to quantify such data as ride numbers, destinations, points of origin, time, etc. At the end of the pilot, we expect to identify potential hubs and fixed route services that regional transit authorities could serve economically. At the same time, by means of on-demand services, we will increase equity and inclusiveness as features of age and dementia friendly communities. This process/initiative will be managed by a Program Manager, who will be paid using the Community Compact Best Practices grant.

The contract you are being asked to authorize the Town Manager to sign is an agreement to allow Nelson\Nygaard Consulting Associates, Inc. to be the Project Manager for this initiative. Their involvement in this initiative will be entirely paid for by the Community Compact Best Practices grant provided by the state.

**Nelson\Nygaard Consulting Associates  
Professional Services Agreement  
FIRST AMENDMENT**

This First Amendment to the Professional Services Agreement ("Agreement") is made effective 30<sup>th</sup> day of June, 2021, by and between Town of Sudbury ("Client") and Nelson\Nygaard Consulting Associates, Inc., a California Corporation ("Consultant").

RECITALS:

- A. Client and Consultant previously entered into an Agreement last signed May 5, 2021, for the MA Transportation Pilot Program Manager Services ("Project") and amendments to that Agreement (if any), and
- B. By this First Amendment, Client and Consultant desire to amend the terms and conditions of the Agreement.

AGREEMENT:

NOW THEREFORE, Client and Consultant agree as follows:

- 1. The scope and fee set forth in the Agreement is updated and expanded as set forth in Attachment A to this First Amendment, which is attached and incorporated by reference.
- 2. The amount of \$5,000 as previously authorized in the Agreement (which is inclusive of any increases by prior amendments if any) is increased by an additional \$44,915 for a total amount not to exceed \$49,915 for the performance of the services of this Agreement including this First Amendment.

No Further Modification: Except as set forth in this First Amendment, all of the terms and provisions of the Agreement including prior amendments (if any) shall remain in full force and effect.

IN WITNESS WHEREOF, Client and Consultant have executed this First Amendment to the Agreement as of the date first above written.

**Client: Town of Sudbury**

By: \_\_\_\_\_  
Name:  
Title:  
Date:

**Consultant: Nelson\Nygaard Consulting Associates, Inc.**

By: \_\_\_\_\_  
Name:  
Title:  
Date:

Attachment21.b: Nelson Nygaard Consulting Assoc agreement (4738 : Agreement for Transportation Pilot Program Manager Services)

## First Amendment Attachment A

### SCOPE OF SERVICES

The scope of work and deliverables for this project are outlined below.

#### Task 1. Program Management & Coordination

Nelson Nygaard staff will continue to meet virtually with the Transportation Pilot Steering Committee (Steering Committee) and invited individuals from participating communities. We will confirm the final program and project approach, including:

- Program management
- Program goals and objectives
- Pilot project development framework
- Contract facilitation or guidance as needed with transportation providers
- Outreach methods to encourage participation
- Program and reporting structure at town and Steering Committee levels
- Project schedule

Upon confirmation of the approach, we will prepare a memorandum describing program parameters, schedule, and reporting expectations. This will outline:

- Expectations on program participation
- Plans to secure the services of transportation providers
- Report structure to collect program data
- Communications / outreach plan to facilitate robust participation from targeted populations.

Periodic check-in calls with a liaison team comprised of members of the Steering Committee will troubleshoot issues and ensure project is proceeding on schedule.

#### Task 2. Data Compilation & Analysis

Nelson/Nygaard will support and work with participating communities to ensure all participating transportation partners provide the data necessary to evaluate the program. Data to be sought includes origin and destination data, vehicle miles traveled, cost of service, day and time of trip, etc.

Nelson/Nygaard will create a user-friendly data reporting form, including an option to provide this information online. We are assuming a designated liaison in each community will provide compiled data to us on a monthly basis. We will regularly track progress to confirm trips provided through each community pilot are meeting program goals. We may suggest adjustments based on information received. Nelson Nygaard will approach this task with the quality improvement process of Plan/Do/Study/Act in mind. We will report information to the Steering Committee via email or conference call for their regular meetings. After six months of data compilation, we will schedule a virtual check-in with the Steering Committee to review early findings. At the conclusion of the project, Nelson/Nygaard will incorporate its data findings into its program evaluation and present findings to the Steering Committee. See Task 4.

#### Task 3. Community & Stakeholder Outreach

Nelson/Nygaard, as needed, will assist participating communities in educating local agencies and local constituents about the pilot program. These efforts may include development of project information sheets and other collateral materials to encourage participation in the program. If desired, we will develop a program survey (both online and pdf) to be distributed to all who participate in the program. The survey will seek demographic information, ease of use, trip purpose, and overall customer satisfaction. We understand that additional funds are allocated for communities to promote the program locally. Our efforts are within the proposed budget.



#### Task 4. Program Evaluation & Recommendations

Upon program completion, Nelson/Nygaard will use the data gathered during the pilot as well as feedback from the Steering Committee and community stakeholders to evaluate how well the pilot addressed gaps in public transportation services. We will make recommendations for the future.

We will consider the future applicability of on-demand services for travel both locally and within the region. We will also evaluate its cost effectiveness in serving the target populations and their specific transportation needs. Finally, we will develop recommendations aimed at continuation of similar services or consideration of other alternatives, including expanded public transportation services.

Nelson/Nygaard will produce a PowerPoint slide deck that will use data and other graphics for presentation to the Steering Committee at the conclusion of the pilot program. Program evaluation and recommendations are intended for the Steering Committee and participating communities. The presentation will aim to inform decision making at the local level and can be used as desired to share pilot findings with regional transit authorities and others.

## FEES AND SCHEDULE

### Fees

We will bill services on an hourly basis (time and materials) based on the billing rates included with this agreement.

Task 1	\$18,130
Task 2	\$13,750
Task 3	\$4,425
Task 4	\$13,610
<b>Total</b>	<b>\$49,915</b>
Initial Authorization	\$5,000
<b>Amendment 1 Amount</b>	<b>\$44,915</b>

Note that these are estimates and resources may require reallocation within the overall budget amount as the project proceeds.

### Schedule

Based on the meetings completed in the spring of 2021, the Task 1 start-up phase is anticipated to take longer than envisioned in our initial proposal. Accordingly, we will work with the Steering Committee to establish and agree upon a working schedule for meetings, including the timeline for project completion. For contracting and budgeting purposes, we are assuming completion by June 30, 2022. Should that change, we will prepare a contract amendment.

## ADDITIONAL SERVICES

Please note that work items requested outside the Scope of Work outlined in this Agreement, such as additional meetings may require an amendment. No additional work will be performed without prior authorization.

# BILLING RATES

The schedule of billing rates for any additional work undertaken as part of this project is provided below:

Principal 5	\$255
Principal 4	\$230
Senior Associate 1	\$155
Associate 2	\$135
Associate 1	\$105

Transportation Pilot Program Manager  
Town of Sudbury, MA

## Town of Sudbury, MA Transportation Pilot Program Manager Services



**Submitted by**  
**Nelson\Nygaard Consulting Associates, Inc.**  
**77 Franklin Street, 10th Floor, Boston, MA 02110**  
**617-521-9404**

**CONTACT: Bill Schwartz TITLE: Principal**  
**EMAIL [bschwartz@nelsonnygaard.com](mailto:bschwartz@nelsonnygaard.com)**

### **SCOPE OF SERVICES**

The scope of work and deliverables for this project are outlined below.

#### **Task 1. Initial Coordination Assistance and Task Refinement**

Nelson\Nygaard will review materials provided by Sudbury staff and other partners covering the current ride subsidy programs. In addition, we will support a multi-community virtual meeting anticipated for in late April by working with Sudbury staff to plan for the meeting and helping to facilitate the meeting discussion. The goal of this meeting is to establish a partnership framework for the overall program. Should other partners agree to join the pilot project, we will then draft a scope of work for the remaining project tasks.

### **FEE**

Our services will be billed monthly on a time-and-materials basis up to an amount not to exceed \$5,000 for Task 1. Billing rates are presented below. Additional services and fee basis will be negotiated separately.

### **ADDITIONAL SERVICES**

Please note that work items requested outside the Scope of Services outlined in this Agreement, such as remaining project tasks, will require an amendment. No additional work will be performed without prior authorization.

### **AUTHORIZATION**

If the terms and conditions of this Agreement are acceptable to you, please sign below, return a copy to Bill Schwartz, and upon countersignature by an authorized signatory of Nelson\Nygaard Consulting Associates, Inc., this will comprise the complete and final agreement between the parties. If you have any questions, please do not hesitate to contact our Project Manager, Bill Schwartz at [bschwartz@nelsonnygaard.com](mailto:bschwartz@nelsonnygaard.com) or 617-306-9466.

This Agreement (including the Standard Terms & Conditions attached hereto and incorporated herein as Exhibit A, which are expressly acknowledged as being received) as stated herein is hereby accepted by the undersigned. This Agreement is entered into by both parties for good and valuable consideration and the mutual promises of both parties, the sufficiency of which is hereby acknowledged. The undersigned on

Project Proposal | Draft  
Town of Sudbury

behalf of the Client is an authorized officer or representative of the Client and possesses the power and authority to execute this Agreement on behalf of the Client. Each executed counterpart of this Agreement will be deemed to be an original copy of this Agreement and all counterparts together will be deemed to constitute one and the same Agreement. Faxed or other electronically delivered signatures may be used in lieu of original signatures and shall constitute effective execution and delivery of this Agreement. The undersigned hereby execute this Agreement and upon such execution, authorization to proceed is hereby granted.


AGREED For Town of Sudbury (“Client”):

HENRY L. HAYES, JR. Digitally signed by HENRY L. HAYES, JR.  
DN: cn=HENRY L. HAYES, JR., o=TOWN OF SUDBURY, MA,  
ou=TOWN MANAGER, email=HAYESH@SUDBURY.MA.US,  
c=US  
Date: 2021.05.05 09:50:11 -0400 Town Manager May 5, 2021

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Name	Title	Date
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AGREED For Nelson\Nygaard Consulting Associates, Inc. (“Consultant”):

 Director of Operations 4/27/2021

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Name	Title	Date
------	-------	------

Attachment21.b: Nelson Nygaard Consulting Assoc agreement (4738 : Agreement for Transportation Pilot Program Manager Services)

# BILLING RATES

The schedule of billing rates for work undertaken as part of this project is provided below:

Principal 5	\$255
Principal 4	\$230
Senior Associate 1	\$155
Associate 2	\$135
Associate 1	\$105

## EXHIBIT A – STANDARD TERMS AND CONDITIONS

The following general terms and conditions are incorporated by reference into the attached Agreement between Nelson\Nygaard Consulting Associates, Inc. (“Consultant”) and the addressee of the Agreement (“Client”)

### ARTICLE 1 - EFFECTIVE DATE

The effective date of this Agreement shall be the date last signed or the date on which Client has given Consultant authorization to proceed with the performance of the Services.

### ARTICLE 2 - GOVERNING LAW

This Agreement shall be governed by the laws of Massachusetts.

### ARTICLE 3 - SERVICES TO BE PROVIDED BY CONSULTANT

Consultant shall provide the Scope of Services described above.

Any changes in the Scope of Services, which may become necessary due to changes in the Project, or otherwise reasonably required by Client, shall be negotiated between the parties.

Consultant agrees that a degree of care, skill, and diligence shall be exercised in the performance of the Services as is ordinarily possessed and exercised by members of the same profession, currently practicing, under similar circumstances.

### ARTICLE 4 - COMPENSATION

For the proper performance of the Scope of Services, Client shall pay Consultant the amount set forth above.

Consultant shall submit monthly invoices to Client detailing the percent complete amount. These statements will describe the services rendered, fees charged and expenses incurred by Consultant during the previous month. The invoices shall include charges for all labor and costs in accordance with the Scope of Services. The monthly invoice shall be accompanied by monthly progress reports that indicate the status of the project. Client agrees to pay all reasonably approved invoices within thirty (30) days of receipt. Client shall not be obligated to pay any invoices which are not in accord with the terms of this Agreement.

Consultant reserves its rights to stop all work on this project if, at any time, an approved invoice remains unpaid for a period exceeding sixty (60) days.

### ARTICLE 5 - INDEMNIFICATION

#### (a) Indemnification for Public Liability and Property Damage

Consultant shall hold harmless, defend and indemnify, for damages arising out of bodily injury, death and property damage, the Client, and the Client's officers and employees against all claims, demands, actions and suits (including reasonable post tender attorney's fees and costs) brought against any of them arising from the Consultant's negligent work or any of its subconsultant's negligent work under this Agreement other than professional services.

#### (b) Indemnification for Professional Liability

For liability arising out of professional services, the Consultant shall indemnify, but shall have no duty to defend, Client and the Client's officers and employees against liability for damages for which they may be liable to the extent such damages are actually caused by the negligent acts, errors or omissions of Consultant, or any of its employees or subconsultant's negligent acts or omissions under this Agreement.

### ARTICLE 6 - INSURANCE

In accordance with the terms of this Agreement, Consultant shall maintain the following insurance:

- (a) Commercial General Liability Insurance, with a limit of not less than \$1,000,000 per occurrence and \$1,000,000 general aggregate, \$1,000,000 products/completed operations aggregate and include Client as an Additional Insured.
- (b) Automobile Insurance, with a combined single limit of not less than \$1,000,000 each accident and shall include Client as an Additional Insured.
- (c) Workers' Compensation Insurance in accordance with statutory requirements and Employers' Liability Insurance with limits of not less than \$1,000,000 for each accident, \$1,000,000 disease each employee and \$1,000,000 disease policy limit.
- (d) Professional Liability Insurance with limits of not less than \$1,000,000 per claim and aggregate.

Prior to performing Services under this Agreement if requested by Client, Consultant shall furnish Client with certificates of insurance which evidence the requirements of this Article. Certificates will provide Client with at least thirty (30) days' advance written notice prior to cancellation of the above policies.

#### ARTICLE 7 - INDEPENDENT CONTRACTOR

Consultant undertakes performance of the Services as an independent contractor and shall be wholly responsible for the methods of performance.

#### ARTICLE 8 - COMPLIANCE WITH LAWS

In performance of the Services, Consultant shall comply with applicable regulatory requirements including federal, state, and local laws, rules, regulations, orders, codes, criteria, and standards. Consultant shall procure the permits, certificates, and licenses necessary to perform the Services.

#### ARTICLE 9 - TERMINATION AND SUSPENSION

This Agreement may be terminated by either party upon written notice in the event of substantial failure by the other party to perform in accordance with the terms of this Agreement; provided, however, the nonperforming party shall have five (5) calendar days from the receipt of the termination notice to cure or to submit a plan for cure acceptable to the other party.

In the event of such termination, Consultant will be paid for the Services performed in accordance with this Agreement to the date of termination.

Client may terminate or suspend performance of this Agreement for Client's convenience upon written notice to Consultant. Upon receipt of notice, Consultant shall terminate or suspend performance of the Services on a schedule acceptable to Client and may submit a statement for the Services performed in accordance with this Agreement.

#### ARTICLE 10 – OWNERSHIP OF DOCUMENTS

Title to all documents, drawings and specifications with respect to work performed under this Agreement shall vest with the Client when the Client has compensated Consultant in full, as provided herein, for the services described in this document.

#### ARTICLE 11 - NOTICES

Any notices required by this Agreement shall be made in writing to the address specified for Client as addressed at the start of the Agreement and as follows for Consultant.

Consultant :

Nelson\Nygaard Consulting Associates, Inc.  
2 Bryant Street, Suite 300  
San Francisco, CA 94105  
Attn: Managing Director

Nothing contained in this Article shall be construed to restrict the transmission of routine communications between representatives of Client and Consultant. Notice address may be updated by either party by written notification to the other party.

#### ARTICLE 12 – PATENTS, COPYRIGHTS AND TRADE SECRETS

Consultant and its employees shall not infringe on any United States patent, copyright, trade secret, or other proprietary right for any material, product, or part thereof used or furnished under this Agreement. Consultant shall indemnify and hold Client harmless from loss on account thereof, except when such loss is due to a particular design, process, material, or product required by Client; provided, however, that Consultant promptly notify Client if Consultant has reason to believe that such requirement is an infringement of any rights stated herein.

#### ARTICLE 13 - DELAY IN PERFORMANCE

Neither Client nor Consultant shall be considered in default of this Agreement for delays in performance caused by circumstances beyond the reasonable control of the nonperforming party.

Should such circumstances occur, the nonperforming party, within a reasonable time of being prevented from performing, shall give written notice to the other party, describing the circumstances preventing continued performance and the efforts being made to resume performance. Consultant shall be granted a reasonable extension of time for any delay in its performance caused by any such circumstances, but only to the extent agreed upon by Client and Consultant. Except for such time extension, Consultant will not be entitled to claim any damages for delays in performance of its Services.

#### ARTICLE 14 - DISPUTES

The Client and Consultant shall endeavor to resolve claims, disputes and other matters in question between them amicably, first by senior leadership discussion and, if necessary, and subject to the provisions below, then by mediation which, unless the parties mutually agree otherwise, shall be under the auspices of a recognized, neutral third-party professional mediation service experienced in handling construction disputes, or other mediation method or service acceptable to the parties, prior to undertaking any other dispute resolution action. A request for mediation shall be made in writing within a reasonable time after the claim, dispute, or other matter in question has arisen, delivered to the other party to the Agreement, and filed with the person or entity administering the mediation. The request may be made concurrently with the filing of a complaint or other appropriate demand for binding dispute resolution. In such event, if the parties so agree, mediation shall proceed in advance of binding dispute resolution proceedings, which shall be stayed pending mediation for a period of 60 days from the date of filing, unless stayed for a longer period by agreement of the parties or court order.

The parties shall share the mediator's fee and any filing fees equally. The mediation shall be held in the place where the Project is located, unless another location is mutually agreed upon. Agreements reached in mediation shall be enforceable as settlement agreements in any court having jurisdiction thereof.

If the parties do not resolve a dispute through mediation pursuant to this Article 14, the method of binding dispute resolution shall be litigation in a court of competent jurisdiction.

During the pendency of any dispute, the parties shall continue diligently to fulfill their respective obligations hereunder.

#### ARTICLE 15 – LIMITATION OF LIABILITY

The Consultant and the Client mutually waive special or indirect damages for claims, disputes or other matters in question arising out of or relating to this Agreement.

#### ARTICLE 16 - EQUAL EMPLOYMENT OPPORTUNITY

Consultant affirms its policy to recruit and hire employees without regard to race, age, color, religion, sex, sexual preference/orientation, marital status, citizen status, national origin or ancestry, presence of a disability or status as a Veteran of the Vietnam era or any other legally protected status. It is Consultant's policy to treat employees equally with respect to compensation, advancement, promotions, transfers and all other terms and conditions of employment.

#### ARTICLE 17 - WAIVER

A waiver by either Client or Consultant of any breach of this Agreement shall be in writing. Such a waiver shall not affect the waiving party's rights with respect to any other or further breach.

#### ARTICLE 18 - SEVERABILITY

The invalidity, illegality, or unenforceability of any provision of this Agreement or the occurrence of any event rendering any portion or provision of this Agreement void shall in no way affect the validity or enforceability of any other portion or provision of this Agreement. Any void provision shall be deemed severed from this Agreement, and the balance of this Agreement shall be construed and enforced as if it did not



conta in the particular portion or provision held to be void. Client and Consultant further agree to amend this Agreement to replace any stricken provision with a valid provision that comes as close as possible to the intent of the stricken provision. The provisions of this Article shall not prevent this entire Agreement from being void should a provision which is of the essence of this Agreement be determined void.

#### **ARTICLE 19 – SUBCONTRACTING AND STAFFING**

Consultant shall not engage independent consultants, associates, or subcontractors not identified herein to assist in the performance of Consultant's Services without the prior written consent of Client.

#### **ARTICLE 20 SUCCESSORS AND ASSIGNS**

Client and Consultant each binds itself and its successors, executors, administrators, permitted assigns, legal representatives, and, in the case of a partnership, its partners, to the other party to this Agreement and to the successors, executors, administrators, permitted assigns, legal representatives, and partners of such other party, in respect to all provisions of this Agreement.

#### **ARTICLE 21 - ASSIGNMENTS**

Neither Client nor Consultant shall assign any rights or duties under this Agreement without the prior written consent of the other party.

#### **ARTICLE 22 – ENTIRE AGREEMENT**

This Agreement, including all attachments and documents incorporated herein and made applicable by reference, and any written modification to the Agreement, shall represent the entire and integrated Agreement between the parties hereto regarding the subject matter of this Agreement and shall constitute the exclusive statement of the terms and conditions of the parties' Agreement. The Agreement, and any written modification to the Agreement shall supersede any and all prior negotiations, representations or agreement, either written or oral, express or implied, that relate in any way to the subject matter of this Agreement or written modification, and the parties represent and agree that they are entering into this Agreement and any subsequent written modification in sole reliance upon the information set forth in the Agreement or written modification and the parties are not relying and will not rely on any other information.

[END OF EXHIBIT A]