



SUDBURY SELECT BOARD  
 TUESDAY AUGUST 31, 2021  
 6:30 PM EXECUTIVE SESSION  
 7:00 PM OPEN SESSION

**REVISED**

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

Item #	Time	Action	Item
	6:30 PM		CALL TO ORDER
<b>EXECUTIVE SESSION</b>			
1.		<i>VOTE</i>	Open in regular session, then immediately vote to enter executive session to review, approve and possibly release executive session meeting minutes, pursuant to G.L. c. 30A, § 21(a)(7) “[t]o comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements” (“Purpose 7”), citing to the Open Meeting Law, G.L. c. 30A, §§ 22(f), (g).
2.		<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>			
3.			Health Director Bill Murphy to provide COVID-19 update (~20 min)
4.			Bruce Freeman Rail Trail (BFRT) update. Town Environmental Planner and Project Manager Beth Suedmeyer and Town Counsel Lee Smith (KP Law) to attend. (~30 min.)
5.		<i>VOTE</i>	Interview 6 candidates for appointment to the Diversity, Equity and Inclusion Commission: Karyn Jones, 27 Pendelton Rd; Peng Zhou, 2 Meachen Rd; Pallavi Hudson, 20 Adams Rd; Janine Taylor, 386 Maynard Rd; Emily Chen, 405 Peakham Rd and Jessica Cerullo Merrill, 14 Basswood Ave. <b>Following interview, vote whether to appoint the following three (3) candidates</b> ___ to the Diversity, Equity and Inclusion Commission for a term to expire May 31, 2022. (~35 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.*

Item #	Time	Action	Item
6.			Update from Diversity, Equity, and Inclusion (DEI) Commission. In attendance will be Co-chairs Nalini Luthra and Nuha Muntasser. (~25 min.)
7.		<i>VOTE</i>	Town Manager to present Key Performance Indicators (KPI) projects: Fairbank Community Center Rebuild; Eversource Litigation; Bruce Freeman Rail Trail (BFRT); Town Hall Restoration; Town-wide ADA Assessment; and Comprehensive Wastewater Management Plan. (~30 min.)
8.		<i>VOTE</i>	Move that the Board vote to authorize the Town Manager to award a contract to an energy supplier for supply of electricity to Town-owned properties for such period as the Town Manager determines to be in the best interest of the Town, via a procurement process, and at the price established pursuant to a solicitation on the Town's behalf in accordance with the Energy Procurement Services Agreement between the Town and Axcess Energy Group, LLC., and to specifically authorize the Town Manager to award the contract for a term exceeding three years. (~15 min.)
9.			Discussion on Sewataro use Policy Document. Vice-Chair Russo and Member Schineller to present (~30 min)
10.			CPC discussion regarding presentation of CPC articles to Select Board. Select Board Chair/CPC member Roberts to present. (~10 min.)
11.			Review the Select Board Summer 2021 Newsletter articles and approve for distribution (~10 min.)
12.		<i>VOTE</i>	Discussion and possible vote whether or not to dissolve the Budget Strategies Task Force (~15 min.)
13.		<i>VOTE</i>	Review open session minutes of 7/1/21 (joint with SPS), 7/13/21, 7/27/21 and possibly vote to approve minutes.
14.			Upcoming Agenda Items
15.			Citizen's Comments (cont)
<b>CONSENT CALENDAR</b>			
16.		<i>VOTE</i>	Vote whether to accept the following expenditure limits for the Town Trust Funds for Fiscal Year 2022: Goodnow Library \$35,000; Rhodes Memorial \$600; Lydia Raymond \$100; Forrest Bradshaw \$100; Cheri-Anne Cavanaugh \$1,000; Raymond Scholarship \$1,000; Discretionary \$4,000; Sept. 11 Memorial \$2,000; Perpetual Care \$70,000, for a total of \$113,800, as requested by Dennis Keohane, Finance Director.
17.		<i>VOTE / SIGN</i>	Vote to sign a proclamation recognizing the 20th anniversary of HOPEsudbury, and to proclaim Saturday, November 6, 2021 as HOPEsudbury Day in the Town of Sudbury.
18.		<i>VOTE</i>	Vote to accept a grant awarded to the Sudbury Police Department by the Executive Office of Public Safety and Security's Office of Grants and Research (OGR) in the amount of \$27,000 in Edward Byrne Memorial Justice Assistance Grant (JAG) funds; said funds to be allocated for two new fingerprint scanners.

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<b>Item #</b>	<b>Time</b>	<b>Action</b>	<b>Item</b>
19.		<i>VOTE / SIGN</i>	Pursuant to the Street Acceptance vote under Article 21 of the May 22, 2021 Annual Town Meeting, vote to execute the Order of Taking of a permanent easement for all purposes, including attendant customary uses for which public ways are utilized in the Town of Sudbury, in, on and under the parcel of land shown as Lot 224 “Anthony Drive” (the “Easement Premises”) on a plan entitled “North Ridge Farm, Definitive Subdivision Plan, Site Location: 338 North Road, Sudbury, Massachusetts 01776, Prepared for: Prepared for Distinctive Acton Homes, Inc. by Foresite Engineering Associates, Inc.” dated November 1, 2013, rev. 3/14/14; 4/11/14 and 5/21/14 filed with the Land Registration Office for the Middlesex South Registry of Deeds as Land Court Plan 2170-Y (the “Plan”).
20.		<i>VOTE</i>	Vote to approve award of contract by the Town Manager for the reconstruction of the Marlboro Road Culvert pursuant to Article 17 of the 2021 Annual Town Meeting 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; and further to approve award of all contracts related thereto.
21.		<i>VOTE</i>	Vote to accept a Social Work Grant from the MetroWest Foundation in the amount of \$30,000.
22.		<i>VOTE</i>	Vote to grant a special permit to Lisa Hanson, St. Anselm Conference of the Society of St. Vincent de Paul, to hold a “Walk for the Poor” on Sunday, September 26, 2021, from 11:30 a.m. through approximately 2:00 p.m., subject to Police Department safety requirements, proof of insurance coverage and the assurance that any litter will be removed at the race’s conclusion.
23.		<i>VOTE</i>	Vote to grant a special permit to Bikes Not Bombs to hold the “34th Annual Bike-A-Thon” on Sunday, Sunday September 12, 2021, from 11:00 A.M. through approximately 3:00 P.M., with a rain date of Sunday, September 26, 2021, subject to Police Department safety requirements, proof of insurance coverage and the assurance that any litter will be removed at the race’s conclusion.
24.		<i>VOTE</i>	Vote to accept the resignations of Nancy Kimble, 589 Concord Road, and Susan Tripi, 23 Belcher Drive, from the Diversity, Equity and Inclusion Commission (DEI) and to send thank you letters for their service to the Town.

*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.*



SUDBURY SELECT BOARD  
Tuesday, August 31, 2021

**EXECUTIVE SESSION**

**1: Exec Session to review minutes**

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Open in regular session, then immediately vote to enter executive session to review, approve and possibly release executive session meeting minutes, pursuant to G.L. c. 30A, § 21(a)(7) “[t]o comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements” (“Purpose 7”), citing to the Open Meeting Law, G.L. c. 30A, §§ 22(f), (g).

Recommendations/Suggested Motion/Vote: Open in regular session, then immediately vote to enter executive session to review, approve and possibly release executive session meeting minutes pursuant to G.L. c. 30A, § 21(a)(7) “[t]o comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements” (“Purpose 7”), citing to the Open Meeting Law, G.L. c. 30A, §§ 22(f), (g).

Background Information:

Attached draft executive minutes of 6/29/21, 7/13/21, 7/27/21, and 8/5/21

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

08/31/2021 6:30 PM





SUDBURY SELECT BOARD  
Tuesday, August 31, 2021

**EXECUTIVE SESSION**

**2: Close executive session and resume open session**

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Vote to close executive session and resume open session.

Recommendations/Suggested Motion/Vote:

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, August 31, 2021

**MISCELLANEOUS (UNTIMED)**

**3: COVID-19 update from Health Director Murphy**

REQUESTOR SECTION

Date of request:

Requestor: Chair Roberts

Formal Title: Health Director Bill Murphy to provide COVID-19 update (~20 min)

Recommendations/Suggested Motion/Vote:

Background Information:

Financial impact expected:n/a

Approximate agenda time requested: 20 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 Board of Health  
COVID -19  
Public Health Mandate  
Effective September 1, 2021**

At their meeting on August 24<sup>th</sup>, 2021 the Board of Health assessed current COVID data and trending as a result of increasing cases due to the Delta variant. As a result, the Board is issuing the following mandate to reduce the risk of transmission:

**Effective September 1, 2021, it is mandated that all individuals aged two years and above wear face coverings in all indoor spaces, public or private (open to the public), including but not limited to the following:**

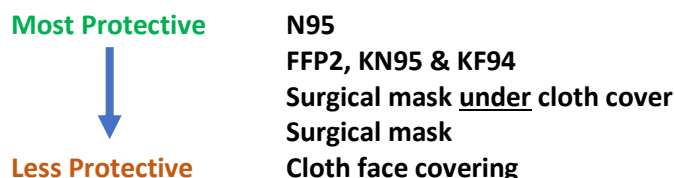
- **Public buildings, schools, and private childcare facilities**
- **Retail stores**
- **Retail food stores, food establishments, and bars until the customer is seated;**
- **Fitness centers/health clubs, dance studios, and all recreational facilities;**
- **Houses of worship;**
- **Personal service establishments: barber shops, hair and nail salons allowing for temporary removal during service;**

*This mandate applies to all workers, customers and visitors and will remain in effect until transmission decreases*

All individuals, regardless of vaccination status should:

- Wear a face covering or mask that covers your nose and mouth.
- Stay 6 feet apart from others who don't live with you.
- Avoid crowds and poorly ventilated indoor spaces.
- Wash your hands often with soap and water. Use hand sanitizer if soap and water aren't available
- Get tested if you have been exposed to or have symptoms associated with COVID-19.

When possible, wear more protective masks, which are now readily available for the general public:



When you wear a mask or face covering, it should:

- Fit snugly but comfortably against the side of the face,
- Be secured with head straps, ties or ear loops,
- Allow for breathing without restriction

Cloth face coverings should:

- Include multiple layers of fabric, and
- Be able to be laundered and machine dried without damage or change to shape.

The Board of Health will continue to assess levels of transmission as reported by the Massachusetts Department of Public Health:

<https://www.mass.gov/info-details/covid-19-response-reporting>

and Centers for Disease Control and Prevention (CDC):

<https://covid.cdc.gov/covid-data-tracker/#county-view>



**Sudbury Board of Health  
Indoor Face Coverings Revised Sept. 1,  
2021 Use a Face Covering In All Indoor  
Spaces Regardless of Vaccination Status**

**ATTENTION**

**FACE  
COVERING  
MANDATE**





SUDBURY SELECT BOARD  
Tuesday, August 31, 2021

**MISCELLANEOUS (UNTIMED)**

**4: BFRT update**

REQUESTOR SECTION

Date of request:

Requestor: Chair Roberts

Formal Title: Bruce Freeman Rail Trail (BFRT) update. Town Environmental Planner and Project Manager Beth Suedmeyer and Town Counsel Lee Smith (KP Law) to attend. (~30 min.)

Recommendations/Suggested Motion/Vote:

Background Information:

Financial impact expected:

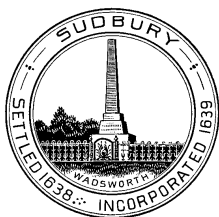
Approximate agenda time requested: 30 minutes

Representative(s) expected to attend meeting:

Review:

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

08/31/2021 6:30 PM



# Town of Sudbury

Planning and Community Development Department

Flynn Building  
278 Old Sudbury Rd  
Sudbury, MA 01776  
978-639-3387  
Fax: 978-443-0756

<http://www.sudbury.ma.us/planning>

TO: Select Board  
FROM: Beth Suedmeyer, Environmental Planner, Planning and Community Development  
RE: BFRT Design Project Update  
DATE: August 26, 2021

I am pleased to provide this summary of project status in response to the request for an update on the Bruce Freeman Rail Trail (BFRT) Design Project (BFRT, Phase 2D, MassDOT ID 608164).

## Design Schedule

As you are aware, the 75% project design of the rail trail from the Concord Town line to near the intersection of Union and Station Avenues was submitted to MassDOT on May 12, 2021. The MassDOT has completed their comments and the Project Manager provided access to MassDOT's comments on July 8, 2021. Our Design Team has compiled draft responses to MassDOT's comments and attended a comment resolution meeting with MassDOT on August 25, 2021.

The project design must be "shovel ready" by October 2022 to take advantage of the state and federal funds for construction. The project is on track to achieve this milestone. A revised project schedule is available online. The current estimated advertising date remains in June 2022, and we are on target for maintaining the Boston MPO funding for fiscal year 2022. The schedule will be further revised, if needed, following the full MassDOT comment review and resolution.

## 75% Design Plans and MassDOT Comment Resolution Summary

There are no major issues or requests for changes that would significantly impact the overall success or schedule of the project. The top 4 comments we are responding to are:

1. MassDOT comments indicate the bathroom (proposed at Broadacres Farm), pavilion (proposed at Broadacres Farm), and hydration stations (proposed at Hudson Road, Broadacres Farm, and Davis Field), should not be paid for through the MassDOT/FHWA project budget. The reviewers were not aware that vertical structures (generally prefabricated and unplumbed structures) have been included in other MassDOT/ FHWA budgets for rail trails in other districts. The MPO allocated budget is sufficient to cover these items (and construction still comes in under budget with the inclusion of them).

MassDOT representatives attending the comment review meeting will coordinate with others at MassDOT and let us know if these trail enhancements will be allowed. We feel they are warranted for a modern regional rail trail. If MassDOT indicates they should not be included in the project budget, the items could be included as non-participating, meaning the Town would fund them through some other funding source and they would still be included in the MassDOT construction project. However, we would not want the

consideration of our request to include these items to impact the timeline for project completion. So there will be a balance to consider. If the items are not part of this project, the MassDOT project could potentially still prepare for them with grading, concrete pad installation, electrical conduit installation, water line installation, etc., as these costs to prepare the site could potentially be covered. The Town will need to consider the best approach.

2. MassDOT has commented that they think the kiosks, interpretive signs, and granite posts which Sudbury proposes for wayfinding and interpretations are not essential to the project and should not be included in the MassDOT/FHWA project budget. We believe, but continue to work to confirm, these items were previously included as participating items in the Concord section of the BFRT. We will continue to document and confirm this and advocate for their inclusion. Concord is within District 4, so the District 3 reviewers who have made these comments were not involved in the Concord project, and we will present the appropriate information regarding precedents and consistency with the treatments of the BFRT corridor for their consideration.
3. MassDOT indicates they do not want stockade fencing included in the ROW unless it is for safety reasons. As we have discussed, we will develop a consistent policy for handling screening adjacent to private properties along the corridor. Rail fence is generally proposed to protect trail users from getting off the trail in sections where the slopes are steep adjacent to the path, and there are no concerns for this. The case can be made for some stockade fencing to provide safety, especially adjacent to the working farms, nurseries, and landscape companies.
4. MassDOT indicates they feel there are too many landscape screening plantings proposed. We will revisit this and refine the proposal after discussing it further with the MassDOT landscape architect. We did propose a high density of plantings at 75% to ensure the budget adequately covers the final refined design, so I don't think this is a major concern.
5. No comments or concerns on the project schedule were indicated.

None of these are huge surprises, and no matter the resolution, we'll be able to work around them. The Town will have further discussions with MassDOT on the potentially non-participating items and provide the requested information. The landscaping and fencing changes will require more sensitive coordination with abutters, but we will be consistent in our approach and identify the limitations MassDOT has imposed.

**ROW Process**

The 75% review process for ROW has occurred separately from the main Comment Resolution Meeting. We are preparing for a meeting with the MassDOT Highway Community Compliance / ROW staff and Rail Division to further advance the ROW process. Town Counsel has reviewed the draft lease provided by MassDOT Rail Division. F&O has prepared a draft revised ROW Plan which we will review with the MassDOT ROW Team at the meeting. Town Counsel has also initiated the coordination with the MBTA for the construction access permit.

**Notice of Intent**

We have not received comments from MassDOT on the draft NOI submitted on July 16, 2021. The current schedule shows the submission of the application to Conservation Commission in October, but if we are able to expedite this submission we will.

**Chapter 91 Determination**

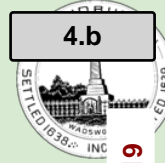
The request for determination is still under review by MassDEP, and we are in ongoing communication with them about their review.

As always, more information on the project and the 75% design plans may be found at the BFRT project webpage. <https://sudbury.ma.us/pcd/?p=354>



# Bruce Freeman Rail Trail Phase 2D

*Beth Suedmeyer,  
Staff Project Lead*



**4.b**

**Goal:** Create rail trail from Concord line south ending at Station Road.

Original Target	Current Target
2024	2024

Risk		Controls (Options)
FY22 State Funding at risk Final Design misses advertising deadline	Low	<ul style="list-style-type: none"> <li>Final Design on schedule</li> <li>Ongoing dialogue with MassDOT re: schedule and progress</li> </ul>
Final Design Funds may be insufficient to complete	Low	<ul style="list-style-type: none"> <li>Final Design Contract under budget.</li> </ul>

Original Plan	Current Budget
\$1,171,967	\$1,260,000

Milestone	Original	Current (Actual)	Notes
25% Design with Sketch Plans Submitted to MassDOT	2019-08-30	<u>(2019-11-27)</u>	DONE.
MassDOT Sketch Plans Reviewed and Design Public Hearing Scheduled	2019-11-15	<u>(2020-06-22)</u>	DONE. MassDOT didn't route sketch plans for review until late Jan 2020. Letter from BOS to MassDOT 2020-02-12. Covid. Last of Comment Resolution Meetings June 22, 2020.
MassDOT Design Public Hearing	2019-11-04	<u>(2020-07-30)</u>	DONE. July 16-30, 2020
Final Design RFP release	2020-08-31	<u>(2020-08-31)</u>	DONE. Released with 9/25 deadline for responses.
Final Design Contract Signed	2020-10-31	<u>(2020-11-05)</u>	
75% Design Submitted to MassDOT	2021-04-08	<u>(2021-05-12)</u>	MassDOT comments on the submission received 2021-07-08. Comment resolution process underway.
100% Design Submitted to MassDOT	2021-10-25	<u>2021-12-23</u>	Delay not anticipated to affect advertising target or construction timeline
Final Design (PSE) Submitted to MassDOT	2021-12-15		
MassDOT Advertises Construction RFP	2022-04-23		FY22 funding requires advertising by June 2022.
Trail complete	2024		MPO TIP Funding programmed for FY22. Estimate 2 year construction.

Funding Source	Appropriated	Unspent	Contracts
2014 Town Meeting (for 25%)	\$202,492	\$0	25% Design - Original
Donation Friends of BFRT (for 25%)	\$58,700	\$0	25% Design - Original
Planning, DPW, Town Manager budgets	\$30,550	\$0	25% VHB Am
2016 Town Meeting (75% design)	\$150,000	\$0	Fuss & O'Neil
2017 Town Meeting (for advancing design)	\$330,000	\$0	<ul style="list-style-type: none"> <li>25% Structu Jacobs (\$146</li> <li>Leaves \$180 75/100% Des</li> </ul>
Planning, DPW, Town Manager budgets	\$36,675	\$0	25% Jacobs Amendment
2018 Special Town Meeting (for advancing design)	\$650,000	\$414,010.60	Fuss & O'Neil
<b>TOTAL</b>	<b>\$1,458,417</b>	<b>\$414,010.60</b>	

Attachment 4.b: BFRT SB Project Status KPI Update 21-08-19

Date: August 19, 2021

From: Len Simon

To: Town Manager Henry Hayes  
 Project Manager Beth Suedmeyer  
 Select Board  
 BFRT Advisory Task Force

Re: Bruce Freeman Rail Trail Project, Sudbury

I am writing this memo as I am concerned about the continued viability of the Bruce Freeman Rail Trail being funded and constructed on the proposed schedule, which calls for funding in FFY2022 and for construction to begin in August 2022.

In particular, these are my concerns:

#### FIRST RED FLAG WARNING FOR NOT MEETING ADVERTISING DEADLINE

The first red flag warning of the BFRT project being at risk for not meeting the advertising deadline was in March 2020, when the MPO designated the project, in **red letters**, on the draft TIP as being, “**at high risk for not meeting its advertising date**”

#### ENVIRONMENTAL PERMITTING

To date, the Sudbury Conservation Commission has not held any hearings regarding permitting of the BFRT. I understand that is now supposed to happen in October.

A challenge to the permitting, possibly requiring involvement by DEP, could prolong the permitting process and delay the issuance of permits. There were challenges to permitting the BFRT in the past at the administrative level and in the courts. The potential for similar challenges ought to be taken into account now.

#### CHAPTER 91 - SECOND RED FLAG WARNING

Fuss & O’Neill’s Technical Proposal of September 25, 2020, noted:

Task 181 – Chapter 91. Given our understanding of the two bridges, our scope and fee is limited to providing a determination of applicability only.

In March 2021 the BFRT was highlighted in purple in the draft MPO TIP. Purple highlighting “Indicates a project was recommended to move out to a later TIP year” It was highlighted because Ch. 91 licenses had not been obtained, a process which could take 9 to 12 months according to John Berchard. Also, a negative Determination of Applicability request had not been applied for.

Sudbury first submitted a request for a negative Determination of Applicability to DEP on May 4, seven months after it was made aware of the Ch. 91 issue and two months after the project had been highlighted in purple. It has been more than three months since the request for a negative Determination of Applicability was submitted: the issue is still open at DEP.

#### ELIGIBILITY FOR CONSTRUCTION FUNDING WINDOW

The BFRT project is on the TIP for Federal Fiscal Year 2022 (FFY2022). The Federal Fiscal Year for securing construction funding is from October 1, 2021 to September 30, 2022. If the BFRT project is not advertised by September 30, 2022, then the project will not be eligible for that construction funding.

The town received a red-letter warning of project readiness in 2020 and a purple warning in 2021 to move funding to a later fiscal year. The MPO was concerned, as am I, that the project was falling dangerously behind schedule.

#### TOWN MEETING APPROVAL

The December 14, 2020, schedule called for town meeting approval of necessary documents by May 26, 2021.

The May 12, 2021, schedule called for town meeting approval of easements by October 9, 2021.

The July 13, 2021, schedule calls for town meeting for easement approval on May 2, 2022.

By putting off voting on critical issues that need to be submitted to DOT until the annual Town Meeting in May 2022, there may not be enough time for DOT to complete its review of documents and issue the ROW Certificate which must be done in order to advertise the BFRT project for construction.

It can take 9 to 12 months for MassDOT to issue a ROW Certificate for a State Highway Project. I could find no similar time frame for a local project such as the BFRT. However, because of that unknown, early preparation would seem prudent.

The schedules provided by the Project Manager may appear to allow time to complete the many tasks, submissions, reviews, and adjustments. However, a paper schedule does not mean the events will happen when scheduled. Schedules have changed and tasks have been moved back, some several times. Sudbury's experience with the BFRT has been that expected response times by DOT and other state agencies can be significantly longer than anticipated.

On May 14 the Project Manager stated that the adjusted schedule and shifting the advertising date to June (2022) is appropriate based on comments from MassDOT.

MassDOT ROW staff indicate this works well for their schedule of the anticipated Right of Way process, and as a result they have also approved the Town's request to approve the lease agreement and temporary easements at the May 2022 Annual Town Meeting.

The request to approve the lease and temporary easements at the May 2022 town meeting was the Project Manager's request, not the Town's request. Shouldn't this question have been brought to the SB for its input and consideration so that it would understand the implications before considering a request to move the town meeting approval date?

It is worth noting that this statement is in conflict with the two prior warnings that the project was at high risk of not meeting its advertising date and the recommendation to move the project to a later TIP year.

An important question is this: How long after town meeting will it take the ROW Bureau to complete the procedures in the 126-page Right Of Way Manual and issue the ROW Certificate? It would be helpful, and reassuring if the ROW staff would provide the town with a written confirmation of statements attributed to it by the Project Manager.

A review of the most recent Project Schedule, July 13, 2021, shows there are many tasks which have been pushed back from previous schedules and remain undone.

It appears to me that the BFRT project is now bumping up against the September 30, 2022, deadline, and is in jeopardy of losing FFY2022 construction funding and not starting construction in August 2022, as the Project Manager had indicated.

As the Project manager noted “Residents Support Design – over one million dollars in design investments”. The Bruce Freeman Rail Trail has enjoyed the support of residents each time it was brought before Town Meeting. Is it too much to ask for the project to be constructed on time?

I am not saying the BFRT project cannot be done in one year. I am saying I have concerns because in the 7 years since it was approved at town meeting, progress has been uneven, tasks delayed, deadlines moved, and assurances of timeliness changed.

I have sent this memo to highlight concerns and thereby enable a more robust discussion of the BFRT among residents, staff, and various town committees.



SUDBURY SELECT BOARD  
Tuesday, August 31, 2021

**MISCELLANEOUS (UNTIMED)**

**5: Interviews for Diversity, Equity and Inclusion Commission Vacancy**

REQUESTOR SECTION

Date of request:

Requested by: Leila S. Frank

Formal Title: Interview 6 candidates for appointment to the Diversity, Equity and Inclusion Commission: Karyn Jones, 27 Pendelton Rd; Peng Zhou, 2 Meachen Rd; Pallavi Hudson, 20 Adams Rd; Janine Taylor, 386 Maynard Rd; Emily Chen, 405 Peakham Rd and Jessica Cerullo Merrill, 14 Basswood Ave. Following interview, vote whether to appoint the following three (3) candidates \_\_\_ to the Diversity, Equity and Inclusion Commission for a term to expire May 31, 2022. (~35 min.)

Recommendations/Suggested Motion/Vote: Interview 6 candidates for appointment to the Diversity, Equity and Inclusion Commission: Karyn Jones, 27 Pendelton Rd; Peng Zhou, 2 Meachen Rd; Pallavi Hudson, 20 Adams Rd; Janine Taylor, 386 Maynard Rd; Emily Chen, 405 Peakham Rd and Jessica Cerullo Merrill, 14 Basswood Ave. Following interview, vote whether to appoint the following three (3) candidates \_\_\_ to the Diversity, Equity and Inclusion Commission for a term to expire May 31, 2022. (~35 min.)

Background Information:  
Applications attached

Financial impact expected:

Approximate agenda time requested: 30 minutes

Representative(s) expected to attend meeting: DEI Commission Applicants

Review:

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

08/31/2021 6:30 PM

**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: DEI Commission

Name: Janine Taylor

Address: 386 Maynard Rd. Sudbury Email Address: \_\_\_\_\_

Home phone: { Work or Cell phone: {

Years lived in Sudbury: 4

Brief resume of background and pertinent experience:

I am a Black woman, immigrant and HR professional with DEI experience. I believe my lived and professional experience will make me a good fit and resource for the committee. In addition, I serve on the steering committee of the Racial Climate Task Force.

Municipal experience (if applicable):  
none

Educational background:  
Bachelor's degree in Business Administration - Boston University  
Master's in Management - Emmanuel College

Reason for your interest in serving:  
I love this community and am heartened by all the local DEI groups that are working to advance equity and inclusion within Sudbury. As a mother of three, I have a vested interest in this work and wish to be part of the solution.

Times when you would be available (days, evenings, weekends):  
Evenings and weekends will be best, but can be flexible during the day with advance notice.

Do you or any member of your family have any business dealings with the Town? If yes, please explain:  
We own a business in Sudbury, but other than that don't have any specific business dealings with the town.

JT (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 7/24/21

Attachment 5.a: Janine Taylor\_DEI\_SB (4705 : Interviews for Diversity, Equity and Inclusion Commission Vacancy)



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: Diversity, Equity and Inclusion Commission

Name: Karyn Jones  
Address: 27 Pendleton Road, Sudbury MA 01776 Email Address: \_\_\_\_\_  
Home phone: { \_\_\_\_\_ } Work or Cell phone: \_\_\_\_\_

Years lived in Sudbury: 1  
Brief resume of background and pertinent experience:

Stay-at-home parent since September 2016, where I volunteer for school parent-teacher-organizations or room parents of my three kids. I worked as a Director of Development for May Institute as a Director of Development and Marketing Research Analyst previously. My LinkedIn profile is <https://www.linkedin.com/in/karynjones10/>

Municipal experience (if applicable):  
None.

Educational background:  
University of Chicago

Reason for your interest in serving:  
We moved to Sudbury specifically because of how inclusive and accessible the schools are. I would love to be part of a team to allow for even more equity, inclusion and diversity.  
Times when you would be available (days, evenings, weekends):  
D I will have time when my son goes to Noyes preschool in fall; N 7:30pm-10pm, W Anytime  
Do you or any member of your family have any business dealings with the Town? If yes, please explain:  
No

KEJ (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 Karyn Jones Date 4/2/2022

Attachment5.b: Karyn Jones\_DEI\_SB (4705 : Interviews for Diversity, Equity and Inclusion Commission Vacancy)



# 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 \_\_\_\_\_

Attachment5.c: Pallavi Hudson\_DEI\_SB (4705 : Interviews for Diversity, Equity and Inclusion Commission Vacancy)

**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 \_\_\_\_\_

Attachment5.d: Peng Zhou\_DEI\_SB (4705 : Interviews for Diversity, Equity and Inclusion Commission Vacancy)



**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: Sudbury Diversity, Equity, and Inclusion Commission

Name: Emily Chen

Address: 405 Peabham Rd

Home phone: \_\_\_\_\_

Email Address: \_\_\_\_\_

Work or Cell phone: \_\_\_\_\_

Years lived in Sudbury: 3

Brief resume of background and pertinent experience:

- Rising HS Junior
- Debate Club (2yrs)
- Model United Nations (Student Leader)
- Asian Cultures Club
- MLK Club
- Target employee

Municipal experience (if applicable):

Educational background:

- Current High School Student (Junior)

Reason for your interest in serving:

- Passionate about inclusion of all people
- Want to help educate, learn, and take actions concerning diversity, equity, and inclusion

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

Mon-Fri @ 5-8pm & Weekends 9am-7pm

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

No.

EC (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 Emily Chen

Date 08/01/21

Attachments: Emily Chen, DEI, sb (4705 - Interviews for Diversity, Equity and Inclusion Commission Vacancy)



# 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 5.f: Jessica Cerullo Merrill\_DEI\_SB (4705 : Interviews for Diversity, Equity and Inclusion Commission Vacancy)



SUDBURY SELECT BOARD  
Tuesday, August 31, 2021

**MISCELLANEOUS (UNTIMED)**

**6: DEI commission update**

REQUESTOR SECTION

Date of request:

Requestor: Chair Roberts

Formal Title: Update from Diversity, Equity, and Inclusion (DEI) Commission. In attendance will be Co-chairs Nalini Luthra and Nuha Muntasser. (~25 min.)

Recommendations/Suggested Motion/Vote: Update from Diversity, Equity, and Inclusion (DEI) Commission. In attendance will be Co-chairs Nalini Luthra and Nuha Muntasser. (~25 min.)

Background Information:  
Attached quarterly report

Financial impact expected:

Approximate agenda time requested: 30 minutes

Representative(s) expected to attend meeting: DEI Co-chairs Nalini Luthra and Nuha Muntasser

Review:

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

08/31/2021 6:30 PM

## DEI Commission Quarterly Report to the Select Board

### Mission:

#### TOWN OF SUDBURY

**SUDBURY DIVERSITY, EQUITY, AND INCLUSION COMMISSION** Approved by the Board of Selectmen: November 17, 2020 Amended: April 6, 2021

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

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

### Goals:

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

### Work to date:

1. **General Information:**
  - The commission held its first meeting on May 17, 2021. To date it has held 5 meetings. Co-Chairs, Nuha Muntasser and Nalini Luthra facilitate meetings on rotating basis. Sue

Abrams and Susan Tripi are designated Co-Clerks. One member had to resign so the group is now 13 appointed members.

- Agenda items are set collaboratively with the whole Commission. Initial meetings had time spent in familiarizing the group with the Open Meeting Law, discussing priorities and getting a clear understanding of how the group can function and what legal parameters we need to keep in mind. It was also acknowledged that the work requires that the members have time to know each other and that the space is a safe one for discussions that can become uncomfortable in the process. This piece is still a work in progress.

**2. Outreach (Reports are available as part of the agenda and minutes of meetings.)**

- Several members have spoken to surrounding towns regarding their DEI Commission or other DEI work they have done. All information was shared via report (see minutes of July 8 meeting.) The towns contacted include:

1. Acton, Northborough, Scituate, Shrewsbury, Wayland, North Andover, Concord, Lexington
2. In addition, Bethany Hadvab, the town Social Worker, was contacted and we hope to have her speak to the group.

Members are also following up to answer additional questions from the Commission and invite some of the community's resources to speak to our group.

- Following the anti-semitic incidents in the schools, Rabbi Yisroel Freeman, Sudbury Chabad Rabbi, spoke to the Commission.
- Reverend Marjorie Matty, Minister at First Parish, also spoke at another meeting.
- Several members attended the SPS Racial Literacy program on June 10.

**3. Next Steps:**

A considerable amount of discussion has focused on how we actually go about the work. Priorities are being set and discussed. These actions include:

- Engaging a consultant to help the group work through a range of details and provide guidance for moving forward. (Goal 1:1)
- Listening sessions (Goal 1:2, 1:3, 1:5)
- Commission office hours (Goal 1:2, 1:3, 1:4, 1:5)
- A survey...this seems to be a logical part of the Commission's work but needs to be developed by a professional in order to provide credible data. (Goal 1:2, 1:3)
- A town-wide celebration to give residents an opportunity to meet others with whom they would not ordinarily cross paths. This kind of event could feature food, activities etc. (Goal 2)
- Creating subcommittees to get work done and report back to the whole group on a monthly basis.
- Working to support legislation that furthers our goals. Currently the Commission is being updated regularly on Bill S265, a bill that would allow non-citizens to vote in local elections.

**Moving Forward:**

- Based on the research of Commission members, we need a pro-active partnership with the Select Board to achieve our mission goals. This includes financial support for training and projects such as consultant fees, professional survey designer, as well as other needs that will support the success of our work. We are able to do the research on who would be best for our needs, but we are unlikely to find someone who will do the training needed for free.

- Advisory Members: The Commission believes that there is great value in having the voices of the schools as part of the work. Additionally, a member of the clergy would also enhance our work. We would like to advocate for the addition of these representatives as advisory members to the Commission.
- After examining the charge of this commission, and beginning the work, we are concerned that one year may be insufficient to make the kind of progress we seek to make.





SUDBURY SELECT BOARD  
Tuesday, August 31, 2021

**MISCELLANEOUS (UNTIMED)**

**7: Discussion on Key Performance Indicators**

REQUESTOR SECTION

Date of request:

Requestor: Chair Roberts

Formal Title: Town Manager to present Key Performance Indicators (KPI) projects: Fairbank Community Center Rebuild; Eversource Litigation; Bruce Freeman Rail Trail (BFRT); Town Hall Restoration; Town-wide ADA Assessment; and Comprehensive Wastewater Management Plan. (~30 min.)

Recommendations/Suggested Motion/Vote:

Background Information:  
see attached documents. Beth Suedmeyer to attend also?

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

08/31/2021 6:30 PM

# Comprehensive Wastewater Management Plan (CWMP) Updates



**Goal:** Completion of Town-wide Comprehensive Wastewater Management Plan and Environmental Impact Report

Dan Nason,  
Staff Project Lead

Original Target	Current Target
2021	2021

Risk	Low	Controls (Options)
Public Outreach/Education & Gaining Support for CWMP and Future Town Meeting	Low	<ul style="list-style-type: none"> <li>Public support has been mostly positive. An aggressive outreach/education plan starting August 2021 to bring the Project to the public for education and solicitation of comments is in place. The Town, with assistance from Woodard &amp; Curran and a professional public relations firm (working through the SRF Loan Program), is developing and implementing an aggressive outreach/education plan with a goal of bringing the public up to date with the CWMP to build consensus before the Town brings a final CWMP to Town Meeting.</li> </ul>

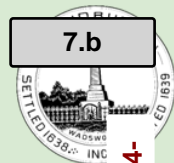
Original Plan	Current Budget
\$500,000	\$500,000

Milestone	Original	Current (Actual)	Notes
Assess existing conditions	2019 Sept	2020 Sept	Reviewed Study Areas Town-wide and updated Needs Areas; State Revolving Fund (SRF) Loan Application.
Update Flows & Loads & disposals options	2019 Nov	2020 Nov	Historical water use records utilized to determine current and build out flows. Hydrogeological investigations completed on several sites. Final discharge proposed at Curtis Middle School field.
Review & Update 2013 Report	2019 Nov	ONGOING	2013 Report dealt with Route 20 only. This is updated and includes comprehensive review of entire Town, both existing and future conditions.
Public Participation	ONGOING	ONGOING	Due to COVID restrictions, outreach had been limited to webpage updates, Town internal meetings and Memorandums. An aggressive approach will start with a Public Outreach Workshop on August 5 <sup>th</sup> organized by a sub-contractor working alongside W&C to kickoff Town-wide public participation, as well as collaboration through the Sudbury Chamber of Commerce for the Route 20 Business District.
Single Report Update	2020 SEPT		<b>2021 Sept anticipated completion.</b> Draft Recommended Plan ready for Regulatory filing. Coordination with MassDEP is on-going.
MEPA Filing	2020		<b>2021 Sept anticipated completion.</b> Filing through the Massachusetts Environmental Policy Act (MEPA) Office to determine Final Recommended Plan Scope of Work.
Report Update / SEIR	2021		<b>2021 Nov anticipated completion.</b> Final filing as determined above.
Project completion	2021	2021	

Funding Source	Appropriated	Unspent	Contracts
May 7, 2019 Annual Town Meeting – Article 23 –Comprehensive Wastewater Management Plan Impact Report	\$500,000	\$0	Executed contract with Woodard & Curran (W&C) 8/19/2019
2019 State Revolving Fund (SRF) Loan	\$500,000	<b>\$169,798</b>	Contract on Budget ( <b>\$13 increase</b> ) <b>\$330,202 exp</b>
	\$	\$0	
	\$	\$	
	\$	\$	
	\$	\$	
<b>TOTAL</b>	<b>\$500,000</b>	<b>\$169,798</b>	

Attachment 7.a: KPI - CWMP - Project Status Update 21-08-19

# Eversource Litigation



7.b

Law Office

Goal:

Original Target	Current Target

Risk	Controls (Options)

Original Plan	Current Budget
\$185,000	\$

Acct #	Appropriation	Orig. Amt.	Spent	Balance
Eversource Appropriations and Spending				
0011206/555016	STM 5/16 Art 2	\$ 185,000.00	\$ 185,000.00	\$ -
0011206/556018	ATM 5/17 Art 12	\$ 200,000.00	\$ 200,000.00	\$ -
	STM 10/17 Art 9	\$ 300,000.00	\$ 300,000.00	\$ -
	RFT-1, 12/12/17	\$ 200,000.00	\$ 200,000.00	\$ -
	RFT-2, 3/5/18	\$ 120,000.00	\$ 120,000.00	\$ -
	ATM 5/18 Art 12	\$ 115,000.00	\$ 115,000.00	\$ -
	ATM 5/19 Art 18	\$ 75,000.00	\$ 75,000.00	\$ -
0011206/550120	ATM 9/20 Art 15	\$ 150,000.00	\$ 132,770.22	\$ 17,229.78
0011206/550121	ATM 5/21 Art 14	\$ 150,000.00	\$ -	\$ 150,000.00
<b>Total Balance:</b>		<b>\$ 1,495,000.00</b>	<b>\$ 1,327,770.22</b>	<b>\$ 167,229.78</b>

Attachment 7.b: KPI - Eversource Project Status Update 08-04-

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# Fairbank Community Center

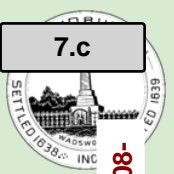
Bill Barletta,  
Staff Project Lead

**Goal:** Replacement of current building

Original Target	Current Target
2024	2024

Risk		Controls (Options)
Secure OPM, take from feasibility to design phases	Low	<ul style="list-style-type: none"> <li>RFQ clearly states deadline.</li> </ul>
Final Design to Construction	Low	<ul style="list-style-type: none"> <li>This project has an aggressive timeline, delays on decisions may impact timeline and costs based on rates at any given time.</li> </ul>

Original Plan	Current Budget
\$28,832,000	\$28,832,000



Milestone	Original	Current (Actual)	Notes
Interview and select OPM	2021-01-29	Completed	Compass. 14 RFQ proposals rcv'd 2021 Jan 14 NLT 2 PM, Interviews 2021 Jan 28. Compass selected to enter negotiations.
Architect / Designer Selection	2021 FEB	Completed 2021 April	BH+A. <b>Contact for Site Survey in place with Town, site survey work begun 4/14/21. Draft Survey due 6/8/21 and Final on 7/22/21. OPM has contracted for GeoTech exploration, to be incorporated with Site Survey for use by architect in design.</b> 12 submissions, 3 interviews scheduled 2021 April 15. responses due/18 Mar. Walk through/11 Mar. RFQ/25 Feb.
SD/DD/CD/100% CD	2021 JAN	In Process 2021 July	Geo Tech and Site Survey work complete. Schematic Design very nearly complete. Next step is Design Development.
CMR Selection (if required)	2021 SUMMER		Design/Bid/ Build process selected over Construction Manager at Risk.
Early Bid packages (if needed)	2021 FALL		
Bidding	2022 FEB		
Construction	2022 MAY thru 2023 DEC		Construction to begin, duration of 20 months.
Demolition			
Project completion	2024	2024	

Funding Source	Appropriated	Unspent	Contracts
2020 Annual Town Meeting (passed Nov 2020 Ballot)	\$28,832,000	\$28,818,870	
	\$	\$153,520	OPM: Compass Project Management Samiotes Consultants, Inc. (thru 6/26/21) Architect: Bargmann Hendrie+Archetype, Inc. (thru 5/31)
	\$		
	\$	\$	
	\$	\$0	
	\$	\$	
<b>TOTAL</b>	\$28,832,000	\$28,678,480	

Attachment 7.c: KPI - Fairbank SB Project Status Update 21-08-



7.d

Attachment 7.d: KPI - ADA - Project Status Update 21-08-04

Update: 2021-08-04

## ADA Self-Assessment & Transition Plan

Henry Hayes  
Staff Project Lead

**Goal: Upgrades, adjustments and repairs to increase accessibility for Town resources**

Original Target	Current Target
2026?	2026?

Risk	Controls (Options)
ADA non-compliant inventory of facilities and assets should be remedied as best as practicable.	<ul style="list-style-type: none"> <li>Utilize Self-Assessment and Transition Plan files, along with feedback from others to identify mitigation strategies.</li> </ul>
	<ul style="list-style-type: none"> <li></li> </ul>

Original Plan	Current Budget
\$	\$

Milestone	Original	Current (Actual)	Notes
Institute for Human Centered Design (IHCD) as consultant - evaluation	2020 SUMMER	2021 Feb	Finalizing. (5) public schools and 14 public buildings – including one (1) police station, three (3) fire stations, one (1) library, two (2) DPW facilities, two (2) historic buildings, one (1) transfer station and four (4) municipal buildings. The outdoor facility set includes 11 recreation facilities.
Community feedback	2021 Apr 14	2021 Apr 27	Finalizing. Expecting final report May/June 2021. Public meeting held 27 April 2021 with COD.
Final Reports		2021 Jul 22	<b>Final report received 22 July 2021</b>
36-60 month compliance and adjustment goal	INFO		If the work done in any 36-month period is greater than \$100,000, the “work being performed” is required to comply. In addition, an accessible entrance and an accessible toilet room, telephone and drinking fountain (if toilets, telephones and drinking fountains are provided) shall also be provided.
Transition Plan and mitigation actions	2021 Aug start		<b>IHCD reports/files will be utilized, priorities will be set based on staff input and COD feedback assessment. As we move throughout the process, all items will be tracked and made visible.</b>
Project completion	2026?		

Funding Source	Appropriated	Unspent	Matters Addressed
	\$	\$	
	\$	\$0	
	\$	\$0	
	\$	\$	
	\$	\$0	
	\$	\$	
<b>TOTAL</b>	\$	\$	

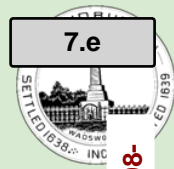
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Tracking Started: 2021-07-08

# Town Hall Restoration/ Rehabilitation Design (2017 Town Meeting Article 31)

PBC  
Project Lead

**Goal: Upgrades, adjustments and repairs to increase accessibility for Town resources**



7.e

Original Target	Current Target
2026?	2026?

Risk	Controls (Options)
Determination of the plan's viability or need for change	<ul style="list-style-type: none"> <li>Review with PBC prior to proceeding with current intent</li> </ul>
	<ul style="list-style-type: none"> <li></li> </ul>

Original Plan	Current Budget
\$	\$

Milestone	Original	Current (Actual)	Notes
Preparing Design and Construction Documents and Associated Cost Estimates			Design documents are approximately 90% complete. Project undergoing review by Sudbury Historic Districts Commission, Sudbury Historical Commission and Sudbury Commission on Disability. Current design issues being considered by the Commissions include whether or not the Town Hall Front Entrance should remain accessible by all as part of the final design documents and the exterior configuration of the new rear entrance.
100% Design			Upon receipt of Certificate of Appropriateness from the Sudbury Historic Districts Commission, project design will be presented to Historical Commission, Commission on Disability and Sudbury Design Review Board for review and approval. Upon incorporating review comments from the above review agencies into the 100% design, the design will be presented to the Sudbury Planning Board for Site Plan Review.
Project completion	2026?		

Funding Source	Appropriated	Unspent	Contracts
CPC Funds, ATM 5/17 Art 31	\$600,000	\$191,867.23	Total Spent in FY21 \$1,386.00 Total Spent in prior fiscal years \$408,132.77
	\$	0	
	\$	\$0	
	\$	\$	
	\$	\$0	
	\$	\$	
<b>TOTAL</b>	\$600,000	\$191,867.23	

Attachment 7.e: KPI - Town Hall - Project Status Update 21-08

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Update: 2021-08-19

Beth Suedmeyer,  
Staff Project Lead

### Bruce Freeman Rail Trail Phase 2D

<https://sudbury.ma.us/pcd/2017/10/01/bruce-freeman-rail-trail-update-info/>



**Goal:** Create rail trail from Concord line south ending at Station Road.

Original Target	Current Target
2024	2024

Risk		Controls (Options)
FY22 State Funding at risk Final Design misses advertising deadline	Low	<ul style="list-style-type: none"> <li>Final Design on schedule</li> <li>Ongoing dialogue with MassDOT re: schedule and progress</li> </ul>
Final Design Funds may be insufficient to complete	Low	<ul style="list-style-type: none"> <li>Final Design Contract under budget.</li> </ul>

Original Plan	Current Budget
\$1,171,967	\$1,265,872

Milestone	Original	Current (Actual)	Notes
25% Design with Sketch Plans Submitted to MassDOT	2019-08-30	<del>(2019-11-27)</del>	DONE.
MassDOT Sketch Plans Reviewed and Design Public Hearing Scheduled	2019-11-15	<del>(2020-06-22)</del>	DONE. MassDOT didn't route sketch plans for review until late Jan 2020. Letter from BOS to MassDOT 2020-02-12. Covid. Last of Comment Resolution Meetings June 22, 2020.
MassDOT Design Public Hearing	2019-11-04	<del>(2020-07-30)</del>	DONE. July 16-30, 2020
Final Design RFP release	2020-08-31	<del>(2020-08-31)</del>	DONE. Released with 9/25 deadline for responses.
Final Design Contract Signed	2020-10-31	<del>(2020-11-05)</del>	
75% Design Submitted to MassDOT	2021-04-08	<del>(2021-05-12)</del>	MassDOT comments on the submission received 2021-07-08. Comment resolution process underway.
100% Design Submitted to MassDOT	2021-10-25	<del>2021-12-23</del>	Delay not anticipated to affect advertising target or construction timeline
Final Design (PSE) Submitted to MassDOT	2021-12-15		
MassDOT Advertises Construction RFP	2022-04-23		FY22 funding requires advertising by June 2022.
Trail complete	2024		MPO TIP Funding programmed for FY22. Estimate 2 year construction.

Funding Source	Appropriated	Unspent	Contracts
2014 Town Meeting (for 25%)	\$202,492	\$0	25% Design - VHB Original
Donation Friends of BFRT (for 25%)	\$58,700	\$0	25% Design - VHB Original
Planning, DPW, Town Manager budgets	\$30,550	\$0	25% VHB Amendments
2016 Town Meeting (75% design)	\$150,000	\$0	Fuss & O'Neill Design
2017 Town Meeting (for advancing design)	\$330,000	\$0	<ul style="list-style-type: none"> <li>25% Structural Jacobs (\$146,700)</li> <li>Leaves \$183,300 for 75/100% Design</li> </ul>
Planning, DPW, Town Manager budgets	\$36,675	\$0	25% Jacobs Amendment
2018 Special Town Meeting (for advancing design)	\$650,000	\$414,010.60	Fuss & O'Neill Design
<b>TOTAL</b>	<b>\$1,458,417</b>	<b>\$414,010.60</b>	

Tracking Started: 2019-03-02



SUDBURY SELECT BOARD  
Tuesday, August 31, 2021

**MISCELLANEOUS (UNTIMED)**

**8: Electricity Procurement and Grant of Contract Award Authorization to  
Town Manager**

REQUESTOR SECTION

Date of request:

Requestor: Bill Barletta Facilities Director

Formal Title: Move that the Board vote to authorize the Town Manager to award a contract to an energy supplier for supply of electricity to Town-owned properties for such period as the Town Manager determines to be in the best interest of the Town, via a procurement process, and at the price established pursuant to a solicitation on the Town’s behalf in accordance with the Energy Procurement Services Agreement between the Town and Axsess Energy Group, LLC., and to specifically authorize the Town Manager to award the contract for a term exceeding three years. (~15 min.)

Recommendations/Suggested Motion/Vote: Move that the Board vote to authorize the Town Manager to award a contract to an energy supplier for supply of electricity to Town-owned properties for such period as the Town Manager determines to be in the best interest of the Town, via a procurement process, and at the price established pursuant to a solicitation on the Town’s behalf in accordance with the Energy Procurement Services Agreement between the Town and Axsess Energy Group, LLC., and to specifically authorize the Town Manager to award the contract for a term exceeding three years. (~15 min.)

Background Information:  
attached contract

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

08/31/2021 6:30 PM



## Energy Procurement Services Agreement

This Energy Procurement Agreement (“Agreement”), dated October 25, 2019 (“Effective Date”) is entered into between the Town of Sudbury, 275 Old Lancaster, Sudbury, MA 01776 (“Client”), and Axsess Energy Group, LLC of Northborough, MA 01532 (“Axsess”), sometimes referred to herein individually as a “Party” and collectively as the “Parties”.

**WHEREAS**, Axsess is engaged in the business of providing energy management, procurement and related consulting services, and in connection therewith has the necessary expertise and desire to provide such services to Client; and

**WHEREAS**, Client desires to have Axsess perform energy procurement services as it relates to some or all of Client’s facilities and Axsess has agreed to do so upon the terms and conditions set forth below.

**NOW, THEREFORE**, for and in consideration of the covenants and obligations expressed herein, the Client and Axsess do hereby agree and contract as follows:

### Article 1

#### Scope of Services

The Client hereby retains Axsess and Axsess hereby agrees to provide energy procurement services (the “Services”) the scope of which are set forth herein and in associated Energy Procurement Confirmation Statement(s) (“EPCS”). The Terms and Conditions set forth in this Agreement shall govern unless specifically superceded by specific Terms and Conditions listed in an EPCS.

### Article 2

#### Responsibilities of Axsess

2.1 Axsess will provide Client with energy procurement services for those facilities and commodities for which Client has formally requested such service by executing an EPCS. This service will include, among other things: development of an energy requirements profile; supplier management; bid review, analysis and presentment; supply contract execution (if Axsess authorized by Client). This service may include a formal energy supply solicitation and solicitation issuance to suppliers. The method of solicitation will be documented and set forth in the relevant EPCS.

2.2 Axsess recognizes and understands that energy commodity pricing is volatile and time is of the essence and therefore will make personnel available to review, comment and authorize acceptance (if authorized by Client). Axsess will use all reasonable efforts to inform, and communicate with, Client with respect to time sensitive information.

2.3 Axsess agrees to inform Client, in a timely manner, of all actions taken on Client’s behalf hereunder.

2.4 During the Term of this Agreement, Axsess shall exercise reasonable and customary discretion and independent judgment with respect to the provision of services to the Client. Axsess agrees to consult and confer with the Client in advance of changing, adding or omitting any substantive element of the services to be provided to the Client.

### Article 3

#### Responsibilities of Client

3.1 Client hereby grants Axsess the exclusive authority to negotiate and execute (if authorized by Client) energy supply contracts on behalf of Client for those energy accounts which Client has designated to Axsess in an EPCS.

3.2 Client agrees to make available to Axsess all information regarding Client’s historical and current energy requirements necessary for Axsess to perform energy procurement services for Client hereunder. Client will provide to Axsess, for each such account, relevant information necessary to complete an EPCS, develop a sound energy procurement plan and solicitation and fulfill Client’s energy procurement needs. Such information will allow Axsess to represent to suppliers the Client’s energy needs profile and relevant corporate information and shall include but not be limited to: facility service location; all relevant utility account information; Client’s tax identification number, Client’s D&B number; energy usage. Client grants Axsess authority, as needed, to obtain such information from the current energy supplier or utility distribution company.

3.3 Authority to accept and award a supplier offer will be determined by Client and documented in the EPCS. If Client is required to authorize the award of a supply contract, Client recognizes and understands that energy commodity pricing is volatile and time is of the essence and therefore will make personnel available to review, comment and authorize acceptance.

3.4 Client agrees that it shall be bound by all of the terms and conditions of energy supply contracts executed by, or on behalf of Client, pursuant to the terms of this Agreement. Client will be solely responsible for any and all energy supply contracts executed by Axsess on behalf of Client pursuant to the terms of this Agreement. Client agrees that Axsess is acting solely as a representative of Client under this Agreement and Axsess shall have no liability for any failure or alleged failure of any supplier to perform any or all of its obligations under an energy purchase agreement.

3.5 Client represents and warrants that it has disclosed to Axsess any existing, or future, contractual obligation, and associated detail, to purchase energy from any third party with respect to the applicable energy accounts designated by Client to Axsess in an EPCS. Furthermore, Client will hold Axsess harmless if Client enters into an energy supply contract that has any overlapping supply obligations with an existing energy supply agreement for any single account, or group of energy accounts, designated to Axsess in an EPCS. Client will not be relieved of contractual obligations assumed hereunder in the event it enters into an energy supply contract with a third party for the energy accounts designated hereunder. Client represents and warrants that it has all requisite power and authority to enter into and perform this Agreement and that this Agreement is enforceable against Client in accordance with its terms.

3.6 For each energy supply contract entered into by Client under this Agreement, Client agrees to make available to Axsess, if requested, monthly usage information.

#### Article 4

##### Fees

4.1 As compensation for Axsess' services provided pursuant to this Agreement, Client shall pay Axsess certain fees (the "Fees") agreed to by the Parties and set forth in the relevant EPCS.

4.2 Axsess shall submit invoice(s) for services rendered, and the Client shall pay the invoices within thirty (30) days of receipt.

4.3 Client and Axsess may agree that Axsess' fees be collected from the supplier(s). In this case Axsess shall incorporate fees into the solicitation, shall so designate this method on the associated EPCS and shall collect such fees from the supplier(s) chosen. In the event a supply agreement with a term greater than eighteen (18) months is executed for any accounts for which fees are to be collected from the customer, Axsess shall have the option to convert associated fees to a volumetric fee collected from the suppliers. In such an event a revised EPCS will be issued to replace the original EPCS and detail the volumetric fees to be collected from the supplier.

4.4 Regardless of fee method chosen by Client, prior to Axsess commencing service for the Client, Client agrees to submit a deposit payment to Axsess. Such deposit will be stated on the EPCS and will be credited to the remaining fees due.

4.5 Out-of-Pocket expenses: In the event Axsess must incur unanticipated out-of-pocket expenses to complete the contemplated services or any additional services, Client shall reimburse Axsess for all reasonable out-of-pocket expenses incurred in performing the services. The billing for such expenses shall be at actual costs and shall be supported by receipts or other evidence showing the amount of each expense.

4.6 Termination of this Agreement in no way shall restrict Axsess from collecting any fees from Client or an energy supplier associated with energy supply contracts executed on behalf of Client prior to termination.

4.7 If Client consummates an energy purchase, for any accounts designated by Client to Axsess in an EPCS, through any other form of procurement method without first terminating this Agreement in accordance with Article 5.2, Client will become liable to Axsess for the Fees that Axsess would have earned under this Agreement.

#### Article 5

##### Term and Termination

5.1 Term: This Agreement shall commence as of the Effective Date which first appears above and shall continue for an initial 12 month term and subsequently for consecutive 12 month terms or until either party terminates as provided for in Article 5 herein. Such termination shall be subject to post termination provisions as expressly provided for herein.

5.2 Termination by Client: The Client may terminate this Agreement at any time upon providing thirty (30) days notice in writing to Axsess of its intention to discontinue this Agreement or upon seven (7) days notice if Axsess breaches any material obligation hereunder. Upon termination of this Agreement under this section and in cases other than breach by Axsess, Axsess shall be paid all Fees due and applicable for the then current, complete 12 month term applicable at the time of termination, as described in 5.1 and as detailed in the relevant EPCS, and all other expenses properly incurred through the date of termination. Client shall be required to perform under each energy purchase agreement executed by Axsess on behalf of Client hereunder prior to such termination.

5.3 **Termination by Axsess:** Axsess may terminate this Agreement at any time upon providing thirty (30) days notice in writing to Client of its intention to discontinue this consulting arrangement or upon seven (7) days notice if Client breaches any material obligation hereunder. Upon such termination, Axsess shall be paid the full amount of Fees and expenses due and properly incurred as of the date of termination.

5.4 **Survival of Obligations:** The termination or expiration of this Agreement shall not terminate any obligation accrued prior to such termination or expiration.

**Article 6**  
**Miscellaneous**

6.1 This Agreement and any executed EPCS set forth the entire agreement and the understanding of parties with regard to the subject matter hereof.

6.2 **Governing Law:** This Agreement shall be governed by the laws of the Commonwealth of Massachusetts, without regard to conflict of law provisions.

6.3 **Waiver:** No waiver of any provision hereof shall be valid except to the extent set forth in a non-electronic writing by the party giving the waiver. No such waiver will constitute a waiver of any other provision or constitute a continuing waiver unless expressly provided.

6.4 **Standard of Care and Limitation of Liability:** Axsess in no way represents that it can predict energy market behavior or forward market pricing. Client agrees that it shall not hold Axsess liable for any actions taken or decisions made by Client in connection with Axsess' performance of this Agreement consistent with Axsess' reasonable use of its stated expertise. Client agrees that Axsess' liability for performance under this Agreement shall be limited to the re-performance of services contemplated herein.

6.5 **Severability:** If any provision of this Agreement shall be determined to be unenforceable, void or otherwise contrary to law, such condition shall in no manner operate to render any other provision of this Agreement unenforceable, void or contrary to law, and this Agreement shall continue in force in accordance with the remaining terms and provisions hereof, unless such condition invalidates the purpose or intent of this Agreement. In the event that any of the provision, or portions or applications thereof, of this agreement are held unenforceable or invalid by any court of competent jurisdiction, the parties shall negotiate in good faith to attempt to implement an equitable adjustment in the provisions of this Agreement with a view toward effecting the purposes of this Agreement.

6.6 **Assignment:** i) This Agreement may be assigned by either party to an affiliate or successor organization of equal or better creditworthiness with thirty (30) days written notice by the party wishing to initiate assignment. ii) This Agreement may be assigned by either party to other third parties not covered by clause (i) herein with sixty (60) days written notice by the party wishing to initiate assignment unless the non-assigning party provides written objection within thirty (30) days of receiving such notification.

6.7 **Notices:** All notices and other communications required or permitted to be given hereunder shall be deemed given twenty-four hours after confirmed telefax transmission or one (1) day after deposit in overnight mail, postage prepaid and properly addressed to the parties at their respective addresses set forth below:

**Axsess Energy Group, LLC**

P.O. Box 535  
Northborough, MA 01532

Attn: Antonio D. Aguiar  
Tel: 508-351-9050  
Fax: 508-393-0461  
e-mail: [aguiart@axsessgroup.com](mailto:aguiart@axsessgroup.com)

**Town of Sudbury**

275 Old Lancaster Road  
Sudbury, MA 01776

Attn: William Barletta, Facilities Director  
Tel: 978-440-5465  
Fax:  
e-mail: [barlettaw@sudbury.ma.us](mailto:barlettaw@sudbury.ma.us)

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed in their respective names as of the day and year first written above.

**Axsess Energy Group, LLC**

By Antonio Aguiar

Name: Antonio Aguiar

Title: President

**Town of Sudbury**

By Maryanne Bilodeau

Name: Maryanne Bilodeau

Title: Interim Town Manager

Attachment 8.a: Axsess EPA 102519 fexec (4778 : Electricity Procurement and Grant of Contract Award Authorization to Town Manager)

## Energy Procurement Confirmation Statement

This Energy Procurement Confirmation Statement ("EPCS"), dated October 25, 2019, operates pursuant to the Energy Procurement Services Agreement # epa-tofsud-1019-1 ("Agreement") between Town of Sudbury and Axsess Energy Group with an Effective Date of October 25, 2019. Client has engaged Axsess exclusively to pursue and execute energy procurement for the Facilities/Accounts listed below. The Terms and Conditions set forth in the Agreement shall govern unless specifically superseded by unique Terms and Conditions listed in this EPCS.

### Accounts Electricity

<u>Address</u>			<u>Account #</u>	<u>Location Name</u>	<u>Utility</u>
169 Haynes Rd	Sudbury	MA	2599 474 1004	Josiah Hayne	NSTAR
21 Concord Rd	Sudbury	MA	2599 197 1000		NSTAR
22 Pratts-Mill Rd	Sudbury	MA	2599 677 1009	Schl Dpt	NSTAR
275 Old Lancaster	Sudbury	MA	4000 082 4165 (26-766-321009)		NSTAR
275 Old Lancaster	Sudbury	MA	2599 687 1007		NSTAR
278 Old Sudbury Rd	Sudbury	MA	2599 316 1006	P23/6	NSTAR
280 Old Sudbury Rd	Sudbury	MA	2599 317 1005	Sudbury Housing Authority	NSTAR
288 Old Sudbury Rd	Sudbury	MA	2599 320 1000	Bldg \$ Insp	NSTAR
299 Old Sudbury Rd	Sudbury	MA	2311 023 1000		NSTAR
40 Fairbank Rd	Sudbury	MA	2599 614 1005	Atkinson POO	NSTAR
40 Fairbank Rd	Sudbury	MA	2599 615 1004	Atkinson POO	NSTAR
40 Fairbank Rd	Sudbury	MA	2677 721 1009	Atkinson POO	NSTAR
472 Concord Rd	Sudbury	MA	2599 368 1003	J Nixon Sch	NSTAR
550 Boston Post RD, P98	Sudbury	MA	2599 803 1006	Fire Dept	NSTAR
75 Hudson Rd	Sudbury	MA	2909 908 0011	Police	NSTAR
77 Hudson Rd	Sudbury	MA	2599 715 1003	Fire Dept	NSTAR
80 Woodside Rd	Sudbury	MA	2599 059 1007	Loring Sch	NSTAR
North Rd, P192	Sudbury	MA	2599 432 1005	Fire Station	NSTAR
Old Sudbury Rd	Sudbury	MA	2599 321 1009		NSTAR

### Fees

Collected from: *Supplier*

Volumetric Payment: \$0.001/kwh

\* Any fee payments hereunder shall also be subject to terms in Sections 4 and 5 of the underlying agreement.

Authority for Axsess to Award Contract *No*

Axsess Energy Group, LLC

By *Antonio Aguiar*

Name: Antonio Aguiar

Title: President

Town of Sudbury

By *Maryanne Bilodeau*

Name: Maryanne Bilodeau

Title: Interim Town Manager





Agreement is Not  
Valid Unless  
Executed by Seller

Constellation NewEnergy, Inc.  
Electricity Supply Agreement – Fixed Price Solutions

TOWN OF SUDBURY, MA ("Customer") AND Constellation NewEnergy, Inc. ("Seller") AGREE AS FOLLOWS:

**Defined Terms.** Capitalized terms have the meanings set out in this Electricity Supply Agreement, including the attached General Terms and Conditions ("Agreement"); generally the words "you" and "your" refer to the Customer listed above and the words "we" and "us" refer to Seller, unless the context clearly requires otherwise.

**Purchase and Sale of Electricity.** You will purchase and receive, and we will sell and supply all of your electricity requirements at the prices set forth below for each account identified in the Account Schedule below ("Account"). By signing this Agreement, you authorize us to enroll each Account with your UDC so that we can supply those Account(s). You will take such actions as we request to allow us to enroll each Account in a timely manner. You agree that we may select such sources of energy as we deem appropriate to meet our obligations under this Agreement. We will enroll each Account with the applicable UDC as being supplied by us and will take such other actions with the applicable UDC and ISO necessary for us to meet our obligations under this Agreement.

The specific prices for each Account are set forth in the Account Schedule, below. You are also responsible to pay (1) Taxes - which we will pass through to you on your bill or as part of the price of electricity, as may be required by law, rule or regulation and (2) UDC charges for delivery/distribution services if we provide you a single bill that includes UDC charges. **We will apply all appropriate Taxes unless and until you provide a valid certification of tax exempt status.** Your prices are fixed for the existing term of this Agreement and only subject to change if there is a change in law, as described in Section 5 of the General Terms and Conditions below. The UDC charges (if any) and Taxes are charged to you as a "pass-through," which means they will change during the existing term of this Agreement if and as the related charges assessed or charged vary for any reason, including but not limited to the types of changes described above.

**Cost Components.** For each of the items listed as "Fixed" below, this means the item is included in your contract prices as set forth in the Account Schedule. For each of the items listed as "Passed Through" below, this means that you will be charged the costs associated with the line item in accordance with the definitions of each item in Section 1, Definitions of the General Terms and Conditions.

Energy Costs	Fixed
Ancillary Services And Other ISO Costs	Fixed
Capacity Costs	Fixed
Line Loss Costs	Fixed
RPS Costs	Fixed
CES Costs	Fixed
CPP Costs	Fixed
Fuel Security Costs-COS	Not Applicable as a Cost Component
Fuel Security Costs-Interim Winter Program	Not Applicable as a Cost Component

The contract prices contained in the Account Schedule have been reduced to reflect a fixed credit to you for the Auction Revenue Rights and Transmission Loss Credits associated with the Account(s). The contract prices also include any credit costs and margin.

**"Fuel Security Reliability Program Costs ("Fuel Security Costs"):** means those costs or charges that are incurred by load serving entities in the ISO New England service territory associated with fuel security reliability, as described in ISO New England tariff provisions accepted by the Federal Energy Regulatory Commission ("FERC") in Docket Nos. ER18-2364-000 and EL18-182-000 as proposed or implemented during the term of this Agreement, including but not limited to costs associated with cost-of-service agreements ("COS Agreements"), such as the agreement accepted for filing by FERC in Docket No. ER18-1639-000 (the "Mystic COS Agreement") and the implementation of an interim inventoried energy program during the winter months of 2023-2024 for Forward Capacity Auction ("FCA") 14 and 2024-2025 for FCA 15 accepted by FERC on August 6, 2019 in Docket NO ER19-1428-001 (collectively, the "Interim Winter Program"). If that portion of the Fuel Security Costs associated with the Mystic COS Agreement ("Fuel Security Costs-COS") and/or the Interim Winter Program are **Fixed** under this Agreement, then such costs shall **only** include costs associated with the Mystic COS Agreement and/or cost

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associated with the Interim Winter Program, as applicable, as in effect as of the date of the full execution of this Agreement. Any additions, modifications or conditions to the treatment of Fuel Security Costs under the ISO New England tariff or otherwise, including but not limited to any modifications of the Mystic COS Agreement (including the approval of any other COS Agreements), modifications to the Interim Winter Program or any new or modified long-term market solutions implemented by ISO New England and accepted or approved by FERC shall be deemed a Change in Law pursuant to Section 5 below.

**Capacity Cost (Fixed):** You have elected the "Fixed" option for your "Capacity Costs" as noted in the table above. "Fixed" means we have included Capacity Costs in your contract price (set forth in the Account Schedule) based on the current Capacity Costs associated with your Accounts as of the effective date of this Agreement. Your Capacity Costs will not be subject to change during the term of this Agreement except as a result of Change in Law as described in Section 5 below. For avoidance of doubt, except as otherwise agreed to herein, your Fixed contract price will not be adjusted (either upward or downward) to pass through any changes in your Capacity Costs based on monthly or annual changes to the Capacity Obligation for the Account(s). "Capacity Obligation" means the Accounts' ICAP Tags as provided by the UDC, as modified utilizing the applicable ISO methodology factors (including but not limited to reserve margin) as defined by the ISO as of the date this Agreement. "ICAP Tag (kW)" means the peak load contribution for the Account(s) measured in kilowatts (kW) as determined by the UDC and reported to the applicable ISO. For illustrative purposes only, please see the Capacity Obligation Component table below:

<u>CAPACITY OBLIGATION COMPONENTS</u>	
ICAP Tags	Fixed
Other ISO/Utility factors (such as reserve margin)	Fixed

**Retail Trade Transactions.** At any time during the term of this Agreement, you may request the purchase of renewable energy certificates in an amount equal to a prescribed percentage of your load volume by entering into one or more Retail Trade Transactions ("RTTs") between us. If we both agree to the pricing and terms of the renewable energy certificates purchase, a separate RTT Confirmation signed by both of us will document each such purchase and be incorporated herein.

**Term.** This Agreement will become effective and binding after you have signed this Agreement and we have counter-signed. Subject to successful enrollment of your Account(s), this Agreement shall commence on or about the date set forth under "Start Date" and end on or about the date set forth under "End Date" unless extended on a holdover basis as described in this Agreement. The actual Start Date is dependent on the UDC successfully enrolling the Account(s) and furnishing us with all necessary information regarding the Account(s) meter read cycle and meter read date(s). The dates set forth in the Account Schedule below reflect UDC information available at that time or as otherwise estimated by us. The actual meter read dates may occur on or about the dates set forth herein. We will use commercially reasonable efforts to begin service to each Account(s) on the actual meter read date on or about the Start Date set forth herein. If we are unable to timely enroll an Account, the Start Date will commence on the next regularly scheduled UDC meter read cycle date following successful enrollment. The End Date will remain the same unless extended for a holdover term. We shall not be liable for any failure to enroll or drop an Account by the Start and End Date due to circumstances beyond our control. We will not be responsible for any gaps in service that may occur between the termination of your service from a prior supplier and the commencement of supply from us.

Nothing in this Agreement shall be deemed to require or otherwise obligate us to offer to extend the term of this Agreement. If following termination or expiration of this Agreement (whether in whole or in part), for any reason, some or all of the Accounts remain designated by the UDC as being supplied by us, we may continue to serve such Account(s) on a month-to-month holdover basis. During such holdover term, we will calculate your invoice as follows: (Each Account's metered usage, as adjusted by the applicable line loss factor) times (the applicable ISO-published Day Ahead Locational Based Marginal Price ("LMP") + \$.006250/kWh) + (a pass through of all costs and charges incurred for the retail delivery of energy to you) + Taxes. This Agreement will continue to govern the service of such Accounts during such holdover term. Either party may terminate the holdover term at any time within its discretion at which time we will drop each Account as of the next possible meter read date to the then applicable tariff service, whether default service or otherwise.

**Your Invoice.** Your invoice will contain all charges applicable to your electricity usage, including Taxes (which are passed through to you). You will receive one invoice from the UDC for UDC charges and one invoice from us for all other charges ("Dual Billing") unless we agree otherwise, or your Account(s) eligibility changes. All amounts charged are due in full within thirty (30) days of the invoice date, and we reserve the right to adjust amounts previously invoiced based upon supplemental or additional data we may receive from your UDC. Your invoices will be based on actual data provided by the UDC, provided that if we do not receive actual data in a timely manner, we will make a good faith estimate using your historical usage data and other information. Once we receive actual data we will reconcile the estimated charges and adjust them as needed in subsequent invoices. If you fail to make payment by the due date, interest will accrue daily on outstanding amounts from the due date until the bill is paid in full at a rate of 1.50% per month, or the highest rate permitted by law whichever is less. All invoices (including adjustments to those invoices) are conclusively presumed final and accurate unless such invoices are objected to by either you or us in writing, including adequate explanation and/or documentation, within 24 months after the date such invoice was rendered, provided however, we may rebill based on post-period audits or adjustments made by the ISO, UDC, or other governmental authority, commission or agency with jurisdiction in the state in which the Accounts are located.

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**Certain Warranties.** You warrant and represent that for Account(s) located in the Commonwealth of Massachusetts, the electricity supplied under this Agreement is not for use at a residence. If you are a city, town or municipality, then you warrant and represent that a duly authorized representative and all such persons as required to be signatories to or otherwise execute this Agreement under the laws of the city, town or municipality and the laws, rules and regulations of the Commonwealth of Massachusetts (including but not limited to the requirements of Mass. Gen. Laws ch. 43, § 29 and any other applicable law) have executed and are authorized to execute this Agreement in accordance with such laws. You shall comply with the notification and reporting requirements set forth in Mass. Gen. Laws ch. 30(B), § 1(b)(33) by providing, within fifteen (15) days after executing this Agreement, a copy of this Agreement and a report of the process used to execute this Agreement to each of the Department of Public Utilities of the Commonwealth of Massachusetts, the Department of Energy Resources of the Commonwealth of Massachusetts and the Office of the Inspector General of the Commonwealth of Massachusetts.

**Notices.** All notices will be in writing and delivered by hand, certified mail, return receipt requested, or by first class mail, or by express carrier to our respective business addresses. Our business address is 1001 Louisiana St. Constellation Suite 2300, Houston, TX 77002, Attn: Contract Administration. Either of us can change our address by notice to the other pursuant to this paragraph.

**Customer Service.** For questions about your invoice or our services, contact us at our Customer Service Department by calling toll-free 844-636-3749, or by e-mail at CustomerCare@Constellation.com. Your prior authorization of us to your UDC as recipient of your current and historical energy billing and usage data will remain in effect during the entire term of this Agreement, including any renewal, unless you rescind the authorization upon written notice to us or by calling us at 844-636-3749. We reserve the right to cancel this Agreement in the event you rescind the authorization.

**IN THE EVENT OF AN EMERGENCY, POWER OUTAGE OR WIRES AND EQUIPMENT SERVICE NEEDS, CONTACT YOUR APPLICABLE UDC AT:**

UDC Name	UDC Abbreviation	Contact Numbers
NSTAR Electric Company d/b/a Eversource Energy	BECO	1-800-592-2000

**Additional Terms.** For Account(s) located in the Commonwealth of Massachusetts:

(i) Disputes. Assistance with the resolution of billing disputes under this Agreement involving amounts over \$100 is available from the Massachusetts Department of Public Utilities ("MDPU") and, through the MDPU, from the Massachusetts Office of Dispute Resolution, provided that the subject matter of such disputes is within the MDPU statutory and regulatory jurisdiction. Such assistance can be obtained by contacting the MDPU at (617) 305-3500.

(ii) MDPU. In accordance with the MDPU regulations, our energy disclosure label is provided to you with this Agreement. We will provide you with an updated label, on a quarterly basis, to reflect certain characteristics of our electric generation supply. Additional information may be obtained by contacting the MDPU at (617) 305-3531. Our MDPU License Number is #CS 015. The required 'Terms of Service' as set forth in the MDPU Rules Governing the Restructuring of the Electric Industry is herein referred to as the General Terms and Conditions.

(iii) Collective Bargaining. We do not operate under collective bargaining agreements.

**CUSTOMER'S RIGHT TO RESCIND. FOR ACCOUNT(S) LOCATED IN THE COMMONWEALTH OF MASSACHUSETTS: YOU HAVE THE RIGHT TO RESCIND THIS AGREEMENT FOR ANY REASON, WITHOUT CHARGE OR PENALTY BY PROVIDING US WRITTEN NOTICE OF SUCH RESCISSION, UNTIL MIDNIGHT ON THE THIRD DAY AFTER YOU HAVE SIGNED AND RECEIVED A FULLY EXECUTED COPY OF THIS AGREEMENT.**

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Each party has caused this Agreement to be executed by its authorized representative on the respective dates written below.

Constellation NewEnergy, Inc.

Customer: Town of Sudbury, MA

Signature: \_\_\_\_\_

Signature: *Maryanne Bilodeau*

Printed Name:  
Title:

Printed Name: *Maryanne Bilodeau*  
Title: *Interim Town mgr.*  
Date: *11/12/19*

Address: 1001 Louisiana St. Constellation Suite 2300  
Houston, TX 77002  
Attn: Contracts Administration

Address: 322 Concord Rd  
SUDBURY, MA 01776-1800

Fax: 888-829-8738  
Phone: 844-636-3749

Fax: *(978) 443-0756*  
Phone: *(978) 639-3385*  
Email: *Bilodeaum@sudbury.ma.us*

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## General Terms and Conditions

### 1. Definitions.

**"Ancillary Services And Other ISO Costs"** means for any billing period the applicable charges regarding ancillary services as set forth in the applicable ISO Open Access Transmission Tariff ("OATT") and for other ISO costs not otherwise included in any of the defined cost components in this Agreement. We will reasonably determine your Account's monthly Ancillary Services And Other ISO Costs based on the Account's \$/kWh share of costs for Ancillary Services And Other ISO Costs or otherwise reasonable allocation method as we may determine from time to time based on how Ancillary Services And Other ISO Costs are assessed by the ISO.

**"Auction Revenue Rights"** means revenue credits resulting from the annual financial transmission rights auction conducted by the ISO that are applicable with respect to transmission peak load contribution.

**"Capacity Costs"** means a charge for fulfilling the capacity requirements for the Account(s) imposed by the ISO or otherwise.

**"Energy Costs"** means a charge for the cost items included in the locational Marginal Price for the ISO zone identified in the Account Schedule.

**"ISO"** means the independent system operator or regional transmission organization responsible for the service territory governing an Account, or any successor or replacement entity.

**"Line Loss Costs"** means the costs (to the extent not already captured in the applicable Energy Costs) applicable to each Account based on the kWh difference between the UDC metered usage and the ISO settlement volumes. If Line Loss Costs are "Fixed," the Line Loss Costs are included in the Energy Costs and will not be invoiced as a separate line item. If Line Loss Costs are "Passed Through," the Line Loss Costs will be invoiced as a separate line item and calculated based on the applicable fixed price or locational marginal price for the corresponding usage.

**"MA Solar Carve-Out Program Costs"** means the costs or charges related to procuring solar renewable energy certificates or making alternative compliance payments to comply with currently applicable Law for various solar carve-out programs set by the Massachusetts Department of Energy Resources. MA Solar Carve-Out Program Costs are included in Renewable Portfolio Standards Costs.

**"Massachusetts Clean Energy Standards Costs ("CES Costs")"** means any costs or charges related to procuring renewable energy certificates or making alternative compliance payments to comply with the Massachusetts Clean Energy Standard (310 CMR 7.75), approved by the Massachusetts Department of Energy Resources ("DOER"), effective August 11, 2017.

**"Massachusetts Clean Peak Program Costs ("CPP Costs")"** means the costs or charges related to complying with the Massachusetts Clean Peak Program (Chapter 227 of the Acts of 2018, signed into law on August 9, 2018, and any associated regulations that may be promulgated by the Massachusetts DOER), including but not limited to costs associated with procuring clean peak certificates or making alternative compliance payments, and any and all additional costs associated with such compliance. If CPP Costs are Fixed under this Agreement, any amendments to the Massachusetts Clean Peak Program legislation after the effective date of this Agreement, and any new regulations promulgated by the Massachusetts DOER associated with the Massachusetts Clean Peak Program legislation after the effective date of this Agreement, shall be deemed a Change in Law pursuant to Section 5 below.

**"Non Time Of Use" or "NTOU"** means all hours of each day.

**"Off Peak"** means all hours other than Peak hours.

**"Peak"** means the hours designated as peak from time to time by the UDC.

**"Renewable Portfolio Standards Costs ("RPS Costs")"** means the costs or charges associated with meeting renewable portfolio standards costs (including MA Solar Carve-Out Program Costs) at the levels required by currently applicable Law. If Renewable Portfolio Standards Costs are not included in the contract price, such costs for a particular month will be the product of (i) the Monthly RPS Price; and (ii) an Account's monthly kWh usage. The Monthly RPS Price is the price of renewable portfolio standard compliance for the Account, for a particular month, fixed by Seller by reference to the renewable portfolio standards forward price curve for the state where the Account is located.

**"Taxes"** means all federal, state, municipal and local taxes, duties, fees levies, premiums or other charges imposed by any governmental authority directly or indirectly, on or with respect to the electricity and related products and services provided under this Agreement, including any taxes enacted after the date we entered into this Agreement.

**"Transmission Loss Credits"** means the credit amounts applicable to the Accounts under the ISO's marginal loss construct.

**"UDC"** means your local electric distribution utility owning and/or controlling and maintaining the distribution system required for delivery of electricity to the Accounts.

**"UDC Charges"** means all UDC costs, charges, and fees, due under UDC's delivery services rates associated with your use of UDC's distribution network all as defined by the UDC tariffs, and any similar or related charges the UDC may impose from time to time

**2. Cash deposit and other security.** For Account(s) located in the Commonwealth of Massachusetts: At any time, we may require that you provide information to us so that we may evaluate your creditworthiness. If at any time during the term of this Agreement we determine that your credit is unsatisfactory, you have experienced any adverse change in your financial condition, or that you have made two (2) or more late payments, we shall have the right to terminate this Agreement upon five (5) business days advance written notice, unless the parties are able to agree on mutually satisfactory credit arrangements (which may include, without limitation, you agreeing to: (i) make a cash deposit, (ii) post a letter of credit at a financially sound bank or other financial institution, or (iii) make a prepayment to us for electricity supplied under this Agreement) to ensure prompt payment by you of amounts owed or otherwise payable under this Agreement

**3. Default under this Agreement.** You will be in default under this Agreement if you fail to: pay your bills on time and in full; provide cash deposits or other security as required by Section 2 above; or perform all material obligations under this Agreement and you do not cure such default within 5 days of written notice from us; or if you declare or file for bankruptcy or otherwise become insolvent or unable to pay your debts as they come due. We will be in default under this Agreement if we fail to perform all material obligations under this Agreement and do not cure such default within 5 days of written notice from you, or if we declare or file for bankruptcy or otherwise become insolvent or unable to pay our debts as they come due.

**4. Remedies upon default; Early Termination Payment.** If you are in default under this Agreement, in addition to any other remedies available to us, we may terminate this Agreement entirely, or solely with respect to those Accounts adversely affected by such default, and switch your Account(s) back to UDC service (consistent with applicable regulations and UDC practices)

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and/or you will be required to pay us an early termination payment to compensate us for all losses we sustain due to your default, including:

- all amounts you owe us for electricity provided to you;
- the positive difference, if any, between (A) the price you would have paid us under this Agreement had it not been terminated early (including our margin), less the then-current market price of electricity and services under terms substantially similar to the terms of this Agreement, as reasonably calculated by us based on information available to us internally or supplied by one or more third parties; multiplied by (B) the estimated undelivered volume of electricity you would consume through the end of the term, as reasonably calculated by us; and
- all costs (including attorneys' fees, expenses and court costs) we incur in collecting amounts you owe us under this Agreement.

The parties agree that any early termination payment determined in accordance with this Section is a reasonable approximation of harm or loss and is not a penalty or punitive in any respect, and that neither party will be required to enter into a replacement transaction in order to determine or be entitled to a termination payment.

**5. Changes in law.** We may pass through or allocate, as the case may be, to you any increase or decrease in our costs related to the electricity and related products and services sold to you that results from the implementation of new, or changes (including changes to formula rate calculations) to existing, Laws, or other requirements or changes in administration or interpretation of Laws or other requirements. "Law" means any law, rule, regulation, ordinance, statute, judicial decision, administrative order, ISO business practices or protocol, UDC or ISO tariff, rule of any commission or agency with jurisdiction in the state in which the Accounts are located. Such additional amounts will be included in subsequent invoices to you. The changes described in this Section may change any or all of the charges described in this Agreement, whether described as "fixed," "variable," "pass-through" or otherwise. Your first bill reflecting increased costs will include a bill insert describing the increase in costs in reasonable detail.

**6. Events beyond either of our reasonable control.** If something happens that is beyond either of our reasonable control that prevents either of us from performing our respective obligations under this Agreement, then whichever one of us cannot perform will be relieved from performance until the situation is resolved. Examples of such events include: acts of God, fire, flood, hurricane, war, terrorism; declaration of emergency by a governmental entity, the ISO or the UDC; curtailment, disruption or interruption of electricity transmission, distribution or supply; regulatory, administrative, or legislative action, or action or restraint by court order or other governmental entity; actions taken by third parties not under your or our control, such as the ISO or a UDC. Such events shall not excuse failure to make payments due in a timely manner for electricity supplied to you prior to such event. Further, if such an event prevents or makes it impossible or impracticable for the claiming party to carry out any obligation under this Agreement due to the events beyond either of our reasonable control for more than 30 days, then whichever one of us whose performance was not prevented by such events shall have the right to terminate this Agreement without penalty upon 30 days' written notice to the other.

**7. UDC or ISO obligations.** We will have no liability or responsibility for matters within the control of the UDC or the ISO-controlled grid, which include maintenance of electric lines and systems, service interruptions, loss of termination of service, deterioration of electric services, or meter readings.

**8. Limitation on Liability.** IN NO EVENT WILL EITHER PARTY OR ANY OF ITS RESPECTIVE AFFILIATED COMPANIES BE LIABLE FOR ANY CONSEQUENTIAL, EXEMPLARY, SPECIAL, INCIDENTAL OR PUNITIVE DAMAGES, INCLUDING, WITHOUT LIMITATION, LOST OPPORTUNITIES OR LOST PROFITS NOT CONTEMPLATED BY SECTION 4. Each party's total liability related to this Agreement, whether arising under breach of contract, tort, strict liability or otherwise, will be limited to direct, actual damages. Direct, actual damages payable to us will reflect the early termination payment calculation in Section 4. Each party agrees to use commercially reasonable efforts to mitigate damages it may incur. NO WARRANTY, DUTY, OR REMEDY, WHETHER EXPRESSED, IMPLIED OR STATUTORY, ON OUR PART IS GIVEN OR INTENDED TO ARISE OUT OF THIS AGREEMENT, INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR USE.

**9. DISPUTE RESOLUTION.** THIS AGREEMENT WILL BE GOVERNED BY AND INTERPRETED IN ACCORDANCE WITH THE LAWS OF THE STATE IN WHICH ANY ACCOUNT IS LOCATED, WITHOUT GIVING EFFECT TO ANY CONFLICTS OF LAW PROVISIONS, AND ANY CONTROVERSY OR CLAIM ARISING FROM OR RELATING TO THIS AGREEMENT WILL BE SETTLED IN ACCORDANCE WITH THE EXPRESS TERMS OF THIS AGREEMENT BY A COURT LOCATED IN SUCH STATE. IF THE MATTER AT ISSUE INVOLVES ACCOUNTS OR MATTERS IN MORE THAN ONE STATE, THE GOVERNING JURISDICTION AND VENUE SHALL BE DEEMED TO BE NEW YORK. TO THE EXTENT ALLOWED BY APPLICABLE LAW, WE ALSO BOTH AGREE IRREVOCABLY AND UNCONDITIONALLY TO WAIVE ANY RIGHT TO A TRIAL BY JURY OR TO INITIATE OR BECOME A PARTY TO ANY CLASS ACTION CLAIMS WITH RESPECT TO ANY ACTION, SUIT OR PROCEEDING DIRECTLY OR INDIRECTLY ARISING OUT OF OR RELATING TO THIS AGREEMENT OR THE TRANSACTIONS CONTEMPLATED BY THIS AGREEMENT.

**10. Relationship of Parties; Representations and Warranties.** We are an independent contractor, and nothing in this Agreement establishes a joint venture, fiduciary relationship, partnership or other joint undertaking. We are not acting as your consultant or advisor, and you will not rely on us in evaluating the advantages or disadvantages of any specific product or service, predictions about future energy prices, or any other matter. Your decision to enter into this Agreement and any other decisions or actions you may take is and will be based solely upon your own analysis (or that of your advisors) and not on information or statements from us. You represent (i) you are duly organized and in good standing under the Laws of the jurisdiction of your formation; (ii) you are authorized and qualified to do business in the jurisdiction necessary to perform under this Agreement; (iii) execution, delivery and performance of this Agreement are duly authorized and do not violate any of your governing documents or contracts or any applicable Law and (iv) if you are a Governmental Entity, you further warrant (a) you have complied with all applicable bidding and procurement laws in awarding this Agreement, (b) you will not claim immunity on the grounds of sovereignty or similar grounds from enforcement of this Agreement; and (c) you will obtain any necessary budgetary approvals, appropriations and funding for all of your

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obligations under this Agreement, the failure of which shall not be an excuse for Governmental Entity's performance or failure to perform hereunder and upon request will provide proof of such authority. "Governmental Entity" means a municipality, county, governmental board or department, commission, agency, bureau, administrative body, joint action agency, court or other similar political subdivision (including a public school district or special purpose district or authority), or public entity or instrumentality of the United States or one or more states.

**11. Confidentiality.** Consistent with applicable regulatory requirements, we will hold in confidence all information obtained by us from you related to the provision of services under this Agreement and which concern your energy characteristics and use patterns, except that we may, consistent with applicable law and regulation, disclose such information to (a) our affiliates and such affiliates' employees, agents, advisors, and independent contractors, (b) third parties representing you in this purchase of electricity, and (c) other third parties, if the information (i) is presented in aggregate and (ii) cannot be reasonably expected to identify you. Except as otherwise required by law, you will agree to keep confidential the terms of our Agreement, including price.

**12. Miscellaneous Provisions.** If in any circumstance we do not provide notice of, or object to, any default on your part, such situation will not constitute a waiver of any future default of any kind. If any of this Agreement is held legally invalid, the remainder will not be affected and will be valid and enforced to the fullest extent permitted by law and equity, and there will be deemed substituted for the invalid provisions such provisions as will most nearly carry out our mutual intent as expressed in this Agreement. You may not assign or otherwise transfer any of your rights or obligations under this Agreement without our prior written consent. Any such attempted transfer will be void. We may assign our rights and obligations under this Agreement. This Agreement contains the entire agreement between both of us, supersedes any other agreements, discussions or understandings (whether written or oral) regarding the subject matter of this Agreement, and may not be contradicted by any prior or contemporaneous oral or written agreement. A facsimile or e-mailed copy with your signature will be considered an original for all purposes, and you will provide original signed copies upon request. Each party authorizes the other party to affix an ink or digital stamp of its signature to this Agreement, and agrees to be bound by a document executed in such a manner. The parties acknowledge that any document generated by the parties with respect to this Agreement, including this Agreement, may be imaged and stored electronically and such imaged documents may be introduced as evidence in any proceeding as if such were original business records and neither party shall contest their admissibility as evidence in any proceeding. Except as otherwise explicitly provided in this Agreement, no amendment (including in form of a purchase order you send us) to this Agreement will be valid or given any effect unless signed by both of us. Applicable provisions of this Agreement will continue in effect after termination or expiration of this Agreement to the extent necessary, including those for billing adjustments and payments, indemnification, limitations of liability, and dispute resolution. This Agreement is a "forward contract" and we are a "forward contract merchant" under the U.S. Bankruptcy Code, as amended. Further, we are not providing advice regarding "commodity interests", including futures contracts and commodity options or any other matter, which would cause us to be a commodity trading advisor under the U.S. Commodity Exchange Act, as amended.

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**ACCOUNT SCHEDULE:  
For: Town of Sudbury, MA**

**The Pricing set forth below is only valid until 5:00 PM Eastern Prevailing Time on November 12, 2019**

**We shall have no obligation to enroll or supply electricity to any account(s) that are not identified on the Account Schedule below.  
Please verify that your specific information is COMPLETE and ACCURATE.  
Your review and acceptance of this information will help ensure accurate future invoices**

*Notes: Accounts or Service Addresses listed in the Account(s) Schedule may be updated or replaced with a new account number issued by the UDC, ISO or other entity.*

**THIS DOCUMENT MAY BE RETURNED TO SELLER BY FAX TO (888)-829-8738 OR AS OTHERWISE DIRECTED.**

No. of Service Accounts: 19

UDC	UDC Account Number	Service Address	Start Date	End Date	Energy Price Non TOU (\$/kWh)
BECO	23110231000	Hosmer House, 299 Old Sudbury Rd., Sudbury, MA 01776	12/24/19	12/23/21	\$0.10060
BECO	25990591007	80 WOODSIDE RD, SUDBURY, MA 017763486	12/24/19	12/23/21	\$0.10060
BECO	25991971000	21 CONCORD RD, SUDBURY, MA 017762328	12/23/19	12/22/21	\$0.10060
BECO	25993161006	Old Sudbury Rd P23/6, Sudbury, MA 01776	12/19/19	12/18/21	\$0.10060
BECO	25993171005	Old Sudbury Rd, Sudbury, MA 01776	12/19/19	12/18/21	\$0.10060
BECO	25993201000	288 OLD SUDBURY RD, SUDBURY, MA 017761843	12/24/19	12/23/21	\$0.10060
BECO	25993211009	Old Sudbury Rd, Sudbury, MA 01776	12/19/19	12/18/21	\$0.10060
BECO	25993681003	472 Concord Rd 2/100, Sudbury, MA 01776	12/19/19	12/18/21	\$0.10060
BECO	25994321005	North Rd P192, Sudbury, MA 01776	12/24/19	12/23/21	\$0.10060
BECO	25994741004	169 HAYNES RD, SUDBURY, MA 017761363	12/24/19	12/23/21	\$0.10060
BECO	25996141005	40 FAIRBANK RD, SUDBURY, MA 017765606	12/19/19	12/18/21	\$0.10060
BECO	25996151004	40 FAIRBANK RD 1FL, SUDBURY, MA 017765606	12/19/19	12/18/21	\$0.10060
BECO	25996771009	22 PRATTS MILL RD, SUDBURY, MA 017762623	12/25/19	12/24/21	\$0.10060
BECO	25996871007	275 OLD LANCASTER RD, SUDBURY, MA 017762274	12/19/19	12/18/21	\$0.10060
BECO	25997151003	77 HUDSON RD, SUDBURY, MA 017761666	12/19/19	12/18/21	\$0.10060
BECO	25998031006	Boston Post Rd P98, Sudbury, MA 01776	12/25/19	12/24/21	\$0.10060
BECO	26766321009	275 Old Lancaster Rd, Sudbury, MA 01776	12/19/19	12/18/21	\$0.10060
BECO	26777211009	40 FAIRBANK RD, SUDBURY, MA 017765606	12/19/19	12/18/21	\$0.10060

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BECO	29099080011	77 HUDSON RD, SUDBURY, MA 017761666	12/19/19	12/18/21	\$0.10060
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TO ACCEPT THE PRICING ABOVE, PLEASE FAX A SIGNED COPY OF THIS AGREEMENT TO US AT 888-829-8738.

**Payments to Certain Third-Parties:** You acknowledge that your price includes a fee that Constellation will remit to Axsess Energy Group, LLC ("Third Party") in connection with its efforts to facilitate our entering into this Agreement. Third Party is acting on your behalf as your representative and is not a representative or agent of Constellation.

Attachment 8.b: Constellation contract TOWN OF SUDBURY, MA\_23110231000\_Contract\_20191112 (4778 : Electricity Procurement and Grant of

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SUDBURY SELECT BOARD  
Tuesday, August 31, 2021

**MISCELLANEOUS (UNTIMED)**

**9: Sewataro use Policy Document Discussion**

REQUESTOR SECTION

Date of request:

Requestor: Chair Roberts

Formal Title: Discussion on Sewataro use Policy Document. Vice-Chair Russo and Member Schineller to present (~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

08/31/2021 6:30 PM

# Town of Sudbury

## Sewataro Use Policy

V2.0 Updated August 19, 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 Contract for Day Camp Operator and Management of Real Property agreement, dated Sept. 10, 2019, and its subsequent Amendments between the Town and the camp Operator and with existing Town policies regarding Town facilities.

### 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, approvals, or fees 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.

### 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 August 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
- Additional information as required by the Sewataro Reservation Form.

## 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 Reservation Form in advance of the meeting.

## 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 and Fees

The spaces available to reserve include:

Facility	Maximum Occupancy	Attributes	Municipal Committees and Depts. and Sudbury-based 501c3 (e.g., Scouts)	Sudbury Groups (e.g. resident groups, LS adult ed)	Non-Resident / Corporate / Private Groups (e.g. wedding)
Liberty Lodge	150	4000 sq. ft. Covered roof	0	\$25/hr	\$50/hr
Meeting Hall	50	1200 sq. ft. Covered Roof	0	\$15/hr	\$30/hr
Tree House	TBD	Covered roof	0	\$10/hr	\$20/hr
Craft Deck	TBD	Tented Roof (usually seasonally available in the summer)	0	\$10/hr	\$20/hr
Tennis Courts*	4 players	two available	\$18.40/hr	\$18.40/hr	\$24.15/hr
Basketball Court*	10 players		\$18.40/hr	\$18.40/hr	\$24.15/hr

\* Court fees to be kept consistent with Park & Rec Tennis Court Field Request Form fees.

Groups that leave garbage will be charged double the normal fee.

Additional permit application fees may apply (example, food permit, building inspection (structural/electrical)).

Deposits / Cancellations: At this time, any deposits are fully refundable upon event cancellation.

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. Fees shall be paid to the Town in the same account as the Management Fee per Article 3 of Contract for Day Camp Operator and Management of Real Property agreement, dated Sept. 10, 2019.

(1) Facilities may be reserved without a rental fee by the following groups:

- a. Town departments and committees.
- b. Non-profit organizations based in Sudbury whose functions are charitable, civic, or patriotic, such as community service groups.

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

- a. Sudbury groups and any Non-Resident, Corporate, or Private group.

(3) Rental fee Schedule – per hour: 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.

## 8. 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.



Liability Waiver  
Town of Sudbury.pc

## 9. 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.

## 10. Maximum Occupancy

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

### 11. 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.

### 12. 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.

### 13. Emergency Contact

In case of an emergency, user is to call 911.

### 14. 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 100+ people, the user will be required to contract for its own port-a-pottie services.

### 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.

Lower parking lot has more spaces available, but requires travel up an uphill slope to reach most activity areas. The upper lot has fewer spaces available, but is closer to and level with Liberty Lodge. Some path areas are not entirely smooth, but are navigable. Accommodations are available upon request.

## 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 am 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 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

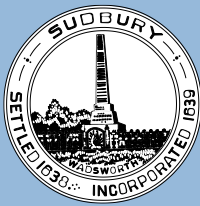
To the greatest extent practicable, organizers shall work with the Camp Operator and Town, as appropriate, to implement temporary adjustments that will offer access to the widest population use during the planned event. This

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



SUDBURY SELECT BOARD  
Tuesday, August 31, 2021

**MISCELLANEOUS (UNTIMED)**

**10: CPC discussion**

REQUESTOR SECTION

Date of request:

Requestor: Chair Roberts

Formal Title: CPC discussion regarding presentation of CPC articles to Select Board. Select Board Chair/CPC member Roberts to present. (~10 min.)

Recommendations/Suggested Motion/Vote:

Background Information:  
attached email from CPC chair Sherril Cline

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

08/31/2021 6:30 PM

**From:** Cline, Sherrill <[cline@marllaw.com](mailto:cline@marllaw.com)>  
**Sent:** Wednesday, July 28, 2021 11:40 AM  
**To:** [jeanonam@gmail.com](mailto:jeanonam@gmail.com); Roberts, Jennifer  
**Cc:** Duchesneau, Adam  
**Subject:** Recap of meeting re: CPC presentations

Hello Jean and Jen, thank you for a great and productive discussion. I wanted to summarize what we discussed.

The goal is to satisfy the obligations of the Fin Com, the Select Board, the CIAC and the CPC in the most efficient way without asking the volunteers and staff to participate in multiple, repetitive presentations of CPC projects.

To accomplish this, the liaisons should make presentations to their committees on a regular basis to keep the Fin Com and the SB up to date on the proposed projects. The liaisons could then bring back to the CPC any questions or concerns from the Fin Com and SB before the CPC approves the projects.

The SB is proposing that the SB, FinCom and CIAC consider all capital projects on "Capital Night". This would be an excellent opportunity to include any CPC capital projects.

The Fin Com has created its schedule and plans that on 1/24, Jean will present the projects to FinCom and collect any questions from the members. If possible, questions will be posed and answered by email by early Feb. If necessary, a proponent will be invited to speak to the FC.

Jen will talk with the SB about following a similar procedure. I suggested that the default position be that CPC issues be answered by email if possible – i.e. don't schedule a "CPC night" as a matter of course but only out of necessity. Jean suggested the use of a "gate" – i.e. that proponents aren't invited to a meeting until the committee/board members have reviewed the information available and formulated questions that need to be addressed.

I suggest that factors to consider when determining the need for a presentation include the amount of money requested, the novelty of the proposal, and whether it is a capital project and thus will be heard on "Capital Night" – or, if that doesn't happen, perhaps ask the members to listen in on one of the other committee hearings.

Please let me know if I have missed anything.

Again, Thanks, Sherri



SUDBURY SELECT BOARD  
Tuesday, August 31, 2021

**MISCELLANEOUS (UNTIMED)**

**11: Summer 2021 Select Board Newsletter Articles Approval**

REQUESTOR SECTION

Date of request:

Requested by: Leila S. Frank

Formal Title: Review the Select Board Summer 2021 Newsletter articles and approve for distribution (~10 min.)

Recommendations/Suggested Motion/Vote:

Background Information:

Draft newsletter attached

Financial impact expected:N/A

Approximate agenda time requested: 10 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

08/31/2021 6:30 PM



# FROM THE SELECT BOARD

Summer 2021

Town of Sudbury



## *GoSudbury! Transportation Options in Town*

**BY DAN CARTY, SELECT BOARD**

About a year ago, I updated this forum on the progress being made by the Sudbury Transportation Committee. I felt the time was right to provide another update as much has happened this past year. In the throes of COVID-19, The Transportation Committee has continued their work to not only provide ride options to older residents, veterans, those financially vulnerable, and persons with disabilities, but to also capture concrete data on who is taking rides, where are they going, and when. This data could be used to plan for longer term solutions, and the Committee plans on sharing with Town and State officials for that purpose.

*The Transportation Committee works to provide ride options to older residents, veterans, those financially vulnerable, and persons with disabilities.*

In my last update, I noted that, through October of 2020, the GoSudbury! Taxi Program had provided 60 unique users approximately 200 rides, including nearly 30 for individuals in wheelchairs, and that reasons for rides roughly broke down as 39% medically related, 22% for people shopping for groceries or prescriptions, 21% for people going to work, and 18% fell into other various categories. As winter set in, and the program became more utilized, in an effort to extend the grant funded as long as possible, the Committee pivoted and changed the program to be for medical rides only. Sadly, on March 1 we had to suspend the program as funding ran low. On April 1, we announced that a coalition led by the Town of Sudbury, coordinating with the Town of Concord, Town of Maynard, and Town of Stow, has been awarded a \$100,000 grant to assist with transportation needs for community members.

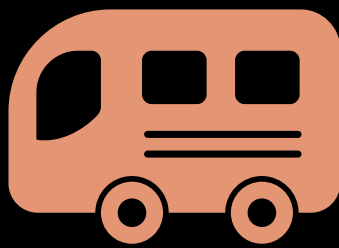
This was the second MAPC grant that I had mentioned in my previous update. Sudbury's share allowed us to start the taxi program back up and we re-engaged Tommy's Taxi in Framingham and JFK Transportation in Natick. With the GoSudbury! Taxi program back and operational, we have been able to provide a total of 151 rides during the months of May, June, and July of 2021.

Meanwhile, the Committee moved forward with our "Making the Connections" Uber program. Sticking with the theme, we dubbed this GoSudbury! Uber Rides. This program is another grant-funded, temporary transportation program with rides provided via Uber and partially subsidized by the Town of Sudbury, for rides to non-urgent healthcare and vaccination appointments, work, shopping, and accessing community resources. The program is for Sudbury residents that are 50+ years of age, 18 years of age or older with a disability that limits driving, active-duty military or veteran of the armed forces, those with a financial need, or essential workers requiring transportation to or from work. Riders pay a co-pay of \$1 for rides that start and end within Sudbury, \$2 to or from towns bordering Sudbury, and \$10 for destinations up to 25 miles from Sudbury. We started in February 2021 with a small group of beta users and quickly grew the program. It has been successful so far; between February and July of 2021 we have provided 463 rides at an average cost of \$11.60 per ride, far more economical than similar taxi rides.

As COVID restrictions were lessened, other ride options became available. The Sudbury Connections Van and the MWRTA Dial-a-Ride both came back online in early summer. With multiple options available, in an effort to reduce confusion, Commission on Disability member and frequent Transportation Committee attendee Kay Bell put together the summary sheet outlining the variety of local subsidized transportations options, both Town supported and otherwise, which can be found here <https://sudbury.ma.us/transportation/?p=854>. Thank you, Kay!

Stay tuned to our website: <https://sudbury.ma.us/transportation> for more news and developments. I have said it before, but it is worth repeating - I continue to be impressed with the Transportation Committee's dedication to Sudbury. Our members are mix of Town staff and various committee members, including Sandy Lasky from the Council on Aging, Alice Sapienza our Livable Sudbury Ambassador, Planning Director Adam Duchesneau, DPW Director Dan Nason, Senior Center Director Deb Galloway, and Doug Frey from the Commission on Disability. We also have an advisory group that includes Police Chief Scott Nix, Charlie Dunn from the Chamber of Commerce, Town Social Worker Bethany Hadvab, Beth Suedmeyer from our Planning Department, Mary Warzynski from the LS School Committee, Silvia Nersessian from the SPS School committee, State Representative Carmine Gentile, and our "unofficial members" Kay Bell and Linda Faust. Thank you all!

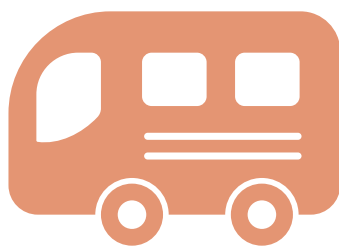
**Sudbury Subsidized Transport**



Sudbury Connection Van



Go Sudbury! Uber



MWRTA Dial-a-Ride



Go Sudbury! Taxi

# Sudbury Remembers September 11th

**BY CHARLIE RUSSO,  
SELECT BOARD VICE-CHAIR**

This year, as part of the commemoration of the 20th anniversary of the September 11 attacks on the United States, the September 11th Memorial Garden Oversight Committee has planned a number of improvements at the Garden, plus a series of special community events.

The Garden this year will enjoy more sunlight due to tree trimming; more color from new hydrangea, plantings, and replaced hedges; and the addition of mulch and flowers from the Garden to the flagpole to better link the Garden to the flag pathway in Heritage Park.

In addition, a series of special events are planned as part of the 20th anniversary, according to Beth Farrell, Chairperson of the September 11th Memorial Garden Oversight Committee.

The Commemoration events will begin at 8:30 a.m. at Sudbury's Heritage Park, the location of the 9/11 Memorial Garden. In addition, a series of special events are planned as part of the 20th anniversary, according to Beth Farrell, Chairperson of the September 11th Memorial Garden Oversight Committee.

The Commemoration events will begin at 8:30 a.m. at Sudbury's Heritage Park, the location of the 9/11 Memorial Garden. A color guard comprised of members of Sudbury's police and fire departments will begin the service, followed by the National Anthem, sung by Jessica Newman. The Commemoration will include an invocation by Rev. Eric Wolf of St. John Lutheran Church, and speakers will include 9/11 Garden Committee member Kirsten Roopenian, Select Board Vice Chairperson Charlie Russo, and Town Manager Henry Hayes, Jr. At exactly 8:46 a.m., the bells at First Parish will toll to mark the time the attacks at the World Trade Center began. At that time, wreaths will be laid by family and members of the community. At the end of the ceremony, the public is invited to enter the Garden to pay their own personal respects.

Beyond a special spruce up of the garden, a video presentation and an exhibit in conjunction with the Sudbury Historical Society (SHS) at the Loring Parsonage are planned. The video will help commemorate the three Sudbury residents who were lost that day -- Geoffrey Cloud, Peter Goodrich, and Cora Holland - with comments from Town Manager Hayes, Fire Chief John Whalen, and Police Chief Scott Nix. The SHS exhibition will include items the community generated in response to the attacks, such as cards, signs, and flags, many of which have been digitized. There will also be memory cards available at both the Commemoration and the Loring Parsonage for residents to fill out with their own remembrances. The Committee hopes to put these cards together for a rolling video tribute/quilt.

The September 11 Memorial Garden itself was dedicated on Sept. 11, 2003. The Memorial Garden features flowering plants and trees, three

## 9/11 Garden stone and bench



*"It's the  
embodiment of  
people asking:  
what can I do  
to help?"*

-Beth Farrell,  
Memorial Garden  
Committee Chair



bluestone benches, and a commemorative center stone of Sudbury granite, where engraved bronze plaques recount the events of September 11, 2001 and memorialize Geoffrey Cloud, Peter Goodrich, and Cora Holland.

The September 11 Memorial Garden Oversight Committee was established to maintain the Memorial Garden as a place to reflect and remember the lives of the Sudbury residents who were victims of the attacks, as well as those outside Sudbury. The Memorial Garden is designed to be a peaceful and beautiful place where town residents can reflect on the impact that terrible day had on our nation and our community.

"I think the garden is an example of how this community rallies and comes together," said Farrell. "It is a gift from the community to the families of those we lost, or whomever needs a quiet moment."

Farrell credits a large number of community members – from helpful Department of Public Works staff, to several local landscaping and design companies donating labor and/or materials, including the original design by Sudbury Design Group, and the granite given by

Precourt Stone. Fundraising for the care and maintenance of the Garden in perpetuity was accomplished by generous garden clubs, Boy and Girl Scout Troops, and more.

"It's a place that, whatever differences or squabbles we might have in town; here, they're forgotten," Farrell said. "It's the embodiment of people asking, 'What can I do to help?'" Memorial Garden Committee members are charged with a range of tasks in keeping up the garden over time, from planning changes at the site to administering funds, recruiting members, and completing much of the garden maintenance work themselves. In addition to Farrell and Roopenian, Committee members today include Rachel Goodrich, Deborah Gordenstein, Heather Halsey, Connie Marotta, and Kathy Newman. The Committee is composed of landscaping or gardening experts, a family member or representatives of the victims' families, and Sudbury residents at-large.

The September 11th Memorial Garden is located in Heritage Park, next to the Hosmer House across the street from Town Hall, at the intersection of Concord Road and Old Sudbury Road.

## *Celebrating 20 years of HOPEsudbury - November 6, 2021*

**BY BILL SCHINELLER,  
SELECT BOARD**

After the tragic events of September 11, 2001, people in Sudbury were moved to take action to help others in need. The idea caught on. Those people called a few people who called a few more and HOPEsudbury was born – a diverse group of residents, town employees and business people—

young and young at heart – working as a community to help those in need of support, encouragement and financial assistance.

For 20 years, HOPEsudbury has demonstrated the Power of Community, sponsoring a variety of activities and events designed to strengthen community ties while raising money for in-town initiatives (HOPE at Home & HOPE Fund), and giving in our broader global community (Beyond our Borders). The annual Telethon and Auction every November is HOPEsudbury's biggest fundraiser, celebrating our community's talents and gifts, and making possible the various giving programs throughout the year.



This year's HOPEsudbury Telethon and Auction takes place on Saturday, November 6, 2021.

"HOPEsudbury's work wouldn't be possible without the support of the Sudbury community," said HOPEsudbury President Melissa Perla, "We are so grateful to be part of a community that cares. Bearing witness to what The Power of Community can achieve is constantly awe-inspiring and continues to drive us in our mission to help neighbors in need."

The HOPE Fund offers short-term financial assistance to Sudbury residents with emergency or unexpected financial need, and is administered in confidence by Bethany Hadvab, Sudbury Town Social Worker. Said one HOPE Fund recipient "Your financial help has lifted a burden and given me the ability to breathe." More info may be found at <https://www.hopesudbury.org/hope-fund>.

In celebration of the 20th anniversary of HOPEsudbury, the Sudbury Select Board is declaring November 6, 2021 "HOPEsudbury Day" with the proclamation below.

### HOPEsudbury Day Proclamation

WHEREAS **HOPEsudbury** was formed 20 years ago when people in Sudbury were moved to take action and help others in need after the tragic events of September 11, 2001, and

WHEREAS a diverse group of residents, town employees, and business people came together as a community to help those in need of support, encouragement, and financial assistance, and

WHEREAS over the past 20 years **HOPEsudbury** has distributed more than \$850,000 through The HOPE Fund, providing short-term financial assistance for Sudbury individuals and families with unexpected financial need, and

WHEREAS **HOPEsudbury** has additionally supported Sudbury residents through community drives: yearly back-to-school backpack drives for students, household good drives, "Welcome Home" baskets for families transitioning out of shelters, and food pantry drives, and

WHEREAS over the past 20 years **HOPEsudbury** has supported our town entities including fire resistant gloves to the Sudbury Fire Department, a flag pole to Goodnow Library, a new fully stocked refrigerator for Sudbury Food Pantry, gift cards for the community during the COVID pandemic, and holiday gift drives so families can enjoy meaningful holidays, and

WHEREAS since 2001, **HOPEsudbury** has inspired the town to come together on the first Saturday of every November to celebrate our talents and gifts as monies are raised to support the endeavors **HOPEsudbury** undertakes during the year,

#### NOW, THEREFORE, BE IT RESOLVED:

The Select Board hereby proclaim Saturday, November 6, 2021 as "**HOPEsudbury** Day" in the Town of Sudbury.



# Select Board Financial Policies Review Update

BY JENNIFER ROBERTS,  
SELECT BOARD CHAIR

I am pleased to share details on the advancement of the Select Board's work to revise its Financial Policies. One of the Sudbury Select Board's key roles is to be policy-maker to guide decisions and actions by the Select Board and Town staff. Over time and as the need for new topics arise, Select Board policies are refined and expanded. In the past year, the Select Board has also made updates to its Town Counsel, Code of Conduct, and Appointment policies.



The Select Board Financial Policies are important as they help shape the Town's overall financial management. According to the Massachusetts Handbook for Selectmen, the Select Board "should play a major role in formulating financial policy" and should "participate in the financial planning and budget process, provide leadership in the development of the capital improvement plan, and provide oversight and monitoring of the town's financial performance." (Massachusetts Municipal Association, Handbook for Massachusetts, Selectmen, Fourth Edition 2014.) In addition to the policy and oversight roles of the Select Board, the Sudbury Town Manager and Finance Director are responsible for the day-to-day financial management and operations of the Town. The Finance Committee also conducts oversight with its primary responsibility to advise and make recommendations to Town Meeting on the budget and other areas of finance.

Ultimately it is the legislative body of the town - Town Meeting - that makes final decisions relative to the budget, debt issuance, and use of free cash.

Financial Policies and Capital Planning/Funding were established and voted by the Select Board as the highest goal for 2021. In January, the Select Board reconstituted its Policies & Procedure Review Subcommittee to include Select Board members Jennifer Roberts and Bill Schineller. Over the course of six months, this Subcommittee worked in consultation with Sudbury Finance Director Dennis Keohane to draft a new set of Financial Policies. Select Board Financial Policies typically cover a variety of municipal financial topics, including capital planning, operating budget, revenue, expenditure, reserves and risk management, and debt management policies, amongst others.

In particular, the Subcommittee focused on policies related to Capital Planning and Funding, informed by a 2020 Division of Local Services study recommending a variety of improvements. Examples of such improvements include growing the Town’s Capital Stabilization Fund and increasing overall Capital Spending to 6% of the prior year’s General Fund Budget.

Throughout this past summer (2021), the Subcommittee presented the Financial Policies draft for review by the full Select Board. Recently, the edited version moved on to the next phase of the process for examination by the Finance Committee, Capital Improvement Advisory Committee, and Town Department heads.

Their feedback will be consolidated and considered by the Select Board and Finance Director for any needed changes. Once the review process is done, the goal is to complete the Financial Policy document in Fall 2021 so that it can be leveraged for the FY’23 budget season.

As policy creation and management is an ongoing and iterative process, the Select Board and its Policies & Procedures Review Subcommittee will continue its work into the future. Updates and information on meetings can be found on the Subcommittee webpage. As always public participation is welcome.

**VIRTUAL  
SELECT BOARD’S OFFICE HOURS**




**FPO**  
**Sept Office Hours**  
**Info Here**

**JOIN ON-LINE: <https://us02web.zoom.us/j/82788884457>**

**JOIN BY PHONE: 978-639-3366 or 470-250-9358**

**MEETING ID: 827 8888 4457**

Attachment11.a: Sudbury Newsletter Summer 2021 (5)\_SB (4777 : Summer 2021 Select Board Newsletter Articles Approval)



SUDBURY SELECT BOARD  
Tuesday, August 31, 2021

**MISCELLANEOUS (UNTIMED)**  
**12: Budget Strategies Task Force discussion**

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Discussion and possible vote whether or not to dissolve the Budget Strategies Task Force (~15 min.)

Recommendations/Suggested Motion/Vote:

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
Jennifer Roberts	Pending
Select Board	Pending

08/31/2021 6:30 PM

## Budget Strategies Task Force

(Revised 6/8/17)

### Mission Statement:

The Board of Selectmen is creating this committee to enhance the Town of Sudbury's budgeting process by means of collaboration and communication among the three major cost centers – Sudbury Public Schools, Lincoln Sudbury Regional High School and the Town of Sudbury – through the sharing of information about budget pressures and anticipated unusual expenses or cost savings, through the exploring of possibilities for cost sharing among and across cost centers, through eliciting proposals for improving the budget hearing and pre-budget hearing process, and through discussion of other procedures that might result in an improved budgeting process for the Town of Sudbury.

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

### Membership:

Members of *Budget Strategies Task Force* shall be appointed by the Board of Selectmen according to the following list. All appointments shall expire on June 30, 2018, but may be extended by the Board of Selectmen.

- Two members of the Board of Selectmen
- Two members of the Finance Committee
- Two members of the Sudbury Public Schools Committee
- Two members of the Lincoln-Sudbury Regional School Committee
- Town of Sudbury Town Manager
- Sudbury Public Schools Superintendent
- Lincoln-Sudbury Regional High School Superintendent

The Committee shall elect a Chair, Vice-chair, and a Clerk from among its members. The Chair will run meetings, be the designated communications link with the Town Manager and School Superintendents or other Town staff, and schedule committee meetings.

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

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

The Code of Conduct for Selectmen Appointed Committee

The Town's Email Communication for Committee Members Policy

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

Use of the Town's Web site

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



# Members

Members					
Name	Position	Address	Term	End Date	Appointed By
Susan L. Berry	Chairman	4 Dawson Dr	1	06/30/2020	Select Board
Maryanne Bilodeau	Member	278 Old Sudbury Road	1	06/30/2020	Select Board
Daniel E. Carty	Member	15 Stonebrook Rd	1		Select Board
Brad Crozier	Member	40 Fairbank Road	1	06/30/2020	Select Board
Ellen W. Joachim	Member	6 Craig Ln	1	06/30/2020	Select Board
Lisa V. Kouchakdjian	Member	30 Meadowbrook Cir	1	06/30/2020	Select Board
Kevin J. Matthews	Member	137 Haynes Rd	1	06/30/2020	Select Board
Jean Nam	Member	81 New Bridge Rd	1	06/30/2020	Select Board
Silvia M. Nerssessian	Member	555 Dutton Rd	1	06/30/2020	Select Board
William J. Schineller	Member	37 Jarman Rd	1		Select Board
Bella Wong	Member	390 Lincoln Road	1	06/30/2020	Select Board
Daniel E. Carty	Member	15 Stonebrook Rd	1	06/30/2020	Select Board

## Budget Strategies Task Force

**i** — [Subscribe to Content Updates](#)

Interested in serving on this committee?

[Appointment Application](#)

The Board of Selectmen created this committee on June 17, 2015 to enhance the Town of Sudbury's budgeting process by means of collaboration and communication among the three major cost centers – Sudbury Public Schools, Lincoln Sudbury Regional High School and the Town of Sudbury – through the sharing of information about budget pressures and anticipated unusual expenses or cost savings, through the exploring of possibilities for cost sharing among and across cost centers, through eliciting proposals for improving the budget hearing and pre-budget hearing process, and through discussion of other procedures that might result in an improved budgeting process for the Town of Sudbury.

[Click here](#) to download the complete committee mission statement.

## Related Departments

### Counterpart Committees

- [Select Board](#)
- [Finance Committee](#)

## Recent News

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

## Contact

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



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





SUDBURY SELECT BOARD  
Tuesday, August 31, 2021

**MISCELLANEOUS (UNTIMED)**

**13: Minutes review**

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Review open session minutes of 7/1/21 (joint with SPS), 7/13/21, 7/27/21 and possibly vote to approve minutes.

Recommendations/Suggested Motion/Vote: Review open session minutes of 7/1/21 (joint with SPS), 7/13/21, 7/27/21 and possibly vote to approve minutes.

Background Information:  
attached drafts

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

08/31/2021 6:30 PM

Sudbury School Committee  
Meeting Minutes  
July 1, 2021  
Virtual Meeting

**Members Present:**

Silvia Nerssessian, Chair  
Meredith Gerson, Vice Chair  
Sarah Troiano  
Tyler Steffey

**Members Absent:**

None

**Also Present:**

Brad Crozier, Superintendent  
Kim Swain, Assistant Superintendent  
Henry Hayes, Town Manager  
Jennifer Roberts, Chair, Sudbury Select Board  
Charles Russo, Vice-Chair, Sudbury Select Board  
Janie Dretler, Member, Sudbury Select Board  
Daniel Carty, Member, Sudbury Select Board  
William Schineller, Member, Sudbury Select Board

**Regular Session Meeting**

Chair Silvia Nerssessian opened the meeting at 7:00 PM.

1. Vote to Open Joint Meeting with Sudbury Select Board
  - a. Chair Silvia Nerssessian performed a roll call and made an announcement that the session is being recorded, shared live for the public to see and hear and there should be no expected right to privacy, as this is a public forum. Silvia Nerssessian, Meredith Gerson, Sarah Troiano, and Tyler Steffey all affirmed in the positive.
  - a. Meredith Gerson motioned to open the Sudbury School Committee's Joint Meeting with the Sudbury Select Board at 7:00 PM, Sarah Troiano seconded.
    - i. ROLL CALL VOTE
      1. Meredith Gerson: Aye
      2. Silvia Nerssessian: Aye
      3. Sarah Troiano: Aye
      4. Tyler Steffey: Aye
    - a. **VOTE: 4-0.** Motion carries.

- b. William Schineller motioned to open the Select Board's Joint Meeting with the Sudbury School Committee, Charles Russo seconded.

- i. ROLL CALL VOTE

- 1. Daniel Carty: Aye
    - 2. Janie Dretler: Aye
    - 3. Charles Russo: Aye
    - 4. William Schineller: Aye
    - 5. Jennifer Roberts: Aye

- a. **VOTE: 5-0.** Motion carries.

- 2. Welcome and Interview Applicants

- a. Prior to the interviews, School Committee Chair Silvia Nerssessian noted that two candidates had withdrawn their applications, so only one candidate will be interviewed this evening. The remaining candidate is Mandy Sim.

- b. Ms. Nerssessian then explained how the interviews will be conducted, with Select Board Chair Jennifer Roberts asking the initial interview question, the candidate being allowed a five minute response time, then all nine School Committee and Select Board members being given time for additional questioning afterward.

- i. The first set of questions posed to Ms. Sim asked her to explain her interest in the role; what relevant experience she possesses and how that will help advance the work of the School Committee; how she views the role of the Committee; and what she hopes to accomplish as a Committee member.

- 1. To these questions, Ms. Sim began her reply by recounting that she recently dedicated significant time and energy to running for a seat outright; that she has experience running a business that focuses on children; and that she has previously served the community in a variety of other roles. Ms. Sim also discussed her experiences as an early childhood educator and film producer, as well as her various volunteer titles.

- 2. On the role of the School Committee, Ms. Sims explained that the Committee sets the district's goals and policies, and ensures that each is being followed; that Committee sets the district's budget; and that the Committee hires and evaluates the superintendent. Ms. Sim also mentioned that the Committee is responsible for communicating with the public and acts as the employer in collective bargaining negotiations.

- 3. Regarding what she hopes to accomplish in the role, Ms. Sim stated her desire to work with the superintendent and other School Committee members to ensure that the needs of every single child in the district are being met.

- ii. School Committee Chair Silvia Nerssessian asked Ms. Sim how Ms. Sim's experience in communications intersects with community feedback and Ms. Sim's decision-making as a School Committee member.

1. Ms. Sim replied that it is extremely important for Committee members to solicit and listen to any and all feedback, whether it concurs with the member's opinion or not. Ms. Sim then explained how she would model her communications strategy on that already employed by School Committee Member Sarah Troiano.
3. Discuss and Vote to Appoint New School Committee Member in Accordance with School Committee Policy BBBE and M.G.L. 41:11
  - a. Meredith Gerson motioned to appoint Mandy Sim to the Sudbury School Committee for a term ending upon the conclusion of the Town of Sudbury's 2022 Annual Town Meeting, Janie Dretler seconded.
    - i. In discussion following the motion, Ms. Gerson noted Ms. Sim's dedication to, and passion for this role, citing the community support for her candidacy for a School Committee seat. Such sentiments of support and gratitude were then echoed by Ms. Troiano, Ms. Dretler, Mr. Russo, Ms. Roberts, Mr. Schineller, Mr. Carty, and Ms. Nerssessian.
    - ii. ROLL CALL VOTE
      1. Meredith Gerson: Aye
      2. Silvia Nerssessian: Aye
      3. Sarah Troiano: Aye
      4. Tyler Steffey: Aye
      5. Daniel Carty: Aye
      6. Janie Dretler: Aye
      7. Charles Russo: Aye
      8. William Schineller: Aye
      9. Jennifer Roberts: Aye
      - a. **VOTE: 9-0.** Motion carries.
4. Vote to Close Joint Meeting with the Sudbury Select Board
  - a. Meredith Gerson motioned to close the Sudbury School Committee's Joint Meeting with the Sudbury Select Board, Sarah Troiano seconded.
    - i. ROLL CALL VOTE
      1. Meredith Gerson: Aye
      2. Silvia Nerssessian: Aye
      3. Sarah Troiano: Aye
      4. Tyler Steffey: Aye
      - a. **VOTE: 4-0.** Motion carries.
  - b. Adjournment
    - i. Jennifer Roberts motioned to adjourn the Select Board's Joint Meeting with the Sudbury School Committee, Janie Dretler seconded.
      1. ROLL CALL VOTE
        - a. Daniel Carty: Aye
        - b. Janie Dretler: Aye
        - c. Charles Russo: Aye
        - d. William Schineller: Aye

- e. Jennifer Roberts: Aye
  - i. **VOTE: 5-0.** Motion carries
- ii. Meredith Gerson motioned to adjourn the Sudbury School Committee meeting at 7:45 PM, Sarah Troiano seconded.
  - 1. ROLL CALL VOTE
    - a. Meredith Gerson: Aye
    - b. Silvia Nerssessian: Aye
    - c. Sarah Troiano: Aye
      - i. **VOTE: 3-0.** Motion carries.

Respectfully Submitted,  
Justin Dulak

**Documents Reviewed During the July 1, 2021 School Committee Meeting**

1. Trehub Application for Appointment (No Stamp)
2. Trehub Application for Appointment (With Stamp)
3. Cavanaugh Application for Appointment
4. Sim Cover Letter
5. Sim Application for Appointment (No Stamp)
6. Sim Application for Appointment (With Stamp)
7. Massachusetts General Law Chapter 41, Section 11: Appointment to FIII Vacancy in Town Office
8. School Committee Policy BBBC: School Committee Member Resignation
9. School Committee Policy BBBE: Unexpired Term Fulfillment



## SUDBURY SELECT BOARD

TUESDAY, JULY 13, 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: 04 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: Carty-present, Dretler-present, Russo-present, Schineller-present, Roberts-present

**Opening remarks by Chair**

- Attended the Eagle Scouts Ceremony for Colby Chun and Ryan Grummer at the Pompositticut Farm Day Camp in Hudson

**Reports from Town Manager**

- Gov. Baker ordered that the US flag and the MA flag be lowered to half-staff from sunrise until sunset at all state buildings on Tuesday, July 13, 2021 in honor of Sergeant J. Deegan, United States Army.
- Revised summer schedule includes some Town office closings on Friday from July 16<sup>th</sup> through August 27, and extended work days Monday through Thursday
- The East Middlesex Mosquito Control Project planning to use a truck-mounted aerosol sprayer in the Town on Thursday, July 15, 2021, to be done between sunset and 11:30 p.m.
- Will be on break from August 20 through August 31, 2021

**Reports from Select Board Members**

Vice-Chair Russo:

- Roadwork on Morse Road originally scheduled for mid-July now scheduled to begin at the end of the month (due to rain)
- Sudbury Police Association hosting a family Public Safety Day on August 3rd at the Fairbank Community Center from 5:00 p.m. to 8:00 p.m.
- Select Board Office Hours with Board Member Carty and himself will be held remotely on July 28 at 12 Noon
- Remembered Graham Taylor who recently passed away. He was one of the organizers of Sudbury's 4th of July Road Race for some 50 years, an LS ski coach, and great asset to the Town.

Board Member Schineller:

- The Sewataro Subcommittee (he and Vice-Chair Russo) met
- As a joint member of The Select Board Financial Policies Subcommittee, he and Chair Roberts met, and are considering a joint meeting with FinCom to consider Financial Policy recommendations
- Representative Gentile and Senator Eldridge sponsored the approved CPA funding legislation for rail trails

Board Member Dretler:

- Sudbury Housing Trust Subcommittee scheduling a date to come before Select Board to discuss the Nobscot Road property
- Clarified her comment made at the June 29<sup>th</sup> Board meeting; she is on the Complete Streets Working Group, and not the Traffic Study Committee
- Acknowledged the passing of Graham Taylor is a loss to the community
- In consideration of excessive amounts of groundwater from rain storms, advised all to be careful and be aware of flash flood warnings

Board Member Carty:

- Congratulated Katrina Tobin and Sophia Brindisi, co-captains of the LSRHS Girls Lacrosse Team, have both been named to the All-American Team

### **Citizen's Comments**

Resident Pat Brown, 24 Whispering Pine Road, suggested the Board adhere to the agenda time schedule in consideration of the viewers.

### **Consent Calendar**

#### **Approve Town Manager appointments to the Conservation Commission**

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; Schineller-aye, Dretler-aye, Russo-aye, Carty-aye, Roberts-aye

VOTED: To approve the following Town Manager appointments to the Conservation Commission: Luke Faust as an associate member for a term ending 5/31/24; also appoint Jeremy Cook as a full member for a term ending 5/31/23.

#### **Appoint Vice-Chair Russo as liaison to the Bruce Freeman Rail Trail (BFRT) Advisory Task Force**

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; Schineller-aye, Dretler-aye, Russo-aye, Carty-aye, Roberts-aye

VOTED: To appoint Vice-Chair Russo as liaison to the Bruce Freeman Rail Trail (BFRT) Advisory Task Force.

### **Upcoming Agenda Items**

July 27:

- Board and Committees/commissions annual reappointments
- Transportation Commission appointments and Mission Statement
- Possible Nobscot Property discussion with Housing Trust Chair
- Financial Policies discussion
- Fall Town Meeting discussion

Future:

- DEI Commission update in August
- Master Plan Forum discussion
- KPI Quarterly update
- LS Agreement

**Vote to open public hearing for discussion and vote whether there is a need for a Fall Town Meeting in accordance with Town Bylaw Article 1 Section 3**

Present: Lee Smith, Town Counsel; Jonathan Silverstein, Town Counsel

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

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

VOTED: To open public hearing for discussion and vote whether there is a need for a Fall Town Meeting in accordance with Town Bylaw Article 1 Section 3.

Resident Pat Brown stated that a Fall Town Meeting last took place in 2016, and the Board must decide if a Fall Town Meeting is really needed this year.

Resident Len Simon, 40 Meadowbrook Circle, stated that a Fall Town Meeting must be considered on a yearly basis, and indicated that a 2021 Fall Town Meeting was needed to ensure that the Bruce Freeman Rail Trail project advances as planned.

Chair Roberts acknowledged the importance of the BFRT project, and stated that she was willing to continue the public hearing until the end of the month.

Board Member Carty motioned to close the public hearing. Board Member Schineller seconded the motion.

Attorney Silverstein confirmed that a Special Town Meeting could be held in December or February.

Attorney Smith stated that it was premature to address easement aspects at a Special Fall Town Meeting, and indicated that a late winter or early spring Town Meeting might be preferable.

Mr. Simon expressed his concerns about the timing involved with finalization of easements, and worried that such finalization would not be presented until the 2022 Town Annual Town Meeting, which might not ensure enough review time by MassDOT. Mr. Simon asked the Board to consider keeping the public hearing open for another two weeks.



Ms. Brown stated that comments made by Mr. Simon exceeded the three-minute allowance.

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

VOTED: Not to close the public hearing and continue the Public Hearing to determine whether there is a need for a Fall Town Meeting in accordance with Town Bylaw Article 1 Section 3.

**Vote to close the discussion and continue the Public Hearing and resume Select Board meeting**

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 4-1; Schineller-aye, Carty-no, Dretler-aye, Russo-aye, Roberts-aye

VOTED: To close the discussion and continue the Public Hearing to July 27 at 7:30 p.m., and resume Select Board meeting.

**Discussion with Hop Brook Association on potential contribution to OARS (Organization for the Assabet River)**

Present: Hop Brook Protection Association President Jeff Winston, Conservation Coordinator Lori Capone, Finance Director Dennis Keohane

Mr. Winston stated that the Town of Sudbury had not contributed to OARS, whose mission is water control in Sudbury and the neighboring communities, particularly the Hop Brook.

Ms. Capone stated that Hop Brook contained phosphorous levels, and OARS has helped to control and monitor this level. She recommended that OARS representatives meet with the Select Board.

Mr. Winston recommended that Sudbury officials approve contributions to OARS, including a 2021 contribution.

Mr. Russo confirmed that water quality is the mission of OARS, and the Hop Brook remains problematic. He added that OARS identified where the source of the problem was, and OARS advocates for Sudbury. Mr. Russo indicated that a \$2,000 contribution would be appropriate.

Town Manager Hayes confirmed that he would confirm the agreement status with OARS and the Town. Mr. Keohane noted that if there were a service agreement, contribution would be possible.

Vice-Chair Russo noted that some communities provide contribution through their Health Departments.

Chair Roberts recommended having a discussion with the Health Director, and inquired about how to structure such a contribution.

Board Member Schineller motioned that Vice-Chair Russo assist in pursuing a mechanism for Sudbury to contribute an appropriate share to OARS for services. Board Member Carty seconded the motion.

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

VOTED: That Vice-Chair Russo assist in pursuing a mechanism for Sudbury to contribute an appropriate share to OARS for services.

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

Present: Finance Director Dennis Keohane

Chair Roberts acknowledged that she and Board Member Schineller incorporated all related feedback into the Financial Policies Manual Draft, and drafted a template displaying recommended targets, with focus on where the Town is now, and how to meet target goals. Chair Roberts thanked Mr. Keohane for his review, and providing necessary information to the template.

Chair Roberts noted that next steps would include FinCom and Town Departmental review. Board Member Schineller recommended reviewing and visiting the financial targets on a regular basis.

Chair Roberts recommended that policies could be reviewed every three years, to assess related thresholds and targets.

Board Member Schineller referenced several areas of proposed change.

Chair Roberts referred to the spreadsheet, with focus on stabilization funding prepared by Mr. Keohane, which included: General Funding, Actual Debt, and Enterprise Funds.

Chair Roberts mentioned that next steps included a path to building stabilization funding. She asked how the Board felt about sharing the drafted reports. Board Member Carty suggested the Board continue discussion at another Board meeting before sharing the reports.

Resident Manish Sharma, 77 Colonial Road, asked about the expenditure overlay. He questioned some numbers related to and pre-COVID and post-COVID effects. Mr. Keohane detailed that processes were in place to monitor all Town assets.

**Recess**

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; Russo-aye, Schineller-aye, Dretler-aye, Carty-aye, Roberts-aye

VOTED: To recess for five minutes and return to open meeting at 10:05 p.m.

**BFRT Update by Beth Suedmeyer, Environmental Planner**

Present: Environment Planner Beth Suedmeyer

Ms. Suedmeyer confirmed the 75% BFRT design was submitted to MassDOT in May and responding comments from that submittal are in hand. She detailed that Fuss & O'Neill were compiling the MassDOT comments, which did not warrant change in design and primarily landscape, planting, and fencing type questions.

Board Member Schineller inquired about proposed easements. Ms. Suedmeyer responded that private driveway easement considerations are underway, and the existing agreement from the rail division would be received in a next week or two. She added that Town Counsel had a copy of the lease template.

Vice-Chair Russo asked when the BFRT Advisory Task Force would be providing input. Ms. Suedmeyer responded that such input would be dependent on MassDOT comments, but likely in late August or early September.

Board Member Carty confirmed that the BFRT project was on schedule, on budget, and no changes had been made. Ms. Suedmeyer agreed with comments made by Town Counsel earlier tonight, that there was no apparent need for a Special Fall Town Meeting.

Board Member Dretler asked when the updated project outline would be provided. Ms. Suedmeyer responded, likely by end of week in consideration of the right of way. Board Member Dretler agreed with the mentioned need for security fencing.

Chair Roberts inquired about temporary and permanent easements. Ms. Suedmeyer responded that six temporary easements would be needed for construction activities, such as extra room for equipment movement. She added that the easements would be itemized on a Town Meeting article. Ms. Suedmeyer explained that permanent easements are on Town properties.

Chair Roberts recommended that easement aspects be started sooner than later.

Chair Roberts inquired about Ch. 91 information. Ms. Suedmeyer stated that she would be providing the Board with such updates/information as soon as they are received.

### **"Comprehensive Plan" presentation by Len Simon**

Present: Resident Len Simon, 40 Meadowbrook Circle

Mr. Simon presented the "Comprehensive Plan for the Bruce Freeman Rail Trail, Mass Central Rail Trail, a connection to Route 20, a pocket park, and planned development in Sudbury's commercial district."

Mr. Simon stated that incorporating such a Plan would promote optimal "need and vibrancy of central Sudbury." Several primary areas were included the Comprehensive Plan suggested by Mr. Simon:

- Upgrading of the Town-owned 0.22 mile of the CSX corridor
- Extending the functional design of the BFRT from the diamond to Rte. 20
- Ensuring the trail 100% emergency vehicle accessibility to the BFRT, as well as ADA accessibility
- Acquisition of the former gas station at the corner of Rte. 20 and Nobscot Road to be utilized as a "pocket park."

Board Member Dretler agreed with the basic Comprehensive Plan proposal, and questioned available funding.

Vice-Chair Russo expressed his interest in the Comprehensive Plan, and acknowledged that various recommendations would need further examination. He mentioned there might be hazardous waste concerns at the former gas station site.

Board Member Carty asked about possible Federal and State funding. He inquired about the former gas station being listed for sale. Mr. Simon responded that the former gas station owner was seeking a lease, and the Town could contact the broker.

Resident Pat Brown stated that going forward with the Comprehensive Plan might not be appropriate at this time.



**Update from Sewataro subcommittee - planning for Fall and progress toward Select Board goals**

Board Members agreed to table this item to the 7/27/21 Board Meeting.

**Discussion on Select Board outreach to Anti-Defamation League (ADL) regarding acts of antisemitism and next steps.**

Chair Roberts provided detail regarding a conversation she recently had with a representative from the ADL. She stated that the ADL representative forwarded a list of school programs, and professional development training for staff.

Board Member Schineller stated he would like to see such programs provided to Sudbury residents of all ages.

Board Member Carty suggested that Select Board members receive the professional training as well.

Vice-Chair Russo was in agreement, and commented that consulting with DEI would be beneficial.

Board Member Dretler expressed interest in a community gathering with inclusion of DEI recommendation.

Chair Roberts agreed that Select Board training would be valuable, and offered to gather specifics regarding the training programs.

Resident and FinCom Chair Scott Smigler, 125 Plympton Road, stressed that antisemitism was very complex issue, and profoundly affected children. He thanked the Board for conducting related discussions.

**Discussion and vote whether to approve award of contracts by the Town Manager commencing 7/1/21 through 9/30/21, including, but not limited to; DPW, Senior Center, Facilities and Planning contracts, provided a listing is prepared and submitted to the Select Board for all contracts requiring Board advance approval which are executed by the Town Manager during said period**

Chair Roberts indicated that it would be useful to receive such listing from Town Manager Hayes, before the Board voted to approve such items.

Vice-Chair Russo opined about the purpose of such listings, if the listed items were already built into the budget. He suggested that the contract items continue to be included as Consent Calendar items.

Chair Roberts stated she was interested in reviewing projects, especially those presented in the summer months.

Town Manager Hayes stated he would provide listings as approved.

Board Member Dretler motioned to approve award of contracts by the Town Manager commencing 7/1/21 through 9/30/21, including DPW contracts, provided a listing is prepared and submitted to the Select Board for all contracts, with a listing to be provided at the next Board meeting on July 27, 2021.

Board Member Dretler explained that the motion primarily represented DPW contracts, with a listing provided to the Board members at the next Board meeting. Board Member Dretler retracted her motion.

Board Member Schineller motioned to approve award of contracts by the Town Manager commencing 7/1/21 through 9/30/21, including DPW contracts; providing a listing is provided, prepared, and submitted to the Select Board for all contracts normally requiring Select Board advance approval; which are executed by the Town

Manager during said period, and to be presented at future Board meetings, following contract approvals. Board Member Dretler seconded the motion.

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

VOTED: To approve award of contracts by the Town Manager commencing 7/1/21 through 9/30/21, including DPW contracts; providing a listing is provided, prepared, and submitted to the Select Board for all contracts normally requiring Select Board advance approval; which are executed by the Town Manager during said period, and to be presented at future Board meetings, following contract approvals.

Board Member Carty asked why such listings were limited to DPW contracts. Chair Roberts responded that most DPW projects take place in the summer months, and are approved in rapid succession; and she wanted to ensure that nothing was missed or unclear to Board Members.

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

Board members agreed to table this item to the 7/27/21 Board meeting.

**Review open session minutes of 6/15/21 and 6/23/21 and possibly vote to approve minutes**

Board members agreed to table review of 6/15/21 and 6/23/21 minutes to the 7/27/21 Board meeting

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

There were no citizen comments.

**Adjourn**

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

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

VOTED: To adjourn the meeting

There being no further business, the meeting was adjourned at 12:04 a.m. Wednesday, July 14, 2021.

SUDBURY SELECT BOARD

TUESDAY, JULY 27, 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**

- Select Board Agenda format changes to include estimated duration time for each agenda item
- Real Estate and personal property taxes due on August 2
- DPW to host virtual Wastewater Management Seminar on August 5, 2021 at 7:00 p.m.
- 2021 Town Highway Resurfacing schedule is posted on the website

**Reports from Town Manager**

- Dunton Road Bridge Replacement Project and Morse Road construction is the focus of Episode 21 of the Sudbury Municipal Minute
- Sudbury Police event - Public Safety Day to be held August 3 at 5 p.m. at the Fairbank Community Center
- Morse Road will be closed for construction (milling of the roadway) on July 29<sup>th</sup> and 30<sup>th</sup> between the hours of 7:00 a.m. to 4:00 p.m., and again in two weeks for paving

**Reports from Select Board**

**Board Member Dretler:**

Board Member Dretler had no comments

**Board Member Carty:**

- He and Vice-Chair Russo will be hosting virtual Select Board Office Hours tomorrow at noon

**Board Member Schineller:**

- The Diversity Equity Inclusion Commission is currently planning outreach methods, and will be providing update soon
- Town did not receive grant for the advancement of the CSX project

- Protect Sudbury, Inc. recently sent a letter to the Energy Facilities Siting Board regarding the Eversource project and status of the corridor in respect to the Surface Transportation Board decision

Vice-Chair Russo:

- Applauded staff at the Goodnow Library Children's Room for emailing surveys to parents regarding preferred fall programming in consideration of COVID, and determining what families are seeking regarding fall programming

**Citizen's Comments**

There were no citizen's comments.

**Consent Calendar**

**Vote to accept the resignation of Town Historian, Christopher Morely, and send a letter of thanks for his service to the Town**

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

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

VOTED: To accept the resignation of Town Historian, Christopher Morely, and send a letter of thanks for his service to the Town

**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**

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

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

VOTED: 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

**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**

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



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

VOTED: 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

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

Board Member Dretler mentioned Town Manager Hayes recognition that the proposed bench was not ADA compliant.

Board Members agreed that an ADA-compliant bench would be preferable.

Board Member Carty indicated that acceptance of the \$1,400.00 bench donation would be the best action to take. Town Manager Hayes suggested that the Board accept the donation from Girl Scout Troop 62505, and consider measures to be taken to ensure ADA compliance.

**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**

Town Manager Hayes confirmed that no additional public comment/s were received.

Select Board Member Carty motioned to hold a 2021 Fall Town Meeting in accordance with Town Bylaw Article 1 Section 3. Board Member Schineller seconded the motion.

It was on motion 0-5; Russo-no, Schineller-no, Dretler-no, Carty-no, Roberts-no

VOTED: Not to hold a 2021 Fall Town Meeting in accordance with Town Bylaw Article 1 Section 3

**Vote to close Public Hearing from 7/13/21 to discuss a possible fall Town Meeting, and resume Select Board meeting**

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; Carty-aye, Russo-aye, Dretler-aye, Schineller-aye, Roberts-aye

VOTED: To close the Public Hearing from 7/13/21, and resume the Select Board meeting

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

Sewataro subcommittee members Russo and Schineller presented the amended Town of Sudbury Sewataro Use Policy, updated July, 2021; and confirmed that the subcommittee report codified what has been going on behind the scenes at Sewataro, noting that last year the process was not streamlined due to COVID-19, and now it is.

Board Member Schineller stated that the Town had particular interest in resident swimming at the site, and confirmed that he asked Camp Operator Scott Brody to help establish such a plan for the 2022 season.

Highlights of goals outlined within the Sewataro Actions Table/Chart document included:

- Increase Public Use
- Increase Documentation of Activities and Uses
- Safeguard Property – Board Member Dretler asked about the closing of the back gate at 5:00 p.m., and indicated that such actions should be discussion by the Board. Vice-Chair Russo said he would look into that aspect. Sewataro coordinator, Kristen Drummey, noted that the back gate was not open on four holidays, and the gates were open from dawn to dusk as agreed.
- Add Policy Addendum regarding User Fees
- Consider Tax Exempt Debt Option (lease vs. management agreement)

Under the long-term goals, the Subcommittee members mentioned formulation of an evaluation team and comparing data from other communities. Board Member Dretler requested clarification regarding liability in relation to resident swimming, requested related input from the Town Manager and Town Counsel. Chair Robert recommended that related discussion continue to the next Board meeting.

Select Board Member Dretler indicated that fees should be charged for each Sewataro use, utilizing a type of tiered system.

Resident Lisa Kouchakdjian, 30 Meadowbrook Circle, recommended that fee structure remain the responsibility of the business office, and that specific names should not be included in policy documents.

Ms. Drummey noted that residents and resident groups are interested in booking activities in the fall, including the Food Pantry.

**Discussion and possible vote on Transportation Committee appointments and corresponding mission statement (~15 min)**

Select Board Member Carty explained there was some outdated documentation within the Transportation Committee policy.

It was noted that the Alice Sapienza membership would be amended to reflect Town Manager on the Town website.

Select Board Member Dretler motion to approve the Transportation Committee appointments and corresponding mission statement, as edited at tonight's meeting. Board Member Schineller seconded the motion.

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

VOTED: To approve the Transportation Committee appointments and corresponding mission statement, as edited at tonight's meeting.

**Recess**

Board Member Dretler motioned that the Board take a five-minute recess break, and resume the meeting at 9:20 p.m. Board Member Schineller seconded the motion.

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

VOTED: That the Board take a five-minute recess break, and resume the meeting at 9:20 p.m.

**Discussion on Financial Policies (~30 min)**

Chair Roberts stated that the goal tonight was to complete the Financial Policies topic at this meeting.

The Financial Policy Subcommittee Members Roberts and Schineller provided summary of the Financial Reserves Policy, Free Cash (close to the target this year), General Stabilization Fund (close to target this year). Board Members agreed that the Capital Stabilization Fund had the greatest gap, when compared to the other Town funds.

Discussion took place regarding sharing the amended Financial Policy with other Town Departments/Boards/Committees.

Board Member Dretler requested that a quarterly Town Finance update be provided to the Select Board and the public.

Chair Roberts suggested that the FinCom and CIAC could provide Financial Policies feedback by September 30.

**Newsletter discussion and potential vote on desired way forward for the Newsletter (~15 min)**

Board Members inquired about the proposed integration of Select Board articles and the Town Manager articles.

Town Manager Hayes stated that he recommended the idea of a joint Newsletter (Town Manager and Select Board contributions) at a February 2021 Select Board meeting. He indicated that such a joint newsletter venture would help promote time efficiency for staff.

Board Member Schineller expressed approval of the joint Newsletter.

Board Member Carty agreed that the joint Newsletter was a good idea, and he received favorable comments about the combined Newsletter.

Vice-Chair Russo indicated that it made good sense to have one quarterly Newsletter.

Chair Roberts suggested re-arrangement of the Newsletter to some degree.

**Discuss topics to be assigned for Summer 2021 - Select Board newsletter (~10 min)**

Board Members agreed on various topic assignments for the Summer 2021 Select Board Newsletter:

- |   |                         |
|---|-------------------------|
| • September 11 Memorial Garden and Culverts | Vice-Chair Russo        |
| • HOPEsudbury                               | Board Member Schineller |
| • Town Transportation Update                | Board Member Carty      |
| • Financial Policies                        | Chair Roberts           |

- Historic District, Historic Commission, Historical Society Board Member Dretler

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

Board Members discussed the idea of setting a schedule for Select Board office hours for the remainder of the year.

Chair Roberts suggested varying the noon-time meeting hour to encourage more participation.

Vice-Chair Russo stated that he would share a proposed schedule at the next Board meeting.

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

There were no citizen comments

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

6/15/21 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; Carty-aye, Schineller-aye, Dretler-aye, Russo-aye, Roberts-aye

VOTED: To approve the open session minutes of 6/15/21, as edited

6/23/21 Minutes

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, Schineller-aye, Dretler-aye, Russo-aye, Roberts-aye

VOTED: To approve the open session minutes of 6/23/21, as edited

6/29/21 Minutes

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

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

VOTED: To approve the open session minutes of 6/29/21, as edited

**Upcoming Agenda Items**

August 10:

- KPI Update
- Town Manager Goals
- Interviews for Town Commissions/Boards



- Housing Trust – Nobscot property Update

August 31:

- DEI Commission Update
- DEI Commission Applications/Interviews
- BFRT Update
- American Rescue Plan Act (ARPA) Funding Update

**Consent Calendar (cont.)**

**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**

Board Member Carty abstained himself from voting on this item.

Board Member Dretler motioned 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. Board Member Schineller seconded the motion.

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

VOTED: 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

**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 reappointed, and to send a letter of appreciation to the resigning volunteers for their service to the community**

Board Member Carty requested additional detail. Town Manager Hayes confirmed that new applicants did not come forward for the mentioned appointments, and the 30-day advertising period had expired.

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; Schineller-aye, Dretler-aye, Russo-aye, Carty-aye, Roberts-aye

VOTED: 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 reappointed, and to send a letter of appreciation to the resigning volunteers for their service to the community

**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.**

Vice-Chair Russo asked about the related funding source. Town Manager Hayes responded that the Agreement was grant funded. Board Member Carty stressed that the grant reflected the services for a transportation project manager.

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; Schineller-aye, Dretler-aye, Russo-aye, Carty-aye, Roberts-aye

VOTED: 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.

### **Adjourn**

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, Dretler-aye, Schineller-aye, Carty-aye, Roberts-aye

VOTED: To adjourn the meeting

There being no further business, the meeting was adjourned at 11:15 p.m.



SUDBURY SELECT BOARD  
Tuesday, August 31, 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

08/31/2021 6:30 PM

## POTENTIAL UPCOMING AGENDA ITEMS/MEETINGS

MEETING	DESCRIPTION
<b>Sept 13</b>	Joint meeting with Planning Board to discuss Master Plan Implementation Committee and Town Forum
<b>Sept 14</b>	ADA program policy Sudbury Trust Program policy document ARPA funds discussion Sudbury Housing Trust discussion
<b>Date to be Determined</b>	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 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
<b>Standing Items for All Meetings</b>	Select Board requests for future agenda items at end of meeting Citizens Comments, continued (if necessary)





SUDBURY SELECT BOARD  
Tuesday, August 31, 2021

**MISCELLANEOUS (UNTIMED)**

**15: 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

08/31/2021 6:30 PM



SUDBURY SELECT BOARD  
Tuesday, August 31, 2021

**CONSENT CALENDAR ITEM**

**16: Approve FY22 Trust Fund Spending Limits**

REQUESTOR SECTION

Date of request:

Requestor: Dennis Keohane, Finance Director

Formal Title: Vote whether to accept the following expenditure limits for the Town Trust Funds for Fiscal Year 2022: Goodnow Library \$35,000; Rhodes Memorial \$600; Lydia Raymond \$100; Forrest Bradshaw \$100; Cheri-Anne Cavanaugh \$1,000; Raymond Scholarship \$1,000; Discretionary \$4,000; Sept. 11 Memorial \$2,000; Perpetual Care \$70,000, for a total of \$113,800, as requested by Dennis Keohane, Finance Director.

Recommendations/Suggested Motion/Vote: Vote whether to accept the following expenditure limits for the Town Trust Funds for Fiscal Year 2022: Goodnow Library \$35,000; Rhodes Memorial \$600; Lydia Raymond \$100; Forrest Bradshaw \$100; Cheri-Anne Cavanaugh \$1,000; Raymond Scholarship \$1,000; Discretionary \$4,000; Sept. 11 Memorial \$2,000; Perpetual Care \$70,000, for a total of \$113,800, as requested by Dennis Keohane, Finance Director.

Background Information:  
attached memo provided by Dennis Keohane, Finance Director

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

08/31/2021 6:30 PM

## MEMORANDUM

TO: Select Board

CC: Henry Hayes, Town Manager

FROM: Dennis Keohane, Finance Director/Treasurer-Collector

DATE: August 25, 2021

RE: Town Trust Spending Limits for FY22

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### **Background**

The spending limits being voted on are for a special segment of resources residing outside the Town's general fund treasury. These trusts include various gifts, donations, and grants, which have been established according to the wishes of the donors. Please see "In Sudbury We Trust" for additional information regarding the intent of each individual trust.

The six-member Board of Trustees that oversees these funds includes the five members of the Sudbury Select Board plus the Town Treasurer

Disbursements for the Town Trusts are authorized by the trustees to pay for a variety of expenses throughout the fiscal year, but not to exceed the annual spending limits set by the Select Board. You are being asked tonight to set maximum spending limits for FY22. The limits set by the Select Board may be changed during the year, if necessary, by following the same approval process as being considered by you this evening.

The spending limits that are being requested for FY22 are consistent with prior years. Additionally, the requests are less than the FY21 investment income recognized and there is sufficient expendable fund balance in all cases to support spending levels for the year.

### **FY21 Financial Activity**

The total fund balance of the Town Trusts was \$2,209,323.44 as of June 30, 2021. During the fiscal year, the Town recognized \$29,579.50 from contributions and \$357,438.18 of investment income and market value increases. There were expenditures of \$60,629.70.

Please see the attached Town Trust Summary for additional financial details.

**Vote Request**

Acting as Co-Trustees, move to accept that Select Board approve the following expenditure limits for the Town Trust Funds for fiscal year 2022:

Trust Fund	Limits Recommended to Board by Treasurer
Goodnow Library	\$ 35,000
Rhodes Memorial	\$ 600
Lydia Raymond	\$ 100
Forrest Bradshaw	\$ 100
Cheri-Anne Cavanaugh	\$ 1,000
Raymond Scholarship	\$ 1,000
Discretionary	\$ 4,000
September 11 <sup>th</sup> Memorial	\$ 2,000
Perpetual Care	\$ 70,000
Total	\$113,800

Attachment 16.a: FY22 Trust Fund Spending Limits (4735 : Approve FY22 Trust Fund Spending Limits)



**Town of Sudbury  
Town Trust Summary  
as of June 30, 2021**

Fund	Beginning Balance FY21	Contributions FY21	Investment Income FY21	Expenses FY21	Ending Balance FY21
Forrest Bradshaw	1,598.64	-	305.19	-	1,903.83
Goodnow Library	357,893.98	-	67,271.35	(23,226.54)	401,938.79
Lydia Raymond	2,898.28	-	553.30	-	3,451.58
Rhoades Memorial	10,719.19	-	2,046.36	-	12,765.55
<b>Total: Goodnow Library</b>	<b>373,110.09</b>	<b>-</b>	<b>70,176.20</b>	<b>(23,226.54)</b>	<b>420,059.75</b>
Annie Thorpe	42,554.32	-	8,123.89	-	50,678.21
Cheri-Anne Cavanaugh	20,971.93	292.00	4,030.34	(1,000.00)	24,294.27
Discretionary/Charity	70,510.48	-	13,268.26	(4,000.00)	79,778.74
Raymond Mausoleum	7,446.11	-	1,421.51	-	8,867.62
Raymond Scholarship	16,773.18	-	3,202.11	-	19,975.29
Tercentenary Fund	995.24	-	190.00	-	1,185.24
School Fund	5,395.75	-	1,030.08	-	6,425.83
Sept. 11 Memorial Fund	33,373.50	-	6,356.90	(542.25)	39,188.15
Perpetual Care	1,215,934.51	29,287.50	231,336.64	(31,860.91)	1,444,697.74
Garfield Trust	68,093.66	-	12,999.51	-	81,093.17
Haskell Field Loop Trail	10,980.48	-	2,096.24	-	13,076.72
Boundless Playgrd Maint	16,770.65	-	3,201.62	-	19,972.27
Wood-Davison House	20.88	-	3.99	-	24.87
Harry C Rice	4.68	-	0.89	-	5.57
<b>Total: Other</b>	<b>1,509,825.37</b>	<b>29,579.50</b>	<b>287,261.98</b>	<b>(37,403.16)</b>	<b>1,789,263.69</b>
<b>Total: Town Trust Funds</b>	<b>1,882,935.46</b>	<b>29,579.50</b>	<b>357,438.18</b>	<b>(60,629.70)</b>	<b>2,209,323.44</b>

Attachment 16.a: FY22 Trust Fund Spending Limits (4735 : Approve FY22 Trust Fund Spending Limits)



## In Sudbury We Trust ...

Citizens of Sudbury have benefited and continue to benefit from the generosity of those who preceded them. Beginning more than 300 years ago, various trust funds have been established according to the wishes of the donors. The total of all such trust funds including reinvested income as of June 30, 2021, was \$2,209,323.44. Persons wishing to contribute to existing trust funds, or establish a new one, should contact Town Counsel's office.

The existing trust funds and their balances at the end of FY21 were:

Discretionary/Charity Fund	79,778.74
Forrest Bradshaw Memorial Fund	1,903.83
Goodnow Library Fund	401,938.79
Lydia Raymond Fund	3,451.58
Rhoades Memorial	12,765.55
Annie L. Thorpe Trust	50,678.21
Cheri-Anne Cavanaugh Fund	24,294.27
George J. Raymond Scholarship Fund	19,975.29
Tercentenary Fund (Yr 2075)	1,185.24
School Fund	6,425.83
Sept 11 Memorial	39,188.15
Perpetual Care Fund	1,444,697.74
Raymond Mausoleum	8,867.62
Wood Davison House	24.87
Harry C. Rice Museum Fund	5.57
Haskell Field Loop Trail Fund	13,076.72
Garfield Trust Fund	81,093.17
Boundless Playground Maintenance Trust Fund	19,972.27

The Trustees of Town Donations oversee the Town Trust Funds. The six-member Board of Trustees includes the members of the Select Board, plus the Town Treasurer. The Trust Funds are continuing to perform on a consistent and monitored level. A three-member Investment Advisory Group consisting of Sudbury residents David Pettit, Fred Pryor, and Daniel Flanagan make recommendations to the Trustees on all investment decisions. Generally, the philosophy of the Investment Advisory Group is to aim for investments that produce a consistent stream of income for the beneficiaries while protecting the principal to the greatest extent possible. Depending on the terms of each trust some funds must be held in perpetuity to safeguard principal balances while the rest may be used at the discretion of the Trustees to cover authorized expenditures.

The following paragraphs provide brief descriptions of the origins and purposes of each of Sudbury's Trust Funds.

### **Discretionary/Charity Fund**

This fund, also sometimes known as the “Donation Fund” or “Ancient Fund”, comprises monies from the following sources:

- Will of Peter Noyes, 1697, and Will of Joshua Haynes, 1757, which together make up the so-called “Ancient Donation”
- Will of Jerusha Howe, 1842
- Will of Elisha Goodnow, 1849
- Will of Samuel D. Hunt, 1873
- Donation of George Goodnow accepted under Article 5 of the November 4, 1884 Town Meeting
- Will of Joanna Gleason, 1896
- M. L. Parmenter Fund, under terms of Will of Harry L. Parmenter, 1936, accepted by the April 21, 1949 Special Town Meeting
- Reinvested fund income and miscellaneous donations accepted from time to time by the Select Board.

Peter Noyes (1697) – Will bequeaths property, income from which “it yearly be at the Dispose of the Minister and ye Select men of ye Town of Sudbury for the use of the poor for ever ...”. The March 1728 Town Meeting authorized sale of property “An the produce of Said Sale be Let out to Interest on Good Security So that the Interest yearly be at the Dispose of the Ministers and Select men of Said Town to the Use of the poor of Said Town of Sudbury for Ever. The Security Given to the Said Selectmen for Said Sale to Run to them and their successors.”

Jerusha Howe (1842) – Will bequeaths \$1,000 “to be kept as a fund forever; and the interest shall be appropriated at the discretion of the Selectmen of said town to supply the industrious poor in the town with fuel.”

Elisha Goodnow (1849) – Will bequeaths \$4,000 “and direct that the sum shall be held by said town forever”; ¼ part of net income in each year “shall be applied from time to time as the same may be needed for the purchase of books for poor children attending the Public Schools of said town.” Remaining income “shall be applied by the inhabitants or officers of said town from time to time in their discretion to and for the relief, assistance and support of the poor, sick and infirm in said town not supported by its almshouse in such manner as the said inhabitants or officers may deem best...”. Town Meetings of 1854 through 1869 authorized the Selectmen alone, or in combination with the School Committee, or the Overseers of the Poor in combination with the School Committee to distribute the interest. After 1870 the funds (book and charity) were not separated by name in the Town Meeting votes and the committee authorized to distribute poor funds or charity funds were sometimes Selectmen, Overseers of Poor, or Assessors, sometimes combined with the School Committee for the funds on books and sometimes not.

Samuel D. Hunt (1873) – Will bequeaths \$1,000, “income to be distributed annually among the industrious poor residing in said town...”.

George Goodnow (1884) – The November 4, 1884, Town Meeting accepted a \$10,000 donation from George Goodnow, “... the income of which he desires to be used by the Selectmen of said Town for the time being to assist such citizens of the town who are not at the time receiving assistance as paupers but who may for any cause be in need of temporary private assistance.”

Joanna Gleason (1896) – Will bequeaths one-half of the remainder and residue of estate to the Town of Sudbury, amounting to \$1,192.27, “the principal ... to be kept safely invested and the income annually distributed by the Selectmen in their discretion among the needy inhabitants ...”.

Martha L. Parmenter (1936) – Will under Harry L. Parmenter bequeaths \$1,000 principal “... the Inhabitants of the town of Sudbury through its proper officer or officers shall hold the said fund in trust; shall invest and reinvest the same and pay over and use the income therefrom, from time to time, as aid to the poor and needy inhabitants of the said town of Sudbury.”

### **Forrest Bradshaw Memorial**

The Bradshaw family designated the Goodnow Library as a recipient of memorial donations in the name of Forrest D. Bradshaw. In March 1987, the Town accepted \$455 in such donations to be used by the library trustees in support of the Bradshaw collections of historical papers relating to Sudbury.

### **Goodnow Library Fund**

John Goodnow’s October 18, 1861, will bequeathed \$20,000 to the Town of Sudbury “for the purpose of purchasing and keeping in order a public library for the benefit of the inhabitants of that town.”

### **Lydia Raymond Fund**

Lydia G. Raymond of Sudbury died January 24, 1960, leaving a will bequeathing \$500 to Goodnow Library. The 1962 Annual Town Meeting accepted this gift, establishing a trust fund, the income of which to be used for “such purposes as the Library Committee may determine.”

### **Rhoades Memorial**

The Trustees of the Goodnow Library received \$3,027.10 on February 13, 1981 at the bequest of Paul Whitney Rhoades, “ ... the income only to be used for the purchase of books relating to landscape architecture, horticulture, gardening and floriculture.”

### **Annie L. Thorpe Trust**

Received \$5,000 on March 22, 1978, in payment of legacy under the Annie L. Thorpe, Jr. Trust of January 5, 1934, as amended for the purpose of “furthering the work of the District Nurse or other health work”.



### **Cheri-Anne Cavanaugh Fund**

The United Methodist Church transferred this fund to the Town in 1995. Cheri-Anne Cavanaugh was a 16-year-old Sudbury resident who died in April 1992. This fund was established by her family and friends to perpetuate her memory and to help the youth of Sudbury. The fund supports teen crisis counseling sessions conducted by participating therapists.

### **George J. Raymond Scholarship Fund**

Lydia G. Raymond established this perpetual \$3,000 trust fund for the promotion of higher education in the Sudbury High School. It was accepted by the Special Town Meeting of May 4, 1925.

### **Tercentenary Fund (Yr 2075)**

When the Bicentennial Committee wrapped up its business in 1976, they donated \$100 to the Town to be invested and reinvested until the year 2075, with the accumulated amount at that time to be used for the celebration of the Nation's 300<sup>th</sup> anniversary.

### **School Fund**

As best can be determined, this fund originated as portions of the monies from two sources: the 1757 will of Joshua Haynes that, with the 1697 will of Peter Noyes, was part of the so-called "Donation Fund" or "Ancient Donation", and the 1849 will of Elisha Goodnow. Joshua Haynes' tombstone in the Old North Cemetery reads in part "He Was Charitable To The Poor And At His Death Gave Many Gifts To Peticuler Persons Besides A Thousand Pound Old Tenor To A Publick School And The Poor of y<sup>e</sup> Town of Sudbury." Elisha Goodnow's will reads in part "I give the Town of Sudbury ... the sum of four thousand dollars; & direct that said sum shall be held by said town forever ... quarter part of the net income thereof in each year shall be applied from time to time as the same may be needed for the purchase of books for poor children attending the Public Schools of said town."

### **Sept 11 Memorial**

The monies in this trust support the protection, maintenance and enhancement of the September 11<sup>th</sup> Memorial Garden in Sudbury. Dedicated on September 11, 2003, the Memorial Garden features flowering plants and trees, three bluestone benches, and a commemorative center stone of Sudbury granite where engraved bronze plaques recount the events of September 11, 2001, and memorialize three Sudbury residents who were lost. Initial donations supporting this memorial were formally placed in the trust on July 13, 2004.

### **Perpetual Care Fund**

One of the oldest and largest funds, these monies are used for the perpetual care of Sudbury's cemeteries. Funds are typically added through donations and each time someone is buried in Town. The proceeds of the sales of lots and plots in a Town cemetery are applied to the improvement and maintenance of the cemetery and for the accumulation of the permanent care and improvement fund.

### **Raymond Mausoleum**

The 1962 Annual Town Meeting voted to accept \$1,000 from the executors of the Will of Lydia G. Raymond, the income from which to be used for the perpetual care, maintenance, preservation and repair of the Raymond Mausoleum.

### **Wood Davison House**

Monies in this trust fund comprise donations originally made to support a project to move the Wood Davison house from its location at 348 Boston Post Road to Town property on Old Sudbury Road between the Flynn Building and the Loring Parsonage. The project was later determined to be unfeasible. In order to use the funds for purposes other than those stipulated, the Town had to agree on a suitable use for the accumulated funds and petition the Probate Court for approval. These funds have been approved for the Sudbury Historical Museum project.

### **Harry C. Rice Museum Fund**

The Board of Selectmen established the Rice Museum Fund in 1979, in accordance with Article VII of the Will of Harry Rice. The will stipulates that this fund, together with any other monies that might be donated to it from other sources, are to be invested and reinvested by Sudbury's Treasurer until such time as the accumulated fund is substantial enough to allow the Town "to build a suitable, fireproof museum building in which can be properly displayed the artifacts, materials and programs which are appropriate to the study of American History, and in particular the history of New England and Sudbury – including American Indian history." The will also stipulates the funds must be solely used for the development of a separate Sudbury Museum. In order to use the funds for purposes other than those stipulated, the Town had to agree on a suitable use for the accumulated funds and petition the Probate Court for approval. These funds have been approved for the Sudbury Historical Museum project.

### **Haskell Field Loop Trail Fund**

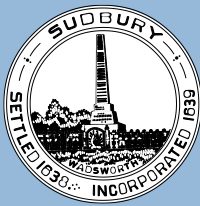
In December 2007, the Town received charitable gifts from an anonymous donor to construct and maintain a loop trail on Town-owned property at Haskell Field. The donor gifted \$6,000 for purpose of establishing and funding this trust for maintaining the loop trail.

### **Garfield Trust Fund**

Bequeathed in 1962 by Thomas Garfield, this fund provides for the permanent care, maintenance, and improvements specifically for Mount Pleasant Cemetery and to supplement the Perpetual Care Fund.

### **Boundless Playground Maintenance Trust Fund**

This fund helps maintain a completely accessible play area that allows anyone with disabilities to be a part of a community area and develop physically, socially, and emotionally



SUDBURY SELECT BOARD  
Tuesday, August 31, 2021

**CONSENT CALENDAR ITEM**

**17: HOPEsudbury proclamation 20 years**

REQUESTOR SECTION

Date of request:

Requestor: Member Schineller

Formal Title: Vote to sign a proclamation recognizing the 20th anniversary of HOPEsudbury, and to proclaim Saturday, November 6, 2021 as HOPEsudbury Day in the Town of Sudbury.

Recommendations/Suggested Motion/Vote: Vote to sign a proclamation recognizing the 20th anniversary of HOPEsudbury, and to proclaim Saturday, November 6, 2021 as HOPEsudbury Day in the Town of Sudbury.

Background Information:  
attached proclamation

Financial impact expected:

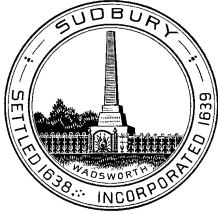
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

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

08/31/2021 6:30 PM



## TOWN OF SUDBURY

Office of Select Board  
www.sudbury.ma.us

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

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

### *Proclamation*

- WHEREAS HOPEsudbury was formed 20 years ago when people in Sudbury were moved to take action and help others in need after the tragic events of September 11, 2001; and
- WHEREAS A diverse group of residents, town employees, and business people came together as a community to help those in need of support, encouragement, financial assistance; and
- WHEREAS Over the past 20 years HOPEsudbury has distributed more than \$850,000 through The HOPE Fund, providing short-term financial assistance for Sudbury individuals and families with unexpected financial need; and
- WHEREAS HOPEsudbury has additionally supported Sudbury residents through community drives: yearly back-to-school backpack drives for students, household good drives, "Welcome Home" baskets for families transitioning out of shelters, food pantry drives; and
- WHEREAS Over the past 20 years HOPEsudbury has supported our town entities including fire resistant gloves to the Fire Department, a flag pole to Goodnow Library, a new fully stocked refrigerator for the Food Pantry, gift cards for the community during the COVID pandemic, and holiday gift drives so families can enjoy meaningful holidays; and
- WHEREAS Since 2001, HOPEsudbury has inspired the town to come together on the first Saturday of every November to celebrate our talents and gifts as monies are raised to support the endeavors HOPEsudbury undertakes during the year,

#### ***NOW, THEREFORE, BE IT RESOLVED:***

The Sudbury Select Board hereby proclaims **Saturday, November 6, 2021** as **HOPEsudbury Day** in the Town of Sudbury.

Signed this 31st day of August in the year two thousand and twenty-one.

#### **SELECT BOARD**

Jennifer S. Roberts, Chair

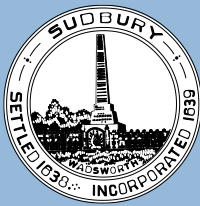
Charles G. Russo, Vice-Chair

Daniel E. Carty

Janie W. Dretler

William J. Schineller





SUDBURY SELECT BOARD

Tuesday, August 31, 2021

**CONSENT CALENDAR ITEM**

**18: Police dept grant acceptance**

REQUESTOR SECTION

Date of request:

Requestor: Police Chief Scott Nix

Formal Title: Vote to accept a grant awarded to the Sudbury Police Department by the Executive Office of Public Safety and Security's Office of Grants and Research (OGR) in the amount of \$27,000 in Edward Byrne Memorial Justice Assistance Grant (JAG) funds; said funds to be allocated for two new fingerprint scanners.

Recommendations/Suggested Motion/Vote: Vote to accept a grant awarded to the Sudbury Police Department by the Executive Office of Public Safety and Security's Office of Grants and Research (OGR) in the amount of \$27,000 in Edward Byrne Memorial Justice Assistance Grant (JAG) funds; said funds to be allocated for two new fingerprint scanners.

Background Information:  
Attached grant award letter and funds receipt

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

08/31/2021 6:30 PM



**The Commonwealth of Massachusetts**  
**Executive Office of Public Safety & Security**  
**Office of Grants & Research**  
 Ten Park Plaza, Suite 3720-A  
 Boston, Massachusetts 02116

**Charles D. Baker**  
 Governor

Tel: (617)725-3301  
 Fax: (617)725-0260  
[www.mass.gov/ogr](http://www.mass.gov/ogr)

**Thomas A. Turco, III**  
 Secretary

**Kevin Stanton**  
 Executive Director

**Karyn Polito**  
 Lieutenant  
 Governor

November 23, 2020

Scott Nix, Chief  
 Sudbury Police Department  
 75 Hudson Road  
 Sudbury, MA 01776

Dear Chief Nix:

On behalf of the **Executive Office of Public Safety and Security's Office of Grants & Research (OGR)**, I am pleased to inform you that the **Sudbury Police Department** has been awarded **\$27,000.00** in **Edward Byrne Memorial Justice Assistance Grant (JAG) funds**. The Byrne JAG Local Law Enforcement Opportunity is intended for local police departments to address their law enforcement and criminal justice related needs.

Additional correspondence, including all the necessary documents required to make this award official are included in this email. **Please note, your official start date will be the date that your returned contract is signed and dated by OGR.**

In the meantime, if you have any questions, please feel free to contact Samantha Frongillo, OGR Program Coordinator at: [samantha.frongillo@mass.gov](mailto:samantha.frongillo@mass.gov) or on the telephone at: 617-725-3326.

Congratulations on your award. I look forward to working with you and your staff on this important public safety initiative.

Sincerely,

Kevin Stanton  
 Executive Director

08/12/2021 06:36

Page 1 of 1

**UniBank**  
**REMITTANCE ADVICE LIMITED DETAIL REPORT**  
**Town of Sudbury**

RECEIVER INFORMATION		ORIGINATOR INFORMATION	
Receiver Name:	TOWN OF SUDBURY	Originator Name:	COMM OF MASS
DFI Account Number:	79XXX0431	Company ID:	A046002284
TRANSACTION DETAILS			
SEC Code:	Corporate Trade Exchange (CTX)	Settlement Date (Julian Date):	8/12/2021 (224)
Transaction Code:	Demand Credit (22)	Trace Number:	221172180013468
Identification Number:	VC6000191996	Company Name/ID#:	TOWN OF SUDBURY
Amount:	\$27,000.00		
Addenda Record Count:	8		
SOURCE			
File Name:	BK_1167.20210811.113611.ACH		
File Created:	08/11/2021 03:19		
Remittance Advice Accounts Receivable Open Item Reference			
Transaction Reference Number:	BJAG20 SFY2021 Q2		
Payment Action Code:	Pay Item		
Amount Paid:	\$27,000.00		
Voucher:	BJAG20 SFY2021 Q2		
Description:	PRC EPSEPSSFY21JAG20SUDBUQ2One Ashburton Place		
Voucher:	BJAG20 SFY2021 Q2		
Description:	EXECUTIVE OFFICE OF PUBLIC SAFETY & HOMELAND SECURITY 617-727-7775		
Voucher:	BJAG20 SFY2021 Q2		
Description:	SUDBURY POLICE DEPT.		

Attachment 18.b: Funds Receipt for Fingerprint Scanner Grant (4773 : Police dept grant acceptance)



## SUDBURY SELECT BOARD

Tuesday, August 31, 2021

**CONSENT CALENDAR ITEM****19: Anthony Drive Street Acceptance****REQUESTOR SECTION**

Date of request:

Requestor: Town Counsel office

Formal Title: Pursuant to the Street Acceptance vote under Article 21 of the May 22, 2021 Annual Town Meeting, vote to execute the Order of Taking of a permanent easement for all purposes, including attendant customary uses for which public ways are utilized in the Town of Sudbury, in, on and under the parcel of land shown as Lot 224 "Anthony Drive" (the "Easement Premises") on a plan entitled "North Ridge Farm, Definitive Subdivision Plan, Site Location: 338 North Road, Sudbury, Massachusetts 01776, Prepared for: Prepared for Distinctive Acton Homes, Inc. by Foresite Engineering Associates, Inc." dated November 1, 2013, rev. 3/14/14; 4/11/14 and 5/21/14 filed with the Land Registration Office for the Middlesex South Registry of Deeds as Land Court Plan 2170-Y (the "Plan").

Recommendations/Suggested Motion/Vote: Pursuant to the Street Acceptance vote under Article 21 of the May 22, 2021 Annual Town Meeting, vote to execute the Order of Taking of a permanent easement for all purposes, including attendant customary uses for which public ways are utilized in the Town of Sudbury, in, on and under the parcel of land shown as Lot 224 "Anthony Drive" (the "Easement Premises") on a plan entitled "North Ridge Farm, Definitive Subdivision Plan, Site Location: 338 North Road, Sudbury, Massachusetts 01776, Prepared for: Prepared for Distinctive Acton Homes, Inc. by Foresite Engineering Associates, Inc." dated November 1, 2013, rev. 3/14/14; 4/11/14 and 5/21/14 filed with the Land Registration Office for the Middlesex South Registry of Deeds as Land Court Plan 2170-Y (the "Plan").

**Background Information:**

In accordance with statute, on January 26, 2021, the Select Board voted its intention to lay out Anthony Drive and referred the matter to the Planning Board for consideration. Upon receipt of the Planning Board's recommendation, the Board voted on April 6, 2021 to lay out the way. The subsequent Annual Town Meeting vote under Article 21 approved the street acceptance. The execution of the Order of Taking submitted for vote at the August 31, 2021 Select Board, and the recording thereof completes the process.

**THIS ORDER OF TAKING REQUIRES ORIGINAL SIGNATURES A.S.A.P.**

Financial impact expected: Town to maintain Anthony Drive under a permanent easement.

Approximate agenda time requested:

Representative(s) expected to attend meeting:

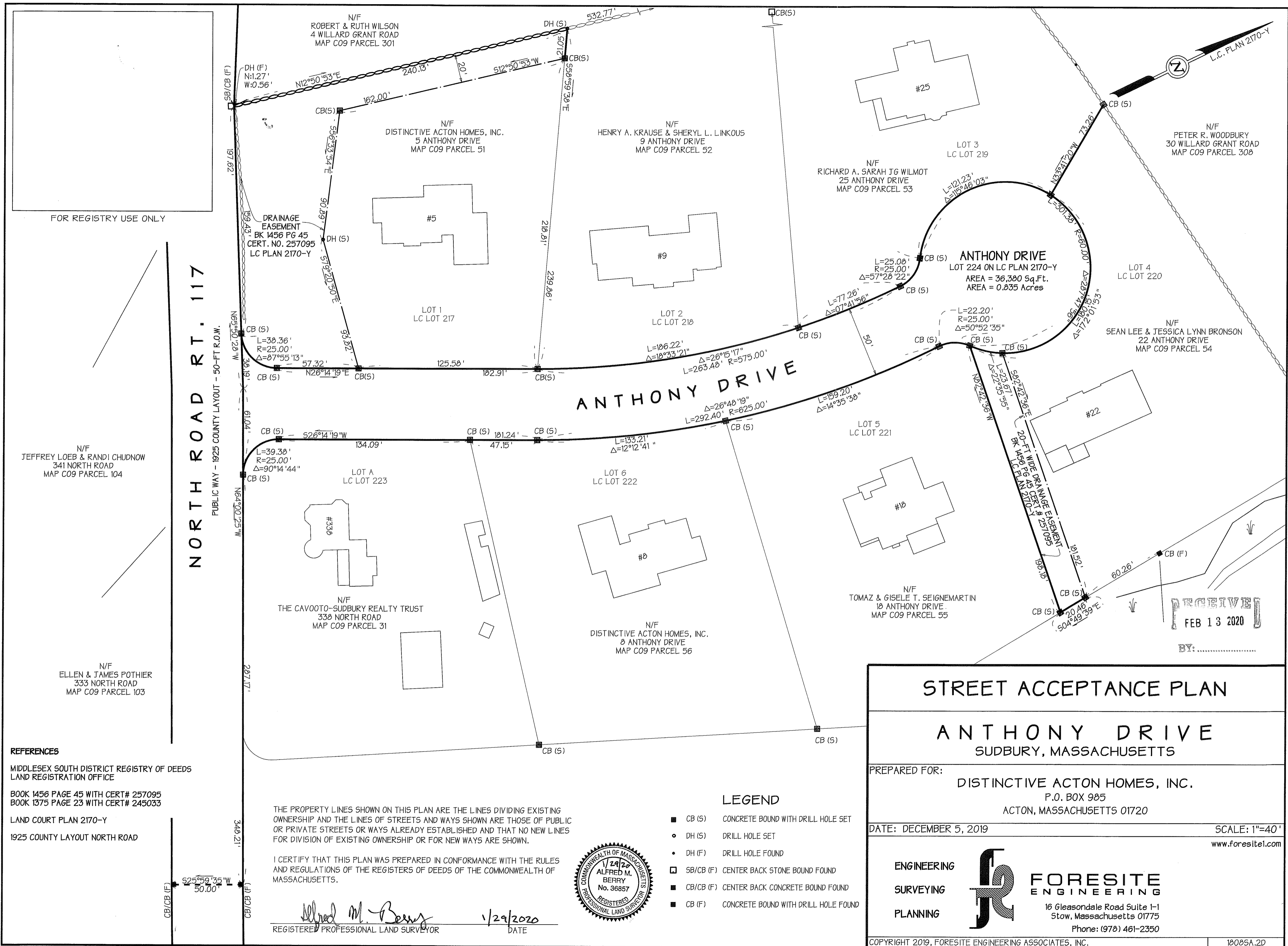


Review:

Patty Golden  
Henry L Hayes  
Jonathan Silverstein  
Jennifer Roberts  
Select Board

Pending  
Pending  
Pending  
Pending  
Pending

08/31/2021 6:30 PM



FOR REGISTRY USE ONLY

NORTH ROAD RT. 117  
PUBLIC WAY - 1925 COUNTY LAYOUT - 50-FT R.O.W.

N/F  
JEFFREY LOEB & RANDI CHUDNOW  
341 NORTH ROAD  
MAP C09 PARCEL 104

N/F  
ELLEN & JAMES POTHIER  
333 NORTH ROAD  
MAP C09 PARCEL 103

**REFERENCES**

MIDDLESEX SOUTH DISTRICT REGISTRY OF DEEDS  
LAND REGISTRATION OFFICE

BOOK 1456 PAGE 45 WITH CERT# 257095  
BOOK 1375 PAGE 23 WITH CERT# 245033

LAND COURT PLAN 2170-Y  
1925 COUNTY LAYOUT NORTH ROAD

THE PROPERTY LINES SHOWN ON THIS PLAN ARE THE LINES DIVIDING EXISTING OWNERSHIP AND THE LINES OF 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.

I CERTIFY THAT THIS PLAN WAS PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

*Alfred M. Berry*  
REGISTERED PROFESSIONAL LAND SURVEYOR

1/29/2020  
DATE



- LEGEND**
- CB (S) CONCRETE BOUND WITH DRILL HOLE SET
  - DH (S) DRILL HOLE SET
  - DH (F) DRILL HOLE FOUND
  - SB/CB (F) CENTER BACK STONE BOUND FOUND
  - CB/CB (F) CENTER BACK CONCRETE BOUND FOUND
  - CB (F) CONCRETE BOUND WITH DRILL HOLE FOUND

**STREET ACCEPTANCE PLAN**

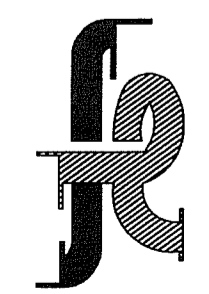
**ANTHONY DRIVE**  
SUDBURY, MASSACHUSETTS

PREPARED FOR:  
**DISTINCTIVE ACTON HOMES, INC.**  
P.O. BOX 985  
ACTON, MASSACHUSETTS 01720

DATE: DECEMBER 5, 2019 SCALE: 1"=40'

[www.foresite1.com](http://www.foresite1.com)

ENGINEERING  
SURVEYING  
PLANNING



**FORESITE ENGINEERING**  
16 Gleasondale Road Suite 1-1  
Stow, Massachusetts 01775  
Phone: (978) 461-2350

COPYRIGHT 2019, FORESITE ENGINEERING ASSOCIATES, INC. 18085A.2D

RECEIVED  
FEB 13 2020

BY: .....

Attachment 19.a: Anthony Drive - Street Acceptance Plan 191205 (4775 : Anthony Drive Street Acceptance)

## COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

TOWN OF SUDBURY

ORDER OF TAKING

At a regularly convened meeting of the Select Board of the Town of Sudbury (the “Town”) held on this 31st day of August, 2021, it was voted and ordered as follows:

The Select Board of the Town of Sudbury, duly elected, qualified, and acting as such, on behalf of the Town and by virtue of and in accordance with the authority of the vote taken under Article 21 of the May 22, 2021 Annual Town Meeting, a certified copy of which is attached hereto and incorporated herein, the provisions of Chapter 79 and Chapter 82, Sections 21-24 of the General Laws, and any and every other power and authority hereunto enabling it in any way, hereby takes, on behalf of the Town, a permanent easement for any and all purposes for which public ways are used in the Town of Sudbury, together with attendant customary uses, including, without limitation, for the purposes of constructing, inspecting, operating, maintaining, repairing, removing, replacing, relocating, and abandoning in place rights of way and any and all structures and facilities necessary or convenient to support the same, or related thereto, including, without limitation, rights of way, sidewalks, guardrails, support or retaining walls, signs, drains, utilities, and any related appurtenances, in, on and under the parcels of land shown as Lot 224 “ANTHONY DRIVE” (the “Easement Premises”) on a plan entitled “North Ridge Farm, Definitive Subdivision Plan, Site Location: 338 North Road, Sudbury, Massachusetts 01776, Prepared for: Prepared for Distinctive Acton Homes, Inc. by Foresite Engineering Associates, Inc.” dated November 1, 2013, rev. 3/14/14; 4/11/14 and 5/21/14 filed with the Land Registration Office for the Middlesex South Registry of Deeds as Land Court Plan 2170-Y (the “Plan”).

The Town shall have the right to enter upon and pass over the Easement Premises from time to time, by foot, vehicle, or heavy equipment, for any and all purposes stated herein and uses necessary or incidental thereto, including, without limitation, using and temporarily storing, as needed, construction equipment, materials or other incidental items within the Easement Premises for the purposes set forth herein. No temporary or permanent buildings, structures or other objects shall be constructed, installed or placed upon the Easement Premises by any party other than the Town. The Town may assign such easements to or authorize use of such easement areas by any utility company.

The taking includes the right of the Town to remove any buildings, structures, objects, utilities and/or vegetation (including trees and shrubs) now or hereafter located within the Easement Premises whenever their removal shall be necessary or convenient to exercise the rights taken hereunder and/or for the purposes set forth herein. Utilities and related facilities located within the Easement Premises that are owned by private utility companies and easements held by private utility companies are not taken.

The parcels of land subject to said easements are owned or supposed to be owned and/or formerly owned by the parties listed in Exhibit A, which parties are hereinafter collectively referred to as Owners. If in any instance the name of any Owner is not correctly stated, the names of the supposed Owners being given as of this Order of Taking, it is understood that in such instance the land referred to is owned by an Owner or Owners unknown to us, and said easements are hereby taken.

The Select Board has determined that no persons will sustain damages in their property by reason of the herein taking, all in accordance with the provisions of G.L. c.79, §6, as amended, and accordingly award no damages for this taking. The purpose of this taking is to complete the layout and acceptance of Anthony Drive as a public way.

Betterments are not to be assessed under this taking.

[Signature Page Follows]



IN WITNESS WHEREOF, we, the duly elected and authorized members of the Sudbury Select Board have hereunto set our hands and seals on this      day of August, 2021.

TOWN OF SUDBURY,  
By its Select Board

\_\_\_\_\_  
Jennifer S. Roberts, Chairman

\_\_\_\_\_  
Charles G. Russo, Vice Chairman

\_\_\_\_\_  
Janie W. Dretler, Member

\_\_\_\_\_  
Daniel E. Carty, Member

\_\_\_\_\_  
William J. Schineller, Member

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On this      day of August, 2021, before me, the undersigned notary public, personally appeared \_\_\_\_\_, member(s) of the Sudbury Select Board, as aforesaid, who proved to me through satisfactory evidence of identification, which was \_\_\_\_\_, to be the person whose name is signed on the preceding document, and acknowledged to me that he/she/they signed it voluntarily for its stated purpose on behalf of the Town of Sudbury Select Board.

\_\_\_\_\_  
Notary Public  
My Commission Expires:

775714/SUDB/0001

Attachment19.b: KP-#775714-v1-SUDB- Order\_of\_Taking\_Anthony\_Drive (4775 : Anthony Drive Street Acceptance)

**EXHIBIT A**  
**LIST OF OWNERS**

Owner(s): Distinctive Acton Homes, Inc.  
Property Address: 25 Westford Lane, Acton, MA 01720  
Property Interest Acquired: Permanent easement in Anthony Drive, Sudbury, MA  
Deed Reference: Book 1456, Page 45; Certificate #257095; Document #1675547

Attachment19.b: KP-#775714-v1-SUDB-\_\_Order\_of\_Taking\_Anthony\_Drive\_(4775 : Anthony Drive Street Acceptance)



SUDBURY SELECT BOARD  
Tuesday, August 31, 2021

**CONSENT CALENDAR ITEM**

**20: Marlboro Road culvert reconstruction**

REQUESTOR SECTION

Date of request:

Requestor: DPW Director Dan Nason

Formal Title: Vote to approve award of contract by the Town Manager for the reconstruction of the Marlboro Road Culvert pursuant to Article 17 of the 2021 Annual Town Meeting 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; and further to approve award of all contracts related thereto.

Recommendations/Suggested Motion/Vote: Vote to approve award of contract by the Town Manager for the reconstruction of the Marlboro Road Culvert pursuant to Article 17 of the 2021 Annual Town Meeting 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; and further to approve award of all contracts related thereto.

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 have been granted by the owners at 270 Marlboro Road. With the design work completed, construction/reconstruction documents are in the process of bidding.

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

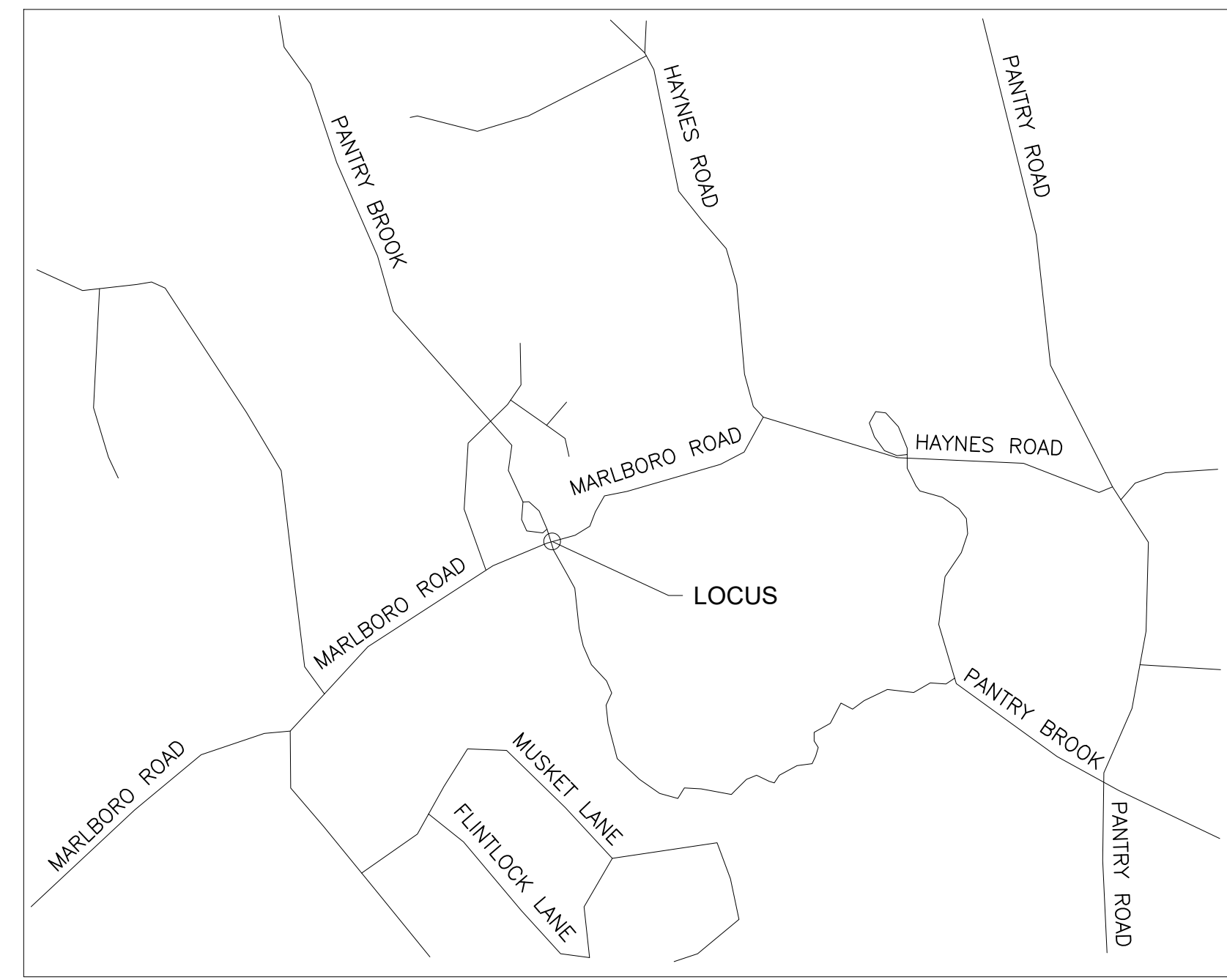
Patty Golden	Pending
Henry L Hayes	Pending
Jonathan Silverstein	Pending
Jennifer Roberts	Pending
Select Board	Pending

08/31/2021 6:30 PM

FOR REGISTRY USE ONLY

GENERAL NOTES:

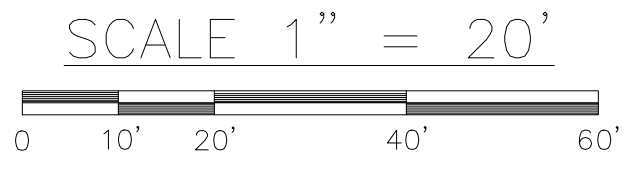
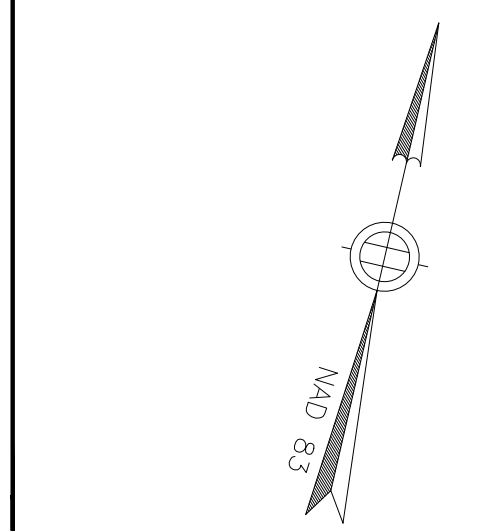
1. THIS PLAN IS THE RESULT OF AN ON-THE-GROUND SURVEY PERFORMED BY CHAPPELL ENGINEERING ASSOCIATES, LLC., BETWEEN AUGUST 20TH - 22ND, 2019.
2. ALL DEED/PLAN REFERENCES ARE TO MIDDLESEX REGISTRY OF DEEDS SOUTHERN DISTRICT.
3. PORTION OF PROPERTY DOES RESIDE IN MUNICIPAL OPEN SPACE BARTON FARMS CONSERVATION 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.



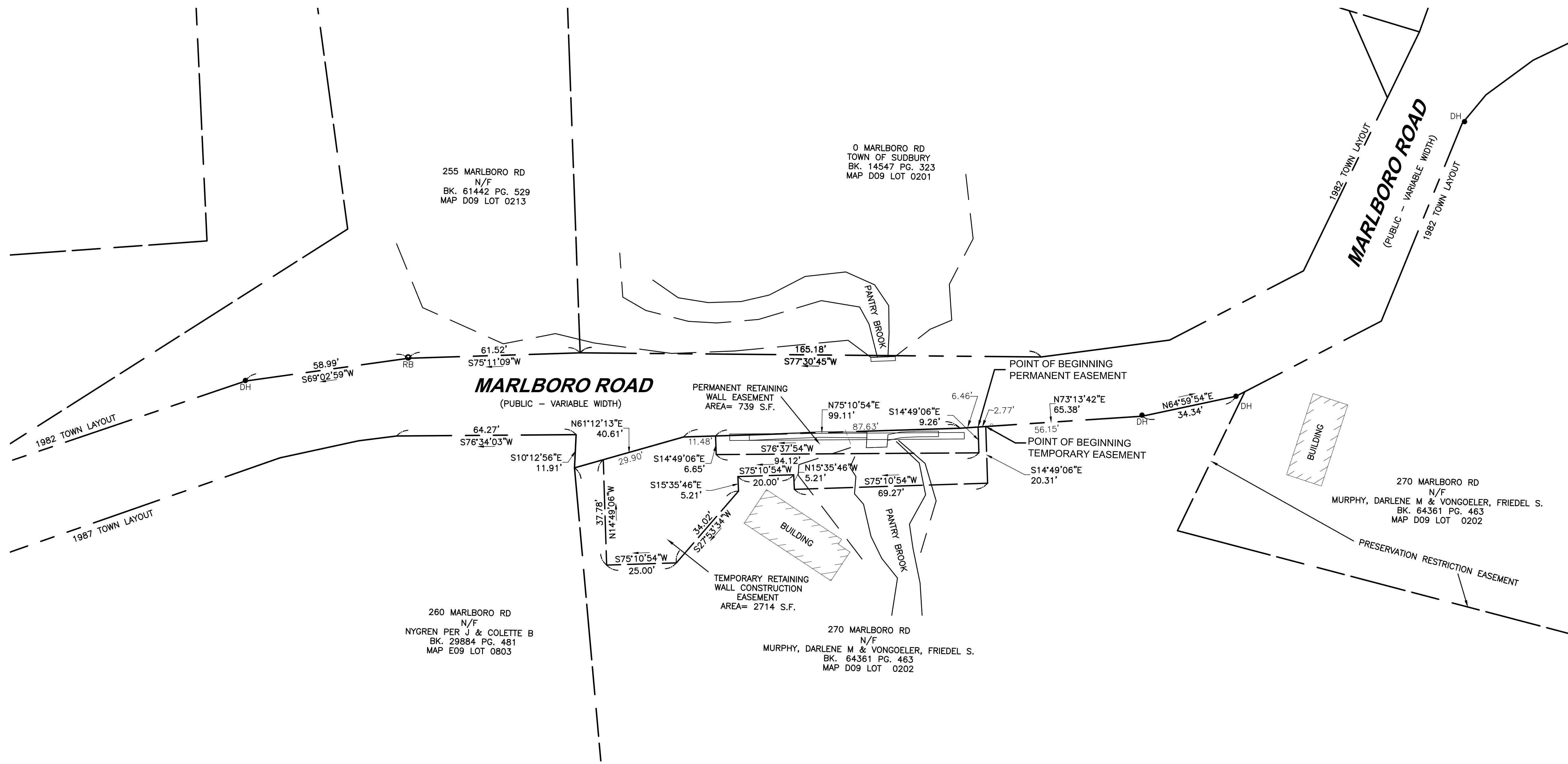
LOCUS MAP

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'
------------------------	---	--------------------

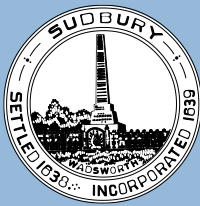
EASEMENT PLAN  
MARLBORO ROAD,  
SUDBURY, MASSACHUSETTS

**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

Attachment 20.a: MARLBORO ROAD Easement plan Rev 6-14-21-2 (4776 - Marlboro Road culvert reconstruction)





SUDBURY SELECT BOARD  
Tuesday, August 31, 2021

**CONSENT CALENDAR ITEM**  
**21: Grant acceptance - Board of Health**

REQUESTOR SECTION

Date of request:

Requestor: Bill Murphy Health Director

Formal Title: Vote to accept a Social Work Grant from the MetroWest Foundation in the amount of \$30,000.

Recommendations/Suggested Motion/Vote: Vote to accept a Social Work Grant from the MetroWest Foundation in the amount of \$30,000.

Background Information:

See attached documents provided by Bill Murphy, Health Director.

Financial impact expected:

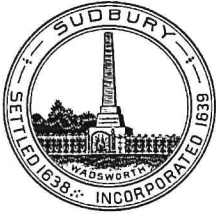
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

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

08/31/2021 6:30 PM



# Town of Sudbury

## Board of Health

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

8/19/21

Sudbury Select Board  
c/o Jennifer Roberts, Chair  
278 Old Sudbury Road  
Sudbury, MA 01776

### Re: Acceptance of Grant

Madam Chair,

The Board of Health is requesting the Select Board accept the following grant:

### **MetroWest Foundation- Social Work Intern Stipend Grant \$30,000**

The Health Department Social Worker been awarded a \$30,000 grant from the MetroWest Health Foundation. Bethany Hadvab applied for and was awarded \$7500 stipends for each of four (4) Masters Level Social Work interns that will serve the department from September 2021-April 2022. These stipends will help interns balance significant financial stresses with home, work, and academic life and bring motivated staffing to Sudbury.

Bethany has developed a robust internship program bringing students to Sudbury seeking a Master's degree in social work. Most of these students have been working in the SW field and make an immediate impact on the growing demand for resources sought by residents. As anticipated, the COVID pandemic has accelerated these demands.

Health Director: Bill Murphy

# METROWEST HEALTH FOUNDATION

161 Worcester Road, Suite 202  
Framingham, MA 01701  
508.879.7625 fax: 508.879.7628  
www.mwhealth.org

August 18, 2021

Bill Murphy  
Sudbury Board of Health  
275 Old Lancaster Road  
Sudbury, MA 01776

RE: Metro West Health Internship - ----- #IF-04

Dear Bill:

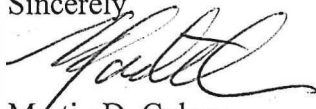
I am pleased to inform you that the Board of Trustees of the MetroWest Health Foundation has approved a grant of \$7,500.00 to the Sudbury Board of Health for the Metro West Health Internship for ----- . This grant is being made in response to your proposal to the foundation dated July 29, 2021.

Grants funds will be available upon return of the signed Agreement to Grant Terms and Conditions.

This grant is subject to the terms and conditions contained in the attached Agreement to Grant Terms and Conditions. If these correctly set forth your understanding of this grant, please indicate your organization's agreement by having an appropriate officer of your organization sign and return a copy of the agreement to the foundation.

On behalf of the foundation, I congratulate you on this grant award and look forward to working with you to implement this important endeavor.

Sincerely,



Martin D. Cohen  
President

**METROWEST  
HEALTH  
FOUNDATION**

IF-04

**AGREEMENT TO GRANT TERMS AND CONDITIONS**

As a condition of a grant from the MetroWest Health Foundation (“the Foundation”) in the amount of \$7,500.00 to the Sudbury Board of Health (“the Grantee”), the undersigned agrees to comply with the following terms and conditions:

1. **Purpose.** This grant may be used only for Grantee’s charitable and educational activities. Grantee may not use any Foundation grant funds to lobby or otherwise attempt to influence legislation, to influence the outcome of any public election, or to carry on any voter registration drive. This grant must be used for the project described in the Grantee’s proposal and related correspondence and may not be expended for any other purposes without the Foundation’s prior written approval. Grantee accepts responsibility for complying with this agreement’s terms and conditions and will exercise full control over the grant and the expenditure of grant funds. The Foundation may request that Grantee return any unexpended grant funds remaining at the end of the project period.
2. **Tax Exempt Status.** Grantee confirms that it is an organization that is currently recognized by the Internal Revenue Service (the “IRS”) as a public charity under sections 501 (c) (3) of the Internal Revenue Code or is an instrumentality of government and therefore considered to be tax-exempt. The Grantee will inform the Foundation immediately of any change in, or proposed or actual revocation of its tax status by the IRS.
3. **Grant Monitoring and Evaluation.** The Foundation may evaluate, monitor and conduct and conduct a review of operations under this grant, which may include site visits by the Foundation or its evaluators. Grantee will provide such additional information, reports and documents as the Foundation may request and will allow the Foundation and its representatives to have reasonable access during regular business hours to files, records, accounts or personnel that are associated with this grant, for the purpose of making such financial reviews, verifications or program evaluations as may be deemed necessary by the Foundation. The Grantee shall provide the Foundation with periodic narrative and financial reports in a format and timetable prescribed by the Foundation. The Grantee shall also furnish to the Foundation complete copies of the Grantee’s annual audited financial statements.
4. **Payments and Expenditures.** Grant funds will be after receipt by the Foundation of a signed copy of these terms and conditions. Future payments of these or other grant funds



by the Foundation may be withheld pending receipt of required reports from the Grantee. Expenditures of grant funds must adhere to the specific line items in the approved grant budget. Transfers among line items (increases and decreases) are restricted to one thousand dollars (\$1,000) or ten percent (10%) of the approved line-item amount, whichever is greater. If a transfer more than this restricted level becomes necessary, the Grantee shall request authorization from the Foundation by letter. Such transfers may not be made without prior written approval by the Foundation.

5. **Grant Reversion or Termination.** The Foundation reserves the right to discontinue, modify or withhold any payments to be made under this grant award or to require a total or partial refund of any grant funds, if it, in the Foundation's sole discretion, such action is necessary: (1) because Grantee has not fully complied with the terms and conditions of this grant; (2) to protect the purpose and objectives of the grant or any other charitable activities of the Foundation; or (3) to comply with any law or regulation applicable to the Grantee or to the Foundation.
  
6. **Publicity.** Any press statements or releases, brochures, reports or other printed or electronic media that are produced as a result of this grant shall include proper attribution to the Foundation as a funder. It is recommended that the Foundation's logo or the following language be used: *Support for this project provided in part by the MetroWest Health Foundation*, or, if the support is provided by one of the Foundation's Grant Panels, *Support for this project provided in part by the [Leonard Morse] [Framingham Union] Grants Panel of the MetroWest Health Foundation*.
  
7. **Grantee Non-Discrimination Policy.** The grantee shall not discriminate in the provision of services based on race, color, religion, sex, age, national origin, marital status, mental or physical disability, citizenship, sexual orientation, or status as a veteran.
  
8. **Special Restrictions and Conditions.**
  - a.) Funds under this grant may only be expended as a stipend paid directly to the intern.
  - b.) The Grantee shall immediately notify the Foundation if the intern does not complete their internship.
  - c.) The intern funded under this grant shall provide a summary of their internship experience in a format set by the Foundation.

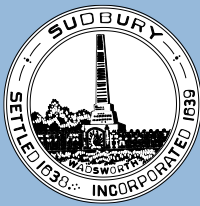
On behalf of Grantee, I understand and agree to the foregoing terms and conditions of the MetroWest Health Foundation's grant, and hereby certify my authority to execute this agreement on Grantee's behalf.

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

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



SUDBURY SELECT BOARD  
Tuesday, August 31, 2021

**CONSENT CALENDAR ITEM**

**22: St. Anselm/St. Vincent de Paul Walk 2021**

REQUESTOR SECTION

Date of request:

Requestor: Lisa Hanson, St. Anselm Conference of the Society of St. Vincent de Paul

Formal Title: Vote to grant a special permit to Lisa Hanson, St. Anselm Conference of the Society of St. Vincent de Paul, to hold a “Walk for the Poor” on Sunday, September 26, 2021, from 11:30 a.m. through approximately 2:00 p.m., subject to Police Department safety requirements, proof of insurance coverage and the assurance that any litter will be removed at the race’s conclusion.

Recommendations/Suggested Motion/Vote: Vote to grant a special permit to Lisa Hanson, St. Anselm Conference of the Society of St. Vincent de Paul, to hold a “Walk for the Poor” on Sunday, September 26, 2021, from 11:30 a.m. through approximately 2:00 p.m., subject to Police Department safety requirements, proof of insurance coverage and the assurance that any litter will be removed at the race’s conclusion.

Background Information:

Please see attached.

Financial impact expected:N/A

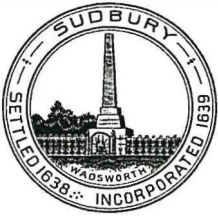
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

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

08/31/2021 6:30 PM



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Office of Select Board

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SUDBURY, MA

2021 AUG 23 A 11:05

Flynn Building  
278 Old Sudbury Rd  
Sudbury, MA 01776-1843

978-639-3381

Fax: 978-443-0756

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

APPLICATION FOR A CHARITABLE WALK/RELAY PERMIT ON A PUBLIC WAY

Written permission to conduct a fundraising walk or relay race in any public street, public sidewalk or public way within the Town must be obtained from the Select Board prior to the event. The Chief of Police will determine the appropriate public safety requirements for this event and the cost of such special duty officers, if any required, will be borne by the applicant. The Town of Sudbury requires a Certificate of Insurance of no less than \$1,000,000, naming the Town as an additional insured. All cleanup from the event will be completed by the applicant within 8 hours after the stated ending time or applicant will be billed for the Town's cost to clean up. Application processing can take up to four weeks as approval from the Police, Building and Park & Recreation departments may be required prior to Select Board approval. Processing begins after all required materials are received, so please plan accordingly.

Organization Name St. Vincent de Paul, St. Anselm Church

Event Name Walk for the Poor

Organization Address 100 Landham RD

Name of contact person in charge Lisa Hanson

\_\_\_\_\_  
(cell) \_\_\_\_\_

Telephone Number(s) of contact Email address \_\_\_\_\_

Date of event September 26, 2021 Rain Date \_\_\_\_\_

Starting time 11:30 Ending time 2:00

Route of the race/relay and portion of the road requested to be used (please indicate on map and attach to this application) Landham, Stock farm, Kay street, Brookdale, Eddy, Russet

Anticipated number of participants 75

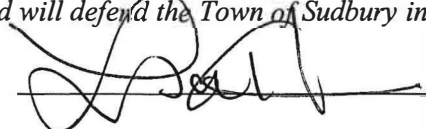
Assembly area (enclose written permission of owner if private property to be used for assembly) \_\_\_\_\_

St. Anselm Church

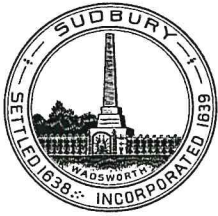
Organization that proceeds will go to St. Vincent de Paul, St. Anselm Conference

Any other important information \_\_\_\_\_

*The undersigned applicant agrees that the applicant and event participants will conform to applicable laws, by-laws and regulations as well as any special requirement that may be made as a condition of the granting of permission pursuant to this application. I/we agree to hold the Town of Sudbury harmless from any and all liability and will defend the Town of Sudbury in connection therewith.*

Signature of Applicant 

Date 8/20/21



## TOWN OF SUDBURY

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278 Old Sudbury Rd  
Sudbury, MA 01776-1843

978-639-3381

Fax: 978-443-0756

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

### CONTINUED: APPLICATION FOR A CHARITABLE WALK/RELAY PERMIT...

#### Application Checklist:

- Application Form
- Map of Route
- Evidence of Certificate of Insurance (please see details above)

Please submit completed application and materials to:

Office of Select Board

278 Old Sudbury Rd.

Sudbury, MA 01776

Fax: 978-443-0756

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





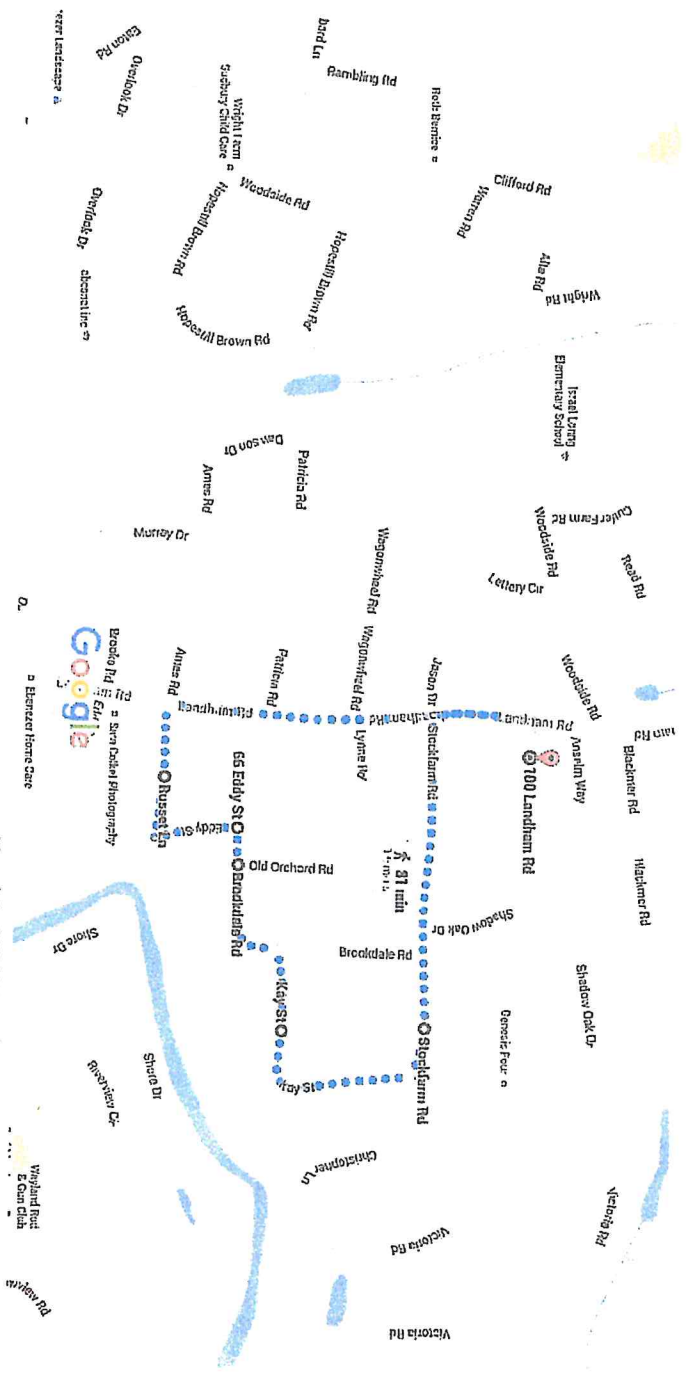
100 Landham Rd, Sudbury, MA 01776 to  
100 Landham Road, Sudbury, MA

Walk 1.6 miles, 31 min

Walk for the Poor Route

via Landham Rd

31 min  
1.6 miles



# St. Vincent de Paul (St. Anselm) Walk 2021

## Sunday, September 26, 2021

### Department Feedback

Department	Staff	Date	Comments
Fire Department	Chief Whalen	8/24/21	The Fire Department has no issues with this application.
Highway Department	Dan Nason	8/23/21	The Public Works Department does not have an issue with this event assuming there are no resources (equipment, barricades, barrels, cones, etc.) or personnel needed from the department for said event.
Park & Recreation	Christine Sturniolo	8/26/21	The Park & Rec department has no issues with this event.
Police Department	Chief Nix	8/23/21	The police department does not have an issue with the event.

From: Murphy, Bill  
 Sent: Monday, August 30, 2021 11:03 AM  
 To: Golden, Patricia  
 Cc: Porter, Beth  
 Subject: RE: Walk/Run Application: Bikes Not Bombs AND St Vincent Walk for the Poor

I have no issues with these events.

-Bill

From: Golden, Patricia  
 Sent: Thursday, August 26, 2021 10:05 AM  
 To: Murphy, Bill <MurphyB@sudbury.ma.us>  
 Cc: Maryanne Bilodeau (BilodeauM@sudbury.ma.us) <BilodeauM@sudbury.ma.us>  
 Subject: FW: Walk/Run Application: Bikes Not Bombs AND St Vincent Walk for the Poor  
 Importance: High

Hi Bill,  
 Would you be able to please take a look at these two charity event applications? They are on the 8/31 SB agenda for approval. One event is scheduled for 9/12 and the other for 9/26.

I know that due to potential changes re: COVID your input/feedback would be beneficial in case the SB has questions. I know it's short notice, but if you could respond by noon tomorrow (Friday) it would be great. I can include your comments in the Board's packet which will go out tomorrow.

Any questions, please let me know. Thanks.

Patty Golden  
 Senior Admin. Assistant to the Town Manager  
 Town of Sudbury  
 Ph: 978-639-3382  
 Fax: 978-443-0756  
 www.sudbury.ma.us

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

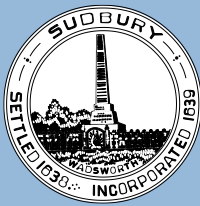
From: Frank, Leila  
 Sent: Friday, August 20, 2021 10:50 AM  
 To: Whalen, John <WhalenJ@sudbury.ma.us>; Choate, Timothy <ChoateT@sudbury.ma.us>; Nix, Scott <NixS@sudbury.ma.us>; Grady, Robert <GradyR@sudbury.ma.us>; Nason, Dan <NasonD@sudbury.ma.us>; Mannone, Dennis <MannoneD@sudbury.ma.us>; Sardagnola, Tricia <SardagnolaT@sudbury.ma.us>; Sturniolo, Christine <SturnioloC@sudbury.ma.us> Cc: Golden, Patricia <GoldenP@sudbury.ma.us>  
 Subject: Walk/Run Application: Bikes Not Bombs  
 Importance: High

Attached, please find Walk/Run/Ride permit Application for Bikes Not Bombs (Sept 12)

Please provide your feedback by NEXT Monday, 8/23/21. My apologies for the short notice – the application came in yesterday afternoon, I'm out of the office for a week starting next Wednesday and this needs to go on the next SB agenda.

Thank you,  
 Leila

Attachment 22.c: Health\_feedback (4784 : St. Anselm/St. Vincent de Paul Walk 2021)



SUDBURY SELECT BOARD  
Tuesday, August 31, 2021

**CONSENT CALENDAR ITEM**

**23: Bikes Not Bombs 34th Annual Bike-A-Thon**

REQUESTOR SECTION

Date of request:

Requestor: Angela Phinney, Bikes Not Bombs Dir. Development

Formal Title: Vote to grant a special permit to Bikes Not Bombs to hold the “34th Annual Bike-A-Thon” on Sunday, Sunday September 12, 2021, from 11:00 A.M. through approximately 3:00 P.M., with a rain date of Sunday, September 26, 2021, subject to Police Department safety requirements, proof of insurance coverage and the assurance that any litter will be removed at the race’s conclusion.

Recommendations/Suggested Motion/Vote: Vote to grant a special permit to Bikes Not Bombs to hold the “34th Annual Bike-A-Thon” on Sunday, Sunday September 12, 2021, from 11:00 A.M. through approximately 3:00 P.M., with a rain date of Sunday, September 26, 2021, subject to Police Department safety requirements, proof of insurance coverage and the assurance that any litter will be removed at the race’s conclusion.

Background Information:  
Application and department feedback attached

Financial impact expected:N/A

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

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

08/31/2021 6:30 PM





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Fax: 978-443-0756  
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2021 AUG 19 PM 1:02

APPLICATION FOR A CHARITABLE WALK/RELAY PERMIT ON A PUBLIC WAY

Written permission to conduct a fundraising walk or relay race in any public street, public sidewalk or public way within the Town must be obtained from the Select Board prior to the event. The Chief of Police will determine the appropriate public safety requirements for this event and the cost of such special duty officers, if any required, will be borne by the applicant. The Town of Sudbury requires a Certificate of Insurance of no less than \$1,000,000, naming the Town as an additional insured. All cleanup from the event will be completed by the applicant within 8 hours after the stated ending time or applicant will be billed for the Town's cost to clean up. Application processing can take up to four weeks as approval from the Police, Building and Park & Recreation departments may be required prior to Select Board approval. Processing begins after all required materials are received, so please plan accordingly.

Organization Name BIKES NOT BOMBS, INC.

Event Name 34<sup>th</sup> ANNUAL BIKE-A-THON

Organization Address 284 AMORY ST., JAMAICA PLAIN, MA 02130

Name of contact person in charge ANGELA PHINNEY

Telephone Number(s) of contact \_\_\_\_\_ Email address \_\_\_\_\_ (cell) \_\_\_\_\_

Date of event 9-12-2021 Rain Date 9-26-2021

Starting time 11:00 am Ending time 3:00 pm

Route of the race/relay and portion of the road requested to be used (please indicate on map and attach to this application) please see attached

Anticipated number of participants less than 100

Assembly area (enclose written permission of owner if private property to be used for assembly) None

Organization that proceeds will go to Bikes Not Bombs

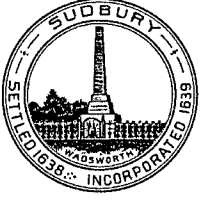
Any other important information This is not a race, just a bike ride

*The undersigned applicant agrees that the applicant and event participants will conform to applicable laws, by-laws and regulations as well as any special requirement that may be made as a condition of the granting of permission pursuant to this application. I/we agree to hold the Town of Sudbury harmless from any and all liability and will defend the Town of Sudbury in connection therewith.*

Signature of Applicant *Angela Phinney*

Date 7/7/2021

Attachment 23.a: Bikes Not Bombs 2021\_SB (4783 : Bikes Not Bombs 34th Annual Bike-A-Thon)



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

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

### CONTINUED: APPLICATION FOR A CHARITABLE WALK/RELAY PERMIT...

Application Checklist:

- Application Form
- Map of Route
- Evidence of Certificate of Insurance (please see details above)

Please submit completed application and materials to:  
Office of Select Board  
278 Old Sudbury Rd.  
Sudbury, MA 01776  
Fax: 978-443-0756  
Email: [SBadmin@sudbury.ma.us](mailto:SBadmin@sudbury.ma.us)



# BIKES NOT BOMBS

*Using the bicycle as a vehicle for social change*

**284 AMORY STREET • JAMAICA PLAIN, MA 02130**  
**BIKESNOTBOMBS.ORG • 617.522.0222**

August 13, 2021

Town of Sudbury  
 Flynn Building  
 278 Old Sudbury Road  
 Sudbury, MA 01776

ATTENTION: Henry L. Hayes Jr.

Dear Mr. Hayes:

Thank you for speaking with us last month and sending along the Town of Sudbury's event application. We have completed the application, and enclosed it with a map of our route and a copy of our certificate of insurance. I apologize for the delay in sending these materials to you; I thought someone else in the office mailed them weeks ago.

I thought I would explain a bit about our organization as well as the route for the bike ride. Bikes Not Bombs is requesting permission to use Sudbury roads for our 34th annual fundraising bike ride, the Bike-a-Thon, on Sunday, September 12, 2021. This will be our 34th year of running this event smoothly and safely! Each of these heroic cyclists in the event raises money to support our non-profit bicycle programs. Our youth programs in Jamaica Plain help underserved teens from Boston learn safe bicycling skills and mechanics skills, while earning their own bike. These bikes help them get to school or work and the skills lay a foundation for professional development that will help them get jobs.

I want to mention up front that there are no points along our route where we plan to block, obstruct, or in any way interfere with vehicular or pedestrian traffic. This is not a race, and it is not a single mass of cyclists who stay together. Upon leaving the starting point in Jamaica Plain, each cyclist rides at their own pace, and they will be spread out over many miles and integrated into the normal flow of traffic. We provide the route for cyclists to follow, and each cyclist is on the road as an individual, riding safely and single file on the road as would any other recreational cyclist. The route through Sudbury is part of our 100-mile Bike-a-Thon route, and the riders for this route are

extremely experienced in riding with traffic.

We instruct all riders to obey all traffic laws. These cyclists will also be experienced and comfortable with safely integrating themselves into the normal flow of traffic. We expect the impact on Sunday's traffic to be negligible, and we are not requesting any assistance from town authorities on the day of the event.

There are no spectators or parking in Sudbury. It will only be cyclists on the road as a part of normal traffic. The riders will not be stopping in Sudbury.

Below is an outline of our route through Sudbury:

100 Mile route

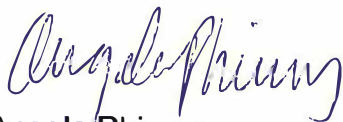
- Enter Sudbury on Concord Rd.
- Turn left on Lincoln Rd.
- Turn right on Water Row
- Turn left on Old Sudbury Rd. and exit Sudbury

Riders will start to trickle into Sudbury at around 11:00am. We expect our very last riders will have exited Sudbury by 3:00pm. The riders will be quite staggered throughout the day.

An online map of the above route can be found here:  
<https://ridewithgps.com/routes/35459983>

If there are any questions at all, please just be in touch with me. Many thanks for your consideration.

Sincerely,



Angela Phinney  
Director of Development  
Bikes Not Bombs

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SUDBURY, MA  
2021 AUG 19 P 12: 21

Attachment23.a: Bikes Not Bombs 2021\_SB (4783 : Bikes Not Bombs 34th Annual Bike-A-Thon)

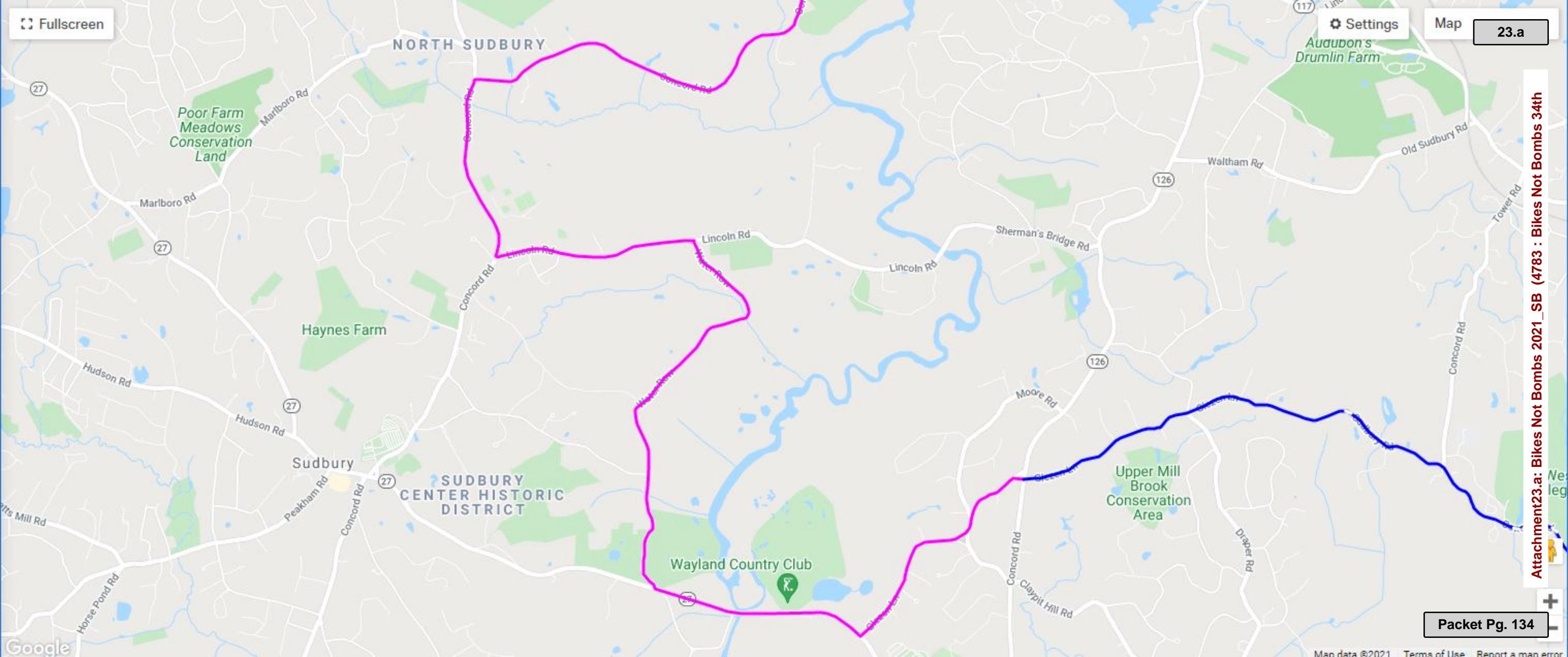


Fullscreen

Settings

Map

23.a



Attachment 23.a: Bikes Not Bombs 2021\_SB (4783 : Bikes Not Bombs 34th

Packet Pg. 134

# Bikes Not Bombs “Bike-A-Thon”

Sunday, September 12, 2021

Rain Date: Sunday, September 26, 2021

## Department Feedback

Department	Staff	Date	Comments
Fire Department	Chief Whalen	8/20/21	The Fire Department has no issues with this application.
Highway Department	Dan Nason	8/20/21	The Public Works has no issues with this application assuming there is no personnel, resources or equipment (cones, barricades, barrels, signs, etc.) needed from this Department.
Park & Recreation	Christine Sturniolo, Tricia Sardagnola	8/23/21, 8/24/21	No conflicts
Police Department	Chief Nix	8/20/21	The longevity of the event speaks for itself. Understanding participants will be briefed on the contained expectations is good. One location I see as being somewhat precarious is crossing from Water Row, taking a left, onto Old Sudbury Road. Although the sight lines are sufficient, this portion is posted at a higher speed so I would request participants be additionally briefed on this portion of the course.



SUDBURY SELECT BOARD  
Tuesday, August 31, 2021

**CONSENT CALENDAR ITEM**

**24: Vote to accept resignations from DEI**

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Vote to accept the resignations of Nancy Kimble, 589 Concord Road, and Susan Tripi, 23 Belcher Drive, from the Diversity, Equity and Inclusion Commission (DEI) and to send thank you letters for their service to the Town.

Recommendations/Suggested Motion/Vote: Vote to accept the resignations of Nancy Kimble, 589 Concord Road, and Susan Tripi, 23 Belcher Drive, from the Diversity, Equity and Inclusion Commission (DEI) and to send thank you letters for their service to the Town.

Background Information:  
attached resignation letter(s)

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

08/31/2021 6:30 PM

**From:** "Nancy K." <[nckimble@gmail.com](mailto:nckimble@gmail.com)>  
**Date:** August 27, 2021 at 1:51:26 PM EDT  
**Subject:** Stepping Back

Hi Jennifer, Nuha, and Nalini,

I was very impressed with the 6 applications and the 4 individuals we met last night for the vacancy on the DEI Commission. Clearly Sudbury has an abundance of residents who care deeply about diversity, equity, and inclusion, and are interested in helping the town achieve its goals in this area. As I watched, listened to, and participated in the discussion last night, I could not help but notice that 8 of the current 13 members of the commission are white women (myself included.) Since one of our main goals is to give voice to individuals "from historically disenfranchised populations," I have decided that I am currently taking space on the commission that would be better filled by one of the new applicants. I remain committed to helping the commission achieve its goals to the best of my ability, but in my original application for the commission I stated the following:

*"I am passionate about Diversity, Equity, and Inclusion, and I feel strongly that this commission should include and elevate the voices of those who have traditionally been disenfranchised. To that end, I encourage the Board to prioritize the selection of Black, Indigenous, and People of Color, even if it precludes my own participation."*

I have been honored to serve on the Commission and I will continue to tune in to meetings and help wherever I can, however I would like to step down from my role as a Voting Member in order to make space for one of the new applicants who might bring a different and extremely valuable perspective to the Commission.

I am grateful to the three of you for your leadership and dedication to creating a more just and equitable community for all, and I look forward to seeing (and helping with) your work over the coming months.

Sincerely,

Nancy Kimble

--

Nancy Kimble (she/her/hers)  
[nckimble@gmail.com](mailto:nckimble@gmail.com)  
978-460-5451



**To: Co-Chairs Nuha Muntasser and Nalini Luthra, members of the Sudbury Select Board, and Town Manager Henry Hayes.**

**From: Susan Tripi**

**RE: Sudbury Diversity, Equity, and Inclusion Commission**

**August 29, 2021**

As you are all aware, a number of qualified applicants were presented to the DEI Commission for consideration to fill a vacant seat. In the context of our meeting on Thursday, August 26<sup>th</sup>, it was communicated that only one candidate can be appointed to fill the seat.

Of the applicants that applied, several not only bring an array of valuable skill sets and experience, they also offer a unique perspective given their ethnic and racial backgrounds – among other possible identities yet unknown. So, to learn that only one candidate would be chosen to fill the one available seat, presents me with an internal conflict of which I have given much consideration over the past few days.

Pulling from the mission statement, the purpose of the Sudbury Diversity, Equity, and Inclusion Commission is to “support diversity, achieve equity, and foster inclusion for every member of this community” ... “by [making] recommendations on a quarterly (minimum) basis to the Sudbury Select Board on policies and programs to identify and eliminate conscious or unconscious biases and prejudices, to reject discrimination, and to measure, promote, and increase diversity, equity, and inclusion of Sudbury’s historically disenfranchised populations.”

If the DEI Commission has been tasked with the important responsibility of seeking to understand the lived experience of marginalized people groups, and to learn about the nuances of life from varied perspectives, then how can we deny room and space on the Commission to applicants who represent the very marginalized communities that the Commission seeks to learn from, seeks to empower, and seeks to amplify? Such are the candidates that must be present at the table and sit on the Commission, in my perspective.

To offer such candidates a peripheral role, a support role, for example, as an Advisor, could be helpful and useful, yes. However, such supportive pathways will not offer the same level of position and power and voice that having a seat on the Commission will afford.

The DEI Commission is currently comprised of six women of Caucasian background, and though we vary in ethnic composition, and while we all bring unique skills and passion and commitment and value in our own way to the work of DEI, our lived reality is similar enough that the shared experience that encompasses the “voice of a white woman” is sufficiently represented on the DEI Commission, in my perspective.

The Commission would be remiss to refrain from taking action that can benefit from -- and amplify -- the perspective that such diverse and qualified candidates bring to the work, role, and a seat on the DEI Commission.

The work of DEI is about more than welcoming people to participate in the “movement”. It is also about embracing the perspective of people groups that have been historically left out of the conversation, of the decision-making process, of accessing spaces where pertinent discussions occur. To transfer one of the qualified applicants to an Advisory role is convenient but is it equitable? I believe it falls short of equitable. And so, after much personal reflection within my heart and conscience, I present my formal resignation as a member of the DEI Commission.

My commitment to the work of DEI, my advocacy in the area of social justice, and my internal conviction to do the right thing, inform my decision to resign from my seat on the DEI Commission so that a space can be opened up to accept one of the applicants who will bring a different and much needed perspective to the table, and who will be able to inform, educate, and further the Commission’s efforts as a result.

I am grateful for the opportunity to have served, even in such a short time and capacity on the Commission, and I look forward to remaining involved in efforts that allow community members to participate in supporting the Commission’s work over the next year.

With Deepest Respect,

Susan Tripi  
(23 Belcher Drive)