

SUDBURY SELECT BOARD

TUESDAY, JULY 27, 2021

(Meeting can be viewed at 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

- Dutton 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 29th and 30th 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' comments in the agenda packet that the proposed bench was not ADA compliant.

A majority of 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.

Board Member Dretler stated that she was reluctant to accept the donation until the Board understood whether the Town could install an ADA compliant bench.

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, but the timing changed from time to time.
- 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 Roberts recommended that related discussion continue to the next Board meeting.

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

Board Member Carty stated that fees for Sewataro should be no more or frequent than collected for other Town properties.

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. The subject of an override was discussed, and Board Member Carty stated that if we worked towards getting debt into the levy, only to have an operational override, then no problem has been solved. He added that he was against an override for this purpose.

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 Dretler stated that the Board had not previously discussed the change in format.

Board Member Schineller expressed approval of the joint Newsletter.

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

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 or Culverts | Vice-Chair Russo |
| • HOPEsudbury | Board Member Schineller |
| • Town Transportation Update | Board Member Carty |
| • Financial Policies | Chair Roberts |
| • Video about Sudbury's historic Town buildings | 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 from voting on this item as a member of his family is an election officer.

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, Carty-abstain.

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.

SB Meeting 7/27/21 Documents & Exhibits

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

Attachments:

- 1.a 29 Stone Decision Letter to Owner
- 1.b 29 Stone Decision Published in Paper
- 1.c 29 Stone Hearing Notices 3 days in Paper
- 1.d 29 Stone Posting 5
- 1.e 29 Stone Return Mail from last Know Address
- 1.f 29 Stone Road SUDBURY Summary
- 1.g 29 Stone Rd pics

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

Attachments:

- 2.a SB Executive Session 6-15-21_for_review
- 2.b SB Executive Session 6-29-21_for_review

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

Attachments:

- 4.a Art1 Sect3 Bylaw
- 4.b Email_Fall_TM
- 4.c MEMO TO MEMBERS OF SELECT BOARD RE BETH EMAIL OF JULY 12 2021.6

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

Attachments:

- 6.a Sewataro Actions Table
- 6.b Sewataro Policy - use & fees Draft 07.08.2021_CGR_BJS
- 6.c SewataroAssessmentAndRecommendations_2021_Jul_08_supporting_materials
- 6.d SPS Building Use Request
- 6.e Sudbury_6010_fieldfacility_use_policy_2017__updated_52317
- 6.f Sudbury_PR_field_request_form_2021_15

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

Attachments:

- 7.a Transportation Committee members
- 7.b Transportation Committee mission statement
- 7.c Sudbury Transportation Committee Mission Statement Updated 07212021

- 7.d Age-Friendly Ambassador-1
- 7.e ambassador appointment

8. Discussion on Financial Policies (~30 min)

Attachments:

- 8.a FinancialPolicyDecisionsTargetsThresholdsForConsideration DJK 7-22-2021 Edited
- 8.b Select Board Financial Policies WORKING DRAFT 2021 07.09.21 Edited

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

Attachments:

- 10.a SB Newsletter Previous Topics_7.27.21

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

Attachments:

- 11.a july-december-2021-calendar

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

Attachments:

- 13.a SB_draft1_6.15.21_min_for_review
- 13.b SB_draft1_6.23.21_min_for_review
- 13.c SB_draft1_6.29.21_min_for_review

14. Upcoming Agenda Items

Attachments:

- 14.a POTENTIAL UPCOMING AGENDA ITEMS_7.27.21

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

Attachments:

- 15.a Lea bench for Sudbury
- 15.b Bench Donation_Lea Wallerstein

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

Attachments:

- 16.a Resignation letter Town Historian

17. 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.

Attachments:

- 17.a Democrat-Unenrolled Election Officers 2021-2022
- 17.b Republican-Unenrolled Election Officers 2021-2022

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

Attachments:

- 18.a Board Committee Reappointments 2021_v2
- 18.b Recommendation Letters_2021 Reappointments

19. 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.

Attachments:

- 19.a Easement
- 19.b MARLBORO ROAD Easement plan Rev 6-14-21-2

20. 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.

Attachments:

- 20.a Kathryn McGrath Resume 210420_redact
- 20.b Kathryn McGrath Application 210420
- 20.c Kathryn McGrath Application 210420_fields_adjusted

21. 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.

Attachments:

- 21.a AGENDA REQUEST BACKGROUND INFORMATION
- 21.b Nelson Nygaard Consulting Asoc agreement