



SUDBURY SELECT BOARD
TUESDAY NOVEMBER 16, 2021
7:00 PM, ZOOM

Item #	Time	Action	Item
	7:00 PM		CALL TO ORDER
			Opening remarks by Chair
			Reports from Town Manager
			Reports from Select Board
			Citizen's comments on items not on agenda
PUBLIC HEARING			
1.	7:15 PM	<i>VOTE / SIGN</i>	Vote to open Public Hearing on whether to approve petition of NStar Electric Company d/b/a/ Eversource Energy and Verizon New England, Inc. for the purpose of obtaining a Grant of Location to remove one (1) pole #13/10X and to install one (1) new pole #13/10A. This work is necessary to provide safe access for driveway at #66 Puffer Lane. Richard M. Schifone, Eversource Rights and Permits Supervisor, to attend. (~20 min.)
2.		<i>VOTE</i>	Vote to close the Public Hearing and resume Select Board meeting.
MISCELLANEOUS			
3.			Pre-briefing for upcoming annual Tax Classification hearing. Cynthia Gerry, Director of Assessing to provide an overview of the process (~20 min.)
4.		<i>VOTE</i>	Sewataro Discussion on Public Access and Contract Renewal/Property next Steps: · Update on outstanding Sewataro questions list · Update on MA Department of Environmental Protection/Department of Public Health feedback on swimming and fishing ponds. Town Manager Hayes to report. · Update on public education document to be drafted by Subcommittee · Vote to release Town Counsel opinions related to Sewataro Use Policy and Swimming · Sewataro Use Policy discussion · Other Outstanding Sewataro items (~45 min.)
5.			Discussion on American Rescue Plan Act (ARPA) funds status and project request/prioritization process. Town Manager Hayes to report. (~30 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.			Discussion on Remote Participation Policy. Subcommittee members Roberts and Schineller to present (~40 min.)
7.		<i>VOTE</i>	Review and possible vote to support signature of Arlington Town Manager letter on Energy Stretch Codes. (~15 min.)
8.		<i>VOTE</i>	Review open session minutes of 1/15/21 and 10/5/21, and possibly vote to approve minutes.
9.			Citizen's Comments (cont)
10.			Upcoming Agenda Items
CONSENT CALENDAR			
11.		<i>VOTE / SIGN</i>	Vote to direct the Town Clerk to place the vacancy for Sudbury School Committee member on the March 28, 2022 Annual Town Election ballot for a one-year term expiring May 31, 2023.
12.		<i>VOTE</i>	Vote to accept Emergency Management Performance Grant (EMPT) funds in the amount of \$4,600 for the purchase of mass casualty equipment to be used by the Fire Department.
13.		<i>VOTE</i>	Vote to allocate \$35,000 of the remaining mitigation funds listed in item 4.2.c. of the Meadow Walk Development Agreement to any and all aspects of the Go Sudbury! Microtransit Pilot Program to be administered by the Transportation Committee.
14.		<i>VOTE</i>	Vote to approve a one-hour extension of the licensed closing hour and serving of alcoholic beverages for licensees who make application in advance to the Town Manager's Office: Franco's Trattoria, 365 Boston Post Road; Fugakyu Cafe, 621 Boston Post Road; Lavender, 519A Boston Post Road (1AM to 2AM) and Max and Leo's Artisan Pizza, 470 North Road on Wednesday, November 24, 2021 (Thanksgiving eve) and Friday, December 31, 2021 (New Year's Eve), on the condition that the kitchen remains open and food is served.

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, November 16, 2021

PUBLIC HEARING

1: Utility hearing - GOL Pole Removal Puffer Lane

REQUESTOR SECTION

Date of request:

Requestor: Eversource

Formal Title: Vote to open Public Hearing on whether to approve petition of NStar Electric Company d/b/a/ Eversource Energy and Verizon New England, Inc. for the purpose of obtaining a Grant of Location to remove one (1) pole #13/10X and to install one (1) new pole #13/10A. This work is necessary to provide safe access for driveway at #66 Puffer Lane. Richard M. Schifone, Eversource Rights and Permits Supervisor, to attend. (~20 min.)

Recommendations/Suggested Motion/Vote: Vote to open Public Hearing on whether to approve petition of NStar Electric Company d/b/a/ Eversource Energy and Verizon New England, Inc. for the purpose of obtaining a Grant of Location to remove one (1) pole #13/10X and to install one (1) new pole #13/10A. This work is necessary to provide safe access for driveway at #66 Puffer Lane. Richard M. Schifone, Eversource Rights and Permits Supervisor, to attend. (~20 min.)

Background Information:
see attached documents.

Financial impact expected:

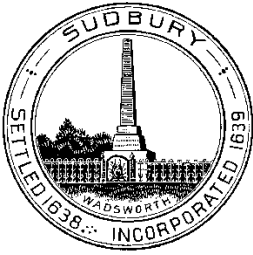
Approximate agenda time requested: 20 minutes

Representative(s) expected to attend meeting: Richard M. Schifone, Eversource Rights and Permits Supervisor

Review:

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

11/16/2021 7:00 PM



TOWN OF SUDBURY

Office of Select Board

www.sudbury.ma.us

278 Old Sudbury Road
Sudbury, MA 01776-1843
978-639-3381

Fax: 978-443-0756

Email: selectboard@sudbury.ma.us

NOTICE OF PUBLIC HEARING

The Sudbury Select Board will hold a meeting on **Tuesday, November 16, 2021, 7:15 p.m.** (remotely via Zoom), on a request by NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY and VERIZON NEW ENGLAND, INC. for the purpose of obtaining a Grant of Location to remove one (1) pole #13/10X and to install one (1) new pole #13/10A.

This work is necessary to provide safe access for driveway at #66 Puffer Lane.

SUDBURY SELECT BOARD

10/26/21

For publication in 11/4/21 and 11/11/21 *Sudbury Town Crier*

Cc: Applicant
Eversource Energy
Building Inspector
DPW director
Abutters



157 Cordaville Road
Southborough, MA 01772

October 12, 2021

Select Board
Sudbury Town Hall
322 Concord Road
Sudbury, MA 01776

RE: Puffer Lane
Sudbury, MA
W.O. #5806640

Hearing Required

Dear Members of the Board:

The enclosed petition and plan are being presented by the NSTAR ELECTRIC COMPANY d/b/a as EVERSOURCE ENERGY and VERIZON for obtaining a Grant of Location to remove one (1) pole #13/10X and to install one (1) new pole #13/10A.

This work is necessary to provide safe access for driveway at #66 Puffer Lane.

If you have any further questions, contact Chris Cosby @ (508) 305-6989.
Your prompt attention to this matter would be greatly appreciated.

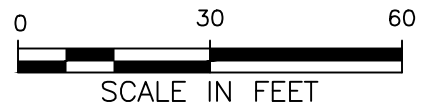
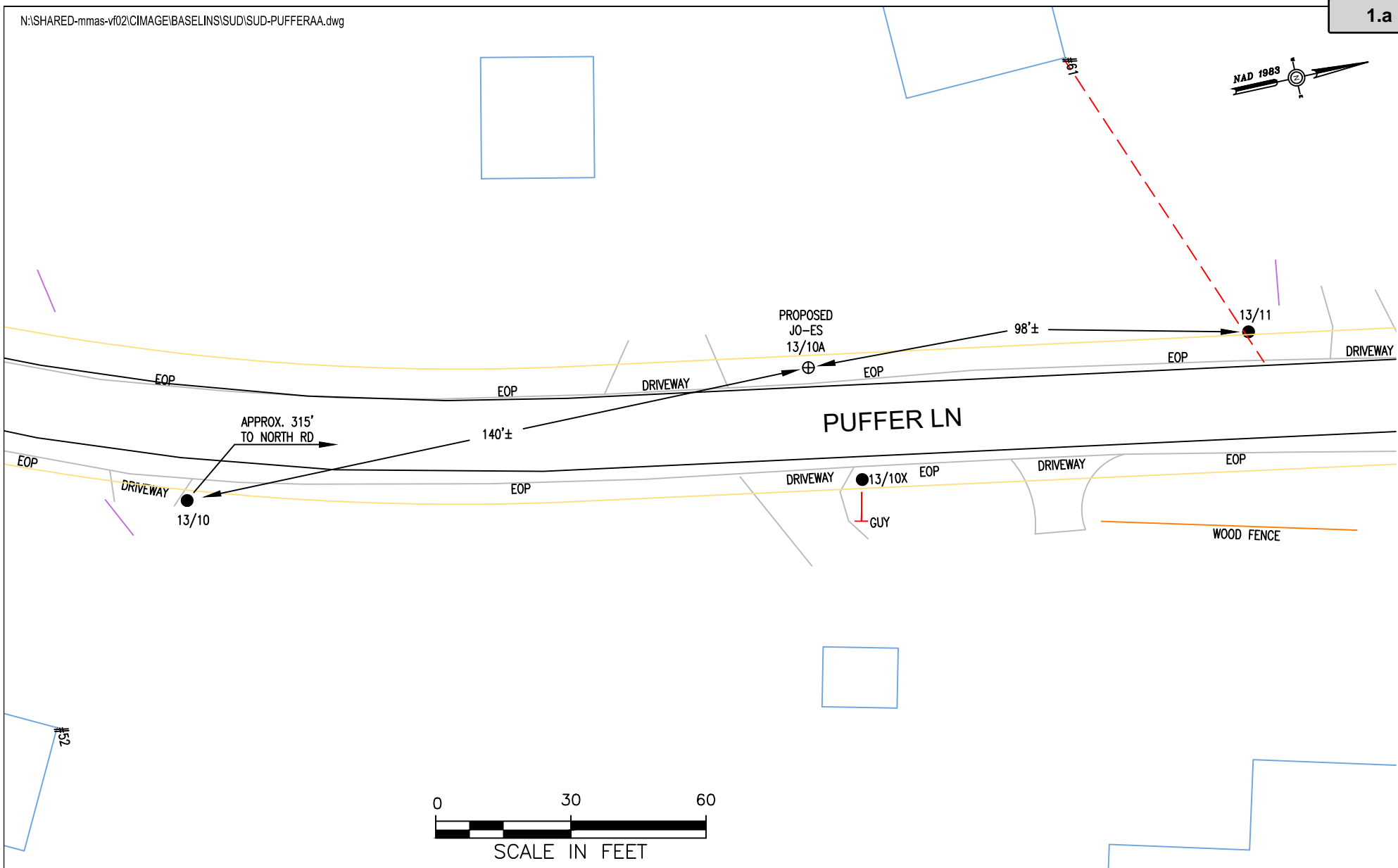
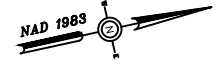
Very truly yours,

Richard M. Schifone

Richard M. Schifone
Rights and Permits, Supervisor

RMS/sky
Attachments

Attachment1.a: combined docs (4893 : Utility hearing - GOL Pole Removal Puffer Lane)



BY YOUR USE OF THE INFORMATION CONTAINED IN THIS MAP, YOU AGREE THAT NO WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, IS GIVEN WITH RESPECT TO THE INFORMATION. NEITHER NSTAR ELECTRIC COMPANY, NSTAR GAS COMPANY NOR ITS PARENTS, AFFILIATES, OFFICERS, DIRECTORS, SHAREHOLDERS, EMPLOYEES OR AGENTS (COLLECTIVELY THE "NSTAR ENTITIES") SHALL BE LIABLE FOR ANY LOSS OR INJURY CAUSED IN WHOLE OR IN PART BY USE OF THIS INFORMATION OR IN RELIANCE UPON IT. TO THE MAXIMUM EXTENT ALLOWED BY LAW, YOU AGREE BY YOUR ACCEPTANCE OF THE INFORMATION TO RELEASE, INDEMNIFY AND HOLD THE NSTAR ENTITIES HARMLESS FROM ANY SUCH LOSS OR INJURY.

THE INFORMATION MAY NOT REPRESENT A SURVEY, MAY NOT BE THE MOST COMPLETE AND IS SUBJECT TO CHANGE WITHOUT NOTICE. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE INFORMATION, EITHER EXPRESSED OR IMPLIED. UNAUTHORIZED ATTEMPTS TO MODIFY THE INFORMATION OR USE THE INFORMATION FOR OTHER THAN ITS INTENDED PURPOSES ARE PROHIBITED.

Proposed pole locations shown thus	⊕	C#	
Pole locations to be abandoned, shown thus	○	Ward #	
Proposed Anchor Guy shown thus	T	Work Order #	5806640
Proposed Hip Guy shown thus	T _H	Surveyed by:	SJ/GR
Proposed Underground location shown thus	—	Research by:	JC
Proposed Push Brace shown thus	⊕	Plotted by:	TL
Existing Pole location shown thus	●	Proposed Structures:	TL
		Approved:	T THIBAUT
		P#	

EVERSOURCE
d/b/a

1165 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125

Plan of PUFFER LANE, SUDBURY

Showing PROPOSED POLE LOCATION

Scale 1"=30' Date SEPTEMBER 18, 2021

SHEET 1 of 1

Attachment1.a: combined docs (4893 : Utility hearing - GOL Pole Removal Puffer Lane)

**ORDER FOR JOINT OR IDENTICAL LOCATIONS FOR POLES
Town of Sudbury, Massachusetts**

WHEREAS, NSTAR **ELECTRIC COMPANY d.b.a. Eversource Energy** and **VERIZON NEW ENGLAND, INC.** have petitioned for joint or identical locations for the erection or construction of poles to be owned and used in common by them upon, along and across the public way or ways of the town hereinafter specified, and notice has been given and a hearing held on said petition as provided by law.

It is ORDERED that **NSTAR ELECTRIC COMPANY d.b.a. Eversource Energy** and **VERIZON NEW ENGLAND, INC.** be and hereby are granted joint or identical locations for the erection or construction of poles, to be owned and used in common by them, and for such other fixtures including anchors and guys as may be necessary to sustain or protect the wires of the line upon, along and across the following public way or ways of said town:

Puffer Lane – Westerly side approximately 180± feet southwest of North Road

Install one (1) new pole #13/10A
Remove one (1) pole #13/10X

Hearing Required

All construction work under this Order shall be in accordance with the following conditions: Poles shall be of sound timber and located as shown on plans made by **T. Thibault dated September 18, 2021** on file with said petition. There may be attached to said poles by said **NSTAR ELECTRIC COMPANY d.b.a. Eversource Energy** and by said **VERIZON NEW ENGLAND, INC.** wires and cables necessary for the conduct of their business. All such wires and cables shall be placed at a height of not less than eighteen feet from the ground at crossings of other ways and at not less than fourteen feet from the ground elsewhere

_____ Select Board of

_____ the town of
_____ **SUDBURY**

CERTIFICATE

We hereby certify that the foregoing Order was adopted after due notice and a public hearing as prescribed by Section 22 of Chapter 166 of the General Laws (Ter.Ed.), and any additions thereto or amendments thereof, to wit: after written notice of the time and place of the hearing mailed at least seven days prior to the date of the hearing by the Select Board to all owners of real estate abutting upon that part of the way or ways upon, along or across which the line is to be constructed under said Order, as determined by the last preceding assessment for taxation, and a public hearing held at _____ in said town on _____ day of _____, 2021 at _____ P.M.

_____ Select Board of

_____ the town of
_____ **SUDBURY**

CERTIFICATE

I hereby certify that the foregoing are true copies of the Order of the Select Board of the town of **SUDBURY** Massachusetts, duly adopted on the _____ day of _____ 2021 and recorded with records of location Orders said town, Book _____, Page _____ and of the certificate of notice of hearing thereon required by Section 22 of Chapter 166 of the General Laws (Ter.Ed.), and any additions thereto or amendments thereof, as the same appear of record.

Attest: _____
Clerk of the Town of **SUDBURY**, Massachusetts

Attachment1.a: combined docs (4893 : Utility hearing - GOL Pole Removal Puffer Lane)

PETITION OF NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY AND OTHER COMPANIES FOR JOINT OR IDENTICAL LOCATIONS FOR POLE

To the Select Board of the Town of Sudbury, Massachusetts:

Respectfully represent **NSTAR ELECTRIC COMPANY dba Eversource Energy** and **VERIZON NEW ENGLAND, INC.** companies subject to Chapter 166 of the General Laws (Ter.Ed.), that they desire to construct a line upon, along and across the public way or ways hereinafter specified.

WHEREFORE, your petitioners pray that after due notice and hearing as provided by law the Select **Board** may by Order grant your petitioners joint or identical locations for the erection or construction of poles, to be owned and used in common by them, and for such other fixtures including anchors and guys as may be necessary to sustain or protect the wires of the line, said poles to be located, substantially as shown on the plans made by **T. Thibault, dated September 18, 2021** and filled herewith, upon along and across the following public way or ways of said town:

Puffer Lane – Westerly side approximately 180± feet southwest of North Road

Install one (1) new pole #13/10A
Remove one (1) pole #13/10X

Hearing Required

Also, for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for making connections with such poles and buildings as each of said petitioners may desire for distributing purposes. Your petitioners agree to reserve space for one Cross-arm at a suitable point upon each of said poles for the telephone, fire and police signal wires owned by the town and used for municipal purposes.

**NSTAR ELECTRIC COMPANY
dba EVERSOURCE ENERGY**

By: *Richard M. Schifone*
Richard M. Schifone
Rights and Permits, Supervisor

VERIZON NEW ENGLAND INC.

By: *Albert E Bessette*

Dated this _____ day of _____ 2021

Town of SUDBURY, Massachusetts
Received and filed _____ 2021

Attachment1.a: combined docs (4893 : Utility hearing - GOL Pole Removal Puffer Lane)



SUDBURY SELECT BOARD
Tuesday, November 16, 2021

MISCELLANEOUS (UNTIMED)

2: Vote to close Public Hearing

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Vote to close the Public Hearing and resume Select Board meeting.

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

11/16/2021 7:00 PM



SUDBURY SELECT BOARD
Tuesday, November 16, 2021

MISCELLANEOUS (UNTIMED)

3: Tax Classification hearing - pre-briefing

REQUESTOR SECTION

Date of request:

Requestor: Chair Roberts

Formal Title: Pre-briefing for upcoming annual Tax Classification hearing. Cynthia Gerry, Director of Assessing to provide an overview of the process (~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: Cynthia Gerry, Director of Assessing

Review:

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

11/16/2021 7:00 PM

Process for Setting the Tax Rate

Each year, prior to the mailing of the actual tax bills, the Select Board in conjunction with the Board of Assessors hold a Public Hearing to discuss and decide how the distribution of tax burden is to be allocated among the classes of property.

Classification of Assessments and Rates

Classification of property by its use allows municipalities to allocate how much of the tax burden each class shall bear. Annually, at the Public Hearing known as the Classification Hearing (where public input is welcome and encouraged as a means to communicate opinions about the distribution of property taxes), the Select Board will vote several tax policy decisions. Municipalities have several options when it comes to distributing the tax levy among taxpayers under property tax classification. Use of these options results in multiple tax rates for different property classes because they change the components used to calculate the rate, *i.e.*, the amount of the tax levy being paid by, or the assessed valuation of, the class. The total tax levy remains the same.

Single or Split Tax Rate

Municipalities must decide whether to tax all classes of property at their full and fair cash valuation share of the tax levy, which results in a single tax rate, or to reduce the share of the tax levy paid by the residential property owners and shift those taxes to commercial, industrial and personal property taxpayers, which results in a split tax rate. Municipalities with a large commercial/industrial tax base often see fit to shift the tax burden to help maintain lower residential taxes. Sudbury, though having a relatively small commercial tax base, has historically adopted a split tax rate (since 1981).

Classification Exemption Options

Municipalities may also consider whether to allow an open space discount, a residential exemption, and a small commercial exemption. The Classification Exemption options are referenced on pages 4-6.

Levy Allocation

The Selectboard will decide on the percentages of the tax levy that each class of real property and personal property will bear. To do so, a residential factor will be adopted. The residential factor governs the percentage of the tax levy to be paid by Class I, Residential properties. The difference is shifted to Class III, Commercial, Class IV, Industrial and, Personal properties (CIP).

The adopted factor cannot be less than the minimum residential factor (MRF) calculated by DOR, which is now done through use of DLS Gateway (the State Tax Rate Setting module). The MRF represents the maximum shift allowed in the tax levy for the year and establishes the parameters for local decision-making.

Before the Classification Hearing takes place, all property must be assessed at its full and fair cash value as of the January 1 assessment date. The FY 2022 assessments once certified will reflect the fair market property value according to the assessment date of January 1, 2021.

The FY 2022 Classification Hearing is scheduled to take place November 30, 2021.

In conjunction with the scheduled Hearing, Assessors produce a Classification Hearing Packet, which includes current assessment data, and information on options to reallocate some tax obligation between or within property classes.

The Massachusetts property classes are defined as:

Class I	RESIDENTIAL	All Residential Property
Class II	OPEN SPACE	Some Vacant Residential Land
Class III	COMMERCIAL	Retail, Office
Class IV	INDUSTRIAL	Manufacturing, Mining
Class V	PERSONAL PROPERTY	Business Items not permanently affixed to the real estate etc.

The steps necessary to complete the Classification Hearing and Tax Rate Setting are outlined below.

Pre-classification Hearing Steps

- Step 1: Determination of the property tax levy (Budget Process)
- Step 2: Determine assessed valuations (Assessors)
- Step 3: Tabulate assessed valuations by class (Assessors)
- Step 4: Obtain DOR value certification (Assessors)
- Step 5: Obtain certification of new growth revenues (Assessors)

Classification Hearing Steps

- Step 6: Classification hearing presentation (Assessors & Select Board)
- Step 7: Review and discuss tax shift options (Select Board)
- Step 8: Voting a tax shift factor (Select Board)

Post Classification Hearing Steps

- Step 9: Sign the LA-5 Classification Form (Select Board)
- Step 10: Send annual recap to DOR for tax rate approval (Assessors)
- Step 11: Obtain DOR approval of tax rates (DOR)

Because the FY 2022 values are not yet certified, I am including data from FY 2021. As you review the following, please keep that in mind.

FY 2021 Valuations by Class (prior to Tax Shift)

<u>Major Property Class</u>	<u>Valuation</u>	<u>Percent</u>	
<u>Res vs CIP%</u>			
Residential	4,476,309,078	93.0180%	93.0180%
Commercial	193,733,270	4.0258 %	
Industrial	32,737,300	0.6803 %	6.9820%
Personal Property	109,526,080	2.2759%	
TOTAL	4,812,305,728	100.0000%	

Tax Rates and Options

Sudbury's FY 2021 uniform, single tax rate before applying shift factors was \$19.21 per thousand.

The following chart represents several of the shift option scenarios presented to the Select Board in FY 2021:

Option	CIP Shift	Res. Shift	CIP Tax Rate	Res. Tax Rate
Single Tax Rate	1.0000	1.0000	19.21	19.21
10% Shift	1.1000	0.9925	21.13	19.07
20% Shift	1.2000	0.9850	23.05	18.92
30% Shift	1.3000	0.9775	24.97	18.78
33% Shift (same % burden as last year)	1.3300	0.9752	25.55	18.73
40% Shift	1.4000	0.9700	26.89	18.63
50% Shift (maximum allowed)	1.5000	0.9625	28.81	18.49

The option above highlighted in yellow represents the FY 2021 Residential Factor as voted by the Sudbury Select Board. The impact of the vote resulted in a 1.33 shift to the Commercial Industrial Personal Property (CIP) Tax Rate. **Note:** The Res Tax Rates reported in the chart do not take into consideration the 10 cents residential tax rate increase associated with funding Sudbury's Senior Means-Tested

Exemption Program for FY 2021. The actual residential tax rate for FY 2021 was \$18.83.

Optional Exemptions (to be deliberated and voted at the Hearing):

Residential Exemption:

The Residential Exemption conferred pursuant to M.G.L. Chapter 59 Section 5C is a local option available to all communities. The intent of this exemption is to promote owner occupancy. Adopting the Residential Exemption would allow the Select Board to exempt from qualified residential properties a flat percentage of the average assessed value for Class I (Residential) properties. The exemption can be as high as thirty-five (35%) percent of the average assessed value for the residential property class. If adopted a flat, uniform valuation reduction is applied to all qualifying owner-occupied residential home valuations. The tax levy in the community does not change based on adoption of this exemption. However, to compensate for the loss in residential valuation associated with this exemption, the residential tax rate increases. The exemption will reduce property taxes on the lower valued owner-occupied residential properties, while increasing property taxes on higher valued properties, and those residential properties, which are not owner-occupied.

In FY 2021, fifteen Massachusetts cities and towns adopted the Residential Exemption. Historically, the exemption has been adopted in those communities with a high percentage of apartments and other investment property or seasonal homes. In general terms, the exemption shifts real estate taxes onto Class I properties that are not occupied as the owner's principal residence and those which may be held for investment.

Small Commercial Exemption:

An exemption of up to 10% of the property valuation can be granted to "some" commercial properties (not industrial). The assessed value of the commercial property must not exceed one million dollars, and it must have one or more businesses employing 10 or fewer employees. Implementing this exemption requires increasing the CIP tax rate to offset lost revenues from qualifying properties.

For fiscal year 2021, 31 properties in the Town were identified as meeting qualifying standards. Sudbury's nominal commercial class for fiscal year 2021 hosted 190 accounts. In addition, 8-mixed use/part commercial, 42-chapter land, and 19 industrial properties all of which would be subject to an increased tax rate generated by the adoption of a small commercial exemption. The class 3 value reduction for those qualifying properties if a 10% small commercial exemption had been adopted would have been about \$773,420 approximated with a corresponding tax rate increase of seven cents (for purposes of illustration we used a factor of 1 in the analysis). The average tax savings for the 31 accounts would have been approximately \$667.00.

Considerations:

- a) The qualifying 31 taxpayers receive a measurable tax benefit. Other small businesses (not qualifying) bear the increased burden along with larger commercial and industrial properties.

Twenty-three of the qualifying 31 accounts are commercial condominiums. However, within the same condominium complexes 67 units would not have been eligible. The properties are otherwise quite similar in size, use, and assessment.

b) Many of the small businesses appearing on the Department of Unemployment Assistance (DET) list as qualifying will not benefit from the exemption, as they are tenants in larger commercial properties with assessed values exceeding the allowable \$1,000,000 cap.

Based on the foregoing, we can conclude the following:

The vast majority of Sudbury's small businesses would not benefit from adoption of this exemption, as they are tenants in strip malls, and other large commercial buildings. They in fact will be penalized by the increased tax rate. Mill Village is a good example of this. The property consists of 30+ small businesses. Another example are the tenants at the Cummings building on Rte. 117 as well as the tenants in the various strip malls located on Route 20. As evidenced by the small number of eligible accounts this exemption program does not provide tax relief to many of Sudbury's small business properties.

Open Space Exemption:

In addition to the above-mentioned options, there is one more program, to be reviewed at the Classification Hearing, although not applicable in Sudbury at this time. It is known as the Open Space Exemption.

In order for a municipality to utilize an open space exemption, it must first have adopted the Open Space Class. This is an additional Classification created for some vacant land (Class 2). The definition of open space in this context is: *land which is not otherwise classified and which is not taxable under provisions of chapters 61, 61A or 61B, or taxable under a permanent conservation restriction, and which land is not held for the production of income but is maintained in an open or natural condition and which contributes significantly to the benefit and enjoyment of the public.*

The Open Space Class was developed to provide a tax break to land owners, as incentive to preserve open land or at least slow development. Adopting this Classification would result in a discount of the residential tax obligation of up to 25% for those parcels classified as open space. Any tax savings awarded to open space property owners will be subsidized by all other residential property owners. Sudbury currently has over 60 parcels of land enrolled in the various chapter land programs. Accordingly, chapter land enrollment carries certain program withdrawal restrictions; including offering the municipality a right of first refusal to purchase, along with certain recapture tax penalties. If a community were to adopt this open space classification, any property classified as open space (not enrolled in chapter land programs) would receive the benefit of the favorable tax structure without any of the restrictions associated with the existing chapter land programs. If in the future, Sudbury were to consider adopting this Classification, it takes up to a year to be implemented upon the written request of the Select Board.

8 Year History of Sudbury's Classification Hearing Votes

	2021	2020	2019	2018	2017	2016	2015	2014
Residential Factor (Vote)	0.9752	0.9763	0.9751	0.9761	0.9741	0.9734	0.9737	0.9746
CIP Shift (Vote)	1.33	1.33	1.33	1.33	1.38	1.38	1.38	1.35
Single Tax Rate (Calculate)	19.21	18.8	18.27	18.27	18.12	18.19	17.99	18.42
CIP Tax Rate following Shift (Vote)	25.55	24.97	24.3	24.3	25.01	25.11	24.88	24.94
Residential Tax Rate following Shift including Senior Means	18.83	18.45	17.91	17.93	17.74	17.8	17.6	18.03
Small Commercial Exemption (Vote)	No	No	No	No	No	No	No	No
Residential Exemption (Vote)	No	No	No	No	No	No	No	No
Open Space Classification (Vote)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Average All Residential (not just SFR)	710,074	708,436	703,602	679,625	660,704	634,923	616,378	598,557
Average Nominal Commercial Value	1,191,950	906,245	951,245	862,037	817,572	773,195	746,102	743,816
Nominal Commercial Value	226,470,570	170,374,100	179,785,300	163,787,100	152,885,900	145,360,600	138,774,900	138,349,700
Nominal Commercial Property Count	190	188	189	190	187	188	186	186
*SMTE Program utilizes the traditional residential exemption module to calculate the tax impact due to the exemption								

The chart on the following page represents Sudbury's FY 2021 Assessment Classification Report LA-4

LA-4 FY 2021

Assessment / Classification

	Parcel Count	Class1 Residential	Class2 Open Space	Class3 Commercial	Class4 Industrial	Class5 Pers Prop
101 (single family residential)	5442	4055677202				
102 (residential condominiums)	416	243519977				
109 (multiple houses one parcel)	19	24121900				
104 (2-family homes)	16	9937400				
105 (3-family homes)	2	1,546,400				
111-125 (apartments & other congregate housing)	7	91350600				
130-32,106 (residential vacant land & accessory land with improvement)	386	28175200				
200-231 (open space)	0					
300-393 (all commercial)	190			183923300		
400-442 (industrial)	19				32737300	
CH 61 LAND (forest)	5			2,313.00		
CH 61A LAND (agriculture horticulture)	47			416149		
CH 61B LAND (recreational)	10			1692607		
012-043 (mixed use residential and commercial)	16	21980399		7698901		
501 (personal property partnerships LLC's)	26					476090
502 (personal property corporations)	74					7370580
504 (personal property utility corporations)	2					82532660
505 (personal property telephone & telegraph companies DOR valued)	3					11876500
506 (personal property pipeline companies)	1					5467700
508(personal property telecommunications)	4					1532550
552 personal property (solar PPA)	1					270000
TOTALS	6686	4,476,309,078		193,733,270	32,737,300	109,526,080

Real & Personal Property Total value: \$4,812,305,728

Attachment3.a: Pre Classification Hearing Review Select Board Meeting 11 16 2021 (4857 : Tax Classification hearing - pre-briefing)

Key Terms

Levy: The tax levy (or levy) is the amount of **property taxes** to be raised. The budget process determines the levy amount.

Levy Ceiling: The levy ceiling is 2.5 percent of the full value of the town and represent the maximum property tax revenues that can be raised under Proposition 2 ½.

New Growth Revenue: Property taxes derived from newly taxable properties like new construction, additions, renovations, subdivisions, and personal property.

Levy Limit: Also referred to as the “maximum allowable levy”, the levy limit is calculated by adding 2.5 percent of the previous year’s levy limit, plus new growth revenue, and proposition 2 ½ overrides, capital expenditure exclusions, and debt exclusions.

Excess Levy Capacity: Excess levy capacity is the difference between the levy and the levy limit.

Property Class: There are four taxable classes of real property and one personal property class.

Class I	RESIDENTIAL	All residential property uses including residential vacant land
Class II	OPEN SPACE (N/A in Sudbury currently)	Vacant Land
Class III	COMMERCIAL	Retail, Office, commercial land
Class IV	INDUSTRIAL	Manufacturing, Mining
Class V	PERSONAL PROPERTY	Business Items not permanently affixed to the real estate.

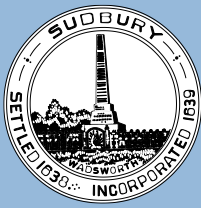
CIP: Common acronym for Commercial, Industrial and Personal Property classes.

Minimum Residential Factor (MRF): The MRF represents the maximum shift allowed in the tax levy for the fiscal year and establishes the parameters for local decision-making.

Residential Factor: The actual selected residential factor can be no less than the calculated MRF. The residential factor adopted by a community governs the percentage of the tax levy to be paid by residential property owners. If local officials choose a low residential factor, (for example, the statutory minimum) residential property owners will pay a proportionately lower share of the total levy. A residential factor of "1" will result in the taxation of all property at the same rate.

Split Tax Rate:

A split tax rate is the result of the selection of a residential factor less than "1". A residential factor less than "1" reduces the share of the tax levy paid by the Residential class and increases the share paid by the CIP classes. The result is two tax rates: one for Residential properties and a second, higher rate for CIP properties.



SUDBURY SELECT BOARD
Tuesday, November 16, 2021

MISCELLANEOUS (UNTIMED)

4: Sewataro discussion on Public Access and Contract Renewal

REQUESTOR SECTION

Date of request:

Requestor: Chair Roberts

Formal Title: Sewataro Discussion on Public Access and Contract Renewal/Property next Steps: · Update on outstanding Sewataro questions list · Update on MA Department of Environmental Protection/Department of Public Health feedback on swimming and fishing ponds. Town Manager Hayes to report. · Update on public education document to be drafted by Subcommittee · Vote to release Town Counsel opinions related to Sewataro Use Policy and Swimming · Sewataro Use Policy discussion · Other Outstanding Sewataro items (~45 min.)

Recommendations/Suggested Motion/Vote: Sewataro Discussion on Public Access and Contract Renewal/Property next Steps:

- Update on outstanding Sewataro questions list
- Update on MA Department of Environmental Protection/Department of Public Health feedback on swimming and fishing ponds. Town Manager Hayes to report.
- Update on public education document to be drafted by Subcommittee
- Vote to release Town Counsel opinions related to Sewataro Use Policy and Swimming
- Sewataro Use Policy discussion
- Other Outstanding Sewataro items (~45 min.)

Background Information:
attached documents

Financial impact expected:

Approximate agenda time requested: 45 minutes

Representative(s) expected to attend meeting:

Review:

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

11/16/2021 7:00 PM

From: Town Manager

Sent: Tuesday, November 9, 2021 6:20 PM

Subject: SB/TM Note - Sewataro update regarding Public Bathing Beach discussion

Do not reply all

Select Board: Good day to all. Below are some notes regarding the conversations held recently, some questions and concepts are being explored.

Sewataro discussion: Health and Conservation, Scott Brody & Emmy Niinimaki, Town Manager & Assistant Town Manager

- Modified Pool vs bathing beach... **state does not call it a pool**, based on the water not being filtered or circulated, among the total definition.
 - **Registration required as a Public Bathing Beach**
 - Camp Operator will register the Bathing Beach
 - Small body of water: not the same size as a lake, better for maintenance and mitigation efforts
- Environmental:
 - **Need to know the pre-chlorine water quality**
 - Develop an Operations and Management Plan and water quality testing program for facility
 - **No further use of chlorine**
 - Historically, the amount used in the past was not measurable in previous testing
 - Primarily to maintain clarity down to 4 ft
 - Can the water be dechlorinated prior to going back into the water bodies or surrounding areas?
 - Carbonization use as an option, or other technology?
 - Chlorine reduces with sunlight, a natural mitigation to test and confirm levels
 - Remove water when draining pool instead of draining to water bodies?
 - Bathing beaches are not treated by chlorine in MA
 - **Algaecide will need to be permitted in advance of use**, and only used to treat a bloom, not to prevent a bloom
 - **NOI filing: Algaecide and changes to the spillway**
 - Primarily used to reduce slick surfaces
 - 8-10 week process

- **There is confidence that there is a way to satisfy the DEP and DPH requirements**
 - The mitigation efforts are under consideration and have been anticipated by the Camp Operator and team
 - Can the upper pond be separated from the lower pond and be a stand-alone system, without feeding the lower pond and eco-system?
 - We anticipate that there is a healthy eco-system is in place now, based on the wildlife not being adversely impacted to date.
 - Consider changes to the spillway routing in order to control the water that is utilized in that body of water
 - Water discharge distance, will measure to ensure the regulations are met
- Accountability is welcomed, in effort to be good stewards
 - Safe water for bathers, wildlife and authorities of concern
 - Scott Brody is the person that reached out to DPH and DEP, in effort to deepen the understanding and anticipated actions
 - Will explore other acceptable methods
 - Wetlands and Waterways team has not provided input to the Town yet

Respectfully, Henry

Henry L. Hayes, Jr. (he, him)
 Town Manager
 Town of Sudbury
 278 Old Sudbury Road
 Sudbury MA 01776

Phone: (978) 639-3381
 Fax: (978) 443-0756

Sustaining a SAFE, SECURE, SERVICED & STRONG SUDBURY!

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.

Town of Sudbury

Sewataro Use Policy

V2.1 Updated November 3, 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

Users shall obtain all necessary permits for Town activities, as required by law or Town bylaws, rules, or regulations. 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.

Reservations can be made with the Camp Sewataro Community liaison at Reservations@sewataro.com. 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
Long House	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.

- No firearms are allowed on the property.
- 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 to the Camp Sewataro Community liaison at Reservations@sewataro.com any additional service or logistical items required by an event. These include:

- Food
- Electricity
- Noise
- Stage

From: Kristen Drummey <kristen@sewataro.com>
Sent: Friday, October 29, 2021 5:14 PM
To: Select Board
Cc: Hayes, Henry
Subject: Fwd: Camp Sewataro Financials

Select Board Members,
Please find out audited financial statement attached.
Thank you!
-Kristen

----- Forwarded message -----
From: **Scott Brody** <scott@kenwood-evergreen.com>
Date: Fri, Oct 29, 2021 at 5:05 PM
Subject: Camp Sewataro Financials
To: Henry Hayes <hayesh@sudbury.ma.us>
CC: Kristen Drummey <kristen@sewataro.com>

Hi Henry,

Attached you will find our Financial Statements as of September 30, 2021, together with the Independent Accountants' Review Report.

Here are the headlines:

1. In addition to our annual rent of \$120,000, the Town of Sudbury will be receiving a revenue share payment of \$338,940, yielding a total payment of **\$458,940** for this operating year.
2. In addition to these direct payments, the following represent costs that have been paid by Sewataro which provide benefit to the Town of Sudbury for public use, programming and access:

Insurance for Town Use	33,000.00	
Trademark	3,900.00	
Pond & Pools Maintenance	20,000.00	
Building & Grounds	200,000.00	
50% of Utilities (Electricity Water Heat	31,000.00	
Town Events	21,600.00	
Town Liaison	23,000.00	
Grounds Keeper(s)	80,000.00	
Total Annual Expenses Benefitting Town of Sudbury		\$412,500.00

I hope that this direct rent/revenue share and the expenses supported by the camp operation offer a compelling financial value proposition to the town. We believe we have been a valuable town partner and are also proud of the many scholarships we provide to town residents, our partnerships and community supporting programs and projects, the many Sudbury residents we employ (70 this year) as well as the obvious benefit of open public access through the vast majority of the year.

We look forward to discussing these results with the Select Board next Wednesday, as well as the proposals we are submitting today to increase public use and access for summer 2022 based upon anticipated renewal of our management agreement.

With warm regards,

Scott

Scott Brody
Manager
Camp Sewataro

--

Kristen Drummey
Community Liaison
Camp Sewataro
One Liberty Ledge
Sudbury, MA 01776
kristen@sewataro.com
617-893-7806

CAMP SEWATARO, LLC
FINANCIAL STATEMENTS
AS OF SEPTEMBER 30, 2021
TOGETHER WITH
INDEPENDENT ACCOUNTANTS' REVIEW REPORT

CAMP SEWATARO, LLC

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SEPTEMBER 30, 2021

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Attachment4.d: 2021 Camp Sewataro Issued Financials (4908 : Sewataro discussion on Public Access and Contract Renewal)



INDEPENDENT ACCOUNTANT'S REVIEW REPORT

To Management
Camp Sewataro, LLC
Sudbury, Massachusetts

We have reviewed the accompanying financial statements of Camp Sewataro, LLC (a sole member limited liability company), which comprise the statement of assets and liabilities—contractual basis as of September 30, 2021, and the related statements of revenues and expenses—contractual basis and cash flows—contractual basis for the twelve months then ended, and the related notes to the financial statements. A review includes primarily applying analytical procedures to management's financial data and making inquiries of company management. A review is substantially less in scope than an audit, the objective of which is the expression of an opinion regarding the financial statements as a whole. Accordingly, we do not express such an opinion.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with the financial reporting provisions of Article 3 paragraph 3.2 of the contract between the Town of Sudbury, Massachusetts (a municipal corporation) and Camp Sewataro, LLC dated September 10, 2019 (the contract). Management is also responsible for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement whether due to fraud or error.

Accountant's Responsibility

Our responsibility is to conduct the review engagement in accordance with Statements on Standards for Accounting and Review Services promulgated by the Accounting and Review Services Committee of the AICPA. Those standards require us to perform procedures to obtain limited assurance as a basis for reporting whether we are aware of any material modifications that should be made to the financial statements for them to be in accordance with the financial reporting provisions of Article 3 paragraph 3.2 of the contract. We believe that the results of our procedures provide a reasonable basis for our conclusion.

Accountant's Conclusion

Based on our review, we are not aware of any material modifications that should be made to the accompanying financial statements for them to be in accordance with the financial reporting provisions of Article 3 paragraph 3.2 of the contract.

Basis of Accounting

We draw attention to Note A of the financial statements, which describes the basis of accounting. The financial statements are prepared in accordance with the financial reporting provisions of Article 3 paragraph 3.2 of the contract, which is a basis of accounting other than accounting principles generally accepted in the United States of America, to comply with the financial reporting provisions of the contract referred to above. Our conclusion is not modified with respect to this matter.

Restriction on Use

Our report is intended solely for the information and use of the managements of Camp Sewataro, LLC and the Article 3 paragraph 3.2 of the contract with the Town of Sudbury, Massachusetts through its Board of Selectmen and is not intended to be, and should not be, used by anyone other than these specified parties.

Korbey Lague, PLLP

October 28, 2021

CAMP SEWATARO LLC

STATEMENT OF ASSETS AND LIABILITIES - CONTRACTUAL BASIS
AS OF SEPTEMBER 30, 2021

ASSETS

	<u>2021</u>
Current Assets	
Cash	\$ 1,465,994
Total Current Assets	<u>1,465,994</u>
Property & Equipment	
Office Furniture	7,697
Equipment	16,033
Vehicles	81,978
Total Property & Equipment	<u>105,708</u>
Less: Accumulated Depreciation	<u>(39,750)</u>
Net Property & Equipment	<u>65,958</u>
Other Assets	
Intangible Assets	<u>3,973</u>
Total Other Assets	<u>3,973</u>
Total Assets	<u><u>\$ 1,535,924</u></u>

CAMP SEWATARO LLC

STATEMENT OF ASSETS AND LIABILITIES - CONTRACTUAL BASIS
AS OF SEPTEMBER 30, 2021

LIABILITIES AND MEMBER EQUITY

	<u>2021</u>
Current Liabilities	
Accounts Payable	11,810
Accrued Expenses	<u>71,663</u>
Total Current Liabilities	<u>83,473</u>
Long Term Liabilities	
PPP Loan	<u>535,410</u>
Total Long Term Liabilities	<u>535,410</u>
Total Liabilities	<u>618,883</u>
Members' Capital	
Members' Capital and retained equity	105,766
Member Draws	(677,260)
Net Income	<u>1,488,535</u>
Total Members Capital and Retained Equity (Deficit)	<u>917,041</u>
Total Liabilities and Members' Equity	<u><u>\$ 1,535,924</u></u>

Attachment4.d: 2021 Camp Sewataro Issued Financials (4908 : Sewataro discussion on Public Access and Contract Renewal)

See accompanying notes and independent accountants' review report.

CAMP SEWATARO LLC

**STATEMENT OF REVENUE AND EXPENSES - CONTRACTUAL BASIS
FOR THE TWELVE MONTH PERIOD BEGINNING OCTOBER 1, 2020
THROUGH SEPTEMBER 30, 2021**

	<u>2021</u>
Revenue	
Tuition Revenue	\$ 3,554,846
Refunds	<u>(55,494)</u>
Net Tuition Revenue	3,499,352
Selling, General and Administrative Expenses	<u>2,545,208</u>
Income (Loss) from Operations	<u>954,144</u>
Other Income (Expense)	
PPP Loan - Round 1	534,389
Interest Income	2
Total Other Income (Expense)	<u>534,391</u>
Net Income (Loss) Before Taxes	1,488,535
Net Income (Loss)	<u><u>\$ 1,488,535</u></u>

Attachment4.d: 2021 Camp Sewataro Issued Financials (4908 : Sewataro discussion on Public Access and Contract Renewal)

See accompanying notes and independent accountants' review report.

CAMP SEWATARO LLC

STATEMENT OF CASH FLOWS
FOR THE TWELVE MONTH PERIOD BEGINNING OCTOBER 1, 2020
THROUGH SEPTEMBER 30, 2021

	2021
Cash Flows from Operating Activities	
Net Income (Loss)	\$ 1,488,535
<i>Adjustments to Reconcile Net Income to</i>	
<i>Net Cash Provided by (Used in) Operating Activities:</i>	
Depreciation	27,478
(Increase) Decrease in:	
Prepaid Expenses	4,836
Increase (Decrease) in:	
Accounts Payable	5,248
Accrued Expenses	8,885
PPP Round 1	(534,389)
Deferred Tuition 2020	(449,486)
SBA Loan	(150,000)
Net Cash Provided by (Used in) Operating Activities	401,107
Cash Flows from Investing Activities	
Purchases of Property and Equipment	(39,877)
Net Cash Provided by (Used in) Investing Activities	(39,877)
Cash Flows from Financing Activities	
Proceeds from Loans	535,410
Owners Draws	(458,081)
Net Cash Provided by (Used in) Financing Activities	77,329
Net Increase (Decrease) in Cash	438,558
Cash, at Beginning of Year	1,027,436
Cash, at End of Year	\$ 1,465,994

Attachment4.d: 2021 Camp Sewataro Issued Financials (4908 : Sewataro discussion on Public Access and Contract Renewal)

CAMP SEWATARO, L.L.C.
 NOTES TO FINANCIAL STATEMENTS
 For the 12 Month Period October 1, 2020 through September 30, 2021
 (See Accountants' Review Report)

Note A - Summary of Significant Accounting Policies

This summary of significant accounting policies of Camp Sewataro, LLC (the Company) is presented to assist in understanding the Company's financial statements. The financial statements and notes are representations of the Company's management who are responsible for their integrity and objectivity. These accounting policies conform to generally accepted accounting principles and have been consistently applied in the preparation of the financial statements.

Business Activity

The Company is a Massachusetts, seasonal day camp for children in preschool through 8th grade. The camp provides diverse, structured outdoor-focused programming to foster social, and emotional learning, develop authentic friendships and exposure to nature.

Cash and Cash Equivalents

On September 30, 2021, cash consists of deposits in bank checking accounts; there are no cash equivalents.

Basis of Accounting

The Company has prepared the accompanying financial statements to present the assets, liabilities, revenues, expenses, and cash flows of Camp Sewataro, LLC pursuant to the provisions of Article 3 paragraph 3.2 of the contract dated September 10, 2019, between Camp Sewataro, LLC and the Town of Sudbury Massachusetts. The contract specifies that Camp Sewataro, LLC prepare financial statements in which all assets are presented in accordance with accounting principles generally accepted in the United States of America and defines certain limitations expenditures to be used in the determination of Net Revenue to be used in the calculation of the management fee, and revenue share payments due to the Town of Sudbury.

Inventories

The company has no inventory.

Property and Equipment

Property and equipment are carried at cost. Depreciation of property and equipment is computed using straight-line and accelerated methods for financial reporting purposes at rates based on the following estimated useful lives:

	<u>Years</u>
Motor Vehicles	5
Machinery and Equipment	3 - 10
Furniture and Fixtures	3 - 10
Engineering Equipment	3 - 10
Buildings and Improvements	20 – 39

Note A - Summary of Significant Accounting Policies (Continued)

Property and Equipment (Continued)

For federal income tax purposes, depreciation is computed using the accelerated cost recovery system and the modified accelerated cost recovery system. Expenditures for major renewals and betterments that extend the useful lives of property and equipment are capitalized. Expenditures for maintenance and repairs are charged to expense as incurred.

Use of Estimates

The presentation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts and disclosures of contingent assets and liabilities at the date of the financial statements, and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

Advertising

The Company follows the policy of charging the costs of advertising to expense as incurred.

Limited Liability Company / Income Taxes

The financial statements include only those assets, liabilities, and results of operations which relate to the business of the Company. The financial statements do not include any assets, liabilities, revenue, or expenses attributable to the members' individual activities. The Company files its income tax returns on the accrual basis as a schedule -C for federal and state income tax purposes. As such, the Company will not pay any federal income taxes, as any income or loss will be included in the federal tax returns of the individual member. Accordingly, no provision is made for federal income taxes in the financial statements.

Fair Values of Financial Instruments

The Company is required to disclose estimated fair values for its financial instruments. The carrying amounts of financial instruments including cash, and accounts payable and deferred revenue approximated fair value as of September 30, 2021.

Compensated Absences

The company does not accrue for compensated absences due to the seasonal nature of its employment and operations.

Note A - Summary of Significant Accounting Policies (Continued)

Concentration of Credit Risk

The Company maintains cash balances at local financial institutions. The balances at times may exceed federally insured limits. Accounts that are held at local financial institutions are insured by the Federal Deposit Insurance Corporations (FDIC) up to \$250,000. As of September 30, 2021, Cash exceeded the FDIC insured limit by \$1,251,944.

Revenue Recognition

The Company adopted Accounting Standards Update (ASU) No 2014-09, Revenue from Contracts with Customers (Topic 606) as of September 30, 2021. The ASU provides a single principles-based revenue recognition model with a five-step analysis of transactions to determine when and how revenue is recognized. The adoption of the ASU did not have an impact on the Company's results of operations.

Accounts Receivable

The Company's registration policy requires that all tuition be paid in full prior to the camper's attendance at the camp.

Subsequent Events

The Company's management has evaluated the subsequent through October 28, 2021, the date on which the financial statements were available to be issued and found no significant events requiring disclosure.

Note B – Prepaids

Prepaid assets as of September 30, 2021 is comprised prepayments for auto and liability insurance premiums.

Note C- Intangible Assets

As of September 30, 2021, intangible assets comprised of legal fees associated with the securing a trademark.

Note D – Accounts Payable

Accounts payable consist of trade accounts payable due under normal payment terms.

CAMP SEWATARO, L.L.C.
NOTES TO FINANCIAL STATEMENTS
For the 12 Month Period October 1, 2020 through September 30, 2021
(See Accountants' Review Report)

Note F – Accrued Expenses

The Company has the following accrued expenses on September 30, 2021:

	2021
Accrued management fee	\$ 60,000
Credit Card	<u>11,662</u>
Total Accrued Expenses	<u><u>\$ 71,662</u></u>

Note G - Long Term Debt

Long term debt consists of the following on September 30, 2021:

	2021
Paycheck Protection Program Advance	<u>535,410</u>
Total Note Payable	535,410
Less: Current Portion	
Long Term Debt	<u><u>\$ 535,410</u></u>

Payroll Protection Loan

The Company received a second loan with proceeds in the amount \$535,410 under the Paycheck Protection Program (“PPP”). The PPP, established as part of the Coronavirus Aid, Relief and Economic Security Act (“CARES Act”), provides for loans to qualifying businesses for amounts up to 2.5 times of the average monthly payroll expenses of the qualifying business. The loans and accrued interest are forgivable after eight weeks if the borrower uses the loan proceeds for eligible purposes, including payroll, benefits, rent and utilities, and maintains its payroll levels. The amount of loan forgiveness will be reduced if the borrower terminates employees or reduces salaries during the 24-week period measurement period.

Payroll Protection Loan, (continued)

Any unforgiven portion of the PPP loan is payable over two years at an interest rate of 1%, with a deferral of payments for the first six months. The Company intends to use the proceeds for purposes consistent with the PPP. While the Company currently believes that its use of the loan proceeds will meet the conditions for forgiveness of the loan, we cannot be assured that actions that could cause the Company to be ineligible for forgiveness of the loan, in whole or in part. As of the date of these financial statements the PPP loan has not been forgiven.

Note H – Long Term Contracts

On September 10, 2019, the company entered a long-term contract with the Town of Sudbury, a Massachusetts municipal corporation for a day camp operator and management of real property. Under the terms of this agreement Camp Sewataro, LLC will manage the property located at 1 Liberty Ledge, Sudbury Massachusetts. The property consists of approximately 44.3 acres, various structures used for day camp purposes, together with tennis courts, basketball courts, swimming pool, a swimming pond, playing fields, horse riding stables and various other facilities used for day camp purposes.

Control of the property will remain under the custody and control of the Town, acting by and through the Board of Selectmen. The term of the agreement is for three years beginning on September 10, 2019. The initial term may be extended for up to two (2) additional terms of five (5) years each by mutual written agreement of the Parties provided the Manger has substantially complied with all material terms and conditions of the agreement.

Under the terms of the agreement a management fee will be paid to the Town of Sudbury comprised on an annual fee and a variable revenue share payment as follows:

Annual Fee

An annual fee of \$120,000 per each year of the initial term paid in equal installments of \$60,000 on each due on or before May 1st and December 1st of each year of the initial term.

Revenue Share

The revenue share payment is due on December 15th of each year and is calculated as follows:

- 20.00% of the first \$500,000 of Net Revenue
- 25.00% of the next \$500,000 of Net Revenue
- 33.33% of all net revenue more than \$1,000,000

Net revenue for purposes of calculating the revenue share calculation is defined as all revenues and receipts received during the fiscal year minus reasonable, usual, and customary operating expenses associated with day camp operations, programmatic activities on the property or other events on the property. There are specific restrictive provisions on compensation to the sole member and other expenditures. As of September 30, 2021, the restrictive covenants of the contract have been met.

Attachment4.d: 2021 Camp Sewataro Issued Financials (4908 : Sewataro discussion on Public Access and Contract Renewal)

CAMP SEWATARO
SCHEDULE OF REVENUE SHARE CALCULATION

FOR THE TWELVE MONTH PERIOD BEGINNING OCTOBER 1, 2020
THROUGH SEPTEMBER 30, 2021

Net Income (Loss)	\$	954,144
Adjustments:		
Paycheck Protection Program Forgiven Loan		534,389
Mark Taylor Consulting (Payroll) Adjustment		4,685
2020 Revenue Share Expense		3,136
Less:		
Manager Compensation Limitation		(154,500)
Total Manager's Net Revenue (Loss)	\$	1,341,854
Revenue Share Factor		
20% of First \$500,000		100,000
25% of Next \$500,000		125,000
33.33% of Excess Over \$1,000,000		113,940
Total Revenue Share Payment		338,940

See accompanying notes and independent accountants' review report.

CAMP SEWATARO, L.L.C.
NOTES TO FINANCIAL STATEMENTS
For the 12 Month Period October 1, 2020 through September 30, 2021
(See Accountants' Review Report)

Note I – Retirement Plan

The Company by a Joinder Agreement with K & E Camp Corporation has elected to provide 401(k) safe harbor plan benefits that allows employees to defer up to elective deferral limits established each year by the Internal Revenue Service. The Company's matching contribution shall be allocated to eligible participants except for the manager. The matching formula is one of two rates as follows:

Rate One:

100% of the Participant's matched employee contributions that are not more than 3% of the Participant's compensation; plus

Rate Two:

50% of the amount of the Participant's Matched employee contributions that exceed 3% of the participant's contributions but that do not exceed 5% of the participant's compensation.

As of September 30, 2021, the company's profit-sharing contributions related to the plan was \$18,473.

Note J – COVID-19

The COVID-19 outbreak in the United State and other countries has caused business disruption through mandated and voluntary closing, travel restrictions, quarantine requirements , and other disruptions to general business operations. While the disruptions are currently expected to be temporary, there is uncertainty around the duration of the various mandated and voluntary restriction in place, and what if any negative financial impact it will have on Camp Sewataro. As of the date of this report the related financial impact and duration cannot be reasonably estimated at this time.

SUPPLEMENTARY INFORMATION

CAMP SEWATARO LLC

**SCHEDULES OF SELLING, GENERAL AND ADMINISTRATIVE EXPENSES
FOR THE TWELVE MONTH PERIOD BEGINNING OCTOBER 1, 2020
THROUGH SEPTEMBER 30, 2021**

	<u>2021</u>
Selling, General and Administrative Expenses	
Advertising	\$ 29,199
Auto Expense	6,700
Bank Charges	107
Camp Activities	59,432
Contract Services	313
Credit Card Processing	79,426
Depreciation	27,351
Dues & Subscriptions	48,422
Employee Benefits	32,422
Insurance Expense	107,465
Interest Expense	5,134
Management Fee	123,136
Meals & Entertainment	9,547
Office Expense	15,398
Payroll Processing	4,083
Pension Expense	18,473
Pension Fees	2,114
Ponds and Pools	18,067
Professional Fees	24,413
Repairs & Maintenance	242,839
Salaries & Wages - Staff	1,227,273
Taxes - Other	104
Taxes - Payroll	136,221
Telephone	8,359
Town Events	10,250
Transportation	232,339
T-shirts and Sweatshirts	14,319
Utilities	62,302
Total Selling, General and Administrative Expenses	<u><u>\$ 2,545,208</u></u>

Attachment4.d: 2021 Camp Sewataro Issued Financials (4908 : Sewataro discussion on Public Access and Contract Renewal)



Camp Sewataro, LLC

1 Liberty Ledge
Sudbury, MA
(978) 443-3100

2022 Resident Access Enhancement Alternatives

29th October 2021

OVERVIEW

Per Select Board Member Bill Schineller's request, we have developed 3 proposals for increased Sudbury Resident access and use of the Camp Sewataro Property in the Summer of 2022.

Options

1. Resident Swimming (a **or** b)
 - a. Semi-Public Beach with one Pool available for guests with physical limitations.
 - b. Four Pools

OR

2. Phase One ADA Compliance Upgrades

** While the options proposed herein are all outside the scope of the existing contract between The Town of Sudbury and Camp Sewataro, we are happy to work with the town to open up more opportunities for resident use. Each of these options, however, requires a substantial investment of financial and operational resources, and would require us to move quite quickly in order to consult with the appropriate authorities, to formally engage with Engineers and Contractors, and to obtain bids where appropriate. The feasibility of implementation for summer of 2022, therefore, hinges on a prompt commitment and a timely renewal of our current agreement.

1. Swim Proposals

1.a Public Beach + 1 Pool

The swimming pond shall be open for resident swim 9am-12pm and 1pm-4pm on the dates listed in the attached calendar. Number of swimmers would be limited to 100 per 3-hour window. Sign up will occur online, with links posted on the town website and a QR code at the map kiosk at the front of the property. Residents are eligible to register for one swim-period per weekend.

The classification of the swimming pond will be changed to a semi-public beach, which is permissible under camp regulations. Water quality will continue to be ensured with our current testing regiment, as specified in Massachusetts Public Health Code of Regulations 105, Section 445.

The pond will be closed to swimming every third weekend in order to carry out water clarification procedures. On open weekends, staff will include 1 check-in/security person, 1 head lifeguard, 4 lifeguards, and 1 grounds person. We will put up temporary fencing around the grassy area nearest the beach (see map) and movable picnic tables.

For residents with mobility limitations, we will put in a new parking area between the pool and pond, adjacent to the camp restrooms. This area will include 3 handicapped parking spaces (1 van sized), a walkway to the pools, an accessible picnic table, and 2 portable restrooms (1 accessible). We will install a lift and an automatic chlorination system in the 3.5 foot pool. Guests can indicate a need for an accessible swim option via online registration, and lifeguards will be rotated to accommodate pool use.



1.b Pool Swimming

The swimming pools shall be open for resident swim 9am-12pm and 1pm-4pm on the dates listed in the calendar below. Number of swimmers will be limited to 100 per 3-hour window, with 25 swimmers assigned to each pool. Sign up will occur online, with links posted on the town website and a QR code at the map kiosk at the front of the property. Residents will be eligible to register for one swim-period per weekend.

The pool would be closed to swimming every third weekend in order to ensure proper chlorination, and to allow for extensive cleaning. On open weekends, staff will include 1 check-in/security person, 1 head lifeguard, 4 lifeguards, and 1 grounds person. We will put up temporary fencing around the grassy area nearest the pool (see map) and movable picnic tables.



For residents with mobility limitations, we will put in a new parking area between the pool and pond, adjacent to the camp restrooms. This area will include 3 handicapped parking spaces (1 van sized), a walkway to the pools, an accessible picnic table, and 2 portable restrooms (1 accessible). We will install a lift in the 3.5-foot pool, and automatic chlorination systems in all four pools. Guests can indicate a need for an accessible swim option via online registration, and will be assigned automatically to the 3.5-foot pool.

Swim Calendar

June, 2022						
SUN	MON	TUE	WED	THU	FRI	SAT
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

July, 2022						
SUN	MON	TUE	WED	THU	FRI	SAT
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	28	30
31						

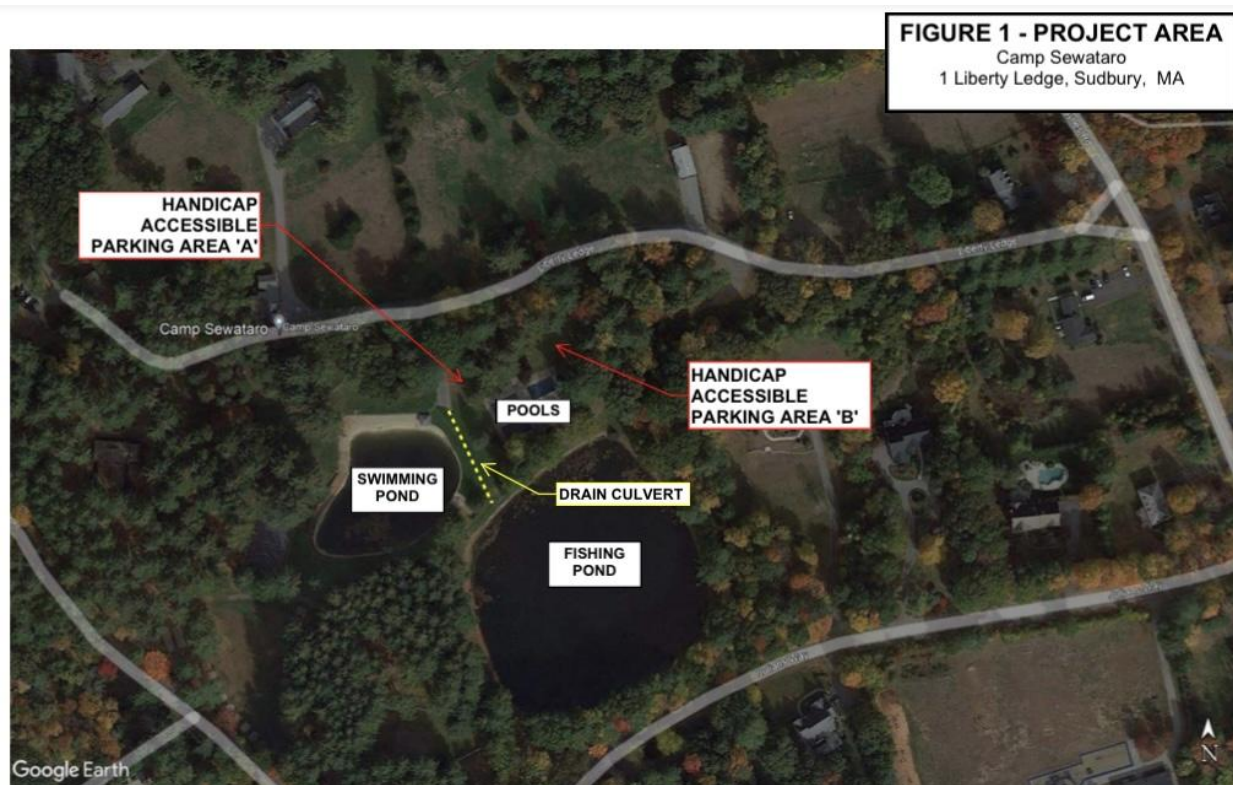
August, 2022						
SUN	MON	TUE	WED	THU	FRI	SAT
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

September, 2022						
SUN	MON	TUE	WED	THU	FRI	SAT
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

Sounds of Summer at Sewataro Kick-Off Event
Resident Swim 9am-12pm & 1pm-4pm
Property Closed for Camp Training/Open House

Swim Parking

An accessible parking area will be constructed to provide access to either swim option for those with mobility constraints. The diagram below (courtesy of Michael Andrade, GRAVES Engineering) includes two potential parking options. Both would provide access to the proposed swim areas, and final decisions will be made with the Engineer and ADA compliance experts.



2. First Phase ADA Compliance Upgrades

As an alternative to opening resident swimming in the summer of 2022, we propose taking on the phase 1 upgrades recommended by the Institute for Human Centered Design. These upgrades include handicapped parking areas at the Haynes Rd. and Greystone Lane entrances, year-round accessible (portable) restrooms, accessible seating areas on both ends of the property, and an accessible entrance ramp to Liberty Lodge. We have also included an estimate to make the Fox Den, another structure on property that is close to the paved road and open fields, accessible by pouring a cement floor and pathway. This would allow us to provide accessible program space to two groups simultaneously. Per IHCD's recommendation, we will also provide information at both property entrances for accessible opportunities for recreation at other sites in Sudbury.

The chart below includes cost estimates for both swim proposals, or the alternative, the completion of Round One ADA Compliance Upgrades. One-time and annual costs have been designated as such, and ADA compliance upgrades have been highlighted for each of the three options.

	Swim Proposals			First Round ADA Compliance Upgrades
	A - Pond & 1 Pool	B - 4 Pools		
Staffing				
Waterfront Head	\$4,000	\$4,000	ADA Consultants & Engineering	\$40,000
Lifeguards (4)	\$11,840	\$11,840		
Check-In/Security	\$6,400	\$6,400	Parking	
Grounds	\$4,800	\$4,800	Haynes Rd. Lot	\$8,260
			Upper Lot	\$8,260
Maintenance and Grounds				
Lot Engineering & Permitting	\$20,200	\$20,200	Buildings & Grounds	
Lot Construction*	\$20,000	\$20,000	Bathrooms	\$5,760
Pool Lift	\$5,000	\$5,000	Benches	\$2,885
Picnic Tables	\$2,200	\$2,200	Liberty Lodge Ramp	\$9,500
Automatic Chlorinator	\$7,000	\$28,000	Fox Den Compliance Upgrades	\$10,000
Pond Treatments	\$2,145	\$0		
Temporary Fencing	\$2,500	\$2,500	First Year Costs	\$78,905
Bathrooms	\$720	\$720	Annual Costs	\$5,760
			Total Cost 2022	\$84,665
First Year Costs	\$56,900	\$77,900		
Annual Costs	\$29,905	\$27,760		One-Time Cost
Total Cost 2022	\$86,805	\$105,660		Per Summer Cost
				ADA Compliance Upgrades

* This value will vary, depending on which accessible parking location is chosen.

** Please note that these values are estimates, and may change between the date estimates were provided and the beginning of work. Staffing costs will increase year to year.

ITEM	STATUS	ACTION	Assigned To	Select Board Coments
<p>Short Term</p> <p>Increase public use (swimming summer weekends)</p>	<p>Not currently planned</p>	<ul style="list-style-type: none"> • FlashVote to gauge interest? <ul style="list-style-type: none"> ○ \$100 annual fee? ○ \$10 per visit fee? ○ \$25 per family per visit fee? • Check with Dennis M. • Check with Bill Murphy on BoH concerns • Get update – would this interfere with camp activities? 	<p>Charlie R. Check with Dennis M.</p> <p>Bill S. dialog with Scott Brody</p>	<p>Accelerate questions to Board of Health</p> <p>Request via Henry for 1. Town Counsel opinion re: whether Town has the ability to operate a public swimming facility in off hours at Sewataro 2. what additional liability might this incur (changes to insurance requirements? In two scenarios: 1. As Town 2. As Camp Operator)</p> <p>Henry feedback: P&R workload is high. Challenge to accomplish with Town staff.</p>
<p>Increase documentation of activities and uses</p>	<p>Incorporate into third party use agreement?</p>	<p>Review documentation being submitted by Sewataro. Is this data we can track?</p>	<p>First November update. March 5 request put in for monthly update. 2 newsletter/reports to date (March and April). To be submitted on the 15th of each month.</p> <p>Calendar has been posted on Town</p>	<p>IN PROGRESS / COMPLETE</p>

			website. Latest one on July 13 -Sept. 14	
Safeguard property	Is this an issue? At least one full-time property manager lives on site to provide safeguarding services.	Fencing has been added. No action necessary at this time. Check with Bill Barletta		COMPLETE
Add policy addendum regarding user fees	In process. Compare with Park & Rec, Police Community Room, Goodnow Library, School spaces - Consistency across town		-	<u>Closing the back gate at 5 p.m.? and during holidays?</u> <u>Desire to understand when/why gate is closed?</u> <u>Comments from Drummey: back gate not part of the initial agreement, based on resident feedback, got agreement with Henry to keep open until 5 p.m. (i.e., dusk). Holidays was that staff were unavailable to open/close gates.</u>
Prior To June 2022				
Update Agreement	In process.			
Consider tax exempt debt	Seek input from Dennis K., consider in advance			

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



SUDBURY SELECT BOARD
Tuesday, November 16, 2021

MISCELLANEOUS (UNTIMED)

5: ARPA funds and project request/prioritization discussion

REQUESTOR SECTION

Date of request:

Requestor: Member Dretler

Formal Title: Discussion on American Rescue Plan Act (ARPA) funds status and project request/prioritization process. Town Manager Hayes to report. (~30 min.)

Recommendations/Suggested Motion/Vote:

Background Information:

Financial impact expected:

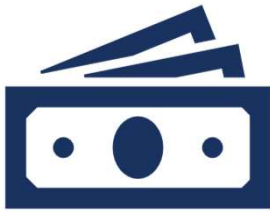
Approximate agenda time requested: 30 minutes

Representative(s) expected to attend meeting:

Review:

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

11/16/2021 7:00 PM



AMERICAN RESCUE PLAN ACT (ARPA) PROGRAM DISCUSSION

SELECT BOARD MEETING - SEPTEMBER 28, 2021
SLIDES PREPARED BY SELECT BOARD MEMBER JANIE DRETLE FOR
CONSIDERATION BY THE BOARD

1

ELIGIBLE USES OF LOCAL FISCAL RECOVERY FUNDS

- The Coronavirus State and Local Fiscal Recovery Funds provide eligible state, local, territorial, and Tribal governments with a substantial infusion of resources to meet pandemic response needs and rebuild a stronger, and more equitable economy as the country recovers. Recipients may use these funds to:
- Support public health expenditures, by, for example, funding COVID-19 mitigation efforts, medical expenses, behavioral healthcare, and certain public health and safety staff
- Address negative economic impacts caused by the public health emergency, including economic harms to workers, households, small businesses, impacted industries, and the public sector
- Replace lost public sector revenue, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic
- Provide premium pay for essential workers, offering additional support to those who have and will bear the greatest health risks because of their service in critical infrastructure sectors
- Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet
- Within these overall categories, recipients have broad flexibility to decide how best to use this funding to meet the needs of their communities.

Source: <https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments/state-and-local-fiscal-recovery-funds>

2

INELIGIBLE USES

Coronavirus State and Local Fiscal Recovery Funds provide substantial resources to help eligible state, local, territorial, and Tribal governments manage the public health and economic consequences of COVID-19. Recipients have considerable flexibility to use these funds to address the diverse needs of their communities.

To ensure that these funds are used for their intended purposes, the American Rescue Plan Act also specifies two ineligible uses of funds:

- States and territories may not use this funding to directly or indirectly offset a reduction in net tax revenue due to a change in law from March 3, 2021 through the last day of the fiscal year in which the funds provided have been spent. The American Rescue Plan ensures that funds needed to provide vital services and support public employees, small businesses, and families struggling to make it through the pandemic are not used to fund reductions in net tax revenue. Treasury's Interim Final Rule implements this requirement. If a state or territory cuts taxes, they must demonstrate how they paid for the tax cuts from sources other than Coronavirus State Fiscal Recovery Funds—by enacting policies to raise other sources of revenue, by cutting spending, or through higher revenue due to economic growth. If the funds provided have been used to offset tax cuts, the amount used for this purpose must be paid back to the Treasury.
- No recipient may use this funding to make a deposit to a pension fund. Treasury's Interim Final Rule defines a "deposit" as an extraordinary contribution to a pension fund for the purpose of reducing an accrued, unfunded liability. While pension deposits are prohibited, recipients may use funds for routine payroll contributions for employees whose wages and salaries are an eligible use of funds.

Treasury's Interim Final Rule identifies several other ineligible uses, including funding debt service, legal settlements or judgments, and deposits to rainy day funds or financial reserves. Further, general infrastructure spending is not covered as an eligible use outside of water, sewer, and broadband investments or above the amount allocated under the revenue loss provision. While the program offers broad flexibility to recipients to address local conditions, these restrictions will help ensure that funds are used to augment existing activities and address pressing needs.

Source: <https://home.treasury.gov/system/files/136/SLFRP-Fact-Sheet-FINALI-508A.pdf>

3

KEY DATES RELATED TO THE RECOVERY FUND

- **March 3, 2021: Beginning of the Recovery Fund "covered period"**
- March 11, 2021: American Rescue Plan Act of 2021 (ARPA), Pub. L. No. 117-2
- May 11, 2021: U.S. Treasury issues Interim Final Rule
- July 16, 2021: Deadline to submit comments on U.S. Treasury's [Interim Final Rule](#)
- August 31, 2021: Deadline for counties to submit first Interim Report to U.S. Treasury
- October 31, 2021: Deadline for counties to submit first Quarterly Project and Expenditure Report
- **December 31, 2024: Funds must be incurred and obligated**
- **December 31, 2026: Funds must be expended to cover obligations and all work must be completed**

Source: <https://www.naco.org/resources/featured/us-treasury-interim-final-rule-guidance-state-and-local-fiscal>

4

SUDBURY'S FUNDING ALLOCATION AND POTENTIAL PROCESS

5

FUNDING ALLOCATION FOR SUDBURY

Municipal Allocation	\$2,057,260
County Allocation	\$3,817,753
Total Funding:	\$5,785,013

Municipality	Population	County	Functional County?	CD1	CD2	US Treasury Classification	DH/ Hardest Hit Community	Municipal Allocation	Municipal Per Capita Amount	County Reallocation Per Capita	County Total Amount	Total Per Capita	Total Paid to Date	Share of Total Paid	FY21 Operating Budget	CLRF as Share of Budget	County Amount	County Amt per Capita	Implied Total Amount with County	Implied Total Amount Per Capita	
Sudbury	19,655	Middlesex	N	3rd	5th	Nonentitlement Unit	N	2,057,260	105	3,817,753	194	5,875,013	1,028,630	17.5%	108,817,836	5.4%	0	0	5,875,013	299	
Sunderland	3,629	Franklin	N	2nd		Nonentitlement Unit	N	379,842	105	704,891	194	1,084,733	299	189,921	17.5%	9,696,785	11.2%	0	0	1,084,733	299
Sutton	9,582	Worcester	N	2nd		Nonentitlement Unit	N	1,002,394	105	1,861,191	194	2,864,125	299	501,467	17.5%	36,144,043	7.9%	0	0	2,864,125	299
Swampscott	15,298	Essex	N	6th		Nonentitlement Unit	N	1,601,203	105	2,973,457	194	4,574,677	299	800,610	17.5%	62,930,223	7.3%	0	0	4,574,677	299

Source: <https://www.mass.gov/doc/coronavirus-local-fiscal-recovery-fund-clrf-funding-allocations-by-municipality-0/download>

6

Attachment 5.a: Dretler_ARPA Slides for Select Board 092821 (updated) (4869 : ARPA funds and project request/prioritization discussion)

FUNDING ALLOCATION AND SCHEDULE

Funding Allocation	Amount
Non-Entitlement Community Allocation	\$2,057,260
<ul style="list-style-type: none"> • 50% (\$1,028,630.22) received on June 30, 2021 • 2nd 50% to be received in 2022 	
Non-Functional County Redistribution Amount	\$3,817,753
<ul style="list-style-type: none"> • 50% received (\$1,908,876.67) on August 17, 2021 and 50% to be received in 2022 	
Total Funding	\$5,785,013
<ul style="list-style-type: none"> • Town may not deficit spend these funds • Annual spending reports submitted on October 15th each year • Funds must be allocated by December 31, 2024 and spent by December 31, 2026 	
Total Available Funding as of August 17, 2021	\$2,937,506.89

7

KEY INFORMATION

- Select Board must vote to formally accept ARPA funding
- ARPA is a federal grant under G.L. 44 § 53A and, as such, may be expended without town meeting appropriation.
 - <https://malegislature.gov/laws/generallaws/parti/titlevii/chapter44/section53a>
- Federal grant money is held outside the General Fund in a Special Revenue Fund
- ARPA and CARES Act funding do not roll into free cash; use it or lose it

8

POTENTIAL ARPA PROCESS FOR SUDBURY

- Internal staff to identify preliminary needs by XX/XX/XX
- Conduct needs assessment from stakeholders and create outline of draft investment priorities
- Select Board Presentation on XX/XX/XX
- Select Board consider and vote final ARPA investment priorities on XX/XX/XX
- Other considerations...

DRAFT

9

IDENTIFY KEY STAKEHOLDERS

Stakeholder Engagement

- Town staff
- Select Board
- Town Boards/Committees/Commissions
- Residents

10

ARPA FUNDING REQUESTS

Request (description)	Category	1) COVID-19 mitigation 2) CIP	Amount <small>* ongoing funding needed?</small>

DRAFT

11

- ## RESOURCES
- Congress
 - <https://www.congress.gov/117/bills/hr/1319/BILLS-117hr1319enr.pdf>
 - <https://www.congress.gov/bill/117th-congress/house-bill/1319/text>
 - U.S. Department of the Treasury
 - <https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments/state-and-local-fiscal-recovery-funds>
 - <https://home.treasury.gov/system/files/136/FRF-Interim-Final-Rule.pdf>
 - <https://home.treasury.gov/system/files/136/SLFRPFAQ.pdf>
 - National League of Cities
 - <https://www.nlc.org/topic/arpa/>
 - National Association of Counties
 - <https://www.naco.org/resources/featured/us-treasury-interim-final-rule-guidance-state-and-local-fiscal>

12

Attachment5.a: Dretler_ARPA Slides for Select Board 092821 (updated) (4869 : ARPA funds and project request/prioritization discussion)

RESOURCES

- State of Massachusetts
 - <https://www.mass.gov/info-details/about-covid-19-federal-funds>
 - <https://www.mass.gov/doc/coronavirus-local-fiscal-recovery-fund-clfrf-funding-allocations-by-municipality-0/download>
- Division of Local Services
 - <https://www.mass.gov/lists/guidelines-opinions-and-advisories#2021-bulletins->
- Massachusetts Municipal Association
 - <https://www.mma.org/resources/federal-funds-resources/>



Henry L. Hayes, Jr.
Town Manager

TOWN OF SUDBURY
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September 23, 2021

Subject: American Rescue plan Act Funding (ARPA) Thoughts and Ideas

Honorable Select Board Members,

In effort to expose the Board to some of the thoughts from the professional staff, below is a list for your consideration. This is not intended to be considered all-inclusive or exhaustive. I expect to continue to refine and add to this list, and subsequently include cost estimates.

Process is really important to consider:

- Select Board members' and community: priorities, plans and interests
- Professional Staff: service delivery and functional needs
- Town boards, committees and commissions
- General public

Avoid:

- Duplicating support to areas that are funded in other special sources.
- A sustained program that requires a revenue stream to keep it going, these funds will end!
- If we have something we are trying to do in the future, and we are only 1-2 years out, could we approach this as a bridge to get us there faster, without creating a systemic/structural deficit at the onset?

Staff feedback and thoughts:

1. **DPW:**

- a. **Wastewater project** offset? This total project may be in the \$20M range
- b. **Stormwater project** offset? Rehabilitation of all the stormwater in Platts Mill Road and Goodmans Hill Road

2. **Fire Dept Items:**

- a. Purchase of a **new stretcher, new stair chairs, and new CPR machine**, this equipment is not included in our new ambulance purchase and is directly related to the "American Rescue Plan"
- b. **Opioid impacts** offset info: From the public safety aspect both the Fire and Police Departments could start a naloxone leave behind program. We have not done this in the program in the past due to the high cost, each leave behind kit is about \$125.00 each in addition the cost of training our personnel and putting together an outreach program. **(Need to be mindful that there may be some funds that come from opioid litigation – no guarantee on timing or amount)**

- c. Purchase of **portable two-way radios**, many of the units that we are using were purchased in 2001 and are at end of life with no replacement parts available. The cost of each unit is about \$4,000.00. We recommend the purchase of 15 units at a total cost of \$60,000.00.
 - d. **New record management system (RMS)** for the Fire Department. I received notification from our current program provider (FireHouse) that our system will no longer be supported in the future. The current RMS is 21 years old and has been replaced by a web-based platform which will cost five times what we currently pay each year.
3. **Police Dept:** Training
 4. **Broadband items:** Info Systems, Planning
 5. **Planning:** Offset to the long-term funding source for the Go Sudbury! Transportation Program. The program subsidizes taxi and Uber rides to take people where they need to go within 25 miles of Sudbury. Here is a link with more information about this on-going program which is currently being paid for by a grant from MAPC and MassDevelopment:
<https://sudbury.ma.us/transportation/2021/05/12/low-cost-transportation-options-for-sudbury/>
 (Note: the Sudbury Connection Van Service is not part of the Go Sudbury! Program)
 - a. Between September 2020 and January 2021, we offered 100% subsidized taxi rides to people 50 years of age or older, 18 years of age or older with a disability that limits driving, active duty military or veteran of the armed forces, residents with a financial need, and essential workers requiring transportation for work; for trips to work, medical appointments, grocery shopping, or other trips; we expended over \$22,000 in the 5 months.
 6. **Senior Center:**
 - a. **Transportation funding** would be very valuable – transportation needs are clear from the data in two pilots that we are offering for older residents, veterans, residents with disabilities, and persons with financial need.
 - b. **Innovation:** Costs of operating in new ways due to the pandemic, such as new microphones for instructors doing hybrid classes.
 - c. Update the “accessible” **outdoor fitness equipment** at Haskell Field
 - d. Updated equipment and design of the **Haskell Field adult fitness area** (corner of Hudson and Fairbank Roads), as well as the updates and improvements to the walking path around the field, so that the path could become a fitness trail appropriate for all ages.
 7. **Sudbury Water District:** PFAS mitigation? Discussion pending...
 8. **School program enhancements?** (avoid any structural deficit establishment, what would be: single payment items, programs, training...)
 - a. **Equity Focus:** Addressing educational disparities including expanded early learning services, providing resources to high-poverty districts, tutoring, afterschool programs, childcare, social, emotional and mental health needs, under-resourced families and foster youth.
 - b. Schools also will get **ESSER-III funds**
 9. **Infrastructure for electric vehicle charging stations?** Long-term asset that supports reduction of pollution and encourages future e-vehicle purchases/use.
 10. **Solar panels:** Can we purchase more with these funds?
 11. How does **ADA infrastructure/enhancements** align with ARPA fund use?
 12. **Town Clerk:** General Code to update Town Code: Codification project - I believe that this project could be eligible for ARPA funding. Estimated to be \$10,000 over 2 years.
 13. **Social Services and Support:**



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- a. **Vulnerable Residents** support – Rental Asst Prog, Social Worker hours, Senior Center, brain-based and other disabilities, low-income resident
 - b. **501(c)3s** in Sudbury?
 - c. **Social programs:** training, seminars, financial literacy, entrepreneurial guidance
14. **Rejuvenation of the economy:** Would require clear transparency, amounts to be earmarked, risk mitigation
15. **Chamber of Commerce:** Ideas?
16. Any ideas regarding benefits to: election staff, childcare workers, grocery workers?
17. **Losses of revenue:** Are there any applications related to Sudbury? Strict guidance.

Respectfully submitted,

Henry L. Hayes, Jr.
 Town Manager

American Rescue Plan Act

ARPA

Coronavirus State and Local Fiscal Recovery Funds

CFSLRF

Henry L. Hayes, Jr., Town Manager

16 November 2021

<https://www.federalregister.gov/documents/2021/05/17/2021-10283/coronavirus-state-and-local-fiscal-recovery-funds>

American Rescue Plan Act (ARPA)

➤ Summary:

The American Rescue Plan Act of 2021, signed into law on March 11, 2021 (ARPA) authorized \$1.8 trillion in federal resources to respond to the Coronavirus Disease 2019 (COVID-19). ARPA allocated \$350 billion in direct aid to state and local governments through the Coronavirus State and Local Fiscal Recovery Funds (CSLFRF). Local governments in Massachusetts, including counties, cities, and towns, will receive approximately \$3.4 billion from this fund.

Main Categories of Funding for Municipalities

- ▶ Coronavirus State and Local Fiscal Recovery Fund (CSLFRF) = \$350B
- **\$3.4B provided to MA**, for municipalities & counties through direct (entitlement) or indirect awards (non-entitlement/ NEU)

Sudbury Allocation

- **Total provided to Sudbury \$5,875,013.78**
- \$2,057,260.44 Municipal Allocation (NEU)
- \$3,817,753.34 County Allocation

A recipient must **RETURN** any funds not obligated by **December 31, 2024**, and any funds not expended to cover such obligations by **December 31, 2026**.

Eligible Uses of local fiscal recovery funds

- **Support public health expenditures**, by, for example, funding COVID-19 mitigation efforts, medical expenses, behavioral healthcare, and certain public health and safety staff
- **Address negative economic impacts** caused by the public health emergency, including economic harms to workers, households, small businesses, impacted industries, and the public sector
- **Provide premium pay for essential workers**, offering additional support to those who have and will bear the greatest health risks because of their service in critical infrastructure sectors
- **Replace lost public sector revenue**, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic
- **Invest in water, sewer, and broadband infrastructure**, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet

Ineligible Uses of local fiscal recovery funds

Recipients have considerable flexibility to use Fiscal Recovery Funds to address the diverse needs of their communities. To ensure that payments from the Fiscal Recovery Funds are used for these congressionally permitted purposes, the ARPA includes the following provisions for ineligible uses:

- **Deposit to a pension fund**
- **Directly or indirectly offset a reduction in net tax revenue**
- **Funding debt service, legal settlements or judgments, and deposits to rainy day funds or financial reserves (i.e. reserve funds or free cash).**
- **General infrastructure** not covered as an eligible use

Suggested CSLFRF Allocation for discussion purposes

- Lost revenue, using FY19 actual as base
- Infrastructure
 - Broadband expansion connections in business districts
 - Targeted infrastructure improvements
- Business assistance programs
- Contingency
 - Unknown or unforeseen needs
 - Flexibility to meet changing priorities

Outreach and Input

Town Professional Staff

School Superintendents

Boards, Committees, Commissions

Sudbury Water District

Sudbury Chamber of Commerce

Sudbury Residents

FlashVote Survey (closed)

Website submissions (thru 30 Nov)

Funds Available

	Total Allocated	Total Received	Total Expended
Sudbury	\$2,057,260.44	\$1,028,630.22	\$0
County Allocation	\$3,817,753.34	\$1,908,876.67	\$0
Total	\$5,875,013.78	\$2,937,506.89	\$0
		1/2 received	

American Rescue Plan Act - ARPA



5.c

Attachment 5.c: American Rescue Plan Act - 2021 Nov 16 (4869 : ARPA funds and project

Update: 2021-11-05

Goal: Utilize funding in accordance within the Federal guidelines		
Risk		Controls (Options)
Not utilizing the funds in timeline authorized	Low	<ul style="list-style-type: none"> The requests that come in will exceed the amount available to the Town
Funding items that an auditor deems inappropriate	Low	<ul style="list-style-type: none"> We will continue to watch the guidance and compare to the requested support

Select Board

Original Target	Current Target
2024-2026	2026

Original Plan	Current Budget
\$5,875,013	\$5,875,013

Milestone	Original	Current (Actual)	Notes
Conduct Community FlashVote Survey	2021 OCT 26-28	Completed	815 of 1321 potential participants. ARPA Flashvote Results
Web page establishment with survey for the public	2021 NOV	Completed 2021 Nov 3	Town will be utilize a website to track and post relevant data associated with ARPA.
Town Survey	2021 NOV	... Nov 30 ...	
Project completion	2026		

Funding Source	Allocated	Unspent	Expenditures
Town Allocation	\$2,057,260.44	\$2,057,260.44	
County Allocation	\$3,817,753.34	\$3,817,753.34	
	\$		
	\$	\$	
	\$	\$0	
	\$	\$	
TOTAL	\$5,875,013.78	\$5,875,013.78	

ICMA Fact Sheet: American Rescue Plan

- 84% of local governments projected a decrease in revenue for their first budget adopted since the pandemic: 45% projected up to a 10 percent decline in overall revenue; nearly a third projected revenue losses between 11-20%; and 10% projected losses of more than 20%.
- About half of local governments have delayed improvements in public recreation spaces or in government facilities (other than public safety).
- 40% have delayed improvements to road or sidewalk infrastructure
- Hiring freezes were put in place by 52% of all local governments.
- Furloughs were reported by 19% of local governments; 12% reported layoffs.

American Rescue Plan Key Provisions

American Rescue Plan Act of 2021: Summary

The U.S. House of Representatives on March 10, 2021, passed the Senate-amended H.R. 1319, the American Rescue Plan (ARP). The ARP provides \$1.9 trillion in additional relief to respond to the novel coronavirus (COVID-19). This follows the enactment of nearly \$4 trillion in COVID relief in 2020. President Joe Biden called for Congress to enact the ARP to provide relief for individuals and business struggling due to COVID-19, as well as to achieve other priorities of the Biden Administration and Congress. ARP includes provisions on aid to state and local governments, hard-hit industries and communities, tax changes affecting individuals and business, and other provisions.

The latest COVID relief legislation was enacted as part of Congress' fiscal year (FY) 2021 budget, and includes provisions impacting a wide variety of stakeholders. The following chart highlights some noteworthy provisions.

Key Provisions of American Rescue Plan	
Agriculture	<p><u>Food supply chain and agriculture pandemic response</u></p> <ul style="list-style-type: none"> Provides \$4 billion for the U.S. Department of Agriculture (USDA) Secretary to: <ul style="list-style-type: none"> Purchase food and agricultural commodities Purchase and distribute agricultural commodities (including fresh produce, dairy, seafood, eggs and meat) to individuals in need Make grants and loans for small or mid-sized food processors or distributors, producers or other organizations to respond to COVID Make loans and grants to maintain and improve food and agricultural supply chain resiliency Provides \$300 million to monitor and survey susceptible animals for incidents of COVID Provides \$100 million to reduce the amount of overtime inspection costs of federally inspected small establishments and very small establishments engaged in meat processing
	<p><u>Emergency rural development grants for rural healthcare</u></p> <ul style="list-style-type: none"> Provides \$500 million to establish an emergency pilot program within 150 days after the enactment of ARP to increase capacity for vaccine distribution, purchase medical supplies, reimburse lost revenue, increase telehealth capabilities, construct temporary or permanent structures to provide healthcare services, support staffing needs for vaccine administration and testing, and engage in other efforts to support rural

➔ Law firm Holland and Knight, a frequent partner with ICMA on the National Brownfields Conference, has developed a summary and key provisions of the American Rescue Plan. (March 2021)

ICMA Summary Of Spending Priorities Survey Results - October 2021

In which of the following categories of eligible expenses is your local government actively considering spending its allocation of funding?

Treasury-defined Eligible Expense	MP	MW	NE	SE	WC
Investing in water, sewer, and broadband infrastructure	93%	80%	79%	89%	70%
Replacing lost public sector revenue	38%	55%	52%	50%	70%
Addressing negative	31%	30%	38%	37%	58%
Supporting public health expenditures	32%	21%	33%	27%	23%
Providing premium pay for essential workers	20%	17%	19%	37%	14%
None of these at this time	2%	2%	6%	3%	1%
n	121	148	90	153	77

<https://icma.org/documents/icma-survey-research-american-rescue-plan-act-local-fiscal-recovery-fund-spending-priorities>

MP, Mountain Plains
MW, Midwest
NE, Northeast
SE, Southeast
WC, West Coast

Sudbury FlashVote Results

815 Total Participants

775 of 1321 initially invited (59%)

40 others

Margin of error: $\pm 4\%$

Started: **Oct 26, 2021 11:32am EDT**

Ended: **Oct 28, 2021 11:32am EDT**

Target Participants: **All Sudbury**

<https://www.flashvote.com/sudbury-ma/surveys/community-priorities-10-21?filter=all>

Which of the following things do you think are a **STRENGTH** of Sudbury, if any?

Options	Votes 790
Local recreation/culture	42.9% (33)
Historical preservation and environmental conservation	71.8% (56)
Ease of getting around town	11.8% (9)
Physical safety and security	70.8% (55)
Range and cost of available housing options	5.2% (4)
Sense of community and inclusion	30.1% (23)
Local businesses and jobs	12.2% (9)
Quality of schools	82.3% (65)
Other:	5.2% (4)

Attachment 5.c: American Rescue Plan Act - 2021 Nov 16 (4869 : ARPA funds and project

Which of the following aspects of Sudbury are most **IMPORTANT** to you, if any?

Options	Votes 782
Local recreation/culture	49.5% (38)
Historical preservation and environmental conservation	50.4% (39)
Ease of getting around town	28.1% (22)
Physical safety and security	67.5% (52)
Range and cost of available housing options	13.6% (10)
Sense of community and inclusion	44.5% (34)
Local businesses and jobs	20.3% (15)
Quality of schools	75.4% (59)
Other:	5.17% (4)

Attachment 5.c: American Rescue Plan Act - 2021 Nov 16 (4869 : ARPA funds and project

Importance vs. Satisfaction Comparison

Options	Votes 782	
	Importance	Satisfaction
Local recreation/culture	49.5% (387)	42.9% (336)
Historical preservation and environmental conservation	50.4% (394)	71.8% (562)
Ease of getting around town	28.1% (220)	11.8% (92)
Physical safety and security	67.5% (528)	70.8% (554)
Range and cost of available housing options	13.6% (106)	5.2% (41)
Sense of community and inclusion	44.5% (348)	30.1% (236)
Local businesses and jobs	20.3% (159)	12.2% (95)
Quality of schools	75.4% (590)	82.3% (645)
Other:	5.1% (40)	10.2% (80)

Attachment 5.c: American Rescue Plan Act - 2021 Nov 16 (4869 : ARPA funds and project

ARPA money can only be spent on the following five categories

Which of these are most important to you?

Options	Votes 780
Support public health	53.6% (41)
Address COVID-19 economic impacts	55.9% (43)
Replace lost government revenue	34.2% (26)
Provide premium pay for essential workers	35.5% (27)
Invest in water, sewer, and broadband infrastructure for underserved communities	44.4% (34)
None of these	6.2% (4)
Not Sure	6.8% (5)

Attachment 5.c: American Rescue Plan Act - 2021 Nov 16 (4869 : ARPA funds and project

How would you allocate \$100 across this sample list of projects?

5.c

Options	Average 667
Improve town facilities and conservation land (restoration, repair, ADA compliance)	\$12.38
Economic development (shopping center vacancies, infrastructure in business districts)	\$12.10
Roadway infrastructure (roads, bridges, sidewalks, traffic signals)	\$19.88
Water, sewer and flood control infrastructure (pipes, quality monitoring, drainage)	\$15.03
Support local businesses and non-profits (grants/loans for businesses affected by pandemic)	\$12.13
Support essential workers and residents who have had financial difficulties caused by COVID-19	\$12.45
Expand PreK-12 educational programs (virtual learning, mental health, equity)	\$14.77
None of these	\$1.20

Attachment 5.c: American Rescue Plan Act - 2021 Nov 16 (4869 : ARPA funds and project

Sudbury Website Survey Inputs

36 Comments as of 12 Nov 2021 / 9 AM

- 17 and under: 0
- 18-25: 0
- 26-35: 1
- 36-45: 5
- 46-55: 14
- 56-65: 5
- 66+: 11

Resident Response was most prominent
2 Business Owner Responses noted

Sudbury Website Survey Inputs

ARPA Category

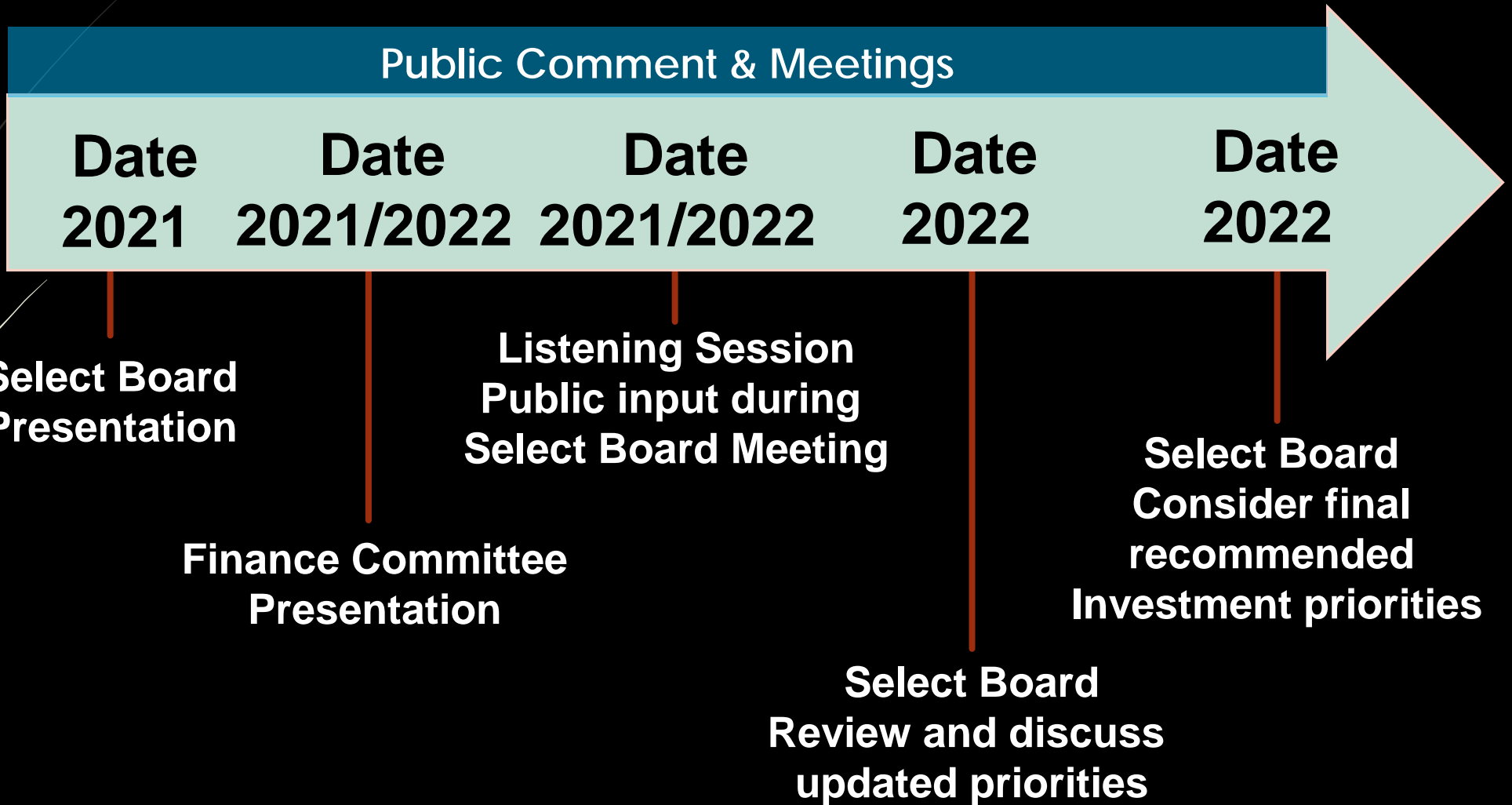
Answer Choice	Response Count	Response Percentage
Support public health	25	67%
Address COVID-19 economic impacts	9	24%
Replace lost public sector revenue	4	10%
Provide premium pay for essential workers	7	18%
Invest in water, sewer, and broadband infrastructure for underserved communities	11	29%
Total Responses	37	

Sudbury Website Survey Inputs

Total Cost Estimate

Answer Choice	Response Count	Response Percentage
Under \$50,000	5	13%
\$50,000 - \$100,000	5	13%
\$100,001 - \$1M	15	40%
\$1M - \$3M	4	10%
\$3M+	8	21%
Total Responses	37	

ARPA Public Meetings



Should we consider?

- ▶ Administration of funds: up to \$315,000
 - ▶ **Grant Administrator/Procurement Officer:** support management of ARPA Funds and other federal and state grant programs for three (3) years...
\$275,000 (grant funded, temporary position)
 - ▶ **Financial Consultant and Audit Services:** ensure compliance **\$25,000-\$40,000**

References

Congress

<https://www.congress.gov/117/bills/hr1319/BILLS-117hr1319enr.pdf>

<https://www.congress.gov/bill/117th-congress/house-bill/1319/text>

U.S. Department of the Treasury

<https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments/state-and-local-fiscal-recoveryfunds>

<https://home.treasury.gov/system/files/136/FRF-Interim-Final-Rule.pdf>

<https://home.treasury.gov/system/files/136/SLFRPFAQ.pdf>

National League of Cities

<https://www.nlc.org/topic/arpa/>

National Association of Counties

<https://www.naco.org/resources/featured/us-treasury-interim-final-rule-guidance-state-and-local-fiscal>

References

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<https://www.mass.gov/info-details/about-covid-19-federal-funds>

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Division of Local Services

<https://www.mass.gov/lists/guidelines-opinions-and-advisories#2021-bulletins->

Massachusetts Municipal Association

<https://www.mma.org/resources/federal-funds-resources/>

References

U.S. Bureau of Labor Statistics

https://www.bls.gov/oes/2020/may/oes_ma.htm

<https://www.bls.gov/oes/current/oessrcst.htm>

International City / County Management Association

<https://icma.org/documents/icma-fact-sheet-american-rescue-plan>

<https://icma.org/documents/american-rescue-plan-key-provisions>

<https://icma.org/documents/icma-survey-research-american-rescue-plan-act-local-fiscal-recovery-fund-spending-priorities>

Sudbury

<https://www.flashvote.com/sudbury-ma/surveys/community-priorities-10-21?filter=all>

<https://sudbury.ma.us/ARPA>



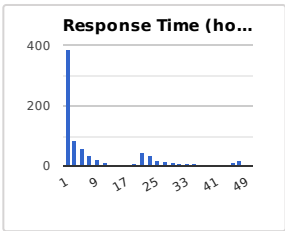
Survey Results: Community Priorities

Survey Info - This survey was sent on behalf of the Town of Sudbury to the FlashVote community for Sudbury, MA.

These FlashVote results are shared with local officials

815
Total Participants
 775 of 1321 initially invited (59%)
 40 others
 Margin of error: ± 4%

Applied Filter:
Locals only
 Participants for filter:
701

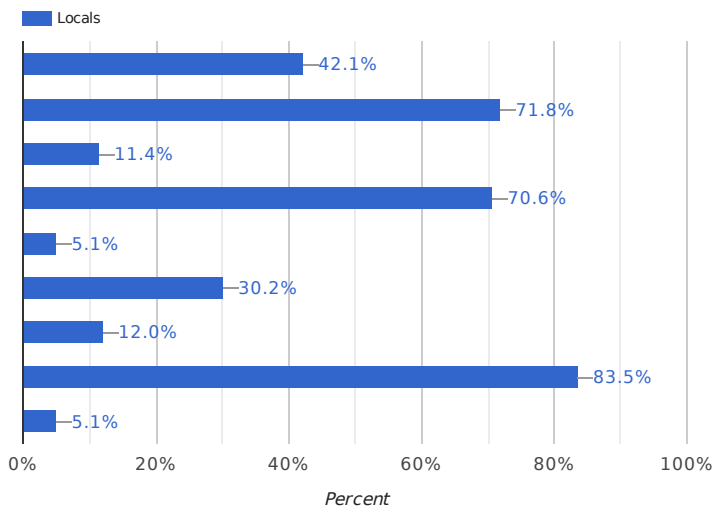


Started:
Oct 26, 2021 11:32am EDT
 Ended:
Oct 28, 2021 11:32am EDT
 Target Participants:
All Sudbury

Q1 Which of the following things do you think are a **STRENGTH** of Sudbury, if any? (Choose all that apply)

(701 responses by)

Options	Locals (701)
Local recreation/culture	42.1% (295)
Historical preservation and environmental conservation	71.8% (503)
Ease of getting around town	11.4% (80)
Physical safety and security	70.6% (495)
Range and cost of available housing options	5.1% (36)
Sense of community and inclusion	30.2% (212)
Local businesses and jobs	12.0% (84)
Quality of schools	83.5% (585)
Other:	5.1% (36)



Attachment5.d: community-priorities-10-21_filter_local (4869 : ARPA funds and project request/prioritization discussion)



Peace and quiet and nature

None of these

High Taxes - keep the rift raft out

SCHOOL

open space, natural beauty/serenity

The people.

Things have changed in Sudbury over the past couple of years and I struggle to find the strength.

Proximity to commercial roads and shopping areas in nearby towns.

senior center

I like the amenities - shops, groceries, Sullivan Tire, restaurants.

We are in need of doing a better job on most of these.

The natural beauty of the town.

Strong commitment to residents (e.g., CoA/Senior Center and the town Social Worker/Public Safety)

Nature

wildlife

Historical preservation (not environmental conservation)

accessible open space

Schools are the lynchpin

Schools were highly rated but appear to be slipping in recent years and the town should refocus on

Proximity to other towns with lots of desirable retail shops, restaurants, and businesses

Fiscal Responsibility

Quiet neighborhoods

Uncontaminated tap water.

physical beauty - trees and well-kept properties, 2 lane winding roads, low density

Sewer

The unspoiled areas still found but rapidly disappearing

Surplus of superb, useable conservation land

Commuting location

Public services (eg. hazardous waste collections, flu clinics, Dutton Rd. project communications)

natural beauty

trails to walk on.....our own Whole Foods, great restaurants like Paani, Fugaku...shops- Duck Soup

Location

You should ask, too, what's wrong with Sudbury - overbuilding, traffic, high taxes, etc.

Proximity to local farms

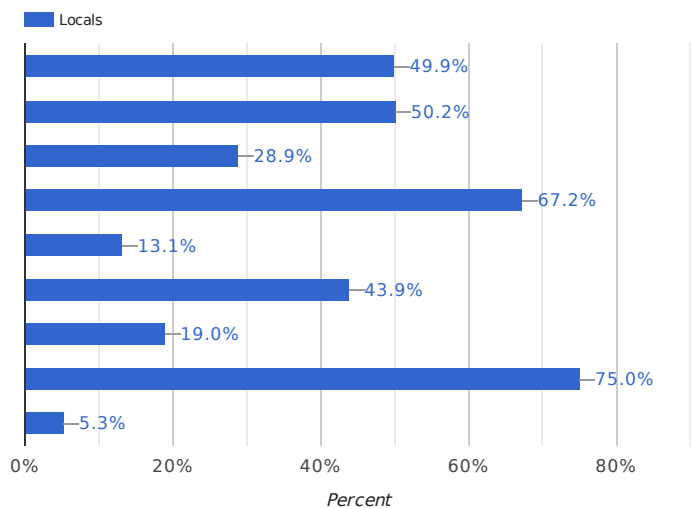
Efforts to reach out to seniors and others who may not be well-connected or in need.

less congestion and easy access to nature.

Q2 Which of the following aspects of Sudbury are most IMPORTANT to you, if any? (You can choose up to FOUR)

(695 responses by)

Options	Locals (695)
Local recreation/culture	49.9% (347)
Historical preservation and environmental conservation	50.2% (349)
Ease of getting around town	28.9% (201)
Physical safety and security	67.2% (467)
Range and cost of available housing options	13.1% (91)
Sense of community and inclusion	43.9% (305)
Local businesses and jobs	19.0% (132)
Quality of schools	75.0% (521)
Other:	5.3% (37)



conservation restaurants
 preserving trails
 community need
 space responsibility reduction sustainability
 school tax nature shops
 sports centers senior fiscal
 traffic town sidewalks quality

Good restaurants...we have a few, but need more.

Quality of town management and community involvement

Pedestrian and Cyclist safety

Economic development

Vibrant senior center

senior center

A "downtiwn" experience, with sidewalks, shopping, etc

Youth Sports

Taxes & fiscal responsibility.

Traffic control! It's terrible to live on a street with no sidewalks and increase in cars

Nature

lowering taxes

Town history and traditions

Environmental initiatives such as banning plastic

Fiscal Responsibility

sustainability

Green spaces

Uncontaminated tap water

Sustainability, reduction of carbon footprint

Attention to the needs of Seniors and Disabled

Let's get rail trails. We are so behind other communities.

Natural Gas

We left the public school system because of how the leadership ignored shared community concerns

Sewer

1) Protecting against growth in housing density; 2) Relieving traffic, 3) Preserving open space

TAXES! In times like these Restraint should be the hallmark. Slow down spending.

Attachment5.d: community-priorities-10-21_filter_local (4869 : ARPA funds and project request/prioritization discussion)

Bike Trails, conservation lans

G

Surplus of superb, useable conservation land

ADA COMPLIANCE

Affordable and convenient transportation options to Boston

Sudbury Valley Trustees and their conservation areas

our own Whole Foods, Paani, Duck Soup, and more

Natural beauty

Energetic center (shops, restaurants, events)

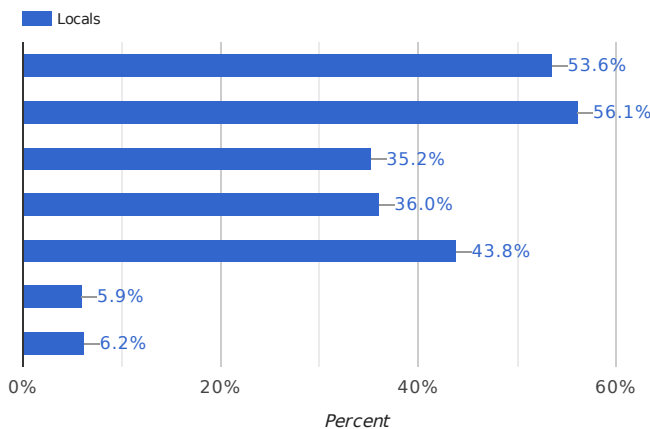
Our schools have dropped in quality snd rest on the laurels of bygone glory

proximity to locally grown meat, produce, and grains

Q3 The Town of Sudbury will receive about \$5.9 million over two years for “COVID-19 economic relief” from the federal American Rescue Plan Act (ARPA). This ARPA money can only be spent on the following five categories. Which of these are most important to you, if any? (You can choose up to THREE)

(694 responses by)

Options	Locals (694)
Support public health	53.6% (372)
Address COVID-19 economic impacts	56.1% (389)
Replace lost government revenue	35.2% (244)
Provide premium pay for essential workers	36.0% (250)
Invest in water, sewer, and broadband infrastructure for underserved communities	43.8% (304)
None of these	5.9% (41)
Not Sure	6.2% (43)



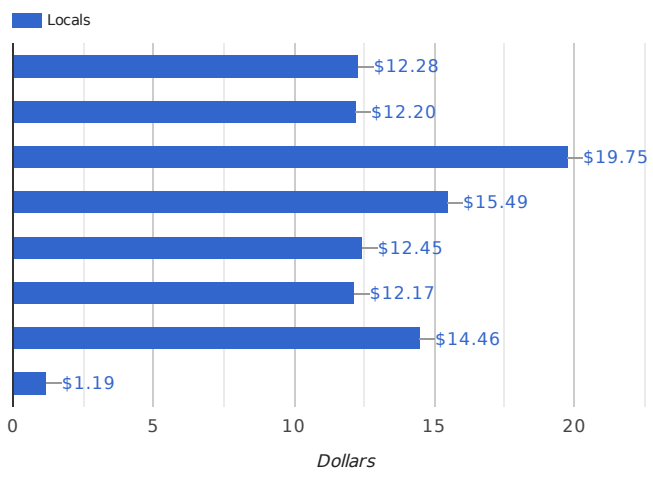
Q4 Below is a sample list of projects that fit into one of the ARPA guidelines mentioned above. How would you allocate \$100 across this sample list of projects?

(592 responses by)

Options	Locals (591)
Improve town facilities and conservation land (restoration, repair, ADA compliance)	12.3%

Attachment5.d: community-priorities-10-21_filter_local (4869 : ARPA funds and project request/prioritization discussion)

Options	Locals (591)
Economic development (shopping center vacancies, infrastructure in business districts)	12.2%
Roadway infrastructure (roads, bridges, sidewalks, traffic signals)	19.7%
Water, sewer and flood control infrastructure (pipes, quality monitoring, drainage)	15.5%
Support local businesses and non-profits (grants/loans for businesses affected by pandemic)	12.5%
Support essential workers and residents who have had financial difficulties caused by COVID-19	12.2%
Expand PreK-12 educational programs (virtual learning, mental health, equity)	14.5%
None of these	1.19%



Q5 Any other comments or suggestions or ideas about how the Town of Sudbury can use ARPA funding to best serve the whole community?
(170 responses by)



I will be disgusted if the Town tries to use these funds for the Fairbanks project.

Pay down massive debt or reduce property taxes

I'm reading some things about what's happening at Fairbank. Which is supposed to be for the community. Sounds like now we should put that project on hold. It's taking forever to get to this point what's another 2 years If it's not going to cost us everything we have. I have a feeling this funding might go to that to things that we should have already been able to pay for

Attachment5.d: community-priorities-10-21_filter_local (4869 : ARPA funds and project request/prioritization discussion)

if we weren't doing a major construction job during COVID which is really really stupid. I find it strange that we're getting this money. Just because I feel like there are other communities that would need it so much more than we would. I mean you can barely buy a house in our town for under \$800,000. Sounds like our communities doing pretty okay if people can afford to live here. I'm guessing the elderly and women especially were hit really hard if they were full-time workers and they had to stay home with their children. Money or not mental health got hit hard.

Finish / Accelerate the Rail Trail. The community clearly supports it and yet, we have been discussing it for a decade.

Provide money for the Sudbury Community Center

important to include conservation land and restoration in our consideration of public health and climate change solutions. Our lands were very heavily used during the pandemic. It shows how important these lands are for our overall public health and safety.

Is there a way for these funds to be used to support the Fairbank project? COVID has definitely affected the materials and labor required to complete this project. It will benefit the entire community.

Widen Rt 117 & 20 to 4 lanes, build a bypass around the commercial mess on Rt 20, demolish strip malls and return the land to conservation, eliminate traffic lights and replace with overpasses

Support non-car transportation options - expand side walks, protected bike lanes, etc.

Buy out the former Bosse facility from Herb Chambers and turn it into the community center instead of building a new center at Fairbanks. This is a waste of building materials and bad for the environment if it gets torn down. There are already great facilities there--why reinvent the wheel? Not sure how the town missed that opportunity. As part of the new community center (or even Camp Sewataro), I would like to see a cultural/arts center for art exhibits, concerts, films, and other kinds of performances. Sudbury puts its money and resources into sports, which seems to be having a lot of problems, but it overlooks arts and culture. There are more arts and culture in every single surrounding town than there is here!

Don't spend it frivolously or to people or businesses who have already received help.

I wish Sudbury was pedestrian friendly The sidewalks along 117 are scary as are other roads and sidewalks throughout the community. A friend of mine considered Sudbury to move, but didn't find it walkable or bicycle friendly. I wish our town could do better. Looking forward to the rail trail.

Create a "downtown" that is free of vacancies, inviting for locals and tourists ("quaint" New England vibe), and easily navigable (walkable)

More crosswalks to get across route 20, especially in the wayside area district.

Focus the funds on pre existing top town priorities where applicable. Focus on items that will have the broadest impact to the community.

Invest in sewer system to allow more commercial development

Fix the aging schools

Schools, trees and town conservation lands

Outreach, keeping residence informed

Put it towards shortfalls in existing projects as voted by the Town (i.e., obtain Town input on spending for those projects).

Think long term. If we invest in economic development and infrastructure that supports businesses along our commercial corridors, we can diversify the tax base, ease the burden of skyrocketing property tax bills, fund future projects, and enhance sustainability efforts. Additional employment opportunities in-town will reduce commuter traffic on congested main roads. We can also attract better small/locally owned businesses that offer amenities desired by the community if we take a proactive approach to economic development, reducing the need for the town to provide these services. Diversifying the tax base is the goose that lays the golden eggs for every interest in town.

Sudbury has a wide range of people but many - especially recently - move here as young families for the community and school system. Investing in our schools and on ways to foster greater community kinship in Sudbury beyond the schools should be a priority

Put HEPA air filters in classrooms. Provide incentives and zoning relief for more outside seating at restaurants, including covered seating so restaurants can operate even in light rain.

Have the money benefit all citizens, not just the loudest.

The funds should be used to finally help our downtown shopping area become more welcoming with better pedestrian access and varied businesses. I have lived in town for 23 yrs and have seen so little change for the better. I am so tired and annoyed that I need to leave town to find shops and business that are not available due to sewer issue. It has been a topic of discussion since we moved here. It's sad and disappointing that we still don't have anything like Natick, Hudson, Belmont, Concord and Wellesley have.

For the remaining 25% i did not allocate on previous page, I would allocate to public schools for art, music, sports and teacher grants

Use funding for long term economic development, infrastructure, and financial stability goals.

Try to attract businesses in the TJ MAXX lot.

None at this time

Improve public transportation in the town. Look at Lexington as a model, which has a Lexpress minibus that runs in several routes that cover the whole town every hour. These could connect the high school, library, shopping areas, sports fields, and allow students and seniors or others without cars to get around town without driving. A shuttle to the West Concord or Lincoln commuter rail would also be a good idea.

It looks like a lot of improvements have been made in roads, bridges, athletic fields, common land such as old Sudbury center and improvement in traffic flow. Unfortunately, the shops/amenities in town have taken big hits due to the pandemic and keeping our amenities vital and assisting residents/shops severely impacted by Covid 19 should be a priority

Use the funding to protect the land around the proposed rail trail. Eversource will not positively impact Sudbury residents. Instead they'll disrupt important habitats and place an undue burden on the community for a long time to come.

Improve swim locker room

To support the Fairbanks community Center and offset construction costs soaring because of Covid related supply chain issues.

Driving on Route 20, our town feels like a raggedy run-down town with overgrown brush, broken sidewalks, and occasional bleary street lights. I saw tons of economically distressed towns like this in my recent coast-to-coast road trip. Certainly doesn't feel like a town with \$ million mansions. Want to know what a premium town looks like? Drive through Saddle Ridge, NJ, or even Mahwah, NJ.

Finish the Bruce Freeman Rail Trail. Sidewalks and lights

As we reflect on the challenges the pandemic exposed related to equity and people acting with their community in mind. I think it is very important that we use some funding to creating community spaces where citizens can organically encounter each other and engage as I think this supports a deeper understand of our common humanity and allows us to see how we have more in common than not and I think these spaces should be local business as that then allows us to support the local economy (not chains) and local works and bring in taxes for the town

Provide relief for short term property taxes, especially for the disadvantaged.

Quality of education is key in maintaining the fabric of our community and why people move here. Though it doesn't seem to be a high priority for the Select Board in their discussions around ARPA (and it was listed last on all of the response options), it is my sincere hope that a good amount of the ARPA funds are allocated to the schools. Schools everywhere are going to have significant ongoing costs due COVID-19 impacts that aren't covered by operating budgets and other federal grant funds. Learning, mental health, and social-emotional impacts will continue for years. It would be great if we could make education in Sudbury a priority in helping the community recover from the pandemic.

Address racial profiling in local businesses

Create more ways for the community to gather/come together. Create more walkable spaces.

To offset construction cost increases for the new Fairbanks community center.

Transportation is a key element in supporting our community post-pandemic and must be considered along with essential worker, small business/nonprofit, and other economic development. If all residents/workers cannot access the latter development (i.e., lack transportation), then the benefits will be inequitable.

Route 20 sewer

The funds are intended to "repair" the costs of the pandemic. Use it for that and to better prepare for future public health calamities and stresses. If we don't need all of it for those purposes give it to communities who do.

More help for people who are disabled.

Schools and sidewalks for public health and safety

It is important to restore normalcy by example. To the extent that funds are used for municipal and school services, efforts like test-and-stay through rapid covid tests for students, teachers, and municipal employees should receive priority over remote work/remote school infrastructure.

Encourage businesses to come to town to fill vacant stores.

Preserve more land and build more hiking/biking trails. Improve quality of roads and build more sidewalks next to existing roads.

Everyone was essential during the pandemic. Many ppl Suffered and many played the game well! Stay away from that with a 100foot pole. Focus on our community here first. Focus on bringing in new businesses and better planning. Route 20 is a fuggin mess - focus on improving the road ways, parking, thru-way traffic and attracting larger businesses to help offset the ridiculous spending and tax rate so the residents don't have to bear the full burden. Slow your spending...eventually other people's money runs out.

Improve business diversity-better restaurants no more pizza places, no more banks, no more nail salons. We need a great brewpub!

We have spent WAY too much on conservation already. We need to shore up revenues. There should not be tax overrides to compensate for teachers that refused to teach during the early days of the pandemic - we should use this \$ to get ALL kids to where they need to be to stay on track educationally, in spite of the pandemic.

One time revenues should be spent on one time expenses, like capital projects. Also consider a one time tax rebate

I would like to see it benefit members of the community but I also understand how expensive the sewer system will be. I want both but really if we can allocate the whole thing to sewer, I would live with that too.

Look for ways to help seniors in the community.

I would really like to see Sudbury use funding to develop an improved sense of community. It would be great if the Town could host events (craft fairs, 4th of July gatherings, etc) Maybe they do but I've not noticed them. That would develop the sense of community so important for getting to know and helping our neighbors.

Include penalties for delays like the Dutten bridge project so we avoid the mess we are seeing now

Training for select board members and town management on bipartisanship, professionalism, and negotiation skills to foster a more constructive and effective local government.

Improving the ability to get around town safety is vital to the wellbeing for all. Most roads do not have sidewalks. Traffic is very congested through multiple areas of town.

Not at this time...

Take care of all the Police, Fire and Health care workers who worked through this pandemic every day jeopardizing their on family's.

It would be great to improve the sidewalks in town and help make our community more walkable and in general do things to help combat climate change.

Designated and maintained dog park is needed in town

Sidewalks on Dutton and Wayside Inn Road

Update schools to make them properly outfitted for ventilation/health going forward, implement improvements that will ensure kids can stay in school and stay healthy.

In the best ways to support local business and keep our taxes from increasing further. Thank you for this form of communication!

STOP THE SPREAD OF CRT IN OUR SCHOOLS OR WE WILL!

Bonuses for education support personnel who risked their lives during the pandemic to come in and teach unvaccinated students (special ed assistants, preschool assistants, etc) and who earn a very small wage. They do not earn anything close to a living wage and worked in person starting August 2020. The special ed assistants have very close contact with students and were at very high risk of catching Covid and possibly spreading it to their families. Teachers were able to stay 6 feet apart, but special ed teaching assistants were very close to many students. Many have had a hard time financially during the pandemic due to their very low income. A bonus could show appreciation and help retain these essential workers who benefit all students at school with or without special needs.

TRULY affordable housing options

We would love more side walks and bike paths that would help our kids travel safely and freely across town.

Launch project to assess the ROI of town expenditures, especially teacher and school administrator salaries. Merge the two school systems. Invest in recruiting companies to locate in Sudbury to reduce residential tax burden

Please do not use ARPA funds for on-going expenses, even in "experimental" mode. It is not helpful to use single-time revenues for ongoing expenses and burdens future operating budgets. Please establish rigorous criteria concerning what ARPA expenditures are supposed to achieve--do they target specific populations, specific projects, and/or specific time frames (if establishing a temporary program, how long will it continue?) Establish clear measurable goals for what the expenditures are expected to achieve, clear lines of responsibility for who must achieve this, and clear reporting mechanisms to let residents see what the funds achieved. Any prioritization of ARPA goals should be created by Town Staff attempting to support the values shared by the community and its elected officials. This should not become a popularity contest decided by "citizen input" advocating for the pet project du jour.

Why weren't Schools listed in the first ARPA question?

Accelerate work on Senior Center.

Spend this \$ on things that affect the ENTIRE community — not just a few.

Crosswalk safety must be improved so kids can get around town safely. Roads should be widened for safer driving.

Emergency response (shelter improvements, ability to respond to a wide range of emergencies and capabilities to respond), more sidewalks, rail trail, replacement of aging and leaking natural gas lines.

Place power lines underground to reduce outages caused by storms.

Seniors are the forgotten population. The town has no interest in them except to billed them for as much tax money as possible. When is new senior center coming in? When are re taxes going to be capped? When are we going to be shown some respect? With 79 percent of our taxes going to the schools, it's certainly does not make me want to stay in town after retirement. What about you?

Make sure it serves the whole community, not just select few (ie underserved communities and not all communities or 'essential workers' and not all workers)

I wanted to place \$40 in economic development in last question but survey wouldn't let me. And \$30 in category that I listed as \$70.

Conservation activities to improve town while also bringing people together

Make Sewataro a place where the community can use it free of charge example swimming, etc on weekends

More sidewalks and safe crosswalks.

assist the Sudbury Community Food Pantry to find a suitable facility to improve the service to those with food insurity .

Make sure Sudbury continues to have quality public education. Money spent should be on improving ACADEMICS (not sports, not mental health). Please improve MATH education, SCIENCE education, and EFFECTIVE WRITING for students.

The last two questions did not seem in concert. Poorly drafted survey.

Finishing the bridge on Dutton Road quickly. It has now been 3 months that it has been closed. What happened to the 2 month closure?

support public transportation options for commuters... MWR bus service for example...

Assuming that tax receipts are going way up due to rapidly rising home values, one might think that we should give it back so that it can be used by areas more affected by COVID. A wealthy town has a responsibility to others. However, given Wayland and other town's problems with water purity, we should spend money there to avoid that.

There are not enough sidewalks on the busiest roads in Sudbury. Can you use some of the money towards Fairbank Community Center costs?

Infrastructure, however we can support that within the ARPA funding - we need to ensure clean water, safe roads and bridges, good drainage for floods to come with climate change, sidewalks for safe walking, underground electrical

Housing wasn't mentioned. I guess it's not included Too bad!

Hire a Sustainability Director to summarize current challenges and effect short and long term solutions to making Sudbury more resilient and sustainable, working toward a carbon neutral future.

Funds should be allocated for incremental staff in planning to focus on Masterplan action items. Updating town internet and natural gas delivery are avoided. Upgrading town buildings is grouped with Conservation, seems weird. It doesn't seem like this list was derived from the MAsterplan.

Rail trail

Conduct an audit of violence and bullying in the Middle School

Focus on the kids' learning. The impact on education and learning is real and the schools are moving along without regard for the loss in learning and holding kids to the same standards as if COVID never happened.

Get to work on the community center.

Actually have a better town-wide communication system and team. Don't direct townspeople to learn about issues and get timely updates on social networks like "facebook." Actually invest in communication infrastructure, planning and staff to effectively connect with townspeople and actually have a usable informative and engaging website.

Focus on those things that impact the broadest population of Sudbury

Recreation and fields

Complete the Rail Trail. It is embarrassing that we are so behind our neighbors with connections to our tentative locations.

Use the money for the intended purpose of allocating it toward populations and businesses that suffered during the pandemic.

Fix the potholes and fix Sudbury Water such that we don't have water restrictions every summer.

Sell sewataro and invest the money into the rail trail, schools and Fairbank.

Sidewalks

Sewer can allow more businesses to expand

The community center is current in design and will serve our seniors with the senior center, youth and others with recreation opportunities and child care, SPS, and our emergency shelter. Right now due to rising costs of building materials and impacted supply chains because of the pandemic, costs have gone up for building globally. We should ensure that the needs of the community are still going to be met, and it would be a good use of some of the funds to compensate for the negative economic impacts of Covid. This is a center that will serve our community for generations to come, and it needs to be done well and with careful considerations, including what was discussed when the community supported the center such as environmental sustainability. The budget is being squeezed directly because of the pandemic and this project most certainly applies as a result- in addition to the fact that the community center supports public health, safety, and quality of life for Sudbury citizens.

Lower cost housing options for seniors who want to down size but cannot afford the new developments in town!

Some open areas that are walkable/bikeable where people can sit outside, have coffee, ice cream. We don't have a down town. And pay our teachers!

The list of potential fund uses appear philosophically biased

Keep our schools strong and on leading edge to support all our children... and Property values. Support our businesses and economic development to boost Commercial Property value. Improve roads, sidewalks, bridges to make it easier to get around safely. Improve water/sewer infrastructure to keep it clean and safe and provide valuable service.

Low income housing

make walkable/rideable access to shops & restaurants in town-not just a highway thru the commercial area. Complete the rail trail!

The last question was very confusing to answer.

more smaller homes, condos for seniors that want to stay in the area, and do not need large housing

Community center items that may not be kept in the new building due to rising constructions costs and value engineering.

I suggest using the ARPA money for projects that we have not already allocated money for at Town Meeting or through other mechanisms such as grants. Fund those areas specifically most negatively impacted by Covid-19 with the ARPA money.

Road, tree and sidewalk maintenance. Traffic congestion is unreasonable and traffic intersections and lights do not support moving volume in a reasonable way. Sidewalks are dangerous or simply not in place. Begging for roadside maintenance for tree limbs and overgrowth is ridiculous for the taxes paid in this town.

na

no

Improve all town facilities' HVAC systems so the town reduces its environmental impacts. Use solar panels, heat pump and energy recovery ventilation in all schools and town buildings. Not only will this be environmentally friendly, but improve ventilation in schools and students will have air conditioning during hot months

More support for bicycle lanes.

Focus on mental health, special education at schools, sidewalks around nice areas where folks should be enjoying, helping business stay and be successful in our town

Use to keep same or lower tax rates

Parenting classes. Taught by experienced parents who have raised their children who are now contributing adults.

Think absolutely essential that sidewalks be placed on all through roads in Sudbury a project that has stalled over past 10-15 years

Settle the teachers contract with a quality raise

Hire a Sustainability Director to lead the town in transitioning from fossil fuels to clean electric energy for residential, municipal, and commercial heating and transportation, and increasing energy efficiency.

It's important to note that the pandemic affects many in unseen ways, unrelated to Covid: healthcare services withheld or delayed, isolation and withdrawal, mental health eruption, unemployment.. People may not be able to identify exactly how it has impacted them, but everyone has been touched by it. If there are funds to allocate, they should be put towards all towards SUDBURY, no matter our experience throughout this time. Let's grow our town!

Use it for strategic investment, not for short-term "feel good" projects that may have vocal supporters.

Invest in non-profits that support open space and community services to make the town more cohesive as a friendly and nurturing environment.

Ways to combat climate change

Pay for some of the Senior Center Construction to ease the taxpayer contribution

Please apply the maximum allowable to mitigate the rise in cost to build the new Fairbank Community Center in the form voters approved.

Make sure our most needy are provided for, not just in direct funds but in allocations to keep them supported. Emphasize disability inclusion, advanced age, and racial disparity.

Fix K-6 schools. Too many kids falling through the cracks. There are some good teachers but the schools are not as good as people think. Curtis needs extra help. Computers are teaching the kids! Teachers need to teach. Elementary needs more support to catch kids up!!! It's horrible that it is not being addressed seriously enough! Many teachers need to be replaced with fresh ones that aren't burnt out!

Improve and expand existing recreational facilities, to include a private business/government partnership in some aspects (i.e. A multi-purpose recreation center with a track, rock climbing facilities, pool, coffee shop, etc).

Include community initiatives including sidewalks to connect people within town, undergrounding electrical utilities to improve reliability in storms since more town residents work from home and rely on home power/internet, mental health support for kids dealing with anxiety from COVID, education support for kids loss of learning during COVID remote school, fund/promote CERB to increase grassroots involvement in emergency planning with future pandemic/storm outages making Sudbury more self sufficient - to rely on one another for support as well. Make community meeting rooms available, keep library open as much as possible, improve safety for people of all ages to walk or bike within town - to Library, to Atkinson, to Town Center.

The Sudbury community is very active but runners, walkers and bike riders are putting their lives at risk outside because of narrow roads and lack of sidewalks and bike paths. We could do better as a town to insure the community is safe while trying to stay healthy and enjoying the outdoors which what makes this town very desirable. Please add sidewalks and bike paths. What good is a town that claims it's great for raising a family when we can't ride a bike with our children.

The town needs more water supply/storage so we don't spend every summer in a water ban. There is so much housing construction, there should be a tax/fee on new construction to pay for additional water capability.

Invest in low-income housing so low-income people can actually buy a home. Community owned manufactured housing has been built other places and provides the opportunity for low-income families/individuals to actually acquire wealth and get out of poverty. This would help people who currently live in Sudbury subsidized housing properties have a way up, as well as the larger community.

Use funds to VASTLY improve VENTILATION IN SCHOOLS. This is not only essential for COVID mitigation, but last year proved that it would reduce all absenteeism across students, faculty, and staff due to colds, flu, strep, and any other respiratory disease (In the previous question, I did not support funds for "town facilities", but if school ventilation were a separate line item, then I would have elected at least 40% of the funds to that purpose.)

Redevelop businesses and ecosystem along Hop Brook at Mill Village to make the river the visual centerpiece of what could be a beautiful natural commercial area

Rail trail if the Eversource transmission project proceeds.

spend some of it on increasing housing affordability

Improving infrastructure and financial assistance to our first responders and elderly residents should be a priority, where needed.

It's time to make Sudbury a safe walkable community. This is free and unexpected funds. Use it on projects that will support and serve ALL members of the community. Redo Rt 20 and town center! Additionally, thank our public safety for working through this pandemic without hesitation! Make some capital improvements on town owned facilities. And lastly, provide additional assistance to our school system. Our children are the future.

Stop the EVERSOURCE Project!

Congrats and you have 4 Excellent initiatives

Give it back to lowest income residents

Support the police and fire and ambulance

Putting sidewalks on main roads such as Dutton Road. Many Sudbury roads are very narrow and are dangerous for walkers and their pets. These roads really require sidewalks verses the nice wide roads which sidewalks are not a necessity.

Return Sudbury to the nice country town it was a few years ago - stop building everywhere, restore open land!

Please put people who know what they are doing to handle this and stop the constant fiasco of town project management

Focus on the Town Nurse and her responsibilities. I understand that she does not have an office space that is private for her patients/clients.

Our baseball and softball fields are a hot mess and don't compare favorably to other towns. Parents raised \$75k for dugouts. The twin should provide them. S tore boards, fencing and level fields too.

Not on rail trails and Fairbank center - we already are allocating enough money towards those.

Give it back , we don't need it

Add reliable transportation to major end of lines of public transits (Bus, Train, T). Add a loop bus line or other service for non drivers (Teens, Not driving Elderly, Handicapt).

What an opportunity

Learning loss and student mental health caused by school closures!

Improve (free) intratown transit and non-single-occupant-vehicle options, especially for seniors 65+. Add more protected and ADA-compliant pedestrian facilities, and improve safety factors for on-road bicycle facilities. Add to Police operating budget to increase training for EFFECTIVE but less-confrontational, less-incident-minded policing (and for the hiring and new training of police recruits to be less based on 'warrior' instincts).

Great to see this survey! I've been analyzing US city, county, and state ARPA plans and know there are more options for funds than listed in the survey. Nevertheless, as an LS School Committee member and someone with a long background in public health, I know Sudbury's public health infrastructure needs serious bolstering, for infectious disease, chronic disease, and climate / storm planning and support. I'd use a chunk of funding there. Next, the mental health of Sudbury's kids and parents is very concerning. I'd use funds to create mental health care offerings (for example using buildings at the TJ Max plaza.) We need preventive services and really a full suite of mental health care offerings that are accessible, affordable, and can be obtained without stigma. I'd use some money to build / attract these services. The pandemic has unearthed a sad truth: many of our children and families need help that they aren't currently getting.

Continue to provide top notch education by adding teachers or at least aides. Some classes in elementary school are too big. There is inequity between schools. My daughters grade has 24 and 25 kids per class! How can kids catch up on learning loss when the teachers have to meet 24 and 25 kids where they are? We need to support the teachers with resources to allow the kids to get caught up in school!

It would be really nice to have a revitalized downtown with a walkable area. Hudson has done a great job of this. They have gotten unique business and the local beer gardens really add life to the area.

Infrastructure!

I'd love to see increased access to non-car travel infrastructure. More sidewalks and more bike lanes/paths. Commuting to nearby towns by bike is possible but dangerous.



SUDBURY SELECT BOARD
Tuesday, November 16, 2021

MISCELLANEOUS (UNTIMED)

6: Discussion on Remote Participation Policy

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Discussion on Remote Participation Policy. Subcommittee members Roberts and Schineller to present (~40 min.)

Recommendations/Suggested Motion/Vote:

Background Information:
attached documents

Financial impact expected:

Approximate agenda time requested: 45 minutes

Representative(s) expected to attend meeting:

Review:

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

11/16/2021 7:00 PM

Policy on Remote Participation

PURPOSE STATEMENT

The Office of the Attorney General amended the Open Meeting Law regulations at 940 CMR 29.00 to allow members of public bodies, in limited circumstances, to participate remotely in meetings. While all members of Town Boards and Committees should try to attend meetings in person, the new regulations seek to promote greater participation in government meetings by allowing members to participate remotely when certain specific circumstances prevent them from being physically present.

The intent of this policy is to establish clear guidelines on the practice of remote participation by Town Boards and Committees under the Open Meeting Law, M.G.L. c.30A, §§18-25.

ENABLING AUTHORITY- 940 CMR 29.10(8)

A municipality may adopt a policy that prohibits or further restricts the use of remote participation by public bodies within its jurisdiction.

ADOPTION OF REMOTE PARTICIPATION

In accordance with 940 CMR 29.10(2)(a), the Select Board, on December 15, 2015, voted to authorize the adoption of 940 CMR 29.10 so that remote participation is permitted in the Town. In accordance with 940 CMR 29.10(3), the Select Board may revoke its adoption of 940 CMR 29.10 by simple majority vote at any time.

This policy and 940 CMR 29.10 shall apply to all Town boards, committees, commissions, subcommittees and other public bodies regardless of whether such public bodies are appointed or elected. Where the Remote Participation Policy is more stringent than 940 CMR 29.10, the Policy shall control.

MINIMUM REQUIREMENTS FOR REMOTE PARTICIPATION

Members of the public body who participate remotely and all persons present at the meeting location shall be clearly audible to each other.

A quorum of the body, including the chair or, in the chair's absence, the person authorized to chair the meeting, shall be physically present at the meeting location, as required by M.G.L. c.30A, §20(d).

If the chair's physical presence is unreasonably difficult but they can participate remotely, the vice-chair shall take on the role of chair. (need to check with Town Counsel if allowed)

Members of the public body who participate remotely must have access to the same materials being used at the meeting location.

Members of public bodies who participate remotely may vote and shall not be deemed absent for meetings or hearings for the purposes of Article III, Section 8 of the Town General By-laws and M.G.L. c. 39, §23D.

Section 23D (a): Notwithstanding any general or special law to the contrary, upon municipal acceptance of this section for 1 or more types of adjudicatory hearings, a member of any municipal board, committee or commission when holding an adjudicatory hearing shall not be disqualified from voting in the matter solely due to that member's absence from no more than a single session of the hearing at which testimony or other evidence is received. Before any such vote, the member shall certify in writing that he has examined all evidence received at the missed session, which evidence shall include an audio or video recording of the missed session or a transcript thereof. The written certification shall be part of the record of the hearing. Nothing in this section shall change, replace, negate or otherwise supersede applicable quorum requirements.

PERMISSIBLE REASONS FOR REMOTE PARTICIPATION

It is the express desire of the Select Board that remote participation in meetings be a temporary event, for both individual board members and Town boards, committees, and commissions as a whole.

A Board member may attend a meeting through electronic conferencing if his or her physical attendance would be unreasonably difficult, or the physical location does not provide necessary accommodations. (check with Town Counsel?)

Due consideration should be given regarding associate members on Boards and Committees, Associate members should be utilized in the physical absence of members of Boards and Committees when deemed appropriate by the Chair.

Any determination by the person chairing the meeting to allow or not to allow remote participation shall be final and shall not be appealable. *What do people think this means? Discuss? (Is an example where a developer does not like an outcome of a permitting hearing and wants to appeal on the grounds that a remote member should or should not have been allowed to vote.)*

The Commission on Disability may by majority vote of the commissioners at a regular meeting authorize remote participation applicable to a specific meeting or generally to all the Commission's meetings. If the Commission on Disability utilizes remote participation, a physical quorum of that commission's members shall not be required to be present at the meeting location; provided, however, that the chair or, in the chair's absence, the person authorized to chair the meeting, shall be physically present at the meeting location. The commission shall comply with all other requirements of law and this policy. (Should such policy extend to other boards, committees, and commissions where accommodations for disabilities may best be accomplished via remote participation?)

ACCEPTABLE METHODS OF REMOTE PARTICIPATION

The following media are acceptable methods for remote participation. Remote participation by any other means is not permitted. Accommodations shall be made for any public body member who requires TTY service, video relay service, or other form of adaptive communications.

- i. Telephone, internet, or satellite enabled audio or video conferencing.
- ii. Any other technology that enables the remote participant and all persons present at the meeting location to be clearly audible and, if possible, clearly visible to all persons present at the meeting location.

- iii. If technical difficulties arise as a result of utilizing remote participation, the chair should suspend discussion while reasonable efforts are made to correct any problem that interferes with remote participants' ability to hear or be heard clearly by all persons at the meeting location. If technical difficulties result in a remote participant being disconnected from the meeting, that fact and the time at which the disconnection occurred and subsequent reconnection if achieved shall be noted in the meeting minutes. If a public hearing occurs after disconnection, the member shall be noted as absent.

PROCEDURES FOR REMOTE PARTICIPATION

- i. Any member of a public body who wishes to participate remotely shall 48 hours ideally or as soon as reasonably possible prior to the meeting, notify the chair or person chairing the meeting of his or her desire to do so (if physical attendance is unreasonably difficult). If the Chair approves the request for remote participation, he or she shall make any necessary arrangements with appropriate Town personnel to ensure that the required equipment is available and, to the greatest extent practical, provide access to all meeting materials. THE TOWN DOES NOT GUARANTEE AVAILABILITY OF REQUIRED EQUIPMENT AT ANY PARTICULAR TIME OR LOCATION.
- ii. At the start of the meeting, the chair shall announce the name of any member who will be participating remotely. This information shall also be recorded in the meeting minutes.
- iii. All votes taken during any meeting in which a member participates remotely shall be by roll call vote.
- iv. Remote participants shall preserve the confidentiality of the executive session (where applicable). The remote participant shall state at the start of any such session that no other person is present and/or able to hear the discussion at the remote location, unless presence of that person is approved by simple majority vote of the public body, and that the session is not being remotely recorded by any device.
- v. The Town shall not be responsible for the reimbursement of any out-of-pocket costs associated with the remote participation of Board members.
- vi. Members participating remotely are cautioned that the same obligations of consideration apply as in any physical meeting. Remote participants should direct all their attention to the meeting and should make their decisions based upon the same information as is available to all the other participants in the meeting. The remote participant shall not be influenced during the meeting by others also not physically present at the meeting.
- vii. Does this Board think this is necessary or has value? Meeting minutes shall indicate which members participate remotely. Upon request by the Select Board chair, he chair of any committee \shall provide to the Select Board , no later than June 30 of each year, a report that indicates the date(s) of any meetings for which remote participation occurred and the name(s) of individuals who participated remotely.
- viii. A quorum of a board, committee, commission must be present in person.

- ix. Remote participants shall not operate a motor vehicle or otherwise jeopardize personal or public safety while participating in a meeting.

ADDITIONAL REQUIREMENTS FOR CIRCUMSTANCES REQUIRING INCREASED REMOTE PARTICIPATION

Note: During the COVID-19 pandemic, boards, committees, and commissions have been permitted to meet remotely as a quorum through at least April 2022. The following requirements apply and will apply in a similar future circumstance:

1. All or any of the members of the public body may choose to participate in a public meeting via remote access. Meetings may be virtual, in their entirety.
2. If deemed necessary for public health, the public may not be allowed into a Board/Committee meeting, even where there are any members of the public body and/or [city/town] staff or official(s) physically present at the meeting location during the meeting. "Public comment" portions of meetings may be temporarily suspended.
3. However, the public will be provided with alternative access through which they can watch or listen to meetings "in real time," and meeting notices will specify the manner in which members of the public may access audio or video of the meeting as it is occurring.
4. If, despite the Town's best efforts, technological capabilities do not adequately support public access to virtual or remote meetings, the Town will ensure that an audio or video recording, transcript, or other comprehensive record of the proceedings at the meeting is posted on the Town's website as soon as possible after the meeting.
5. Notices for public hearings will contain additional information about how the public may participate via electronic/technological means.
6. For executive session meetings, public access to the meeting will be limited to the open session portion(s) of the meeting only. Public access to any audio, video, internet or web-based broadcast of the meeting will be discontinued when the public body enters executive session.
7. Where individuals have a right, or are required, to attend a public meeting or hearing, including executive session meetings, they will be provided with information about how to participate in the meeting/hearing remotely.
8. Meeting notices will still be posted at least 48 hours in advance (not counting Saturdays, Sundays, or legal holidays), unless it is an emergency meeting as defined under the Open Meeting Law (in which event, the meeting notice will be posted with as much advanced notice as is possible in the circumstances). Minutes will still be taken.
9. Individual meeting agendas on the calendar or board/committee page on the Town's website, located at <https://sudbury.ma.us> shall be updated with the latest information regarding meetings, recognizing that each meeting may experience unique circumstances that may require last minute changes in protocol, including cancellation or rescheduling.

Policy on Remote Participation

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PURPOSE STATEMENT

The Office of the Attorney General amended the Open Meeting Law regulations at 940 CMR 29.00 to allow members of public bodies, in limited circumstances, to participate remotely in meetings. While all members of Town Boards and Committees should try to attend meetings in person, the new regulations seek to promote greater participation in government meetings by allowing members to participate remotely when certain specific circumstances prevent them from being physically present.

The intent of this policy is to establish clear guidelines on the practice of remote participation by Town Boards and Committees under the Open Meeting Law, M.G.L. c.30A, §§18-25.

ENABLING AUTHORITY- 940 CMR 29.10(8)

A municipality may adopt a policy that prohibits or further restricts the use of remote participation by public bodies within its jurisdiction.

ADOPTION OF REMOTE PARTICIPATION

In accordance with 940 CMR 29.10(2)(a), the [Select Board Board of Selectmen](#), on December 15, 2015, voted to authorize the adoption of 940 CMR 29.10 so that remote participation is permitted in the Town. In accordance with 940 CMR 29.10(3), the [Select Board Board of Selectmen](#) may revoke its adoption of 940 CMR 29.10 by simple majority vote at any time.

This policy and 940 CMR 29.10 shall apply to all Town boards, committees, commissions, sub-committees and other public bodies regardless of whether such public bodies are appointed or elected. Where the Remote Participation Policy is more stringent than 940 CMR 29.10, the Policy shall control.

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[If the chair's physical presence is unreasonably difficult but they are able to participate remotely, the vice-chair shall take on the role of chair. \(need to check with Town Counsel\)](#)

Members of the public body who participate remotely must have access to the same materials being used at the meeting location.

Members of public bodies who participate remotely may vote and shall not be deemed absent [for meetings or hearings](#) for the purposes of Article III, Section 8 of the Town General By-laws and M.G.L. c. 39, §23D.

Section 23D (a): Notwithstanding any general or special law to the contrary, upon municipal acceptance of this section for 1 or more types of adjudicatory hearings, a member of any municipal board, committee or commission when holding an adjudicatory hearing shall not be disqualified from voting in the matter solely due to that member's absence from no more than a single session of the hearing at which testimony or other evidence is received. Before any such vote, the member shall certify in writing that he has examined all evidence received at the missed session, which evidence shall include an audio or video recording of the missed session or a transcript thereof. The written certification shall be part of the record of the hearing. Nothing in this section shall change, replace, negate or otherwise supersede applicable quorum requirements.

PERMISSIBLE REASONS FOR REMOTE PARTICIPATION

It is the express desire of the ~~Select Board~~ Board of Selectmen that remote participation in meetings be a ~~temporary & infrequent~~ event, for both individual board members and Town ~~boards, committees, and commissions~~ Boards and Committees as a whole. ~~Chairs of public bodies are encouraged to interpret these rules in a strict fashion and to continue to induce all members to attend meetings in person as a general rule, due to the inherent benefits of physical presence in a meeting.~~

A Board member may attend a meeting through electronic conferencing if his or her physical attendance would be unreasonably difficult or the physical location does not provide necessary accommodations. ~~(check with Town Counsel?) physical presence at the meeting is prevented due to one of the following extenuating circumstances: personal illness or disability; a family or other emergency; military service; geographic distance.~~

Due consideration should be given regarding associate members on Boards and Committees, Associate members should be utilized in the physical absence of members of Boards and Committees when deemed appropriate by the Chair.

Any determination by the person chairing the meeting to allow or not to allow remote participation shall be final and shall not be appealable. ~~What do people think this means? Discuss?-(Is an example where a developer does not like an outcome of a permitting hearing and wants to appeal on the grounds that a remote member should or should not have been allowed to vote.)~~

The ~~Ce~~ Commission on Disability may by majority vote of the commissioners at a regular meeting authorize remote participation applicable to a specific meeting or generally to all of the ~~ce~~ commission's meetings. If the ~~Ce~~ commission on Disability utilizes remote participation, a physical quorum of that ~~ce~~ commission's members shall not be required to be present at the meeting location; provided, however, that the chair or, in the chair's absence, the person authorized to chair the meeting, shall be physically present at the meeting location. The commission shall comply with all other requirements of law and this policy. ~~(Should such policy extend to other boards, committees, and commissions where accommodations for disabilities may best be accomplished via remote participation?)~~

ACCEPTABLE METHODS OF REMOTE PARTICIPATION

The following media are acceptable methods for remote participation. Remote participation by any other means is not permitted. Accommodations shall be made for any public body member who requires TTY service, video relay service, or other form of adaptive communications.

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PROCEDURES FOR REMOTE PARTICIPATION

Any member of a public body who wishes to participate remotely shall, ~~at least~~ 48 hours ideally or as soon as reasonably possible prior to the meeting, notify the chair or person chairing the meeting of his or her desire to so (if physical attendance is unreasonably difficult). do so and the reason for and facts supporting his or her request.

- i. If the Chair approves the request for remote participation, he or she shall make any necessary arrangements with appropriate Town personnel to ensure that the required equipment is available and, to the greatest extent practical, provide access to all meeting materials. THE TOWN DOES NOT GUARANTEE AVAILABILITY OF REQUIRED EQUIPMENT AT ANY PARTICULAR TIME OR LOCATION.
- ii. At the start of the meeting, the chair shall announce the name of any member who will be participating remotely, and the reason for his or her remote participation. This information shall also be recorded in the meeting minutes.
- iii. All votes taken during any meeting in which a member participates remotely shall be by roll call vote. Members may participate remotely even if they are not qualified to vote.
- iv. Remote participants shall preserve the confidentiality of the executive session (where applicable). The remote participant shall state at the start of any such session that no other person is present and/or able to hear the discussion at the remote location, unless presence of that person is approved by simple majority vote of the public body, and that the session is not being remotely recorded by any device.
- v. The Town shall not be responsible for the reimbursement of any out-of-pocket costs associated with the remote participation of Board members.

- vi. Members participating remotely are cautioned that the same obligations of consideration apply as in any physical meeting. Remote participants should direct all their attention to the meeting, and should make their decisions based upon the same information as is available to all the other participants in the meeting. The remote participant ~~shall also state at the beginning of any meeting that no other person is in proximity who could exert undue influence on the participant, in either executive or public session, and shall inform the chair if that situation changes.~~
- vii. ~~Does this Board think this is necessary or has value? Meeting minutes shall indicate which members participate remotely. Upon request by the Select Board chair, which has agreed to allow remote participation, shall provide to the Select Board Board of Selectmen, no later than June 30 and December 31 of each year, a report that indicates the date(s) of any meetings for which remote participation occurred was requested and the name(s) of individuals who participated remotely making the request, the determination of the chair for each request, and a summary of any logistical, technical and compliance issues related to remote participation.~~
- viii. ~~A quorum of a board, committee, commission must be present in person. Remote participation shall be limited to one member per scheduled meeting.~~
- ix. Remote participants shall not operate a motor vehicle or otherwise jeopardize personal or public safety while participating in a meeting.

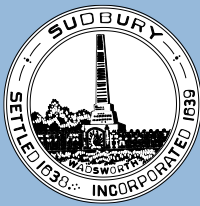
(Approved 12/15/2015)

ADDITIONAL REQUIREMENTS FOR CIRCUMSTANCES REQUIRING INCREASED REMOTE PARTICIPATION

Note: During the COVID-19 pandemic, boards, committees, and commissions have been permitted to meet remotely as a quorum through at least April 2022. The following requirements apply and will apply in a similar future circumstance:

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SUDBURY SELECT BOARD
Tuesday, November 16, 2021

MISCELLANEOUS (UNTIMED)

7: Energy Stretch Code letter

REQUESTOR SECTION

Date of request:

Requestor: Chair Roberts

Formal Title: Review and possible vote to support signature of Arlington Town Manager letter on Energy Stretch Codes. (~15 min.)

Recommendations/Suggested Motion/Vote: Review and possible vote to support signature of Arlington Town Manager letter on Energy Stretch Codes. (~15 min.)

Background Information:

Financial impact expected:

Approximate agenda time requested: 15 minutes

Representative(s) expected to attend meeting:

Review:

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

11/16/2021 7:00 PM

October XX, 2021

Secretary Kathleen A. Theoharides
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114

Dear Madame Secretary,

The undersigned represent chief executive/administrative officers of Massachusetts cities and town deeply engaged in the battle against climate change. We strongly support the Commonwealth's commitment to achieve net zero emissions by 2050 as well as the interim goals required by this year's "Next Generation Roadmap for Massachusetts Climate Policy." This and more has to be done. Fires in California, floods in Germany, and record June temperatures at home remind us of the urgency of our situation. As the recent IPCC report on Climate Change in 2021 shows, we are now well past the 11th hour.

The Next Generation Roadmap legislation signed by the Governor in March requires DOER to develop a specialized stretch energy code that includes net-zero building performance standards and a definition of a net-zero building. The statute lays out an ambitious process of public engagement as the Department develops the required code. We welcome the opportunity to participate in this process.

At the outset, we strongly believe that both the statute and practical reality call for a true net zero stretch code. The specialized stretch code is optional. No municipality is required to adopt it, and not everyone will. But for the towns and cities ready to lead the way, the stretch code promulgated by DOER must be strong enough to get the job done. Nothing less than net zero will suffice. The municipalities that opt in are eager to be the Commonwealth's test kitchen. They need bold policies to test.

A true net zero stretch code must cover all residential and commercial buildings. It must foster high performance building envelopes, such as those contemplated by Passive House standards. It must promote electrification, and at the very least provide the municipalities who opt in with clear authority to prohibit on-site combustion in new building and major rehabilitation. Moreover, since time is of the essence, any phase-in period must be short and supported by clear and convincing evidence.

There are many ways of reaching our goal and that of the statute. We welcome the chance to engage in discussion about means. As local governments, we understand the importance of pragmatism. It is essential, however, that the path chosen leads to the right destination.

We appreciate your enthusiasm and professionalism and that of your staff. We hope that the process you are beginning will result in a code that will maintain Massachusetts's place as a national leader in the fight against global warming. Other jurisdictions, including California and

the District of Columbia, have moved decisively in this direction, and we do not wish the Commonwealth to be left behind. We strongly support the process that is unfolding and look forward to providing any assistance we can.

Respectfully,

[Signatories]

Golden, Patricia

From: Adam Chapdelaine <AChapdelaine@town.arlington.ma.us>
Sent: Thursday, November 4, 2021 12:43 PM
To: Hayes, Henry
Subject: RE: Municipal Advocacy Letter for Net Zero Stretch Code

Hi Henry - Hope that you're doing well. I have inserted response below.

Adam W. Chapdelaine
 Town Manager
 Town of Arlington
 730 Massachusetts Avenue
 Arlington, MA 02476
 (781) 316-3010

Arlington values equity, diversity, and inclusion. We are committed to building a community where everyone is heard, respected, and protected.

From: "Hayes, Henry" <HayesH@sudbury.ma.us>
 To: 'Adam Chapdelaine' <AChapdelaine@town.arlington.ma.us>
 Date: Thu, 4 Nov 2021 03:44:30 +0000
 Subject: RE: Municipal Advocacy Letter for Net Zero Stretch Code

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

CAUTION: This email originated from outside of the Town of Arlington's email system. Do not click links or open attachments unless you recognize the REAL sender (whose email address in the From: line in "<>" brackets) and you know the content is safe.

Adam: I hope all is well. I have a few questions for you, if you don't mind. I can take a call if it is more efficient.

- **Is there a timeframe that you are looking for or is this something that the Town is encouraged submit on our own to send to the Secretary? Time sensitive? - My goal is to send one letter, with a list of signatories. The cutoff date is next Friday, November 12th.**
- **It addresses residential and commercial, but not municipal buildings. - I believe that is correct.**
- **Is this truly a second, opt-in code? - My understanding is that like the current stretch code, if a community adopts this code, it becomes the building code for the community.**
- **If the Town signs this letter, what obligations does that produce, real or perceived? - I would say none. I think it simply advocates for a robust code, without promising adoption or local action.**
- **Does this apply widely or per project for a municipality? - My understanding is that this code, if locally adopted, becomes the building code.**
-
-
-

Video: 350 Mass We've got a climate bill, now what? <https://www.youtube.com/watch?v=YBDGRhZmhCo> (1:22:55)

Respectfully, Henry
 Henry L. Hayes, Jr.
 Sudbury Town Manager
 Phone: (978) 639-3381

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: Adam Chapdelaine <AChapdelaine@town.arlington.ma.us>
Sent: Tuesday, October 19, 2021 1:58 PM
To: Adam Chapdelaine <AChapdelaine@town.arlington.ma.us>
Subject: Municipal Advocacy Letter for Net Zero Stretch Code

Dear Colleagues in Municipal Government,

I hope that this message finds you well.

A group of advocates in Arlington have asked me to take the lead on circulating a municipal advocacy letter regarding the Net Zero Stretch Code and I gladly accepted the challenge. Thus far, the mayors/managers in Acton, Amherst, Arlington, Belmont, Brookline, Concord, Chelsea, Lexington, Malden, Medford, Melrose, Newton, Somerville and Weston have signed on.

I would greatly appreciate your support for this effort in the form of signing on to the letter. I have attached a copy of the letter to this email and also pasted the text of it below.

Thank you for any consideration that you can give this request and I hope to hear from you soon.

Best,

Adam W. Chapdelaine
 Town Manager
 Town of Arlington
 730 Massachusetts Avenue
 Arlington, MA 02476
 (781) 316-3010

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October XX, 2021
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 Executive Office of Energy and Environmental Affairs
 100 Cambridge Street, Suite 900
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The Next Generation Roadmap legislation signed by the Governor in March requires DOER to develop a specialized stretch energy code that includes net-zero building performance standards and a definition of a net-

Attachment 7.b: Municipal Advocacy Letter Net Zero_email (4915 : Energy Stretch Code letter)

zero building. The statute lays out an ambitious process of public engagement as the Department develops the required code. We welcome the opportunity to participate in this process.

At the outset, we strongly believe that both the statute and practical reality call for a true net zero stretch code. The specialized stretch code is optional. No municipality is required to adopt it, and not everyone will. But for the towns and cities ready to lead the way, the stretch code promulgated by DOER must be strong enough to get the job done. Nothing less than net zero will suffice. The municipalities that opt in are eager to be the Commonwealth's test kitchen. They need bold policies to test.

A true net zero stretch code must cover all residential and commercial buildings. It must foster high performance building envelopes, such as those contemplated by Passive House standards. It must promote electrification, and at the very least provide the municipalities who opt in with clear authority to prohibit on-site combustion in new building and major rehabilitation. Moreover, since time is of the essence, any phase-in period must be short and supported by clear and convincing evidence.

There are many ways of reaching our goal and that of the statute. We welcome the chance to engage in discussion about means. As local governments, we understand the importance of pragmatism. It is essential, however, that the path chosen leads to the right destination.

We appreciate your enthusiasm and professionalism and that of your staff. We hope that the process you are beginning will result in a code that will maintain Massachusetts's place as a national leader in the fight against global warming. Other jurisdictions, including California and the District of Columbia, have moved decisively in this direction, and we do not wish the Commonwealth to be left behind. We strongly support the process that is unfolding and look forward to providing any assistance we can.

Respectfully,

[Signatories]

Golden, Patricia

From: Duchesneau, Adam
Sent: Wednesday, November 10, 2021 11:07 PM
To: Hayes, Henry; Energy and Sustainability Green Ribbon Committee; Planning Board; Roberts, Jennifer
Cc: Barletta, William; Lewis, Andrew; Bilodeau, Maryanne; Golden, Patricia; Town Manager
Subject: RE: PERSPECTIVE REQUEST - Municipal Advocacy Letter for Net Zero Stretch Code - for consideration/submission on/by 2021 Nov 12

Hello Henry,

At their meeting this evening, Wednesday, November 10, 2021, the Planning Board voted unanimously, 5-0, that the Sudbury Town Manager should sign the Municipal Advocacy Letter for a Net Zero Stretch Code as put forward by the Arlington Town Manager.

Please let me know if you have any questions. Thank you.

Adam

Adam L. Duchesneau, AICP
 Director of Planning & Community Development
 Town of Sudbury | Flynn Building, 278 Old Sudbury Road | Sudbury, MA 01776
 t 978-639-3398 | f 978-639-3314 | DuchesneauA@Sudbury.MA.us
www.sudbury.ma.us

From: Hayes, Henry <HayesH@sudbury.ma.us>
Sent: Thursday, November 4, 2021 4:00 PM
To: Energy and Sustainability Green Ribbon Committee <energy@sudbury.ma.us>; Planning Board <PlanningBoard@sudbury.ma.us>; Roberts, Jennifer <RobertsJ@sudbury.ma.us>
Cc: Barletta, William <BarlettaW@sudbury.ma.us>; Lewis, Andrew <LewisA@sudbury.ma.us>; Bilodeau, Maryanne <BilodeauM@sudbury.ma.us>; Golden, Patricia <GoldenP@sudbury.ma.us>; Town Manager <townmanager@sudbury.ma.us>
Subject: PERSPECTIVE REQUEST - Municipal Advocacy Letter for Net Zero Stretch Code - for consideration/submission on/by 2021 Nov 12

All: The Select Board took up this subject on their 3 Nov 2021 meeting. The Board is interested in your thoughts. Please note that the Town of Arlington, leads this effort on this particular letter. They desire to know the thoughts of other Towns no later than 12 Nov 2021.

I understand that this will be tight timing for you, especially if there are no meetings scheduled next week. I am open to receive individual notes to gain perspective. If I get individual notes, I will not be able to share those back to your committee (to avoid OML violations), but the data would be helpful.

If your committee or board desires to/will sign onto this initiative as a result of a meeting, please keep the Select Board and me informed.

Please see attached and below.

Respectfully, Henry

Attachment7.c: Net_Zero_email_Ping_Bd (4915 : Energy Stretch Code letter)

Golden, Patricia

From: Rami Alwan <ralwan@verizon.net>
Sent: Wednesday, November 10, 2021 7:33 PM
To: Hayes, Henry
Cc: Select Board; Energy and Sustainability Green Ribbon Committee; Barletta, William
Subject: Re: PERSPECTIVE REQUEST - Municipal Advocacy Letter for Net Zero Stretch Code - for consideration/submission on/by 2021 Nov 12

Henry,

The Energy and Sustainability Committee met this evening and voted unanimously that the Sudbury Town manager should sign the Municipal Advocacy Letter for a Net Zero Stretch Code as put forward by the Arlington Town Manager. While we are not sure exactly what a net zero stretch code would look like we felt it important that it be explored and this letter will help to move the effort forward.

Respectfully,

Rami Alwan

Chair - Sudbury Energy and Sustainability Committee

On Nov 4, 2021, at 4:00 PM, Hayes, Henry <HayesH@sudbury.ma.us> wrote:

All: The Select Board took up this subject on their 3 Nov 2021 meeting. The Board is interested in your thoughts. Please note that the Town of Arlington, leads this effort on this particular letter. They desire to know the thoughts of other Towns no later than 12 Nov 2021.

I understand that this will be tight timing for you, especially if there are no meetings scheduled next week. I am open to receive individual notes to gain perspective. If I get individual notes, I will not be able to share those back to your committee (to avoid OML violations), but the data would be helpful.

If your committee or board desires to/will sign onto this initiative as a result of a meeting, please keep the Select Board and me informed.

Please see attached and below.

Respectfully, Henry

Henry L. Hayes, Jr. (he, him)
 Town Manager
 Town of Sudbury
 Phone: (978) 639-3381

Sustaining a SAFE, SECURE, SERVICED & STRONG SUDBURY!

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.

Attachment7.d: Net_Zero_email_Energy_Comm (4915 : Energy Stretch Code letter)



SUDBURY SELECT BOARD
Tuesday, November 16, 2021

MISCELLANEOUS (UNTIMED)

8: Minutes review

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Review open session minutes of 1/15/21 and 10/5/21, and possibly vote to approve minutes.

Recommendations/Suggested Motion/Vote: Review open session minutes of 1/15//21 and 10/5/21, 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

11/16/2021 7:00 PM

SUDBURY SELECT BOARD

FRIDAY, JANUARY 15, 2021

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

Present: Chair Janie W. Dretler, Vice-Chair Jennifer S. Roberts, Select Board Member Daniel E. Carty, Select Board Member William J. Schineller, Select Board Member Charles G. Russo, Town Manager Henry L. Hayes, Jr., Assistant Town Manager/HR Director Maryanne Bilodeau, Town Clerk Beth Klein, Police Chief Scott Nix

The statutory requirements as to notice having been complied with, the meeting was convened at 5:31 p.m. via Zoom telecommunication mode.

Call to Order/Roll Call

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

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

Opening remarks by Chair

Chair Dretler did not present remarks.

Reports from Select Board

Select Board Member Carty did not present reports.

Select Board Member Schineller did not present reports.

Vice-Chair Roberts mentioned that Phyllis Schilp participated in her last Board of Health meeting as Town nurse.

Select Board Member Russo mentioned that his grandfather recently received the COVID-19 vaccine at the VA Hospital in Bedford. He suggested that veterans contact the Veteran's Administration regarding scheduling of the vaccine.

Reports from Town Manager

Town Manager Hayes mentioned:

- Veterans seeking the COVID-19 vaccination should remember that appointments are necessary
- MassDOT has been contacted several times regarding repair of fencing in proximity to the bridge near Haynes Road
- Towns of Concord, Sudbury, Bedford, Carlisle and Maynard are discussing a possible location for COVID-19 vaccination administration for first responders.
- Anticipated meeting next week regarding an Energy Aggregation rate change
- Residents must continue to use face coverings and stay the course regarding COVID Safety Measures
- Confirmation of 100+ positive COVID cases in the last few weeks in Sudbury, not counting presumptive cases.

Citizen's comments on items not on agenda

There were no Citizen's Comments.

Vote to ratify action by Town Treasurer to award winning bids for the \$19,550,000 bond issue (comprised of Series A, Series B, and Series C) sold on January 12, 2021.

Town Manager Hayes stated that Town Treasurer, Dennis Keohane awarded winning bids for the \$19,550,00 bond issue. He confirmed the Board would vote to ratify that action and authorize the Clerk of the Select Board, Town Manager Hayes, sign the "Vote of The Select Board," dated January 15, 2021.

Board Member Russo discovered several typographical errors within the "Vote of the Select Board" document, which required amending before a formal vote could be taken by the Board.

Chair Dretler recommended that the Board proceed to agenda item #2, while Mr. Keohane reviewed the typographical errors mentioned.

Chair Dretler read:

Vote to remove former Selectmen Robert Haarde and Patricia Brown, as well as the current Select Board Chair Janie Dretler, from the Policies and Procedures Review Subcommittee

Town Clerk Beth Klein acknowledged that many times a Town appointment to a special committee is given a one-year term.

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

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

VOTED: To remove former Selectmen Robert Haarde and Patricia Brown, as well as the current Select Board Chair Janie Dretler, from the Policies and Procedures Review Subcommittee.

Chair Dretler read:

Vote to appoint Vice-Chair Jennifer Roberts and Select Board Member Bill Schineller to the Policies and Procedures Review Subcommittee, for a term to be indefinite.

Chair Dretler requested a motion. Select Board Member Schineller moved in the words of the Chair. Select Board Member Russo seconded the motion.

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

VOTED: To appoint Vice-Chair Jennifer Roberts and Select Board Member Bill Schineller to the Policies and Procedures Review Subcommittee, for a term to be indefinite.

Vote to ratify action by Town Treasurer to award winning bids for the \$19,550,000 bond issue (comprised of Series A, Series B, and Series C) sold on January 12, 2021.

Mr. Keohane confirmed that the lawyer's office had made several typographical errors, which he amended.

Chair Dretler read:

That in order to reduce interest costs, the Treasurer is authorized to issue refunding bonds, at one time or from time to time, pursuant to Chapter 44, Section 21A of the General Laws, or pursuant to any other enabling authority, to refund the Town's (i) \$5,390,000 General Obligation

Municipal Purpose Loan of 2013 Bonds dated August 15, 2013 maturing on August 15 in the years 2022, 2023, 2025, 2027, 2029, 2031, and 2033, and (ii) \$2,030,000 General Obligation Community Preservation Bonds dated December 15, 2010 maturing on August 15 in the years 2021 through 2026 (inclusive), and 2030 (collectively, the “Refunded Bonds”) and that the proceeds of any refunding bonds issued pursuant to this vote shall be used to pay the principal, redemption premium and interest on the Refunded Bonds and costs of issuance of the refunding bonds.

Further Voted: that the sale of the \$6,735,000 General Obligation Municipal Purpose Loan of 2021 Bonds, Series A, Bank-Qualified – Tax Exempt of the Town dated January 26, 2021 (the “Series A Bonds”), to FHN Financial Capital Markets at the price of \$7,307,063.79 and accrued interest, if any, is hereby approved and confirmed. The Bonds shall be payable on January 15 of the years and in the principal amounts and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
<u>2022</u>	<u>\$560,000</u>	<u>4.00%</u>	<u>2030</u>	<u>\$415,000</u>	<u>1.00%</u>
<u>2023</u>	<u>560,000</u>	<u>4.00</u>	<u>2031</u>	<u>410,000</u>	<u>1.00</u>
<u>2024</u>	<u>555,000</u>	<u>4.00</u>	<u>2033</u>	<u>380,000</u>	<u>1.20</u>
<u>2025</u>	<u>555,000</u>	<u>4.00</u>	<u>2035</u>	<u>375,000</u>	<u>1.35</u>
<u>2026</u>	<u>560,000</u>	<u>4.00</u>	<u>2037</u>	<u>370,000</u>	<u>1.50</u>
<u>2027</u>	<u>420,000</u>	<u>4.00</u>	<u>2039</u>	<u>370,000</u>	<u>1.50</u>
<u>2028</u>	<u>420,000</u>	<u>4.00</u>	<u>2041</u>	<u>370,000</u>	<u>1.60</u>
<u>2029</u>	<u>415,000</u>	<u>4.00</u>			

Further Voted: that the Bonds maturing on January 15, 2033, January 15, 2035, January 15, 2037, January 15, 2039 and January 15, 2041 (each a “Series A Term Bond”) shall be subject to mandatory redemption or mature as follows:

Series A Term Bond due January 15, 2033

<u>Year</u>	<u>Amount</u>
2032	\$190,000
2033*	190,000

*Final Maturity

Series A Term Bond due January 15, 2035

<u>Year</u>	<u>Amount</u>
2034	\$190,000
2035*	185,000

*Final Maturity

Series A Term Bond due January 15, 2037

<u>Year</u>	<u>Amount</u>
2036	\$185,000
2037*	185,000

Attachment8.a: SB_draft1_1.15.21_min_for_review (4824 : Minutes review)

*Final MaturitySeries A Term Bond due January 15, 2039

Year	Amount
2038	\$185,000
2039*	185,000

*Final MaturitySeries A Term Bond due January 15, 2041

Year	Amount
2040	\$185,000
2041*	185,000

*Final Maturity

Further Voted: that the sale of the \$10,730,000 General Obligation Land Acquisition Bonds, Series B (Unlimited Tax – Interest subject to Federal and Massachusetts Taxation) of the Town dated January 26, 2021 (the “Series B Bonds”), to Robert W. Baird & Co., Inc. at the price of \$10,961,407.10 and accrued interest, if any, is hereby approved and confirmed. The Bonds shall be payable on January 15 of the years and in the principal amounts and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2022	\$540,000	3.00%	2032	\$535,000	1.55%
2023	540,000	3.00	2033	535,000	1.65
2024	540,000	3.00	2034	535,000	1.75
2025	540,000	2.00	2035	535,000	1.85
2026	540,000	2.00	2036	535,000	1.95
2027	540,000	2.00	2037	535,000	2.00
2028	535,000	2.00	2038	535,000	2.00
2029	535,000	2.00	2039	535,000	2.05
2030	535,000	2.00	2040	535,000	2.10
2031	535,000	2.00	2041	535,000	2.15

Further Voted: that the sale of the \$2,085,000 General Obligation Refunding Bonds, Series C (Interest subject to Federal and Massachusetts Taxation) of the Town dated January 26, 2021 (the “Series C Bonds,” and collectively with the Series A Bonds and the Series B Bonds, the “Bonds”), to Robert W. Baird & Co., Inc. at the price of \$2,164,595.34 and accrued interest, if any, is hereby approved and confirmed. The Bonds shall be payable on August 15 of the years and in the principal amounts and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
<u>2021</u>	<u>\$ 5,000</u>	<u>2.00%</u>	<u>2028</u>	<u>\$170,000</u>	<u>2.00%</u>
<u>2022</u>	<u>190,000</u>	<u>2.00</u>	<u>2029</u>	<u>170,000</u>	<u>2.00</u>
<u>2023</u>	<u>190,000</u>	<u>2.00</u>	<u>2030</u>	<u>175,000</u>	<u>2.00</u>
<u>2024</u>	<u>155,000</u>	<u>2.00</u>	<u>2031</u>	<u>180,000</u>	<u>2.00</u>
<u>2025</u>	<u>160,000</u>	<u>2.00</u>	<u>2032</u>	<u>180,000</u>	<u>1.55</u>
<u>2026</u>	<u>160,000</u>	<u>2.00</u>	<u>2033</u>	<u>185,000</u>	<u>1.65</u>
<u>2027</u>	<u>165,000</u>	<u>2.00</u>			

Further Voted: that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated January 5, 2021, and a final Official Statement dated January 12, 2021 (the “Official Statement”), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Official Statement.

Further Voted: to authorize the execution and delivery of a Refunding Escrow Agreement with respect to the Series C Bonds to be dated January 26, 2021, between the Town and U.S. Bank National Association as Refunding Escrow Agent.

Further Voted: that the Town Treasurer and the Select Board be, and hereby are, authorized to execute and deliver a continuing disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Bonds for the benefit of the holders of the Bonds from time to time.

Further Voted: that we authorize and direct the Town Treasurer to establish post issuance federal tax compliance procedures and continuing disclosure procedures in such forms as the Town Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Bonds and to comply with relevant securities laws.

Further Voted: that any certificates or documents relating to the Bonds (collectively, the “Documents”), may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same document; delivery of an executed counterpart of a signature page to a Document by electronic mail in a “.pdf” file or by other electronic transmission shall be as effective as delivery of a manually executed counterpart signature page to such Document; and electronic signatures on any of the Documents shall be deemed original signatures for the purposes of the Documents and all matters relating thereto, having the same legal effect as original signatures.

Further Voted: that each member of the Select Board, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

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

Resident Manish Sharma, 77 Colonial Road, asked if the U.S. Bank was the only bank considered to assist in the bond process. Mr. Keohane responded the U.S. Bank had been used to assist in such bond transactions.

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

VOTED: That in order to reduce interest costs, the Treasurer is authorized to issue refunding bonds, at one time or from time to time, pursuant to Chapter 44, Section 21A of the General Laws, or pursuant to any other enabling authority, to refund the Town's (i) \$5,390,000 General Obligation Municipal Purpose Loan of 2013 Bonds dated August 15, 2013 maturing on August 15 in the years 2022, 2023, 2025, 2027, 2029, 2031, and 2033, and (ii) \$2,030,000 General Obligation Community Preservation Bonds dated December 15, 2010 maturing on August 15 in the years 2021 through 2026 (inclusive), and 2030 (collectively, the "Refunded Bonds") and that the proceeds of any refunding bonds issued pursuant to this vote shall be used to pay the principal, redemption premium and interest on the Refunded Bonds and costs of issuance of the refunding bonds.

Further Voted: that the sale of the \$6,735,000 General Obligation Municipal Purpose Loan of 2021 Bonds, Series A, Bank-Qualified – Tax Exempt of the Town dated January 26, 2021 (the "Series A Bonds"), to FHN Financial Capital Markets at the price of \$7,307,063.79 and accrued interest, if any, is hereby approved and confirmed. The Bonds shall be payable on January 15 of the years and in the principal amounts and bear interest at the respective rates, as follows:

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2023	560,000	4.00	2031	410,000	1.00
2024	555,000	4.00	2033	380,000	1.20
2025	555,000	4.00	2035	375,000	1.35
2026	560,000	4.00	2037	370,000	1.50
2027	420,000	4.00	2039	370,000	1.50
2028	420,000	4.00	2041	370,000	1.60
2029	415,000	4.00			

Further Voted: that the Bonds maturing on January 15, 2033, January 15, 2035, January 15, 2037, January 15, 2039 and January 15, 2041 (each a "Series A Term Bond") shall be subject to mandatory redemption or mature as follows:

Series A Term Bond due January 15, 2033

<u>Year</u>	<u>Amount</u>
2032	\$190,000
2033*	190,000

*Final Maturity

Series A Term Bond due January 15, 2035

<u>Year</u>	<u>Amount</u>
2034	\$190,000
2035*	185,000

*Final Maturity

Series A Term Bond due January 15, 2037

<u>Year</u>	<u>Amount</u>
2036	\$185,000
2037*	185,000

*Final Maturity

Series A Term Bond due January 15, 2039

<u>Year</u>	<u>Amount</u>
2038	\$185,000
2039*	185,000

*Final Maturity

Series A Term Bond due January 15, 2041

<u>Year</u>	<u>Amount</u>
2040	\$185,000
2041*	185,000

*Final Maturity

Further Voted: that the sale of the \$10,730,000 General Obligation Land Acquisition Bonds, Series B (Unlimited Tax – Interest subject to Federal and Massachusetts Taxation) of the Town dated January 26, 2021 (the “Series B Bonds”), to Robert W. Baird & Co., Inc. at the price of \$10,961,407.10 and accrued interest, if any, is hereby approved and confirmed. The Bonds shall be payable on January 15 of the years and in the principal amounts and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2022	\$540,000	3.00%	2032	\$535,000	1.55%
2023	540,000	3.00	2033	535,000	1.65
2024	540,000	3.00	2034	535,000	1.75
2025	540,000	2.00	2035	535,000	1.85
2026	540,000	2.00	2036	535,000	1.95
2027	540,000	2.00	2037	535,000	2.00
2028	535,000	2.00	2038	535,000	2.00
2029	535,000	2.00	2039	535,000	2.05
2030	535,000	2.00	2040	535,000	2.10
2031	535,000	2.00	2041	535,000	2.15

Further Voted: that the sale of the \$2,085,000 General Obligation Refunding Bonds, Series C (Interest subject to Federal and Massachusetts Taxation) of the Town dated January 26, 2021 (the “Series C Bonds,” and collectively with the Series A Bonds and the Series B Bonds, the “Bonds”), to Robert W. Baird & Co., Inc. at the price of \$2,164,595.34 and accrued interest, if any, is hereby approved and

confirmed. The Bonds shall be payable on August 15 of the years and in the principal amounts and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2021	\$ 5,000	2.00%	2028	\$170,000	2.00%
2022	190,000	2.00	2029	170,000	2.00
2023	190,000	2.00	2030	175,000	2.00
2024	155,000	2.00	2031	180,000	2.00
2025	160,000	2.00	2032	180,000	1.55
2026	160,000	2.00	2033	185,000	1.65
2027	165,000	2.00			

Further Voted: that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated January 5, 2021, and a final Official Statement dated January 12, 2021 (the “Official Statement”), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Official Statement.

Further Voted: to authorize the execution and delivery of a Refunding Escrow Agreement with respect to the Series C Bonds to be dated January 26, 2021, between the Town and U.S. Bank National Association as Refunding Escrow Agent.

Further Voted: that the Town Treasurer and the Select Board be, and hereby are, authorized to execute and deliver a continuing disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Bonds for the benefit of the holders of the Bonds from time to time.

Further Voted: that we authorize and direct the Town Treasurer to establish post issuance federal tax compliance procedures and continuing disclosure procedures in such forms as the Town Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Bonds and to comply with relevant securities laws.

Further Voted: that any certificates or documents relating to the Bonds (collectively, the “Documents”), may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same document; delivery of an executed counterpart of a signature page to a Document by electronic mail in a “.pdf” file or by other electronic transmission shall be as effective as delivery of a manually executed counterpart signature page to such Document; and electronic signatures on any of the Documents shall be deemed original signatures for the purposes of the Documents and all matters relating thereto, having the same legal effect as original signatures.

Further Voted: that each member of the Select Board, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

Review and possible vote to issue a joint statement with the Town Manager, Police Chief and Select Board regarding Town safety in light of recent events in Washington, DC and possible future unrest

Chair Dretler indicated the need for a statement regarding Town safety/security in consideration of recent events in Washington, D.C. and the possibility of future unrest.

Chair Dretler acknowledged that Police Chief Nix released a statement regarding Town safety in consideration of recent events at the Capitol, which appeared on social media and the Town web site. Chair Dretler thanked Chief Nix for releasing the statement and asked Select Board Members if they wished to include an additional statement.

Chair Dretler referenced three statement options.

Board Member Carty questioned the purpose for release of an additional statement. Chair Dretler responded that such an additional statement would address the safety concerns expressed by many Sudbury residents. Board Member Carty maintained that the Select Board did not govern at a national level and recommended that no further action be taken. Board Member Schineller agreed with the assessment presented by Board Member Carty and indicated that the Statement made by Police Chief Nix was enough.

Vice-Chair Roberts questioned if an additional statement would be warranted at this time, as most related statements were printed the day after the Capitol Building occurrence.

Board Member Russo acknowledged that a considerable amount of time had passed since the disturbing event took place, and a statement drafted by the Board at this time would not likely offer any unique position or insight.

Board Member Schineller motioned to take no action about releasing an additional statement regarding Town safety in light of recent events in Washington, DC and possible future unrest. Board member Russo seconded the motion.

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

VOTED: To take no action about releasing an additional statement regarding Town safety in light of recent events in Washington, DC and possible future unrest.

Citizen's Comments (cont.)

There were no citizen's comments

Vote to adjourn meeting

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

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

VOTED: To adjourn the meeting

There being no further business, the meeting was adjourned at 6:23 p.m.

SUDBURY SELECT BOARD

TUESDAY, OCTOBER 5, 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, Finance Director Dennis Keohane

The statutory requirements as to notice having been complied with, the meeting was convened at 7:03 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: Dretler-present, Russo-present, Schineller-present, Carty-present, Roberts-present

Opening remarks by Chair

- Policies and Procedures Review Subcommittee (she and Board Member Schineller) met last Thursday; reviewed non-financial policies, and also reviewed the remote meeting policy
- CIAC, FinCom, and other departments are expected to provide feedback soon, regarding the Financial Policies Document
- Month of October is Disability Awareness Month, recognizing that she and others were wearing the disability awareness pin at tonight's Board meeting
- Scarecrow Spectacular at Sewataro to take place on October 21, 2021

Select Board Member Carty:

- Thanked COD for the disability awareness pins
- Indicated he was encouraged by the decreasing COVID numbers and mentioned the State COVID dashboard; he noted that Sudbury had a very low positivity rate

Vice-Chair Russo:

- Thanked COD for the disability awareness pins
- He and Select Board Member Schineller conducted office hours last week, which included interesting conversations with several residents
- Stated the Sewataro Assessment and Recommendation Subcommittee (he and Select Board Member Schineller) met with the Park & Recreation Commission last night
- Announced the Town Forum - Master Plan Action/Implementation Plan to take place on Thursday, October 21, 2021
- Extended well wishes to all Boston Marathon runners

Board Member Schineller:

- Commented about many meetings since the Board last met

- Stated that Town Manager Hayes was attending the International MMA (MA Municipal Association) conference with Assistant Town Manager/HR Director Maryanne Bilodeau

Board Member Dretler:

- Thanked COD for sharing the disability awareness pins with everyone
- Announced October is Domestic Violence Prevention Month, and a light vigil was taking place tonight at the First Parish Church in Wayland
- Announced the Great Pumpkin Carving Walk Through at the Park & Recreation site on October 28, 2021
- Stated that she attended the MAGIC meeting this morning where the ARPA was discussed; SPS and the Park & Recreation Commission also discussed ARPA funding at their meetings

Finance Director Dennis Keohane:

- Confirmed he was acting as Town Manager at this meeting
- Mentioned several volunteer opportunities in Town, including an opening on the Finance Committee (FinCom), and the Permanent Building Committee (PBC).

Citizen's Comments on items not on agenda

Resident and COD Member Lisa Kouchakdjian, 30 Meadowbrook Circle, thanked Board members for wearing the COD pins at tonight's meeting, and expressed her appreciation regarding related comments and support by the Board.

Ms. Kouchakdjian announced that the pins would be sold to the general public, at the Loring Parsonage gift shop, for \$5.00. She added that proceeds would go to the Sudbury Historical Society.

Resident Doug Blowers, 48 Mary Kathryn Lane, stated that a new housing project was being built on his street, which has resulted in the flooding of his property. Chair Roberts suggested that Mr. Blowers submit his documentation.

Discussion and possible vote regarding Bruce Freeman Rail Trail (BFRT) update from Town Counsel related to draft lease agreement

Present: Lee Smith, Town Counsel

Mr. Smith confirmed that he presented lease-clause Board edits to MassDOT; and such amendments to that clause were rejected. MassDOT indicated they did not want to set precedence in this area.

Board Member Carty stated he was concerned about the language used in the lease clause, and stressed that proposed restrictions to that clause must be included.

Vice-Chair Russo stated that the clause as written did not provide MassDOT with additional rights. He indicated that the best way to protect the corridor was to approve the lease as presented.

Board Member Dretler stated that MassDOT always had opportunities, and residents want the project to go forward.

Board Member Schineller recommended that Mr. Smith continue work on amending the clause.

Chair Roberts indicated she would have preferred that the language of the clause be amended, and acknowledged that the clause as presented was consistent with other communities.

Chair Roberts directed Mr. Smith to proceed with negotiations.

Resident Pat Brown, 34 Whispering Pine Road, requested that the BFRT title search be released to the public for consideration.

Discussion on solar power options for the future at several Town locations and possible vote to authorize the Town Manager to sign Letter of Intent to express the desire to enter into a Power Purchase Agreement (PPA) and Lease Agreement or grant of Easement (“Site Control”) for electricity to be produced by a solar power electric generating project, potentially including energy storage

Present: Bill Barletta, Facilities Manager; Rami Alwan, Member – Energy and Sustainability Committee; Walter Grey - Power Options; Byron Woodman – Solect Energy

Mr. Barletta provided background information regarding proposed installation of solar roofing at Town buildings. He explained that next steps involved Board Members signing Letters of Intent (LOI) for each Town building to be considered.

Mr. Grey explained the procurement process. He reviewed solar roofing proposals for the Noyes School, Curtis Middle School, and the DPW building.

Mr. Alwan indicated that proposed plans had been thoroughly vetted, and the Town could move forward.

Mr. Woodman presented “Town of Sudbury Solar Energy Presentation” by Solect Energy. Mr. Woodman confirmed that the next steps would require endorsement of a Letter of Intent (LOI). Mr. Barletta acknowledged that Town Counsel had been reviewing agreement language, and the proposals had been presented to the Town Manager, the Finance Director, School Superintendents, and others.

Vice-Chair Russo voiced strong endorsement for solar installation on Town buildings.

Board Member Dretler asked about roofing for the Haynes School. Mr. Barletta explained the roofing considerations regarding the Haynes School.

Board Member Carty expressed strong support for solar roofing on Town buildings, and suggested solar charging stations. He stated that the School Committee had additional questions, and confirmed they needed more time to consider the proposed agreements.

Board Member Schineller acknowledged the sustainability and financial benefits associated with solar roofing for Sudbury.

Chair Roberts confirmed that she was interested in conserving energy, and asked why the Nixon School was not being considered for solar roofing. Mr. Woodward explained that the Nixon School would not support a solar installation at this time.

Chair Roberts suggested further review of the topic be included on the October 19th Board meeting agenda.

Manish Sharma, 77 Colonial Road, stated there was no resident revenue share incentives, and suggested that the Board review all sustainable energy options before signing the LOI.

Fairbank discussion with Permanent Building Committee

Present: Craig Blake and Jennifer Pincus, Permanent Building Committee Members (PBC); Bill Barletta, Facilities Director; Chris Eberly, Project Manager – Compass; Jeff D’Amico - Compass

Mr. Eberly provided a summary presentation, which included:

Overview of the Process

- Design Development stage
- Feasibility Study – developing a cost estimate
- Schematic Design – Testing the results of the feasibility study and confirm the budget, based on enhanced design
- Construction Documents

Mr. D’Amico addressed the related areas of:

- Sustainability with an integrated design
- Availability of energy rebates; meeting with Eversource to determine if standards for eligibility might be met
- Use of Heat Pump System, mounting of solar panels, and creation of balance in consideration of fossil fuels to be used for the pool

Mr. Eberly commented that the building would remain open to the greatest extent possible. He noted that additional efficiencies can be realized with decreasing some of the original sizing of the building.

Vice-Chair Russo mentioned the supply situation and related pressures. He asked if the Select Board could assist in any way, and opined about the balance between time, cost and quality. He mentioned that he wanted to learn more about the original vision being compromised.

Vice-Chair Russo asked about a proposed planning deadline. Mr. Eberly responded that changes could be made at any time, though such changes might affect cost.

Board Member Carty inquired about the basketball court. Mr. Barletta responded that the original intention was to replicate what was on the site, and relocate the court.

Board Member Carty asked about the process of decreasing space, gaining efficiencies, and satisfying all needs. Mr. Eberly detailed that in consideration of some reduced space, efficiency levels would increase.

Board Member Dretler expressed her concern regarding reduced community space. Mr. Eberly spoke of added flexible space for multi-purposing, such as areas for parents to observe games. Ms. Pincus confirmed there would be some seating around vending machines.

Board Member Dretler commented about lack of public seating space in Town. Ms. Pincus responded that the team was working on that aspect. Board Member Dretler inquired about interior lighting/windows. Ms. Pincus mentioned the inclusion of side lights and many windows looking into the gym.

Board Member Schineller asked if the following would be included in the proposed plan:

- Improved locker rooms
- Family changing room
- Grandstand for swim meets
- COA life-long learning space to accommodate 150 people
- COA game room/lunch room
- COA billiards
- COA private offices for consultation purposes
- COA space for lending equipment
- SPS offices that don't leak
- SPS offices sound barriers
- Emergency shelter with sufficient capacity, including storage
- Energy efficient to realize utility savings
- Engagement/inclusion of the Energy and Sustainability Committee
- Council on Disability included as a stakeholder

Board Member Schineller was pleased to receive affirmative responses to his questions.

Chair Roberts asked if user groups are satisfied. Mr. Eberly responded in the affirmative, and noted that tough decisions have been made due to the supply shortages and the climate of the economy.

Chair Roberts reiterated that if the planning becomes compromised in any way, the team should inform the Select Board immediately. Mr. D'Amico acknowledged the request presented by Chair Roberts.

Chair Roberts suggested that several Board Members might consider exploring ARPA funding aspects.

Recess

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

VOTED: To recess until 10:02 p.m.

FY21 Financial Recap

Present: Finance Director Dennis Keohane

Mr. Keohane provided a FY21 financial recap.

Board Member Carty commented that payroll numbers had not changed much. Mr. Keohane commented that some open positions had not been filled.

Board Member Schineller acknowledged that the Town was appropriately conservative with financing last year. Mr. Keohane noted that most additional costs were covered by COVID assistance grants.

Board Member Dretler asked for a listing of COVID fund allocations. Mr. Keohane responded that such itemization would be available soon.

Vice-Chair Russo commented that unemployment benefits would be expiring soon, which could have financial implications. Mr. Keohane was in agreement.

Chair Roberts inquired about DPW appropriations. Mr. Keohane detailed that such funding was primarily allocated to snow and ice removal and roadwork.

Board Member Dretler recommended that a Financial recap be presented to the Board on an annual basis.

Discussion on Sewataro Use Policy Document and discussion on other Sewataro goals

Board Member Schineller stated that the Sewataro Assessment and Recommendation Subcommittee (he and Vice-Chair Russo) were awaiting additional information regarding the Sewataro use policy. Chair Roberts commented the use policy topic could be discussed at the next Board meeting on October 19, 2021.

Vice-Chair Russo provided comment concerning aspects of the long-term Sewataro goals, which were laid out last year.

Increased Public Swimming

Vice-Chair Russo stated that Scott Brody might have more to add in the next month or so.

Chair Roberts asked if Mr. Brody would be conferring with the Board of Health. Board Member Schineller responded affirmatively.

Increase documentation of activities and uses

Vice-Chair Russo stated that Kristen Drummey of Camp Sewataro will be forwarding such documentation.

Safeguard Property

Board Member Schineller acknowledged that Facilities Director Bill Barletta provided a safety list.

Vice-Chair Russo confirmed the property had been secured for colder weather, and security cameras were installed in areas around the main entrance. Board Member Dretler asked if security signs were visible. Board Member Schineller responded that he saw the signs.

User Fees

Both Vice-Chair Russo and Board Member Schineller noted the user fee schedule was being worked on.

Consideration of tax-exempt debt option

Mr. Keohane shared that terms were very favorable at this time, and the wait period was ten years away.

Longer-term considerations

Board Member Schineller confirmed that he and Vice-Chair Russo had been comparing data from other communities, and noted that Mr. Brody's management role at the camp in Sharon was a long-term arrangement. Chair Roberts asked if the camp in Sharon permitted greater public access. Board Member Schineller responded positively, but stated that he did not know about the swimming aspect and would further research that point.

Chair Roberts indicated that she wanted to review the latest Sewataro financials before addressing all considerations.

Board Member Dretler suggested that a community survey on this topic might be beneficial. Vice-Chair Russo offered to assist with such a survey and mentioned consideration of a Flashvote process.

Discussion on Town Counsel Policy and use of Town Counsel

Board Member Carty stated that he was familiar with the Town Counsel Policy, and indicated that such consultations had increased. He asked if services requested by the Board were on budget. Mr. Keohane responded that he did not have a chart for pre-2020 legal services, but could research that aspect. Mr. Keohane added that he would follow-up with Ms. Jones.

Mr. Keohane acknowledged that for the last three years Town Counsel services had been considerably over budget, noting that counsel litigation fees were also set at a higher rate.

Board Member Dretler stated that recently other Boards/Committees had been allowed to confer with Town Counsel as well.

Discussion and vote whether to approve the Select Board office hours schedule for remainder of 2021

Vice-Chair Russo suggested that Select Board office hours be scheduled three months in advance. Board Members supported the schedule for the remainder of 2021.

Discuss topics to be assigned for Fall 2021 - Select Board newsletter

- Board Member Dretler chose the ARPA topic, as did Vice-Chair Russo.
- Board Member Schineller chose the Master Plan Action Plan topic.
- Board Member Carty and Chair Roberts did not select topics at this time.

Citizen's Comments

There were no comments.

Review open session minutes of 9/13/21 and possibly vote to approve minutes

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

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

VOTED: To approve the open session minutes of 9/13/21, as edited

Upcoming Agenda Items

October 19, 2021 meeting:

- Transportation Committee discussion
- BFRT update
- Solar panel discussion – additional information from School Committee

November 30, 2021 meeting:

- Sewataro Financial Review

Consent Calendar

Vote to approve execution by the Town Manager of an Agreement between the Town of Sudbury and Kimley-Horn and Associates, Inc. for professional consulting services for development of a pavement management program, and any documents relative thereto

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

VOTED: To approve execution by the Town Manager of an Agreement between the Town of Sudbury and Kimley-Horn and Associates, Inc. for professional consulting services for development of a pavement management program, and any documents relative thereto.

Vote to extend the Town's Uber For Business Dashboard Access Agreement with Uber Technologies, Inc. for one (1) year per the terms of the existing agreement

Board Member Dretler asked if the agreement was a renewable agreement. Board Member Carty affirmed it was.

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

VOTED: To extend the Town's Uber For Business Dashboard Access Agreement with Uber Technologies, Inc. for one (1) year per the terms of the existing agreement.

Adjourn

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

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

VOTED: To adjourn the meeting

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



SUDBURY SELECT BOARD
Tuesday, November 16, 2021

MISCELLANEOUS (UNTIMED)

9: 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

11/16/2021 7:00 PM



SUDBURY SELECT BOARD
Tuesday, November 16, 2021

MISCELLANEOUS (UNTIMED)

10: 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

11/16/2021 7:00 PM

POTENTIAL UPCOMING AGENDA ITEMS/MEETINGS

MEETING	DESCRIPTION
November 30	Public Hearing - Annual Tax Classification Financial Policy discussion
December 7	Open 2022 Annual Town Meeting Warrant and announce ATM for Monday, May 2, 2022 at LSRHS Annual License renewals BFRT update by Environmental Planner Beth Suedmeyer
Date to be Determined	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 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
Standing Items for All Meetings	Select Board requests for future agenda items at end of meeting Citizens Comments, continued (if necessary)



SUDBURY SELECT BOARD
Tuesday, November 16, 2021

CONSENT CALENDAR ITEM

11: Place school comm vacancy on 2022 Town Election ballot

REQUESTOR SECTION

Date of request:

Requestor: Town Clerk Beth Klein

Formal Title: Vote to direct the Town Clerk to place the vacancy for Sudbury School Committee member on the March 28, 2022 Annual Town Election ballot for a one-year term expiring May 31, 2023.

Recommendations/Suggested Motion/Vote: Vote to direct the Town Clerk to place the vacancy for Sudbury School Committee member on the March 28, 2022 Annual Town Election ballot for a one-year term expiring May 31, 2023.

Background Information:

Margaret Yi Helon, a member of the Sudbury School Committee, filed her resignation with the Town Clerk on June 18, 2021. Her term expires May 2023. The vacancy cannot be placed on the ballot for the March 28, 2022 Annual Town Election, pursuant to MGL. C. 41, Sec.10 until the Select Board files a notice of election with the Town Clerk. *(see attached memo from Town Clerk)*

Financial impact expected:

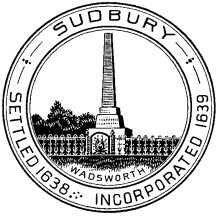
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

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

11/16/2021 7:00 PM



Town of Sudbury

Town Clerk's Office

Town Hall
322 Concord Road
Sudbury, MA 01776-1843
978-639-3351
Fax: 978-639-3340
clerk@sudbury.ma.us

To: Select Board
From: Beth R. Klein, Town Clerk
Re: Procedure to add elected vacancy to Town Ballot
Date: November 3, 2021

In order for the vacant office for Sudbury School Committee member to be added to the 2022 Town ballot, the Select Board must notify the Town Clerk in writing that the vacant office should be added to the ballot for a one year term to expire May 2023. The Town Clerk's office must receive the notice by January 19, 2022 to be added to the ballot for the March 28, 2022 Annual Town Election.

Vacant Office: Sudbury School Committee Term Expires: May 2023

MGL chapter 41, Sec. 10

No election shall be held for any office pursuant to this section unless the selectmen file with the town clerk notice of an election for such office not less than fifteen days before the last day to submit nomination papers to the registrars of voters for certification, before the election or any preceding primary, caucus, or preliminary election.

Cc: Henry Hayes, Town Manager
Silvia M. Nersessian, Chair

The Select Board hereby directs the Town Clerk to place the vacancy for Sudbury School Committee member on the ballot for the March 28, 2022 Annual Town Election. Said term shall expire May 31, 2023.

Select Board

Date:

Attachment 11.a: memo to BOS-add vacant office to ballot-school (4904 : Place school comm vacancy on 2022 Town Election ballot)



SUDBURY SELECT BOARD
Tuesday, November 16, 2021

CONSENT CALENDAR ITEM

12: EMPG grant acceptance - Fire Dept

REQUESTOR SECTION

Date of request:

Requestor: Fire Chief John Whalen

Formal Title: Vote to accept Emergency Management Performance Grant (EMPT) funds in the amount of \$4,600 for the purchase of mass casualty equipment to be used by the Fire Department.

Recommendations/Suggested Motion/Vote: Vote to accept Emergency Management Performance Grant (EMPT) funds in the amount of \$4,600 for the purchase of mass casualty equipment to be used by the Fire Department.

Background Information:
attached grant and approved contract

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

11/16/2021 7:00 PM



COMMONWEALTH OF MASSACHUSETTS ~ STANDARD CONTRACT FORM

This form is jointly issued and published by the Office of the Comptroller (CTR), the Executive Office for Administration and Finance (ANF), and the Operational Services Division (OSD) as the default contract for all Commonwealth Departments when another form is not prescribed by regulation or policy. The Commonwealth deems void any changes made on or by attachment (in the form of addendum, engagement letters, contract forms or invoice terms) to the terms in this published form or to the Standard Contract Form Instructions, Contractor Certifications and Commonwealth Terms and Conditions which are incorporated by reference herein. Additional non-conflicting terms may be added by Attachment. Contractors are required to access published forms at CTR Forms: <https://www.macomptroller.org/forms>. Forms are also posted at OSD Forms: <https://www.mass.gov/lists/osd-forms>.

CONTRACTOR LEGAL NAME:(and d/b/a): SUDBURY, Town of		COMMONWEALTH DEPARTMENT NAME: Massachusetts Emergency Management Agency (MEMA)	
Legal Address: (W-9, W-4): 322 CONCORD ROAD SUDBURY, MA 01776-1850		Business Mailing Address: 400 Worcester Rd, Framingham, MA 01702	
Contract Manager: Timothy Choate	Phone: 978-440-5312	Billing Address (if different): same	
E-Mail: choatet@sudbury-ma.gov		Contract Manager: Lorri Gifford / Mayra Quintana	Phone: 508.820.2004
Contractor Vendor Code: VC6000191996		E-Mail: EM.Grants@mass.gov	Phone: 508.820.1407
Vendor Code Address ID (e.g. "AD001"): (Note: The Address ID must be set up for EFT payments.)		MMARS Doc ID(s): FY21EMPG210000SUDBU	
		RFR/Procurement or Other ID Number: FFY2021EMPG	
<input checked="" type="checkbox"/> NEW CONTRACT PROCUREMENT OR EXCEPTION TYPE: (Check one option only) <input type="checkbox"/> Statewide Contract (OSD or an OSD-designated Department) <input type="checkbox"/> Collective Purchase (Attach OSD approval, scope, budget) <input checked="" type="checkbox"/> Department Procurement (includes all Grants - 815 CMR 2.00) (Solicitation Notice or RFR, and Response or other procurement supporting documentation) <input type="checkbox"/> Emergency Contract (Attach justification for emergency, scope, budget) <input type="checkbox"/> Contract Employee (Attach Employment Status Form, scope, budget) <input type="checkbox"/> Other Procurement Exception (Attach authorizing language, legislation with specific exemption or earmark, and exception justification, scope and budget)		<input type="checkbox"/> CONTRACT AMENDMENT Enter Current Contract End Date <u>Prior to</u> Amendment: _____ Enter Amendment Amount: _____ AMENDMENT TYPE: (Check one option only. Attach details of amendment changes.) <input type="checkbox"/> Amendment to Date, Scope or Budget (Attach updated scope and budget) <input type="checkbox"/> Interim Contract (Attach justification for Interim Contract and updated scope/budget) <input type="checkbox"/> Contract Employee (Attach any updates to scope or budget) <input type="checkbox"/> Other Procurement Exception (Attach authorizing language/justification and updated scope and budget)	
The Standard Contract Form Instructions, Contractor Certifications and the following Commonwealth Terms and Conditions document is incorporated by reference into this Contract and are legally binding: (Check ONE option): <input checked="" type="checkbox"/> Commonwealth Terms and Conditions <input type="checkbox"/> Commonwealth Terms and Conditions For Human and Social Services			
COMPENSATION: (Check ONE option): The Department certifies that payments for authorized performance accepted in accordance with the terms of this Contract will be supported in the state accounting system by sufficient appropriations or other non-appropriated funds, subject to intercept for Commonwealth owed debts under 815 CMR 9.00. <input type="checkbox"/> Rate Contract. (No Maximum Obligation) Attach details of all rates, units, calculations, conditions or terms and any changes if rates or terms are being amended.) <input checked="" type="checkbox"/> Maximum Obligation Contract. Enter total maximum obligation for total duration of this contract (or new total if Contract is being amended). \$4,600			
PROMPT PAYMENT DISCOUNTS (PPD): Commonwealth payments are issued through EFT 45 days from invoice receipt. Contractors requesting accelerated payments must identify a PPD as follows: Payment issued within 10 days % PPD; Payment issued within 15 days % PPD; Payment issued within 20 days % PPD; Payment issued within 30 days % PPD. If PPD percentages are left blank, identify reason: agree to standard 45 day cycle statutory/legal or Ready Payments (M.G.L. c. 29, § 23A); <input checked="" type="checkbox"/> only initial payment (subsequent payments scheduled to support standard EFT 45 day payment cycle. See Prompt Pay Discounts Policy.)			
BRIEF DESCRIPTION OF CONTRACT PERFORMANCE or REASON FOR AMENDMENT: Funding for this grant is provided via a Federal Fiscal Year 2021 Emergency Management Performance Grant (EMPG) and EMPG Program funding provided under the American Rescue Plan Act (ARPA), CFDA #97.042 and has a required dollar-for-dollar match. Funds will only be used for activities outlined in the subrecipient's approved FFY2021 application and in accordance with attached Federal Terms and Conditions, and MEMA Special Conditions and Reporting Requirements.			
ANTICIPATED START DATE: (Complete ONE option only) The Department and Contractor certify for this Contract, or Contract Amendment, that Contract obligations: <input checked="" type="checkbox"/> 1. may be incurred as of the Effective Date (latest signature date below) and no obligations have been incurred prior to the Effective Date. <input type="checkbox"/> 2. may be incurred as of _____, 20____, a date LATER than the Effective Date below and no obligations have been incurred prior to the Effective Date. <input type="checkbox"/> 3. were incurred as of _____, 20____, a date PRIOR to the Effective Date below, and the parties agree that payments for any obligations incurred prior to the Effective Date are authorized to be made either as settlement payments or as authorized reimbursement payments, and that the details and circumstances of all obligations under this Contract are attached and incorporated into this Contract. Acceptance of payments forever releases the Commonwealth from further claims related to these obligations.			
CONTRACT END DATE: Contract performance shall terminate as of <u>June 30, 2022</u> , with no new obligations being incurred after this date unless the Contract is properly amended, provided that the terms of this Contract and performance expectations and obligations shall survive its termination for the purpose of resolving any claim or dispute, for completing any negotiated terms and warranties, to allow any close out or transition performance, reporting, invoicing or final payments, or during any lapse between amendments.			
CERTIFICATIONS: Notwithstanding verbal or other representations by the parties, the "Effective Date" of this Contract or Amendment shall be the latest date that this Contract or Amendment has been executed by an authorized signatory of the Contractor, the Department, or a later Contract or Amendment Start Date specified above, subject to any required approvals. The Contractor certifies that they have accessed and reviewed all documents incorporated by reference as electronically published and the Contractor makes all certifications required under the Standard Contract Form Instructions and Contractor Certifications under the pains and penalties of perjury, and further agrees to provide any required documentation upon request to support compliance, and agrees that all terms governing performance of this Contract and doing business in Massachusetts are attached or incorporated by reference herein according to the following hierarchy of document precedence, this Standard Contract Form, the Standard Contract Form Instructions, Contractor Certifications, the applicable Commonwealth Terms and Conditions, the Request for Response (RFR) or other solicitation, the Contractor's Response, and additional negotiated terms, provided that additional negotiated terms will take precedence over the relevant terms in the RFR and the Contractor's Response only if made using the process outlined in 801 CMR 21.07, incorporated herein, provided that any amended RFR or Response terms result in best value, lower costs, or a more cost effective Contract.			
AUTHORIZING SIGNATURE FOR THE CONTRACTOR: X: <u>[Signature]</u> Date: <u>7/26/2021</u> (Signature and Date Must Be Handwritten At Time of Signature) Print Name: <u>HENRY HAYES JR.</u> Print Title: <u>TOWN MANAGER</u>		AUTHORIZING SIGNATURE FOR THE COMMONWEALTH: X: <u>[Signature]</u> Date: <u>11/2/21</u> (Signature and Date Must Be Handwritten At Time of Signature) Print Name: <u>David Mahr</u> Print Title: <u>Chief Administrative Officer</u>	

Attachment 12.a: EMPG Grant 2021 - Select Board (4907 : EMPG grant acceptance - Fire Dept)

10/15/21
M.Q.

CASL

COMMONWEALTH OF MASSACHUSETTS
CONTRACTOR AUTHORIZED SIGNATORY LISTING

CONTRACTOR LEGAL NAME	Town of Sudbury
CONTRACTOR VENDOR/CUSTOMER CODE	VC6000191996

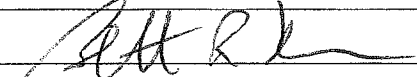
INSTRUCTIONS: Any Contractor (other than a sole-proprietor or an individual contractor) must provide a listing of individuals who are authorized as legal representatives of the Contractor who can sign contracts and other legally binding documents related to the contract on the Contractor's behalf. In addition to this listing, any state department may require additional proof of authority to sign contracts on behalf of the Contractor, or proof of authenticity of signature (a notarized signature that the Department can use to verify that the signature and date that appear on the Contract or other legal document was actually made by the Contractor's authorized signatory, and not by a representative, designee or other individual.)

NOTICE: *Acceptance of any payment under a Contract or Grant shall operate as a waiver of any defense by the Contractor challenging the existence of a valid Contract due to an alleged lack of actual authority to execute the document by the signatory.*

For privacy purposes **DO NOT ATTACH** any documentation containing personal information, such as bank account numbers, social security numbers, driver's licenses, home addresses, social security cards or any other personally identifiable information that you do not want released as part of a public record. The Commonwealth reserves the right to publish the names and titles of authorized signatories of contractors.

AUTHORIZED SIGNATORY NAME	TITLE
Henry L. Haynes, Jr.	Town Manager

I certify that I am the President, Chief Executive Officer, Chief Fiscal Officer, Corporate Clerk or Legal Counsel for the Contractor and as an authorized officer of the Contractor I certify that the names of the individuals identified on this listing are current as of the date of execution below and that these individuals are authorized to sign contracts and other legally binding documents related to contracts with the Commonwealth of Massachusetts on behalf of the Contractor. I understand and agree that the Contractor has a duty to ensure that this listing is immediately updated and communicated to any state department with which the Contractor does business whenever the authorized signatories above retire, are otherwise terminated from the Contractor's employ, have their responsibilities changed resulting in their no longer being authorized to sign contracts with the Commonwealth or whenever new signatories are designated.

Signature		Date	Oct. 5, 2021
Printed Name	Beth Klein		
Title	Town Clerk	Phone	978-639-3351
Email	KleinB@sudbury.ma.us	Fax	978-639-3340

FFY 2021 EMPG Subgrant Application

APPLICANT INFORMATION:

Town / City / Tribe:	Sudbury MA		
DUNS # (required):	619726854	SAMs Registration Expiration Date (required):	10/27/2021

PROJECT Point of Contact (Emergency Manager / Director):

Name:	Timothy E. Choate		
Title:	Assistant Fire Chief		
Email:	choatet@sudbury.ma.us	Phone:	978-440-5312

PROJECT DETAILS:

Provide a description of your project that includes "who, what, when, where, why and how"

The Town of Sudbury has been awarded \$4600.00 towards EMPG. Sudbury Fire Dept. provides primary EMS. With that, the FD placed into service a 3rd ambulance. Our intent with grant funding is to increase local and regional operational capacity in the form of managing and working at a mass casualty event. We have identified that we do not have complete MCI management equipment on the 3rd ambulance and that the other two ambulances need standardized equipment. Our intention will be to first equip the 3rd ambulance to have a complete compliment of MCI management equipment. We would then standardize equipment on the other two ambulances to match. Furthermore, Sudbury Fire recently equipped the front line apparatus with ballistic protection to provide the firefighters the protective equipment to handle an active shooter event. We intend on increasing our operational efficiency by purchasing an MCI initial triage system as well as a first-in medical response bag typically used by first responders in MCI/active shooter settings. This equipment would be for the shift commander's car, three ambulances and the two staffed engines.

Much like all other communities, if there is an MCI/active shooter event, mutual aid will be needed. Purchasing this equipment will allow our members to have the right equipment to manage an MCI-active shooter event in our community or in a regional community. Purchasing of the equipment would be rather quick as these items are already assembled as MCI kits from a vendor we currently use.

These items meet the criteria of the AEL as 09 ME 01 MCI K "Fully equipped kits that contain all equipment and materials to coordinate multi-casualty incidents, including (but not limited to) triage tags/supplies, clip boards and related forms, color-coded marking tape and tarps for treatment areas, medical branch position vests; field operation guide (FOG) for medical branch/MCI operations and local protocols."

MEMA Goal that your project falls within:	Increase Operational Capacity
THIRA/SPR category that your project falls within:	Operational Coordination
Other Source of Gap Identification:	needs assessment with EMS supply Officer

Are you purchasing anything that will be installed?	No
Are you purchasing any communication equipment?	No
Are you purchasing a drone or drone accessories?	No
Are you purchasing sonar equipment?	No

BUDGET

What is your Total Eligible Award Amount?	\$ 4,600.00		
Is this a Multiple Community / Regional Project?	No		
<i>If YES, list each community and their eligible award amount below:</i>			
Town/City/Tribe Name	Award Amount	Town/City/Tribe Name	Award Amount

Provide a breakout of your project's estimated costs below:

Description of Expenditure	AEL #	Portable or Installed	Quantity	Total Costs
SMART Triage Pack- MCI tags	09 ME 01 MCI K	portable	2	\$ 350.00
MCI Kit with 6 Heavy Duty Nylon Vests and Triage Belt, 1	09 ME 01 MCI K	portable	3	\$ 987.00
Rapid Response MCI Kit, Rescue Task Force Edition	09 ME 01 MCI K	portable	6	\$ 3,240.00
MCI Triage Ribbon pack	09 ME 01 MCI K	portable	2	\$ 60.00
TOTAL Estimated Project				\$ 4,637.00

**If you do not know the AEL # it is okay to leave blank*

Attachment12.a: EMPG Grant 2021 - Select Board (4907 : EMPG grant acceptance - Fire Dept)

MATCH

Provide your match description below (your match must be equal to your award amount and be allowable activities:

Description of Activity / Expense	Amount
Rave reverse 911	\$ 5,400.00
TOTAL	\$ 5,400.00

Email your completed application to EM.Grants@mass.gov



SUDBURY SELECT BOARD

Tuesday, November 16, 2021

CONSENT CALENDAR ITEM**13: Allocate \$35K mitigation funds to Go Sudbury! Microtransit Pilot Program**REQUESTOR SECTION

Date of request:

Requestor: Adam Duchesneau, Director of Planning & Community Development

Formal Title: Vote to allocate \$35,000 of the remaining mitigation funds listed in item 4.2.c. of the Meadow Walk Development Agreement to any and all aspects of the Go Sudbury! Microtransit Pilot Program to be administered by the Transportation Committee.

Recommendations/Suggested Motion/Vote: Vote to allocate \$35,000 of the remaining mitigation funds listed in item 4.2.c. of the Meadow Walk Development Agreement to any and all aspects of the Go Sudbury! Microtransit Pilot Program to be administered by the Transportation Committee.

Background Information:

As part of item 4.2.c. of the Meadow Walk Development Agreement (attached), the developer agreed to pay \$100,000 to the Town for the Senior Center to provide for senior citizen transportation needs, to be used by the Town in its sole discretion. The Transportation Committee was awarded two allocations to use from this mitigation fund by the Select Board at your meetings on March 17, 2020 (\$20,000) and March 2, 2021 (\$5,000). This is a request for an additional \$35,000 of these mitigation funds to be allocated towards the Go Sudbury! Microtransit Pilot Program (both taxi rides and Uber rides, as well as other associated costs) to be administered by the Transportation Committee. At their meeting on November 9, 2021, the Council on Aging voted to recommend to the Select Board to approve the allocation of an additional \$35,000 of the mitigation funds for the Transportation Committee's Go Sudbury! Microtransit Pilot Program.

If this third funding request for \$35,000 is allocated, the funding would be used by the Go Sudbury! Microtransit Pilot Program to subsidize rides from transit providers (taxi rides and Uber rides) to seniors, people with disabilities, financially vulnerable residents, and veterans, with the objective of providing them with transportation services to health and community resources as well as economic opportunities. These funds would be used to supplement the Community Compact Grant funds which the Town received in 2019 to launch a multi-municipality Microtransit Program to serve the groups of people listed above. A copy of this grant application is also attached for reference.

Financial impact expected: The remaining mitigation funds listed in item 4.2.c. of the Meadow Walk Development Agreement (approximately \$50,000) for the Senior Center to provide for senior citizen transportation needs would be reduced by an additional \$35,000.

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

11/16/2021 7:00 PM

DEVELOPMENT AGREEMENT

This Development Agreement (this "Agreement") is entered into as of this 7th day of June 2016, by and between the Town of Sudbury (the "Town"), acting by and through its Board of Selectmen, and BPR Sudbury Development LLC, a Delaware limited liability company, acting only in its capacity as owner of the Site (as hereinafter defined) (the "Developer," and together with the Town, the "Parties").

This Agreement is entered into by the Parties in an effort to establish a framework to facilitate the redevelopment of an approximately 25 acre site (the "Site") located along Boston Post Road/Route 20, that is part of a larger approximately 50 acre site (the "Former Raytheon Property") formerly owned by the Raytheon Company ("Raytheon"). The Site is more particularly described and depicted on a certain plan of land entitled "Master Development Plan" (the "Master Plan") attached hereto and incorporated herein as Exhibit A.

Raytheon, formerly the Town's largest taxpayer, operated an office/research and development complex at the Former Raytheon Property for more than fifty years, providing numerous fiscal, employment, and other benefits to the Town. In December 2015, as part of its planned phased withdrawal from the Former Raytheon Property, Raytheon sold the Former Raytheon Property to the Developer. Raytheon's withdrawal from the Former Raytheon Property represents a significant loss to the Town but also presents opportunities. The Parties recognize that a coordinated, comprehensive, and expeditious approach to redevelopment of the Former Raytheon Property is mutually beneficial and desirable in that it represents a unique opportunity to fulfill several Town needs and goals. It is anticipated that the substantial private investment to be made in a mixed-use redevelopment of the Site would, among other things, restore a significant and reliable source of municipal tax revenue to the Town; serve as a model and catalyst for the future economic development of the Route 20 corridor, an important Town planning objective; and generate new jobs and revenues while providing desirable amenities to the community.

In response to the Town's interest in realizing a mixed-use redevelopment of the Former Raytheon Property, the Developer has proposed to construct a multi-phase development at the Site generally consisting of approximately sixty units of age-restricted, active-adult housing (the "Age-Restricted Housing Component"); up to fifty-four beds within an assisted living/memory care facility; approximately 80,000 square feet of retail, restaurant, and convenience uses (the "Retail Component"), which Retail Component includes an approximately 45,000 square foot grocery store; and accessory parking and related site improvements (collectively, the "Project"). The Project accomplishes several key redevelopment goals of the Board of Selectmen and the Planning Board as articulated in a letter to Raytheon dated February 25, 2015. The Site is currently zoned Limited Industrial District ("LID"), with a small portion zoned as residential. Under current zoning by-laws, the proposed Project would not be allowed. In particular, nursing or convalescent home and assisted care facility, personal service establishment, restaurant, ATMs, kiosks, and residential care facility are among the uses not presently allowed in the LID.

The Project will be complemented by the construction of a multifamily affordable housing residential project on an adjoining approximately 17 acre portion of the Former Raytheon Property, consisting of a two-hundred-and-fifty unit rental housing community to be developed

by Sudbury Avalon, Inc., for which an application for a comprehensive permit has been filed under M.G.L. Chapter 40B (“Avalon Sudbury”). The comprehensive permit application is currently under review by the Sudbury Zoning Board of Appeals (“ZBA”), which, at the close of the public hearing, is expected to issue a comprehensive permit for Avalon Sudbury. While Avalon Sudbury is not subject to the Master Plan and is therefore not a part of the “Project” under this Agreement, Avalon Sudbury’s relevant impacts have been considered in the assessment of the Project, its impact on the Site and surroundings (e.g., traffic, stormwater management and fiscal impacts), and with respect to the community benefits agreed upon by the Developer under Section 4.2 of this Agreement.

In order to facilitate the Project, the Parties wish to cooperate to present certain warrant articles to a town meeting in furtherance of the Project, including, without limitation, (i) the adoption of a new zoning by-law to govern the Site, entitled, “Section 4700. Mixed Use Overlay District” (“MUOD”); (ii) the approval of the Master Plan; and (iii) the authorization of the Board of Selectmen to accept the conveyance of certain land and easements to the Town, and, if necessary, to convey easements to the Developer (collectively, the “Town Meeting Articles”). The Board of Selectmen and the Planning Board are willing to cooperate with the Developer in support of the Town Meeting Articles, the Project and Avalon Sudbury subject to the terms and restrictions set forth in this Agreement and the completion of the Developer’s obligations, and the Developer is willing to impose such restrictions and undertake and complete such obligations, as set forth in this Agreement.

The Parties wish to enter into this Agreement to memorialize their mutual understandings, commitments, and agreements regarding the Project.

1. GENERAL

- 1.1 The Developer shall comply with applicable rules, regulations and by-laws of the Town, the Commonwealth of Massachusetts, and federal agencies as they apply to the construction, maintenance and operation of the Project, including, without limitation, compliance with the Wetlands Protection Act, the Massachusetts Environmental Policy Act (MEPA), and the State Building Code.
- 1.2 The applicable terms of this Agreement shall be incorporated by reference in the Conformance Recommendation issued by the Planning Board for the Project as authorized by the adoption of the MUOD by Town Meeting, and shall be binding upon the Developer and any successor in interest to the Project (or component thereof), as provided in Section 5.3 of this Agreement. Any non-monetary violation hereof may be treated as a violation enforceable by the Building Inspector following notice and opportunity to cure.

2. TRAFFIC MITIGATION

- 2.1 The Developer agrees to complete, at its sole cost and expense, the traffic and pedestrian improvements specified in the Conformance Recommendation. The total cost for the design and construction of these improvements is estimated to be approximately \$2,000,000. The design of these improvements has been reviewed by an independent traffic engineer hired by the Town to ensure the adequacy of these improvements to

provide for safe travel by residents, employees and visitors of the Project and Avalon Sudbury while also enhancing safe traffic movement to adjoining properties and along the Route 20 corridor. In addition, the Developer agrees to implement the Traffic Demand Management program specified in the Conformance Recommendation.

3. CONFORMANCE RECOMMENDATION

- 3.1 Pursuant to Section 4742 of the MUOD, the Master Development Plan for the MUOD Project must receive a Conformance Recommendation from the Planning Board in order to be approved by Town Meeting, which may include conditions, limitations, and safeguards. Developer agrees to comply with the Planning Board's Conformance Recommendation in connection with the MUOD Project, including all conditions, limitations and safeguards set forth therein, and said Conformance Recommendation is incorporated herein by reference as if it were set forth herein.

4. COMMUNITY BENEFITS

Upon completion and full occupancy, the Project is anticipated to generate estimated gross tax revenues in excess of \$1,700,000 annually with anticipated net revenues in the range of \$571,500 (per Town's fiscal peer review) to \$694,400 (per Developer's financial analysis) annually, after covering projected municipal service costs associated directly and indirectly with the Project and Avalon Sudbury, including fire, police, schools, public works, inspectional services, health department, ambulance, and other costs. To contribute further to the Town's fiscal well-being above and beyond the projected significant annual tax revenue generated from the Project, Developer agrees to take the following measures:

- 4.1. Within ninety days of issuance of the first certificate of occupancy for the Retail Component of the Project (unless such period is extended for good cause with the agreement of the parties), Developer shall convey to Town for consideration of \$1.00 a parcel of land shown as "Lot 6" on the plan attached hereto as **Exhibit B** (land area of approximately 8,000 square feet of commercial property along with accompanying easements is estimated by Developer to be worth approximately \$200,000) for general municipal purposes, to accommodate the construction of a potential future fire station in place of the existing fire station on the adjacent Town land ("Future Fire Station"). To facilitate this land conveyance for the Future Fire Station, the Town agrees to cooperate, to the extent permissible by law, in obtaining any necessary modification to the permits and approvals obtained in order to construct and operate the Project. The Developer and the Town further agree to cooperate in granting one another all necessary right-of-way easements over the ways and parking lots shown on said plan for access/egress and utilities to and from a Future Fire Station and the Project. Developer also agrees, subject to (i) the approval by MassDEP of an expansion of the existing on-site wastewater treatment plant on the Former Raytheon Property ("WWTP") and (ii) all applicable regulations, to allow a Future Fire Station to discharge its waste water into the WWTP, and to provide connections and easements for such wastewater discharge at no cost to the Town (the value of such sewer rights estimated at approximately \$25,000). Developer also agrees to allow a Future Fire Station to discharge its storm water into the Developer's storm water system, and to provide connections and easements for such storm water discharge at no cost to the Town

(the value of stormwater rights and easements estimated at \$25,000). Developer also agrees to perform periodic landscape maintenance surrounding a Future Fire Station in conjunction with their maintenance of the Project (the value of this landscape maintenance is estimated at approximately \$10,000 annually).

- 4.2 Developer agrees to make the following additional one-time fiscal contributions to the Town to advance the interests of the Town and to enhance Town resources; the payments set forth below shall be tendered by the Developer to the Town in accordance with the payment schedule set forth at **Exhibit C** attached hereto:
- a. Developer agrees to make a contribution of \$500,000 to the Town for the maintenance, construction, and reconstruction of fields for recreational use, said funds to be expended either for existing fields or toward the construction of new fields in its sole discretion.
 - b. Developer agrees to make a contribution of \$850,000 to the Town for public safety purposes, to be used by the Town in its sole discretion.
 - c. Developer agrees to make a contribution of \$100,000 to the Town for the Senior Center to provide for senior citizen transportation needs, to be used by the Town in its sole discretion.
 - d. Developer agrees to make a contribution of \$850,000 to the Town to provide for improved technology for the Town's schools and/or other municipal buildings, to be used by the Town in its sole discretion.
 - e. Developer agrees to make a contribution of \$80,000 towards the design of the Future Fire Station, to be used by the Town in its sole discretion.
 - f. Developer agrees to make a contribution of \$15,000 towards the implementation of a section of sidewalk along Boston Post Road from 501 Boston Post Road (CVS) to Nobscot Road, to be used by the Town in its sole discretion.
 - g. Developer agrees to make a contribution of \$100,000 to fund any fiscal mitigation requirements or off-site mitigation obligations that may imposed as lawful conditions of a comprehensive permit issued by the ZBA for Avalon Sudbury. To the extent the comprehensive permit does not require any or all funds from this contribution be used to satisfy fiscal requirements, such unallocated funds may be used for other municipal purposes as determined by the Board of Selectmen. To the extent the comprehensive permit imposes conditions on Avalon Sudbury that require fiscal mitigation payments or off-site mitigation obligations that exceed this contribution, such conditions shall be fully satisfied by the reallocation of funds from the other contributions set forth in this Section, as may be determined by the Selectmen, such that the total fiscal contributions due under this Agreement and as mitigation payments, if any, required under the comprehensive permit shall not exceed \$2,495,000, the aggregate amount of the contributions agreed to in this section.

5. MISCELLANEOUS

5.1 Reimbursement of Town Review Fees

Prior to issuance of the first Certificate of Occupancy for the Project, the Developer agrees to reimburse the Town for its reasonable legal fees in connection with any review or advice related to the Town Meeting Articles, this Agreement, and the construction and permitting of the Project; and the costs of the special town meeting of June 13, 2016, at which the Town Meeting Articles will be considered. Upon approval of Town Meeting of the Town Meeting Articles, the Developer also agrees to make a payment of \$20,000 to pay for outside consultants contracted by the Town to review site plans and stormwater management plans submitted for Conformance Review on the age-restricted housing, assisted/memory care and village retail components of the Master Plan. These funds shall be held in escrow by the Planning Board for this purpose, and any funds remaining after completion of the plan reviews shall be returned to the Developer

5.2 Forbearance from Suit

The Parties shall forego any actions at law or equity attempting to contest the validity or prevent the enforceability of any provision(s) of this Agreement, and the Developer shall procure written acknowledgment that such forbearance shall bind any successor or assign. Such forbearance shall not preclude any Party from bringing any action for breach of contract on the part of the other Party or acts of intentional misconduct with respect to matters contemplated herein.

5.3 Successors and Assigns

The Parties agree that the Developer may subdivide the Site (including through the creation of one or more condominiums or long term ground leases) and may transfer all or any subdivided portion of the Site to another entity (each a "New Entity"), subject to the Developer's and any New Entity's acknowledgement that:

- (a) This Agreement shall run with title to each subdivided portion of the Site and shall be binding upon the Developer insofar as it is the owner of the Site, and each of its successors or assigns as to the obligations which arise under this Agreement during their respective periods of ownership of the Site and/or their respective subdivided portion(s) thereof, provided that each predecessor-in-title shall be forever released from this Agreement upon procuring a written acknowledgment from its immediate successor, addressed to the Town, acknowledging and agreeing that such successor-in-title is bound by the terms of this Agreement and that this Agreement shall be enforceable against such successor by the Board of Selectmen with respect to such successor's subdivided portion(s) of the Site; and
- (b) The obligations created hereunder shall not be treated as assumed by any New Entity until such notice is delivered to the Town.

5.4 Notices

Notices, when required hereunder, shall be deemed sufficient if sent registered mail to the Parties at the following addresses:

Town: Town of Sudbury
278 Old Sudbury Road
Sudbury, MA 01776
Attn: Town Manager

Developer: BPR Development LLC
c/o National Development
2319 Washington Street
Newton Lower Falls, MA 02462

with a copy to:

Goulston & Storrs PC
400 Atlantic Avenue
Boston, MA 02110-3333
Attn: Peter L. Tamm, Esq.

5.5 Force Majeure

The Developer shall not be considered to be in breach of this Agreement for so long as the Developer is unable to complete any work or take any action required hereunder due to a *force majeure* event or other events beyond the reasonable control of the Developer.

5.6 Default; Opportunity to Cure

Failure by either Party to perform any term or provision of this Agreement shall not constitute a default under this Agreement unless and until the defaulting Party fails to commence to cure, correct or remedy such failure within fifteen days of receipt of written notice of such failure from the other Party and thereafter fails to complete such cure, correction, or remedy within sixty days of the receipt of such written notice, or, with respect to defaults that cannot reasonably be cured, corrected or remedied within such sixty-day period, within such additional period of time as is reasonably required to remedy such default, provided the defaulting Party exercises due diligence in the remedying of such default. Notwithstanding the foregoing, the Developer shall cure any monetary default hereunder within thirty days following the receipt of written notice of such default from the Town. No default hereunder by the owner (whether the Developer or a New Entity) of any subdivided portion of the Site shall be deemed to be a default by any other owner (whether the Developer or a New Entity) of any other subdivided portion of the Site.

5.7 Limitations on Liability

The obligations of the Developer or any New Entity do not constitute personal obligations of their members, trustees, partners, directors, officers or shareholders, or any direct or indirect constituent entity or any of their affiliates or agents. The Town shall not seek recourse against

any of the foregoing or any of their personal assets for satisfaction of any liability with respect to this Agreement or otherwise. The liability of the Developer or a New Entity is in all cases limited to their interest in the Site or subdivided portion thereof at the time such liability is incurred and shall not extend to any other portion of the Site for which another party has assumed responsibility pursuant to Section 5.3 hereof. In the event that all or any portion of the Site is subjected to a condominium regime or a long term ground lease, the condominium association or the ground lessee, as applicable, shall be deemed to be the owner/New Entity of the affected portion of the Site.

5.8 Estoppels

Each Party agrees, from time to time, upon not less than twenty-one days' prior written request from the other, to execute, acknowledge and deliver a statement in writing certifying (i) that this Agreement is unmodified and in full force and effect (or if there have been modifications, setting them forth in reasonable detail); (ii) that the party delivering such statement has no defenses, offsets or counterclaims against its obligations to perform its covenants hereunder (or if there are any of the foregoing, setting them forth in reasonable detail); (iii) that there are no uncured defaults of either party under this Agreement (or, if there are any defaults, setting them forth in reasonable detail); and (iv) any other information reasonably requested by the party seeking such statement. If the Party delivering an estoppel certificate is unable to verify compliance by the other Party with certain provisions hereof despite the use of due diligence, it shall so state with specificity in the estoppel certificate, and deliver an updated estoppels certificate as to such provisions as soon thereafter as practicable. Any such statement delivered pursuant to this Section 5.8 shall be in a form reasonably acceptable to, and may be relied upon by any, actual or prospective purchaser, tenant, mortgagee or other party having an interest in the Project. The Town Manager is hereby authorized to execute and deliver any such estoppel certificate on behalf of the Board of Selectmen.

5.9 Governing Law

This Agreement shall be governed by the laws of the Commonwealth of Massachusetts. If any term, covenant, condition or provision of this Agreement or the application thereof to any person or circumstance shall be declared invalid or unenforceable by the final ruling of a court of competent jurisdiction having final review, then the remaining terms, covenants, conditions and provisions of this Agreement and their application to other persons or circumstances shall not be affected thereby and shall continue to be enforced and recognized as valid agreements of the Parties, and in the place of such invalid or unenforceable provision, there shall be substituted a like, but valid and enforceable provision which comports to the findings of the aforesaid court and most nearly accomplishes the original intention of the Parties. The Parties hereby consent to jurisdiction of the courts of the Commonwealth of Massachusetts sitting in the County of Middlesex.

5.10 Entire Agreement; Amendments

This Agreement sets forth the entire agreement of the Parties with respect to the subject matter hereof, and supersedes any prior agreements, discussions or understandings of the Parties and their respective agents and representatives. This Agreement may not be amended, altered or

modified except by an instrument in writing and signed by the Parties hereto. Amendments to the terms of this Agreement may be agreed to on behalf of the Town by its Board of Selectmen.

5.11 Interpretation

Capitalized terms used but not defined herein shall have the meanings assigned to them under the Town of Sudbury Zoning By-Law (Article IX).

5.12 Cooperation

The Parties agree to work cooperatively, on a going-forward basis, to execute and deliver documents, and take such other actions, whether or not explicitly set forth herein, that may be necessary in connection with the development of the Project or the implementation of the goals and objectives of this Agreement.

In connection with Avalon Sudbury, upon issuance of a comprehensive permit by the ZBA, and if requested by the Developer, the Town, acting through its Board of Selectmen, agrees to reasonably cooperate in the conversion of Avalon Sudbury to a so-called Local Initiative Program (“LIP”) project by signing a LIP application with Massachusetts Department of Housing and Community Development (“DHCD”) consistent with Avalon Sudbury as approved in the comprehensive permit within thirty days of receipt from the Developer of a complete LIP application. The conversion to a LIP shall be subject to the approval of the ZBA of the conversion to a LIP as an insubstantial change or the conversion is deemed an insubstantial change pursuant to 760 CMR 56.05(11). The Town shall not require any further mitigation or payments of any kind from the Developer in connection therewith. The Town further covenants and agrees to cooperate with the Developer as it takes whatever further steps as may be reasonably necessary to cause the LIP application to be finally approved by DHCD for Avalon Sudbury as approved in the comprehensive permit.

5.13 Compliance

The Developer acknowledges and agrees that the Town, operating through its officers and employees and upon notice to the Developer, shall have the right to enter the Site as reasonably necessary to inspect to confirm compliance with the terms of this Agreement.

5.14 Counterparts; Signatures

This Agreement may be executed in several counterparts and by each Party on a separate counterpart, each of which when so executed and delivered shall be an original, and all of which together shall constitute one instrument. It is agreed that electronic signatures shall constitute originals for all purposes.

5.15 Record Notice

A notice of this Agreement in a form reasonably acceptable to the Developer may be recorded with the Middlesex (South) Registry of Deeds.

5.16 No Third-Party Beneficiaries

Notwithstanding anything to the contrary in this Agreement, the Parties do not intend for any third party to be benefitted hereby.

5.17 Effectiveness; Term

In accordance with Section 4765 of the MUOD, nothing in this Agreement shall be construed to require the Developer to construct or complete all or any portion of the MUOD Project. If, but only if, the Developer decides to undertake the MUOD Project, this Agreement shall not become effective until the applicable Town Meeting Articles are approved or deemed approved, substantially in the form submitted for Town Meeting vote, by the Attorney General's Office of the Commonwealth of Massachusetts in accordance with M.G.L. c. 40, §§ 32, 32A and M.G.L. c. 40A, § 5, the date on which this Agreement becomes effective being referred to as the "Effective Date". The terms of this Agreement may be incorporated into any permit or approval, including the Conformance Recommendation, issued by the Planning Board for the MUOD. The development of the Site is limited to the Project as proposed; any modification or extension of the Project, other than de minimus changes, shall require an amendment to this Agreement.

EXECUTED under seal as of the date and year first above written,

TOWN OF SUDBURY BOARD OF SELECTMEN

By: Susan M. Aultrano
Name:
Its:
Hereunto Duly Authorized

BPR SUDBURY DEVELOPMENT LLC,
a Delaware limited liability company

By: [Signature]
Name: John J. O'Neil, III
Its:
Hereunto Duly Authorized

LIST OF EXHIBITS

- Exhibit A – Master Plan
- Exhibit B – Land/Easement Conveyance Plan for Future Fire Station
- Exhibit C – Schedule of Payments

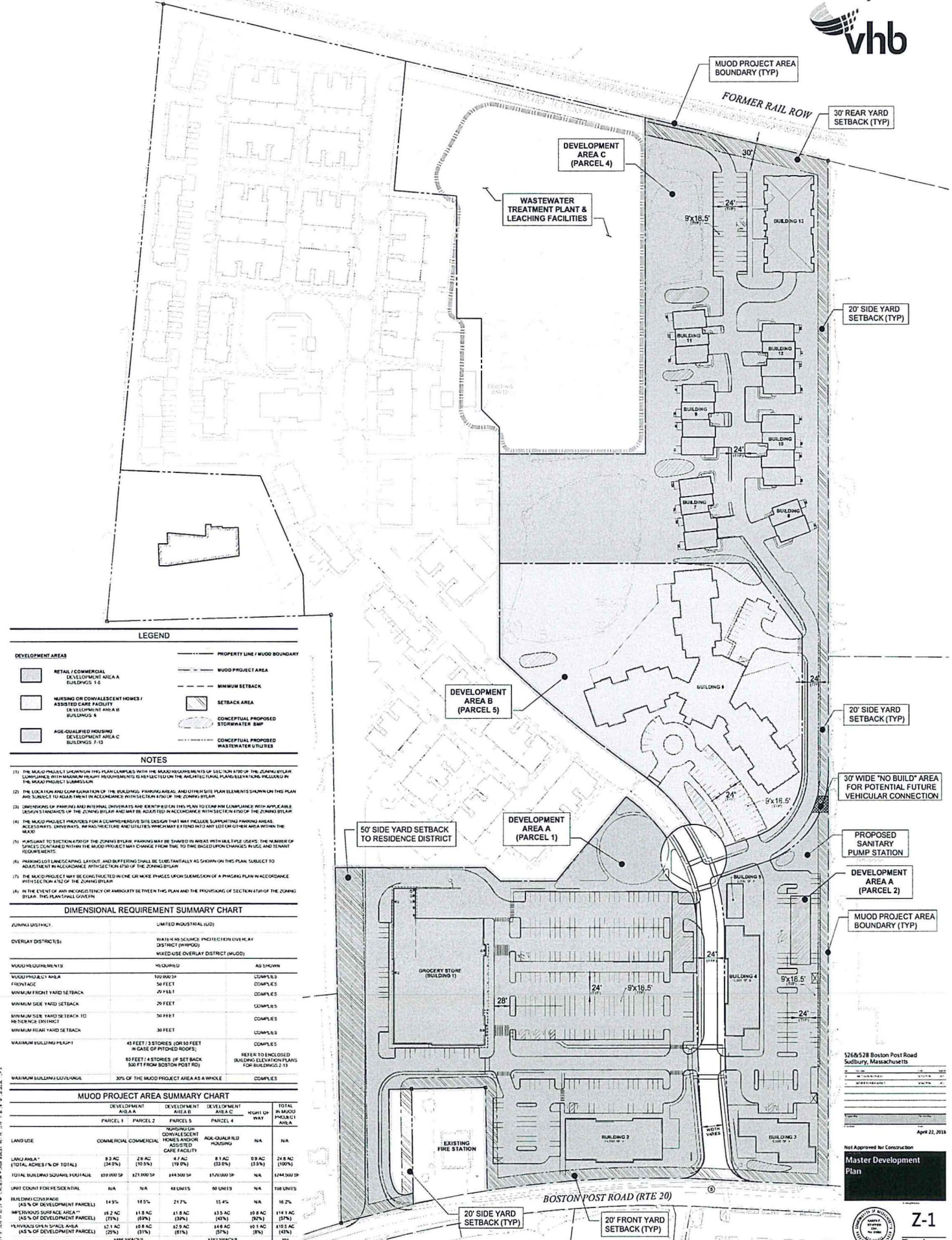
Attachment 13.a: SB Agenda Request - Go Sudbury! Allocation 211116 (4912 : Allocate \$35K mitigation funds to Go Sudbury! Microtransit Pilot

EXHIBIT A
Master Plan

Attachment 13.a: SB Agenda Request - Go Sudbury! Allocation 211116 (4912 : Allocate \$35K mitigation funds to Go Sudbury! Microtransit Pilot



3. PROJECT/PROPOSAL TITLE AND ADDRESS/PROJECT LOCATION FOR THE PROJECT/PROPOSAL



LEGEND

DEVELOPMENT AREAS		PROPERTY LINE / MUOD BOUNDARY
[Shaded Box]	RETAIL / COMMERCIAL DEVELOPMENT AREA A BUILDINGS 1-6	[Dashed Line]
[Shaded Box]	NURSING OR CONVALESCENT HOMES / ASSISTED CARE FACILITY DEVELOPMENT AREA B BUILDINGS 8	[Dashed Line]
[Shaded Box]	AGE-QUALIFIED HOUSING DEVELOPMENT AREA C BUILDINGS 7-13	[Dashed Line]
[Dashed Line]		MUOD PROJECT AREA
[Dashed Line]		MINIMUM SETBACK
[Dashed Line]		SETBACK AREA
[Dashed Line]		CONCEPTUAL PROPOSED STORMWATER BMP
[Dashed Line]		CONCEPTUAL PROPOSED WASTEWATER UTILITIES

NOTES

- THE MUOD PROJECT SHOWN ON THIS PLAN COMPLIES WITH THE MUOD REGULATORY MAPS OF SECTION 4700 OF THE ZONING BYLAW. COMPLIANCE WITH MAXIMUM HEIGHT REQUIREMENTS IS INDICATED BY THE ARCHITECTURAL PLANS BY THE FOLLOWING: THE MUOD PROJECT SUBMISSION.
- THE LOCATION AND COMPANION PLAN OF THE BUILDING, PARKING AREAS, AND OTHER SITE ELEMENTS SHOWN ON THIS PLAN AND SUBJECT TO AGRARIUM IN ACCORDANCE WITH SECTION 4700 OF THE ZONING BYLAW.
- LOADINGS OF PARKING AND INTERNAL DRIVEWAYS ARE IDENTIFIED ON THIS PLAN TO COMPLY WITH APPLICABLE DESIGN STANDARDS OF THE ZONING BYLAW AND MAY BE ADAPTED IN ACCORDANCE WITH SECTION 4700 OF THE ZONING BYLAW.
- THE MUOD PROJECT PROVIDES FOUR COMPANION DRIVEWAYS THAT DESIGN THAT MAY INCLUDE SURROUNDING PARKING AREAS, ACCESSWAYS, DRIVEWAYS, IMPASSIBLE STRUCTURE AND UTILITIES WHICH MAY EXTEND INTO ANY LOT OR OTHER AREA WITHIN THE MUOD.
- IN ACCORDANCE WITH SECTION 4700 OF THE ZONING BYLAW, PARKING MAY BE SHOWN IN AREAS WITH MULTIPLE USES. THE NUMBER OF SPACES CONTAINED WITHIN THE MUOD PROJECT MAY CHANGE FROM TIME TO TIME BASED UPON CHANGES IN USE AND TENANT REQUIREMENTS.
- PARKING LOT LANDSCAPING LAYOUT AND BUFFERING SHALL BE ESSENTIALLY AS SHOWN ON THIS PLAN SUBJECT TO ADJUSTMENT IN ACCORDANCE WITH SECTION 4700 OF THE ZONING BYLAW.
- THE MUOD PROJECT MAY BE CONSTRUCTED IN ONE OR MORE PHASES UPON SUBMISSION OF A PHASING PLAN IN ACCORDANCE WITH SECTION 4700 OF THE ZONING BYLAW.
- IN THE EVENT OF ANY INCONSISTENCY OR AMBIGUITY BETWEEN THIS PLAN AND THE PROVISIONS OF SECTION 4700 OF THE ZONING BYLAW, THIS PLAN SHALL GOVERN.

DIMENSIONAL REQUIREMENT SUMMARY CHART

ZONING DISTRICT	LIMITED INDUSTRIAL (LID)	WATER RESOURCE PROTECTION OVERLAY DISTRICT (WPOD)	WPOD OVERLAY DISTRICT (WOOD)
WOOD REQUIREMENTS	NO DEVELOP	AS SHOWN	AS SHOWN
WOOD PROJECT AREA	100,000 SF	COMPLES	COMPLES
FRONTAGE	50 FEET	COMPLES	COMPLES
MINIMUM FRONT YARD SETBACK	20 FEET	COMPLES	COMPLES
MINIMUM SIDE YARD SETBACK	20 FEET	COMPLES	COMPLES
MINIMUM REAR YARD SETBACK TO RESIDENCE DISTRICT	50 FEET	COMPLES	COMPLES
MINIMUM REAR YARD SETBACK	30 FEET	COMPLES	COMPLES
MAXIMUM BUILDING HEIGHT	43 FEET / 3 STORIES (OR 50 FEET IN CASE OF PITCHED ROOFS)	COMPLES	REFER TO ENCLOSED BUILDING ELEVATION PLANS FOR BUILDINGS 2-13
MAXIMUM BUILDING LOT/AREA	30% OF THE MUOD PROJECT AREA AS A WHOLE	COMPLES	

MUOD PROJECT AREA SUMMARY CHART

DEVELOPMENT AREA A (PARCEL 1)	DEVELOPMENT AREA B (PARCEL 2)	DEVELOPMENT AREA C (PARCEL 3)	DEVELOPMENT AREA D (PARCEL 4)	DEVELOPMENT AREA E (PARCEL 5)	TOTAL MUOD PROJECT AREA
LAND USE	COMMERCIAL/CONSUMER	NURSING OR CONVALESCENT HOMES / ASSISTED CARE FACILITY	AGE-QUALIFIED HOUSING	N/A	N/A
LAND AREA* (TOTAL ACRES (% OF TOTAL))	8.3 AC (24.9%)	2.8 AC (8.5%)	4.1 AC (12.6%)	8.1 AC (24.9%)	24.8 AC (100%)
TOTAL BUILDING SQUARE FOOTAGE	109,000 SF	121,000 SF	144,500 SF	170,000 SF	544,500 SF
UNIT COUNT FOR RESIDENTIAL	N/A	N/A	48 UNITS	80 UNITS	128 UNITS
BUILDING COVERAGE (AS % OF DEVELOPMENT PARCEL)	14.9%	15.5%	21.7%	15.4%	16.2%
IMPERVIOUS SURFACE AREA** (AS % OF DEVELOPMENT PARCEL)	18.2 AC (57%)	11.8 AC (42%)	11.8 AC (29%)	13.5 AC (32%)	114.1 AC (46%)
PERVIOUS OPEN SPACE AREA (AS % OF DEVELOPMENT PARCEL)	4.1 AC (27%)	10.8 AC (38%)	14.8 AC (36%)	14.8 AC (36%)	45.3 AC (18%)
NUMBER PARKING SPACES	148 SPACES (TOTAL COMMERCIAL)	153 SPACES	152 SPACES (INCL. 42 TRUCKS)	N/A	453 SPACES

* LAND AREA INCLUSIVE OF YARD SETBACK AREA
** IMPERVIOUS COVERAGE IS EXCLUSIVE OF ANY ROUTE 20 WORKING ON IMPROVEMENTS RELATED TO THE POTENTIAL FUTURE FIRE STATION EXPANSION

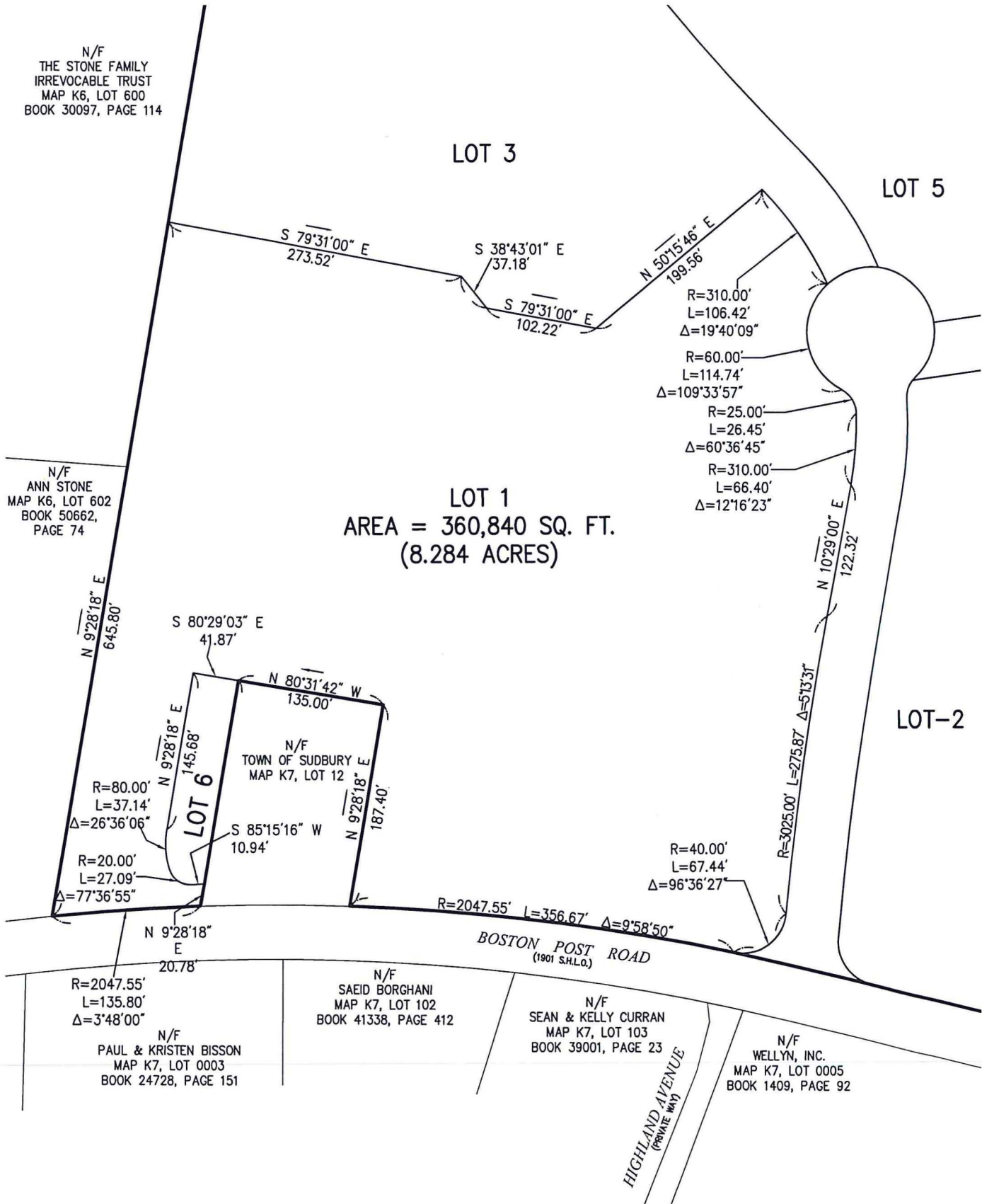
526/528 Boston Post Road
Sudbury, Massachusetts

Not Approved for Construction
Master Development Plan



EXHIBIT B
Land/Easement Conveyance Plan for Future Fire Station

Attachment 13.a: SB Agenda Request - Go Sudbury! Allocation 211116 (4912 : Allocate \$35K mitigation funds to Go Sudbury! Microtransit Pilot



0 60 120 Feet



Boston Post Road
Sudbury, MA

Lot-1 Exhibit

5/23/2016

Packet Pg. 170

Attachment 13.a: SB Agenda Request - Go Sudbury! Allocation 211116 (4912 : Allocate \$35K mitigation funds to Go Sudbury! Microtransit Pilot

EXHIBIT C

Schedule of Developer Contributions in Development Agreement¹

Sec.	Contribution Purpose	Amount	Timing
4.2.a	Contribution towards Development of Recreational Fields	\$500,000	<ul style="list-style-type: none"> \$250,000 (50%) payable prior to issuance of first certificate of occupancy for building within the Retail Component of the Project \$250,000 (50%) payable prior to issuance of certificate of occupancy for the final building within the Retail Component of the Project.
4.2.b	Contribution towards Public Safety	\$850,000	<ul style="list-style-type: none"> Payable prior to the issuance of first building permit within Avalon Sudbury.
4.2.c	Contribution to Senior Center	\$100,000	<ul style="list-style-type: none"> Payable prior to issuance of first building permit for the Project.
4.2.d	Contribution towards Technology for Schools and/or Municipal Buildings	\$850,000	<ul style="list-style-type: none"> \$425,000 (50%) payable prior to issuance of first building permit for the Age-Restricted Housing Component of the Project; \$425,000 (50%) payable prior to the first certificate of occupancy for the Age-Restricted Housing Component of the Project.
4.2.e	Contribution towards Design of Future Fire Station	\$80,000	<ul style="list-style-type: none"> Payable prior to issuance of first building permit within the Project
4.2.f	Contribution towards Sidewalk from CVS to Nobscot Road	\$15,000	<ul style="list-style-type: none"> Payable prior to issuance of first building permit within the Project
4.2.g	Contribution to towards potential comprehensive permit fiscal requirements or other municipal purposes	\$100,000	<ul style="list-style-type: none"> Payable upon issuance of first building permit for Avalon Sudbury

¹ Capitalized terms not otherwise defined herein shall have the meaning as set forth in the Development Agreement. The payments noted in this exhibit are obligations required of the Developer in addition to and not in lieu of the actual tax revenue generated from the Project and the other non-monetary Developer commitments set forth in the Development Agreement, including those additional commitments made in furtherance of a Future Fire Station (i.e., land contribution, sewer/stormwater rights and ongoing obligation of landscape maintenance) and the Route 20 traffic improvements as described therein.

**Proposal to Community Compact Cabinet Best Practices Program:
MAGIC Communities' On-Demand Transportation Pilot – *Making the Connections***

Municipal Designation: Town

City or Town Name: Sudbury

Contact: Alice Sapienza, DBA

Contact Phone: 978 443 2878

Contact Email: alicesapienza@verizon.net

Compact Signatory: Robert Haarde

Signatory Title: Chair, Board of Selectmen

Best Practice Area #1: Age and Dementia Friendly Best Practice: “Develop policies and services to improve elder economic security and help people age in community, such as... transportation for non-drivers...”

Are you applying for this best practice with other communities? Yes

Why did you choose this best practice and what assistance would you need to accomplish this best practice?

Why did you choose this best practice?

This application—*Making the Connections*—is submitted by Acton, Bolton, Boxborough, Carlisle, Stow, and Sudbury, acting as lead municipality. We are focusing on seniors, people with disabilities, financially vulnerable residents, and veterans, with the objective of providing them with transportation services to health and community resources as well as economic opportunities. We chose this best practice, because the needs are urgent.

Data from a recently completed community needs assessment in Sudbury revealed:

- 42% of residents with a participation limitation reported they “had missed, canceled, or rescheduled a medical appointment due to lack of transportation.”
- More than a third of residents who are not financially secure are not satisfied with their “ability to get where they want to go.”
- Nearly half of residents 60+ are not satisfied with their “ability to get where they want to go.”
- 29% of those who are not financially secure do not have nearby support.
- 40% of respondents with participation limitations do not know anyone living within 30 minutes on whom they can rely for help when needed.

The town of Carlisle completed a community health needs assessment in 2017, with similar results:

- According to Census data, almost 25% of Carlisle residents age 65 or older have a disability.
- More than 50% of those with a disability noted that they had problems with mobility.

Sapientza, 3/27/19

- Nearly 50% of residents did not have a relative nearby to rely upon for help.
- 60% of respondents provided care for someone within the last 12 months
- More than 50% of survey respondents had concerns about the lack of transportation options.
- To improve transportation, the assessment recommended exploring pooling of resources and funding opportunities.

Data from recent community health assessments in the town of Acton illustrate the same challenges. The lack of access to transportation is a significant barrier to seniors and especially to the most vulnerable (including seniors), who experience limited access to food pantries and grocery stores; to employment opportunities; to medical services; and to social opportunities. More than 20% of Acton households earn less than \$50,000 per year, and nearly 25% of households qualify for state-aided housing. The three most critical needs facing veterans are financial stability, ability to manage money, and transportation, primarily to employment opportunities.

In addition, domestic violence reports in Acton and Boxborough are higher than in other area towns. Although victims benefit from a strong partnership between the police departments and the Domestic Violence Services Network (DVSN), victims lack transportation to jobs and to the court house; to legal and immigration assistance; and to secure housing.

In the Minuteman Advisory Group on Interlocal Coordination (MAGIC) region more generally, between 11% and 27% of residents are 65 years of age or older; in 2030, this will jump to between 14% and 36%. Area Agencies on Aging (AAA) report the top unmet need is transportation for medical, social, recreational, and other requirements. Data on residents with disabilities are assumed to map recent Centers for Disease Control and Prevention (CDC) data: (1) 60% of adults 65 years and older report at least one basic action difficulty or complex activity limitation; (2) about 15% of adults report hearing trouble; and (3) about 9% of adults report vision trouble. Cognitive disability among seniors in the region averages 15%, and several towns are characterized as “vulnerable” according to the CDC’s Social Vulnerability indices for disability and transportation.

Recognizing the regional importance of the above transit needs, MAGIC towns voted in 2018 that Metropolitan Area Planning Council (MAPC) provide technical assistance to determine what types of on-demand transit might meet the needs of the communities, and provided up to \$10,000 from their common fund for this work. It should be emphasized that, in April 2018, all MAGIC towns were admitted to the AARP Age and Dementia Friendly Network and committed to focus initially on housing and transportation initiatives.

What assistance would you need to accomplish this best practice?

A unique challenge this pilot seeks to address is that in rural towns (and certain areas of suburban communities) transportation planning and service provisions face variable and generally

Sapientza, 3/27/19

sparse population density. Commuting for non-drivers and access to jobs, social activities, community meetings, socializing, and places of worship in evenings and on weekends are difficult. The above data illustrate that the target population is at risk of isolation, loss of work, reduced access to medical care, etc. The rural towns offer no public transportation; in other towns, parking for commuter rail is constrained; and in most towns there are few walking/wheelchair routes from residences to likely destinations.

Using data from this pilot, we intend to (1) explore the future applicability of shared microtransit platforms to optimize transit programs and regional cooperation in the larger MAGIC subregion of the MAPC, and (2) ensure the sustainability and continuous improvement of regional transportation, particularly to our most needy residents. By adopting new and useful ride-hailing technologies in a three-RTA region, we overcome the hurdle of providing and funding inter-RTA transportation.

Our pilot is designed to collect demand data to help regional transit authorities provide effective and cost-efficient services where possible. By partnering with vehicle providers that utilize appropriate dispatch and operational software, the collaborating communities will finally be able to quantify such data as ride numbers, destinations, points of origin, time, etc. At the end of the pilot, we expect to identify potential hubs and fixed route services that regional transit authorities could serve economically and, at the same time, increase equity and inclusiveness as features of age and dementia friendly communities.

To accomplish our goals, we are seeking \$80,000 to support four major tasks:

Task 1. Coordination: The pilot will be governed by a steering committee composed of representatives from each participating community, as well as from Cross Town Connect. Regional transit authorities – including MetroWest RTA and Lowell RTA, which provide senior and fixed route public transit in portions of the area, and representatives from the Massachusetts Bay Transit Authority (MBTA), which provides commuter rail services in the area, will be invited to participate. MAPC will provide technical expertise. This committee will meet regularly and, at the start of the pilot, will:

- Identify “small win” options within and across towns addressing priority needs, pressing gaps, and key preferences.
- Determine target subgroups, geographic coverage, eligible pickup locations and destinations, days, hours, etc., and rider eligibility requirements.
- Develop policies, including interjurisdictional agreements among participating municipalities (likely in the forms of memoranda of agreements) and, with MAPC, determine clear roles among the agencies.
- Procure project manager to oversee daily operations of the pilot.
- Create a list of possible taxi, bus, livery providers and intersections with Council on Aging and RTA services (see Task 2).

- Describe same-day, door-to-door options in detail.
- Outline Plan/Do/Study/Act (PDSA) continuous quality improvement policies and processes for each option. This includes marketing and outreach plans to help spread the word of the new services.

Implementation of this pilot will help fill gaps in existing public transit services within the MAGIC subregion for daily needs such as medical trips, employment, and social services, as well as connections to existing transit and paratransit services. The steering committee will establish policies informing rules for trip eligibility, rider eligibility, geographic guidelines (eligible trip origins, destinations, etc.), time of day rules, and maximum trip lengths and subsidies. A major objective is to find ways to extend the reach of existing transit services (local shuttles, buses, and commuter rail), and particularly serve areas without transit service, and *not* switch transit trips to ride-hailing. Implementation will include coordination with area RTAs and Councils on Aging and surveys of pilot participants to ensure the program provides additional coverage and not shift riders from existing services. As needed, the pilot will always be subject to modification of implementation policies and practices, to ensure it meets program goals.

Task 2. Procurement: After the goals, policies, metrics, and geography have been established, a request for proposals will be developed and opened to transportation and technology providers, to populate the pilot program. The procurement process will include a requirement for one or more of the vendors to provide wheelchair accessible vehicles, ensuring that persons with disabilities have service. The procurement process will also require the provision of multiple modes of requesting services (e.g., smart device app, internet, telephone, walk-up), including possible concierge service, in which a local organization takes care of securing rides for individuals who require that level of assistance. The steering committee will provide input into the procurement process and members will be involved in the selection process of the preferred vendor. MAPC will provide technical assistance in the procurement process and in best policies and best practices on contracting terms.

Simultaneous with procurement, the steering committee (in whole or in designated part) will:

- Explore voucher, gift certificate, bundling options, sponsorships, etc., to support rides and help ensure future sustainability in the towns.
- Compile, from stakeholder management activities, likely demands or opposition; assess, craft responsive strategies; assign implementation responsibility.
- Assign PDSA oversight responsibility for options. This will entail continuous STUDY of real time outcomes using established measures and modifying parameters as needed (ACT), to improve.
- Craft policies to assure continuity and effectiveness of documentation and communications.

Task3. Implementation of Pilot and Monitoring of Progress: As noted above, a Plan/Do/Study /Act process of continuous improvement will assure real-time effectiveness and efficiency. Because of the latter process, data sharing on rides, including origins and destinations, time of day, trip types, and costs are important components, and a data sharing agreement will be a key portion of the contract with the vendor. Given the importance of the customer in transit endeavors, rider surveys and other forms of feedback will be instituted. MAPC will provide additional technical support on the data analysis and rider surveys, along with steering committee members with quality improvement expertise.

Task 4. Pilot Assessment and Development of Future Initiatives: At the end of the pilot (year 2), the steering committee will review data from all PDSA documentation, provide summary analytics, and compile lessons learned. The data on trip demands will be a critical input to developing future initiatives that will close gaps for regional residents by improving the effectiveness and efficiency of (1) existing Cross Town Connect services, (2) CoA senior transportation, and (3) RTA services, likely in the form of a future microtransit initiative and revised ride-hailing partnerships.

As noted above, MAPC will provide technical assistance and will provide required staff time using its existing resources. Specific new expenditures required for this pilot are the following (total: \$80,000):

- Project manager (part time), to manage initiative tasks and subtasks, reporting to the steering committee. Because this is a multi-jurisdictional pilot, it is vital to have one individual identified as responsible for day-to-day operations. This individual will work with the steering committee as a whole and with each individual participating municipality on rider and trip eligibility, cost sharing arrangements, and provide assistance in booking trips and monitoring the data to ensure the pilot is meeting its goals. The eligible project manager will be an individual with municipal and transportation operations expertise. While this individual will likely be a municipal employee or contractor with one of the participating municipalities, we expect this individual will have several temporary spaces from which to work and travel among the towns. *Cost: \$45,000, to cover labor and travel expenses.*
- Marketing and outreach staff for the towns. In these rural communities, many of the proposed transportation services are new. To ensure effectiveness of the pilot, research shows that communication, advocacy, and customer support are vital. Although printed materials and social media will be an important component, we propose having individuals who know and understand riders and can provide help as needed to serve as community advocates. Some advocates may live in affordable developments in the towns; others may be retired seniors active in their communities. They can help book trips, coordinate with the vendors, and (under supervision of the project manager) compile customer input

Sapienza, 3/27/19

for the steering committee. *Cost: \$15,000 to support part time labor, plus travel, printing, and other direct costs.*

- Matching subsidies. The towns involved in the pilot are expected to seek their own subsidies in the form of donations, mitigation funds, Community Health Needs Assessment funds, etc. However, as experience is gained in the implementation, additional funds may be necessary. We have prepared estimates of ride-hail ride costs (based on the CAR experience) and weekly numbers of rides, based on several subsidy assumptions. *Cost: \$20,000 to supplement town subsidy funds.*

Additional details for this application may be found in the following documents:

“Efficiency and Regionalization grant (ERG) proposal 2.15.19 final”

“MAGIC Mobility Grant Proposal Exhibit 1”

“MAGIC Mobility ERG Budget 2019 February 15”

“MAGIC Mobility ERG Schedule 2019 February 15”



Sudbury Senior Center
Council on Aging
Town of Sudbury, Massachusetts

40 Fairbank Road • Sudbury, Massachusetts • 01776-1681
Phone: (978) 443-3055 • Fax: (978) 443-6009 • E-mail: senior@sudbury.ma.us

November 10, 2021

Sudbury Select Board
Town of Sudbury
278 Old Sudbury Road
Sudbury, MA 01776

Dear Select Board,

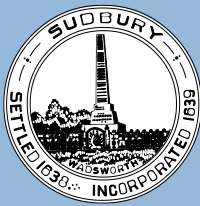
The Sudbury Council on Aging voted on Tuesday, November 10, to recommend to the Sudbury Select Board that \$35,000 of Meadow Walk Mitigation funds be made available to the Sudbury Transportation Committee for the use of the Go Sudbury! Uber and Taxi programs.

Sincerely,

Debra Galloway
Director, Sudbury Senior Center

for the Sudbury Council on Aging

f:\coa board\select board letter re coa recommendation on meadow walk mitigation funds.doc



SUDBURY SELECT BOARD
Tuesday, November 16, 2021

CONSENT CALENDAR ITEM

14: Serving Extensions: Thanksgiving and New Year's Eve 2021

REQUESTOR SECTION

Date of request:

Requested by: Leila S. Frank

Formal Title: Vote to approve a one-hour extension of the licensed closing hour and serving of alcoholic beverages for licensees who make application in advance to the Town Manager’s Office: Franco's Trattoria, 365 Boston Post Road; Fugakyu Cafe, 621 Boston Post Road; Lavender, 519A Boston Post Road (1AM to 2AM) and Max and Leo's Artisan Pizza, 470 North Road on Wednesday, November 24, 2021 (Thanksgiving eve) and Friday, December 31, 2021 (New Year's Eve), on the condition that the kitchen remains open and food is served.

Recommendations/Suggested Motion/Vote:

Background Information:

Feedback from Police Chief Nix: We have not had issues with any of the applicants recently.

Financial impact expected:N/A

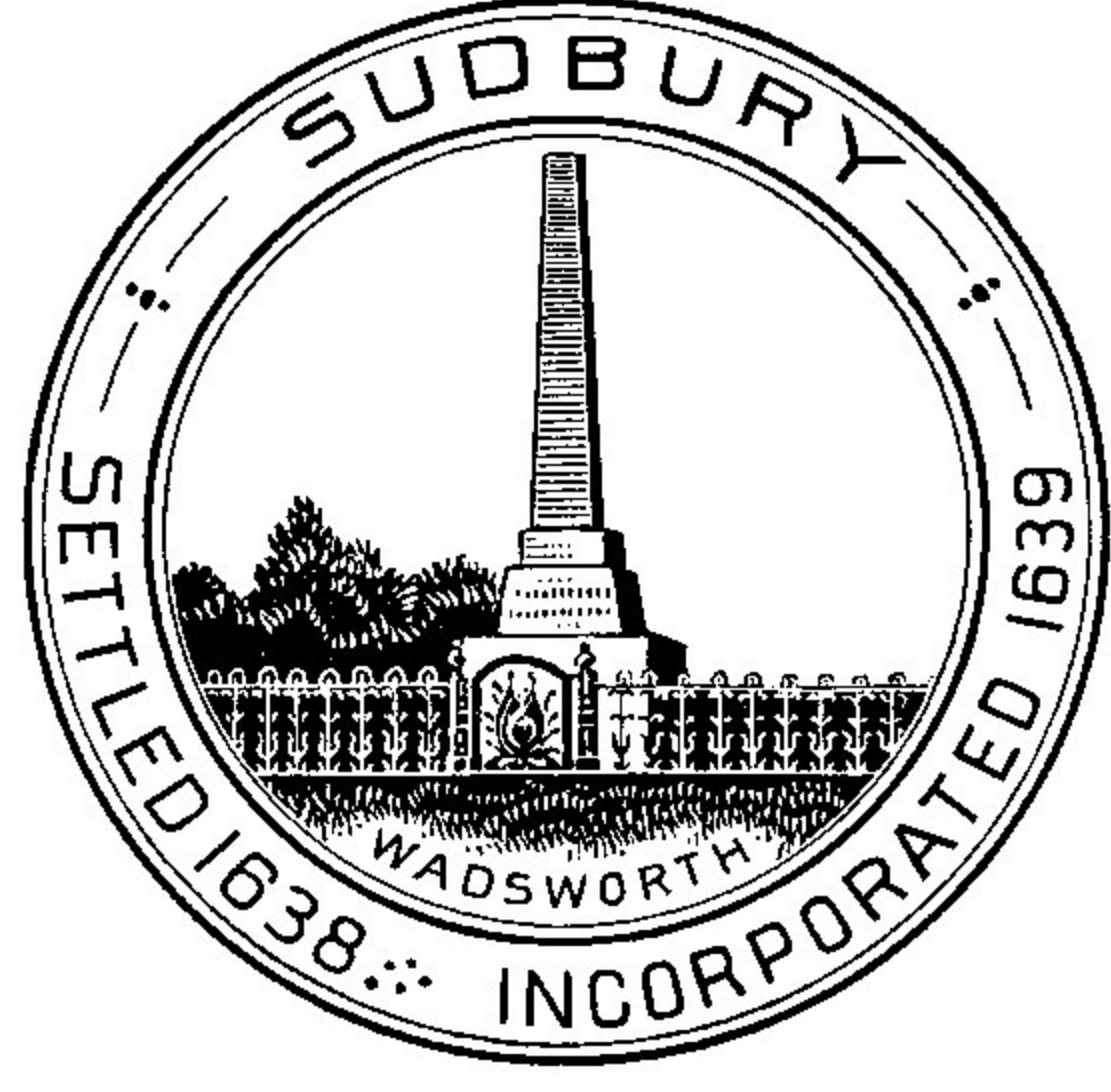
Approximate agenda time requested:

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

11/16/2021 7:00 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: sbadmin@sudbury.ma.us

APPLICATION FOR SERVING HOURS EXTENSION 2021

Please complete this application form and return to the Selectmen's Office by **Wednesday, November 10, 2021**. You will be notified of request approval via email.

TO THE LICENSING AUTHORITY
SUDBURY, MASSACHUSETTS

Restaurant Name: FRANCO'S TRATTORIA DBA LOGUS CORP

Restaurant Address: 365 BOSTON POST RD, SUDBURY, MA 01776

Name of applicant: ALEXANDRE NUNES ALVARENGA

Serving Hours Extension(s) Requested

Please check all that apply.

Night Before Thanksgiving: Wednesday, November 24, 2021

New Year's Eve: Friday, December 31, 2021

11/09/2021

Date

[Signature]

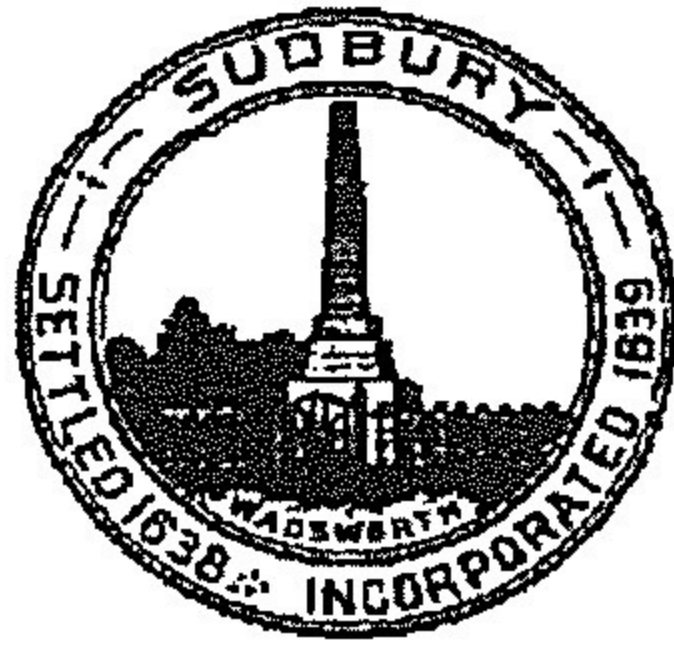
Applicant Signature

Please submit completed application to:

SBadmin@sudbury.ma.us

Select Board's Office, 278 Old Sudbury Rd, Sudbury, MA 01776

Fax: (978) 443-0756



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: sbadmin@sudbury.ma.us

APPLICATION FOR SERVING HOURS EXTENSION 2021

Please complete this application form and return to the Selectmen's Office by **Wednesday, November 10, 2021**. You will be notified of request approval via email.

TO THE LICENSING AUTHORITY
SUDBURY, MASSACHUSETTS

Restaurant Name: Fugakya Cafe Corp.

Restaurant Address: 621 Boston Post Road, Sudbury, MA 01776

Name of applicant: William Li
[Redacted]

Serving Hours Extension(s) Requested

Please check all that apply.

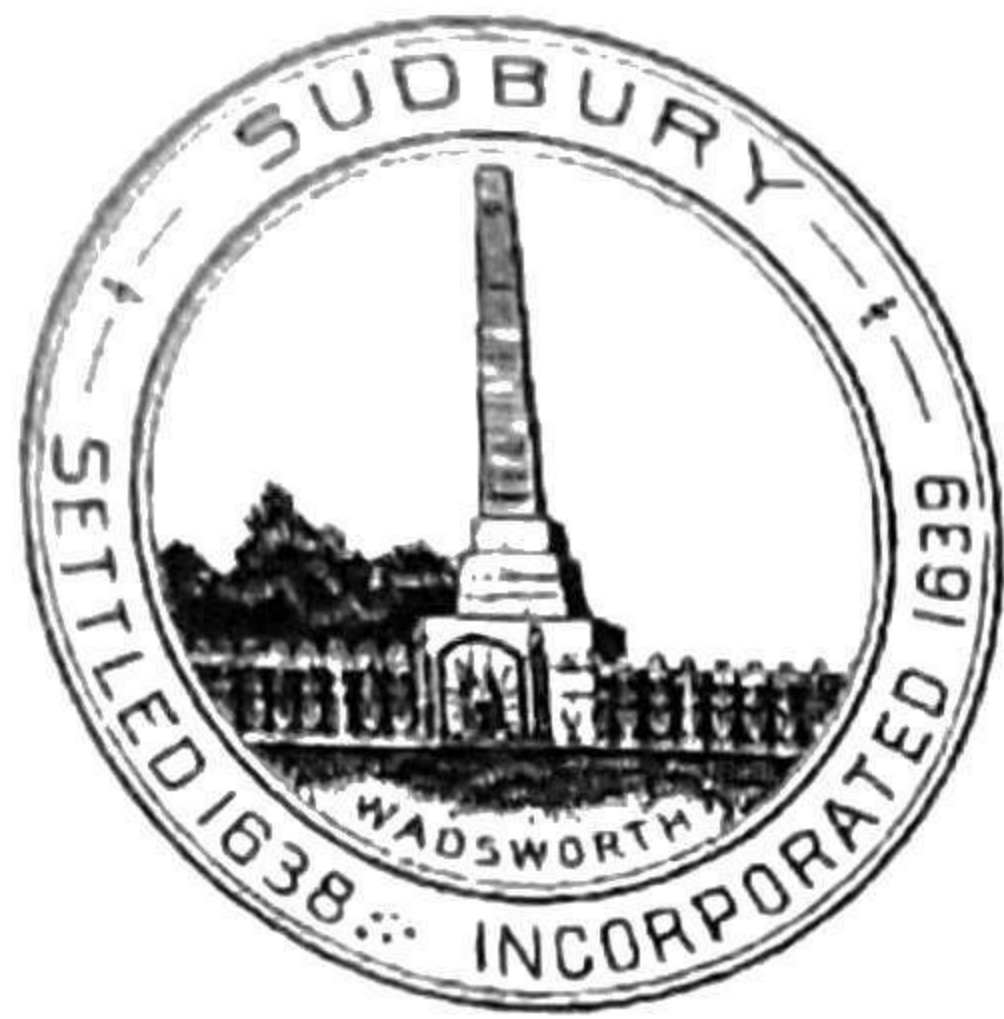
- Night Before Thanksgiving: Wednesday, November 24, 2021
- New Year's Eve: Friday, December 31, 2021

11/05/21
Date

[Signature]
Applicant Signature

Please submit completed application to:
SBadmin@sudbury.ma.us
Select Board's Office, 278 Old Sudbury Rd, Sudbury, MA 01776
Fax: (978) 443-0756

Attachment 4.a: 2021 Hour Extensions Apps_SB (4911 - Serving Extensions: Thanksgiving and New Year's Eve 2021)



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: sbadmin@sudbury.ma.us

APPLICATION FOR SERVING HOURS EXTENSION 2021

Please complete this application form and return to the Selectmen's Office by **Wednesday, November 10, 2021**. You will be notified of request approval via email.

TO THE LICENSING AUTHORITY
SUDBURY, MASSACHUSETTS

Restaurant Name: Lavender Asian Cuisine & Bar

Restaurant Address: 519 Boston Post Rd

Name of applicant: Christy Fong

Serving Hours Extension(s) Requested

Please check all that apply.

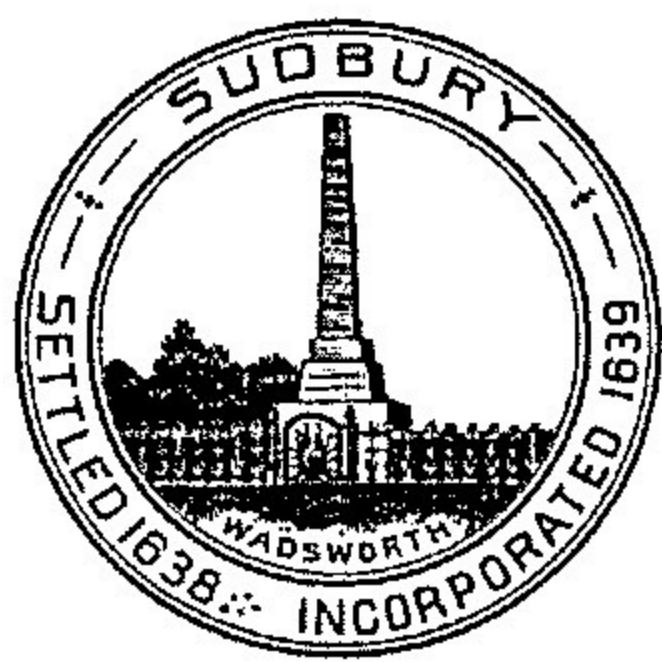
Night Before Thanksgiving: Wednesday, November 24, 2021

New Year's Eve: Friday, December 31, 2021

11/5/2021
Date

[Signature]
Applicant Signature

Please submit completed application to:
SBadmin@sudbury.ma.us
Select Board's Office, 278 Old Sudbury Rd, Sudbury, MA 01776
Fax: (978) 443-0756



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: sbadmin@sudbury.ma.us

APPLICATION FOR SERVING HOURS EXTENSION 2021

Please complete this application form and return to the Selectmen's Office by **Wednesday, November 10, 2021**. You will be notified of request approval via email.

2021 NOV 10 P 12:33

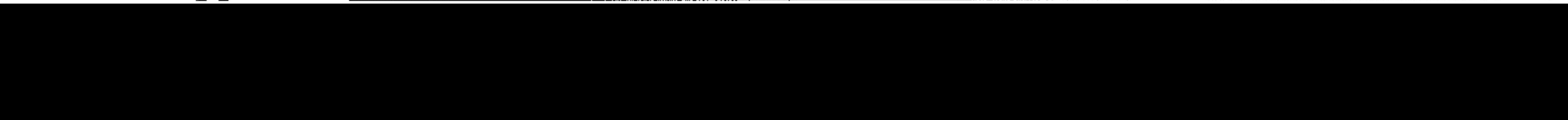
RECEIVED
BOARD OF SELECTMEN
SUDBURY, MA

TO THE LICENSING AUTHORITY
SUDBURY, MASSACHUSETTS

Restaurant Name: Max and Leo's Artisan Pizza

Restaurant Address: 470 North Road, Sudbury MA 10776

Name of applicant: Maximilian Candidus




Serving Hours Extension(s) Requested

Please check all that apply.

Night Before Thanksgiving: Wednesday, November 24, 2021

New Year's Eve: Friday, December 31, 2021

11/05/21
Date


Applicant Signature

Please submit completed application to:
SBadmin@sudbury.ma.us
Select Board's Office, 278 Old Sudbury Rd, Sudbury, MA 01776
Fax: (978) 443-0756