

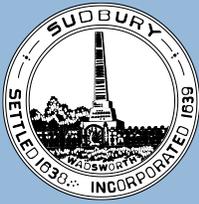
SUDBURY SELECT BOARD
TUESDAY JANUARY 18, 2022
7:00 PM, ZOOM

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
MISCELLANEOUS			
1.			Annual legislative update with Rep. Carmine Gentile, Senator Jamie Eldridge and Senator Mike Barrett. (~50 min.)
2.			Presentation of American Rescue Plan Act (ARPA) project requests by Sudbury Health Department. Health Director Bill Murphy to present. (~25 min.)
3.		VOTE	Discussion and possible vote to put forward a Transportation Committee article for Annual Town Meeting. (~20 min.)
4.		VOTE	Discussion and possible vote on time-sensitive American Rescue Plan Act (ARPA) requests as well as other ARPA-related updates. (~35 min.)
5.		VOTE	Discussion on current potential 2022 Annual Town Meeting Select Board and Town articles and possible vote(s) to put articles forward. (~30 min.)
6.		VOTE	Discussion and possible vote on Diversity, Equity, and Inclusion (DEI) Commission term extension, mission update, and funding request. (~20 min.)
7.		VOTE	2022 Goal Setting Next Steps. Develop deliverables and possibly assign and vote Select Board liaisons to goals. (~35 min.)
8.		VOTE	Discussion and possible vote on finalization of Financial Policies draft document. (~25 min.)
9.		VOTE	Review open session minutes of 10/26/21, 11/16/21, 12/7/21, and possibly vote to approve minutes.
10.			Citizen's Comments (cont)

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
11.			Upcoming Agenda Items

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, January 18, 2022

MISCELLANEOUS (UNTIMED)

1: Annual legislative update

REQUESTOR SECTION

Date of request:

Requestor: Chair Roberts

Formal Title: Annual legislative update with Rep. Carmine Gentile, Senator Jamie Eldridge and Senator Mike Barrett. (~50 min.)

Recommendations/Suggested Motion/Vote: Annual legislative update with Rep. Carmine Gentile, Senator Jamie Eldridge and Senator Mike Barrett. (~50 min.)

Background Information:

Attached letter sent on 1/11 re: questions

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

01/18/2022 7:00 PM



Henry L. Hayes, Jr.
Town Manager

TOWN OF SUDBURY
Office of the Town Manager
www.sudbury.ma.us

278 Old Sudbury Road
Sudbury, Massachusetts 01776
Tel: (978) 639-3381
Fax: 978-443-0756
Email: townmanager@sudbury.ma.us

January 11, 2022

Dear Senator Eldridge, Representative Gentile, and Senator Barrett:

Please refer to questions below in preparation for legislative discussion at the January 18, 2022 Sudbury Select Board meeting.

From Jennifer Roberts, RobertsJ@sudbury.ma.us, Sudbury Select Board Chair:

- Extension of ability to have remote municipal meetings past April (with quorum of municipal body being remote).
- Information on State ARPA funding programs and process/next steps for remaining State ARPA funds.
- Status on possible State earmark for Sudbury Sustainability Director.
- Information on State funding/grant programs for municipal Sustainability/Climate Change initiatives.
- Renewal of mail-in voting option.
- Other key State legislation/programs we should be aware of that will affect Town priorities/decisions/operations.

From Charlie Russo, RussoC@sudbury.ma.us, Select Board Vice-Chair:

- Could our legislators provide a list of earmarks obtained for Sudbury over the past 5 years? In general, how do they decide which earmarks to pursue?
- Are there state-level ADA accessibility grant opportunities our legislators have helped with in other communities that Sudbury could make use of?
- What forecasts do our legislators have for state funding in the next few years, ARPA or otherwise, i.e., what topics would Sudbury have the best chances of winning funding for from the state? For example, is there talk of a big push for water infrastructure improvements, or vehicle electrification, or ...?
- What other upcoming trends at the state level or individual efforts that our legislators are working on are there that the Select Board should help make residents aware of?
- With the BFRT about to become reality, has anyone considered a potential MassWorks infrastructure grant, in cooperation with MassDOT, for streetscape improvements along Route 20? With the BFRT in place, the right mix of streetscape enhancements (wider sidewalks, street trees, benches) and bike/ped connections (to Sudbury's historic town center and Route 20 commercial shops) could revitalize that area into more of a downtown Hudson or Concord form, to the benefit of residents, shopkeepers, and visitors. I'm thinking of Nobscot/Edgell/Water in Framingham. A specific question: are MassWorks grants generally a precursor to redevelopment, or do they lag redevelopment proposals?

From Board Member Daniel Carty, cartyd@sudbury.ma.us:

- Remote meetings set to expire in April...chance of extension?
- MBTA Community Housing rule changes - Are we covered with our 40R development (Cold Brook Crossing)?

From Board Member Bill Schineller, SchinellerB@sudbury.ma.us:

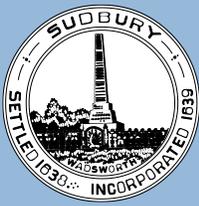
- Eversource Transmission Project. Legislators please comment on the letter Select Board sent to Governor Baker and Eversource CEO. Our Board's position has not changed that we do not want project on MBTA Row and want the need / reliability benefit vs. cost for the project to be revisited. We have not received a response from Governor or Eversource.
- Sudbury is considered an MBTA Community. How will legislators get MBTA to better serve Sudbury (and Marlborough) to provide attractive commuting options to residents besides driving our cars to Boston and Cambridge?

Board member Janie Dretler DretlerJ@sudbury.ma.us will ask questions during the meeting.

Sincerely,



Henry L. Hayes, Jr.
Town Manager



SUDBURY SELECT BOARD
Tuesday, January 18, 2022

MISCELLANEOUS (UNTIMED)

2: Health Dept to present ARPA request

REQUESTOR SECTION

Date of request:

Requestor: Bill Murphy, Health Director

Formal Title: Presentation of American Rescue Plan Act (ARPA) project requests by Sudbury Health Department. Health Director Bill Murphy to present. (~25 min.)

Recommendations/Suggested Motion/Vote: Presentation of American Rescue Plan Act (ARPA) project requests by Sudbury Health Department. Health Director Bill Murphy to present. (~25 min.)

Background Information:
attached documents provided by Health Director Bill Murphy

Financial impact expected:

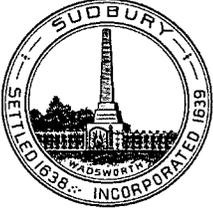
Approximate agenda time requested: 25 minutes

Representative(s) expected to attend meeting:

Review:

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

01/18/2022 7:00 PM



Town of Sudbury

Board of Health

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

Health Department ARPA Funding Proposal

Since early 2020, the Health Department's primary focus has been tasks related to COVID-19. Demands on the department due to the pandemic resulted in employees working increased hours, including evenings and weekends to provide contact tracing, public education, COVID policy updates and enforcement, vaccination clinics, and consultation to the community. This impacts the bandwidth available for many of the department's other administrative tasks through which the community is serviced. Another goal of this proposal is to allow additional capacity for the department to provide the proactive and preventative public health work needed to protect the community's overall health and wellbeing, including improving racial and social equity.

1. IMMEDIATE NEED: At-Home COVID Testing Kits

(ARPA Category: A1; Sudbury Focus Area: 1, 3)

Recommended Action:

- Purchase at-home COVID test kits for residents who cannot afford or access testing.
Requested amount: \$50,000

Justification for Above Sections:

- According to a recent study "Public health screening is potentially the most powerful for of COVID-19 testing, aimed at outbreak suppression through maximizing detection of infected individuals." COVID-19 infection presents asymptotically in 20 to 40% of cases. Additionally, in cases that do present with symptoms, there is a pre-symptomatic period where infected individuals do not yet show symptoms but are capable of transmitting the virus to others. These asymptomatic and pre-symptomatic cases of COVID-19 contribute significantly to the spread of the virus.¹
- A study in Italy showed a correlation between widespread testing and a significant decrease in COVID-19 mortality. These findings suggest that enacting policy for broader availability of testing is effective in containing COVID-19 outbreaks.²
- A further study finds that COVID-19 rapid tests are "promising tools for scaling up testing and ensuring that patient management and public health measures can be implemented without delay."³
- While Massachusetts is delivering 2.1 million free over the counter (OTC) rapid antigen test kits to over 100 municipalities, Sudbury is not among them. The state has chosen these municipalities due to their having "larger proportion[s] of families facing financial hardship." As a generally wealthy town, this leaves Sudbury's low-income residents at a disadvantage.⁴

- The cost of at-home COVID-19 rapid tests increased significantly in January. Retailers such as Walmart, Kroger, and Amazon committed to selling these tests at-cost for three months in a deal with the Biden administration, but as of Tuesday, January 4, 2022, that program has ended.
- No-cost COVID PCR tests are again in high demand and difficult to find. As of January 6, 2022, there are zero no-cost COVID testing sites in Sudbury. The closest location is Walgreens in Framingham, for which appointments are required and there is no testing available either before or after work hours (before 9 AM or after 5 PM). These factors significantly affect low-income Sudbury residents' abilities to take a COVID test at no cost, particularly those without transportation.
- The front-line workers are among those who are most likely to be exposed to COVID-19, as well as those least likely to be able to get to a testing facility during business hours in order to be tested.
- Those same front-line workers are, in many cases, low-income hourly wage workers as well. Data shows that front-line workers are also more likely to be Black or Hispanic, which exacerbates an issue of inequity.⁵
- The Health Department is getting calls daily about the need for tests from Sudbury residents.

2. Temporary Contracted Support to Update Health Department Files

(ARPA Category: A1; Sudbury Focus Area: 2,4)

Recommended Action:

- Contract a time/task-limited position to upgrade antiquated, obsolete and outdated BOH regulations.
Requested amount: \$200,000
- Contract a time/task-limited position to codify BOH regulations into an online format.
Requested amount: \$20,000
- Contract a time/task-limited position to digitize Health Department files.
Requested amount: \$100,000

3. Expand Public Health Services

(ARPA Category: A1; Sudbury Focus Area: 1,2,3,4)

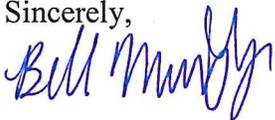
Recommended Action:

- Hire a full-time public health nurse to serve as Board of Health liaison to the schools and senior center
Requested amount: \$85,000/year + fixed costs; \$400,000 total
- Continue to fund position for Medical Reserve Corp Volunteer Coordinator to engage in recruitment, onboarding, training and deployment.
Requested amount: \$40,000/year; \$160,000 total

Justification for Above Sections:

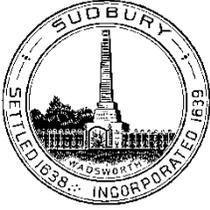
- The Health Department continues to be significantly impacted by the demands of the pandemic, and it is impacting the Department's ability to complete large scale tasks. The end of December saw record breaking numbers of COVID cases daily in Massachusetts, illustrating the continued demands on public health two years into this pandemic.⁶
- The 2021 Sudbury Master Plan lists the following objective: "Increase staffing to support public health work and utilize volunteers in the community to assist with educating and serving residents."
- The Master Plan also notes that the Health Department is responsible for addressing "health needs in town, including environmental health issues such as housing code violations, mosquito control, hazardous waste, animal/rabies control, groundwater supplies, and emergency preparedness," all critical areas that were given decreased attention due to the immediate and pressing needs of the pandemic.
- Additionally, the Health Department does not have the bandwidth to adequately address public health needs related to racism, equity, mental health, non-COVID related education, or overall prevention. (Please see [Board of Health Social Work Office ARPA Funds Proposal for additional data regarding community needs.](#))
- A robust, engaged, credentialed, and trained Medical Reserve Corps (MRC) volunteer pool is critical. Without MRC volunteers, the BOH could not provide vaccination clinics, emergency shelters, hazardous waste collection, tick/mosquito-borne illness educational materials at hiking trail heads, or health fairs/wellness events. MRC members are also being recruited to help deliver food from the food pantry to those without access, and there are a myriad of other supports that they could provide with this resource in place.
- The duration and intensity of demands during the pandemic have put unrealistic expectations on the staff of the Health Department over the past two years. The World Health Organization identifies working long hours as a risk factor for disease and illness and notes, "Working 55 hours or more per week is a serious health hazard...It's time that we all, governments, employers, and employees wake up to the fact that long working hours can lead to premature death". This risk is increased for employees over the age of 45.⁷ Employees continue to be committed to the health and wellbeing of the community, and request that their health and wellbeing is prioritized as well.

Sincerely,



Bill Murphy, MS, RS, CHO
Director of Public Health

- ¹ Mina, M. J. & Andersen, K. G. (2020). Covid-19 testing: One size does not fit all. *Science*. 371(6525). 126-127.
- ² Di Bari, M., Balzi, D., Carreras, G., & Onder, G. (2020). Extensive Testing May Reduce COVID-19 Mortality: A Lesson From Northern Italy. *Frontiers in Medicine*, 7. 1-5.
- ³ Peeling, R. W., Ollario, P.L., Boeras, D. I., & Fongwen, N. (2021). Scaling up COVID-19 rapid antigen tests: promises and challenges. *Lancet Infect Dis*. 21. e290-e295.
- ⁴ *Covid-19 self-test distribution*. Mass.gov. (n.d.). Retrieved January 6, 2022, from <https://www.mass.gov/info-details/covid-19-self-test-distribution>
- ⁵ Lily Casura, R. L. (2021, March 12). *Frontline workers in the U.S.: Race, ethnicity, and gender*. N-IUSSP. Retrieved January 6, 2022, from <https://www.niussp.org/education-work-economy/frontline-workers-in-the-u-s-race-ethnicity/>
- ⁶ Mass.gov. (2021, December 28). *COVID-19 response reporting*. <https://www.mass.gov/info-details/covid-19-response-reporting#covid-19-interactive-data-dashboard->
- ⁷ World Health Organization. (2021, May 17). *Long working hours increasing deaths from heart disease and stroke: WHO, ILO*. <https://www.who.int/news/item/17-05-2021-long-working-hours-increasing-deaths-from-heart-disease-and-stroke-who-ilo>



DPW Building
275 Old Lancaster Road
Sudbury, MA 01776
978 440-5476

Town of Sudbury

Board of Health Social Work Department

Wednesday, January 12, 2022

Town Manager Hayes and Sudbury Select Board Members
278 Old Sudbury Road
Sudbury, MA 01776

Dear Mr. Hayes and Select Board Members,

In response to the COVID-19 pandemic, The Board of Health Social Work Office proposes the following allocation for ARPA Funding, using a social determinants of health and a health equity lens. Significant disparities existed in MetroWest prior to COVID-19¹⁵ and these inequities were exacerbated by the pandemic, resulting in immediate resident needs.

These proposals focus on the intention of ARPA funding as stated by the U.S. Department of Treasury, which states, “The American Rescue Plan (2021) is providing fast and direct economic assistance for American workers, families, small businesses, and industries...The American Rescue Plan also creates a variety of new programs to address continuing pandemic-related crises, and fund recovery efforts as the United States begins to emerge from the COVID-19 pandemic.”¹⁹ The Department of Treasury further reflects on their commitment to put “equity front and center”, stating, “The American Rescue Plan represents an unprecedented opportunity for both immediate recovery efforts and lasting, generational investments in vulnerable communities across the country...”

The goal of this proposal is to provide direct and immediate resources to aid in the recovery of those most impacted by the pandemic and to strengthen systems that provide supports around social determinants of health.

1. Expanding Social Work Resource, Referral and Case Management Services (ARPA Category: A1; Sudbury Focus Area: 1, 2, 3, 4)

Recommended Action:

- Allocate funds to hire or contract additional social workers/social work services
 - Requested amount: \$65,000/year + benefits for a minimum of 2 years

Justification:

This is an equity issue. A data project completed by the Sudbury Board of Health Social Work Office in 2020 evaluated demographics of residents who presented repeatedly with ongoing needs in the prior 12 months. The office is a critical source for resources and services, and disproportionately serves underrepresented groups.

Race/Ethnicity	Gender	Living Arrangement	Other Statistics
Black 14%	Female 87%	Subsidized Housing 55%	Single Parent 39%
White 36%	Male 11%	Market Rate Renter/Homeowner 19%	Reported a Disability 26%
Latinx 17%	Non-Binary 1%	Homeless 2%	Non-English Speakers/English Not Primary Language 12%
Asian 1%	Unknown 1%	Unknown 23%	Reported Experiencing Domestic Violence 15%
		Other 2%	

- Board of Health increased the number of social work interns as well as the number of hours worked by the Senior Outreach Worker to meet rising needs. With these changes, the office is still struggling to keep up with demand. It can take more than 72 business hours for residents to get a response to their email or voicemail.
 - 2019: 2 Masters level interns; Outreach Worker 8 hrs/week
 - 2020: 3 Masters level and 1 Bachelor level; Outreach Worker 8-16 hrs/week
 - 2021: 4 Masters level and 1 Bachelor level in 2021; Outreach Worker increased from 8 to 12 hrs/week in October

BOH Social Work Office Outputs		
	Pandemic	2019
Referrals (average per month)	426.38	200.25
Community Meetings to Collaborate and Share Resources (average per month)	16.29	8.08
Trainings (average per month)	6.76	1.34
Total # of people served (average per month)	150.9	121

- Despite checking and clearing voicemails daily, the Board of Health Social Work Office’s voicemail is full at least two days a week.
- Cases have become more complex and present higher risks, including domestic violence, homelessness and mental health needs, often combined with food and financial insecurity. Most residents present with symptoms of trauma that were caused or exacerbated by the pandemic.
- The journal Preventative Medicine notes, “the pandemic may have sizable long-term impacts on psychological distress and health behaviors...” and “ data from previous pandemics suggest that there are not only acute mental health effects, but that psychological distress may persist long after the pandemic ceases.”²³
- The 2021 Sudbury Master Plan lists the following objective: “Increase staffing to support public health work and utilize volunteers in the community to assist with educating and serving residents.”

2. Support Financially Vulnerable Residents

(ARPA Category: A1; Sudbury Focus Area: 1, 2, 3)

Recommended Action:

- Allocate funds to the Sudbury Emergency Rental Assistance (ERAP) program to pay for housing costs and basic utilities.
 - *Requested amount: \$200,000-\$300,000*
- Expand emergency assistance to include homeowners through the current ERAP program
 - *Requested amount: \$100,000*
- Purchase emergency gift cards for distribution by Jail Diversion Program Clinician, Outreach Worker at the Senior Center and Town Social Worker
 - *Requested amount: \$10,000-\$20,000*

Justification:

- Emergency Housing Assistance Program (ERAP) allows use for rent arrears or utilities.
- From data collected between April-May 2021, about 90,000 Massachusetts residents report having zero confidence in their ability to pay their rent on time. It is estimated that 91,000 Massachusetts households are behind on rent, owing more than \$335 million.⁸ More than 40% of adults in Massachusetts report anxiety about paying at least one expense or bill.⁶
- About 10% of residents in Middlesex County were behind on their rent, like Massachusetts as a whole where 12% of renters are in arrears.⁶
- As of 9/14/21, Longfellow Glen (Sudbury federal subsidized housing) reported the following arrears: 34 households of 120, total owed: \$20,122.99, and the Sudbury Housing Authority, providing subsidized housing to seniors, persons with disabilities and families, reported that 21% of households were behind on rent due to the pandemic.
- HOPEsudbury pays resident's bills in emergency situations. In 2020 and 2021, over 50% and 70% of applicants respectively requested funding to pay rent or mortgage, and the majority reported that this funding (\$600-\$1200) was not enough to alleviate the financial crisis.
- As of July 1, 2021¹ 824,972 Massachusetts residential gas and electric customers owed about \$794 million in past due bills. By the end of September, over 7,000 residential customers had been terminated, of which about 86% had not been identified as low income.⁷
- Nearly half a million residential gas and electric customers in MA were more than 90 days behind on their bills. Nearly 70% of residential customers 90 days behind on their bills are struggling residential customers who were not coded as low income.⁷
- Residents at Longfellow Glen are not eligible for the fuel assistance program. For residents who are eligible, the lengthy application and significant amount of required documentation on barrier to accessing this program without case management support.
- There were nearly 5 times as many unemployed MetroWest individuals in April 2020 compared to April 2019.¹²
- \$80,000 is currently allocated to the Emergency Rental Assistance Program (ERAP) fund. In a preliminary evaluation, social work office has already identified almost 60 household who could benefit from this program. The program will pay rent for residents for a minimum of 6 months, and the amount paid is based on number of bedrooms. It is estimated that the cost of these identified needs would be around \$216,000 and this does not take into account additional residents who are eligible and not yet known to the social work office. It also does not take into account conversations by the Housing Trust to consider allowing applicants to reapply after 6 months if there is still a financial need.
- In regards to the needs of homeowners, as of January 6, 2022 there are 20 homes in Sudbury that are in pre-foreclosure status. There are an additional five homes in foreclosure status, and two homes being auctioned in sheriff's sales.²⁴ This is merely a point-in-time snapshot of the housing crisis impacting Sudbury homeowners.
- MetroWest agencies, especially those providing food, saw client enrollment numbers increase 3-5 times over their typical amounts.¹²

- U.S. Department of Treasury states, “The pandemic cast in stark relief the racial disparities that have persisted in this country for far too long. Black, Latino, and Native Americans were more likely to be infected, hospitalized, or die from COVID-19 than their white counterparts. Communities of color were forced to bear a double burden in this pandemic: both more likely to work in essential, frontline roles with a higher risk of exposure and more likely to lose those jobs as the pandemic caused the economy to contract.”²¹
- The Social Work Office, Police Department’s Jail Diversion Clinician, and the Senior Center’s Outreach Worker are contacted when residents have critical needs. Gift cards are used when available to provide immediate access to: food (including special dietary needs), clothing (including outerwear, undergarments, and footwear), personal care necessities (diapers, medications, formula, medical supplies) transportation (Uber, gas, taxi), and hotels (for those facing homelessness or fleeing domestic violence). Depending on gift card availability, the social work office can distribute more than \$1000/month to meet basic needs requests, and these amounts are typically inadequate to fully meet the needs.
- Emerson Hospital Community Health Needs Assessment conducted from January-September 2021 identified economic insecurity (housing, financial and food security) as a priority area. Also noted a strong association between food insecurity and risky youth behaviors.¹⁶

3. Expanding Mental Health Services

(ARPA Category: A1; Sudbury Focus Area: 1, 3, 4)

Recommended Action:

- Allocate funds to contract a licensed mental health counselor for Sudbury residents.
 - *Requested amount: \$83,000/ year for minimum of 2 years*

Justification:

- Many adults have reported declines in their mental health during the pandemic, and the number of adults with symptoms of anxiety and depression has nearly quadrupled when compared to pre-pandemic rates.⁸
- 11% of adults reported having suicidal thoughts, compared to 3.9% before the pandemic.^{13,14}
- In late 2020, one out of three adults in Massachusetts reported experiencing fifteen or more days of poor mental health in a single month and three or more symptoms of post-traumatic stress disorder (PTSD).⁷ The COVID-19 pandemic has been characterized as a “mass trauma.”²²
- The journal Preventative Medicine notes, “the pandemic may have sizable long-term impacts on psychological distress and health behaviors...” and “ data from previous pandemics suggest that there are not only acute mental health effects, but that psychological distress may persist long after the pandemic ceases.”²³

- At some area hospitals waitlists have reached nearly 6-12 months for mental health care, and nearly 24% of patients in some regions are waiting for psychological care.^{9,10}
- Contracting a mental health counselor with Eliot Community Human Services would allow a clinician to provide “drop-in” and mental health triage services, providing critical access to mental health care. A similar program was piloted in Lincoln. The Sudbury Town Social Worker reached out to the Director at Eliot who was enthusiastic about creating a similar contracted program with Sudbury. The cost of the program is approximately \$40/contracted hour and based on the needs, a full time 40 hr/week clinician is recommended.
- Emerson Hospital Community Health Needs Assessment listed mental health as a priority area and the top health issue identified in the 2021 survey.¹⁶
- The 2021 Sudbury Town Master Plan identifies mental health as an area of concern, noting, “Untreated, mental illness can contribute to substance abuse, social isolation, poor performance at school and at work, fewer employment opportunities or career advancement, and increased risk of suicide.”

4. Funding for Transportation Services

(ARPA Category: A1; Sudbury Focus Area: 1, 2, 3, 4)

Recommended Action:

- Allocate funds to cover/expand transportation services for residents.
 - *Requested amount: \$350,000 (Please see Transportation Committee’s request for specific allocation of funds.)*

Justification:

- From May to September 2021, the town’s subsidizing transportation program provided over 300 trips. The cost totaled \$23,188, as reported by the Sudbury Transportation Committee.
- These rides were used to attend medical and behavioral health appointments, access basic needs, and engage in social activities (which has grown increasingly important for mental health and wellbeing during the pandemic).
- The social work office continues to refer residents to this program monthly.
- Many residents report that even with the transportation subsidies, they cannot afford all of their transportation needs.
- The Sudbury Transportation Committee is exploring a 100% increase to these services due to limits with funding. This would be burdensome to many residents.
- Transportation is a social determinant of health, and funding this program is an issue of equity and public health.
- Addressing transportation needs is outlined in the 2021 Sudbury Master Plan. “Sudbury commits to be a community where people of all ages and abilities and financial means are able to get where they need to go locally and regionally without use of personal

automobiles,” and “Sudbury will work to connect public health resources with transportation options.”

- Emerson Hospital Community Health Needs Assessment in 2021 listed this as a priority area, noting lack of transportation’s impact on access to employment, housing, food and medical appointments.¹⁶

5. Investing in the Diversity, Equity and Inclusion Commission

(ARPA Category: A1; Sudbury Focus Area: 1, 2,3)

Recommended Action:

- Allocate funds to hire consultant/trainers to assist with development of the DEI Commission’s mission and action steps.
 - *Requested amount: \$15,000*

Justification:

- Antiracist work is both an equity issue and a public health issue, as identified by multiple sources, including the CDC which states, “Racism—both interpersonal and structural—negatively affects the mental and physical health of millions of people, preventing them from attaining their highest level of health, and consequently, affecting the health of our nation.”¹⁷
- The front-line workers are among those who are most likely to be exposed to COVID-19, as well as those least likely to be able to get to a testing facility during business hours in order to be tested.
- Those same front-line workers are, in many cases, low-income hourly wage workers as well. Data shows that front-line workers are also more likely to be Black or Hispanic, which creates an issue of inequity.²¹
- Town social worker, at the request of Town Manager and Select Board, sought consultation from the MetroWest Health Foundation’s Racial and Ethnic Disparities Workgroup. Due to the complexity of the issues addressed by this Commission, the Workgroup highly recommended hiring a consultant in the formation of the Sudbury DEI Commission to ensure that it meet its intended goals and does not inadvertently cause harm.
- Emerson Hospital Community Health Needs Assessment in 2021 notes systemic racism, racial injustice and discrimination as an overarching theme in the assessment.¹⁶

6. Premium Pay: Compensation for Town Cleaning Staff, Etc.

(ARPA Category: A2; Sudbury Focus Area: 1, 3)

Recommended Action:

- Retroactive compensation to town cleaning staff

- *Requested amount: TBD based on consultants estimates around eligible amounts*
- Consider retroactive premium pay for other frontline workers in the community

Justification:

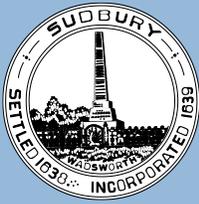
- This is an equity and social justice issue. People of color, non-English speakers, low-income individuals, and individuals with less than a high school diploma were disproportionately impacted by the effects of the pandemic, both mentally and financially.¹ Town cleaning staff are members of these populations.
- Critical to safety of employees and residents.
- Cleaning staff are often paid low wages, and work long hours more than five days a week.
- The Town's cleaning staff members were frontline workers, at an increased risk for contracting the virus. They put themselves at risk to protect town employees and the community when cleanliness and hygienic practices were paramount.
- Peer support and collaboration were critical for mental and physical health during the pandemic.² Have relatively few social interactions at work, combined with the risk of exposure to other frontline workers may have increased isolation and decreased overall wellbeing.
- Frontline workers put their own lives on the line during the pandemic to continue to support themselves and their families financially, and to support the community. Their efforts had significant economic impacts (keeping businesses open), provided access to food, basic needs and critical services, and impacted the overall wellbeing of the community. These workers lived in fear of the virus and of infecting loved ones. They lived through the illness and death of colleagues and loved one and continued to go to work each day. They dealt with the behavioral symptoms that the public displayed due to the trauma (which at times included irritability, disrespect, and aggression). All of this and often while not making enough income to adequately meet basic needs and cover emergency financial situations. There has been a great deal of verbal and written gratitude expressed for these workers, but limited financial support.

Thank you for your consideration in regards to these equity-based proposals.

Sincerely, 
Bethany Hadvab, LICSW

- ¹ Massachusetts Department of Public Health. (2021). *COVID-19 Community Impact Survey*. <https://www.mass.gov/doc/preliminary-analysis-results-covid-19-community-impact-survey/download>
- ² Centers for Disease Control and Prevention. (2017). [Infographic].
- ³ Guiding Principles to a Trauma Informed Approach. https://www.cdc.gov/cpr/infographics/6_principles_trauma_info.htm
- ⁴ Substance Abuse and Mental Health Services Administration. (2014). Understanding the impact of trauma. *Trauma-informed care in behavioral health services*. <https://www.ncbi.nlm.nih.gov/books/NBK207191/>
- ⁵ Law, J. (2021, May 21). Equity group: 91,000 Mass. tenants behind on rent, owe \$335 million, from <https://www.boston25news.com/news/health/equity-group-91000-mass-tenants-behind-rent-owe-335-million/MCYDJUAFTBCZM2VVSFKZV2BFE/>
- ⁶ Back Rent Trending Downward in Middlesex County: Analysis. (September 2021). *Patch*. Retrieved from <https://patch.com/massachusetts/natick/back-rent-trending-downward-middlesex-county-analysis>
- ⁷ Kowanko, A., & Harak, C. (November 2021). More Can and Must Be Done to Prevent Utility Consumers from Losing Service Due to Mounting COVID-Driven Arrearages in Massachusetts and Other States. *National Consumer Law Center*. Retrieved from https://www.nclc.org/images/pdf/special_projects/covid-19/Rpt_More_Covid_Util_Arrearage_Svc.pdf
- ⁸ Household Pulse Survey. (2020). Anxiety and depression. [Data set]. National Center for Health Statistics. <https://www.cdc.gov/nchs/covid19/pulse/mental-health.htm>
- ⁹ Bebinger, M. (2021, June 22) Wait Lists For Children's Mental Health Services Ballooned During COVID Retrieved from <https://www.wbur.org/news/2021/06/22/massachusetts-long-waits-mental-health-children-er-visits>
- ¹⁰ Bebinger, M. (2021, October 11). 716 psych patients are stuck in emergency rooms waiting for care, Mass. report shows. Retrieved from <https://www.wbur.org/news/2021/10/11/massachusetts-mental-health-boarding-report>
- ¹¹ Horesh, D., & Brown, A. D. (2020). Traumatic stress in the age of COVID-19: A call to close critical gaps and adapt to new realities. *Psychological Trauma: Theory, Research, Practice, and Policy*, 12(4), 331-335. <http://dx.doi.org/10.1037/tra0000592>
- ¹² MetroWest Health Foundation. (2020). *The Impact of COVID-19 on MetroWest*. Retrieved from https://d2yy08d49bfqoo.cloudfront.net/documents/Policy-Brief-July-2020_COVID-Impact.pdf
- ¹³ Centers for Disease Control. (2020). *Mental health, substance use, and suicidal ideation during the COVID-19 pandemic – United States, June 24–30, 2020*. <https://www.cdc.gov/violenceprevention/pdf/suicide-datasheet-a.pdf>
- ¹⁴ Centers for Disease Control. (2015). *Suicide facts at a glance 2015*. <https://www.cdc.gov/violenceprevention/pdf/suicide-datasheet-a.pdf>
- ¹⁵ MetroWest Health Foundation. (2019). Building inclusive communities: A guidebook for advancing health equity in the MetroWest region. Retrieved from <https://d2yy08d49bfqoo.cloudfront.net/documents/publications/Health-Equity-Guidebook.pdf>
- ¹⁶ Emerson Hospital. (2021). *Emerson Hospital Community Health Needs Assessment*. www.emersonhospital.org/chna
- ¹⁷ Centers for Disease Control. (2021, November 24). *Racism and health*. <https://www.cdc.gov/healthequity/racism-disparities/index.html>
- ¹⁸ U.S. Department of the Treasury. (2021, September 17). *New Blog Post by Deputy Secretary Wally Adeyemo on Centering American Rescue Plan Implementation on Racial Equity* [Press release]. Retrieved from <https://home.treasury.gov/news/press-releases/jy0363>

- ¹⁹ U.S Department of the Treasury. (2021). *About the America Rescue Plan*. <https://home.treasury.gov/policy-issues/coronavirus/about-the-american-rescue-plan>
- ²⁰ Adeyemo, M. (2021) *The American rescue plan: Centering racial equity in policymaking*. The U.S. Department of Treasury. <https://home.treasury.gov/system/files/136/American-Rescue-Plan-Centering-Equity-in-Policymaking.pdf>
- ²¹ Lily Casura, R. L. (2021, March 12). *Frontline workers in the U.S.: Race, ethnicity, and gender*. N-IUSSP. Retrieved January 6, 2022, from <https://www.niussp.org/education-work-economy/frontline-workers-in-the-u-s-race-ethnicity/>
- ²² Horesh, D., & Brown, A. D. (2020). Traumatic stress in the age of COVID-19: A call to close critical gaps and adapt to new realities. *Psychological Trauma: Theory, Research, Practice, and Policy*, 12(4), 331-335. <http://dx.doi.org/10.1037/tra0000592>
- ²³ Veldhuis, C.B., Nesoff, E.D., McKowen, A.L.W., Rice, D.R., Ghoneima, H, Wootton, A.R., Papautsky, E.L., Arigo, D., Goldberg, S. & Anderson, J.C. (May 2021). Addressing the critical need for long-term mental health data during the COVID-19 pandemic: Changes in mental health from April to September 2020. *Preventive Medicine*, 146. <https://www.sciencedirect.com/science/article/pii/S0091743521000499>
- ²⁴ Sudbury Foreclosure Listings. ForeclosureListings.com. Retrieved January, 6, 2022 from <https://www.foreclosurelistings.com/list/MA/MIDDLESEX/SUDBURY/>



SUDBURY SELECT BOARD
Tuesday, January 18, 2022

MISCELLANEOUS (UNTIMED)

3: Transportation Committee article for ATM

REQUESTOR SECTION

Date of request:

Requestor: Member Carty

Formal Title: Discussion and possible vote to put forward a Transportation Committee article for Annual Town Meeting. (~20 min.)

Recommendations/Suggested Motion/Vote: Discussion and possible vote to put forward a Transportation Committee article for Annual Town Meeting. (~20 min.)

Background Information:
attached draft article

Financial impact expected:

Approximate agenda time requested: 20 minutes

Representative(s) expected to attend meeting:

Review:

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

01/18/2022 7:00 PM

From: Carty, Daniel
Sent: Wednesday, January 12, 2022 11:53 AM
To: Hayes, Henry <HayesH@sudbury.ma.us>; Roberts, Jennifer <RobertsJ@sudbury.ma.us>
Cc: transportation <transportation@sudbury.ma.us>
Subject: TM Appropriation Request from the Sudbury Transportation Committee

Greetings – As you know I am the Select Board’s member on the Sudbury Transportation Committee where I serve as Chair. When the Select Board and Transportation Committee had our joint meeting back in October the Transportation Committee gave an overview of the GoSudbury! Uber and Taxi programs. From the minutes of that meeting: “Chair Roberts inquired about timing and transportation plans inclusion in the FY23 budget. Chair Carty responded in the affirmative, adding that the Committee would need several months to prepare such plans. Town Manager Hayes inquired about transportation needs for those under 50 years of age. Chair Carty responded that the younger population, such as those with disabilities, would be considered. Town Manager Hayes stated that budgeting discussions would begin in November. Chair Roberts suggested a placeholder for \$65,000 with continued budget discussions to take place. Board Members agreed that the Transportation Committee should proceed with a transportation planning proposal for consideration by the Board, and possible Town Meeting funding”.

Since then, the Transportation Committee has worked on the plans but as predicted they have taken, and will take, several months to complete. Given where we are in the calendar completion in time for inclusion in the FY2023 budget discussions will not be feasible. At our Friday January 7th meeting the Committee unanimously approved that I as Chair ask the Select Board and Town Manager for an appropriation of \$100,000 to keep the GoSudbury! Uber and Taxi programs afloat as-is through FY2023 (July 1, 2022, through June 30, 2023). The Committee acknowledges that a request for ARPA funds has been made but is also requesting this appropriation, likely from Free Cash, in case the ARPA funds are not designated in a timely fashion or at all. The sentiment of the Committee is the approval of this appropriation would be a good signal, from the Select Board, Town Manager, and Town Meeting, whether or not this type of program and service is something worth pursuing longer term. Thus, I am requesting that this be a topic of discussion in the upcoming Select Board meeting of January 18 where other Town Meeting articles are to be discussed. I have included below a rough draft of a warrant article. If the Board decides this is worth pursuing this should give time to discuss, review (legal or otherwise), modify, and bring back for the January 24th meeting for finalization and including prior to the January 31st warrant deadline.

Rough Draft of Article:

ARTICLE XX. FUNDING OF GO SUDBURY! TAXI AND UBER TRANSPORTATION PROGRAMS FOR FY2023

To see if the Town will vote to raise and appropriate, or to transfer from available funds, the sum of \$100,000, for the purposes of the continued operations of the Go Sudbury! Taxi and Uber Transportation Programs, including all incidental and related expenses; or act on anything relative thereto.

Submitted by the (Select Board? Town Manager?). (Majority vote required)

SELECT BOARD? TOWN MANAGER? REPORT: The Go Sudbury! Taxi program started in 2020 and Go Sudbury! Uber in 2021 and has been funded with grants mitigation fund appropriations. Through the end of 2021 have provided thousands of rides to Sudbury’s finically vulnerable, residents with a disability, those aged 50+, essential workers, and military veterans to and from healthcare and social service appointments, shopping, community resources, and places of employment. Approval of this article will provide funds to continue the operation of the Go Sudbury! Taxi and Uber Transportation programs into and through fiscal year 2023.

SELECT BOARD POSITION: The Select Board _____ this article.

FINANCE COMMITTEE REPORT: The Finance Committee _____ of this article

I look forward to discussing in more detail on January 18th and answering any questions you and other Board members may have. If you have questions for me in advance of January 18th please do let me know.

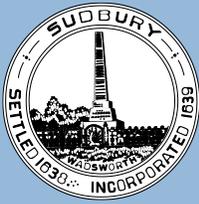
Thank you,

Dan Carty

Member, Sudbury Select Board

Chair, Sudbury Transportation Committee

Attachment3.a: Carty_email_Transportation_article (5017 : Transportation Committee article for ATM)



SUDBURY SELECT BOARD
Tuesday, January 18, 2022

MISCELLANEOUS (UNTIMED)

4: Time-sensitive ARPA requests

REQUESTOR SECTION

Date of request:

Requestor: Chair Roberts

Formal Title: Discussion and possible vote on time-sensitive American Rescue Plan Act (ARPA) requests as well as other ARPA-related updates. (~35 min.)

Recommendations/Suggested Motion/Vote: Discussion and possible vote on time-sensitive American Rescue Plan Act (ARPA) requests as well as other ARPA-related updates. (~35 min.)

Background Information:

Financial impact expected:

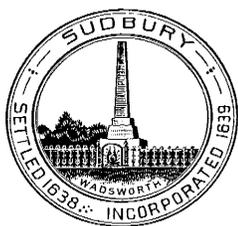
Approximate agenda time requested: 35 minutes

Representative(s) expected to attend meeting:

Review:

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

01/18/2022 7:00 PM



Henry L. Hayes, Jr.
Town Manager

TOWN OF SUDBURY
Office of the Town Manager
www.sudbury.ma.us

278 Old Sudbury Road
Sudbury, Massachusetts 01776
Tel: (978) 639-3381
Fax: 978-443-0756
Email: townmanager@sudbury.ma.us

January 13, 2022

Select Board
Town of Sudbury
Massachusetts

Dear Honorable Select Board Members:

Here is information I have received as an update related to 'time sensitive' items related to ARPA Fund requests.

Fire Chief

The purchase of a new ambulance stretcher, stair-chair and CPR machine should be considered a "time-sensitive" project for the use of ARPA funds. With current supply chain issues due to the pandemic, these items have considerable delivery delays. Dedicating funding now for the purchase of these three items, will allow us to place an order and hopefully take delivery by year-end. The purchase of this equipment will provide the Town with three fully-equipped ambulances.

Health Director

1. Additional social work services

- a. Residents are in crisis, traumatized and grieving various losses due to the pandemic.
- b. Lack of access to basic needs. Residents need support understanding and navigating the complex system of resources. The SW office is not currently able to meet the depth of the needs.
- c. Housing loss: Sudbury has one of the highest pending eviction rates among renter's right now.
- d. People of color, low-income residents, seniors and speakers of languages other than English have been hit hardest. This is an equity issue.
- e. It will take time to hire and onboard a social worker.

2. Funding for gift cards to meet basic needs

- a. Needs are immediate. People are unable to meet basic needs and cover base expenses.
- b. People of color, low-income residents, seniors and speakers of languages other than English have been hit hardest. This is an equity issue.

3. Contracted mental health services

- a. Waitlists for mental health services are up to 6 months or more
- b. Increase in substance use, domestic violence, suicide rates, anxiety and depression across all demographics
- c. This is an immediate safety need

4. At home COVID tests for residents who cannot afford or access them

- a. Daily requests for testing and lack of testing across the state
- b. Even when insurance will reimburse, residents must be able to locate and afford the costs up front, which many are unable to do.
- c. Testing is critical to decrease spread and to flatten the curve to ensure that our medical facilities aren't overtaxed and can meet COVID and other emergency needs

Combined Facilities Director

All Fairbank related items are time sensitive. Items need to be funded in order to be included in the bid package. Items can be included later as additional work during design and construction however to add at the later point increases cost and time to completion. Also, some items may not be able to be added due to logistics and construction schedule.

DPW Director

Two DPW projects would be time-sensitive: Town-wide drain improvements and Marlboro Road culvert project. Due to the timing for bidding these two projects out next month, these would be ready for construction ASAP. Town-wide drain improvements is on the TM warrant this year. Marlboro Road culvert was funded last year and ready for bidding. Due to the uncertainty in the construction market pricing and material availability, these funds would benefit both these critical infrastructure projects.

Sudbury Public Schools Superintendent

1. **SEL Supports:** In order to serve the needs of SPS students, additional positions were added in FY22 due to the impacts of COVID. These positions are 1.0 School Adjustment Counselor, .6 BCBA, and 1.0 Special Educator. \$210,000 per year (x2 years = \$420,000)
2. **Summer Programming:** Last summer the Town approved an academic program for SPS students that was highly successful. The impacts of the pandemic continue and providing entry points for students to get back on track are critical. Providing this opportunity over the next few years will allow for staff and families to plan and commit to the program. \$310,000 per year (x4 years = \$1,240,000).

Lincoln-Sudbury Regional School District

As the pandemic continues, a need for constant fresh air circulation throughout the building is a necessity. The continual use of the HVAC system will expedite wear and tear that requires updating parts and maintenance to ensure proper air quality for student and staff health safety. The LS requested project is time sensitive in order to maintain the highest level of air quality.

Here's the link to the online ARPA Compiled List:

<https://onedrive.live.com/View.aspx?resid=EEF118737567813D!1867&authkey=!ANqnD77KJ6Hml5g>

Sincerely,

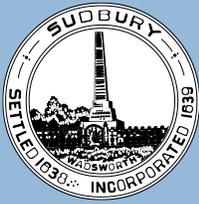
Henry L. Hayes, Jr.
Town Manager

Hello Jennifer! Please be advised that the following compiled listing of Fairbank items for ARPA funding consideration by the Select Board has been provided by several Permanent Building Committee members with the understanding that these are items that could possibly be construed to be in response to the pandemic, mostly towards promoting safe and healthy living in a future with endemic COVID. It is also our understanding that ARPA rules require that periodic reports must be submitted to the federal government providing a detailed accounting/justification of the use of funds expended.

Costs where provided are estimates; some costs are unknown.

1. lighting at the basketball court, \$70,000
2. a second, lit basketball court, \$146,000
3. enhanced AV package that allows for hybrid learning
4. kitchen equipment, for meals on wheels and emergency shelter use, \$142,000
5. senior patio and pergola, to encourage socialization even when indoor gathering is not safe
6. outdoor water bottle filling station
7. replacement water lines, \$400,000 (not professionally estimated)

There are no items applicable for submission for ARPA funding relative to the Fire Station No. 2, Phase 1 project.



SUDBURY SELECT BOARD
Tuesday, January 18, 2022

MISCELLANEOUS (UNTIMED)

5: Discuss potential ATM SB articles

REQUESTOR SECTION

Date of request:

Requestor: Chair Roberts

Formal Title: Discussion on current potential 2022 Annual Town Meeting Select Board and Town articles and possible vote(s) to put articles forward. (~30 min.)

Recommendations/Suggested Motion/Vote: Discussion on current potential 2022 Annual Town Meeting Select Board and Town articles and possible vote(s) to put articles forward. (~30 min.)

Background Information:

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

01/18/2022 7:00 PM

Potential Select Board 2022 Annual Town Meeting Articles Overview created by Chair Roberts 01.04.22

POTENTIAL ARTICLE	RESPONSIBLE TO EXPLORE	ARTICLE SPONSOR (TOWN, SELECT BOARD, RESIDENT(S))	GOAL/OBJECTIVE	COST	FUNDING SOURCE	STATUS/NEXT STEPS	SELECT BOARD VOTE TO MOVE FORWARD
Hire Sustainability Director	Roberts	Climate Emergency Group, Select Board (?)	Hire Sustainability Director to drive/support Town-wide sustainability initiatives, Municipal Vulnerability Plan and Hazard Mitigation Plan, Master Plan, Next Generation Roadmap legislation, and proposed Climate Emergency Declaration.	\$130K (CEG estimate)	Free Cash leaving open possibility for State earmark/other funding sources.	CEG Group will investigate with Town Counsel how to make article flexible for other (non-override) funding sources.	No (will not put forward duplicate article with CEG)
Reversion of unspent past Town Meeting article appropriations	Carty	Town Manager	Identify and revert money from Town Meeting articles from prior years that is no longer needed.	N/A	N/A	Staff investigate if there is outstanding money. Goal is to have it ready for 2023 ATM, but Town Manager will determine if possible to do in time this year.	N/A
Furniture, Fixtures, & Equipment (FF&E) (including Audio Visual) appropriation for Fairbank Community Center Project	Dretler/Roberts	Select Board	Appropriation to fund certain Furniture, Fixture, & Equipment (FF&E) elements including Audio Visual for Fairbank Community Center to address new needs and potential budget challenges.	\$500K (preliminary estimate)	Free Cash	Select Board needs to determine if it wants to move article forward.	Yes - but pursuing more details on final cost. Jen to update SB. (A/V details, confirm ~300K for A/V and 200K for furniture.)
Bruce Freeman Rail Trail-related articles for easements and lease	Dretler/Russo	Select Board	MBTA lease	\$????	Free Cash or Available Funding	SB discussion and vote on lease. Staff provide article to SB for review.	Yes (but Town staff give presentation)
Bruce Freeman Rail Trail-related articles for dedications	Dretler/Russo	Select Board	ROW dedications	\$????	Free Cash or Available Funding	Staff and Town Counsel to provide full list of easements. Staff provide article to SB for review.	Yes (but Town staff give presentation)
Bruce Freeman Rail Trail-related articles for additional items	Dretler/Russo	Select Board	Enhancements	\$????	Free Cash or Available Funding	Staff to reconcile with CPA request to clarify and avoid overlap/duplication. Staff provide article to SB for review.	Yes (but Town staff give presentation)
Sudbury Housing Trust Bylaw	Carty	Select Board	Create bylaw to incorporate details of Declaration of Housing Trust document	N/A	N/A	Select Board determine what to include: include in bylaw discrepancies between State statute and Declaration of Trust document. Board to discuss feedback from SHT.	Yes (but may be contingent on review by SHT).
Commission on Disability Bylaw	Roberts	Commission on Disability or Select Board (TBD)	Possibly include Commission on Disability (description, structure, goals) in Town Bylaws	N/A	N/A	Jen has met with COD and reached out to Town Counsel. Town Counsel advises that a bylaw is not required given the Town adoption of GLC.40Sec.8J (but could be done based on Town policy). Select Board/COD needs to determine if it wants to move article forward.	No
Sewataro operational funding (for if property manager contract not renewed)	Russo	Select Board	Back up funding in case of lack of Camp Operator contract.	\$150K	Free Cash	Preferably: withdraw prior to Town Meeting if/when a new Camp Operator contract is signed.	Yes
Sewataro Land Use Consultant	Russo	Select Board	Initiate long-term evaluation of how to maximize use of Sewataro property.	\$100K	Free Cash	SB voted to proceed with article. SB needs to review draft article.	Yes

Attachment 5.a: Potential SB 2022 ATM Articles - combined edited 01.14.22 (5018 : Discuss potential ATM

From: Russo, Charlie

Sent: Thursday, January 13, 2022 3:15 PM

To: Golden, Patricia; Duchesneau, Adam; Bilodeau, Maryanne; Jones, Elaine; Frank, Leila; Silverstein, Jonathan; Hayes, Henry; Roberts, Jennifer

Subject: Re: Select Board Agenda 1/18/22

Hello,

Please see text below for the latest draft of the Select Board Town Meeting Article for a Land Use Consultant for Sewataro. Yellow text is edits from staff. Can we include this in the packet?

thanks,
Charlie

DRAFT ARTICLE:

To see if the Town will vote to raise and appropriate, or to transfer from available funds, \$100,000, or any other sum, from Free Cash or other available funds, to be expended under the direction of the Director of Planning and Community Development, for the purpose of hiring an independent land use consultant to study, evaluate, and expand the options for the short-term and long-term uses for the Sewataro/**Liberty Ledge** property. The consultant's evaluation and report shall include, **but not be limited to,** new and prior information regarding the financial operating costs and revenues attributed to the site, the identification of uses that could increase the number and/or diversity of users of the site, the identification of the range of all potential uses for the site, the identification of potential uses in addition to a private camp (either off-season or concurrent with the camp season), the capital costs and **potential** funding sources for those alternative or additional uses on a one-time or phased basis, costs for increased **T**own responsibility of the site, and all options that are available to maximize use of the entire site. The consultant shall prepare a written report of their findings and conclusions for the Town to use **for in** its future decisions regarding the use of the Sewataro/**Liberty Ledge** property for the benefit of Town residents.

Charlie Russo
Town of Sudbury Select Board member
russoc@sudbury.ma.us

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

ARTICLE 33. ACCEPT M.G.L. c. 44, s.55C - SUDBURY AFFORDABLE HOUSING TRUST

To see if the Town will vote to accept Massachusetts General Law Chapter 44, Section 55C, establishing a municipal affordable housing trust fund, or act on anything relative thereto.

Submitted by the Board of Selectmen.

(Majority vote required)

BOARD OF SELECTMEN REPORT: In January 2005, the state legislature passed legislation allowing the creation of municipal housing trusts, which are a vehicle for cities and towns to better plan for, fund and develop affordable housing to benefit low and moderate income households. This new mechanism addresses the statewide issue of housing production, but more importantly, gives cities and towns greater control and flexibility in creating housing that is right for each community. The legislation requires a majority vote of the Annual Town Meeting to accept the statute, and the appointment of a Board of Trustees. The Chief Executive Officer of the Town must be a Trustee, along with at least four other members. The Board is a governmental body and operates under many of the same laws as other Town boards and committees, including Open Meeting Law requirements, public records law and procurement. The powers and duties of the Board allow them to buy and sell real estate, borrow and lend money, develop property, hold affordable housing restrictions on property and accept contributions and gifts of cash and property. In addition, the Trust can develop programs such as for first-time homebuyers, housing rehabilitation, or emergency repair programs. The Trust would be able to accept the 10% minimum allocation of CPA funds each year (if the CPC recommended and Town Meeting voted such appropriation), and then could use those funds to create and preserve affordable housing with no further town meeting vote. The Trust could also accept other contributions for affordable housing, such as the Frost Farm revenue fund, HOME funds, or other money collected if or when the Town passes an Inclusionary Zoning Bylaw.

The duties envisioned for a local municipal housing trust are:

- ◆ Implementation of the 2005 Housing Plan, i.e., creating affordable housing in Sudbury.
- ◆ The Trust would become the local monitoring agent for affordable housing that is built in Sudbury. Local monitoring will ensure that affordable units created in Sudbury remain affordable. It has been found that such housing restrictions that are not regularly monitored tend to lapse and can potentially allow affordable housing to become market rate units. As our inventory of 40B units increases, monitoring the resale of these units will be important.
- ◆ The Trust would also monitor the expiring use of the Longfellow Glen units. The HUD mortgage is due in 2014, and the the affordable restrictions will be in jeopardy. The Trust could formulate a plan to keep those rental units in the Town's subsidized housing inventory.
- ◆ The Trust can actively look for parcels to purchase for development of affordable housing.

The Trust will focus solely on affordable housing development and preservation. It will not be a policy maker, but will implement the recommendations in the Housing Plan. Ideas will continue to be generated by the Community Housing Committee, the Board of Selectmen, the Sudbury Housing Authority, the Planning Board and other housing advocacy groups.

The Board of Selectmen and the Planning Board support the creation of this trust fund. It will give greater local control over the development of affordable housing in Sudbury and is a pro-active step in progress toward the goals of creating diverse housing for people of all income levels.

FINANCE COMMITTEE REPORT: The Finance Committee will report at Town Meeting.

(Declaration of Trust)
SUDBURY HOUSING TRUST

ARTICLE II PURPOSE OF TRUST

The purpose of the Trust shall be to provide for the preservation and creation of affordable housing in the Town of Sudbury for the benefit of low and moderate income households.

ARTICLE III POWERS OF TRUSTEES

The Trustees shall have the following powers which shall be carried out in accordance with and in furtherance of the provisions of M.G.L. Chapter 44, s 55C (Municipal Affordable Housing Trust Fund) as outlined below except that it shall have no ability to borrow money, or mortgage or pledge Trust assets, purchase, sell, lease, exchange, transfer or convey any interest in real property without prior approval of the Sudbury Board of Selectmen:

- 1) to accept and receive real property, personal property or money, by gift, grant, contributions, devise, or transfer from any person, firm, corporation or other public entity or organization or tendered to the Trust in connection with provisions of any ordinance or by-law or any General Law or Special Act of the Commonwealth or any other source including money from M.G.L Chapter 44B (Community Preservation);
- 2) with Board of Selectmen approval from Trustee recommendation, to sell, lease, exchange, transfer or convey any personal, mixed, or real property at public auction or by private contract for such consideration and on such terms as to credit or otherwise, and to make such contracts and enter into such undertaking relative to Trust property as the Trustees deem advisable notwithstanding the length of any such lease or contract;
- 3) to execute, acknowledge and deliver deeds, assignments, transfers, pledges, leases, covenants, contracts, promissory notes, releases and other instruments sealed or unsealed, necessary, proper or incident to any transaction in which the Trustees engage for the accomplishment of the purposes of the Trust;
- 4) with Board of Selectmen approval from Trustee recommendation, to borrow money on such terms and conditions and from such sources as the Trustees deem advisable, to mortgage and pledge Trust assets as collateral; to the extent of the Trust's assets, and subject to 2/3 vote at any Annual or Special Town Meeting for greater than the extent of the Trust's assets.
- 5) to construct, manage or improve real property; and to abandon any property which the Trustees determine not to be worth retaining;
- 6) with Board of Selectmen approval from Trustee recommendation, to purchase and retain real or personal property, including without restriction investments that yield a high rate of income or no income;

Deleted: THIS DECLARATION OF TRUST is executed the fifteenth (15th) day of February, 2007 by Lawrence W O'Brien, member of the Board of Selectmen; Michael C. F Chairman of the Planning Board; Amy Lepak, Chairman, Community Housing Committee; and Christopher Morely : L. N. Reed, Co- Chairmen of the Community Preservation Committee, hereinafter called the Temporary Trustees, who serve in such capacity pursuant to the provisions of M.G.L 44, s 55C until the permanent Trustees are appointed pursuant to Article IV hereunder. ¶

WHEREAS, The Town Meeting of Sudbury has authorized establishment of a Housing Trust pursuant to the provision M.G.L. Chapter 44, s 55C; and¶

WHEREAS, An Interim Trust was established on October to provide an interim mechanism for collecting funds and expenses in accordance with the purpose and intent of the legislation pending the adoption of final Trust documents; WHEREAS, It is the intention of the Trustees, to establish comprehensive trust in accordance with the provisions of M Chapter 44, s 55C authorizing the establishment of thereof; WHEREAS, All monies received by the Interim Trust shall transferred to this final Trust for all purposes relevant to the and the entire Housing Trust Fund (the Fund) shall be cons available for the purposes of accomplishing the mission of for the preservation and creation of affordable housing in the of Sudbury for the benefit of low and moderate income households; **THEREFORE**, in consideration of the agreements contained in the Trust, and the requirements of M.G.L. Chapter 44, s 55C, the Trustees hereby acknowledge and agree for themselves and successors in trust to hold the same, together with such other property and funds as may be added thereto, for the purposes in trust for the benefit of all of the Inhabitants of the Town of Sudbury, in the manner and under the terms and conditions herein.¶

ARTICLE I . TRUSTEES ¶

The Trustees shall be appointed in accordance with Article to replace the Temporary Trustees established and appointed in the first paragraph of this document.¶

Attachment5.d: KP-#794918-v1-SUDB-Declaration_of_Trust_vs_New_Bylaw_(5018 : Discuss potential ATM SB articles)

- 7) to hold all or part of the Trust property uninvested for such purposes and for such time as the Trustees may deem appropriate; and
- 8) to become the lottery and monitoring agent for affordable housing and accept compensation for those services into the Fund,
- 9) to monitor the expiring use of any affordable housing in Sudbury;
- 10) to compensate Town employees for services provided as authorized by the Town Manager, including but not limited to dedicated staff to Trustees, engineering support for project specific activities, and other Town services, as requested by the Trustees to the Town Manager;
- 11) to employ advisors and agents, including but not limited to accountants, appraisers and lawyers as the Trustees deem necessary;
- 12) to pay reasonable compensation and expenses to all advisors and agents and to apportion such compensation between income and principal as the Trustees deem advisable;
- 13) to participate or join or form a partnership, corporation or any other legally organized entity to accomplish the purposes of this Trust and to participate in any reorganization, recapitalization, merger or similar transactions; and to give proxies or powers of attorney with or without power of substitution to vote any securities or certificates of interest; and to consent to any contract, lease, mortgage, purchase or sale of property, by or between any corporation, and any other corporation, person or entity,
- 14) to apportion receipts and charges between incomes and principal as the Trustees deem advisable, to amortize premiums and establish sinking funds for such purpose, and to create reserves for depreciation depletion or otherwise;
- 15) to deposit any security with any protective reorganization committee, and to delegate to such committee such powers and authority with relation thereto as the Trustees may deem proper and to pay, out of Trust property, such portion of expenses and compensation of such committee as the Trustees may deem necessary and appropriate;
- 16) to carry property for accounting purposes other than acquisition date values;
- 17) to make distributions or divisions of principal in kind;
- 18) to extend the time for payment of any obligation to the Trust,
- 19) to establish criteria and/or qualifications for recipients and expenditures in accordance with Trust's stated purposes;
- 20) to compromise, defend, enforce, release, settle or otherwise adjust claims in favor or against the Trust, including claims for taxes, and to accept any property, either in total or partial satisfaction of any indebtedness or other obligation, and subject to the provisions of this act, to continue to hold the same for such period of time as the Trustees may deem appropriate;

Notwithstanding anything to the contrary herein, Board of Selectmen approval shall be required for any of the following actions:

- a) to purchase real or personal property;
- a) to sell, lease, exchange, transfer or convey any personal, mixed, or real property; and
- b) to borrow money, or to mortgage or pledge Trust assets as collateral to the extent of the Trust's assets.

Notwithstanding anything to the contrary herein, the Trustees may not borrow, mortgage or pledge greater than the current Trust assets unless approved by the Board of Selectmen and by a 2/3 vote at any Annual or Special Town Meeting.

The Trustees shall have full power and authority, at any time and from time to time and without the necessity of applying to any court for leave to do so, to expend the 100% of the Trust funds, both principal and interest, to the extent that all funds hereunder may be expended if the Trustees deem such expenditure appropriate. All expenditures shall be made in conformance with the terms of this Trust and M.G.L. Chapter 44, s 55C.

ARTICLE VI ACTS OF TRUSTEES

A majority of Trustees may exercise any or all of the powers of the Trustees hereunder and may execute on behalf of the Trustees any and all instruments with the same effect as though executed by all the Trustees. No Trustee shall be required to give bond. No license of court shall be required to confirm the validity of any transaction entered into by the Trustees with respect to the Trust Estate.

ARTICLE VII TREASURER/COLLECTOR AS CUSTODIAN

The Town of Sudbury Treasurer/Collector shall be the custodian of the Trust's funds and shall maintain separate accounts and records for said funds.

He or she shall invest the funds in the manner authorized by M.G.L Chapter 44, s 55 (Public Funds on Deposit; Limitations; Investments,) s 55A, (Liability of Depositor for Losses Due to Bankruptcy), s 55B (Investment of Public Funds).

Any income or proceeds received from the investment of funds shall be credited to and become part of the Trust.

Expenditures by the Trust shall be processed through the warrant but shall be controlled by the provisions of M.G.L. Chapter 44, s.55C. The yearly approved budget, and any approved budget revisions will be recorded by the Town Treasurer/Collector.

As custodian, the Treasurer/Collector shall issue checks as directed by the Trustees.

In accordance with M.G.L. Chapter 44, s.55C (Municipal Affordable Housing Trust Fund), the books and records of the Trust shall be audited annually by an independent auditor in accordance with accepted accounting practices. The Trust shall be audited as part of the Town audit.

ARTICLE VIII DURATION OF THE TRUST

Attachment 5.d: KP-#794918-v1-SUDB-Declaration of Trust vs New Bylaw (5018 : Discuss potential ATM SB articles)

Deleted: ARTICLE IV APPOINTMENT AND TENURE OF TRUSTEES¶

There shall be a Board of Trustees consisting of not less than five (5) and not more than nine Trustees appointed by the Board of Selectmen. At least one of the Trustees shall be a member of the Board of Selectmen, who shall serve as the representative of the Board of Selectmen.¶

The Trustees shall be appointed for a two (2) year term, such term shall end on April 30 of the expiration year or until such time as a successor is appointed, should said appointment be delayed the initial Trustee appointments shall be for a term of one (1) year and may be re-appointed at the discretion of the Board of Selectmen.¶

In the event of a vacancy in the position of Trustee, the appointment shall be made in the same manner as the original appointment. All Trustees must be current residents of Sudbury upon initial appointment. Any Trustee who ceases to be a resident of the Town of Sudbury shall promptly provide a written notification of change in residence to the Trust and to the Town Clerk. Such Trustee may continue to serve with the approval of the remaining Trustees, and may be reappointed by the Board of Selectmen. Any Trustee may resign by written instrument signed and acknowledged by such Trustee and duly filed with the Town Clerk. If a Trustee shall die, resign, or for any other reason cease to serve as a Trustee hereunder before his/her term of office expires, a successor shall be appointed by the Board of Selectmen to fill such vacancy provided that in each case the said appointment and acceptance of such appointment shall be required so long as there are five (5) Trustees in office. Upon the appointment of any succeeding Trustee and the filing of such appointment the title to the Trust estate shall thereupon and without the necessity of any conveyance be conveyed to such succeeding Trustee jointly with the remaining Trustees.¶

ARTICLE V MEETINGS OF THE TRUSTEES¶

The Trust shall meet at least quarterly at such time and place as the Trustees shall determine. Special meetings may be called by the Chairperson or by any two (2) Trustees. Notice of any meeting shall be filed with the Town Clerk and posted in accordance with the Open Meeting Law, M.G.L. Chapter 30A, s 23B and 23C.¶

A quorum of the Board of Trustees shall be the majority of the number of authorized Trustees.¶

The Trustees shall annually elect one (1) Trustee who shall serve as Chairperson of the Board of Selectmen to serve as Chairperson of the Trust. The Chairperson may establish sub-committees and/or ad hoc committees to carry out the purposes of the Trust. Chairpersons of the sub-committees may be selected by the members of the sub-committees.¶

If any Trustee is absent from five (5) consecutive regularly scheduled meetings of the Trust, except in the case of illness, the position shall be deemed vacant and shall be filled with a new Trustee appointment as set forth above.¶

This Trust shall continue so long as authorized under the Laws of the Commonwealth of Massachusetts. Notwithstanding the foregoing, The trust may be terminated by a majority vote of the Town Meeting in accordance with M.G.L. Chapter 4, s 4B, provided that an instrument of termination together with a certified copy of the Town Meeting vote are duly recorded with the Middlesex South District Registry of Deeds and the Land Court. Upon termination of the Trust, subject to the payment of or making provisions for the payment of all obligations and liabilities of the Trust and the Trustees, the net assets of the Trust shall be transferred to the Town and held by the Board of Selectmen for affordable housing purposes. In making any such distribution, the Trustees may, subject to the approval of the Board of Selectmen, sell all or any portion of the Trust property and distribute the net proceeds thereof or they may distribute any of the assets in kind. The powers of the Trustees shall continue until the affairs of the Trust are concluded.

ARTICLE X RECORDING

This Declaration of Trust shall be recorded with the Middlesex South District Registry of Deeds and the Land Court.

ARTICLE XI AMENDMENTS

The Declaration of Trust may be amended from time to time except as to those provisions specifically required under M.G.L. Chapter 44, s 5C, by an instrument in writing signed by all of the Trustees and approved at a meeting called for that purpose, and approved by the Board of Selectmen provided that in each case, a certificate of amendment has been recorded with the Middlesex South District Registry of Deeds and the Land Court.

ARTICLE XII RECORD TO BE CONCLUSIVE, CERTIFICATE AS TO FACTS

Every contract, deed, mortgage, lease and other instrument executed by a majority of the Trustees as appears from instruments or certificates recorded with the Registry of Deeds and Land Registration Office to be Trustees hereunder shall be conclusive evidence in favor of any person relying thereon or claiming thereunder, that at the time of the delivery thereof this Trust was in full force and effect and that the execution and delivery of such instrument was duly authorized by the Trustees except that instruments of amendment pursuant to Article XI and an instrument of termination pursuant to Article VIII hereof shall be conclusive only if it appears that the delegations, amendments or termination have been executed by all of the Trustees. Any person dealing with the Trust property or the Trustees may always rely on a certificate signed by any person appearing from instruments or certificates so recorded to be Trustee hereunder as to the identity of the then current Trustees or as to the existence or non-existence of any fact or facts which constitute conditions precedent to acts by the Trustees or in any other manner germane to the affairs of the Trust.

Deleted: ARTICLE IX CONSTRUCTION OF TERMS
In the construction hereof, whether or not so expressed, w in the singular or in the plural respectively include both the and singular, words denoting males include females and w denoting persons include individuals, firms, associations, c trusts and corporations unless a contrary intention is to be i from or required by the subject matter or context. All the f and provisions of the Trust herein contained shall take effe construed according to the laws of the Commonwealth of Massachusetts.¶
Reference to the Trustee shall mean the Trustee or Trustee: time being hereunder. ¶

Deleted: ARTICLE XIII TERMINATION OF INTERI TRUST¶
The Interim Trust is hereby terminated and all assets and li shall be transferred to the Trustees hereunder pursuant to tl the April 2006 vote of the Sudbury Annual Town Meeting M.G.L. Chapter 44, s 55C.¶

ARTICLE XIV TITLES¶
The titles to the various Articles herein are for convenience are not to be considered part of said Articles nor shall they meaning or the language of any such article.¶

-----Page Break-----

¶
IN WITNESS WHEREOF the said Trustees have hereunto hands and seals on the day and year first hereinabove set f

Lawrence W. O'Brien¶

Michael C. Fee¶

Amy Lepak¶

Christopher Morely¶

Tara L. N. Reed¶

-----Page Break-----

¶
COMMONWEALTH OF MASSACHUSETTS¶
MIDDLESEX, SS. _____, 2

¶
On this _____ day of _____, 2007, before n undersigned notary public, personally appeared the above-i Lawrence W. O'Brien, proved to me through satisfactory e of identification, which was personal knowledge, to be the whose name is signed on the preceding document, and acknowledged to me that he signed it voluntarily for its sta purpose.¶

Jody A. Kablack, Notary Public¶
My commission expires January 22, 2010¶

¶
COMMONWEALTH OF MASSACHUSETTS¶
MIDDLESEX, SS. _____, 2007¶

Deleted: My commission expires January 22, 2010

Attachment5.d: KP-#794918-v1-SUDB- Declaration_of_Trust_vs_New_Bylaw (5018 : Discuss potential ATM SB articles)

**ARTICLE []. AMEND GENERAL BYLAWS –
AFFORDABLE HOUSING TRUST BYLAW**

To see if the Town will vote to amend the Town of Sudbury General Bylaws to adopt the Sudbury Housing Trust Bylaw by inserting a new article XXVIII therein, as follows, or act on anything relative thereto.

SUDBURY HOUSING TRUST BYLAW

Pursuant to a vote on Article 33 of the 2006 Annual Town Meeting, the Town accepted the provisions of Massachusetts General Laws Chapter 44, Section 55C and authorized the establishment of a Housing Trust pursuant to the provisions of Massachusetts General Laws Chapter 44, Section 55C.

SECTION 1. PURPOSE OF TRUST

The purpose of the Trust shall be to provide for the preservation and creation of affordable housing in the Town of Sudbury for the benefit of low and moderate income households.

SECTION 2. POWERS OF TRUSTEES

The Trustees shall have the following powers which shall be carried out in accordance with and in furtherance of the provisions of M.G.L. Chapter 44, Section 55C (Municipal Affordable Housing Trust Fund) as outlined below except that the Trustees shall have no ability to borrow money, or mortgage or pledge Trust assets, purchase, sell, lease, exchange, transfer or convey any interest in real property without prior approval of the Select Board:

- 1) to accept and receive real property, personal property or money, by gift, grant, contributions, devise, or transfer from any person, firm, corporation or other public entity or organization or tendered to the Trust in connection with provisions of any ordinance or by-law or any General Law or Special Act of the Commonwealth or any other source including money from M.G.L Chapter 44B (Community Preservation Act);
- 2) with Select Board approval from Trustee recommendation, to sell, lease, exchange, transfer or convey any personal, mixed, or real property at public auction or by private contract for such consideration and on such terms as to credit or otherwise, and to make such contracts and enter into such undertaking relative to Trust property as the Trustees deem advisable notwithstanding the length of any such lease or contract;
- 3) to execute, acknowledge, and deliver deeds, assignments, transfers, pledges, leases, covenants, contracts, promissory notes, releases and other instruments sealed or unsealed, necessary, proper or incident to any transaction in which the Trustees engage for the accomplishment of the purposes of the Trust;

- 4) with Select Board approval from Trustee recommendation, to borrow money on such terms and conditions and from such sources as the Trustees deem advisable, to mortgage and pledge Trust assets as collateral; to the extent of the Trust's assets, and subject to 2/3 vote at any Annual or Special Town Meeting for greater than the extent of the Trust's assets.
- 5) to construct, manage or improve real property; and to abandon any property which the Trustees determine not to be worth retaining;
- 6) with Select Board approval from Trustee recommendation, to purchase and retain real or personal property, including without restriction investments that yield a high rate of income or no income;
- 7) to hold all or part of the Trust property uninvested for such purposes and for such time as the Trustees may deem appropriate;
- 8) to become the lottery and monitoring agent for affordable housing and accept compensation for those services into the Fund;
- 9) to monitor the expiring use of any affordable housing in Sudbury;
- 10) to compensate Town employees for services provided as authorized by the Town Manager, including but not limited to dedicated staff to Trustees, engineering support for project specific activities, and other Town services, as requested by the Trustees to the Town Manager;
- 11) to employ advisors and agents, including but not limited to accountants, appraisers and lawyers as the Trustees deem necessary;
- 12) to pay reasonable compensation and expenses to all advisors and agents and to apportion such compensation between income and principal as the Trustees deem advisable;
- 13) to participate or join or form a partnership, corporation or any other legally organized entity to accomplish the purposes of this Trust and to participate in any reorganization, recapitalization, merger or similar transactions; and to give proxies or powers of attorney with or without power of substitution to vote any securities or certificates of interest; and to consent to any contract, lease, mortgage, purchase or sale of property, by or between any corporation, and any other corporation, person or entity;
- 14) to apportion receipts and charges between incomes and principal as the Trustees deem advisable, to amortize premiums and establish sinking funds for such purpose, and to create reserves for depreciation depletion or otherwise;
- 15) to deposit any security with any protective reorganization committee, and to delegate to such committee such powers and authority with relation thereto as the Trustees may deem proper and to pay, out of Trust property, such portion of expenses and compensation of such committee as the Trustees may deem necessary and appropriate;
- 16) to carry property for accounting purposes other than acquisition date values;
- 17) to make distributions or divisions of principal in kind;

- 18) to extend the time for payment of any obligation to the Trust;
- 19) to establish criteria and/or qualifications for recipients and expenditures in accordance with Trust's stated purposes;
- 20) to compromise, defend, enforce, release, settle or otherwise adjust claims in favor or against the Trust, including claims for taxes, and to accept any property, either in total or partial satisfaction of any indebtedness or other obligation, and subject to the provisions of this act, to continue to hold the same for such period of time as the Trustees may deem appropriate;

Notwithstanding anything to the contrary herein, Select Board approval shall be required for any of the following actions:

- a) to purchase real or personal property;
- a) to sell, lease, exchange, transfer or convey any personal, mixed, or real property; and
- b) to borrow money, or to mortgage or pledge Trust assets as collateral to the extent of the Trust's assets.

Notwithstanding anything to the contrary herein, the Trustees may not borrow, mortgage or pledge greater than the current Trust assets unless approved by the Select Board and by a 2/3 vote at any Annual or Special Town Meeting.

The Trustees shall have full power and authority, at any time and from time to time and without the necessity of applying to any court for leave to do so, to expend the 100% of the Trust funds, both principal and interest, to the extent that all funds hereunder may be expended if the Trustees deem such expenditure appropriate. All expenditures shall be made in conformance with the terms of this Trust and M.G.L. Chapter 44, Section 55C.

SECTION 3. ACTS OF TRUSTEES

A majority of Trustees may exercise any or all of the powers of the Trustees hereunder and may execute on behalf of the Trustees any and all instruments with the same effect as though executed by all the Trustees. No Trustee shall be required to give bond. No license of court shall be required to confirm the validity of any transaction entered into by the Trustees with respect to the Trust Estate.

SECTION 4. TREASURER/COLLECTOR AS CUSTODIAN

The Town of Sudbury Treasurer/Collector shall be the custodian of the Trust's funds and shall maintain separate accounts and records for said funds.

He or she shall invest the funds in the manner authorized by M.G.L Chapter 44, Section 55 (Public Funds on Deposit; Limitations; Investments,) Section 55A, (Liability of Depositor for Losses Due to Bankruptcy), Section 55B (Investment of Public Funds).

Any income or proceeds received from the investment of funds shall be credited to and become part of the Trust.

Expenditures by the Trust shall be processed through the warrant but shall be controlled by the provisions of M.G.L. Chapter 44, Section 55C. The yearly approved budget, and any approved budget revisions will be recorded by the Town Treasurer/Collector.

As custodian, the Treasurer/Collector shall issue checks as directed by the Trustees.

In accordance with M.G.L. Chapter 44, Section 55C (Municipal Affordable Housing Trust Fund), the books and records of the Trust shall be audited annually by an independent auditor in accordance with accepted accounting practices. The Trust shall be audited as part of the Town audit.

SECTION 5. DURATION OF THE TRUST

This Trust shall continue so long as authorized under the Laws of the Commonwealth of Massachusetts. Notwithstanding the foregoing, The Trust may be terminated by a majority vote of the Town Meeting in accordance with M.G.L. Chapter 4, Section 4B, provided that an instrument of termination together with a certified copy of the Town Meeting vote are duly recorded with the Middlesex South District Registry of Deeds and the Land Court. Upon termination of the Trust, subject to the payment of or making provisions for the payment of all obligations and liabilities of the Trust and the Trustees, the net assets of the Trust shall be transferred to the Town and held by the Select Board for affordable housing purposes. In making any such distribution, the Trustees may, subject to the approval of the Select Board, sell all or any portion of the Trust property and distribute the net proceeds thereof or they may distribute any of the assets in kind. The powers of the Trustees shall continue until the affairs of the Trust are concluded.

SECTION 6. RECORDING

A Declaration of Trust and any amendments thereto shall be recorded with the Middlesex South District Registry of Deeds and the Land Court.

SECTION 7. AMENDMENTS

The Declaration of Trust may be amended from time to time except as to those provisions specifically required under M.G.L. Chapter 44, Section 55C, by an instrument in writing signed by all of the Trustees and approved at a meeting called for that purpose, and approved by the Select Board provided that in each case, a certificate of amendment has been recorded with the Middlesex South District Registry of Deeds and the Land Court.

SECTION 8. RECORD TO BE CONCLUSIVE, CERTIFICATE AS TO FACTS

Every contract, deed, mortgage, lease and other instrument executed by a majority of the Trustees as appears from instruments or certificates recorded with the Registry of Deeds and Land Registration Office to be Trustees hereunder shall be conclusive evidence in favor of any person relying thereon or claiming thereunder, that at the time of the delivery thereof this Trust was in full force and effect and that the execution and delivery of such instrument was duly authorized by the Trustees except that instruments of amendment pursuant to Section 7 and an instrument of termination pursuant to Section 5 hereof shall be conclusive only if it appears that the delegations, amendments or termination have been executed by all of the Trustees. Any

person dealing with the Trust property or the Trustees may always rely on a certificate signed by any person appearing from instruments or certificates so recorded to be Trustee hereunder as to the identity of the then current Trustees or as to the existence or non-existence of any fact or facts which constitute conditions precedent to acts by the Trustees or in any other manner germane to the affairs of the Trust.

DRAFT

July 7, 2021

Lee S. Smith
 lsmith@k-plaw.com

Hon. Jennifer S. Roberts and
 Members of the Select Board
 Flynn Building
 278 Old Sudbury Road
 Sudbury, MA 01776

Re: Sudbury Housing Trust; Powers of Trustees

Dear Members of the Select Board:

As you requested, I have reviewed the Declaration of Trust of the Sudbury Housing Trust and the amendments thereto, as well as G.L. c. 44, s. 55C, the Municipal Affordable Housing Trust Fund statute (the "Statute").

At the 2006 Annual Town Meeting, the Town voted affirmatively on Article 33 to accept G.L. c. 44, s. 55C establishing a municipal affordable housing trust fund. The Sudbury Housing Trust was created by Declaration of Trust dated as of February 15, 2007, recorded in the Middlesex South Registry of Deeds in Book 49096, Page 353. Amendments thereto regarding the timing and staggering of terms of the Trustees were recorded in Book 69837, Page 157 and Book 76587, Page 425.

Section (c) of the Statute enumerates the powers of the board of trustees and further provides that a town may, by by-law, "omit or modify any of these powers and may grant to the board additional powers consistent with this section". The Town has not adopted a by-law for the Housing Trust.

In my opinion, the Declaration of Trust includes limitations on stated powers of the board of trustees that are not included in the Statute. Because the Town has not adopted a by-law omitting or modifying the statutory powers of the trustees, the powers or limitations thereof in the Declaration of Trust that are not enumerated in the Statute are unenforceable.

More specifically, the Statute does not include the authority to require prior Select Board approval before the Trustees may act. The following sections of Article III of the Declaration of Trust (Powers of Trustees) include such limitations on the Trustees' powers:

(Preamble) The Trustees "...shall have no ability to borrow money, or mortgage or pledge Trust assets, purchase, sell, lease, exchange, transfer or convey any interest in real property without prior approval of the Sudbury Board of Selectmen".

(Section 2) "with Board of Selectmen approval from Trustee recommendation" selling, leasing, exchanging, transferring or conveying personal, mixed or real property and entering into contracts for Trust property.

(Section 4) "with Board of Selectmen approval from Trustee recommendation", borrowing money and mortgaging and pledging Trust assets as collateral; and the requirement of 2/3 vote of Town Meeting to borrow in excess of the Trust's assets.

Hon. Hon. Jennifer S. Roberts and
Members of the Select Board
July 7, 2021
Page 2

(Section 6) “with Board of Selectmen approval from Trustee recommendation”, purchasing and retaining real or personal property, including investments.

(Unnumbered Section) “Notwithstanding anything to the contrary herein, Board of Selectmen approval shall be required for any of the following actions:

- (a) to purchase real or personal property;
- (b) to sell, lease, exchange, transfer or convey any personal, mixed, or real property; and
- (c) to borrow money, or to mortgage or pledge Trust assets as collateral to the extent of the Trust’s assets.

Notwithstanding anything to the contrary herein, the Trustees may not borrow, mortgage or pledge greater than the current Trust assets unless approved by the Board of Selectmen and by a 2/3 vote at any Annual or Special Town Meeting.”

The Town Meeting approval requirement for borrowing, mortgaging or pledging more than current Trust assets is also not included in the Statute.

Note further that pursuant to the Statute, Community Preservation Act (G.L. c. 44B) funds are required to be used exclusively for community housing and must be accounted for separately. Further, each year, all such funds must be reported to the Community Preservation Committee for inclusion in the community preservation initiatives report on Form CP-3 to the Massachusetts Department of Revenue. (See G.L. c. 44, s. 55C (c)(1)). These requirements must be followed even if not set forth in the Declaration of Trust.

In my opinion, the requirement of Select Board approval before the Trustees may exercise the above-referenced powers is unenforceable, as is the requirement of Town Meeting approval for borrowing, mortgaging or pledging more than current Trust assets. Such requirements would be permissible, however, if set forth in a by-law approved by Town Meeting. In my further opinion, the Trustees of the Housing Trust have the authority pursuant to the Statute to exercise these enumerated powers and those set forth in the Statute without the prior approval of the Select Board or Town Meeting.

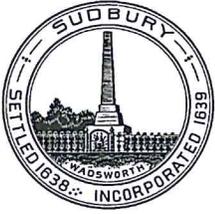
Please let me know if I can be of further assistance.

Very truly yours,

Lee S. Smith

LSS/caa

#771026/SUDB/0001



Town of Sudbury

Housing Trust

HousingTrust@sudbury.ma.us

Flynn Building
278 Old Sudbury Road
Sudbury, MA 01776
978-639-3387
Fax: 978-639-3314

www.sudbury.ma.us/housingtrust

January 14, 2022

Ms. Jennifer S. Roberts, Chair
Select Board
Flynn Building
278 Old Sudbury Road
Sudbury, MA 01776

Dear Chair Roberts,

At their meeting on January 13, 2022, the Housing Trust reviewed the draft proposed Affordable Housing Trust Bylaw which had been passed on from Town Counsel. This is the same draft Affordable Housing Trust Bylaw which the Select Board is considering bringing forward to the May 2022 Annual Town Meeting. After an extensive, thoughtful, and thorough discussion, the Housing Trust voted unanimously to relay the following concerns, requests, and commitments to the Select Board regarding this proposed new bylaw:

- To request additional time to review any currently proposed bylaw since there is presently inadequate ability for timely consideration of the matter.
- To express reservations to the proposed bylaw presented by the Select Board as there has been no explanation as to why, at this time, this is new bylaw is necessary as opposed to the status quo.
- To commit to reviewing and commenting on the proposed bylaw within 120 days, including requesting to meet with Town Counsel to review the matter, if approved by the Town Manager.

The Housing Trust hopes the Select Board will consider these comments as you debate how to proceed with the proposed Affordable Housing Trust Bylaw.

Please do not hesitate to contact Housing Trust Chair Cynthia Howe or myself if you have any questions regarding these comments or this matter. Thank you.

Sincerely,

Adam L. Duchesneau, AICP
Director of Planning and Community Development

cc: Select Board
Henry Hayes, Town Manager
Housing Trust
Liz Rust, Director of the Regional Housing Services Office

Instructions:

- 1) The **ORIGINAL, DOUBLE SPACED, TYPEWRITTEN** article is to be submitted to the Selectmen’s Office in final form.
- 2) Articles submitted by Boards and Committees must be signed by a majority accompanied by a copy of vote signed by its clerk.
- 3) **WARRANT REPORT**, briefly explaining intent and scope of article **must** be attached.
- 4) All monied articles must specify dollar amounts requested.
- 5) Article wording must be approved and article signed by Town Counsel before submission.

ARTICLE 1. HEAR REPORTS

To see if the Town will vote to hear, consider and accept the reports of the Town Boards, Commissions, Officers and Committees as printed in the 2020 Town Report or as otherwise presented; or act on anything relative thereto.

SUBMITTED BY: _____

_____	_____
_____	_____
_____	_____

APPROVED BY: _____
Town Counsel

Attachment5.h: Art. 1 Hear Reports (5018 : Discuss potential ATM SB articles)

Instructions:

- 1) The **ORIGINAL, DOUBLE SPACED, TYPEWRITTEN** article is to be submitted to the Selectmen’s Office in final form.
- 2) Articles submitted by Boards and Committees must be signed by a majority accompanied by a copy of vote signed by its clerk.
- 3) **WARRANT REPORT**, briefly explaining intent and scope of article **must** be attached.
- 4) All monied articles must specify dollar amounts requested.
- 5) Article wording must be approved and article signed by Town Counsel before submission.

ARTICLE 2. FY21 BUDGET ADJUSTMENTS

To see if the Town will vote to amend the votes taken under Article 3, FY22 Budget, of the 2021 Annual Town Meeting, by adding to or deleting from line items thereunder, by transfer between or among accounts or by transfer from available funds; or act on anything relative thereto.

SELECT BOARD REPORT: This article will allow flexibility to review all accounts within the FY22 Operating Budget to make adjustments at the Annual Town Meeting as necessary.

SUBMITTED BY: _____

APPROVED BY: _____

Town Counsel

Attachment 5.i: Art. 2 Budget Adjustments (5018 : Discuss potential ATM SB articles)

Instructions:

- 1) The **ORIGINAL, DOUBLE SPACED, TYPEWRITTEN** article is to be submitted to the Selectmen’s Office in final form.
- 2) Articles submitted by Boards and Committees must be signed by a majority accompanied by a copy of vote signed by its clerk.
- 3) **WARRANT REPORT**, briefly explaining intent and scope of article **must** be attached.
- 4) All monied articles must specify dollar amounts requested.
- 5) Article wording must be approved and article signed by Town Counsel before submission.

ARTICLE . _____ FY23 STABILIZATION FUND

(Consent Calendar)

To see if the Town will vote to transfer from Free Cash the sum of \$_____, or any other sum or sums, to be added to the Stabilization Fund established under Article 12, of the October 7, 1982 Special Town Meeting, pursuant to General Laws Chapter 40, Section 5B; or act on anything relative thereto.

SELECT BOARD REPORT: Based on the Select Board’s Budget and Financial Policies, the Town’s goal is to maintain in the Stabilization Fund an amount equal to 5% of the total projected general fund operating revenues for the last fiscal year. This Fund protects the Town in case of a severe emergency and is beneficial in supporting the Town’s AAA bond ratings, which in turn results in lowering borrowing costs.

SUBMITTED BY: _____

APPROVED BY: _____

Town Counsel

Attachment5.j: Stabilization Fund (5018 : Discuss potential ATM SB articles)

Instructions:

- 1) The **ORIGINAL, DOUBLE SPACED, TYPEWRITTEN** article is to be submitted to the Selectmen's Office in final form.
- 2) Articles submitted by Boards and Committees must be signed by a majority accompanied by a copy of vote signed by its clerk.
- 3) **WARRANT REPORT**, briefly explaining intent and scope of article **must** be attached.
- 4) All monied articles must specify dollar amounts requested.
- 5) Article wording must be approved and article signed by Town Counsel before submission.

ARTICLE XX. STREET ACCEPTANCE – HUCKLEBERRY LANE

To see if the Town will vote to accept as a public way:

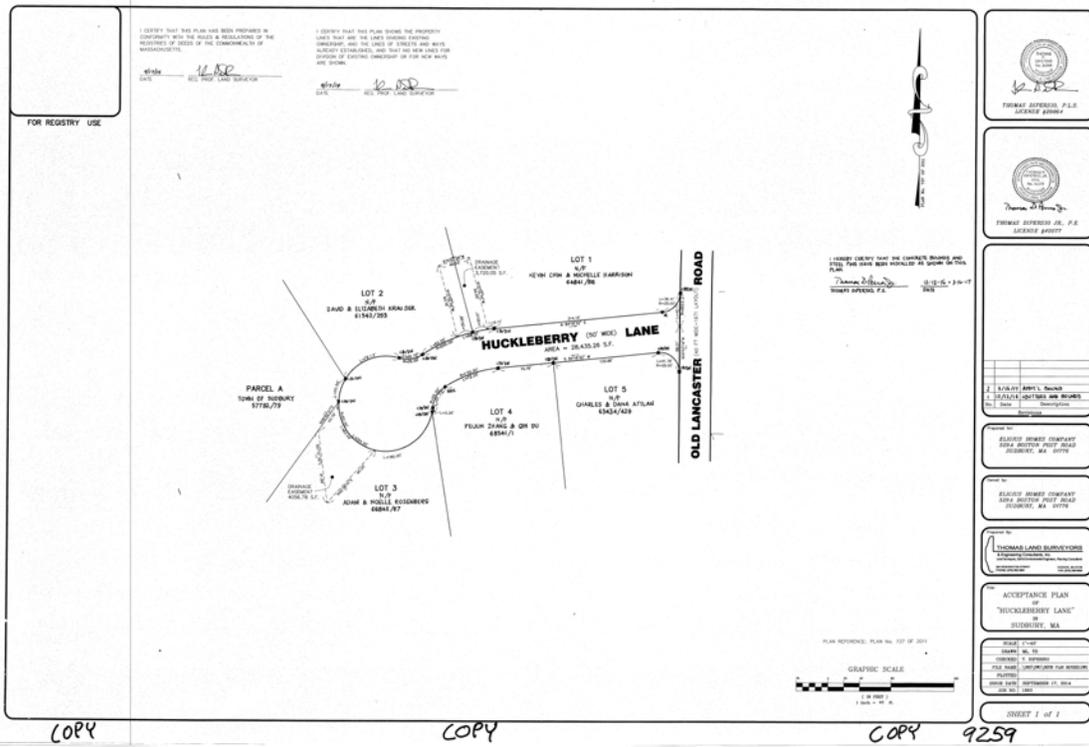
Huckleberry Lane from Old Lancaster Road to dead end, a distance of 453 feet +/- As laid out by the Select Board in accordance with the descriptions and plan entitled "Acceptance Plan of Huckleberry Lane in Sudbury, MA," prepared for Eligius Homes Company by Thomas Land Surveyors and Engineering Consultants, Inc., dated September 17, 2014 and twice revised on December 12, 2016 and March 16, 2017, on file in the Town Clerk's Office; and to authorize the Select Board to acquire by purchase, by gift, or by eminent domain, an easement or fee simple, over the ways shown on the said plans and any associated drainage, utility, or other easements for all purposes for which public ways are used in the Town of Sudbury; and to raise and appropriate or transfer from available funds a sum or sums of money therefor and all expenses in connection therewith; or act on anything relative thereto.

Submitted by the Select Board.

(Two-thirds vote required)

SELECT BOARD REPORT: Prior to Town Meeting the Select Board will hold a public meeting and receive a recommendation from the Planning Board relative to approval of the layout of this road. The Select Board will then report at Town Meeting.

If the above street is voted and accepted by Town Meeting as a public way, all future maintenance and repair of the roadway will be performed by the Town.



COPY

COPY

COPY

9259

SUBMITTED BY: _____

APPROVED BY: _____
Town Counsel

Attachment 5.k: Street Acceptance - Huckleberrry (5018 : Discuss potential ATM SB articles)

Instructions:

- 1) The **ORIGINAL, DOUBLE SPACED, TYPEWRITTEN** article is to be submitted to the Selectmen's Office in final form.
- 2) Articles submitted by Boards and Committees must be signed by a majority accompanied by a copy of vote signed by its clerk.
- 3) **WARRANT REPORT**, briefly explaining intent and scope of article **must** be attached.
- 4) All monied articles must specify dollar amounts requested.
- 5) Article wording must be approved and article signed by Town Counsel before submission.

ARTICLE **FAIRBANK COMMUNITY CENTER FURNITURE, FIXTURES, EQUIPMENT FUNDING**

To see if the Town will vote to transfer from Free Cash the sum of \$500,000, or any other sum or sums, for the purpose of purchasing furniture, fixtures, and equipment including audio-visual for the Fairbank Community Center project to address needs and budget challenges, or act on anything relative thereto.

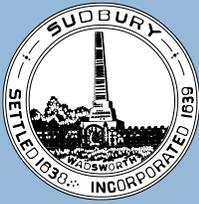
Submitted by the Select Board.

SELECT BOARD REPORT:

SUBMITTED BY: _____

APPROVED BY: _____
 Town Counsel

Attachment 5.1: Fairbank FF&E (5018 : Discuss potential ATM SB articles)



SUDBURY SELECT BOARD
Tuesday, January 18, 2022

MISCELLANEOUS (UNTIMED)

6: DEI discussion

REQUESTOR SECTION

Date of request:

Requestor: Chair Roberts

Formal Title: Discussion and possible vote on Diversity, Equity, and Inclusion (DEI) Commission term extension, mission update, and funding request. (~20 min.)

Recommendations/Suggested Motion/Vote: Discussion and possible vote on Diversity, Equity, and Inclusion (DEI) Commission term extension, mission update, and funding request. (~20 min.)

Background Information:
attached current mission statement

Financial impact expected:

Approximate agenda time requested: 20 minutes

Representative(s) expected to attend meeting:

Review:

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

01/18/2022 7:00 PM

TOWN OF SUDBURY
SUDBURY DIVERSITY, EQUITY, AND INCLUSION COMMISSION

Approved by the Board of Selectmen: November 17, 2020

Amended: April 6, 2021

Mission:

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

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

Goals:

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

Membership:

The ***Sudbury Diversity, Equity, and Inclusion Commission*** shall be appointed by the Select Board according to the following list. All appointments shall expire on May 31, 2022 but may be extended by the Select Board. Members will be reflective of the diversity of the Sudbury community. The membership will be established through an open request to all residents of the town. The Select Board will send notice of the application

process to all faith communities, local civic organizations, town boards and committees, local media (including print and digital and social media) and any other outlet that will help to reach the broadest range of residents.

The Commission shall elect a Chair and Vice-Chair or Co-Chairs, and a Clerk from among its members. The Chair or Co-Chairs will run the meetings, be the designated communications link with the Select Board, and schedule meetings. Commission members will be initially appointed to serve until May 31, 2022.

Membership (voting members) will include:

- Sudbury resident(s), including Students or Parents of Students attending Sudbury schools.....(up to 14 members)

Advisory (non-voting members):

- Sudbury Police Chief or delegate from Sudbury Police Department(1)
- Town of Sudbury Town Manager or delegate (1)
- Sudbury Public School and/or Lincoln Sudbury Regional High School..... (2)
- One member nominated by the Sudbury Clergy Association (1)
- Select Board liaison (2)

Areas of expertise/experience for members may include but not limited to:

- Business representatives
- Education
- Parent or caregiver
- Student
- Human Resources
- Immigration law
- Medical and healthcare
- Minority affairs
- Real estate/Affordable Housing
- Social Work

The Commission consists of a group of Commission members and a small group of Advisory members. Commission members are voting members and must be available and willing to attend the majority of scheduled meetings. They may draw upon the expertise of Advisory members, who will be requested to attend meetings and/or discuss topics for which their expertise is needed. The Chair or Co-Chairs will run meetings, be the designated communications link with the Town Manager and other Town staff, and schedule committee meetings. The Commission may internally select a Clerk who will ensure that full minutes and a list of members in attendance are kept of each meeting and promptly submitted to the Commission for approval, filing with the Town Clerk, posting to the Town’s website, and disseminating to the Advisory membership.

The Select Board shall determine by March 31, 2022 whether to modify the mission statement, Commission charge, or Commission composition, and act to establish duration of term effective June 1, 2022.

Meetings will be open to the public, recorded, and will include community wide surveys and discussion groups.

Compliance with State and Local Laws and Town Policies

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

The Code of Conduct for Selectmen Appointed Committee

The Town's Email Communication for Committee Members Policy

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

Use of the Town's Web site

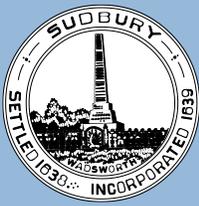
- The Commission will keep minutes of all meetings and post them on the Town's web site. The Commission will post notice of meetings on the Town's website as well as at the Town Clerk's Office.

**Sudbury Diversity, Equity, and Inclusion Commission
Funding and Term Extension Request
January 14, 2022**

We thank the Select Board’s continued partnership and commitment to promoting Diversity, Equity, and Inclusion principles and practices in the town of Sudbury. The Sudbury Diversity, Equity, and Inclusion Commission respectfully requests the Select Board to consider extending the Commission’s term until November 30, 2022 as well as support its work and training by allocating \$15,000 for the DEI Commission. We believe that an additional six months with the appropriate funding will allow the Commission to complete the Storytelling / Lived Experiences Project as well as further develop policy recommendations based on research and community feedback.

The Commission’s Structure Advisory Subcommittee was created to structure the commission’s mission and goals into feasible projects and deliverables. The Subcommittee is continuing to contemplate how to pursue our work, however, they have made the following initial recommendations to pursue and complete by November 30, 2022:

1. Pursuant to goal 1a in the Commission’s mission statement, a Subcommittee will be formed to define what kind of training should be offered and determine the effectiveness of such training.
2. Pursuant to goal 1b in the Commission’s mission statement, the Storytelling / Lived Experiences Project will gather and determine first-hand experiences in Sudbury. Additionally, we will create another Subcommittee to revisit summaries of information already received from other town DEICs, local community leaders, and town department heads. This Subcommittee will collate and list possible action items based on this research.
3. Pursuant to goal 1c, we will create a Subcommittee to be tasked with circulating and presenting quarterly reports to all boards and committees for feedback. This Subcommittee will launch an assessment of town boards and committees to retrieve demographic information.
4. Pursuant to goals 1d and 1e, an Outreach Subcommittee will be formed. This is already being pursued by the Commission’s participation on a DEI Roundtable hosted by LWV on January 30, 2022. Additionally, this Subcommittee will recognize individual awareness months such as Black History Month and PRIDE month.
5. As mentioned in quarterly reports submitted to the Select Board, the Commission will develop Subcommittees to focus and address the following initiatives and determine their feasibility as policy recommendations. The priority initiatives are as follows:
 - a. International flags in the town center.
 - b. Allowing non-U.S. citizens to vote in municipal elections.
 - c. Promoting and encouraging all town meetings and hearings to include a land Acknowledgement.



SUDBURY SELECT BOARD
Tuesday, January 18, 2022

MISCELLANEOUS (UNTIMED)

7: 2022 Goal Setting Next Steps

REQUESTOR SECTION

Date of request:

Requestor: Chair Roberts

Formal Title: 2022 Goal Setting Next Steps. Develop deliverables and possibly assign and vote Select Board liaisons to goals. (~35 min.)

Recommendations/Suggested Motion/Vote: 2022 Goal Setting Next Steps. Develop deliverables and possibly assign and vote Select Board liaisons to goals. (~35 min.)

Background Information:

Financial impact expected:

Approximate agenda time requested: 35 minutes

Representative(s) expected to attend meeting:

Review:

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

01/18/2022 7:00 PM

Goal	Primary Category	Deliverables/Steps	Board Liason	Staff Liason	Bill Schineller	Jen Roberts	Dan Carty	Charles Russo	Janie Dretler	Total Score	
Advance to Construction Phase - Bruce Freeman Rail Trail	Open Space, Recreation & Historic Assets	Early July - advertising, early Oct - construction 2022		Planning		5		3	5	13	1 High
Plan and Support ARPA funding spending	Financial Management & Economic Resilience	Determine priority and use of ARPA funds; incorporate oversight		Town Manager/Treasurer	1	3	1	5	2	12	2 High
Evaluate Current State and Future Best use of Sewataro	Open Space, Recreation & Historic Assets	Increase public use; swimming on summer weekends; safeguard property; update Agreement; examine / evaluate best uses for the property; discover revenue generating opportunities; define strategic vision, options and next steps; formulate evaluation team; compare data from other communities; increase documentation of activities and uses; consider tax exempt debt option (lease vs management agreement); assess environmental and public health impact		Town Manager/Facilities/PRP		2		4	4	10	3 High
Refine issues/research/make decisions re. LS Regional and Assessment Process/Vocational Ed Access	Effective Governance and Communication	Map out issues and process; coordinate with stakeholders / Lincoln leadership and LSRHS School Committee; evaluate Agreement review increments; examine vocational education responsibilities - explore joining district; define the perceived problems; budget timeline alignment; draft updates of the Agreement		Town Manager	3	1	5			9	4 High
Sustainability and Climate Change initiatives	Environmental Health & Wellness	Support MVP/Master Plan related elements/HMP/possible CED		Health/Conservation/Planning		4		2	3	9	5 High
Expand (Normalize) and Fund Transportation Option	Transportation, Mobility & Housing	Continue existing programs, identify possible future programs and determine sustainability options		Planning/Treasurer	4		4			8	6 High
Complete Efficiency Analysis - regionalization/public/private/intermunicipal agreements	Effective Governance and Communication	Report and recommendations regarding: Review existing arrangements and opportunities, recommend which to revisit or pursue: Regional Housing Services (neighboring towns) Regional Health/Flu Clinics (neighboring towns) Local Transportation (neighboring towns) Lincoln-Sudbury Regional HS Vocational Education (Assabet, Middlesex...) Special Education ("White House") Electricity Aggregation Sustainability Office (join with Natick?) Trash Collection Aggregation Transfer Station Water District v. MWRA Sewer / Wastewater Management Hudson Light and Power, Concord Municipal Light Plant Sewataro Public/Private Partnership Police mutual support Fire mutual support Ambulance Services Hockey Rink Atkinson Pool (rent to other town teams) Equestrian (lease / rent Broadacres riding ring)		Town Manager							7
Enhance Capital Planning, Maintenance, and funding process	Financial Management & Economic Resilience	incorporate ADA assessment results; town-wide capital inventory of facilities and other capital items; anticipate future needs; evaluate renovation/space needs		Town Manager/Treasurer/Facilities	2		2			4	8
Plan for completion of construction projects	Town Services and Infrastructure	Community Center and Fire Station steps - plan for completion; do not lose elements		Town Manager				1		1	9
Feasibility study for upkeep of facilities and other areas/properties(incorporated above)	Town Services and Infrastructure	issue an RFP for town-wide facility study							1	1	10
Complete Financial Policies	Financial Management & Economic Resilience	Complete rreview of DLS Report; Finalize and publish Financial Policies; identify gaps; select, prioritize and implement Capital planning improvements; transparency/communicate to the public; identify what we mean by capital; secure funding sources;		Town Manager/Treasurer							0
Upgrade Fire Station 2 (Rte 20)	Town Services and Infrastructure			Fire Chief/Facilities							0
Promote and Support Master Plan	Effective Governance and Communication	Support implementation of MP and start implementation of SB items		Planning/Town Manager							0
TO CONSIDER											0
Infrastructure prioritization and planning relating to safety - sidewalks/crosswalks/signage	Town Services and Infrastructure			DPW/Police							0
Emergency Preperadness	Town Services and Infrastructure			Fire							0
ADA Plan - integrate town-wide including website, etc.	Transportation, Mobility & Housing			Town Manager/Facilities							0
OTHERS											0
Uber/Taxi Rides - Decision	Transportation, Mobility & Housing			Planning							0
Housing Production Plan - complete	Transportation, Mobility & Housing			Planning							0
Open Space and Recreation Plan - update	Open Space, Recreation & Historic Assets			Planning							0

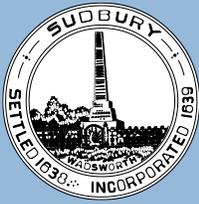
Attachment 7.a: Sudbury SB Goal Setting - 2021 Dec 13 (5039 : 2022 Goal Setting Next Steps)

Pro-Active Public Health Initiatives	Environmental Health & Wellness			Health							0
Health Regulations - update	Environmental Health & Wellness			Health							0
More robust Public Health Resources	Environmental Health & Wellness			Health							0
Fairbanks Community Center	Town Services and Infrastructure			Town Manager/Facilities							0
Preventative Maintenance	Town Services and Infrastructure			Facilities							0
Culverts	Town Services and Infrastructure			DPW							0
Comprehensive wastewater management plan completion	Town Services and Infrastructure			DPW							0
Senior transportation	Transportation, Mobility & Housing			COA							0
Dementia-friendly practices	Town Services and Infrastructure			COA							0
Recognizing veterans	Effective Governance and Communication			Veterans							0
Building personnel needs	Town Services and Infrastructure			Building							0
Website improvement and accessibility	Effective Governance and Communication			IT							0
Space utilization for staff	Town Services and Infrastructure			Town Manager/Facilities							0
Vocational Education	Effective Governance and Communication			Town Manager							0
Professional training for Select Board	Effective Governance and Communication			Town Manager							0
Tourism promotion	Open Space, Recreation & Historic Assets			Town Manager							0
Anniversary planning	Open Space, Recreation & Historic Assets			Town Manager							0
Rt. 20 study/plan	Town Services and Infrastructure			Planning							0
Ensure impacted residents with conservation restrictions are provided prompt service	Effective Governance and Communication			Conservation							0
Livable Sudbury	Transportation, Mobility & Housing										0
Town Center Development	Transportation, Mobility & Housing			Planning							0
Support after-school programs	Open Space, Recreation & Historic Assets			Recreation							0
IDENTIFIED PRIORITIES											

BOS GOALS 2021						
Goal	Primary Category	Total Score	Priority Level	Board Liaison	Staff Liaison	2021 deliverable
Financial Policies and Capital Planning/ Funding	Financial Management & Economic Resilience	19	High	Roberts & Schineller	Town Manager/Treasurer	Complete rreview of DLS Report; Finalize and publish Financial Policies ; identify gaps; select, prioritize and implement Capital planning improvements; transparency/communicate to the public ; identify what we mean by capital; secure funding sources;
LS Regional Agreement and Assessment Process	Effective Governance and Communication	16	High	Carty	Town Manager	Map out issues and process; coordinate with stakeholders / Lincoln leadership and LSRHS School Committee; evaluate Agreement review increments; examine vocational education responsibilities; define the perceived problems; budget timeline alignment; draft updates of the Agreement
Upgrade Fire Station 2 (Rte 20)	Town Services and Infrastructure	14	High	Dretler & Roberts	Fire Chief/Facilities	Conduct a forum for information on the project; accommodate 3rd ambulance; Warrant Article at May 2021 Annual Town Meeting and Special Election (if needed);
Bruce Freeman Rail	Open Space, Recreation & Historic Assets	9	High	Dretler & Russo	Planning	Re-establish Rail Trail Task Force; bid out final design; keep consultant on advertising date for construction
Sewataro	Open Space, Recreation & Historic Assets	5	High	Schineller & Russo	Town Manager/Facilities/PRP	Increase public use (swimming summer weekends); safeguard property; update Agreement; examine / evaluate best uses for the property; discover revenue generating opportunities; define strategic vision, options and next steps; formulate evaluation team; compare data from other communities; increase documentation of activities and uses; consider tax exempt debt option (lease vs management agreement);
Expand (Normalize) and Fund Transportation Option	Transportation, Mobility & Housing	4	High	Carty	Planning/Treasurer	Evaluate additional options; future vision development / employment and oversight methodology; examine sustainment of operations and funding sources; determine transportation gaps; align with Master Plan intent; track trend data to discover efficiencies and distractions; develop community survey; add Town employee(s)
Master Plan Implementation (Driven by PB - Support from SB)	Effective Governance and Communication	4			Planning/Town Manager	
Diversity, Equity and Inclusion Commision (underway)	Effective Governance and Communication	2				
Vocational Education	Town Services and Infrastructure	1				
Eversource Ilitagation	Environmental Health & Wellness	1			Town Counsel	
Customer Services for Municipal Facilities	Effective Governance and Communication	0			Town Manager	
Enhance Website (More Self Service)	Effective Governance and Communication	0			IT	
Remote Work Place Support	Effective Governance and Communication	0			IT	
Development Project Mgt and Reporting System (KPI report)	Effective Governance and Communication	0			Town Manager	
House Keeping - including transparency, minutes website)	Effective Governance and Communication	0			Town Manager/Treasurer	
Update Policies and Procedures	Effective Governance and Communication	0			Town Manager	
3 year Calendar for BOS	Effective Governance and Communication	0			Town Manager/Selectmen Office	
Town Meeting - Increasing Engagement, Efficiency, and Participation	Effective Governance and Communication	0			Town Manager/Selectmen Office	
Increase Civic Leadership and Engaged Citizenry	Effective Governance and Communication	0				
Preventative Maintenance for Capital Assets	Financial Management & Economic Resilience	0			Facilities/Treasurer	
Customer Services for Municipal Facilities	Financial Management & Economic Resilience	0			All	
Facilities Inventory	Financial Management & Economic Resilience	0			Facilities	
Staffing Plan for Future	Financial Management & Economic Resilience	0			Town Manager	

Attachment 7.b: BOS-Goals-2021 (5039 : 2022 Goal Setting Next Steps)

BOS GOALS 2021						
Goal	Primary Category	Total Score	Priority Level	Board Liaison	Staff Liaison	2021 deliverable
Fairbank Comm Ctr	Town Services and Infrastructure	0			Town Manager/Facilities/Sr Center/PRP/Treasurer	
Sidewalks and Crosswalks Priorities	Town Services and Infrastructure	0			DPW/Planning	
Pavement Management Plan	Town Services and Infrastructure	0			DPW	
Roadway (bridges, culverts, drains)	Town Services and Infrastructure	0			DPW	
Emergency Management and Response	Town Services and Infrastructure	0			Town Manager/Fire Chief	
Age Friendly and Dementia Friendly	Town Services and Infrastructure	0			Sr Center	



SUDBURY SELECT BOARD
Tuesday, January 18, 2022

MISCELLANEOUS (UNTIMED)

8: Discussion and possible vote on finalization of Financial Policy

REQUESTOR SECTION

Date of request:

Requestor: Chair Roberts

Formal Title: Discussion and possible vote on finalization of Financial Policies draft document. (~25 min.)

Recommendations/Suggested Motion/Vote: Discussion and possible vote on finalization of Financial Policies draft document. (~25 min.)

Background Information:

Financial impact expected:

Approximate agenda time requested: 25 minutes

Representative(s) expected to attend meeting:

Review:

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

01/18/2022 7:00 PM

Town of Sudbury, Massachusetts

Financial Policies Manual

January 18, 2022



Version	Changes	Select Board Approved Date
1.0	Initial release, replacing prior Board of Selectmen Financial Policies	

Attachment 8.a: 2022-01-14-Financial Policies Changes in Red (4989 : Discussion and possible vote on finalization of Financial Policy)

Introduction

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

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

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

Acknowledgements

These Financial Policies were created through collaborative efforts by the Select Board with Town Committees and staff including: Dennis Keohane (Finance Director), Henry Hayes Jr. (Town Manager), the Select Board Policies and Procedures Review Subcommittee, the Finance Committee, and the Capital Improvement Advisory Committee. Incorporated are recommendations from Massachusetts Division of Local Services "Town of Sudbury Review of Capital Improvement Program, April 2020."

Town of Sudbury, Massachusetts

Financial Policies Manual

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FINANCIAL RESERVES

PURPOSE

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

APPLICABILITY

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

POLICY

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

A. Protection of Credit Rating

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

B. Free Cash

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

As close to fiscal year end as reasonably possible, the Town Accountant shall submit to DLS a year-end balance sheet, free cash checklist, and year-end reporting checklist. Once DLS certifies free cash, the Town Accountant will provide copies of the certified balance to the Select Board, Town Manager, and Finance Director.

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

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

C. Stabilization Funds

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

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

Special Purpose Stabilization Funds

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

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

Withdrawals from the Capital Stabilization Fund should be avoided until the target balance has been achieved. Once achieved, funds can be used towards items on the CIP. Once funds are used, the Town will seek to make annual contributions to the fund until the target balance is achieved.

Turf Stabilization: The Town maintains a special purpose fund to offset the cost of repairs or replacement of Town owned and operated synthetic turf fields¹. Contributions to this fund should be made annually from the General Operating Fund and Field Maintenance Enterprise Fund.

D. Overlay Surplus

The overlay is a reserve the Town uses to offset unrealized revenues resulting from property tax abatements and exemptions. Sudbury officials will prudently manage the overlay in accordance with the Town's Overlay policy governed by Mass General Law² to avoid the need to raise overlay deficits in the tax levy. At the conclusion of each fiscal year, the Board of Assessors shall submit to the Town Manager and Finance Director an update of the overlay reserve with data that includes, but is not limited to, the gross balance, potential abatement liabilities, and any transfers to surplus. If the balance exceeds the amount of potential liabilities, the Town Manager on behalf of the Select Board may request that the Board of Assessors vote to declare those balances surplus, available for one-time expenditures (as with free cash).

¹ TM-2015 - Article 17 Establish Special Stabilization Fund - Town-Owned Synthetic Turf Fields. "To see what sum the Town will vote to raise and appropriate, or transfer from available funds, to be placed in a special Stabilization Fund established under this article for the purpose of replacement or major repair of the synthetic turf fields solely owned and operated by the Town of Sudbury; or act on anything relative thereto." (This does not apply to LSRHS turf fields as they are not solely owned by the Town of Sudbury.)

² MGL Ch.59 Sec. 25

FORECASTING

PURPOSE

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

APPLICABILITY

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

POLICY

A. Revenue Guidelines

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

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

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

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

Economic downturns or unanticipated fiscal stresses may compel reasonable exceptions to the use of one-time revenue. In such cases, the Town Manager, in consultation with the Finance

Director, can recommend its use for operational appropriations. Such use will trigger the Town Manager to develop a plan to avoid continued reliance on one-time revenues.

State laws impose further restrictions on how certain types of one-time revenues may be used. The Town will consult Mass General Laws governing use of one-time revenues³ by revenue source.

This policy further entails the following expectations regarding revenues:

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

B. Expenditure Guidelines

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

C. Financial Forecast Guidelines

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

³ Sale of real estate: M.G.L. c. 44, §63 and M.G.L. c. 44, §63A
 Gifts and grants: M.G.L. c. 44, §53A and M.G.L. c. 53A½
 Bond proceeds: M.G.L. c. 44, §20
 Sale of moveable property: M.G.L. c. 44, § 53

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

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

Additionally, the forecast model should assume that:

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

D. Reporting

The Town Manager and the Finance Director shall submit a detailed annual budget to the Select Board and Finance Committee, on behalf of Town departments, addressing estimated budgetary requirements for the ensuing year.⁴

The Finance Committee shall, not later than March 31st, submit to the Select Board their written report with their recommendations, including the amounts requested by those originating the above estimates.⁵

The annual detailed budget and other requests shall be presented at the Annual Town Meeting each May.⁶

⁴ Per Bylaw Article IV Section 5 "Each Town department shall annually submit to the Finance Committee, not later than January 31st, an estimate of its requirements for the ensuing year, and the Selectmen shall report all other requests for appropriations on or before February 5th."

⁵ Per Bylaw Article IV Section 5 "The Finance Committee shall, not later than March 31st, submit to the Selectmen their written report with their recommendations, including the amounts requested by those originating the above estimates."

⁶ Per bylaw Article I Section 2 "The Annual Business Meeting shall begin on the first Monday in May at such place as the Selectmen shall determine."

The Town financial results vs. forecast (revenues and expenses) shall be reported out quarterly for the Select Board and public.

OVERLAY

PURPOSE

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

The allowance for abatements and exemptions, commonly referred to as the overlay, is a single account whose purpose is to offset anticipated abatements and exemptions of committed real and personal property taxes. Although this policy treats overlay as a single account⁷, to continue historical information and facilitate reconciliations, the Town may elect to maintain subsidiary ledgers by levy year for overlay balances.

APPLICABILITY

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

POLICY

A. Annual Overlay

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

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

B. Excess Overlay

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

⁷ Effective December 7, 2016, the Municipal Modernization Act (Chapter 218 of the Acts of 2016) provides for a single overlay account. Previously, a community had to maintain separate overlay reserves for each fiscal year and could not use the surplus from one year to cover another year's deficit without a multistep process involving the assessors, accounting officer, and local legislative body. However, the Act allows all existing overlay balances to be transferred to a single account.

- Current balance in the overlay account after reconciling with the Town Accountant's records
- Balance of the property tax receivables, which represents the total real and personal property taxes still outstanding for all levy years
- Estimated amount of potential abatements, including any cases subject to ATB hearings or other litigation

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

C. Overlay Surplus

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

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

DEBT MANAGEMENT

PURPOSE

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

APPLICABILITY

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

POLICY

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

A. Debt Financing

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

In financing with debt, the Town will:

1. Issue long-term debt only for objects or purposes authorized by state law and only when the financing sources have been clearly identified.
2. Use available funds as appropriate to reduce the amount of borrowing on all debt-financed projects.
3. Confine long-term borrowing to capital improvements and projects that cost at least \$100,000 and that have useful lifespans of at least ten years or whose lifespans will be prolonged by at least ten years.
4. Restrict debt exclusion borrowing to proposals which meet all three of these criteria:
 - (1) useful life of 20 years or more

(2) estimated cost of the principal payment in the first year of the debt issuance greater than 0.25% of the prior year's General Fund revenue. This criterion applies after target level for in-levy debt of 3% is initially achieved⁸.

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

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

B. Debt Limits and Targets

The Town will adhere to these debt parameters:

1. Total annual debt service, including debt exclusions and any self-supporting debt, shall be limited to 10% of General Fund revenues, with a reasonable range of 5-7%.
2. As dictated by state statute⁹, the Town's debt limit shall be 5% of its most recent equalized valuation.
3. The Town shall endeavor to gradually and consistently pursue future debt issuances financed by within-levy dollars with a target of 3% of prior year's General Fund budget.

C. Structure and Term of Debt

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

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

⁸ As per Section B. Debt Limits and Targets Item 3 of this document, herein.

⁹ MGL Chapter 44 Section 10

D. Bond Refunding

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

1. Issue debt with optional call dates no later than 10 years from issue.
2. Analyze potential refunding opportunities on outstanding debt as interest rates change.
3. Use any net premium and accrued interest to reduce the amount of the refunding.
4. Work with the Town's financial advisor to determine the optimal time and structure for bond refunding.

E. Protection of Bond Rating

To protect its bond rating, the Town will:

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

F. Reporting

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

INVESTMENTS

PURPOSE

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

APPLICABILITY

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

POLICY

The Finance Director shall invest funds in a manner that meets the Town's daily operating cash flow requirements and conforms to state statutes governing public funds while also adhering to generally accepted diversification, collateralization, and the prudent investment principles regarding safety, liquidity, and yield. The Finance Director will report investment performance to the Select Board each August including a three-year historical lookback for Trust Funds.

See additional details in the [Town of Sudbury Investment Policy](#), [Trust Funds Investment Policy](#) as well as the [Town of Sudbury CPA Investment Policy](#).

CAPITAL ASSETS

PURPOSE

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

APPLICABILITY

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

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

POLICY

A. Capital Improvement Plan

The Town Manager shall maintain an inventory of all Town 'capital assets.' Annually, by September 30th, each department shall assess the condition and replacement needs. The Town Manager will update and adopt annually a five-year capital improvement plan ("CIP"), including the upcoming annual capital improvement budget ("CIB") and a four-year projection of capital needs and expenditures, which details the estimated cost, description and anticipated funding sources for capital projects. The CIP should govern projects undertaken either to build, buy, expand or replace a long-life asset or to an asset's condition beyond its original state of quality, efficiency, or useful life expectation.

Annually, the minimum level of capital spending the town should target year to year should be equivalent to 6% of the prior year's General Fund budget, endeavoring to draw equally from within-levy debt and cash capital sources. The chosen ratio of cash capital vs. in-levy debt used to fund capital may vary based on available cash capital, interest rates, and other factors.

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

1. The Town Manager shall establish criteria to determine capital asset prioritization, including but not limited to:
 - Risks to public safety
 - Legal requirements

- Equitable provision of services (e.g. Americans with Disabilities Act compliance)
 - Revenue producing or cost savings
 - Improvement of operating efficiency
 - Funding sources availability
 - Systematic replacement or repair
 - Supports community plans (e.g. Master Plan)
 - Enhancement of quality of life (e.g. preservation of conservation, historic, and recreation resources)
2. Annually, the Town Manager shall request 5- and 15-year capital plans from Town Department Heads, SPS, and LSRHS. The Town's obligation per the LSRHS agreement shall be factored into the Town CIP.
 3. The Town Manager in consultation with Department Heads, SPS, and LSRHS, shall annually update the composition and prioritization of the 5- and 15-year capital plans and create an ordered list sorted by urgency score, with appropriate justification (identifying criteria and which department it supports).
 4. A Capital Project Submission Sheet shall be required for every item listed on the five-year CIP.
 5. The CIP shall not include items that cost less than \$20,000 or have a useful life of less than 5 years. Items that do not meet this threshold should be included within the Town's operating budget.
 6. Alongside the CIP prioritization, proposed Funding Sources shall be identified. Wherever possible, funding sources should be derived from 'cash capital' and within levy debt funding options. Funding sources for capital may include:
 - Community Preservation Act (CPA) funds (if eligible; Open Space, Recreation, Historic)
 - Town Manager's Capital Budget (items less than \$100,000 in one year; less than \$200,000 over multiple years; and last more than 5 years)
 - New growth dedicated to capital
 - Capital Stabilization Fund
 - Special-purpose stabilization funds
 - Free Cash
 - In-levy Debt
 - Dedicated revenue sources
 - Capital Exclusion
 - Debt Exclusion
 - Grants
 7. Capital Items which are CPA-eligible and prioritized for the upcoming budget year (i.e. to be included in the CIB) must be locked down and presented to the Community Preservation Committee according to their application/evaluation timeline.
 8. The Town will emphasize preventive maintenance as a cost-effective approach to infrastructure maintenance. Exhausted capital goods will be replaced as necessary.
 9. The CIP shall not include items deemed to be departmental maintenance. Rather, such smaller, shorter life maintenance items should be included in departmental budgets.

B. Risk Management

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

C. Reporting and Process

1. The Town Manager will submit CPA-eligible projects under consideration for the CIB to the Community Preservation Committee by October 15th.

Annually by January 31st:

2. The Town Manager and departments shall submit to the CIAC a summary for evaluation of projects over \$100,000 for a single year, or \$200,000 over multiple years¹⁰. The Select Board requests progress summary reports for prior year capital items approved by the Town.
3. The Town Manager shall submit Town Meeting articles for the CIB.
4. The Town Manager shall coordinate the distribution of the CIB, CIP, and associated Capital Project Submission Sheets to the Select Board, CIAC, and Finance Committee¹¹ and other stakeholders. These materials will detail each capital project, the estimated cost, description and funding.
5. The 5 year capital improvement plan shall be posted and accessible for committees, commissions, boards, and public view on town website, reflecting updates for any changes made. The Capital Project Submission Sheet for each project on the 5 year CIP shall be posted and linked from the CIP.
6. On or before February 5th, the Select Board shall report all requests for capital appropriations to the Finance Committee¹².
7. On or before February 15th, the Town Manager shall organize a joint meeting of the Select Board, CIAC, Finance Committee, CPC representatives, SPS/LSRHS superintendents, and department heads. They will solicit and coordinate receipt of questions in advance of this joint meeting. At this joint meeting, the CIAC will present its opinions on capital projects within its scope and will follow up with a final written report¹³.

¹⁰ Per Bylaw Article XXV Sec. 2

¹¹ Per Bylaw Article IV Sec. 5 "Each Town department shall annually submit to the Finance Committee, not later than January 31st, an estimate of its requirements for the ensuing year."

¹² Per Bylaws Article IV Sec. 5 "Selectmen shall report all other requests for appropriations on or before February 5th."

¹³ Per Bylaw XXV Sec. 2-3 "CIAC shall make a report with recommendations to the Finance Committee and the Board of Selectmen." "Capital expenditures budget shall be submitted to the Sudbury Finance Committee at the same time as the budgets of other Sudbury cost centers"

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The Town Manager will present components of the CIB, in the form of Town Meeting Articles, for approval at the Annual Town Meeting (generally the 1st Monday in May).¹⁴

¹⁴ Per bylaw Article I Section 2 "The Annual Business Meeting shall begin on the first Monday in May at such place as the Selectmen shall determine."

OTHER POSTEMPLOYMENT BENEFITS LIABILITY (OPEB)

PURPOSE

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

APPLICABILITY

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

BACKGROUND

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

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

POLICY

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

A. Accounting and Reporting

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

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

B. Mitigation

On an ongoing basis, the Town will assess healthcare cost containment measures and evaluate strategies to mitigate its OPEB liability. The Finance Director shall monitor proposed laws affecting OPEBs and Medicare and analyze their impacts. The Human Resources Director shall regularly audit the group insurance and retiree rolls and drop any participants found to be ineligible based on work hours, active Medicare status, or other factors.

C. Funding

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

List of Acronyms

ADA - Americans with Disabilities Act

ATB - Appellate Tax Board

CIAC - Capital Improvement Advisory Committee

CPA - Community Preservation Act

CIB – Capital Improvement Budget (one year annual budget)

CIP – Capital Improvement Plan (five year plan, including upcoming CIB)

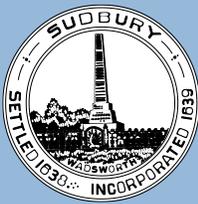
DLS – Division of Local Services

LSRHS – Lincoln Sudbury Regional High School

MGL – Massachusetts General Law

OPEB - Other Postemployment Benefits

SPS – Sudbury Public Schools



SUDBURY SELECT BOARD

Tuesday, January 18, 2022

MISCELLANEOUS (UNTIMED)

9: Minutes review

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Review open session minutes of 10/26/21, 11/16/21, 12/7/21, and possibly vote to approve minutes.

Recommendations/Suggested Motion/Vote: Review open session minutes of 10/26/21, 11/16/21, 12/7/21, 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

01/18/2022 7:00 PM

SUDBURY SELECT BOARD

TUESDAY, DECEMBER 7, 2021

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

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

The statutory requirements as to notice having been complied with, the meeting was convened at 6:32 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: Charlie-present, Bill-present, Dretler-aye, Dan-aye, Roberts-aye

Opening remarks by Chair:

- Wished everyone Happy Holidays
- Thanked Town Manager Hayes and Staff for efforts with festive Town Center holiday lighting
- Submission of entries to the holiday sweater contest ended yesterday – winner/s to be announced
- Attended BOH meeting, COVID cases increased slightly - mostly among unvaccinated youth and children – mask mandate still in place
- Will likely be changes to contact tracing model – decision of towns and individuals

Reports from Town Manager:

- Electricity Disclosure Label available regarding Sudbury Community Electricity Aggregation Program
- Flags at half-staff in memory of US Senator Bob Dole
- Dutton Road Bridge completed and open to the public as of December 1, 2021

Reports from Select Board

Board Member Carty:

- Apologized for missing announcing the 11th anniversary of the passing of Lt. Scott Milley on November 30
- In honor of 1st Lt. Scott Milley the 10th annual Warriors4Warriors hockey jamboree/benefit between LSRHS and Concord-Carlisle High School scheduled for Saturday, December 18th at the New England Sports Center, Marlborough, MA
- As part of the jamboree/benefit LSRHS boys Junior Varsity plays Concord-Carlisle at 1:30 p.m. – Girls Varsity to play at 3:00 p.m. – Boys Varsity to play at 5:00 p.m.
- Newly published You'll Be Fine – 33 Years of Ice, Tape and Wisdom from Yoshitaka Ando, written by Yoshitaka Ando, the beloved coach and teacher at LSRHS – all proceeds go to the Ando Family Fund – order from: **bookofando.bigcartel.com**
- He and Vice-Chair Russo will host Select Board Office Hours on December 15th at noon

Vice-Chair Russo:

- Attended a couple of Town Committee/Board meetings the past week
- Will be participating in the upcoming “Open Meeting Law” training session

Board Member Schineller:

- Happy to start the Select Board meeting earlier tonight in consideration of full agenda
- Announced anniversary of Pearl Harbor Day

Board Member Dretler:

- Thanked Park & Recreation Department and Staff for conducting a fantastic and well-run event at Level 99 – The Natick Mall for middle school students
- Attended Park & Recreation Commission meeting last night as liaison – she sent concerns to Town Manager Hayes regarding issues raised by the Commission and Staff
- Senator Eldridge hosting a “Community Climate Summit” this evening on Zoom
- “Toys for Tots” collection at the Fire Station on Hudson Road – accepting donations until Friday, December 17th with collect bin at rear entrance
- Listened to the Town of Newton ARPA session

Citizen comments on items not on agenda

None

Employee and Supervisor of the Year recognitions

Present: Debra Galloway, Senior Center Director; Brian Powell, IT Specialist

Town Manager Hayes announced Debra Galloway as Sudbury Supervisor of the Year for 2021, and Brian Powell as Sudbury Employee of the Year for 2021.

Debra Galloway – Sudbury Supervisor of the Year 2021

Town Manager Hayes detailed that Ms. Galloway began her employment with the Town on 7/1/2005 as the COA (Council on Aging) Information Referral Specialists and was appointed Director of COA 12/2010.

Debra has worked endlessly to promote every opportunity for all Seniors in Sudbury, especially in consideration of the ongoing pandemic period. Debra continues to ensure that the Senior Center offer comprehensive services, programs, and activities for seniors, via in-person, hybrid or utilizing the Zoom electronic mode. Her collaborative work with SudburyTV has provided all Seniors the opportunity to participate with all programming and stay involved.

Town Manager Hayes recognized Debra’s significant contribution as member of the Transportation Committee, with the successful implementation of GoSudbury! Taxi service, in addition to other transportation programs that provides transportation for seniors, military veterans, the disabled, and those with financial hardship.

Board members extended their congratulations and appreciation to Debra Galloway.

Brian Powell – Sudbury Employee of the Year 2021

Town Manager Hayes shared that Mr. Powell began his employment with the Town on 9/11/2000 as the Sudbury IT Technical Support Specialist, and continues to rise to the top as an outstanding employee.

In 2009, Brian had also achieved the Sudbury Employee of the Year distinction. Brian continues to address all IT-related issues, with individual system issues, as well as, addressing technical excellence behind the scenes.

Town Manager Hayes emphasized that Brian successfully solved additional IT challenges presented with the advent of the pandemic, such as the continued smooth processes associated with virtual Town-wide meetings, and other associated functions.

Brian's excellent effort over the course of the year has allowed all Town departments to continue to provide a high-quality level of service Town-wide.

Town Manager Hayes confirmed that Brian possesses a sterling technical aptitude and has the gift associated with directing others in this area, instilling a level of confidence in all Town employees who depend on the IT processes.

Board members extended their congratulations and appreciation to Brian Powell.

Board Member Schineller stressed the importance of IT functions during the recent Town meetings during COVID.

Discussion and possible vote on finalization of Financial Policies draft document

Present: Dennis Keohane, Finance Director

Chair Roberts confirmed she had received Financial Policies draft document comments/edits from FinCom (Finance Committee), CIAC (Capital Improvement Advisory Committee) and Select Board members.

The Board resumed discussion regarding the overlay/debt and overlay surplus topics.

Board Members presented questions regarding the Investment Advisory Group that meets with his department periodically. Mr. Keohane detailed that the members of the Advisory Group include: Dan Flanagan, 17 Lafayette Drive, Dave Petitt, 66 Robbins Road; and Frederick Pryor, 221 Nobscot Road, and have been serving Sudbury when he commenced his employment in the Finance Department. Mr. Keohane stated he would research the Advisory Group further, and provide additional information to the Board.

Various other edits were included in the areas of:

- Trust Funding Reporting – conduct performance reviews in consideration the Select Board serves as trustees.
- OPEB

Board Member Dretler recommended that at the end of each section, language be included to reflect the date the Select Board adopted a policy, or made alterations; that references be provided in consideration of updating in the future, and the inclusion of page numbers.

Board Member Carty agreed that a clean, amended copy be voted on at the next Board meeting.

Resident Pat Brown, 24 Whispering Pine Road, said she was pleased with the work done by the Board and Mr. Keohane. She recommended the Board also consider the recommendations presented by DLS (Division of Local Services).

Bruce Freeman Rail Trail update by Environmental Planner Beth Suedmeyer

Present: Environmental Planner Beth Suedmeyer, Town Counsel Lee Smith, Consultant Nick Lapointe, Fuss & O'Neill, Inc.

Ms. Suedmeyer provided a Bruce Freeman Rail Trail (BFRT) update, confirming that the MA Environmental Policy Act (MEPA) meeting went well today, and any additional comments from the State agencies would follow. She stated the advertising date would now be scheduled for July, and such change was inconsequential to the completion date established. Ms. Suedmeyer confirmed the NOI (Notice of Intent) hearing was scheduled for January 10, 2022.

Mr. Smith expressed no concerns regarding the related lease, adding the lease was similar to those of Acton and Concord.

Board Member Dretler asked about insurance details. Mr. Smith provided related detail.

Board Member Carty asked about the multi-use path in relation to permitted uses. Mr. Smith provided multi-use path definition and permitted uses as documented within the lease.

Board Member Carty inquired about Article 2.1 language, and referenced a recent letter from resident Dan DePompei, 35 Haynes Road, requesting that the Planning Department further examine all properties involved. Mr. Smith said such considerations would be addressed.

Board Member Carty asked about Article 3.1, and potential damage to utilities. Mr. Smith provided descriptive detail. Board Member Carty further asked if lighting would be provided on the BFRT. Mr. Smith responded not.

Vice-Chair Russo inquired about the definition of material interference and indemnification. Mr. Smith provided explanation.

Board Member Schineller inquired about the clear title aspect. Mr. Smith described the "taking" which took place in 2014 for the railroad right of way acquired by MassDOT (Mass Department of Transportation) in Acton, Concord and Sudbury. Mr. Smith added that MassDOT was not seeking further "taking" in connection with the BFRT in Sudbury.

Chair Roberts inquired about the timeline in connection with completion of the lease document and possible contingencies. Mr. Smith responded that actual finalization would be performed at the end of the process. Mr. Smith suggested Board Members review the draft and present any comments, so that the lease could be completed.

Board Member Dretler asked why date of advertising went from June to July. Vice-Chair Russo noted that the NOI process could take additional time. Ms. Suedmeyer added the NOI was being reviewed by MassDOT currently; indicating the NOI proposal was a good one. Related discussion took place.

Board Member Roberts inquired about the team confidence regarding the BFRT timeline. Mr. Lapointe expressed 100% confidence regarding the proposed project delivery date.

Resident Len Simon, 40 Meadowbrook Circle, expressed concern regarding the timing of the NOI, being in such close timing to end of project. He mentioned if the NOI was appealed, it could delay completion of the project. He was uncomfortable with additional revisions.

Town Manager Hayes to present Key Performance Indicators (KPI) projects: Fairbank Community Center Rebuild; Eversource Litigation; Bruce Freeman Rail Trail (BFRT); Town Hall Restoration; Town-wide ADA Assessment; Comprehensive Wastewater Management Plan; and American Rescue Plan Act (ARPA).

Town Manager Hayes presented Key Performance Indicators (KPIs) for several Town projects, including:

The Fairbank Community Center

Goal: Replacement of Current Building

Town Manager Hayes stated that construction estimates presented were in excess of the approved construction budget, and revisions are being considered, with continued discussion to take place.

Board Member Dretler asked about the water issue. Town Manager responded the water main location could possibly be relocated, which would likely cost approximately \$300,000. Town Manager Hayes opined about the Sudbury Water District possibly assuming a portion of the related cost. Board Member Dretler stated she would be interested in learning about all possible funding options.

Vice-Chair Russo asked about release of contingency funds. Town Manager Hayes responded that releasing such funds early in the project is not preferable.

Chair Roberts addressed her concerns about cost inflation due to COVID, and how the finalized project would be affected. She agreed with Board Member Dretler about better understanding all options, as well as alternative funding considerations. She acknowledged that ARPA funds might be considered for some aspects of the project.

Vice-Chair Russo inquired about fund-raising possibilities. Board Member Carty suggested that Board Members review Article 18, and what the Town approved.

Eversource Litigation

Goal: Seek the best and safest options for Sudbury with regard to utility expansion and related unintended consequences

Board Member Schineller asked about the Board's letter sent to Governor Baker and Eversource CEO Joe Nolan. Town Manager Hayes commented that a return letter/s were not received.

Chair Roberts mentioned the conversation with she, Sherrill Cline, Community Preservation Committee Chair, and the aide from Senator Markey's office regarding this issue. The representative from Senator Markey's office stated the situation would be explored further.

Bruce Freeman Rail Trail (BFRT) Phase 2D

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

Town Manager Hayes stated the presented KPI was consistent with the BFRT update presentation earlier in the meeting.

Vice-Chair Russo mentioned possible surplus funds. Board Member Carty reiterated the Board must be aware of the original purpose of those funds.

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

Goal: Upgrades, adjustments and repairs to increase utilization of a Town resource within the Historic District

Town Manager Hayes confirmed there was no substantive changes made.

Board Member Schineller mentioned the possibility of CPC funding.

Chair Roberts suggested a conversation regarding a timeline take place.

Vice-Chair Russo opined about the variable/inflated construction rate, and the fact that the Town is involved with many projects at this time.

ADA Self-Assessment & Transition Plan

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

Town Manager said now in a period of evaluating what can be done regarding Town buildings, and the Facilities Department is examining those aspects. He stated that planning for the Fairbank Center includes all aspects of ADA compliance.

Board Member Dretler asked if the Board could be provided with the associated evaluation costs, as well as what funding source was used. Vice-Chair Russo asked if an ADA priority list would be available. Town Manager Hayes responded related spreadsheets are online, and will be amended as each project is addressed.

Board Member Schineller suggested addressing smaller ADA projects first and keep track of those improvements; with expenses over \$20,000 becoming part of a five-year capital plan.

Chair Roberts indicated the importance of ensuring continued momentum, suggesting that larger ADA modification projects be presented at Town Meeting on a yearly basis. Town Manager Hayes agreed that bringing as many projects as possible to Town Meeting over a five-year period would be beneficial.

Resident Kay Bell, 348 Old Lancaster Road, commented that the ADA KPI needed more specificity; and suggested that COD be allowed to work more closely with Facilities Director Bill Barletta.

Comprehensive Wastewater Management Plan (CWMP) Updates

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

Town Manager Hayes confirmed that public participation would be continuing. He stated that a CWMP draft report will be completed by the end of the month.

Vice-Chair Russo asked if the MEPA filing would be provided online. Town Manager Hayes affirmed it would.

Chair Roberts mentioned the importance of public education being provided.

American Rescue Plan Act – ARPA

Goal: Utilize funding in accordance with the Federal Guidelines

Town Manager Hayes mentioned that surveys, Flash Votes, and submissions have been established and can be submitted until the end of the month.

Board Member Dretler stressed the importance of two project deadlines: 2024 and 2026.

Recess

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

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

VOTED: To recess for five minutes and return at 10:09 p.m.

Select Board meeting resumed at 10:09 p.m.

Sewataro Discussion: - Update on outstanding Sewataro questions list - Update on public education document to be drafted by Subcommittee - Update on swimming/fishing ponds and ongoing MA Department of Public Health/MA Department of Environmental Protection meetings - Discussion on Camp Operator/Property Manager contract renewal decision approach/timeline - Sewataro Use Policy discussion - Other Outstanding Sewataro items

Town Manager Hayes confirmed that comments/questions related to Sewataro were submitted from Select Board Members, as well as several resident comments.

Board Member Dretler motioned to release Town Counsel answers in the Sewataro Q&A document. Board Member Carty seconded the motion.

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

VOTED: To release Town Counsel answers to the Sewataro Q&A document.

Town Manager Hayes acknowledged that he received a note from Health Director Bill Murphy stating that the Town should implement a testing process to establish quality of water at Sewataro.

Board Member Dretler asked if the Board of Health memo dated September, 2019; could be added to tonight's meeting as supporting material. Chair Roberts suggested including such material to the Sewataro website.

Board Member Dretler motioned to execute a one-year lease agreement extension with the current Camp Sewataro operator, and hire a consultant to study the Liberty Ledge property. Chair Roberts seconded the motion.

Board Member Carty asked for discussion time, and stated that the timing of the motion just seconded was suspect. Board Member Dretler stated the motion would provide the Camp operator a full year to extend the contract, and would give the Town time to analyze the site.

Board Member Schineller endorsed a five-year term extension. Chair Roberts iterated that a one-year extension would help to address outstanding considerations, as well as further consideration of studying the best use for the property.

Vice-Chair Russo stated he was not in favor of a one-year extension, and was not confident that such consultation would be completed in one year.

Board Member Dretler opined that ARPA funds might be considered, and there might be financial impacts created by the pond situation.

Camp Operator Scott Brody stated one or two-year contract extensions would be problematic; he confirmed that the Camp makes money for the Town.

Resident Len Simon affirmed that the use of the land should be determined by the residents, adding that the Town had until June, 2022 to make a final decision, and indicated that hiring a land use consultant would be the best option at this time. He supported a one-year agreement extension.

Kristen Drummey, Camp Sewataro representative, confirmed that the consultant hired by the camp operator, agreed that the water issue could be easily remedied. She added that those results would be shared with the Select Board, the Conservation Commission, and other town departments.

After intense discussion, Board Member Schineller read the Camp Sewataro Agreement aloud without being interrupted.

Chair Roberts recessed the meeting for five minutes.

When the meeting resumed, Board Member Dretler read comments from residents into the record:

- Resident Robert May, 98 Maynard Farm Road, indicated support of a one-year extension, and hiring a consultant to determine the best use of Sewataro.
- Resident Thomas Travis, 45 Old Framingham Road, supported a full-independent review by a land use consultant, and one-year camp operator extension.
- Park and Recreation staff suggested that the use of Camp Sewataro be studied.

Board Members considered the previous motion made by Board Member Dretler.

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

VOTED: Not to approve a one-year lease agreement extension with the current Camp Sewataro operator, and hire a consultant to study the Liberty Ledge property.

Fire Station discussion - Town Manager Hayes to provide update on design and project status for Fire Station 2

Town Manager Hayes provided update regarding project schematics, noting that funding was deficient by over one million dollars. He stated that the Permanent Building Committee (PBC) and the design team are revising the project design and an updated cost estimate will determine if the project proceeds to phase one.

Related discussion ensued.

Resident Len Simon stated the Board takes a long time to arrive at project decisions.

Open 2022 Annual Town Meeting warrant and announce that Annual Town Meeting will commence Monday, May 2, 2022 at Lincoln-Sudbury Regional High School. Warrant to close Monday, January 31, 2022 at 12:00 Noon.

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

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

VOTED: To open 2022 Annual Town Meeting warrant and announce that Annual Town Meeting will commence Monday, May 2, 2022 at Lincoln-Sudbury Regional High School. Warrant to close Monday, January 31, 2022 at 12:00 Noon.

Board Members inquired if Town Meeting would be conducted outside or inside. Town Manager Hayes responded that a change to an outdoor Town Meeting could be made closer to the date of Town Meeting.

Discuss 2022 Annual Town Meeting logistics and potential costs

Town Manager Hayes asked if the Board would anticipate an outside Town meeting.

Board Member Dretler asked if ARPA funding could be used, if an outdoor Town Meeting took place. Town Manager Hayes confirmed he would check to see if ARPA funds could be used in that way. Board Member Dretler indicated her preference for using ARPA funding for a Special Town Meeting, if needed. Board Member Carty stated he hoped that Town Meeting could be held inside.

Discuss potential 2022 Annual Town Meeting Select Board articles

Articles discussed included:

- Sustainability Director vs. Consultant for the Climate Action Plan
- Reversion of funds
- Fairbank FF&E (furniture, fixtures, and equipment)
- Sudbury Housing Trust Bylaw Change

American Rescue Plan Act (ARPA) funds discussion: Possible dedicated consultant/staff member; process recap and discussion on allocation tracking

Chair Roberts asked if ARPA requests submission could be extended to December 31, 2021.

Board Member Dretler suggested a public hearing session be scheduled in January.

Review open session minutes of 11/3/2021, and possibly vote to approve minutes

Chair Roberts recommended that in consideration of time, review of 11/3/2021 minutes be postponed to the next meeting.

Citizen's Comments (cont.)

None

Upcoming Agenda Items

December 21:

- Reversion of funds
- Superintendent Crozier to present ARPA funding request
- Review of Minutes
- Sewataro Discussion

Consent Calendar**Vote to approve the Town Manager appointment of Karyn Jones, 27 Pendleton Road, to the Commission on Disability (COD) for a term expiring 5/31/23.**

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

Board Member Carty asked if COD member terms were staggered. Member Kay Bell responded that staggering was now taking place.

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

VOTED: To approve the Town Manager appointment of Karyn Jones, 27 Pendleton Road, to the Commission on Disability (COD) for a term expiring 5/31/23.

Adjourn

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

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

VOTED: To adjourn the Select Board Meeting

There being no further business, the meeting adjourned at 12:11 a.m. Wednesday, 12/8/21.

SUDBURY SELECT BOARD

TUESDAY, OCTOBER 26, 2021

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

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

The statutory requirements as to notice having been complied with, the meeting was convened at 9:30 PM, after closing the Executive Session meeting, 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, Carty-aye, Schineller-aye, Roberts-aye

Opening remarks by Chair

- Wished everyone a Happy Halloween

Reports from Town Manager

- Reminded all to be safe during the rather severe storm presently taking place

Reports from Select Board**Vice-Chair Russo:**

- He had no further comments.

Board Member Schineller:

- He had no additional comments at this time.

Board Member Dretler:

- Thanked Vice-Chair Russo for his great contribution in coordinating a successful Town Forum
- Attended the Board of Health meeting today, where raising COVID cases was mentioned
- COVID mask mandate still in effect
- Extended Happy Halloween wishes to all

Board Member Carty:

- Would likely be leaving the meeting

Citizen comments on items not on agenda

Resident Kevin LaHaise, 195 Horse Pond Road, asked about the Fairbank project and understood the cost of construction increasing steadily. He opined about when project cuts will shape a plan the voters did not originally vote for.

Chair Roberts confirmed the Fairbank topic was not included in tonight's agenda, but members could weigh in briefly.

Board Member Dretler stated that the project was under Town Manager's review at this time. Town Manager Hayes commented the Town continues to be mindful of cost factors in consideration of the fact that voters did vote on a fixed dollar amount.

Chair Roberts continues to hear that user groups are happy with the project, and right now the cost implications are not too elevated (\$2 to \$2.5 million for engineering) out of a total of \$28.9 million.

Board Member Schineller understood it's not easy to increase a budget as much as \$2 to \$3 million, but reiterated that stakeholder needs must be met to served the needs of the residents; particularly in the areas of Park & Recreation, COA, Fire Department space, and equipment needs associated with emergency shelter use. He mentioned other important aspects as represented by the SPS Staff safety and space, as well as sustainable energy and related considerations for now and in the future. He emphasized that he was committed to getting the Fairbank Center built.

Vice-Chair Russo had thoughts about the process, and in consideration of a "rising cost environment," he advocated for open communication. Vice-Chair Russo exampled the gymnasium layout being changed.

Board Member Dretler was hopeful that items detailed within the original project plan can be brought back as part of the project. She mentioned possible use of ARPA funds to retain some of the important plan features such as the outdoor basketball court and lighting aspect. She encouraged residents to reach out to legislators.

Chair Roberts stressed that related discussions are taking place with legislators who represent Sudbury, especially in light of sustainability.

Discussion and vote whether to ratify the vote taken in Executive Session on 10/26/21, regarding collective bargaining matters related to negotiations between the Town of Sudbury and Local #1156 Public Employees of The Laborer's International Union of North America AFL-CIO, dated 10/26/21.

Chair Roberts moved 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 4-0; Schineller-aye, Dretler-aye, Russo-aye, Roberts-aye

VOTED: To ratify the vote taken in Executive Session on 10/26/21, regarding collective bargaining matters related to negotiations between the Town of Sudbury and Local #1156 Public Employees of The Laborer's International Union of North America AFL-CIO, dated 10/26/21.

Town Manager Hayes stated that a total of eight items were included within the terms of the Agreement; and Sudbury DPW finalized the agreement.

Board Member Dretler asked if the signed Agreement would be on the Town website. Town Manager Hayes responded affirmatively.

Adjourn

Board Member Dretler motioned to closed the Select Board Meeting. Board Member Schineller seconded the motion.

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

VOTED: To adjourn the Select Board Meeting

There being no further business, the meeting adjourned at 9:48 PM.

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SUDBURY SELECT BOARD

TUESDAY, NOVEMBER 16, 2021

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

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

The statutory requirements as to notice having been complied with, the meeting was convened at 7:02 PM via Zoom.

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, Carty-present, Russo-present, Schineller-aye, Roberts -aye

Opening remarks by Chair

- Yesterday the Select Board held the annual Goal Setting Session with senior staff and a representative/moderator from the UMass Collins Center; follow-up session to take place soon
- Attended the Sudbury Board of Health meeting today; reported COVID surge initiated with children primarily
- COVID vaccines for school children at this time
- Finance Committee met last night and discussed upcoming budget season; inquired about scheduling joint finance meeting with Select Board and upcoming discussion on drafting of financial policies

Reports from Town Manager:

- Town employment opportunities: Snow Plow Truck Contractors, Senior Center Van Driver, Administrative Assistant to Director of Veteran's Services, DPW Light Equipment Operator
- Sudbury Sweater Throwdown contest – entries due by Friday, December 3
- Town Office Closings for Thanksgiving holiday, November 24-26, 2021
- Installation of bottle fillers at Feeley and Featherland Fields has started
- Town Hall – Painting of white trim areas has been completed
- Sewataro – Camp operator has completed installation of permanent fencing as agreed. Focus now on winterizing buildings, closing irrigation system, planning for plowing and salting, finishing outdoor projects
- Loring School Playground – play tasks completed; play surface installation will be done in the spring due to weather conditions
- Preparations for inclement weather – communication with Seniors, emergency shelter preparations
- All vital records can be ordered and paid for online from the Town Clerk's Office

Reports from Select Board Members:

Select Board Member Schineller:

- “No Comments – let’s get to business”

Select Board Member Dretler:

- Wished all a safe, happy and healthy holiday season
- Attended a portion of the Permanent Building Committee meeting today with discussion on Fire Station 2 and related constraints – hopes to learn more about this at the next meeting; also discussed the Fairbank Community Center and planning a public information session after the holidays
- Attended the Conservation Commission meeting last night – initial discussion regarding Sewataro issues related to the fishing and swimming pond
- Will attend a state-wide conference for municipal officials regarding “investing in recovery,” ways to support local public health, systems, housing, strengthening of infrastructure, increase/improve resident engagement and Federal recovery fund opportunities

Vice-Chair Russo:

- In last several weeks attended Planning Board and Conservation Commission meetings – will hear more regarding outcomes of those meetings
- Expressed Happy Thanksgiving wishes to all

Board Member Carty:

- Extended thanks to Council on Aging for approving the \$35,000 Meadow Walk mitigation money for GoSudbury! Uber and taxi program, which is on tonight’s Consent Calendar
- The Transportation Committee submitted a request to the Select Board for ARPA money for several requests
- At the SPS meeting last night, the mobile vaccination clinic was discussed, and expanded to 120 slots – booked in less than one hour, and expanded those slots to 200, and will petition the state for additional slots should they be required
- The SPS meeting conducted a robust ARPA discussion; Superintendent Crozier will be meeting with Town Manager Hayes to discuss budget pressures
- Looking forward to MA DLS (Division of Local Services) and MAPC (Metropolitan Area Planning Council) conference tomorrow conference – “Investing in Recovery 2021 Statewide Conference for Municipal Officials and Staff”
- Thanked Town Manager Hayes and staff for the creative Sudbury Sweater Throwdown contest
- Congratulated HOPEsudbury for conducting another successful auction November 6
- Wished all a Happy Thanksgiving

Citizen’s Comments not on the Agenda

No Citizen’s Comments

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

Present: Richard M. Schifone, Eversource; Shaunna Kyle, Eversource

Mr. Schifone provided description about the project, emphasizing that the Grant of Location was needed in order to provide safe access for the private residence driveway at 66 Puffer Lane.

Board Members asked several related questions.

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

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

VOTED: 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

Vote to close the Public Hearing and resume Select Board Meeting

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

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

VOTED: To close the Public Hearing and resume Select Board Meeting.

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

Present: Cynthia Gerry, Director of Assessing

Town Manager Hayes stated the Tax Classification hearing would take place on November 30, 2021.

Ms. Gerry explained the split tax rate between the residential tax and the commercial tax base. Ms. Gerry reviewed the Tax Classification process, with step 6 being the hearing with Assessors and the Select Board, and the final step in the process would reflect MA Department of Revenue approval of tax rates. She outlined the areas to be considered:

- Residential Exception
- Small Commercial Exception
- Open Space Exemption
- Senior Means Tax Exemption

Board Members presented related inquiries.

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

Present: Lori Capone, Conservation Coordinator; Bill Murphy, Health Director, Board of Health (BOH); Scott Brody, Operator, Camp Sewataro

Board Member Schineller confirmed that the Sewataro Subcommittee (he and Vice-Chair Russo) did not meet this week. Vice-Chair Russo mentioned that the Subcommittee was hoping to meet on Friday, November 19.

Town Manager Hayes confirmed that Select Board question/comment list was received, and indicated that answers would be provided by the 22nd of November.

Board Member Carty asked if Select Board questions were the only questions to be considered. Chair Roberts responded that several resident questions were also included.

Board Member Schineller inquired about results of the Flash Vote survey.

Town Manager Hayes provided an update regarding MA Department of Environmental Protection and MA Department of Health feedback regarding swimming and fishponds at Sewataro. He added the State did not determine the water mass to be a pool, based on the water not being filtered or circulated; Scott Brady will register the Bathing Beach. He noted that chlorine would not be used.

Vice-Chair Russo commented that the Conservation Commission (ConCom) met last night and concluded that adjustments would be needed with timeline planning, as well. Town Manager Hayes stated that timelines or associated costs were not available at this time.

Board Member Dretler stated she appreciated Mr. Brody's inquires, and when the Sewataro Purchase & Sale Agreement was signed, she believed the water was not tested. She spoke of the chlorination process, noting that water ran into the Pantry Brook. She stressed that the Select Board must perform due diligence, and understand how the Wetland Protection Act impacts Sudbury bylaws.

Ms. Capone stated that the current related process was not permitted under the current Wetlands Protection Act, and the Town was looking forward to a proposed treatment plan from Mr. Brody.

Mr. Murphy stated that water-related issues were mentioned before the property was sold to the Town.

Mr. Brody confirmed that water testing has been performed on a weekly basis, with no negative results. He confirmed that he would work with ConCom, BOH, and the State agencies.

Board Member Dretler suggested that related information regarding treatment be written in report form by BOH and ConCom. Chair Roberts indicated that such documentation would be preferable; not necessarily in report form.

Resident and ConCom member Dave Henkels, 17 Twin Pond Lane, inquired about a mitigation plan.

Resident Manish Sharma, 77 Colonial Way, asked if water testing was mentioned in the contract between the Town and Mr. Brody, and inquired about accountability.

Resident Pat Brown, 24 Whispering Pine Road, asked about public inquiry being received at this time.

Resident Len Simon, 40 Meadowbrook Circle, stated that an upcoming report should include current problems and violations which need to be corrected.

Ms. Capone stated that there have not been any reported violations.

Mr. Murphy commented there have been no camp or water violations.

Resident John Baranowsky, 103 Belcher Drive, commented that a de-chloritization process may be a solution.

Resident Dan Brock, 388 Willis Road, asked if all submitted questions could be made available to the public. Chair Roberts responded that submitted questions could be shared with the public.

Chair Roberts confirmed that a Sewataro Use Policy draft was reviewed by Town Counsel.

Board Member Dretler motioned to release Town Counsel Sewataro Use Policy opinion dated September 10, 2021. Vice-Chair Russo seconded the motion.

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

VOTED: To release Town Counsel opinion regarding Sewataro Use Policy dated September 10, 2021.

Board Member Schineller stated that additional information was added to the September 10, 2021 Sewataro Use Policy draft, and the consolidated document dated November 16, 2021 was also reviewed by Town Counsel. Chair Roberts moved in the words of the motion. Board Member Dretler moved in the words of the Chair. Vice-Chair Russo seconded the motion.

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

VOTED: To release Town Counsel opinion regarding Sewataro Use Policy draft, dated November 16, 2021.

Chair Roberts recommended including this item on the November 30th agenda.

Recess

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

VOTED: That the Board recess for five minutes, and return at 9:44 P.M.

Discussion on American Rescue Plan Act (ARPA) funds status and project request/prioritization process

Town Manager Hayes presented aspects of the “American Rescue Plan Act (ARPA)”:

- Main categories of funding for municipal allocation and county allocation and related obligatory dates
- Eligible uses of local fiscal recovery funds
- Ineligible for uses of local fiscal recovery funds
- Suggested CSLFRF (Coronavirus State and Local Fiscal Recovery Funds) allocation for discussion purposes

- Outreach and input from staff, Boards and Committees, Water District, Chamber of Commerce and residents with Flash Vote and comment opportunity
- ICMA (International City/County Management Association) Fact Sheet: American Rescue Plan
- American Rescue Plan Key Provisions
- ICMA Summary of Spending Priorities - Survey Results – October 2021
- Flash Vote results (815 participated) from October 26 -29, and available on Town website. Results included (Strengths of the Town, Aspects of Sudbury, Quality of Schools, Physical Safety/Security, Historical Preservation, and Environmental Conservation)

Town Manager Hayes suggested that people sign up for topic Flash Votes, as the vote would end on November 30. He explained that 37 comments were gathered thus far, with the top priority category being public health and the second voting priority reflected infrastructure, water and sewer.

Discussion regarding ARPA Public Meetings – suggested timeline, what to consider (grant administrator, financial consultant for use of ARPA funds) took place at this time. Members agreed that all presented topics were worthy of further discussion.

Chair Roberts suggested continuing discussion of this topic at the November 30 meeting.

Resident Manish Sharma, 77 Colonial Road, expressed his interest with the ARPA presentation. He asked if this ARPA money could make interest. Town Manager Hayes responded likely not.

Discussion on Remote Participation Policy. Subcommittee members Roberts and Schineller to present

Chair Roberts commented that the remote participation policy was formed when remote meetings were the exception and not the norm. Vice-Chair Russo suggested this topic be reviewed by the Board in April 2022 when Governor Baker addresses the remote meeting topic again.

Board Members discussed categories within the Policy, and reviewed edits made by Chair Roberts and Board Member Schineller.

Vice-Chair Russo motioned to approve the Select Board Remote Participation Policy as edited tonight, subject to approval of Town Counsel. Board Member Schineller seconded the motion.

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

VOTED: To approve the Select Board Remote Participation Policy as edited tonight, subject to approval of Town Counsel.

Review and possible vote to support signature of Arlington Town Manager letter on Energy Stretch Codes

It was noted that the Sudbury Planning Board and the Sudbury Energy and Sustainability Committee communicated approval of the letter on Energy Stretch Codes as initiated by the Arlington Town Manager.

Board Member Schineller commented that signing the letter represented an approval of sustainability concept, rather than setting sustainable Town standards at this time.

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

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

VOTED: To support signature of Arlington Town Manager letter on Energy Stretch Codes.

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

1/15/21 Open Session Minutes

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

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

VOTED: To approve the 1/15/21 minutes

10/5/21 Open Session Minutes

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

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

VOTED: To approve the 10/5/21 minutes, as edited

Citizen's Comments

No citizen comments

Upcoming Agenda items

November 30:

- Tax Classification Hearing
- Financial Policies
- ARPA Discussion; Superintendent Crozier to speak on ARPA funding
- Review unspent funding monies
- Bylaw change on Sudbury Housing Trust – Board Member Dretler suggested the Planning Board draft such bylaw change
- DEI quarterly update
- Petition for Speed Limit change on Peakham Road with legal opinion
- Meadow Walk left turn traffic signal situation

Consent Calendar

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

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

VOTED: 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.

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

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

VOTED: 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.

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.

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

VOTED: 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.

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.

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

VOTED: 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.

Adjourn:

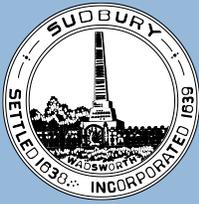
Chair Roberts moved in the words of the motion. Board Member Carty moved in the words of the Chair. Board Member Schineller seconded the motion.

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

VOTED: To adjourn the Select Board meeting.

There being no further business, the meeting was adjourned at 11:50 PM.

DRAFT



SUDBURY SELECT BOARD
Tuesday, January 18, 2022

MISCELLANEOUS (UNTIMED)

10: 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:

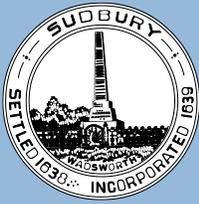
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

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

01/18/2022 7:00 PM



SUDBURY SELECT BOARD
Tuesday, January 18, 2022

MISCELLANEOUS (UNTIMED)

11: 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

01/18/2022 7:00 PM

POTENTIAL UPCOMING AGENDA ITEMS/MEETINGS

MEETING/EVENT	DESCRIPTION
Mon, January 24	2022 Annual Town Meeting Warrant Review
Mon, January 31	2022 Annual Town Meeting Warrant closes at 12:00 Noon for submission of articles
February 1	Accept 2022 Annual Town Meeting articles submitted by 1/31/22 Peakham Road speed limit discussion
February 15	Joint meeting with FinCom and CIAC to discuss capital Town Meeting articles
Mon, March 29	Annual Town Election
May 2-4	Annual Town Meeting at LSRHS
Date to be determined	Investment Advisory Committee Housing Choice Legislation 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 Sewataro Renewal Decision Next Steps; Sewataro Use Policy; Sewataro Financial Statement Review 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 Sidewalks discussion Town Manager Goals and Evaluation process Town meeting recap – year in review Town-wide traffic assessment and improve traffic flow 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)