

SUDBURY SELECT BOARD

TUESDAY, DECEMBER 21, 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 7:21 p.m. via Zoom telecommunication mode.

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

Call to Order/Roll Call

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

Opening remarks by Chair:

Select Board met on December 13th for the second Annual Goal Setting session; 1. To advance construction phase of the Bruce Freeman Rail Trail 2. Plan and Support ARPA Funding Spending 3. Evaluate Current and Future Best use of Sewataro 4. Refine Issues, Research and make Decisions related to the LS Regional Agreement and Assessment Process, and Voc. Education Access 5. Sustainability and Climate Change Initiatives 6. Expand or Normalize Funding Transportation and Options

Wished everyone Happy Holidays.

Reports from Town Manager:

Reminded all to take the necessary precautions related to COVID-19, and to be respectful to others.

Reports from Select Board:

Board Member Dan Carty

Congratulated Fiona Prendergast of Sudbury Troop #65 for being the first female Scout in Sudbury to achieve the prestigious rank of Eagle Scout; will discuss further at the January 4th meeting.

There's still time to get a Christmas tree from the Sudbury Scouts at the Sullivan Tire lot on Rte. 20.

Sudbury Public School voted the FY23 General Fund Operating Budget last night (Town Meeting appropriation piece) \$41,849,664; Lincoln-Sudbury budget being discussed tonight at the School Committee Meeting

Board Member Janie Dretler

Happy Holidays to all, mentioned that all drive safely

Vice-Chair Charles Russo

Extended Happy Holiday wishes to everyone.

Governor Baker announced the recommendation that everyone wear masks indoors in public areas, in step with ongoing local health authorities' recommendations.

Planning Board meeting tonight – maybe considering several bylaw amendments for Town Meeting.

Board Member William Schineller

Select Board Financial Policies is on tonight's agenda – hoping the document will soon be adopted by the Board.

Chair Roberts recommended everyone gather safely during the holidays and wear masks in consideration of the Omicron virus.

Citizens Comments on items not on the agenda

None

Discussion and possible vote whether to ratify the vote taken in Executive Session on 12/21/21, regarding collective bargaining matters (Sudbury Police Union, Local 370, Massachusetts Coalition of Police, AFL-CIO).

Chair Roberts stated that Board voted in Executive Session to approve the collective bargaining agreement with Sudbury Police Union, Local 370, Massachusetts Coalition of Police, AFL-CIO, and will now ratify that vote.

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

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

VOTED: To ratify the vote taken in Executive Session on 12/21/21, regarding the collective bargaining agreement with the Town of Sudbury and the Sudbury Police Union, Local 370, Massachusetts Coalition of Police, AFL-CIO, dated December 13, 2021.

Town Manager Hayes detailed the agreement term to cover July 1, 2021 through June 30, 2024. Other terms of the agreement include: Police use of electronic devices, e-ticketing, adjustments to sick leave, addition of Juneteenth as a holiday, career incentive adjustments, court time adjustments, grievance procedures, union dues, non-discrimination description, and COLAs to reflect .5% for the current year, 2% and 2% for the other following two years of the agreement.

Town Manager Hayes thanked Union representatives for efforts in good faith bargaining as well as the support from the Select Board.

Discussion and possible vote whether to ratify the vote taken in Executive Session on 12/21/21 regarding negotiations with nonunion personnel (Town Manager).

Chair Roberts confirmed there was no vote taken in Executive Session; therefore, there was no vote to ratify.

Vote, as the Licensing Authority for the Town of Sudbury, to renew the Alcoholic Beverages, Common Victualler and Entertainment licenses until December 31, 2022, and the Motor Vehicle Classes 1, 2, and 3 licenses until January 1, 2023, as shown on the attached lists. Also, vote on whether to grant a license fee reduction to Sobre Mesa

Chair Roberts referred to the list of licenses to be renewed.

Vice-Chair Russo suggested consideration of capping the number of car dealerships in Town. Chair Roberts asked Vice-Chair Russo (acting Planning Board liaison) to have a related conversation with the Planning more, and include the proposed topic as a future meeting agenda item.

Vice-Chair Russo motioned to Vote, as the Licensing Authority for the Town of Sudbury, to renew the Alcoholic Beverages, Common Victualler and Entertainment licenses until December 31, 2022, and the Motor Vehicle Classes 1, 2, and 3 licenses until January 1, 2023, as shown on the attached "2022 License Application Form", and to forward the appropriate renewal forms to the Alcoholic Beverages Control Commission, where applicable; said licenses to be held subject to payment of the required license fees, compliance with the Select Board's Alcohol Training Policy, correction of any/all outstanding health, safety or zoning violations, receipt of verification of Workers' Compensation Insurance for the licensing period, and the payment of all outstanding personal property taxes, real estate taxes and state taxes; said licenses shall also be subject to all previous restrictions, and meeting any other outstanding requirements. Board Member Dretler seconded the motion.

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

VOTED: To vote, as the Licensing Authority for the Town of Sudbury, to renew the Alcoholic Beverages, Common Victualler and Entertainment licenses until December 31, 2022, and the Motor Vehicle Classes 1, 2, and 3 licenses until January 1, 2023, as shown on the attached "2022 License Application Form", and to forward the appropriate renewal forms to the Alcoholic Beverages Control Commission, where applicable; said licenses to be held subject to payment of the required license fees, compliance with the Select Board's Alcohol Training Policy, correction of any/all outstanding health, safety or zoning violations, receipt of verification of Workers' Compensation Insurance for the licensing period, and the payment of all outstanding personal property taxes, real estate taxes and state taxes; said licenses shall also be subject to all previous restrictions, and meeting any other outstanding requirements.

Vote on whether to grant a license fee reduction to Sobre Mesa.

Town Manager Hayes explained that the owner of Sobre Mesa paid a full year's license fee for 2021, without total use of that liquor license, and the owner is now requesting a reduction in the 2022 license fee.

Board Members discussed the situation.

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

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

VOTED: To grant a license reduction of \$875 to Sobre Mesa reflective of the 2022 license

Update from Sudbury Public Schools administration on American Rescue Plan Act (ARPA) project submissions

Present: Brad Crozier, SPS Superintendent; Don Sawyer, SPS Director of Business & Finance

Mr. Crozier presented the "SPS ARPA Requests" PowerPoint slides dated December 21, 2021 with priorities including:

- SEL (Social Emotional Learning) Supports – positions outside of budget = \$420,000 for two years
- Summer Programing - \$310,000 for one year; \$1,240,000 for four years
- Increase Nursing Staffing - \$90,000 for one year; \$360,000 for four years
- Tiered General Education Supports (additional intervention due to covid) \$150,000 per year, \$300,00 for two years

Mr. Crozier displayed the funds used in FY21, FY22-FY24; via State & Federal COVID Funding.

Mr. Sawyer stated that utility expenses increased considerably, due to running the AC systems for cleaning air and heating systems.

Board Members presented related questions.

Chair Roberts recognized the time-sensitivity issue associated with the summer program.

Discuss and possible vote on Quarry North Mitigation Funds request for Deputy Building and Electrical Inspectors at Cold Brook Crossing for the 2023 fiscal year, totaling \$32,000

Present: Building Inspector Andrew Lewis

Town Manager Hayes addressed the need for additional inspectors, in consideration of the Cold Brook Crossing inspections.

Board Member Carty asked if mitigation funding, could be assigned to the area of inspections. Board Member Dretler read aloud the mitigation section narrative, which indicated that such funding could be used for inspection-related services.

Related discussion took place.

Board Member Dretler motioned to approve the Quarry North Mitigation Funds request for Deputy Building and Electrical Inspectors at Cold Brook Crossing for the 2023 fiscal year, totaling \$32,000. Vice-Chair Russo seconded the motion.

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

VOTED: To approve the Quarry North Mitigation Funds request for Deputy Building and Electrical Inspectors at Cold Brook Crossing for the 2023 fiscal year, totaling \$32,000.

Resident Manish Sharma, 77 Colonial Road, asked how many RFPs were presented, and queried about the exact funding expenses to be considered. He recommended accuracy via evidence.

Discussion and possible vote on finalization of Financial Policies draft document

Chair Roberts mentioned a Financial Policies Subcommittee meeting took place last week, with several changes made to various areas within the draft document, including:

- Capital Improvement Plan edits
- Capital Asset Prioritization edits.
- Capital – process language regarding timeline “by January 31st.”

Board Member Dretler suggested inclusion of the applicable M.G.L., and the relevant bylaw after each appropriate section, to be referenced at the bottom of the page. Board Member Schineller agreed with such referencing.

Other draft edits were suggested by Board Members.

Chair Roberts noted that all final editing would be included for Board review at the Select Board meeting of January 18, 2022.

Recess

Chair Roberts motioned to that the Board recess for five minutes and return at 10:09 p.m. Mr. Russo seconded the motion.

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

VOTED: That the Board recess for five minutes and return at 10:09 p.m.

The meeting resumed at 10:09 p.m.

Discussion on the letter received by Senator Eldridge and possible vote on submitting a new request for support for funding regarding sustainability initiatives. Also, discussion and possible vote to duplicate the outcome to be provided to Representative Gentile.

Chair Roberts provided update regarding the letter sent by the Board to Senator Eldridge, regarding funding for a Sudbury Sustainability Director.

The Board discussed aspects of potential funding for the position.

The Chair acknowledged that she, Town Manager Hayes and Vice-Chair Russo had related conversations with Senator Eldridge.

Board members considered the goal of including a staff member for sustainability initiatives. Vice-Chair Russo recommended the Board begin discussing aspects of the Master Plan for this position; and apply for related grants.

Board Members agreed to resubmit the October 29, 2021 letter, as edited, on Select Board letterhead to both Senator Eldridge and Representative Gentile. Vice-Chair Russo offered to redraft the amended letter, which would be reviewed at the next Board meeting on January 4 before being sent to the legislators.

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

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

VOTED: To resend the letter originally sent to Senator Eldridge and Representative Gentile on October 29, 2021 in support of funding for sustainability initiatives; with the afore mentioned changes.

Discussion and possible vote to send a letter of support to the Town of Weston regarding TIP I.D. 608940 at the Route 20/Wellesley Street/Boston Post Road intersection in Weston, MA

Town Manager Hayes detailed the Weston Town Manager reached out to him requesting support from the Town of Sudbury in consideration of any potential traffic implications for the Town of Sudbury.

Town Manager Hayes confirmed that he sought recommendation from the Sudbury Police, Sudbury DPW, and the Planning Department before submitting his letter of support to the Town Manager of Weston.

Chair Roberts suggested the Board might also want to send a similar letter to the Town of Weston, and to the MPO (Metropolitan Planning Organization).

Vice-Chair Russo volunteered to draft such letter for Board review at the January 4th Select Board meeting. Board members were in agreement.

Discuss and possible vote to approve proposed 2022 Municipal Update Newsletter Schedule of Deadlines for Select Board assignment, submission and approval

Chair Roberts noted that Newsletter submission deadline was January 24, 2022.

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

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

VOTED: To approve proposed 2022 Municipal Update Newsletter Schedule of Deadlines for Select Board assignment, submission and approval.

Discuss potential 2022 Annual Town Meeting Select Board and Town articles

Discussion and consideration of potential 2022 Annual Town Meeting articles took place.

Sustainability Director Article as led by Chair Roberts. Board Member Carty suggested receiving legal counsel opinion on this article. Board Members agreed with conferring with the energy group, to avoid confusion. Board Member Carty indicated the Board should not be sponsoring this article.

Reversion of unspent past Town Meeting article allocations, as lead by Board Member Carty. Board Member Carty stated that he would meet with Town Manager Hayes to discuss this article further.

Furniture, Fixtures & Equipment (FF&E) – Fairbanks Community Center as led by Board Member Dretler. Board Member Dretler requested further clarity regarding amounts of possible funding. Chair Roberts confirmed related bids would be submitted in March; and suggested the article include audio visual aspects, also. Board Members agreed with getting more information on the topic, and to regard it as a Town Meeting article for now.

BFRT related articles - easements and leases as led by Board Members Dretler and Russo. Board Member Dretler recommended this item be included on the next meeting agenda on January 4, 2022.

Sudbury Housing Trust Bylaw Change led by Board Member Carty. Board Member Carty noted he would gather related information from Town Manager Hayes.

COD Bylaw – as led by Chair Roberts

Sewataro Contract renewal as led by Vice-Chair Russo.

Chair Roberts asked if the article for a Sewataro Best Use Analysis would be supported by the Board Members, after Vice-Chair Russo investigates this aspect further; three Board Members supported such investigation; Board Members Carty and Schineller were not in support of further research.

Resident Manish Sharma asked if overseas vendors could be considered for the FF&E article.

Consent Calendar

Vote on whether to approve petition and plan presented by the Nstar Electric Company d/b/a Eversource Energy and Verizon for the purpose of obtaining a Grant of Location to relocate one (1) pole #78/148 at North Road, northerly side at Emery Lane. This work is necessary to clear access for a new road at new residential development, Cold Brook Crossing.

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

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

VOTED: To approve petition and plan presented by the Nstar Electric Company d/b/a Eversource Energy and Verizon for the purpose of obtaining a Grant of Location to relocate one (1) pole #78/148 at North Road, northerly side at Emery Lane. This work is necessary to clear access for a new road at new residential development, Cold Brook Crossing.

Vote to approve to continue the Opt-Out Incentive Program through 6/30/25 for those Active Employees who currently participate in the program and for those Active Employees enrolled in our health plans and who Opt Out of being covered by the Town of Sudbury health plans, as described in the attached document “Opt-Out Incentive Program.”

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

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

VOTED: To approve to continue the Opt-Out Incentive Program through 6/30/25 for those Active Employees who currently participate in the program and for those Active Employees enrolled in our health plans and who Opt Out of being covered by the Town of Sudbury health plans, as described in the attached document “Opt-Out Incentive Program.”

Vote to approve a one-hour extension of the licensed closing hour and serving of alcoholic beverages for Sobre Mesa, 29 Hudson Road, on Friday, December 31, 2021 (New Year's Eve), on the condition that the kitchen remains open, and food is served.

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

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

VOTED: To approve a one-hour extension of the licensed closing hour and serving of alcoholic beverages for Sobre Mesa, 29 Hudson Road, on Friday, December 31, 2021 (New Year's Eve), on the condition that the kitchen remains open, and food is served.

Vote to approve the sale (via Municibid) of a surplus 2008 E-One Pumper fire engine in the amount of \$16,300.

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

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

VOTED: To approve the sale (via Municibid) of a surplus 2008 E-One Pumper fire engine in the amount of \$16,300.

Review open session minutes of 11/3/21 and possibly vote to approve minutes

Board Member Schineller left the meeting.

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

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

VOTED: To approve the open session minutes of 11/3/21, as edited.

Citizen's Comments (cont.)

None

Upcoming Agenda Items

January 4, 2022:

- DEI Update
- BFRT Lease
- Article Updates
- Free Cash Capital Update from Town Manager
- Goal Setting Deliverables

January 18, 2022

- BFRT Update
- Sewataro Analysis
- Update with Legislators

Adjourn

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

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

VOTED: To adjourn the meeting

There being no further business, the meeting adjourned at 12:09 a.m.

12/21/21 SB Meeting - Documents & Exhibits

1. Open in regular session and immediately vote to enter executive session for the following purpose: Conduct strategy session in preparation for negotiations with nonunion personnel and/or to conduct contract negotiations with nonunion personnel (Town Manager) pursuant to General Laws chapter 30A, §21(a)(exception 2).

Attachments:

- 1.a Town-Manager-Contract_Henry-L-Hayes-Jr_March2020
- 1.b Copy of FY 2022 - TM Salary Survey

6. Vote, as the Licensing Authority for the Town of Sudbury, to renew the Alcoholic Beverages, Common Victualler and Entertainment licenses until December 31, 2022, and the Motor Vehicle Classes 1, 2, and 3 licenses until January 1, 2023, as shown on the attached lists. Also, vote on whether to grant a license fee reduction to Sobre Mesa. (~15 min.)

Attachments:

- 6.a Memo to Board re Alcohol licensees 2022
- 6.b 2022 License Renewal Applications_v4
- 6.c Tax Memo 2022
- 6.d Sobre Mesa Fee Reduction Request

7. Update from Sudbury Public Schools administration on American Rescue Plan Act (ARPA) project submissions. Superintendent Brad Crozier to attend. (~25 min.)

Attachments:

- 7.a Select Board Meeting for ARPA

8. Discuss and possible vote on Quarry North Mitigation Funds request for Deputy Building and Electrical Inspectors at Cold Brook Crossing for the 2023 fiscal year, totaling \$32,000. Attended by Inspector of Buildings. (~20 min.)

Attachments:

- 8.a mitigation request 2021-signed

9. Discussion and possible vote on finalization of Financial Policies draft document. (~45 min.)

Attachments:

- 9.a 2021-11-19-incorporateFinComCIACStaffFeedback - Select Board Financial Policies Edited 12.16.21
- 9.b FinancialPolicyDecisionsTargetsThresholdsForConsideration DJK 7-22-2021 Edited 12.16.21

10. Discussion on the letter received by Senator Eldridge and possible vote on submitting a new request for support for funding regarding sustainability initiatives. Also, discussion and possible vote to duplicate the outcome to be provided to Representative Gentile. (~20 min.)

Attachments:

- 10.a Sen Eldridge request - Sustainability Dir Sudbury - 2021 Dec 21
- 10.b Sen.Eldridge LTR Sudbury SB 11.30.21 (003)

11. Discussion and possible vote to send a letter of support to the Town of Weston regarding TIP I.D. 608940 at the Route 20/Wellesley Street/Boston Post Road intersection in Weston, MA. (~15 min.)

Attachments:

- 11.a Route 20-Wellesley Street-Boston Post Road Intersection - Weston - Sudbury support - Dec 2021_v2
- 11.b Email_Leon Gaumond
- 11.c Scan 001

12. Discuss and possible vote to approve proposed 2022 Municipal Update Newsletter Schedule of Deadlines for Select Board assignment, submission and approval. (~10 min.)

Attachments:

- 12.a Proposed SB Newsletter 2022 Schedule

13. Discuss potential 2022 Annual Town Meeting Select Board and Town articles. (~20 min.)

Attachments:

- 13.a Potential SB Articles 2022

14. Review open session minutes of 11/3/21 and possibly vote to approve minutes.

Attachments:

- 14.a SB_draft1_11.03.21_min_for_review

16. Upcoming Agenda Items

Attachments:

- 16.a Upcoming items 12.21.21

17. Vote on whether to approve petition and plan presented by the Nstar Electric Company d/b/a Eversource Energy and Verizon for the purpose of obtaining a Grant of Location to relocate one (1) pole #78/148 at North Road, northerly side at Emery Lane. This work is necessary to clear access for a new road at new residential development, Cold Brook Crossing.

Attachments:

- 17.a North Road Cover OH JO No Hearing WO# 5678578
- 17.b Sudbury North Road Petition signed 5678578
- 17.c North Road Order OH JO No Hearing WO# 5678578_5_signatures
- 17.d SUD-NORTHAB-5678578_OH

18. Vote to approve to continue the Opt-Out Incentive Program through 6/30/25 for those Active Employees who currently participate in the program and for those Active Employees enrolled in our health plans and who Opt Out of being covered by the Town of Sudbury health plans, as described in the attached document “Opt-Out Incentive Program”.

Attachments:

- 18.a Memo to SB re Opt Out 12-1-21 extend through 6-30-25
- 18.b opt out enrollment form FY23 - FY25 12-1-21 Final
- 18.c MB_email

19. Vote to approve a one-hour extension of the licensed closing hour and serving of alcoholic beverages for Sobre Mesa, 29 Hudson Road, on Friday, December 31, 2021 (New Year's Eve), on the condition that the kitchen remains open and food is served.

Attachments:

19.a Sobre Mesa Service Hours Extension 2021_rs

20. Vote to approve the sale (via Municibid) of a surplus 2008 E-One Pumper fire engine in the amount of \$16,300.

Attachments:

20.a surplus town bylaw

20.b Municibid 2008 E-One