

SUDBURY SELECT BOARD

TUESDAY, JANUARY 4, 2022

(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 compiled with, the meeting was convened at 7:03 p.m., via Zoom telecommunication mode.

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

Call to Order/Roll Call

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

Opening remarks by Chair:

- COVID surge – largest increase in schools stressed everyone get vaccinated and boosted
- COVID testing information on Town website
- Town Election openings listed on Town website, encouraged residents to run

Reports from Town Manager:

- Town Clerk provided redistricting and Dog License renewals for 2022; information online as well
- The Sudbury Fire Department will offer Open Burning Permits online, and submission of an application
- Town of Sudbury now offers translation services on the website
- Sudbury Housing Authority (SHA) currently has a three-bedroom, one-bath single family home available for immediate occupancy – applications accepted on a first-come, first-served basis; apply online at www.sudbury.ma.us/housingauthority/documents, or by contacting SHA
- Important that all get COVID vaccinations and boosters

Reports from Select Board:

Board Member Carty

- Happy New Year and hoped everyone enjoyed the holidays
- It's Town Election time! Decisions are made and influenced by those that participate so get involved; lots of opportunities available – see the Town website
- BFRT (Bruce Freeman Rail Trail) Public Hearing on January 10, 2022 at 6:45 p.m. More detail to be provided later in the meeting
- Tentatively scheduled to attend the January 25, 2022 meeting of the Lincoln-Sudbury School Committee to discuss the LS Agreement

Board Member Dretler

- Happy New Year to all
- The Goodnow Library will be operating virtually for the next couple of weeks due to increase in COVID cases

Vice-Chair Russo

- Wished everyone a Happy New Year
- The Conservation Commission will begin evaluation of the NOI (Notice of Intent) for BFRT on Monday, January 10, 2022
- The Planning Board has begun work on implementation of the Master Plan, voted on Master Plan priorities – top two goals are development of a comprehensive Facilities Assessment and Maintenance Plans for Municipal buildings, creation of a historic and archeological working group
- Thanked the Sudbury Police Department for escorting Santa through Town before Christmas; thanks to Lt. John Perodeau and Officer Billy Crisafulli
- Reminded everyone to remain current with COVID vaccinations

Board Member Schineller

- Echoed remarks made by other Board Members

Citizen comments on items not on agenda

Resident Laura Briggs, 94 Belcher Drive, expressed her support for Camp Sewataro, noting that the Camp has been a great asset for working parents, like herself. She requested that the Sewataro lease be renewed for a couple of years, at least.

Discussion and possible vote on Bruce Freeman Rail Trail (BFRT) lease. Update on draft Annual Town Meeting articles

Present: Environmental Planner Beth Suedmeyer, Town Counsel Lee Smith

Attorney Smith confirmed there had been no changes to the lease terms.

Per request of the Board, Attorney Smith agreed to perform a legal search opinion regarding title matters.

Vice-Chair Russo opined about terms included in the lease, and asked if the Town was obligated to remove snow and ice when the Trail was completed; and wanted such removal to be under the discretion of the Town. Attorney Smith stated he would research that aspect.

Board Member Schineller expressed concern regarding confirmatory taking by the State, adding that the Town should be indemnified. Attorney Smith confirmed he would also address that aspect in his opinion.

Chair Roberts inquired about timing and next steps. Attorney Smith noted the lease would not be finalized until spring or summer; around the time of the advertising date

Attorney Smith confirmed he would finalize the language of the three BFRT Articles:

- A. Acquisition of interests in real property
- B. Transferring signing authority to the Select Board

C. Appropriations/expenses

Board Members presented questions regarding the three proposed articles.

Chair Roberts and Board Member Dretler recommended more specificity in article language, as well as possible funding sources.

Resident Len Simon, 40 Meadowbrook Circle, stated that presenting two BFRT articles would be less confusing than presenting three articles.

Resident Pat Brown, 34 Whispering Pine Road, referred to a September 21, 2007 memo from Paul L. Kenney, Town Counsel to Town Manager Maureen G. Valente, which referenced BFRT title review and related easements.

Quarterly update with Sudbury Diversity, Equity, and Inclusion (DEI) Commission co-chairs

Present: DEI Co-Chair Nalini Luthra, DEI Member Sue Rushfirth, Town Social Worker Bethany Hadvab

Ms. Luthra referenced the “Sudbury DEI Commission Quarterly Report to the Select Board – January 4, 2022.” She detailed aspects of the Quarterly Report which included the DEI mission, goals, Land Acknowledgment, and inclusion of Social Media. Ms. Luthra confirmed that subcommittees would be formed, and Q&A sessions with community representatives including Bethany Hadvab, Sonia Ali from Islamic Center, Superintendent Brad Crozier, Dr. Nicholas Argo, co-founder of “Lived Experiences Project,” collected stories of racism and identity-based mistreatment in the Town of Needham.

Ms. Luthra confirmed that moving forward, DEI seeks to create partnerships in the Town to include the Select Board. She detailed that the Commission was requesting that the Town provide \$15,000 in funding to help support activities of the Commission. She hoped the Select Board might consider leading incentives such as extending non-US citizen voting rights in the community, and the display of international flags in the Town Center. Ms. Luthra asked the Board to consider extending membership terms beyond May 2022.

Board Member Dretler stated she would be in favor of extending the DEI mission for another year, and congratulated DEI for recently being awarded a grant.

Board Member Carty thanked the Commission for all the work they are doing, and expressed interest in DEI accomplishments as well as Land Acknowledgment aspects. He indicated that proposed voting and flag displays would merit discussion and was in favor of extending the terms for DEI.

Ms. Rushfirth explained the importance of the story-telling project and surveys stressing the unfortunate time of DEI and the COVID pandemic.

Board Member Schineller congratulated the Commission on securing a grant. He favored the extension of the DEI term, and expressed interest in the land acknowledgment topic. Board Member Schineller indicated he wanted to learn more about policy considerations mentioned.

Vice-Chair Russo said he would favor a term extension for DEI, and hoped the Commission would continue to present the Board with the Quarterly Reports.

Chair Roberts said she enjoyed being a liaison to the DEI, and was supportive of term extensions. She asked that the Commission submit additional information to the Board about the international flag and voting initiatives. Chair Roberts asked if DEI had formally submitted a request for funding to the Town. Ms. Luthra responded a formal request had not been submitted yet.

Ms. Luthra stated DEI would submit the required information to the Board by January 14 for consideration at the Select Board meeting on January 18. She mentioned that the expectation was that DEI would have a significant milestone by the end of the year with time to implement such milestone.

Resident Manish Sharma, 77 Colonial Drive, congratulated Ms. Luthra for her DEI presentation, and asked if DEI proposals and request for funding could be submitted to Representative Gentile's office and other legislators, including the Senators. Mr. Sharma encouraged the Board to set up a blog in the schools and include presentation of international flags, as well as inclusion on the Board. Town Manager Hayes agreed to reach out to other Town Boards/Committees and to encourage such inclusion on the Select Board.

Town Manager Hayes confirmed he would be happy to continue conversations with the DEI co-chairs to continue the topics presented at this meeting.

Chair Roberts said the Board looks forward to DEI submissions, and to having a budget discussion on the continuing work of DEI.

Ms. Luthra recognized Ms. Stephanie Oliver of the Commission who is the budgetary person and coordinated participation with Dr. Argo.

American Rescue Plan Act (ARPA) process and timeline discussion and possible vote about engaging external consultant

Present: Renee Davis, Audit Partner - Powers & Sullivan, LLC; Finance Director Dennis Keohane

Chair Roberts mentioned certain ARPA requests were more time-sensitive than other requests submitted; such as the SPS SMILE Program and the Fairbank Community Center. She suggested the Board consider the more time-sensitive items first.

Town Manager Hayes confirmed he would be presenting the Board with an official list of ARPA requests submitted by various Town Departments.

Ms. Davis provided review of ARPA-related services provided by Powers & Sullivan, LLC. She noted she was also the auditor for Town of Sudbury. She maintained that her firm could help the Board determine eligibility of ARPA funding; and would provide feedback and act in an advisory role. Ms. Davis stressed that her firm was keeping current with all ARPA-related rulings.

Board Member Dretler inquired about lost revenue in 2020. Mr. Keohane responded that preliminary calculations reflected \$3.4 million of lost revenue.

Vice-Chair Russo motioned to empower the Town Manager to engage the services of Powers & Sullivan, LLC for an agreed upon amount not to exceed \$40,000. Board Member Carty seconded the motion.

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

VOTED: To empower the Town Manager to engage the services of Powers & Sullivan, LLC for an agreed upon amount not to exceed \$40,000.

Resident Manish Sharma asked if the Town Manager had considered other audit firms. He asked if ARPA funds could be put into an assigned interest-bearing account. He asked about the related credentials of Powers & Sullivan auditors.

Town Manager Hayes responded that he had spoken to other Town Managers/Administrators who use Powers & Sullivan for this service, and are satisfied. He also detailed that such services would reflect a sub-contract relationship with MAPC (Metropolitan Area Planning Council).

Ms. Davis detailed her credentials, as well as the credentials of Powers & Sullivan, LLC.

Recess

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, Russo-aye, Carty-aye, Dretler-aye, Roberts-aye

VOTED: To take a five-minute recess

The meeting resumed at 10:05 p.m.

Discussion on draft Capital Plan and Free Cash appropriations. Town Manager Hayes to present.

Town Manager Hayes reviewed the “FY22 Free Cash” document, which included requested items including:

- | | |
|-----------------------------|-------------|
| • Fire Station 2 | \$1,500,000 |
| • Fairbank Community Center | \$500,000 |
| • Sewataro Costs | \$250,000 |
| • .5% of budget | \$535,469 |

Town Manager Hayes also presented the “Town of Sudbury Town Manager’s Capital Plan – FY23.”

Town Manager Hayes acknowledged the presented budget items did not reflect a finalized listing.

Board Members opined about the proposed roof replacement item at Fire Station #3.

Board Member Dretler requested an update regarding DPW equipment ordered last year, as well as a 5-Year Capital Plan to be presented at a Select Board meeting in January.

Discuss potential 2022 Annual Town Meeting Select Board and Town articles and possibly vote on articles to put forward

Chair Roberts confirmed that 2022 Annual Town Meeting Articles supported by the Select Board must be reviewed by Town Counsel and submitted for the Annual Town Warrant by January 31, 2022.

Potential Articles and Board Member presentation:

- Hiring of Sustainability Director – Jennifer Roberts

- Reversion of unspent Town Meeting Article Appropriations – Dan Carty
- Fairbank FF&E (Furniture, Fixtures, & Equipment) – Janie Dretler and Jennifer Roberts
- BFRT-related Articles/Easements and Lease – Charlie Russo and Janie Dretler
- BFRT-related Articles/Additional items – Charlie Russo and Janie Dretler
- Sudbury Housing Trust Bylaw – Dan Carty
- Commission on Disability Bylaw – Jennifer Roberts stated this article may not proceed
- Sewataro Operational Funding – Charlie Russo
- Sewataro Land Use Consultant – Charlie Russo

Resident and Permanent Building Committee Member Jennifer Pincus, 25 Blueberry Hill Lane, supported the FF&E Article to be presented by the Board, and recommended that funding for the considered audio-visual equipment be somewhat conservative in cost in consideration of other costly expenses associated with the project.

A majority of Board Members agreed that the Sustainability Director article should not be brought forth by the Board.

A majority of Board Members agreed that additional information was needed regarding the reversion of unspent Town Meeting appropriations.

A majority of Board Members agreed that the Fairbank FF&E with related audio equipment should be presented by the Board.

A majority of Board Members agreed that the BFRT-related Articles should be presented by the Board.

A majority of Board Members agreed that the Sudbury Housing Trust Article should be presented by the Board.

A majority of Board Members agreed that the Commission on Disability Bylaw should not be presented by the Board.

A majority of Board Members agreed that additional information was needed regarding the Sewataro-related Articles, and related discussion would continue at the January 10 Select Board Meeting.

Discussion on preparation for Legislator's update and possible vote to send the participating Legislators a letter in advance of the 1/18 meeting

Chair Roberts stated that all Board Member questions/topics to be presented at the Legislators meeting on January 18th be submitted to Town Manager Hayes by Friday, January 7, 2022.

2022 goal setting next steps. Develop deliverables and possibly assign and vote Select Board liaisons to goals.

In consideration of time, Chair Roberts recommended that this agenda item would be discussed at the January 18th meeting.

Discussion and vote whether to send a letter of support to the Boston Region MPO Central Transportation Planning Staff regarding the Town of Weston intersection reconstruction (Route 20/Wellesley Street/Boston Post Road) TIP ID #608940

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

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

VOTED: To send a letter of support to the Boston Region MPO Central Transportation Planning Staff regarding the Town of Weston intersection reconstruction (Route 20/Wellesley Street/Boston Post Road) TIP ID #608940.

Discuss topics to be assigned for Winter 2022 - Select Board Newsletter

Board Members presented the Newsletter topics:

- Chair Roberts - Upcoming Town Meeting
- Board Member Dretler - New Town Historian – Historic Resources Interview
- Board Member Schineller - Sewataro Update
- Vice-Chair Russo – Culverts in Town
- Board Member Carty – Goodnow Library

Chair Roberts noted the Articles would be due on January 24, 2022.

Review open session minutes of 11/15/21 (goal setting meeting) and 11/16/21, and possibly vote to approve minutes

11/15/21 (goal setting meeting) minutes

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

VOTED: To approve the 11/15/21 minutes, as edited

Chair Roberts stated that the 11/16/21 minutes would be reviewed at the next meeting.

Citizen's Comments (cont.)

None

Upcoming Agenda Items

January 10:

- Sewataro discussion regarding renewal of contract and usage consultant
- Town Meeting Articles to include comments and update from the Sudbury Housing Trust meeting

January 18:

- DEI Goals/Extension of Mission Statement
- Financial Policies

January 24:

- Town Meeting Warrant Articles

Future Meeting Topics:

- Sudbury Housing Choice topic to be presented by Planning Director Adam Duchesneau
- Peakham Road speed limits

Consent Calendar

Vice-Chair Russo commented about Consent Calendar item #19 funding. Town Manager Hayes detailed that approve of this item would help reduce related cost to the Town.

Vote to enter into the Town record and congratulate Fiona Kathleen Prendergast of Scout Troop 65 for having achieved the high honor of Eagle Scout

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, Russo-aye, Dretler-aye, Carty-aye, Roberts-aye

VOTED: To enter into the Town record and congratulate Fiona Kathleen Prendergast of Scout Troop 65 for having achieved the high honor of Eagle Scout.

Vote to accept a \$30,000 donation from the estate of Richard Campana to the Sudbury Senior Center

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, Russo-aye, Dretler-aye, Carty-aye, Roberts-aye

VOTED: To accept a \$30,000 donation from the estate of Richard Campana to the Sudbury Senior Center.

Vote to approve and sign the Intermunicipal Agreement (IMA) Extension for the Making the Connections Microtransit Program to June 30, 2022

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, Russo-aye, Dretler-aye, Carty-aye, Roberts-aye

VOTED: To approve and sign the Intermunicipal Agreement (IMA) Extension for the Making the Connections Microtransit Program to June 30, 2022.

Vote to accept a grant from the Commonwealth of Massachusetts in the amount of \$10,000 for the purchase of Poll Pads to be used by the Town Clerk's office at Elections and Town Meetings, and to further authorize the Town Manager to accept said funds on behalf of the Select Board.

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, Russo-aye, Dretler-aye, Carty-aye, Roberts-aye

VOTED: To accept a grant from the Commonwealth of Massachusetts in the amount of \$10,000 for the purchase of Poll Pads to be used by the Town Clerk's office at Elections and Town Meetings, and to further authorize the Town Manager to accept said funds on behalf of the Select Board.

Vote to accept a grant from the Sudbury Foundation in the amount of \$1,140 to purchase signage for two new water bottle filling stations at Feeley and Featherland fields

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, Russo-aye, Dretler-aye, Carty-aye, Roberts-aye

VOTED: To accept a grant from the Sudbury Foundation in the amount of \$1,140 to purchase signage for two new water bottle filling stations at Feeley and Featherland fields.

Vote to accept a grant from the Sudbury Foundation in the amount of \$5,000 to enable the Sudbury Diversity, Equity and Inclusion (DEI) Commission to engage consultant Nicholas Argo in a storytelling project addressing racism and identity-based treatment in Sudbury.

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, Russo-aye, Dretler-aye, Carty-aye, Roberts-aye

VOTED: To accept a grant from the Sudbury Foundation in the amount of \$5,000 to enable the Sudbury Diversity, Equity and Inclusion (DEI) Commission to engage consultant Nicholas Argo in a storytelling project addressing racism and identity-based treatment in Sudbury.

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 5-0; Carty-aye, Dretler-aye, Schineller-aye, Russo-aye, Roberts-aye

VOTED: To adjourn the meeting

There being no further business, the meeting was adjourned at 12:15 a.m., January 5, 2022.

1/4/22 SB Meeting - Documents & Exhibits

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

Attachments:

- 1.a SB Executive Session 11-30-21_for_review
- 1.b SB Executive Session 12-21-21_for_review

2. Continue executive session to 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:

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

4. Discussion and possible vote on Bruce Freeman Rail Trail (BFRT) lease. Update on draft Annual Town Meeting articles. (~35 min.)

Attachments:

- 4.a KP-#790524-v1-SUDB-_BFRT_MassDOT_Lease
- 4.b KP_law_email_BFRT_articles

5. Quarterly update with Sudbury Diversity, Equity, and Inclusion (DEI) Commission co-chairs. (~30 min.)

Attachments:

- 5.a SDEIC Final Quarterly Report January, 2022-4 copy

7. 2022 goal setting next steps. Develop deliverables and possibly assign and vote Select Board liaisons to goals. (~30 min.)

Attachments:

- 7.a Sudbury SB Goal Setting - 2021 Dec 13
- 7.b BOS-Goals-2021

8. Discussion on draft Capital Plan and Free Cash appropriations. Town Manager Hayes to present. (~20 min.)

Attachments:

- 8.a SB Info - Free Cash-CIP - Meeting 2022 Jan 4
- 8.b FY23 CIP 12-28-2021

9. Discuss potential 2022 Annual Town Meeting Select Board and Town articles and possibly vote on articles to put forward. (~40 min.)

Attachments:

- 9.a Potential SB 2022 ATM Articles - 18pt_combined
- 9.b Sewataro Article ATM 2022
- 9.c 2006Article33
- 9.d SHT document 2.15.07_redline
- 9.e Email_Housing_Trust

- 9.f KP-#771120-v1-KP-#771026-v1-SUDB-_Sudbury_Housing_Trust_Opinion
- 9.g MGL Housing Trust
- 9.h Art. 1 Hear Reports
- 9.i Art. 2 Budget Adjustments
- 9.j Stabilization Fund
- 9.k Street Acceptance - Huckleberry

10. American Rescue Plan Act (ARPA) process and timeline discussion and possible vote about engaging external consultant (~20 min.)

Attachments:

- 10.a ARPA Decision Process 12.13.21
- 10.b Request - ARPA Administrator - 12-09-21
- 10.c Price Proposal

11. Discussion and vote whether to send a letter of support to the Boston Region MPO Central Transportation Planning Staff regarding the Town of Weston intersection reconstruction (Route 20/Wellesley Street/Boston Post Road) TIP ID #608940. (~15 min.)

Attachments:

- 11.a Weston TIP letter

12. Discuss topics to be assigned for Winter 2022 - Select Board newsletter. (~10 min).

Attachments:

- 12.a SB Newsletter Previous Topics_12.28.21

13. Review open session minutes of 11/15/21 (goal setting) and 11/16/21, and possibly vote to approve minutes.

Attachments:

- 13.a SB_draft1_11.15.21_min_for_review
- 13.b SB_draft1_11.16.21B_min_for_review

15. Upcoming Agenda Items

Attachments:

- 15.a Upcoming items 01.04.21

16. Vote to enter into the Town record and congratulate Fiona Kathleen Prendergast of Scout Troop 65 for having achieved the high honor of Eagle Scout.

Attachments:

- 16.a Eagle_Scout_request

17. Vote to accept a \$30,000 donation from the estate of Richard Campana to the Sudbury Senior Center.

Attachments:

- 17.a Memo to Select Board re donation 12 21

18. Vote to approve and sign the Intermunicipal Agreement (IMA) Extension for the Making the Connections Microtransit Program to June 30, 2022.

Attachments:

- 18.a Making the Connections IMA 210913

19. Vote to accept a grant from the Commonwealth of Massachusetts in the amount of \$10,000 for the purchase of Poll Pads to be used by the Town Clerk's office at elections and Town Meetings, and to further authorize the Town Manager to accept said funds on behalf of the Select Board.

Attachments:

19.a Grant - Sudbury SCF signed-for PP

19.b Town of Sudbury contract

20. Vote to accept a grant from the Sudbury Foundation in the amount of \$1140 to purchase signage for two new water bottle filling stations at Feeley and Featherland fields.

Attachments:

20.a Sudbury Foundation_ Grant for \$1140 Water Bottle Filling Station signage at Feeley and Featherland fields_2

21. Vote to accept a grant from the Sudbury Foundation in the amount of \$5000 to enable the Sudbury Diversity, Equity and Inclusion (DEI) Commission to engage consultant Nicholas Argo in a storytelling project addressing racism and identity-based treatment in Sudbury.

Attachments:

21.a Sudbury Foundation_ Grant for \$5000 for DEI storytelling project with consultant Nichole Argo_2