

SUDBURY SELECT BOARD

MONDAY, JANUARY 10, 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, Assistant Town Manager Maryanne Bilodeau.

The statutory requirements as to notice having been complied with, the meeting was convened at 7:17 p.m., via Zoom telecommunication mode.

Chair Roberts announced the recording of the meeting and other procedural aspects included in the meeting.

Call to Order/Roll Call

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

Opening remarks by Chair:

- Thanked Town Staff, DPW Department and contractors who helped clear the Town during the weekend storm

Reports from Assistant Town Manager:

- Check Town website for information regarding low cost or subsidized transportation options
- Sudbury in need of snowplow contractors; please contact DPW or check the Town website

Reports from Select Board Members:

Board Member Carty

- The Transportation Committee will be requesting funding from the Select Board for continued operation of the GoSudbury! transportation program for another year

Board Member Schineller

- Condolences to the family of the former LSRHS wrestling captain who tragically passed away in a recent accident

Board Member Dretler

- Expressed condolences to the family of the LSRHS student
- Cautioned all that it will be very cold tonight and tomorrow
- Asked that everyone be aware of exposed pipes and safety with space heaters in the cold
- Referred to MA.gov MEMA website for further information regarding safety measures during extreme weather.

Vice-Chair Russo

- Echoed comments made by other Board Members

Citizen comments on items not on agenda

None

Discussion and possible vote on creation of Sudbury Housing Trust Bylaw

Chair Roberts commented that the related Declaration of Trust was being considered; noting that a draft bylaw had been created.

Board Member Carty confirmed that he, Town Manager Hayes, and Assistant Town Manager Bilodeau met with Town Counsel regarding the bylaw.

Board Member Dretler stated that related questions/comments from Board Members should be submitted to the Sudbury Housing Trust by January 17 in order to be addressed at the January 18 Sudbury Housing Trust (SHT) meeting.

Board Members agreed to further discuss the proposed SHT Bylaw at the Select Board meeting on January 18.

Sewataro Discussion and Possible Votes on: - Camp Operator/Property Manager contract renewal approach and decision. - Potential Select Board Use Consultant article for the 2022 Annual Town Meeting. - Update regarding swimming/fishing ponds and ongoing MA Department of Public Health/MA Department of Environmental Protection and Conservation Commission/Board of Health reviews. - Resident Access Enhancements Proposals (2 Public Swimming and Accessibility options and one Accessibility-only option by Camp Operator/Property Manager). - Other Outstanding Sewataro items
Discussion and Possible Votes on Camp Sewataro

Implementing Sewataro Use Consultant

Vice-Chair Russo relayed highlights of his discussed with Planning and Community Director Adam Duchesneau regarding the Sewataro Use Consultant topic:

- It was agreed that a long-term Sewataro use-evaluation did not conflict with the current camp operation. Mr. Duchesneau indicated that funding of such a use consultant would likely be priced in the \$50,000 to \$100,000 range
- Mr. Duchesneau recommended that CPA open space planning funding requests not be bundled with the Sewataro use consultant request funding
- Mr. Duchesneau suggested the language within the Sewataro use consultant RFP be less proscriptive, with parameters kept fairly broad.
- Mr. Duchesneau agreed to help create the RFP, and recommended that other Town Department representatives share in the formation of the RFP, as well.

Board Member Dretler indicated she would endorse allocating \$100,000.00 to complete a comprehensive Sewataro Use Study.

Board Member Carty indicated that such a comprehensive Sewataro Use Study should not be regarded as a short-term plan, and felt strongly that the current Camp operation lease be extended for five years. He noted that citizen petitions come and go, and this Board should not be reactionary; but should support what is in the best interest of the Town.

Chair Roberts highlighted several areas to be considered in a Sewataro use evaluation study. She shared a document that showed these areas called LIBERTY LEDGE PROPERTY BEST USE STUDY (added to Supporting Materials).

- ADA inclusion aspects
- Feasibility considerations
- Public use/access
- Capital investment
- Revenue generation
- Public health considerations

Vice-Chair Russo stated that such study should be presented as a Select Board Article at Annual Town Meeting. Board Member Carty agreed with a proposed Article for a long-term Sewataro use study, as long as the existing term would be extended for five years

Board Member Schineller confirmed that he could endorse the Town Meeting Article, as long as the Camp operator lease was renewed for five years. He emphasized the economic considerations for the Town.

Board Member Dretler motioned that the Town allocate \$100,000.00 to fund a Sewataro Use Consultant article. Vice-Chair Russo seconded the motion.

Resident Daniel Brock, 388 Willis Road, endorsed the extension of a five-year lease term with the current Camp operator indicating that a \$100,000.00 could be used to study usage for Camp Sewataro and other Town-owned properties, such as Broadacres.

Resident Laura Briggs, 94 Belcher Drive, stated she was in support of exploring long-term planning for all properties in Sudbury, and stressed that the Camp operation should continue. She stated that the current Camp operator had managed the site well, and continues to be a successful revenue provider for the Town.

Resident Kristen Roopenian, 45 Harness Lane, agreed that the Sewataro usage study article should go forward. She expressed support for the Camp lease term being extended in consideration that the Town is producing revenue monies, and Camp Sewataro remains an asset to the community.

Resident Len Simon, 45 Meadowbrook Circle, indicated his support of the Sewataro usage study, and indicated that a five-year lease extension would be too long. He suggested a one-year lease extension. Mr. Simon stressed that use of Liberty Ledge is a Town decision, not a Select Board decision.

Board Member Carty stated that taking a vote at this time would be premature.

Vice-Chair Russo withdrew his endorsement regarding the motion previously made by Board Member Dretler. The motion was not acted upon at this time.

Assistant Town Manager Bilodeau provided summary of the environmental water study being performed at the Sewataro swimming pond. She detailed the results had not been submitted to the Town yet, and the Camp operator had indicated on the December 7 site walk that they would develop a notice of intent to be filed with the Conservation Commission in January to seek permission to manage water quality in the ponds.

Board Member Dretler confirmed she had spoken with Health Director Bill Murphy, who indicated that water testing would continue throughout the summer, which might affect plans for swimming at the Camp this summer.

Board Member Schineller mentioned that swimming has been permitted at the site for many years, and the current Camp operator is performing due diligence.

Vice-Chair Russo confirmed his participation in a Sewataro site walk several weeks before, and results of water e-coli testing was very good. He indicated his support with the manner in which the Camp was addressing water solutions.

Board Member Dretler commented that the Town must understand what related mitigation costs might cost the Town. Chair Roberts noted that the current environmental testing is an ongoing review.

Camp Operator Scott Brody, 1 Liberty Ledge, confirmed he was working with the environmental consultant firm to produce water reports on the Sewataro ponds, and was working with the Conservation Commission regarding the NOI.

Mr. Brody explained the proposed mitigation planning including aeration systems in both ponds for a one-time expense of \$13K. He stated that annual camp maintenance expense reflected some \$5,000.00, adding the testing at the Camp would be covered, and an operating manual would be part of the NOI and he is committed to working with the Conservation Commission.

Contract Renewal

Chair Roberts mentioned several contract extension options. Board Members expressed their preferences.

Board Member Schineller motioned to authorize Vice-Chair Russo and Board Member Carty to negotiate a 5-year lease term renewal with the current Camp Operator, and conclude such negotiations within 21 days. Board Member Carty seconded the motion.

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

VOTED: Not to authorize Vice-Chair Russo and Board Member Carty to negotiate a 5-year lease term renewal with the current Camp Operator, and conclude such negotiations within 21 days.

The motion failed.

Vice-Chair Russo stated he could not endorse a 21-day timeframe and indicated that further discussion was necessary.

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.

MOVED: To move into negotiations regarding the existing Sewataro Property Management Contract, with formation of a negotiation subcommittee with Board Chair Roberts and Board Vice-Chair Russo, to consider management fees, revenue share, public access, and timeframe.

Per request, Chair Roberts agreed to receive resident comment at this time, and continue the motion later in the meeting.

The comment submitted by resident and COD Chair Kay Bell, 348 Old Lancaster Road, was read by Chair Roberts in consideration of technical difficulties experienced by Ms. Bell. Chair Roberts read that Ms. Bell was in favor of a Sewataro usage study warrant article, and would consider a two-year lease extension.

Mr. Simon stated he would not want to wait until 2027 to make a decision about the best use for Sewataro, and there was no need to consider finalizing a lease contract decision until July.

Mr. Brody stated that the lease contract was agreed to by the Town; and he would advance Sewataro accessibility for Town residents. He noted that Camp membership might decrease substantially if contract negotiations are taking place. He expressed his willingness to negotiate.

Mr. Brock stated that changing contract terms would not be preferable, and that five years would be an appropriate contract extension.

Resident Lisa Tursi, 61 Maynard Farm Road, stated that the Town and the current Camp operations were amazing partners, and have presented many events for the residents. She expressed support for a five+ year contract renewal term.

Ms. Briggs echoed some of the concerns about contract timing in consideration of a use study. She indicated she would like to see resident access on weekends be expanded. She stated that a five-year term is what was agreed to and was fair.

Ms. Roopenian stressed that this issue should not be politicized and that the financials need to be thoroughly reviewed. She also clarified that there is a plan for Broadacres, not just a charrette

Resident Jeff Levine, 42 Chanticleer Road, reiterated comments by Len Simon. He stated that a five-year term was an option and not a contractual agreement. He expressed concern about granting an extension to the Camp operator, which would prolong the ultimate decision regarding the site. Mr. Levine stressed that emotions must be taken out of the equation, and the best deal for the Town must be considered.

Resident Jamie Abels, 19 Washington Drive, commented that Camp Sewataro has done an amazing job, especially during the pandemic; and provided campers with a normal camp experience. She stated that a five-year extension was necessary. Ms. Abels stressed the Town must do the right thing as a community, and take the politics out of it.

Board Member Dretler read aloud an e-mail from resident Judy Merra, 377 Lincoln Road, who recommended extending the contract which will allow community members to use the site, and agreed that a comprehensive usage study would be beneficial to the Town.

Board Member Dretler confirmed that the Board has a fiduciary obligation to the entire town and was not doing anything outside of the guidelines of the contract that was agreed to. She read aloud the comments submitted by resident Tom Travers, 32 Old Framingham Road, who was not able to attend tonight's meeting and wrote that the seller put pressure on the Town to continue camp use at the site. He wrote that the Select Board represents the residents, and an in-depth usage study must be approved.

Board Member Dretler read aloud the written comments submitted by resident Robert May, 98 Maynard Farm Road. He agreed with Vice-Chair Russo's assessment that the objective of such a use study would be to assess the best use for the Sewataro site.

Board Member Schineller proceeded to read aloud an e-mail in support of the current Camp operations, from resident Sarah Liberman, 17 Hopestill Brown Road. Several Board Members requested that Board Member Schineller stop reading comments from Ms. Liberman, because they reflected the period of time when the Sewataro contract was first being considered.

At this time, Board Member Schineller was not seen on the Zoom screen.

Chair Roberts indicated in consideration of clarity she would repeat the motion previously put forth:

Chair Roberts motioned to proceed into negotiation with the property manager for the Liberty Ledge/Sewataro property with the formation of a subcommittee of the Chair and Vice-Chair of the Select Board; items to be considered for negotiation included: management fee, revenue share, public access, and terms; among other items. Board Member Russo seconded the motion.

It was on motion 3-1; Carty-no, Dretler-aye, Russo-aye, Roberts-aye

VOTED: To proceed into negotiation with the property manager for the Liberty Ledge/Sewataro property with the formation of a subcommittee of the Chair and Vice Chair of the Select Board; items to be considered for negotiation included: management fee, revenue share, public access, and terms; among other items.

Board Member Dretler noted that Board Member Schineller left the meeting.

Board Member Carty stated that five-year renewal term was mentioned in the Sewataro contract with the Camp operator, and he wished not to conduct business in this fashion which reflected poorly on the Town. Chair Roberts responded that it was possible that the term was five years, and this might provide flexibility in consideration of negotiations.

Assistant Town Manager Bilodeau stated that Board Member Schineller had just sent an e-mail to the Board stating he was having technical difficulties and was working on getting back into the meeting.

Members agreed that if Board Member Schineller was able to resolve technical difficulties and return to the meeting, he would be allowed to vote on the previous motion made.

Recess

Board Member Dretler motioned that the Board take a 5-minute recess and return at 9:53 p.m. Vice-Chair Russo seconded the motion.

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

VOTED: That the Board take a 5-minute recess and return at 9:53 p.m.

All Board Members returned to the meeting at 9:53 p.m.

Board Member Schineller commented that he wanted a timeframe associated with the motion made regarding Sewataro negotiations. He reiterated that a five-year contract extension was the right thing to do. Chair Roberts confirmed that she would plan to proceed with such negotiations in an expedient manner.

Board Member Schineller added his vote of “aye” to the Sewataro negotiation vote, thus changing the voting results:

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

VOTED: To proceed into negotiation with the property manager for the Liberty Ledge/Sewataro property with the formation of a subcommittee of the Chair and Vice Chair of the Select Board; items to be considered for negotiation included: management fee, revenue share, public access, and terms; among other items.

Use Consultant

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 4-1; Dretler-aye, Carty-no, Russo-aye, Schineller-aye, Roberts-aye

VOTED: To fund a consultant to analyze the best use/s of the Sewataro property for a cost up to \$100,000.00.

Board Member Schineller suggested that the Chair withdraw the motion just made, and restate the motion in consideration that \$100,000.00 appeared to be excessive and he did not want such precedent set before additional research was done.

Chair Roberts commented that further study of the amount would likely be considered before Town Meeting.

Access Proposals

Chair Roberts stated that Mr. Brody had proposed additional resident access to the pool and swimming at Sewataro, along with enhanced ADA accessibility.

Related discussion took place. Board Member Schineller asked what amenities Board Members would like to consider.

Board Member Carty stated that additional swimming opportunities would be a good amenity

Board Member Dretler stated that final water testing results were incomplete at this time for the swimming pond, and the capital costs are unknown, and the Sewataro pond could not be compared to the lake in Wayland. She mentioned that she was in favor of additional ADA accessibility.

Vice-Chair Russo agreed that it might be too early to assess the swimming proposal until the water results were presented.

Chair Roberts thanked the Camp operator for the presented amenity proposals, and agreed that testing results should be presented before considerations regarding swimming could be considered. She indicated that the ADA accessibility aspect would be very important.

Chair Roberts suggested that Vice-Chair Russo and Board Member Schineller research Conservation Commission and Health Department aspects in relation to Sewataro.

Board Member Dretler requested clarity about who should be setting the fees for usage and referred to recent Park & Recreation Commission discussions. Board Member Schineller responded that the intent of the Subcommittee was to create a comparable fee schedule.

Upcoming Agenda Items

January 18

- Legislator meeting
- Financial Policies approval
- Draft Town Meeting articles to be reviewed
- DEI discussion on extension
- Health Department ARPA presentation
- Short-term ARPA items
- Transportation Committee to bring forward Town Meeting article

January 24

- Winter Select Board Newsletter
- Review of Town Meeting Warrant Articles

February 1

- Peakham Road speed limit
- Housing Choice Discussion
- Budget Discussions/Capital Discussions

Adjourn

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

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

VOTED: To adjourn the Select Board Meeting

There being no further business, the meeting adjourned at 10:37 p.m.

1/10/22 SB Meeting - Documents & Exhibits

1. Discussion and possible vote on creation of Sudbury Housing Trust bylaw for 2022 Annual Town Meeting. (~25 min.)

Attachments:

- 1.a 2006Article33
- 1.b SHT document 2.15.07_redline
- 1.c KP-#771120-v1-KP-#771026-v1-SUDB-_Sudbury_Housing_Trust_Opinion
- 1.d MGL Housing Trust
- 1.e KP-#794875-v1-SUDB-_Draft_Warrant_Article-_Housing_Trust_Bylaw
- 1.f KP-#794918-v1-SUDB-_Declaration_of_Trust_vs__New_Bylaw

2. Sewataro Discussion and Possible Votes on: -Camp Operator/Property Manager contract renewal approach and decision. -Potential Select Board Use Consultant article for the 2022 Annual Town Meeting. -Update regarding swimming/fishing ponds and ongoing MA Department of Public Health/MA Department of Environmental Protection and Conservation Commission/Board of Health reviews. - Resident Access Enhancements Proposals (2 Public Swimming and Accessibility options and one Accessibility-only option by Camp Operator/Property Manager). -Other Outstanding Sewataro items (~90 min.)

Attachments:

- 2.a Sewataro options table_landscape
- 2.b KP-#698950-v1-SUDB-_Sewataro_Camp_Operator_Contract-_Executed_w_o_Exhibits
- 2.c Sewataro Camp Operator Contract - 1st Amendment 2-18-20
- 2.d Second_Amendment_to_Camp_Operator_Contract - Execution Copy(1106697.1)-signed 20200609
- 2.e Sewataro_Camp_Operator_Contract_Exhibit4
- 2.f Camp Sewataro Total Debt - Actual 1-10-2022
- 2.g FY22 Summary of Camp Sewataro Receipts as of 1-10-2022
- 2.h 2021 Camp Sewataro Issued Financials
- 2.i 2021-10-29-ScottBrody-Email-Financials
- 2.j Camp Sewataro Property Information
- 2.k Sewataro Article ATM 2022
- 2.l Health-Department-Sewataro-Inspection-09.13.2019
- 2.m SB Info - Sewataro update - Meeting 2022 Jan 10
- 2.n Sewataro_email_Hayes
- 2.o Resident Access Enhancements Proposal
- 2.p KP-#779217-v1-SUDB-_Public_Swimming_Opinion_Letter
- 2.q KP-#787874-v3-SUDB-_Consolidated_Memo-_Sewatro
- 2.r BD_Sewataro Questions FROM Select Board 2021 Dec 7-Answers v2
- 2.s Public_Sewataro Questions FOR Select Board 2021 Dec 7 - Answers
- 2.t Sewataro Policy - Use Policy & Fees Draft 11.03.2021
- 2.u Sewataro Applicant Form

3. Upcoming Agenda Items

Attachments:

- 3.a Upcoming items 01.10.21