

SUDBURY SELECT BOARD

MONDAY, JANUARY 24, 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 7:02 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: Carty-present, Dretler-present, Russo-present, Schineller-present, Roberts-present

Opening remarks by Chair

- Tonight's focus involves preparation for 2022 Town Meeting and related Warrant articles
- Fairbank updates have been posted to the Town website
- Condolences to the family of Lee Swanson at his recent passing; he served the Town in many capacities, including acting as the Town Historian and bell-toller at First Parish Church

Reports from Town Manager

- Reserved comments in consideration of a busy agenda

Reports from Select Board

Vice-Chair Russo:

- Expressed sympathy in consideration of the passing of Lee Swanson
- He and Chair Roberts met as members of the Sewataro Subcommittee, which will be discussed later in the meeting
- Webinar scheduled for MBTA Communities hosted by MAGIC (Minuteman Advisory Group on Interlocal Coordination) on February 1 at 12:00 p.m.
- League of Women Voters of Sudbury is hosting a Diversity, Equity and Inclusion Forum on Sunday, January 30th – registration is recommended

Board Member Schineller:

- Expressed condolences to the family of Lee Swanson
- As liaison to the Sudbury Historical Commission (SHC), mentioned possible SHC membership changes and the opportunity for SHC and the Sudbury Historic Districts Commission to be recognized as local government entities, and therefore be eligible for receipt of yearly grants

Board Member Carty:

- Extended condolences to the family of Lee Swanson
- Sudbury Water District will meet tomorrow at 5:00 p.m. to discuss the Fairbank Community Center water pipe
- LSRHS School Committee will meet tomorrow night; the LSRHS public budget hearing will take place

Board Member Dretler:

- Relayed that she and Chair Roberts hosted the last Select Board Office Hours last Friday, and many people attended and asked many questions; she thanked all for attending
- Attended the MMA (MA Municipal Association) Fiscal Outlook meeting earlier today; the MMA meeting from last week
- Encouraged all Board Members to act in a civil manner during Select Board meetings

Citizen comments on items not on agenda

Resident Len Simon, 40 Meadowbrook Circle, mentioned the behavior displayed by Select Board Member Schineller during the last Board meeting on December 7, 2021. He also mentioned the actions of Board Member Schineller when he served as liaison to the Park & Recreation Commission.

Discussion and possible vote on draft Bruce Freeman Rail Trail (BFRT) lease and draft 2022 BFRT Annual Town Meeting articles

Present: Town Counsel Lee Smith, Environmental Planner Beth Suedmeyer

Attorney Smith provided detail regarding the draft BFRT lease dated January 21, 2022.

Board Member Carty asked when the associated exhibits would be included. Attorney Smith explained related aspects, and confirmed as Annual Town Meeting grew nearer, the exhibits would be included. Member Carty also expressed that his concern remained about the number of times the phrase “without limitation” was included in the lease document.

Board Member Schineller asked about the performance of a title search. Attorney Smith responded that such title search would be included in his legal opinion, and noted that such records dated back to the 1800s.

Ms. Suedmeyer commented that previous Town Counsel produced favorable opinion, and had no concerns about the Town moving forward.

Vice-Chair Russo queried about possible amendments being made to the article at a future time. Attorney Smith confirmed that such changes could be implemented up until the time of Town Meeting.

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, Schineller-aye, Carty-no, Russo-aye, Roberts-aye

VOTED: To approve the draft BFRT lease with MassDOT as presented, dated January 21, 2022.

ARTICLE XX – BFRT PHASE 2B – Acquisition of Land

Ms. Suedmeyer explained minimal amount for acquisition of land, noting that the exact cost appraisal was not yet submitted.

Board Members presented questions regarding acquisition language in the article.

Board Member Carty recommended the eminent domain clause be eliminated from the article. Ms. Suedmeyer confirmed the right of way process/design was approved by MassDOT, and title research was provided for this area.

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 3-2; Schineller-no, Carty-no, Russo-aye, Dretler-aye, Roberts-aye

VOTED: To move the BFRT Acquisition of Land article forward to the Annual Town Meeting Warrant.

ARTICLE TRANSFER OF TAX POSSESSION PARCEL TO THE PARK AND RECREATION COMMISSION

Ms. Suedmeyer detailed regarding the parcel being considered.

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

VOTED: To move the Transfer of Tax Possession Parcel to the Park and Recreation Commission article forward to the Annual Town Meeting Warrant

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

Article XX – Grant of Easements – 24 Hudson Road

Present: Town Counsel Lee Smith, Environmental Planner Beth Suedmeyer

Attorney Smith provided detail about easement aspects in relations to 24 Hudson Road.

Chair Roberts inquired if such grant was acceptable to the property owner at 24 Hudson Road. Town Manager Hayes responded in the affirmative.

Resident John McQueen, 265 Hudson Road, asked about “passive” terminology. Attorney Smith responded that any such “passive” language, did not need to be included in the article. Board Members concurred that such “passive” language was unnecessary.

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

VOTED: To move forward the Grant of Easements article to the Annual Town Meeting Warrant

Attorney Smith left the meeting at this time.

Sewataro Operational Funding - \$155,000

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

VOTED: To move forward the Sewataro Operational Funding article to the Annual Town Meeting Warrant

Funding of Land use Consultant for the Sewataro/Liberty Ledge Property - \$100,000

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 3-2; Schineller-no, Russo-aye, Dretler-aye, Carty-no, Roberts-aye

VOTED: To bring forward the Funding of Land use Consultant for the Sewataro/Liberty Ledge Property article to the Annual Town Meeting Warrant

Resident Len Simon confirmed the citizens petition and report for such consultant was filed with the Select Board's Office today.

Hear Reports

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

VOTED: To bring forward the Hear Reports Article to the Annual Town Meeting Warrant

FY21 Budget Adjustments

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

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

VOTED: To bring forward the FY21 Budget Adjustments article to the Annual Town Meeting Warrant

FY23 Stabilization Fund

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

VOTED: To bring forward the FY 23 Stabilization Fund article to the Annual Town Meeting Warrant

Street Acceptance – Huckleberry Lane

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

VOTED: To bring forward the Street Acceptance – Huckleberry Lane Article to the Town Meeting Warrant

Fairbank Community Center for the Audio-Visual Equipment Funding - \$300,000

Chair Robert 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 3-2; Schineller-no, Carty-no, Russo-aye, Dretler-aye, Roberts-aye

VOTED: To bring forward the Fairbank Community Center for the Audio-Visual Equipment Funding Article to the Town Meeting Warrant

Fairbank Community Center Furniture, Fixtures, Equipment Funding (FF&E) - \$200,000

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 3-2; Carty-no, Schineller-no, Russo-aye, Dretler-aye, Roberts-aye

VOTED: To bring forward the Fairbank Community Center Furniture, Fixtures, Equipment Funding (FF&E) Article to the Town Meeting Warrant

Funding of Go Sudbury! Taxi and Uber Transportation Programs for FY2023 - \$100,000

Board Member Dretler acknowledged a misspelling of “financially” within the language of the Article.

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

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

VOTED: To bring forward the Funding of Go Sudbury! Taxi and Uber Transportation Programs for FY2023 article to the Annual Town Meeting Warrant

Board Member Carty stated he would follow-up with the Board regarding finalized article language.

Discussion and possible vote on finalization of Financial Policies draft document

Chair Roberts confirmed that she and Board Member Schineller finalized the Financial Policies draft document, and including several Board recommendations: Cover sheet for tracking, Acknowledgements, added footnotes, resolved all format issues, added reporting language regarding related Town Meeting Processes, provided list of acronyms, and provided hyperlinks to investment policy sites.

Board Members agreed the document was very comprehensive.

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

VOTED: To approve the new Financial Policies Document

Update from Liberty Ledge/Sewataro Negotiation Subcommittee and Discussion

Chair Roberts stated that she and Vice-Chair Russo met as the Liberty Ledge/Sewataro Negotiation Subcommittee last week to discuss negotiation aspects.

Board Member Schineller commented that he and Vice-Chair Russo served as the two Board Members on the Sewataro Management Subcommittee during the past year. He stated that Vice-Chair Russo had a good understanding of the topic.

Board Member Schineller motioned to appoint Vice-Chair Russo to serve as the single Board Member to negotiate with Scott Brody regarding renewal of the property management contract for Sewataro/Liberty Ledge. Board Member Carty seconded the motion.

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

VOTED: To appoint Vice Chair Russo to serve as the single Board Member to negotiate with Scott Brody regarding renewal of the property management contract for Sewataro/Liberty Ledge.

Vice-Chair Russo asked the Board to exercise grace and leeway regarding the negotiator role he accepted.

Board Member Roberts suggested retaining the Sewataro/Liberty Ledge Negotiation Subcommittee for a week or two. Board Member Dretler suggested requesting guidance from Town Manager and Town Counsel regarding the status of the Subcommittee.

Chair Roberts recommended that Vice-Chair Russo reach out to Board Member Carty regarding any related negotiation questions/comments. Board Members Carty and Russo were in agreement.

Review open session minutes of 12/7/21 and possibly vote to approve minutes

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

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

VOTED: To approve the open session minutes of 12/7/21, as edited.

Resident Manish Sharma, 77 Colonial Road, inquired about the process associated with recalling actions or suspending an elected official.

Resident Len Simon commented that Town Counsel approved the inclusion of citizen written messages at Select Board meetings.

Citizen's Comments (cont.)

None

Upcoming Agenda Items

February 1:

- Peakham Road speed limit suggested
- Annual Town Report to be presented by Town Manager Hayes

February 15:

- Select Board Newsletter approval

Date to be determined:

- Sudbury Housing Trust Bylaw update – suggested by Board Member Carty
- Sewataro Negotiation topic be included at each meeting – suggested by Board Member Schineller
- Appointment Policy – suggested by Vice-Chair Russo
- Finance Committee Director join the Board in ARPA discussion – suggested by Vice-Chair Russo
- ARPA Press Release – suggested by Board Member Dretler
- Historical Commission grant eligibility topic – suggested by Board Member Schineller
- Select Board appointment-related policy - suggested by Board Member Schineller
- Dissolving of Select Board Sewataro Subcommittee – suggested by Board Member Carty
- Board meeting efficiencies/improvements and Member decorum as well- suggested by Chair Roberts
- KP Law might wish to participate in the Select Board meeting improvements and decorum – suggested by Board Member Dretler
- Member decorum be examined inside and outside of meetings – suggested by Board Member Carty

Consent Calendar

In consideration of Consent Calendar item #11, Board Member Schineller asked about Town Manager Commission and Committee appointments in regard to interviews being conducted by the Select Board. Chair Roberts stated that consistency was essential, and suggested the Board discuss this aspect at a future meeting.

Motion for the Select Board to vote to intend to layout the following way at a public hearing on April 5, 2022 at 7:00 PM: Huckleberry Lane from Old Lancaster Road to dead end, a distance of 453 feet +/-; and further to refer the proposed layout to the Planning Board for its report prior to the April 5, 2022 hearing, and to place this item on the May 2, 2022 Annual Town Meeting Warrant.

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

VOTED: To intend to layout the following way at a public hearing on April 5, 2022 at 7:00 PM: Huckleberry Lane from Old Lancaster Road to dead end, a distance of 453 feet +/-; and further to refer the proposed layout to the Planning Board for its report prior to the April 5, 2022 hearing, and to place this item on the May 2, 2022 Annual Town Meeting Warrant

Approve the Town Manager appointment of Liesje Quinto to the Commission on Disability for a term expiring 5/31/24

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

VOTED: To approve the Town Manager appointment of Liesje Quinto, 15 Pendleton Road, to the Commission on Disability for a term expiring 5/31/24

Accept FY22 Firefighters Safety Equipment Grant funds in the amount of \$15,504.06, for the purchase of Hose, Nozzles and Valves, Cold Water Rescue Suit, Life Jackets, and Air Bag lifting system to be used by the Fire Department

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

VOTED: To accept FY22 Firefighters Safety Equipment Grant funds in the amount of \$15,504.06, for the purchase of Hose, Nozzles and Valves, Cold Water Rescue Suit, Life Jackets, and Air Bag lifting system to be used by the Fire Department

Adjourn

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

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

VOTED: To adjourn the Select Board Meeting

There being no further business, the meeting was adjourned at 10:18 p.m.

1/24/22 SB Meeting - Documents & Exhibits

3. Discussion and possible vote on draft Bruce Freeman Rail Trail (BFRT) lease and draft 2022 BFRT Annual Town Meeting articles. (~35 min.)

Attachments:

- 3.a KP-#796984-v2-SUDB-_BFRT_Lease_1-21-22_MDOT_revisions
- 3.b KP-#796345-v1-BFRT_Warrant_Articles-DRAFTS

4. Discuss potential 2022 Annual Town Meeting Select Board and Town articles and possibly vote on articles to put forward. (~60 min.)

Attachments:

- 4.a Potential SB 2022 ATM Articles - combined edited 01.23.22
- 4.b HH_email
- 4.c Sewataro Passive Recreation Operations ATM Article - for review
- 4.d Sewataro Land Use Consultant ATM Article - for TC review 01.19.2022
- 4.e Sewataro_draft_article_update_Russo
- 4.f Art. 1 Hear Reports
- 4.g Art. 2 Budget Adjustments
- 4.h Stabilization Fund
- 4.i Street Acceptance - Huckleberry
- 4.j KP-#796303-v1-SUDB-_24_Hudson_Rd_Warrant_Article_-_Plan_894_of_2000
- 4.k KP-#796255-v3-SUDB-_24_Hudson_Road_Warrant_Article
- 4.l KP_draft_article_email_Parkinson_Land
- 4.m KP-#796471-v1-SUDB-_Draft_Article_-_Parkinson_Land_transfer_from_Treasurer_to_PRC
- 4.n Fairbank AV art. for SB mtg 1-24
- 4.o Fairbank FFE article for SB mtg 1-24
- 4.p GO SUDBURY TAXI AND UBER TRANSPORTATION rev

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

Attachments:

- 5.a 2022-01-14-FinancialPoliciesChanges in Red

7. Review open session minutes of 12/7/21 and possibly vote to approve minutes.

Attachments:

- 7.a SB_draft1_12.07.21_min_for_review

9. Upcoming agenda items

Attachments:

- 9.a Upcoming items 01.24.21

10. Motion for the Select Board to vote to intend to layout the following way at a public hearing on April 5, 2022 at 7:00 PM: Huckleberry Lane from Old Lancaster Road to dead end, a distance of 453 feet +/-; and further to refer the proposed layout to the Planning Board for its report prior to the April 5, 2022 hearing, and to place this item on the May 2, 2022 Annual Town Meeting Warrant.

Attachments:

- 10.a Huckelberry Lane - Street Acceptance Plan 170316 Reduced
- 10.b Huckleberry Lane - Street Acceptance Schedule 220119
- 10.c Huckleberry Lane - Final - Street Acceptance

10.d L211210 Select Board - Huckleberry Ln_

11. Vote to approve the Town Manager appointment of Liesje Quinto, 15 Pendleton Road, to the Commission on Disability for a term expiring 5/31/24.

Attachments:

11.a Quinto_appl_redact

11.b Recommend Liesje Quinto COD membership

12. Vote to accept FY22 Firefighters Safety Equipment Grant funds in the amount of \$15,504.06, for the purchase of Hose, Nozzles and Valves, Cold Water Rescue Suit, Life Jackets, and Air Bag lifting system to be used by the Fire Department.

Attachments:

12.a FY22 FFE Grant Executed Contract_Sudbury