

## SUDBURY SELECT BOARD

TUESDAY, APRIL 5, 2022

(Meeting can be viewed at [www.sudburytv.org](http://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.

### **Call to Order/Roll Call**

Chair Roberts requested Select Board roll call: Russo-present, Dretler-present, Schineller-present, Carty-present, Roberts-present

**Upon the determination that common convenience and necessity require that said way should be laid out, vote to lay out the following Town Way with the boundaries and measurements as set forth on a plan prepared by Thomas Land Surveyors and Engineering Consultants, Inc. on file in the office of the Town Clerk, to be presented for acceptance at the 2022 Annual Town Meeting: Huckleberry Lane from Old Lancaster Road to a dead end, a distance of 453 ft. +/-; and further vote that the layout is subject to meeting the conditions and requirements deemed necessary by the Select Board prior to the execution and recording of a Deed or Order of Taking**

Chair Roberts asked Town Manager Hayes if Staff comments had been resolved. Town Manager Hayes referenced the packet to affirm resolution of any Staff comments. He further noted that the Planning Board voted, and unanimously supported the article.

Chair Roberts moved in the words of the motion. Board Member Carty moved in the words of the Chair, with the edit of 353+/- feet to 453+/- feet. Board Member Dretler seconded the motion.

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

VOTED: To lay out the following Town Way with the boundaries and measurements as set forth on a plan prepared by Thomas Land Surveyors and Engineering Consultants, Inc. on file in the office of the Town Clerk, to be presented for acceptance at the 2022 Annual Town Meeting: Huckleberry Lane from Old Lancaster Road to a dead end, a distance of 453 ft. +/-; and further vote that the layout is subject to meeting the conditions and requirements deemed necessary by the Select Board prior to the execution and recording of a Deed or Order of Taking

### **Opening remarks by Chair**

- Sudbury celebrations/events commemorating Earth Day on April 22
- Sudbury Extended Day care challenges and possible options for Town parents

**Reports from Town Manager**

- Invited all to check Human Resources webpage for Sudbury job postings
- Recorded Town Meeting presentations are available on the Town website

**Reports from Select Board**

**Board Member Dretler**

- Many posted openings on Town Boards and Committees

**Vice-Chair Russo**

- Residents are seeking after school child care options, and Sudbury Public Schools are hiring for such coverage (primarily 3:00 pm to 5:30 pm)

**Board Member Carty**

- Tonight is last night for Sudbury and MA flags to be at half-staff in honor of Captain Ross Reynolds, US Marine Corp, of Leominster, MA; who passed during a NATO training exercise on 3/18/22
- Attended Sudbury Public School Committee meeting last night, included interesting discussion and presentation with school safety report; violence, mental health and bullying topics were included; Medicaid funds and possible related warrant article for future Town Meeting

**Board Member Schineller**

- Congratulations to newly elected officials, and thanked staff and election works for their help
- Reported insignificant results regarding meeting with United States Army Corp of Engineers earlier today when reviewing historical resources in the BFRT area
- Read the "Sudbury Land Acknowledgement," as recommended by the Sudbury DEI Commission.

**Citizen's comments on items not on agenda**

None

**Interview candidate for Zoning Board of Appeals (ZBA) associate and Earth Removal Board (ERB) member. Following interview, vote whether to appoint Michael B. Hershberg, 5 Brooks Road, as a ZBA associate and ERB member for a term ending 5/31/23**

Present: Michael Hershberg

Mr. Hershberg provided aspects of his related background, and land use experience. He expressed his interest in serving the ZBA and the ERB.

Board Member Dretler motioned to appoint Michael B. Hershberg, 5 Brooks Road, as a ZBA associate and ERB member for a term ending 5/31/23. Vice-Chair Russo seconded the motion.

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

VOTED: To appoint Michael B. Hershberg, 5 Brooks Road, as a ZBA associate and ERB member for a term ending 5/31/23

**Transportation update by Select Board Member Carty**

Present: Alice Sapienza, Transportation Board

Board Member Carty reviewed funding aspects of Warrant Article 14 - GO Sudbury! Taxi and Uber Transportation Programs for FY23.

He provided detail regarding “unique users” of the Go Sudbury! program

- 34 unique users of Uber transportation
- 50 unique users of taxis
- 7 unique users who use both Uber and Taxi transportation modes

Board Member Dretler asked what the \$100,000 request would be specifically used for. Board Member Carty responded to maintain current servicing.

Board Member Dretler opined about similar transportation services in other MA communities. Ms. Sapienza mentioned programs being used in Berkshire communities, Action, Maynard; and considered what a regional program might involve.

Chair Roberts suggested the Transportation Committee might send a letter regarding program recommendations to the State legislators. She also suggested a related mailing, for those who cannot be reached electronically. Ms. Sapienza agrees with such a mailing.

Board Member Carty commented that Uber and Taxi services are equally important, and the Taxi is particularly useful for those with disabilities.

Vice-Chair Russo indicated he was interested in learning more about grant opportunities, and liked the idea of gathering regional data.

Resident Kirsten Roopenian, 45 Harness Lane, noted that the transportation plan reminded her of the senior write-off program, and state participation would be very important, and stressed the need for outreach.

**Discussion and possible vote regarding Sewataro/Liberty Ledge Property Manager/Camp Operator Agreement Negotiation Update**

Present: Lee S. Smith, Town Counsel

Vice-Chair Russo provided update, including progress made with additional public access to the Camp, per the third proposed amendment to the Agreement.

Attorney Smith described communication received on Friday, April 1<sup>st</sup> from Camp Sewataro Operator Scott Brody giving his intention to extend the 5-year extension period.

Board Member Dretler suggested further clarity with Agreement language. Attorney Smith responded positively. He noted that the proposed increase in annual fee and dates of payment, were consistent with the amended agreement.

Mr. Brody addressed proposed plans for early registration for Sudbury residents, which had risen considerably; and from 2019 to 2022 the percentage has gone from 22% to 37%. He also provided detail regarding added public access, property security, national recognized consultants, and water testing measures.

Vice-Chair Russo suggested the Board continue the discussion at the next Board meeting on April 12, 2022. Board members were in agreement.

#### Related Public Comments

Resident Lisa Kouchakdjian, 30 Meadowbrook Circle, confirmed a resident told her that the disabled child could not be accommodated at Camp Sewataro. She noted that Title 2 of the Americans with Disabilities Act, offered related protection. Mr. Brody expressed his surprise and disbelief, and asked for the name of the disappointed resident, so he could reach out to hear in order to resolve the issue.

Resident Len Simon, 40 Meadowbrook Circle, recommended that an outside consultant/peer reviewer, not connected to the Town; examine the proposed Agreement before the Board voted.

Chair Roberts stated that resident comments via email or letters will also be included as part of the record on the Town's website. Vice-Chair Russo read those resident comments received via e-mail:

Resident Stacy Munroe, 37 Greystone Lane, indicated her support of Sewataro contract and Sewataro management. She stressed that her kids do not attend the camp, but do use the camp. She confirmed a 5-year extension would provide the Town with necessary time to consider the future of Sewataro.

Resident Melissa Perla, 35 Shadow Oak Drive, said approving the Agreement extensive would be profitable for Town. Sewataro has already reaped benefits for the Town; almost a break-even on costs to the Town. Many businesses use the property as well as garden clubs and scouts, fishing, etc., and residents use the tennis courts and other features.

Resident Lisa West, 42 Hawes Road, indicated her support and stated Camp Sewataro provided revenue and Mr. Brody is an excellent partner and helps families in town; via Town activities and participation. This creates a huge step forward for the Town.

Resident Jen Stone, 35 Cantor Road, supports a 5-year extension of the camp. She noted benefits to the Town will get even better in the next five years. Great during pandemic, the Camp supported a food pantry and employed local residents and scholarships.

#### **Discussion and possible vote on seeking an external cost estimate for the Sewataro Land Use Consultant Town Meeting article (#16)**

Chair Roberts recommended that Vice-Chair Russo reach out to the Planning and Community Development Department before the April 26<sup>th</sup> meeting for staff to seek cost and scope estimates. This review is important when seeking information on the cost aspect in preparation for Town Meeting.

Chair Roberts acknowledged that Vice-Chair Russo and Town Manager Hayes would discuss this aspect further. Board Member Dretler encouraged a site walk or google walk through Sewataro.

**Recess**

The Board Members agreed to take a 5-minute recess.

The meeting resumed at 10:48 PM

**Discussion on Town Manager 360-Degree Assessment and Town Manager 2022 Evaluation**

Chair Roberts noted that the Town Manager's self-assessment will be presented at the April 26<sup>th</sup> meeting which reflects a month earlier when compared to the assessment last year.

Board Members provided comment regarding the 360-Degree Assessment, and plan to talk one-on-one regarding the tabulated results.

Town Manager Hayes indicated that he was grateful for comments, and that he would move forward with his self-assessment.

**Discussion on 2022 Annual Town Meeting: logistics; order and consent calendar; positions on articles. Also vote to approve the Annual Town Meeting Warrant**

Board Member Carty stated he will provide the following Article presentations for Town Meeting: Article 9, Article 11, Article 12, and Article 14.

Resident Bob May will be presenting Article 1 - Hear Reports

**Article 14 – GO Sudbury Taxi Uber Programs for FY23**

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

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

VOTED: To Support Article 14

**Article 15 – Funding Operations for Passive Recreation Requirements of the Sewataro/Liberty Ledge Property**

Board Members agreed to wait on Article 15.

**Article 16 - Funding of Land use Consultant for the Sewataro/Liberty Ledge Property**

Vice-Chair Russo would be reaching out to various departments.

**Article 22 – Fairbank Community Center Audio-Visual Equipment Funding**

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

VOTED: In support of Article 22

**Article 23 – Fairbank Community Center Furniture, Fixtures, Equipment Funding (FF&E)**

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 support Article 23

**Article 29 – Amend the Process for Creating New Local Historic Districts**

Board Member Dretler suggested that Adam Duchesneau, Planning and Community Development Director, provide a memo of explanation, and the Board could vote at Town Meeting.

**Article 32 - ADA Transition Plan Recommendation**

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

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

VOTED: To support Article 32

**Article 47 – Community Preservation Act Fund – Bruce Freeman Rail Trail Design and Construction North of Mass Central Rail Trail**

Vice-Chair Russo motioned that the Select Board support Article 47. Board Member Dretler seconded the motion.

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

VOTED: To support Article 47

**Article 49 – Community Preservation Act Fund - Historic Districts Commission Design Guidelines**

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

**American Rescue Plan Act Funds (ARPA) Listening Session debrief and next steps discussion**

Postponed discussion to a future meeting.

**Discussion and possible vote on finalizing deliverables for Select Board 2022 Annual Goals**

Postponed discussion to a future meeting.

**Discussion and possible vote on Select Board Appointment Policy and related inquiry from Sudbury Historical Commission**

Postponed discussion to a future meeting.

**Update on remote/hybrid/in-person meetings and survey to boards, committees, commissions, staff, and residents**

Chair Roberts confirmed a related survey would be conducted in the next couple of weeks to determine the opinion regarding the remote experience.

**Vote to review and possibly approve the open session minutes of 3/1/22 and 3/8/22**

Postponed discussion to a future meeting.

**Discuss topics to be assigned for Spring 2022 - Select Board Newsletter**

- Vice-Chair Russo – Electronic Voting
- Board Member Schineller – Time on Select Board
- Board Member Dretler – Introduction of incoming Board Member
- Chair Roberts – Unknown at this time
- Board Member Carty – Unknown at this time

**Citizen's Comments (cont.)**

Resident and COD Chair Kay Bell, 348 Old Lancaster Road, noted the mentioned survey must be accessible for screen readers, and the Town must consider screen readers.

Resident Len Simon, commented about voting two-thirds quorum at Town Meeting regarding Article 15.

**Upcoming Agenda Items**

**April 12**

- Sewataro
- Agenda items postponed at this meeting

**Sometime in May**

- Transportation Committee

**Consent Calendar**

**As the Licensing Authority for the Town of Sudbury, vote to renew a billiards table license for the American Legion Sudbury Post #191, Inc., John L. Poff, Manager, 676 Boston Post Road, through May 1, 2023**

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, Schineller-aye, Dretler-aye, Carty-aye, Roberts-aye

VOTED: To renew a billiards table license for the American Legion Sudbury Post #191, Inc., John L. Poff, Manager, 676 Boston Post Road, through May 1, 2023.

**Vote to accept the resignation of Doug Frey, 74 Cutler Farm Road, as a member of the Commission on Disability and the Transportation Committee, effective 4/28/22, and to send a thank you letter for his service to the Town**

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, Schineller-aye, Dretler-aye, Carty-aye, Roberts-aye

VOTED: To accept the resignation of Doug Frey, 74 Cutler Farm Road, as a member of the Commission on Disability and the Transportation Committee, effective 4/28/22, and to send a thank you letter for his service to the Town.

**Vote to accept the resignation of Vona Hill, 11 Kendra Lane, from the Diversity, Equity, and Inclusion Commission (DEI) and to send a letter of thanks for her service to the Town**

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, Schineller-aye, Dretler-aye, Carty-aye, Roberts-aye

VOTED: To accept the resignation of Vona Hill, 11 Kendra Lane, from the Diversity, Equity, and Inclusion Commission (DEI) and to send a letter of thanks for her service to the Town.

**Vote to accept a grant from the Sudbury Foundation in the amount of \$21,000 to purchase a power stretcher for the Fire Department's third ambulance**

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, Schineller-aye, Dretler-aye, Carty-aye, Roberts-aye

VOTED: To accept a grant from the Sudbury Foundation in the amount of \$21,000 to purchase a power stretcher for the Fire Department's third ambulance.

**Adjourn**

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

VOTED: To adjourn the Select Board Meeting

There being no further business, the meeting ended at 12:09 AM Wednesday, April 6, 2022.



## **SB Meeting 4/5/22 - Documents & Exhibits**

1. Open in regular session and vote to immediately enter executive session to review, approve, and possibly release 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 3-1-22\_min\_for\_review
- 1.b SB Executive Session 3-8-22\_for\_review
- 1.c BOS Executive Session 12-04-18\_for\_review
- 1.d BOS\_draft1\_9.25.18\_EXECmin\_for\_review

3. Upon the determination that common convenience and necessity require that said way should be laid out, vote to lay out the following Town Way with the boundaries and measurements as set forth on a plan prepared by Thomas Land Surveyors and Engineering Consultants, Inc. on file in the office of the Town Clerk, to be presented for acceptance at the 2022 Annual Town Meeting: Huckleberry Lane from Old Lancaster Road to a dead end, a distance of 453 ft. +/-; and further vote that the layout is subject to meeting the conditions and requirements deemed necessary by the Select Board prior to the execution and recording of a Deed or Order of Taking. (~20 min.)

### **Attachments:**

- 3.a SB Referral to Planning Bd. 1-24 vote
- 3.b Huckleberry Lane - Street Acceptance Schedule 220119
- 3.c HUCKLEBERRY LANE ABUTTERS LIST
- 3.d Signed Layout Intention Notice
- 3.e Huckelberry Lane Street Acceptance Plan
- 3.f Huckleberry Lane - St. Acceptance DPW 220311
- 3.g ORourke\_email
- 3.h Huckleberry Lane - Street Acceptance PB Comments 220301
- 3.i KP-#806170-v1-SUDB\_-\_Layout\_document\_-\_Huckleberry\_Lane

4. Interview candidate for Zoning Board of Appeals (ZBA) associate and Earth Removal Board (ERB) member. Following interview, vote whether to appoint Michael B. Hershberg, 5 Brooks Road, as a ZBA associate and ERB member for a term ending 5/31/23. (~15 min.)

### **Attachments:**

- 4.a SB Recommendation Letter Associate - Hershberg 220307
- 4.b Hershberg\_appl

5. Transportation update by Select Board Member Carty (~20 min.)

### **Attachments:**

- 5.a ATM2022\_Article\_14\_GoSudbury DRAFT 04012022
- 5.b Go Sudbury! Accounting 220331
- 5.c Select Board Scenarios 3.21.22
- 5.d Survey context
- 5.e survey\_results\_03272022

6. Discussion and possible vote regarding Sewataro/Liberty Ledge Property Manager/Camp Operator Agreement Negotiation Update.

### **Attachments:**

- 6.a Camp Sewataro Total Debt - Actual 1-10-2022 (1)
- 6.b Sewataro Contract Update Items (1)
- 6.c Camp Sewataro New Framework Financial Projectons 2023-2027
- 6.d SB Info - Sewataro E.Coli result from 2022 Mar 7
- 6.e 239863-Camp Sewataro-Ecoli-3-7-22
- 6.f SB\_TM Note - Sewataro 30 day notice
- 6.g Sewataro - notice of Intent to renew - 2022Apr1
- 6.h Third Amendment to Camp Operator Agreement(1399549.3)
- 6.i Dretler Questions about the Third Amendment to the Contract for Day Camp Operator and Management of Real Property as drafted by legal counsel for Scott Brody

**7.** Discussion and possible vote on seeking an external cost estimate for the Sewataro Land Use Consultant Town Meeting article (#16). (~15 min.)

**Attachments:**

- 7.a ARTICLE 16

**8.** Discussion on Town Manager 360-Degree Assessment and Town Manager 2022 Evaluation. (~30 min.)

**Attachments:**

- 8.a Binder1 - 360 combined - 2022 March 31
- 8.b Town\_Manager\_Reviews\_combined\_SB
- 8.c Town Manager Review Quant Tally 04.04.22

**9.** Discussion on 2022 Annual Town Meeting: logistics; order and consent calendar; positions on articles. Also vote to approve the Annual Town Meeting Warrant (~35 min.)

**Attachments:**

- 9.a ATM ARTICLES UPDATE - 3-31-22
- 9.b KP-#806780-v1-SUDB- Draft\_Warrant\_2022\_ATM-\_KP\_Edits\_

**10.** American Rescue Plan Act Funds (ARPA) Listening Session debrief and next steps discussion (~20 min.)

**Attachments:**

- 10.a Press Release - ARPA
- 10.b ARPA Listening Session\_v2

**11.** Discussion and possible vote on finalizing deliverables for Select Board 2022 Annual Goals. (~20 min.)

**Attachments:**

- 11.a BOS-Goals-2021
- 11.b Sudbury SB Goal Setting - 2021 Dec 13
- 11.c Select Board Sustainability\_Climate Change Goal Deliverables DRAFT 04.05.22

**12.** Discussion and possible vote on Select Board Appointment Policy and related inquiry from Sudbury Historical Commission (~15 min.)

**Attachments:**

- 12.a Appointments Policy Final 06.29.21

**14.** Vote to review and possibly approve the open session minutes of 3/1/22 and 3/8/22.

**Attachments:**

14.a SB\_draft1\_3.01.22\_min\_for\_review

14.b SB\_draft1\_3.08.22\_min\_for\_review

**15.** Discuss topics to be assigned for Spring 2022 - Select Board newsletter. (~10 min).

**Attachments:**

15.a SB Newsletter Previous Topics\_03.09.22

**17.** Upcoming agenda items

**Attachments:**

17.a Upcoming items 04.05.22

**18.** As the Licensing Authority for the Town of Sudbury, vote to renew a billiards table license for the American Legion Sudbury Post #191, Inc., John L. Poff, Manager, 676 Boston Post Road, through May 1, 2023.

**Attachments:**

18.a Pool Table License Appl 2022\_SB

18.b American Legion Billiards Approval 2022

**19.** Vote to accept the resignation of Doug Frey, 74 Cutler Farm Road, as a member of the Commission on Disability and the Transportation Committee, effective 4/28/22, and to send a thank you letter for his service to the Town.

**Attachments:**

19.a Resignation of Doug Frey from 2 Committees

**21.** Vote to accept a grant from the Sudbury Foundation in the amount of \$21,000 to purchase a power stretcher for the Fire Department's third ambulance.

**Attachments:**

21.a Sudbury Foundation\_Grant for Fire Dept third ambulance power stretcher\_rev