

SUDBURY SELECT BOARD
TUESDAY JUNE 13, 2023
7:00 PM, ZOOM

Item #	Time	Action	Item
	7:00 PM		CALL TO ORDER
			Opening remarks by Chair
			Reports from Town Manager
			Reports from Select Board
			Public comments
CONSENT CALENDAR			
1.		<i>VOTE</i>	Vote to add COD member Liesje Quinto to the Housing Production Plan Working Group.
2.		<i>VOTE</i>	Vote whether to approve the annual Select Board's re-appointments of those listed (all of which are subject to acceptance).
3.		<i>VOTE</i>	Vote to authorize the Town Manager to execute a Charter Transportation Agreement with First Student, Inc. for student transportation services for the period August 15, 2023 through June 30, 2024.
4.		<i>VOTE</i>	Vote to approve the FY23 Contract Extension of the Agreement between the MetroWest Regional Transit Authority and the Town of Sudbury to provide transportation services for elderly and disabled persons through the Council on Aging effective July 1, 2023; and further, to approve future extensions of the contract provided there are no changes in terms of the original contract and funds are available; said extension to be executed by the Town Manager.
5.		<i>VOTE</i>	Vote to dissolve Small Wireless Facility subcommittee established by the Select Board on 8/30/22.
MISCELLANEOUS			
6.		<i>VOTE</i>	Discussion and possible vote on liaison assignments/committee memberships for 2023-2024.
7.		<i>VOTE</i>	Review and vote Select Board Meeting policy.

These agenda items are those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law. Some items may be taken out of order or not be taken up at all. The Chair will strive to honor timed items as best as possible, however, the estimated timing may occasionally be inaccurate.

Item #	Time	Action	Item
8.		<i>VOTE</i>	Acknowledge and discuss Open Meeting Law complaint against Select Board members dated February 26, 2023, filed by resident Manish Sharma; and review and discuss responses to complaint.
9.		<i>VOTE</i>	Review and possibly approve the regular session meeting minutes of 1/10/23, 2/7/23, 2/9/23, 3/16/23, 3/21/23, 4/25/23, and Sewataro subcommittee minutes of 7/8/21 and 8/19/21.
10.		<i>VOTE</i>	Review and possibly approve meeting minutes of 1/16/18, 1/29/18, 2/20/18, 4/9/18, and also vote to dissolve the School District Administrative and Structural Options Subcommittee.
EXECUTIVE SESSION			
11.		<i>VOTE</i>	Vote to close open session, and enter executive session to review, approve and possibly release executive session meeting minutes pursuant to G.L. c. 30A, § 21(a)(7) (Purpose 7), citing to the Open Meeting Law, G.L. c. 30A, §§ 22(f), (g).
12.		<i>VOTE</i>	Close executive session and not resume open session.

These agenda items are those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law. Some items may be taken out of order or not be taken up at all. The Chair will strive to honor timed items as best as possible. The Chair reserves the right to accept public comment on any item and may establish time limits.



SUDBURY SELECT BOARD
Tuesday, June 13, 2023

CONSENT CALENDAR ITEM

1: Membership to housing production plan working grp

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Vote to add COD member Liesje Quinto to the Housing Production Plan Working Group.

Recommendations/Suggested Motion/Vote: Vote to add COD member Liesje Quinto to the Housing Production Plan Working Group.

Background Information:
see attached email from COD

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

06/13/2023 7:00 PM

From: Cameron LaHaise <cameronlahaise@gmail.com>
Sent: Friday, June 2, 2023 12:44 PM
To: Poteat, Ryan <PoteatR@sudbury.ma.us>
Cc: Select Board <SelectBoard@sudbury.ma.us>; Commission on Disability <disability@sudbury.ma.us>; Sheehan, Andy <SheehanA@sudbury.ma.us>; Liesje Carrigan <liesje.carrigan@gmail.com>
Subject: COD Member Quinto to the HPP Working Group

Good Afternoon,

Last night, the Commission on Disability voted unanimously for Liesje Quinto to represent the COD to the Housing Production Plan working group. In addition, Liesje was also voted unanimously to serve as the new Vice Chair of the COD.

I know Liesje is looking forward to working with this group, please connect with her re: upcoming meeting dates, etc.

Thank you!
Cam



SUDBURY SELECT BOARD

Tuesday, June 13, 2023

CONSENT CALENDAR ITEM

2: 2023 Annual Board & Committee Re-appointments

REQUESTOR SECTION

Date of request:

Requested by: Leila S. Frank

Formal Title: Vote whether to approve the annual Select Board's re-appointments of those listed (all of which are subject to acceptance).

Recommendations/Suggested Motion/Vote: Vote whether to approve the annual Select Board's re-appointments of those listed (all of which are subject to acceptance), to acknowledge the resignations of those who choose not to be re-appointed, and to send a letter of appreciation to the resigning volunteers for their service to the community.

Background Information:

Serving committee members and board/committee chairs were asked to provide feedback on continuing service by May 26, 2023. Expiring appointments were posted to the public and applications were requested by June 9, 2023.

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

- Select Board Office Pending
- Town Manager's Office Pending
- Town Counsel Pending
- Select Board Pending
- Select Board Pending

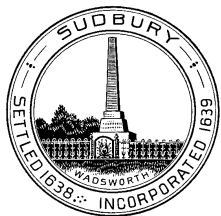
06/13/2023 7:00 PM

Board/Committee Reappointments 2023

12-Jun-23

Board Name	First Name	Last Name	RESPONSE	Term
Aging, Council on	Carmine	Gentile	Yes	3
Aging, Council on	Paul	Marotta	Yes	1
Board of Appeals	Frank	Riepe	Yes	5
Board of Appeals	Jeffrey	Rose		1
Board of Appeals	Michael	Hershberg	Yes	1
Board of Appeals	William	Ray	Yes	1
Capital Improvement Advisory Committee	Michael	Cooper	No	3
Diversity, Equity and Inclusion Commission	Andrea	Meggison	Yes	1
Diversity, Equity and Inclusion Commission	Helen	Huang	Yes	1
Diversity, Equity and Inclusion Commission	Isabelle	Li	No	1
Earth Removal Board	Bryan	Gammons	Yes	1
Earth Removal Board	Jeffrey	Rose		1
Earth Removal Board	Jonathan	Patch	Yes	1
Earth Removal Board	Michael	Hershberg	Yes	1
Earth Removal Board	William	Ray	Yes	1
Land Acquisition Review Committee	Christopher	Morely	Yes	2
Land Acquisition Review Committee	Jan	Hardenbergh	Yes	2
Land Acquisition Review Committee	Matthew	Barach	Yes	2
Permanent Building Committee	Mark	Sevier	No	2
Permanent Building Committee	Nancy	Rubenstein	Yes	3
Rail Trails Advisory Committee	John	Drobinski	Yes	2
Rail Trails Advisory Committee	Lana	Szwarc	Yes	2
Sudbury Housing Trust	Carmine	Gentile	Yes	2
Sudbury Housing Trust	Jessica	Cerullo Merrill	Yes	1
Sudbury Housing Trust	Robert	Hummel	Yes	2
Sudbury Housing Trust	Sarah	Green Vaswani	No	1
Town Historian	Jan	Hardenbergh	Yes	1

NO RESPONSE RECEIVED



TOWN OF SUDBURY

278 Old Sudbury Road
Sudbury, MA 01776-1843

June 12, 2023

Janie W. Dretler, Chair
Sudbury Select Board
278 Old Sudbury Road
Sudbury, MA 01776

Re: Reappointment of Permanent Building Committee Member - Nancy Rubenstein

Dear Chairperson Dretler and Select Board Members:

As you are aware, the Sudbury Select Board has the responsibility to appoint five out of the seven members of the Permanent Building Committee (PBC). The remaining two members are appointed by the Planning Board and the School Committee. Many past appointments by the Select Board have been made based on the recommendation of the PBC that the appointee has shown, through his or her professional experience, technical expertise and familiarity with the issues of interest to the Town and the Permanent Building Committee, such that he or she would be a great asset to both the Committee and the Town as the Committee fulfills its responsibility in overseeing municipal construction projects.

PBC member Nancy Rubenstein is scheduled for reappointment by the Select Board. Ms. Rubenstein has indicated her willingness to continue serving as a Permanent Building Committee member and we are writing as PBC Co-Chairs to inform the Select Board that the PBC recommends that the Select Board reappoint Ms. Rubenstein to the PBC. Ms. Rubenstein is extremely knowledgeable and experienced in the public design process and has shown, as an active PBC participant, to be a valuable resource of experience and technical knowledge during Sudbury municipal capital construction projects.

Ms. Rubenstein, as a project manager and structural engineer by profession, has an impressive construction-related resume. Ms. Rubenstein was first appointed to the PBC by the Select Board in 2018 and was actively involved in the PBC's oversight of the Loring Parsonage Renovation project, the Town Hall Renovation design project and the Fairbank Community Center project until she was required to take a temporary leave of absence from the Committee. The issue has been resolved and Ms. Rubenstein feels confident that she can resume her commitment to the PBC as an active and valued member.

Based on her contributions to both the Town and the PBC to date, and her willingness to be an active participant in the management of PBC projects, the PBC recommends that the Select Board reappoint Ms. Rubenstein to the PBC for a full 3-year term.

In closing, it is our desire that the reappointment take place as soon as possible so that we may continue to provide expertise during the design and construction phases of the numerous capital projects approved at Town Meeting.

Thank you for your consideration.

Sincerely,

Elaine L. Jones, Co-Chair

Craig Blake, Co-Chair
Permanent Building Committee

2023 Annual Board/Committee Reappointments Diversity, Equity & Inclusion Commission Feedback

From: Dainne Baxter

Date: 6/1/2023

At the May 18th DEI Commission monthly meeting, the DEI Commission discussed the reappointments of:

Helen Huang

Isabelle Li

Andrea Meggison

A vote was taken and all voted in favor of reappointing the 3 members with May 31, 2023 expiration dates.

Thank you,

Dianne Baxter and Andrea Meggison, DEI Commission co-chairs



Sudbury Senior Center
Council on Aging
Town of Sudbury, Massachusetts

40 Fairbank Road • Sudbury, Massachusetts • 01776-1681
Phone: (978) 443-3055 • Fax: (978) 443-6009 • E-mail: senior@sudbury.ma.us

April 18, 2023

Sudbury Select Board
Town of Sudbury
278 Old Sudbury Road
Sudbury, MA 01776

Dear Members of the Select Board,

The Board of the Sudbury Council on Aging has interviewed candidates for appointment to the Council on Aging to fill Council on Aging vacancy. At their regular meeting on Monday, April 10, 2023, the Council on Aging unanimously voted to recommend Patricia Tabloski to begin a new term on June 1, 2023. Please find her application enclosed with this letter. We are very happy to welcome Patricia to the Sudbury Council on Aging.

At the April 10 meeting, the Council on Aging also voted to recommend reappointment of Carmine Gentile to a second term on the COA as well as to recommend Paul Marotta to a first term on the COA, after finishing out a former member's term. We thank both Carmine and Paul for their service to the COA and Town and appreciate their willingness to continue to serve.

Sincerely,

Debra Galloway, Director

for the Sudbury Council on Aging

Attachments: COA Application for Patricia Tabloski

f:\coa board\membership\select board letter re board appointee to fill vacancy and renewals 2023.doc



SUDBURY SELECT BOARD

Tuesday, June 13, 2023

CONSENT CALENDAR ITEM

3: Authorize TM to sign busing contract First Student

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Vote to authorize the Town Manager to execute a Charter Transportation Agreement with First Student, Inc. for student transportation services for the period August 15, 2023 through June 30, 2024.

Recommendations/Suggested Motion/Vote: Vote to approve execution by the Town Manager of a Charter Transportation Agreement between the Town and First Student, Inc. for Sudbury student transportation services for the period August 15, 2023 through June 30, 2024, with extensions as may be agreed by the parties, said contract subject to approval by Town Counsel.

Background Information:

attached agreement

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

06/13/2023 7:00 PM

CHARTER TRANSPORTATION AGREEMENT

This Charter Transportation Agreement (the "Agreement") is entered into this July ____, 2023, by and between The Town of Sudbury ("Customer") with its corporate offices located at 278 Old Sudbury Rd, Sudbury, MA 01776 and First Student, Inc. ("Contractor") with its corporate offices located at 600 Vine Street, Ste. 1400, Cincinnati, OH 45202.

WITNESSETH

Whereas, Customer has selected Contractor to provide the charter bus transportation services described herein; and

Whereas, Contractor desires to provide such transportation services,

Now, therefore, in consideration of the covenants hereinafter contained, the parties agree as follows:

AGREEMENT

1. Term and Termination

- a. **Term.** The term of this agreement shall commence on 8/15/2023 and shall continue through 6/30/2024 (the "Term"), unless otherwise terminated earlier or extended pursuant to the terms contained in this agreement.
- b. **Termination for Breach or Default.** If either party shall default in the performance of or breach any of its obligations specified in this Agreement, the non-defaulting party shall give written notice to the other party, specifying the nature of the default, and if such default is not remedied or substantial efforts are not made to remedy such default within fifteen (15) days from receipt of such notice, the non-defaulting party shall have the right, at its option, either to suspend the performance of its obligations under this Agreement until such default is remedied or to terminate this Agreement by providing the defaulting party with thirty (30) days advance written notice of termination.
- c. **Termination for Bankruptcy.** Either party may terminate this Agreement immediately by written notice to the other party in the event that the other party makes an assignment for the benefit of creditors; or admits in writing inability to pay debts as they mature, or a proceeding is instituted under any provisions of the governing bankruptcy codes and is acquiesced in or is not dismissed within thirty (30) days.

2. Scope and Price of Services Required

Contractor shall, during the term of this Agreement, supply and maintain such number of School Buses and personnel as are required to fulfill the Customer's needs for "Charter Transportation" as defined below.

"Charter Transportation" shall mean the safe and convenient transportation of any and all passengers who are designated by the Customer.

3. Compensation, Billing and Penalties

In consideration for services rendered hereunder, Customer shall pay to Contractor all sums due and owing and calculated in accordance with the rates set forth in Exhibit A attached hereto and made a part hereof.

Contractor will submit to Customer a statement of its services rendered during the prior month. The statement shall contain a reasonably detailed itemization of all services rendered. After verification of the statement, Customer shall pay the amount due and undisputed to Contractor within 30 days of receiving the statement. Contractor shall also provide such other information as may be reasonably requested by Customer to verify the services and the amounts charged for the same.

4. Taxes; Additional Charges

Prices do not include taxes, parking fees, tolls or additional charges for (i) changes in the scope of Services that result in additional mileage or driver hours; (ii) damage to equipment caused by passengers; or (iii) extra cleaning of the equipment due to the nature of Services or the conduct of the passengers (collectively, the "Additional Charges").

5. Notice of Cancellation

Customer shall give First Student notice of cancellation not less than forty-eight (48) hours prior to the scheduled departure time to receive a full refund. FAILURE TO GIVE SUCH NOTICE SHALL RESULT IN THE FULL CHARGE OF THAT DAY'S SERVICE. First Student may cancel services at First Student's convenience with 24 hours' notice prior to date of scheduled event if, within First Student's sole discretion, First Student determines that performing the event in question could be harmful to First Student's public image.

6. Fuel

Contractor shall furnish all fuel to be used in its performance of this Agreement.

7. Routes and Schedules

Contractor shall be solely responsible for determining routes for the charter transportation described herein.

8. Indemnification

To the extent permitted by law, Contractor agrees to indemnify, hold harmless and defend Customer, its governing board, officers, employees and agents from and against every claim or demand which may be made by any person, firm, or corporation, or any other entity arising from or caused by any act of neglect, default or omission of Contractor in the performance of this Agreement, except to the extent that such claim or demand arises from or is caused by the negligence or willful misconduct of Customer, its agents, or employees.

To the extent permitted by law, Customer agrees to indemnify, hold harmless and defend Contractor, directors, officers, employees and agents from and against every claim or demand which may be made by any person, firm, or corporation, or any other entity arising from or caused by any act of neglect, default or omission of Customer in the performance of this Agreement, except to the extent that such claim or demand arises from or is caused by the negligence or willful misconduct of Contractor, its agents or employees.

9. DISCLAIMER

THE SERVICES PROVIDED BY CONTRACTOR ARE PROVIDED ON AN "AS IS", "WHERE IS" BASIS. CONTRACTOR MAKES NO EXPRESS OR IMPLIED WARRANTIES OR REPRESENTATIONS, INCLUDING ANY WARRANTY OR MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR ANY WARRANTY ARISING BY USAGE OF TRADE, COURSE OF DEALING OR COURSE OF PERFORMANCE.

10. LIMITATION OF LIABILITY

IN NO EVENT SHALL CONTRACTOR BE LIABLE UNDER ANY LEGAL THEORY FOR ANY SPECIAL, INDIRECT, INCIDENTAL, PUNITIVE, TREBLE OR CONSEQUENTIAL DAMAGES OF ANY KIND EVEN IF CONTRACTOR HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES OR CONTRACTOR COULD HAVE REASONABLY FORESEEN SUCH DAMAGES. CONTRACTOR'S AGGREGATE LIABILITY SHALL NOT EXCEED THE AMOUNT OF FEES RECEIVED FROM THE CUSTOMER UNDER THIS CONTRACT.

11. Insurance

Contractor shall, at its expense, procure and keep in force during the entire term of this Agreement, General Liability and Automobile Liability Insurance to protect Contractor, its drivers and other personnel. Contractor shall provide General Liability limits of not less than \$5,000,000 each occurrence and aggregate bodily injury and property damage and \$5,000,000 Personal Injury each occurrence and aggregate; automobile liability limits of not less than \$5,000,000.00 combined single limit for bodily injury and damage to property for all owned, hired and non-owned autos, and umbrella coverage of not less than \$10,000,000.00 in addition to the limits listed above. Customer shall be named as an additional insured on the foregoing insurance policies, which shall be primary and non-contributory, and shall be written on an occurrence basis. In addition, Contractor shall maintain workers' compensation insurance in accordance with applicable law.

Contractor agrees to provide to Customer a certificate of insurance evidencing such coverage upon execution of this Agreement.

12. Force Majeure

In the event Contractor is unable to provide the transportation services as specified in this Agreement because of any act of God, civil disturbance, fire, riot, war, terrorism, picketing, strike, labor dispute, unusual road or traffic conditions, governmental action or any condition or cause beyond Contractor's control, Customer shall excuse Contractor from performance under this Agreement, but only for so long as such cause(s) continue to prevent Contractor from providing the affected services, and provided Contractor makes reasonable efforts to overcome the effects of such causes.

13. Equipment

All school buses supplied by Contractor in performance of this Agreement shall meet or exceed the standards established by the laws and regulations of the State of Massachusetts. Contractor shall maintain the bus used to provide transportation services under this Agreement in accordance with law and accepted industry maintenance standards.

14. Rider Discipline

Contractor's drivers are responsible only for such discipline as is required to properly and safely operate Contractor's buses. Contractor shall have the right to refuse service for disruptive passengers

and/or passengers who are not eligible for charter transportation by the Contractor as defined in this Agreement.

15. Management Personnel

Contractor shall employ management personnel who shall be responsible for the efficient operation of the transportation services furnished hereunder and who shall be Contractor's liaison to the Customer. Contractor shall inform Customer of the names and work addresses of such management personnel.

16. Operations Personnel/Driver Qualifications

Contractor shall employ a sufficient number of drivers and support personnel to assure Customer of continuous and reliable service.

Contractor shall be solely responsible for hiring and discharging personnel employed by Contractor to perform its obligations hereunder.

Contractor shall perform or, at the election of Customer, assist Customer in conducting any legally required and/or Customer-requested checks for Criminal History Record Information for all such personnel, including but not limited to those personnel who may have direct and unmonitored contact with children. Contractor shall promptly provide such information as may be required to conduct such checks. Contractor shall not employ, under this Agreement, any drivers or support personnel who may have direct and unmonitored contact with children whom Contractor has determined, upon reasonable inquiry, may pose a risk of harm to children.

Contractor shall provide qualified drivers, trained and licensed in accordance with the laws of the Commonwealth of Massachusetts and the rules and regulations of Customer.

17. Status of Contractor

In the interpretation of this Agreement and the relations between Contractor and Customer, Contractor shall be construed as being an independent Contractor employed to provide transportation services only. Neither Contractor nor any of its employees shall be held or deemed in any way to be an agent, employee or official of Customer. Contractor shall be responsible for, and hold Customer harmless from any liability for unemployment taxes or contributions, payroll taxes or other federal or state employment taxes.

18. Place of Contract

All references in this contract to the "state" shall mean the Commonwealth of Massachusetts. All regulations, laws and requirements of the state shall mean the regulations, laws or requirements of the Commonwealth of Massachusetts.

19. Severability

In the event any provision specified herein is held or determined by a court of competent jurisdiction to be illegal, void or in contravention of any applicable law, the remainder of the Agreement shall remain in full force and effect.

20. Extension and Modification

Contractor and Customer may extend or otherwise modify the terms of this Agreement in whole or in part as circumstances may justify by mutual written agreement executed by the duly authorized representatives of the parties.

21. Social Distancing

If after the date hereof there are enacted additional laws or regulations that require more stringent social distancing, such applicable laws or regulations may dictate a need to alter capacity allowances. Any such capacity changes may result in the need for additional buses, which may result in a change of price and will be subject to the availability of any additional buses. Customer acknowledges receiving First Student's social distancing guidance information (the "COVID-19 Guidance") referred to in Addendum A hereto.

22. Notice to Parties

All notices to be given by the parties to this Agreement shall be in writing and serviced by depositing same in the United States Mail, certified mail.

Notices to Customer shall be addressed to:

Town of Sudbury
Attn: Andrew J.
Sheehan
278 Old Sudbury Rd
Sudbury, MA 01776

Notices to Contractor shall be addressed to:

First Student
Attn: Tammy Ward
1800 Rt. 34 N, Suite 304
Wall, NJ 07719

With a copy to:

General Counsel
First Student, Inc.
600 Vine Street
Suite 1400
Cincinnati, OH 45202

23. Dispute Resolution

The parties shall negotiate in good faith in an attempt to resolve any dispute that may arise. If a dispute cannot be resolved, the parties may pursue their remedies as they choose.

24. Assignment

This Agreement may not be assigned by either party without the express written consent of the other.

25. CHOICE OF LAW AND SELECTION OF VENUE

This Agreement is governed by the laws of the Commonwealth of Massachusetts. The parties agree that any action at law or equity instituted against either party to this Agreement must be commenced only in the Middlesex County Superior Court, Massachusetts or the United States District Court in Boston, Massachusetts. Contractor and Customer irrevocably consent to the personal jurisdiction of the state and federal courts of Massachusetts as set forth above.

26. Miscellaneous

THIS AGREEMENT CONSTITUTES THE FINAL AGREEMENT BETWEEN THE PARTIES. IT IS THE COMPLETE AND EXCLUSIVE EXPRESSION OF THE PARTIES' AGREEMENT ON THE MATTERS CONTAINED IN THIS AGREEMENT. ALL PRIOR AND CONTEMPORANEOUS NEGOTIATIONS AND AGREEMENTS BETWEEN THE PARTIES ON THE MATTERS CONTAINED IN THIS CONTRACT ARE EXPRESSLY MERGED INTO AND SUPERSEDED BY THIS AGREEMENT. THE PROVISIONS OF THIS AGREEMENT MAY NOT BE EXPLAINED, SUPPLEMENTED OR QUALIFIED THROUGH EVIDENCE OF TRADE USAGE, COURSE OF PERFORMANCE OR A PRIOR COURSE OF DEALINGS. IN ENTERING INTO THIS AGREEMENT, NEITHER PARTY HAS RELIED UPON ANY STATEMENT, REPRESENTATION, WARRANTY NOR AGREEMENT OF THE OTHER PARTY EXCEPT FOR THOSE EXPRESSLY CONTAINED IN THIS AGREEMENT. THERE ARE NO CONDITIONS PRECEDENT TO THE EFFECTIVENESS OF THIS AGREEMENT, OTHER THAN THOSE EXPRESSLY STATED IN THIS AGREEMENT. In the event of a conflict between the terms of the Agreement and any other document or agreement between Customer and First Student, the terms and conditions of this Agreement shall control. If any portion of this Agreement is found to be void or unenforceable, the remaining portions of this Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement in duplicate the day and year first hereinabove written above.

FIRST STUDENT, INC.

CUSTOMER

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

Attachment 3.a: MA - Town of Sudbury Assabet Agmt 2023_2024 (5896 : Authorize TM to sign busing contract First Student)

**ADDENDUM A - TO CHARTER TRANSPORTATION AGREEMENT
COVID-19 WAIVER AND RELEASE OF LIABILITY**

Please read thoroughly and carefully.

Customer and First Student acknowledge that the Novel Coronavirus/COVID-19 (“**COVID-19**”), is a worldwide pandemic, is extremely contagious, and is known to spread mainly through person-to-person contact. Customer and First Student acknowledges that it is very difficult to know who may have COVID-19.

Customer, for itself, and on behalf of the passengers, desires to be transported by charter bus operated by First Student as set out in the STUDENT TRANSPORTATION AGREEMENT, and First Student desires to provide such transportation. Customer and First Student acknowledge doing so may expose the passengers to COVID-19. Customer and First Student acknowledge and agree that while First Student will comply with applicable laws, orders and regulations relating to COVID-19 and has and will continue to put in place reasonable measures to try to reduce the spread of COVID-19, those measures cannot and do not guarantee the passengers will not contract COVID-19. Customer and First Student acknowledge and understand that the risk of persons becoming exposed to and/or infected by COVID-19 may result from the actions, omissions, or negligence of passengers and others, including, but not limited to, First Student, staff, and other customers, their families and other passengers. Customer nonetheless voluntarily seeks, and First Student nonetheless voluntarily agrees to furnish, the services to be provided by First Student under the Student Transportation Agreement entered into by Customer and First Student, and each acknowledges that in doing so, the risk of passengers’ exposure to COVID-19 cannot, despite reasonable precautions, be eliminated.

Customer agrees and acknowledges at the time of booking the fare, the Customer was fully informed and understands all current State and local health guidance, advisories and/or mandates. Customer acknowledges and agrees that prior to departure that Customer has made the passengers aware of any current COVID-19 Guidance and furthermore the Customer agrees and consents to request that its passengers abide by said COVID-19 Guidance.

Customer agrees and acknowledges First Student is not responsible or required to enforce whether passengers and others are adhering to guidance. Customer agrees and acknowledges First Student is not responsible or required to remove passengers or others from the charter bus who do not adhere to guidance. First Student agrees and acknowledges that since Customer will not be travelling on any charter bus with passengers, it will be unable to enforce the COVID-19 Guidance while passengers are travelling on the charter bus, provided that Customer’s absence from the charter bus does not relieve it of its agreement set forth above to make passengers aware of the COVID-19 Guidance and to request that its passengers abide by the COVID-19 Guidance.

BY ACCEPTING ANY AND ALL SERVICES FROM FIRST STUDENT, AND FOR SUCH OTHER GOOD AND VALUABLE CONSIDERATION, AND TO THE GREATEST EXTENT PERMITTED BY LAW, CUSTOMER AND FIRST STUDENT EACH AGREES TO

RELEASE, NOT TO SUE, AND HOLD HARMLESS THE OTHER FROM AND AGAINST ANY AND ALL CAUSES OF ACTION, CLAIMS, COSTS, DEMANDS, LIABILITIES, COMPENSATION FOR DAMAGES, AND EXPENSES OF EVERY KIND (INCLUDING BUT NOT LIMITED TO TESTING, MONITORING, AND TREATMENT, COLLECTIVELY, “CLAIMS”) ARISING FROM COVID-19 AND TO THE EXTENT CAUSED BY ITS NEGLIGENCE OR WILLFUL MISCONDUCT, PROVIDED THAT, FOR AVOIDANCE OF DOUBT, NOTHING HEREIN SHALL REQUIRE CUSTOMER OR FIRST STUDENT TO RELEASE, NOT SUE, OR HOLD HARMLESS THE OTHER FOR CLAIMS CAUSED BY THE OTHER’S NEGLIGENCE OR WILLFUL MISCONDUCT

Attachment 3.a: MA - Town of Sudbury Assabet Agmt 2023_2024 (5896 : Authorize TM to sign busing contract First Student)

Exhibit A: Schedule of Service and Fees

Cost: \$380.00 per vehicle per day for a 7D Van

Includes: Travel from First Student bus terminal to route and back for all shifts; all maintenance and repairs; general cleaning; back-up buses and driver; and insurance (certificate to be provided prior to commencement of the work). The per bus per day cost is still due even in the event that a bus is sent away before the scheduled end time.

Routes: Routes and times may change over time based upon mutual agreement and prior written authorization.

Additional Charges: Additional charges may apply for any time used beyond the schedule listed above and will be billed out at \$59.98 per each additional hour the bus is used. Additional, reasonable charges ranging from \$75 - \$175 per bus may also apply to any excessive cleaning that may be required, provided that Contractor shall take photographs of the condition of the bus before cleaning and provide such photographs to Customer together with any invoice for the charge. Cancellation fees of the full cost of the bus will apply if the bus is cancelled with less than one week's notice.

Service Notifications: If service is interrupted for any reason, First Student will notify the customer designee immediately. All buses are radio equipped. In the event of a breakdown while on route, a replacement bus will be driven to the route. Operator "no shows" are replaced by our qualified stand-by drivers or supervisors. Cross-training is done to minimize service disruption due to sick days, vacations or unexpected absences.



SUDBURY SELECT BOARD

Tuesday, June 13, 2023

CONSENT CALENDAR ITEM

4: FY24 MWRTA contract

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Vote to approve the FY23 Contract Extension of the Agreement between the MetroWest Regional Transit Authority and the Town of Sudbury to provide transportation services for elderly and disabled persons through the Council on Aging effective July 1, 2023; and further, to approve future extensions of the contract provided there are no changes in terms of the original contract and funds are available; said extension to be executed by the Town Manager.

Recommendations/Suggested Motion/Vote: Vote to approve the FY23 Contract Extension of the Agreement between the MetroWest Regional Transit Authority and the Town of Sudbury to provide transportation services for elderly and disabled persons through the Council on Aging effective July 1, 2023; and further, to approve future extensions of the contract provided there are no changes in terms of the original contract and funds are available; said extension to be executed by the Town Manager.

Background Information:

This contract continues services provided under previous agreements for transportation for the elderly and disabled as approved by Town Counsel.

Financial impact expected:\$135,000 (not to exceed) payment by Metrowest Regional Transit Authority to Town

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

- Select Board Office Pending
- Town Manager's Office Pending
- Town Counsel Pending
- Select Board Pending
- Select Board Pending

06/13/2023 7:00 PM



METROWEST REGIONAL TRANSIT AUTHORITY
Public Transportation System

15 Blandin Avenue, Framingham, MA 01702
Ph. (508) 935 2222 ▪ Fax (508) 935 2225 ▪ Toll Free (888)996 9782 ▪ www.mwrta.com

May 30, 2023

Janine Dretler, Chair
Sudbury Select Board
278 Old Sudbury Road
Sudbury, MA 01776

Dear Ms. Dretler,

Please find enclosed, the 2023-2024 Contract Extension for elderly and disabled transportation services between the MWRTA and the Town of Sudbury, provided by the Sudbury Council on Aging.

Please sign all three (3) copies and return for MWRTA signature. One (1) original copy will be returned for your records, once all signatures are obtained.

Please do not hesitate to contact me if there are any questions.

Thank you,

Eva Willens,
Deputy Administrator

RECEIVED
BOARD OF SELECTMEN
SUDBURY, MA
2023 JUN -5 P 12:47

Attachment4.a: doc01882620230609093538 (5905 : FY24 MWRTA contract)



METROWEST REGIONAL TRANSIT AUTHORITY
Public Transportation System

15 Blandin Avenue, Framingham, MA 01702
Ph. (508) 935 2222 ▪ Fax (508) 935 2225 ▪ www.mwrta.com

CONTRACT EXTENSION
BY AND BETWEEN
THE TOWN OF SUDBURY
AND
THE METROWEST REGIONAL TRANSIT AUTHORITY

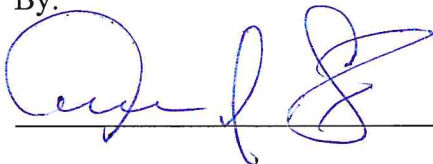
THIS AGREEMENT is made this 1st day of July 2023 by and between the TOWN OF SUDBURY, MA, a municipal corporation hereinafter referred to as the "TOWN" and the METROWEST REGIONAL TRANSIT AUTHORITY ("MWRTA"), a body politic and corporate and political subdivision of the Commonwealth of Massachusetts, hereinafter referred to as the "RTA."

The TOWN and the MWRTA agree to extend the contract for elderly and disabled transportation services, between the parties dated June 12, 2013 and last amended on July 1, 2015, for one additional year, through June 30, 2024.

The terms and conditions of said contract in the amount of \$135,000.00 are hereby ratified and affirmed.

IN WITNESS WHEREOF the parties hereto have caused this extension to be executed by their duly authorized officers on the day and year first written above.

Metro West Regional Transit Authority
By: _____
James R. Nee, Administrator

Town of SUDBURY
By: 

Dated: _____

Dated: 6/7/23

Approved as to form:

General Counsel
Dated: _____

Approved as to form:

Town Counsel
Dated: _____

Attachment4.a: doc01882620230609093538 (5905 : FY24 MWRTA contract)



SUDBURY SELECT BOARD
Tuesday, June 13, 2023

CONSENT CALENDAR ITEM

5: Vote to dissolve Small Wireless Facility subcommittee

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Vote to dissolve Small Wireless Facility subcommittee established by the Select Board on 8/30/22.

Recommendations/Suggested Motion/Vote: Vote to dissolve Small Wireless Facility subcommittee established by the Select Board on 8/30/22.

Background Information:

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

06/13/2023 7:00 PM



SUDBURY SELECT BOARD
Tuesday, June 13, 2023

MISCELLANEOUS (UNTIMED)

6: Liaison and committee assignments 2023-2024

REQUESTOR SECTION

Date of request:

Requestor: Chair Dretler

Formal Title: Discussion and possible vote on liaison assignments/committee memberships for 2023-2024.

Recommendations/Suggested Motion/Vote: Discussion and possible vote on liaison assignments/committee memberships for 2023-2024.

Background Information:
Attached is liaison list voted at 5/30 meeting.

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

06/13/2023 7:00 PM

**SUDBURY SELECT BOARD
LIAISON AND COMMITTEE ASSIGNMENTS
2023-2024**

<i>Chair Dretler</i>	<i>Vice Chair Kouchakdjian</i>	<i>Member Carty</i>	<i>Member Roberts</i>	<i>Member Russo</i>
Town Manager/Town Departments	L-S Regional High School	Board of Assessors	Chamber of Commerce	Cultural Council
Town Moderator	Board of Health	Goodnow Library Trustees	Commission on Disability	Design Review Board
Lincoln Board of Selectmen	Capital Improvement Advisory Committee (CIAC)	Historical Commission	Council on Aging	Earth Removal Board
Town Historian	ConCom	Historical Districts Commission	Diversity, Equity, and Inclusion Commission	Land Acquisition Review Committee
Memorial Day Committee	Park and Recreation Commission	Sudbury Public Schools Committee	Energy and Sustainability Committee	Planning Board
Rail Trail Advisory Committee	Permanent Building Committee	Sudbury Water District	Finance Committee	Ponds & Waterways Zoning Board of Appeals

Liaison roles voted 5/30/23

Liaison Roles (to be assigned)
Sudbury Housing Authority (not assigned)
Town Moderator)Chair)

MEMBER OF COMMITTEE(S): To be voted at a future meeting

M.A.G.I.C.	M.B.T.A.	Community Preservation Committee (CPC)	Local Emergency Planning Committee: CERT/MRC
Sudbury Housing Trust	Transportation Committee		September 11 Memorial Garden Oversight Committee



SUDBURY SELECT BOARD
Tuesday, June 13, 2023

MISCELLANEOUS (UNTIMED)

7: Review and vote Select Board Meeting policy

REQUESTOR SECTION

Date of request:

Requestor: Member Roberts

Formal Title: Review and vote Select Board Meeting policy.

Recommendations/Suggested Motion/Vote:

Background Information:
attached policy as of 5/12/23

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

06/13/2023 7:00 PM

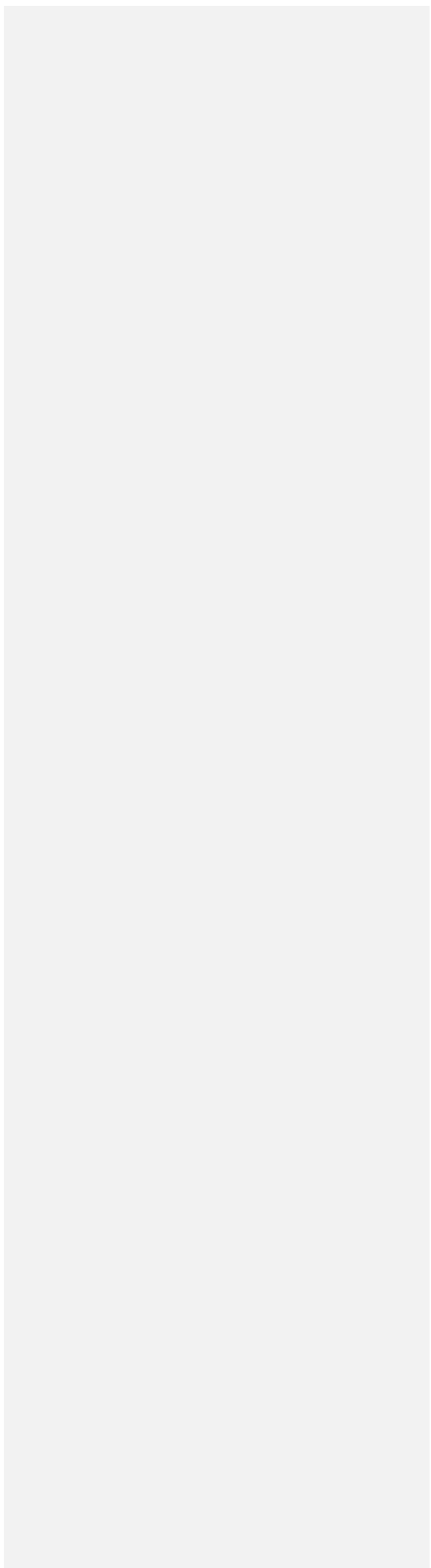
Meeting Policy

1. An organizational meeting shall be held at the first meeting following Town Meeting.
 - a. Elect Chair,
The Chair will approve the agenda for and conduct the Select Board's meeting; coordinate the affairs of the Board with due concern that all members' views are heard and considered; and act as liaison to the Town Manager and the major departments under the Select Board.
 - b. Elect Vice-Chair,
The Vice-Chair will assume the duties of the Chair in their absence. The Vice-Chair is tasked with organizing office hours and the town forum.
 - c. Elect Clerk (Town Manager unless voted otherwise).
The Clerk will be responsible for (1) preparation for Select Board's meetings and keeping complete and accurate minutes of Select Board's meetings and; and (2) is authorized to provide attested copies of Select Board votes and minutes as necessary.
2. Meetings shall normally start promptly at 7:00 p.m. on Tuesdays. Unless the Board votes otherwise, no new business will be introduced later than 10:00 PM and unfinished business will be postponed until the next meeting. Meetings will be held twice a month, unless the need for a special meeting arises or the Board votes to hold fewer meetings.
3. Actions and decisions shall be by motion, second and vote. If the vote is not unanimous, the minutes shall reflect the vote of each Select Board member.
4. For the meeting, the Town Manager shall:
 - a. Provide Select Board with pertinent documents and supporting materials in support of agenda items prior to meetings. Best efforts shall be made to issue these documents and supporting materials by EOD Fridays or two business days prior to meetings.
 - b. Have on hand, all back-up data and files appropriate to a scheduled item of discussion. In addition, they shall provide any data, analyses and recommendations as appropriate.
 - c. In conjunction with the Chair, draft motions in advance of meeting.

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(Amended 05/10/76, 04/23/84, 10/29/84, 11/08/84, 07/08/96, add new date when voted)

Attachment 7.a: Meeting Policy 05.12.23 redlined (5911 : Review and vote Select Board Meeting policy)

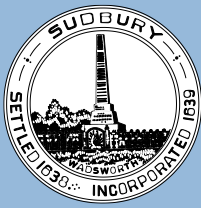


Attachment 7.a: Meeting Policy 05.12.23 redlined (5911 : Review and vote Select Board Meeting policy)

Meeting Policy

1. An organizational meeting shall be held at the first meeting following Town Meeting.
 - a. Elect Chair.
The Chair will approve the agenda for and conduct the Select Board's meeting; coordinate the affairs of the Board with due concern that all members' views are heard and considered; and act as liaison to the Town Manager and the major departments under the Select Board.
 - b. Elect Vice-Chair.
The Vice-Chair will assume the duties of the Chair in their absence. The Vice-Chair is tasked with organizing office hours and the town forum.
 - c. Elect Clerk (Town Manager unless voted otherwise).
The Clerk will be responsible for (1) preparation for Select Board's meetings and keeping complete and accurate minutes of Select Board's meetings and (2) is authorized to provide attested copies of Select Board votes and minutes, as necessary.
2. Meetings shall normally start promptly at 7:00 p.m. on Tuesdays. Unless the Board votes otherwise, no new business will be introduced later than 10:00 PM, and unfinished business will be postponed until the next meeting. Meetings will be held twice a month unless the need for a special meeting arises or the Board votes to hold fewer meetings.
3. Actions and decisions shall be by motion, second, and vote. If the vote is not unanimous, the minutes shall reflect the vote of each Select Board member.
4. For the meeting, the Town Manager shall:
 - a. Provide Select Board with pertinent documents and supporting materials in support of agenda items prior to meetings. Best efforts shall be made to issue these documents and supporting materials by EOD Fridays or two business days prior to meetings.
 - b. Have on hand all back-up data and files appropriate to a scheduled item of discussion. In addition, they shall provide any data, analyses, and recommendations as appropriate.
 - c. In conjunction with the Chair, draft motions in advance of meeting.

(Amended 05/10/76, 04/23/84, 10/29/84, 11/08/84, 07/08/96, add new date when voted)



SUDBURY SELECT BOARD

Tuesday, June 13, 2023

MISCELLANEOUS (UNTIMED)

8: Discuss OML complaint of 2/26/23

REQUESTOR SECTION

Date of request:

Requested by: Leila S. Frank

Formal Title: Acknowledge and discuss Open Meeting Law complaint against Select Board members dated February 26, 2023, filed by resident Manish Sharma; and review and discuss responses to complaint.

Recommendations/Suggested Motion/Vote: Acknowledge and discuss Open Meeting Law complaint against Select Board members dated February 26, 2023, filed by resident Manish Sharma; and review and discuss responses to complaint.

Background Information:
attached

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

06/13/2023 7:00 PM



The Commonwealth of Massachusetts
Office of the Attorney General
One Ashburton Place
Boston, Massachusetts 02108

OPEN MEETING LAW COMPLAINT FORM

Instructions for completing the Open Meeting Law Complaint Form

The Attorney General's Division of Open Government interprets and enforces the Open Meeting Law, Chapter 30A of the Massachusetts General Laws, Sections 18-25. Below is the procedure for filing and responding to an Open Meeting Law complaint.

Instructions for filing a complaint:

- o Fill out the attached two-page form completely and sign it. File the complaint with the public body within 30 days of the alleged violation. If the violation was not reasonably discoverable at the time it occurred, you must file the complaint within 30 days of the date the violation was reasonably discoverable. A violation that occurs during an open session of a meeting is reasonably discoverable on the date of the meeting.
- o To file the complaint:
 - o For a local or municipal public body, you must submit a copy of the complaint to the chair of the public body AND to the municipal clerk.
 - o For all other public bodies, you must submit a copy of the complaint to the chair of the public body.
 - o Complaints may be filed by mail, email, or by hand. Please retain a copy for your records.
- o If the public body does not respond within 14 business days and does not request an extension to respond, contact the Division for further assistance.

Instructions for a public body that receives a complaint:

- o The chair must disseminate the complaint to the members of the public body.
- o The public body must meet to review the complaint within 14 business days (usually 20-22 calendar days).
- o After review, but within 14 business days, the public body must respond to the complaint in writing and must send the Attorney General a copy of the complaint and a description of any action the public body has taken to address it. At the same time, the body must send the complainant a copy of its response. The public body may delegate this responsibility to its counsel or a staff member, but only after it has met to review the complaint.
- o If a public body requires more time to review the complaint and respond, it may request an extension of time for good cause by contacting the Division of Open Government.

Once the public body has responded to the complaint:

- o If you are not satisfied with that the public body's response to your complaint, you may file a copy of the complaint with the Division by mail, e-mail, or by hand, but only once you have waited for 30 days after filing the complaint with the public body.
- o When you file your complaint with the Division, please include the complaint form and all documentation relevant to the alleged violation. You may wish to attach a cover letter explaining why the public body's response does not adequately address your complaint.
- o The Division will not review complaints filed with us more than 90 days after the violation, unless we granted an extension to the public body or you can demonstrate good cause for the delay.

If you have questions concerning the Open Meeting Law complaint process, we encourage you to contact the Division of Open Government by phone at (617) 963-2540 or by e-mail at openmeeting@state.ma.us.



OPEN MEETING LAW COMPLAINT FORM

Office of the Attorney General
One Ashburton Place
Boston, MA 02108

Please note that all fields are required unless otherwise noted.

Your Contact Information:

First Name: Manish Last Name: Sharma

Address: 77 Colonial Road

City: Sudbury State: MA Zip Code: 01776

Phone Number: 302-898-87 Ext. _____

Email: mseatac@hotmail.com

Organization or Media Affiliation (if any): _____

Are you filing the complaint in your capacity as an individual, representative of an organization, or media?

(For statistical purposes only)

Individual Organization Media

Public Body that is the subject of this complaint:

City/Town County Regional/District State

Name of Public Body (including city/town, county or region, if applicable): Sudbury Select Board Chair Mr. Charlie Russo, & Interim Town Manager.

Specific person(s), if any, you allege committed the violation: Chair Charlie Russo, Interim Town Manager Maryanne Bilodeau,

Date of alleged violation: 02/15/2023

Attachment8.a: 2-26-2023 COMPLAINT (5901 : Discuss OML complaint of 2/26/23)

Description of alleged violation:

Describe the alleged violation that this complaint is about. If you believe the alleged violation was intentional, please say so and include the reasons supporting your belief.

Note: This text field has a maximum of 3000 characters.

Chair Russo was provided a request to have the Proclamation document that featured Valuing the Black History Month. Chair Russo was hesitant and to have the Proclamation done on the 1st day of February. The Chair was also not backed up by the Interim Town Manager Miss Maryanne Bilodeau our town Human Resources Manager. Miss Bilodeau left the decision to the Chair.

Next, Chair Russo did not hesitate to mention that the previous Chairs ahead of him did not take that initiative to recognize the rich rich Afro American history month. Then, Mr. Russo used the timeline of 30 days as per the legal jargon and denied me the opportunity of presenting the Proclamation on the days when there were Sudbury Select Board meetings assigned as per the Calendar days in the Month of February 2023.

Not once till date has the Iterim Manager Miss Bilodeau (HR) representative of the town thought of bringing in Afro American Professionals to our community as employees and also as Contractors via RFP's. Neither, did Mr. Russo value the tax contributions of the Small fraction of Afro-American residents in our Zip code. Even the schools in Sudbury (SPS) have not educated the students about this rich historic fact. Superintendent Brad Crozier does not have many capable Afro American Teachers (hired) in his school system. Parents PTO contributions, calendar events classroom event funding made by all diverse set of Parents to help foster and grow the Learning Programs in our town should have been acknowledged here. The Parents Class room contribuitions (gift cards and cash depoists) made to the respective class room teachers has never reported to the Sudbury taxpayers. Go figure.

What action do you want the public body to take in response to your complaint?

Note: This text field has a maximum of 500 characters.

We, the taxpayers are all immigrants and It's better to set a good example to the next Generation. We, need to show a trust in Teamwork factor here in our community. Team is defined as, Together everyone achieves more.

Review, sign, and submit your complaint**I. Disclosure of Your Complaint.**

Public Record. Under most circumstances, your complaint, and any documents submitted with your complaint, is considered a public record and will be available to any member of the public upon request.

Publication to Website. As part of the Open Data Initiative, the AGO will publish to its website certain information regarding your complaint, including your name and the name of the public body. The AGO will not publish your contact information.

II. Consulting With a Private Attorney.

The AGO cannot give you legal advice and is not able to be your private attorney, but represents the public interest. If you have any questions concerning your individual legal rights or responsibilities you should contact a private attorney.

III. Submit Your Complaint to the Public Body.

The complaint must be filed first with the public body. If you have any questions, please contact the Division of Open Government by calling (617) 963-2540 or by email to openmeeting@state.ma.us.

By signing below, I acknowledge that I have read and understood the provisions above and certify that the information I have provided is true and correct to the best of my knowledge.

Signed: Manish Sharma

02/26/23

Date: _____

For Use By Public Body
Date Received by Public Body:

For Use By AGO
Date Received by AGO:

Re: Town Website 2nd attempt

Russo, Charlie <RussoC@sudbury.ma.us>

Fri 2/3/2023 8:20 PM

To: Manish Sharma <mseatac@hotmail.com>

Cc: Bilodeau, Maryanne <BilodeauM@sudbury.ma.us>

Hello Manish,

Thank you for reaching out on this important topic.

Proclamations are most often undertaken by residents; less frequently by the Select Board itself. I can't speak for past boards, but I think today there is a concern about equity - a proclamation for one group means all groups deserve proclamations, and there is always a fear of leaving a group out inadvertently - as well as the simple fact that we have a large amount of work to get through in a short period of time.

We can forward you proclamation materials, which I think you've used in the past.

I hope this addresses your question.

Take care and stay warm,

Regards,

Charlie

Sent from my iPhone

On Feb 3, 2023, at 5:36 PM, Manish Sharma <mseatac@hotmail.com> wrote:

Appreciate the swift response and accommodations here, Miss Bilodeau.

Regards,

Manish Sharma MBA

Hari Om Tat Sat.

From: Bilodeau, Maryanne <BilodeauM@sudbury.ma.us>**Sent:** Friday, February 3, 2023 3:17 PM**To:** Manish Sharma <mseatac@hotmail.com>**Cc:** Russo, Charlie <RussoC@sudbury.ma.us>**Subject:** RE: Town Website 2nd attempt

Charlie will respond to your inquiry when he is able.

Maryanne Bilodeau

Interim Town Manager

Pronouns: She - Her - Hers

Town of Sudbury

278 Old Sudbury Road
Sudbury MA 01776
Phone: (978) 639-3385
Fax: (978) 443-0756

The Secretary of State's office has determined that most e-mails to and from municipal offices and officials are public records. Consequently, confidentiality should not be expected.

From: Manish Sharma <mseatac@hotmail.com>
Sent: Friday, February 3, 2023 11:14 AM
To: Russo, Charlie <RussoC@sudbury.ma.us>; Dretler, Janie <DretlerJ@sudbury.ma.us>; Roberts, Jennifer <RobertsJ@sudbury.ma.us>; Kouchakdjian, Lisa <KouchakdjianL@sudbury.ma.us>; Carty, Daniel <cartyd@sudbury.ma.us>; Bilodeau, Maryanne <BilodeauM@sudbury.ma.us>
Subject: Fw: Town Website 2nd attempt

Good Morning Maryanne,

I had dialed in the town office to get a status check of the proclamation request. Spoke to Lauren in the town hall building who transferred my call over to Carol in the flynn building office. Guess you all are extremely busy.

?. Is there a slimmest chance of putting a proclamation (1st day of the Black History Month Celebration starts 02/01/23 until March 1, 2023) before the next weeks select board meeting. I know this is race against time to capture the moment. Kindly advise either way. Can't imagine leaving the African American neighbors in our loving community behind again in 2023 without this recognition. Never before has this Proclamation been set-up as well.

Thank you,
Manish Sharma MBA
Hari Om Tat Sat.

From: Manish Sharma
Sent: Wednesday, February 1, 2023 10:37 AM
To: Russo, Charlie <RussoC@sudbury.ma.us>; Dretler, Janie <DretlerJ@sudbury.ma.us>; Roberts, Jennifer <RobertsJ@sudbury.ma.us>; kouchakdjianl@sudbury.ma.us <kouchakdjianl@sudbury.ma.us>; Carty, Daniel <cartyd@sudbury.ma.us>; Bilodeau, Maryanne <BilodeauM@sudbury.ma.us>
Subject: Town Website

Good Morning Charlie,

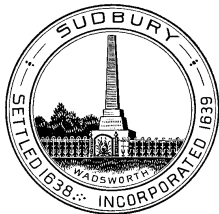
Wishing all of the leaders well. When you all have a moment could you kindly ask Maryanne to please assist here.

Today, happens to be the 1st day of the Black History Month Celebration until March 1, 2023. Please have a narrative attached on the town website and if need be could I as the taxpayer add a proclamation request. Kindly advise.

Attachment8.b: Email trail of Proclamation copy (5901 : Discuss OML complaint of 2/26/23)

Regards,
Manish Sharma MBA
Hari Om Tat Sat.

Attachment8.b: Email trail of Proclamation copy (5901 : Discuss OML complaint of 2/26/23)



TOWN OF SUDBURY

Office of Selectmen
www.sudbury.ma.us

Flynn Building
278 Old Sudbury Rd
Sudbury, MA 01776-1843
978-639-3381
Fax: 978-443-0756

Email: BOAdmin@sudbury.ma.us

PROCLAMATION REQUEST

Proclamations may be made on behalf of the Town of Sudbury by majority vote of the Board of Selectman in accordance with the following guidelines (Click [here](#) to view [Citations & Proclamations Policy](#)).

Proclamations are ceremonial documents signed by the Board of Selectman and issued for:
Public awareness, Charitable fundraising campaigns, Arts and cultural celebrations or Special honors

Proclamations will not be issued for:
Matters of political controversy, ideological or religious beliefs, or individual conviction; Events or organizations with no direct relationship to the Town of Sudbury

The Board of Selectmen reserves the right to modify or deny any proclamation request. More than one cause can be proclaimed simultaneously. A person/organization does not have exclusive rights to the day, week or month of their proclamation. A citation is an alternative where proclamation criteria are not met. Request must be made by a Town of Sudbury resident to the Office of the Board of Selectmen.

Please complete the following form and return to the Selectmen's Office to request a proclamation.

Name of contact person _____

Contact Address _____

Telephone Number(s) of contact _____ (cell) _____

Email address _____

Organization/Event Name _____

Background/Summary of Organization/Event _____

Proclamation date/duration:

Day _____ OR Week _____ OR

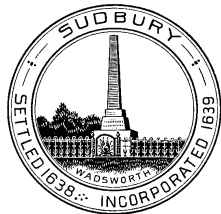
Month _____ OR Event _____

Will the Proclamation be picked up or should it be mailed? _____

When is the Proclamation needed? (Please allow at least 45 days after request submittal) _____

Signature of Applicant _____

Date _____



TOWN OF SUDBURY

Office of Selectmen
www.sudbury.ma.us

Flynn Building
278 Old Sudbury Rd
Sudbury, MA 01776-1843
978-639-3381
Fax: 978-443-0756

Email: BOAdmin@sudbury.ma.us

Proclamation

WHEREAS: [Statement 1]

WHEREAS: [Statement 2]

WHEREAS: [Statement 3]

WHEREAS: [Statement 4]

WHEREAS: [Statement 5 - optional]

WHEREAS: [Statement 6 - optional]

NOW, THEREFORE, BE IT RESOLVED:

[Resolution Statement]

Signed this []th day of [] in the year two thousand and [].

June 7, 2023

Brian W. Riley
briley@k-plaw.com**BY ELECTRONIC MAIL ONLY** (openmeeting@state.ma.us)Carrie Benedon, Esq. (openmeeting@state.ma.us)
Director, Division of Open Government
Office of the Attorney General
One Ashburton Place
Boston, MA 02108Re: Town of Sudbury – Select Board
Open Meeting Law Complaint from Manish Sharma, received February 26, 2023

Dear Attorney Benedon:

Please be advised that this office serves as Town Counsel to the Town of Sudbury. The Town's Select Board ("Board") received an Open Meeting Law Complaint on February 26, 2023 from Mr. Manish Sharma ("Complaint"), a copy of which is enclosed. The Complaint purportedly concerns violations at the Board's February 15 meeting. Unfortunately, while this Complaint was emailed to Board members, it was inadvertently not scheduled for review at a Board meeting. We regret the delay in responding, and the Board reviewed the Complaint and the proposed response at its meeting on June 13, 2023 and voted to approve the response.

Notwithstanding the late response, however, the Complaint does not allege any violations of the Open Meeting Law. As he has done in previous complaints, Mr. Sharma only complains about the substance of the meeting discussions, in this case that the Board declined to take up or approve a proclamation that he personally submitted (and which was not listed on the meeting agenda). This is clearly not a matter governed by the OML.

In summary, none of the allegations in the Complaint even suggest a violation of the Open Meeting Law, and the Board denies that there were any violations regarding its February 15, 2023 meeting. No remedial action is required.

Very truly yours,



Brian W. Riley



Carrie Benedon, Esq.

June 7, 2023

Page 2

Enc.

BWR/awl

cc: Town Manager (SheehanA@sudbury.ma.us)

Mr. Manish Sharma (mseatac@hotmail.com)

867657/SUDB/0001

Attachment8.d: KP-#867657-v1-SUDB_response_to_Sharma_OML_complaint_-_SB (5901 : Discuss OML complaint of 2/26/23)



SUDBURY SELECT BOARD
Tuesday, June 13, 2023

MISCELLANEOUS (UNTIMED)

9: Minutes Review

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Review and possibly approve the regular session meeting minutes of 1/10/23, 2/7/23, 2/9/23, 3/16/23, 3/21/23, 4/25/23, and Sewataro subcommittee minutes of 7/8/21 and 8/19/21.

Recommendations/Suggested Motion/Vote: Review and possibly approve the regular session meeting minutes of 1/10/23, 2/7/23, 2/9/23, 3/16/23, 3/21/23, 4/25/23, and Sewataro subcommittee minutes of 7/8/21 and 8/19/21.

Background Information:
attached drafts

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

06/13/2023 7:00 PM

SUDBURY SELECT BOARD

TUESDAY, JANUARY 10, 2023

(Meeting can be viewed at www.sudburytv.org)

Present: Chair Charles Russo, Vice-Chair Janie Dretler, Select Board Member Daniel Carty, Select Board Member Lisa Kouchakdjian, Select Board Member Jennifer Roberts, Interim Town Manager Maryanne Bilodeau

The statutory requirements as to notice having been compiled with, the meeting was convened at 7:01 P.M. via Zoom telecommunication mode.

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

Call to Order/Roll Call

Kouchakdjian-present, Roberts-present, Dretler-present, Carty-present, Russo-present

Opening Remarks by Chair

- Welcomed back everyone after the holidays
- LSRHS Superintendent community input session January 11th and 12th; information is on the Town website
- Budget season considerations
- Sewataro Operator Scott Brady is unable to be present tonight

Reports from Interim Town Manager

- Town Meeting Warrant is open; articles due Jan 31, 2023 at 4:30 PM
- Positions available for the 2023 Town Elections
- COVID Clinic on January 19 at the Senior Center; further information on the Town website

Reports from Select Board

Vice-Chair Dretler:

- LSRHS Committee is meeting tonight, and discussing community concerns related to the screening process for the Superintendent Subcommittee
- MMA conference January 20th and 21st – several Board Members will be attending
- Expressed concerns about postponing the Sewataro discussion; was prepared to have a related discussion with the Board at this meeting

Board Member Roberts:

- Hoped all had pleasant holiday and Happy New Year
- CPC met last week, and voted to move forward with six projects, discussion re: budget pressures - \$3 million in requests; more tax-funding the last couple of years
- Bill Murphy's last Board of Health meeting was today, and wished him the best; BOH spoke about next steps for replacement

- Finance Committee met last night in preparation of budget season; tomorrow she will meet regarding Capital Summit with the Finance Committee

Board Member Kouchakdjian:

- Wishing everyone a happy, healthy, and prosperous New Year
- Thanked Chair Russo and Vice-Chair Dretler for mentioning LSRHS considerations
- Library Friends and Trustees working to resolve concerns
- Looking forward to attending the MMA Conference

Board Member Carty:

- Wished all a Happy New Year
- Excited the Town received a \$15,000 grant from Department of Energy Resources – Green Community, to be used toward the purchase of a battery-based electric vehicle
- SPS Committee met last night – approved their budget which came in over proposed budget, and will proceed with an override with a related letter to the Select Board

Public Comments on items not on agenda

Resident Manish Sharma, 77 Colonial Drive, asked if a summary of meeting presentations/documents could be included on the Town website in efforts to promote transparency.

Resident and SPS teacher Carrie Lucchese, 15 Bowen Circle, shared concerns about the SPS budget and great efforts made by the school department during the COVID times. She explained that as a teacher in the library, she interacts with all students. Ms. Lucchese advocated for a school budget override to help maintain educational excellence in Sudbury.

Melissa Morabito, 6 Amy Road, Framingham, and SPS 3rd grade teacher, agreed to provide input later in the meeting and other meetings as well.

Vice-Chair Dretler suggested that those wishing to speak send emails to the Select Board Office.

Discussion and possible vote to move forward the article proposing adoption of a General Bylaw regulating the placement of small wireless facilities in public ways to the Annual Town Meeting Warrant

Present: David Maxson, Isotope Consulting; Attorney Robin Stein, KP Law, Planning and Community Development Director Adam Duchesneau

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

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

VOTED: To open the public hearing for the small wireless facilities

Interim Town Manager Bilodeau presented an overview of the edited small wireless facilities documentation, with legal counsel input.

Small Wireless Facilities Subcommittee Board Members Dretler and Carty confirmed that they were ready to move forward with the Article and the Planning Board supported it.

Chair Russo said that the passing of the Article would provide a clearer pathway for wireless projects in the Town.

Board Member Kouchakdjian inquired about an associated fee schedule. Interim Town Manager Bilodeau confirmed the fee schedule would be established by the Select Board, and handled in the Select Board's Office. Attorney Stein added paragraph #21 documents that such fees would be handled in the Office of the Select Board and the Town Clerk.

Mr. Duchesneau concurred that moving the Article forward at this time would be in the Town's best interest. Chair Russo acknowledged that the Planning Board had discussed the proposed Article several times.

Resident Diana Warren, 32 Old Framingham Road, noted that she just learned about the bylaw, and stressed that she was opposed to the draft as written, and was disappointed in the process. Vice-Chair Dretler acknowledged the hearing was published and legally noticed, and there would be opportunity at Town Meeting to present further comment.

Chair Russo read in the words of the motion. Vice-Chair Dretler moved in the words of the Chair, as amended. Board Member Kouchakdjian seconded the motion, as amended.

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

VOTED: To close the public hearing for placement of small wireless facilities in public ways in Sudbury

Chair Russo read in the words of the motion. Vice-Chair Dretler moved in the words of the Chair, as amended. Board Member Kouchakdjian seconded the motion, as amended.

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

VOTED: To move forward with the Article, proposing the adoption of a general bylaw regulating the placement of the small wireless facilities in public ways to the Annual Town Meeting Warrant, and authorize the Interim Town Manager to submit the Warrant Article for the Select Board

Vote to open the public hearing to transfer all alcohol license

Chair Russo read in the words of the motion. Vice-Chair Dretler moved in the words of the Chair, as amended. Board Member Kouchakdjian seconded the motion, as amended.

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

VOTED: Voted to open the public hearing on the alcohol license for Riceberry, 621 Boston Post Road, Sudbury

Application of Eat Am Are, Inc., d/b/a Riceberry, 621 Boston Post Rd., Sudbury, Manager Pornphan Promnok, for a Transfer of License for the Sale of All Alcoholic Beverages, under G. L. Ch. 138, s.12, from Nala Prosperity, Inc, d/b/a Riceberry, Manager Lanlalit Soares

Present: Pornphan Promnok, Manager

Ms. Promnok provided hours of operation of the restaurant, noting there are 3 full time and 2 part-time employees, three being TIP certified.

Board Members asked related questions.

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

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

VOTED: To approve the Transfer of License for the Sale of All Alcoholic Beverages, under G. L. Ch. 138, s.12, from Nala Prosperity, Inc, d/b/a Riceberry, Manager Lanlalit Soares. The premises proposed to be licensed (i.e., 621 Boston Post Road) is described as: one floor and three total rooms consisting of a dining room, kitchen and bathroom

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

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

VOTED: To close the public hearing for transfer of all alcohol license for Riceberry

Discussion and vote whether to approve request of NSTAR ELECTRIC COMPANY d/b/a as EVERSOURCE ENERGY and VERIZON for the purpose of obtaining a Grant of Locations to relocate two (2) poles #2/41, #2/38A and to remove one (1) pole #2/39

Present: Christine Cosby, Eversource

Ms. Cosby provided request update, detailing that Eversource was petitioning for pole work to relocate two poles and remove one pole to accommodate intersection and road improvements. Chair Russo confirmed the proposal would help with the safe streets project in consideration of site view.

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

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

VOTED: To approve the request of NSTAR ELECTRIC COMPANY d/b/a as EVERSOURCE ENERGY and VERIZON for the purpose of obtaining a Grant of Locations to relocate two (2) poles #2/41, #2/38A and to remove one (1) pole #2/39. This work is necessary to accommodate town road intersection improvements

Interview candidate for the Diversity Equity and Inclusion Commission (DEIC). Following interviews, vote whether to appoint Dianne Baxter for a term expiring 5/31/25

Present: Dianne Baxter, 2 East Street

Ms. Baxter stated she has done much volunteer work in Sudbury, and currently leads DEI strategy/learning incentives with various organizations.

Board Members presented related questions and thanked Ms. Baxter for her willingness to be a member of the DEIC.

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

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

VOTED: To appoint Dianne Baxter, 2 East Street, to the Diversity Equity and Inclusion Commission (DEIC) for a term expiring 5/31/25

Town Clerk Beth Klein to provide summary of Election law update as a result of passage of the Votes Act

Present: Clerk Beth Klein

Ms. Klein presented an overview of the 2022 Votes Act, outlining:

- Voter Registration
- Vote By Mail
- Vote by Mail Application Process
- Weekend Voting Hours
- Local Election process changes

Board Members asked related questions.

Discussion and possible vote to authorize the Interim Town Manager to enter into an agreement with General Code (GC) to incorporate gender-neutral language to the Town of Sudbury Town Code by replacing Selectmen/Board of Selectmen with Select Board everywhere it appears in the Bylaws; and replacing pronouns and nomenclature everywhere they appear in the Town of Sudbury Bylaws to make them gender neutral, as requested by Town Clerk Beth Klein

Present: Clerk Beth Klein

Ms. Klein described the gender change process, and mentioned related actions in other communities making changes as well.

Board Member Carty asked if this agreement would require a vote at Town Meeting. Ms. Klein responded in the affirmative.

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

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

VOTED: To authorize the Interim Town Manager to enter into an agreement with General Code (GC) to incorporate gender-neutral language to the Town of Sudbury Town Code by replacing Selectmen/Board of Selectmen with Select Board everywhere it appears in the Bylaws; and replacing pronouns and nomenclature everywhere they appear in the Town of Sudbury Bylaws to make them gender neutral, as requested by Town Clerk Beth Klein.

Financial Condition of the Town/look ahead status of FY24 budget

Present: Finance Director Dennis Keohane

Interim Town Manager Bilodeau presented the “2023 Financial Condition of the Town” PowerPoint slides. Given restraints, Interim Town Manager Bilodeau recommended an SPS override not be considered, and confirmed she sought to work with the new Town Manager and Mr. Keohane on FY23 in light of major capital projects.

Vice-Chair Dretler expressed concern about two Select Board Members being part of a budget-related meeting. Interim Town Manager Bilodeau mentioned that she and Chair Russo meet weekly and Board Member Carty acts as liaison to SPS. She further detailed that Andrew Sheehan knows the circumstances and will be part of such a discussion shortly. Chair Russo stated the intent of the meeting was to provide a briefing to Mr. Sheehan, and no decisions or votes were taken.

Board Member Kouchakdjian concurred that such a meeting should have involved all Board Members, and supported an SPS override.

Board Member Roberts recognized the importance of the new Town Manager being provided SPS budget considerations, and the proposed override could have been better planned. She indicated that such budgeting should be included in next year’s budget planning. Interim Town Manager Bilodeau agreed that such planning going forward was a priority. Mr. Keohane agreed with the Interim Town Manager.

Board Members agreed to have a Special Town Meeting to address overrides as soon as possible after the Annual May Town Meeting.

Melissa Morabito, 16 Amy Road, Framingham and a 3rd grade teacher in Sudbury; expressed her appreciation for the Select Board wanting to engage with the School Committee. She stressed the needs of today’s students have never been higher, including mental health and social/emotional aspects.

Recess

Board Member Roberts motioned to recess, with the Board resuming at 9:58 PM. Board Member Carty seconded the motion.

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

VOTED: to recess, with the Board resuming at 9:58 PM

The meeting resumed at 9:58 PM.

Update on Sewataro Financials and Infrastructure/ADA improvement plans

Present: Finance Director Dennis Keohane

Chair Russo stated the discussion would be tabled to the next Select Board meeting as Camp Operator Scott Brody was unable to attend.

Board Member Kouchakdjian asked if Mr. Keohane could provide a related Sewataro financial summary at the next meeting. Mr. Keohane responded that he would summarize debt and revenue aspects at the next Select Board meeting in two weeks.

Mr. Keohane left the meeting at 10:05 PM.

Transportation Warrant Article Discussion/possible vote

Present: Director of Planning and Community Development Adam Duchesneau

Mr. Duchesneau had no new information to share; he advocated for a \$150,00 Article from Free Cash to fund GoSudbury! for another year.

Vice-Chair Dretler suggested \$150,000 funding from ARPA, stressing that Free Cash should not be used for Town operations.

Vice-Chair Dretler confirmed she would be speaking with Senator Eldridge to discuss possible transportation funding.

Board Members discussed ARPA to fund the \$150,000 request. Board Member Roberts had concerns about using ARPA funds. Chair Russo agreed that ARPA funding might be needed to address other matters.

Discussion on potential 2023 Annual Town Meeting Articles to be submitted by the Select Board, and also authorize the Interim Town Manager to submit articles on behalf of the Select Board

Interim Town Manager Bilodeau read proposed Articles.

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

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

VOTED: To authorize the Interim Town Manager to submit articles on behalf of the Select Board

Vote whether to release Town Counsel Housing Trust legal opinion as requested by resident Pat Brown

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

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

VOTED: To release Town Counsel Housing Trust legal opinion as requested by resident Pat Brown

Discussion and possible vote on Town Counsel 3-year Evaluation

Interim Town Manager Bilodeau confirmed that Select Board feedback was compiled, and ratings were given.

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

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

VOTED: To authorize Interim Town Manager Bilodeau to negotiate another 3-year contract.

Interim Town Manager Bilodeau agreed to get information from KP Law regarding a one-year contract and a three-year contract.

Public comments

Manish Sharma asked about possible Transportation Article grants, and suggested reaching out to Uber about government subsidies. He opined about bringing in an interim legal group.

Discuss topics to be assigned for Winter 2023 Select Board newsletter

Board Members outlined assignments:

- Russo – Interview and Q&A section with Andrew Sheehan
- Kouchakdjian – Breakdown of the ADA Transition Plan
- Roberts - No sure of the topic at this time
- Dretler – Interview with State representative and Senator regarding upcoming topics
- Carty – Transportation Update

Interim Town Manager Bilodeau stated the Newsletter submission deadline is January 30th.

Vote to review and possibly approve the open session minutes of 10/25/22

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

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

VOTED: To approve the 10/25/22 minutes, as edited

Upcoming Agenda items

1/23/23 Meeting:

- Joint meeting with SPS

1/24/23 Meeting:

- Sewataro Financials
- Transportation Article
- Vocational Education Update

Future Meeting:

- Broadacres initiatives
- In person meetings
- KP Law Contract

Consent Calendar

Vote to accept \$4600 of Emergency Management Performance Grant (EMPG) funds for the purchase of computing devices to be used with the Fire Departments new Fire Software (RMS) program

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

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

VOTED: to accept \$4600 of Emergency Management Performance Grant (EMPG) funds for the purchase of computing devices to be used with the Fire Departments new Fire Software (RMS) program. This grant will also fund the purchase of three new air gas sampling meters for 02, LEL, CO and H2s, as requested by Fire Chief John Whalen

Discussion and vote whether to approve an increase in the annual senior property tax workoff amount from \$1425 to \$1500 per year

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

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

VOTED: To approve an increase in the annual senior property tax workoff amount from \$1425 to \$1500 per year, as requested by Debra Galloway, Senior Center Director

Adjourn

Board Member Kouchakdjian motioned to adjourn the meeting. Vice-Chair Dretler seconded the motion.

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

VOTED: To adjourn the meeting

There being no further business, the meeting ended at 11:25 PM.

SUDBURY SELECT BOARD

TUESDAY, FEBRUARY 7, 2023

(Meeting can be viewed at www.sudburytv.org)

Present: Chair Charles Russo, Vice-Chair Janie Dretler, Select Board Member Daniel Carty, Select Board Member Jennifer Roberts, Select Board Member Lisa Kouchakdjian, Interim Town Manager Maryanne Bilodeau, Finance Director Dennis Keohane

The statutory requirements as to notice having been compiled with, the meeting was convened at 7:16 PM, via Zoom telecommunication mode.

Chair Russo 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, Kouchakdjian-present, Roberts-present, Dretler-present, Russo-present

Opening Remarks by Chair

- February is Black History Month
- Sustainability and Energy Committee added to FAQ document
- Town Meeting Warrant Articles processes; thanked Dennis Keohane for his presence at tonight's meeting

Vice-Chair Dretler

- Last official meeting with Ms. Bilodeau acting as Interim Town Manager and the Town has benefited from her leadership and availability

Board Member Carty

- Thanked Interim Town Manager Bilodeau for her assistance, and looking forward to the new Town Manager assuming his role
- Provided updates at SPS meeting last night, including the non-override budget

Board Member Roberts

- DEI Commission met last Thursday; great group of people who will be establishing goal setting at their next meeting
- Attended FinCom meeting last night
- Thanked Interim Town Manager Bilodeau for her dedication

Public Comment

None

Vote to open public hearing for alcohol license

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

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

VOTED: To open public hearing for alcohol license

As the Licensing Authority for the Town of Sudbury, in accordance with MGL c138, s. 15, vote to approve a Change of Manager for RBSBW, Inc. d/b/a Sudbury Farms, 439 Boston Post Road, from James Kevin McCafferty to Kevin Fry, as requested in an application dated January 12, 2023

Present: Attorney James Soerber, RBSBW, Inc.; Kevin Fry, RBSBW, Inc.

Mr. Keohane stated that the Town had no problems with the application.

There were no public comments presented.

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

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

VOTED: As the Licensing Authority for the Town of Sudbury, in accordance with MGL c138, s. 15, to approve a Change of Manager for RBSBW, Inc. d/b/a Sudbury Farms, 439 Boston Post Road, from James Kevin McCafferty to Kevin Fry, as requested in an application dated January 12, 2023

Vote to close public hearing

Board Member Roberts motioned to close hearing. Board Member Kouchakdjian seconded the motion.

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

VOTED: To close public hearing for alcohol license

Interview candidate for the Capital Improvement Advisory Committee (CIAC). Following interview, vote whether to appoint Lisa Saklad, 73 Firecut Lane, for a term to expire 05/31/2026

Present: Candidate Lisa Saklad, 73 Firecut Lane

Ms. Saklad stated that she lived in Sudbury for 16 years and wanted to contribute to the Town.

Board Member Roberts motioned to appoint Lisa Saklad to the CIAC. Board Member Kouchakdjian seconded the motion.

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

VOTED: To appoint Lisa Saklad, 73 Firecut Lane, to the Capital Improvement Advisory Committee (CIAC) for a term to expire 05/31/2026

Vote to authorize the Interim Town Manager to sign the contract/agreement with Pare Corporation to conduct environmental compliance monitoring services for the Phase 2D construction of the Bruce Freeman Rail Trail

Present: Adam Duchesneau, Director of Planning and Community Development

Chair Russo recused himself from the discussion.

Vice-Chair Dretler noted that CPC funding was granted at the last Town Meeting. Mr. Duchesneau confirmed that Phase 2D of the plan is now being considered. He referenced the Pare Corporation environmental compliant services contract agreement.

Resident and Permanent Building Committee Member Craig Blake, 300 Old Lancaster Road, asked if there would be a separate construction compliance contract. Mr. Duchesneau confirmed that the consulting company Fuss & O'Neill is already in place.

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

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

VOTED: To authorize the Interim Town Manager to sign the contract/agreement with Pare Corporation to conduct environmental compliance monitoring services for the Phase 2D construction of the Bruce Freeman Rail Trail, as requested by Adam Duchesneau, Director of Planning and Community Development.

Vote to accept 2023 Annual Town Meeting articles submitted by 1/31/23 and to refer all articles to Town Counsel for review and comment as to form. Also vote on order of articles, and designate articles for the consent calendar. Also vote to refer any Zoning Bylaw amendments and street acceptance articles to the Planning Board.

Present: Finance Director Dennis Keohane

Mr. Keohane stated that the proposed articles were in the order usually presented.

Vice-Chair Dretler noted that the Fairbank A/V article should be placed at the beginning of the article listing, as it reflects Free Cash. She also recommended that the Go Sudbury! article be placed near the A/V article.

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

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

VOTED: To accept 2023 Annual Town meeting articles final order of articles, as presented tonight, with exceptions of removing Article #16 (SPS Article withdrawn), and to move the A/V-Fairbanks Article 16 up with the Go Sudbury Article, changing numbering going forward; to refer street-related zoning articles to Planning Board, with Town Counsel review of form.

Update on issues with Fairbank Pool dive well (possible chlorine leaks, etc.) including potential costs and funding sources. Also possible vote to appropriate a sum of \$275,500 in ARPA funding to address deteriorated and failed piping, valves and fittings at the Atkinson Lap and Dive pools

Present: Sandra Duran, Combined Facilities Director; Dennis Mannone, Park & Recreation Director; Craig Blake, PBC; Jennifer Pincus, PBC

Mr. Blake recommended the Board vote to appropriate funding.

Chair Russo recommended that further discussion and presentation of findings take place at the Select Board meeting of February 28. Board Members were in agreement.

Resident and Conservation Commission Chair Dave Henkels, 17 Twin Pond Lane, stressed the importance of risk management and capital assets considerations.

Ms. Duran detailed the results of extensive pool testing.

Discussion of potential Special Town Election Ballot Timelines/Guidelines

Present: Lauren Goldberg, KP law; Beth Klein, Town Clerk

Chair Russo explained that a potential Special Town Meeting would be considered for the vote on two articles; SPS funding and purchase of a fire truck.

Ms. Klein mentioned several possible dates for a Special Town Meeting; one being March 27th – the same day as Town Election. She stressed that such scheduling on March 27 would eliminate extra work and would be less expensive for the Town. Ms. Klein stated that the scheduling decision would have to be made by February 17, 2023.

Chair Russo suggested that the vote not be taken tonight, and that the Select Board could schedule a separate meeting to address this aspect. Board Members agreed that resident education would be critical.

Fire Chief John Whalen concurred that much education would be necessary before such a ballot question could be presented to the voters.

Ms. Goldberg stated it would still be possible to have a Special Election after the articles are presented.

Resident and Finance Committee Member Eric Poch, 28 Ruddick Road, indicated there would not be enough time for public consideration. He added that the Finance Committee had a responsibility to produce a non-override budget; there would not be enough time for that to happen.

Resident and Commission on Disability Member Pat Brown, 34 Whispering Pine Road, stated she was not sure about costs associated with special elections and the timing of such election as segway to the SPS need. She spoke of the “Pro” and “Con” article presentations, and the time that process might involve.

Town Clerk Klein responded that the cost of a Town Election costs approximately \$15,000, none of which would be reimbursed by the State. Ms. Goldberg confirmed that Town Counsel would provide the Pro and Con arguments, if no resident offered to do so.

Resident Manish Sharma inquired about similar processes taking place in Town.

Chair Russo read in the words of the motion, as suggested by Attorney Goldberg. Vice-Chair Dretler moved in the words of the Chair. Board Member C seconded the motion.

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

VOTED: To direct Town Counsel to prepare voting language for review at the Select Board meeting on Thursday night.

Discussion on ATM Fairbank A/V Article, potential funding sources for the A/V design, and which Board Member will present on Capital Night 2/13.

Board Member Kouchakdjian offered to present the Fairbank A/V Article at Select Board Capital Night meeting scheduled for February 13.

Board Members discussed possible funding for the article.

Vice-Chair Dretler proposed that ARPA funds of \$13,460 be used, and asked if the Commission on Disability (COD) could contribute to the Fairbank A/V funding request. Board Member Kouchakdjian commented that COD had no funding available.

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

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

VOTED: To allocate \$13,460 from ARPA funds

Board Member Carty stated that such a vote would not follow customary process. Board Member Roberts mentioned that related articles were approved at the last Town Meeting.

Recess

Vice-Chair Dretler motioned that the Select Board recess and return to the meeting by 10:01 AM. Board Member Roberts seconded the motion.

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

VOTED: To recess and return to the meeting by 10:01 AM

Vote to reallocate the \$268,568.82 of unspent ARPA funding related to the waterline connection replacement affecting the Fairbank property to the Fairbank Community Center project Owner's Construction Contingency budget to fund unforeseen or previously unknown costs associated with the original (as bid) Fairbank Community Center scope, provided that any unspent funds remaining at the completion of construction of the original scope project would revert back to the Town.

Present: Craig Blake, Permanent Building Committee (PBC); Jennifer Pincus, PBC

Mr. Blake suggested that the Select Board vote to re-allocate a portion of the \$268,568.82 of ARPA funding with such amount to be established at a later date.

Board Members agreed that such a vote required additional information/consideration.

Resident Manish Sharma inquired about related vendors/contractors, licenses, and asked if any State funding could be provided for re-piping of a waterline.

Request to reallocate \$11,542 in ARPA funds originally allocated to purchase a new stretcher to purchase a new Rescue Boat, as requested by Fire Chief John Whalen

Present: Fire Chief John Whalen

Chief Whalen reviewed the project, noting that the Sudbury Foundation provided the funding for the stretcher, and requested that the remaining \$11,542 of ARPA allocation be used to replace the existing Rescue Boat, which is 100% out of service. He added that no repair companies would repair the boat or provide guarantees.

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

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

VOTED: To reallocate \$11,542 in ARPA funds originally allocated to purchase a new stretcher to purchase a new Rescue Boat, as requested by Fire Chief John Whalen

Chief Whalen mentioned that the Sudbury Fire Department helped with a rescue mission at the hospital in Brockton today.

Vote to allow the balance of \$233,500 of \$1,000,000 ARPA funding allocated to the Boston Post Rd. Fire Station No. 2 project to remain in place for required utilization in current contractual obligations with the balance to be utilized for unknown/unforeseen conditions which may arise during the project duration

Chair Russo tabled this discussion to the February 28th Select Board Meeting

Financial Policies Amendment for Timing of Capital Improvement Advisory Committee (CIAC) Input on Capital Articles

Board Member Roberts provided detail regarding the CIAC request. Board Member Roberts mentioned that March 19th appeared to be a reasonable date (day after Capital Night Meeting) to enact the policy/report.

Board Members reviewed the related document – “Town of Sudbury Financial Policies Manual, Version 1.0, Approved 01.24.22 Version,” with focus on policy Items 7 and 8, with the last statement in item 7 to be eliminated: “At this joint meeting, the CIAC will present its opinions on capital projects within its scope and will follow-up with a final written report,” and to add item 8: “The CIAC shall, not later than March 19th, submit to the Select Board and Finance Committee its written report with recommendations on capital projects within its scope.”

Board Member Roberts motioned to make the changes to the Financial Policies regarding expectations for the CIAC report and date as described. Vice-Chair Dretler moved in the words of Board Member Roberts. Board Member Carty seconded the motion.

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

VOTED: to make the changes to the Financial Policies regarding expectations for the CIAC report and date as described

Discussion and possible vote on a request from Elevate Youth - a non-Sudbury non-profit organization providing outdoor experiences to urban youth – to conduct a fishing clinic at Camp Sewataro, for which compensation would be provided.

Board Member Roberts asked for additional information, especially in consideration of liability aspects.

Chair Russo recommended discussion be continued, and the Board Members could submit related questions to the Town Manager's office.

MBTA Communities update

Chair Russo explained that Planning and Community Development Director Adam Duchesneau submitted the interim action plan to the State in order to be in compliance with 2024 requirements. He suggested that the Board continue to be presented with related filing requirements.

Chair Russo confirmed that the Planning Director would be presenting updates to the Board going forward.

Public Comments (cont.)

None

Upcoming agenda items

- Update on hybrid meetings technology
- Updating of Town website and have IT contribute
- Remote meeting policy update
- BFRT Task Force update
- Annual Select Board Report
- First Parish License – related discussion took place – right of first refusal presentation

Consent calendar

Vote to Grant a Special Permit to the National Brain Tumor Society, to hold the "National Brain Tumor Society Ride" on Sunday, May 21, 2023, from 7:00 A.M. through approximately 2:00 P.M., subject to compliance with conditions outlined by the Police and Fire Departments, DPW and Park and Recreation, subject to receipt of a certificate of liability.

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

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

VOTED: To Grant a Special Permit to the National Brain Tumor Society, to hold the "National Brain Tumor Society Ride" on Sunday, May 21, 2023, from 7:00 A.M. through approximately 2:00 P.M., subject to compliance with conditions outlined by the Police and Fire Departments, DPW and Park and Recreation, subject to receipt of a certificate of liability

Vote to accept the Executive Office of Public Safety, Department of Fire Service (EOPS/DFS) FY23 Firefighter Safety Equipment Grant in the amount of \$12,382.30. These funds will be used to purchase replacement firefighting gear for four (4) members of the Fire Department, as requested by Fire Chief John Whalen

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

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

VOTED: To accept the Executive Office of Public Safety, Department of Fire Service (EOPS/DFS) FY23 Firefighter Safety Equipment Grant in the amount of \$12,382.30. These funds will be used to purchase replacement firefighting gear for four (4) members of the Fire Department, as requested by Fire Chief John Whalen

Vote to accept the Easement for Pedestrian Access (sidewalk easement) for the sidewalks in the Cold Brook Crossing residential development along North Road/Route 117 and Cold Brook Drive, as requested by Adam Duchesneau, Director of Planning and Community Development.

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

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

VOTED: To accept the Easement for Pedestrian Access (sidewalk easement) for the sidewalks in the Cold Brook Crossing residential development along North Road/Route 117 and Cold Brook Drive, as requested by Adam Duchesneau, Director of Planning and Community Development

Adjourn

Board Member Kouchakdjian motioned to adjourn the meeting. Vice-Chair Dretler seconded the motion.

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

VOTED: To adjourn the meeting of the Select Board

There being no further business the meeting ended at 11:07 PM.

SUDBURY SELECT BOARD

THURSDAY, FEBRUARY 9, 2023

(Meeting can be viewed at www.sudburytv.org)

Present: Chair Charles Russo, Vice-Chair Janie Dretler, Select Board Member Daniel Carty, Select Board Member Lisa Kouchakdjian, Select Board Member Jennifer Roberts, Interim Town Manager Maryanne Bilodeau

Also Present: Attorney Lauren Goldberg, Town Counsel Lee Smith, both of KP Law

The statutory requirements as to notice having been compiled with, the meeting was convened at 5:15 PM via Zoom telecommunication mode.

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

Call to Order/Roll Call

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

Opening Remarks by Chair

Chair Russo stated this was a special Select Board meeting to consider possible override for the schools, capital exclusion for the fire pump engine, and any other potential override aspects not previously considered for inclusion on the Annual Town Meeting ballot. He noted that the Board would consider “pro” and “con” arguments at this meeting for advertising.

Chair Russo addressed related policy aspects, and requested an agenda item regarding override/s (fire engine) educational awareness sessions be included on the February 28th Select Board agenda. Vice-Chair Dretler offered to work on the educational awareness piece.

Reports from Interim Town Manager

Interim Town Manager Bilodeau confirmed that those wishing to present the “pro” and “con” arguments should contact the Select Board’s Office no later than February 15th by 10:00 AM., with final arguments due by Thursday, February 25. Interim Town Manager Bilodeau added that legal counsel would provide the “con” arguments if no one comes forward.

Attorney Goldberg confirmed the related policy dictates that the Select Board will determine who might be most appropriate to represent the “pro” and “con” positions.

Reports from Select Board

Vice-Chair Dretler

No reports were presented.

Board Member Roberts

No reports were presented.

Board Member Carty

No reports were presented.

Board Member Kouchakdjian

No reports were presented.

Public Comments on items not on agenda

None

Discussion and vote on possible override (schools) and capital exclusion (fire pumper) questions, as well as any that were not anticipated at the time this meeting is posted, for inclusion on the March 27, 2023 Annual Town Election ballot; and further to direct the Interim Town Manager to provide written notice of such questions to the Town Clerk on February 9, 2023.

Board Members discussed aspects of the requested overrides. Vice-Chair Dretler stressed that such overrides require serious consideration, and indicated she wants the community to hear the associated concerns and position of the Select Board Members. The School Committee is faced with several drastic measures to meet the essential student needs including significant cuts to school transportation.

Chair Russo confirmed that the Sudbury School Committee put great effort into seeking potential funding sources for much needed education services. He indicated that the override request was reasonable and not far reaching, in consideration of the inflationary factors at this time.

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

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

VOTED: To endorse the addition of an override as requested by the Schools, and the Capital exclusion for the fire engine pumper truck ballot questions for inclusion on the March 27, 2023 Annual Town Ballot, and to further direct the Interim Town Manger to provide written notice of such questions to the Town Clerk on today's date of February 9, 2023; as detailed in the Select Board packet.

Board Member Roberts also acknowledged the importance of the proposed fire truck, the needs and hard work of the Sudbury Fire Department and safety officials, and to provide them with the essential tools. Board Member Kouchakdjian agreed with Board Member Roberts stressing the importance of public safety, the number one issue.

Adjourn

Board Member Kouchakdjian motioned to adjourn. Vice-Chair Dretler seconded the motion.

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

VOTED: To adjourn the meeting

There being no further business, the meeting was adjourned at 5:37 PM.

SUDBURY SELECT BOARD

THURSDAY, MARCH 16, 2023

(Meeting can be viewed at www.sudburytv.org)

Present: Chair Charles Russo, Vice-Chair Janie Dretler, Select Board Member Daniel Carty, Select Board Member Lisa Kouchakdjian, Select Board Member Jennifer Roberts, Town Manager Andrew Sheehan

The statutory requirements as to notice having been compiled with, the meeting was convened at 7:01 PM, via Zoom telecommunication mode.

Chair Russo 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, Kouchakdjian-present, Roberts-present, Dretler-present, Russo-present

Opening Remarks by Chair

- Thanked all for participating in tonight's special meeting in preparation for Annual Town Meeting
- Top Soccer Grant Letter of support provided by the Select Board was approved
- Check Town website for upcoming Earth Day Events, including Clean-Up Day, and Earth Day event at Goodnow Library on April 22nd
- Town Boards, Commissions, Committees are seeking new members; check Town website for details

Remarks from Town Manager

Town Manager Sheehan reserved his comments for the next Select Board meeting on Tuesday.

Reports from Select Board

Vice-Chair Dretler

- Thanked Town Manager Sheehan for his video regarding the upcoming Town Election; thanked Fire Chief Whalen, School Superintendent Crozier, and Leila Frank for reporting what to expect with the Town Election on March 27

Board Member Carty

- Thanked Heather Pendergast, pre-K teacher at Noyes School, for letting him read "If You Give a Cat a Cupcake," to her class
- Suggested the Board discuss MWRA information, including conservation easements, etc. at a future Select Board meeting

Board Member Roberts

- Finance Committee met Monday and voted on a number of Town Meeting Articles; she submitted a spreadsheet of those votes to be reviewed by the Select Board

- Town Moderator seeking applicants for the Finance Committee; applications available on the Town website
- Select Board Policies and Procedures Subcommittee met today (she and Board Member Kouchakdjian), and Town Manager Sheehan joined the meeting; topics discussed included the organization of policies, draft policies to bring to the Board, and aspects/requirements of remote meetings

Board Member Kouchakdjian had nothing further to add.

Public Comment on items not on agenda

Resident Manish Sharma, 77 Colonial Drive, thanked the Goodnow Library Foundation for hosting the “Who’s Who” of Sudbury’s Town Election event at the Goodnow Library. He informed Board Members that he sent out grant requests. He asked representatives and Town Manager Sheehan where prospect funding might come from.

Discussion on 2023 Annual Town Meeting articles

Article 4 – FY24 Capital budget

Vice-Chair Dretler motioned to support Article 4 – FY24 Capital budget, requesting \$728,525. Board Member Kouchakdjian seconded the motion.

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

VOTED: To support Article 4 – FY24 Capital budget

Article 5 – FY24 Transfer Station Enterprise Fund Budget

Vice-Chair Dretler motioned to support Article 5 – FY24 Transfer Station Enterprise Fund Budget, requesting \$328,199. Board Member Kouchakdjian seconded the motion.

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

VOTED: To support Article 5 – FY24 Transfer Station Enterprise Fund Budget

Article 6 – FY24 Pool Enterprise Fund Budget

Vice-Chair Dretler motioned to support Article 6 - FY24 Pool Enterprise Fund Budget, requesting \$527,280. Board Member Kouchakdjian seconded the motion.

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

VOTED: To support Article 6 - FY24 Pool Enterprise Fund Budget

Article 7 – FY24 Recreation Field Maintenance Enterprise Fund Budget

Vice-Chair Dretler motioned to support Article 7 – FY24 Recreation Field Maintenance Enterprise Fund Budget, requesting \$241,514 Board Member Kouchakdjian seconded the motion.

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

VOTED: To support Article 7 – FY24 Recreation Field Maintenance Enterprise Fund Budget

Article 8 – FY23 Snow & Ice Transfer

Chair Russo confirmed that Article 8 - Snow & Ice Transfer, would be voted on the floor of Town Meeting.

Article 9 – Unpaid Bills

Board Member Carty motioned to support Article 9 – Unpaid Bills, requesting \$14,932. Board Member Dretler seconded the motion.

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

VOTED: To support Article 9 – Unpaid Bills

Town Manager Sheehan acknowledged that earlier today Facilities Director Sandra Duran suggested that Article 28 – Atkinson Pool Dehumidification Equipment Replacement and Article 29 – Atkinson Pool Maintenance and Repair Fund be withdrawn, and perhaps be presented at a Fall Town Meeting. Vice-Chair Dretler inquired about a possible grant from the Sudbury Foundation. Town Manager Sheehan commented that the request was worth a conversation; Board Members agreed.

Article 10 – Chapter 90 Highway Funding

Vice-Chair Dretler motioned to support Article 10 – Chapter 90 Highway Funding, \$727,234; when sent, or any other funding received. Board Member Kouchakdjian seconded the motion.

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

VOTED: To support Article 10 – Chapter 90 Highway Funding

Article 11 – Stabilization Fund

Vice-Chair Dretler motioned to support Article 11 – Stabilization Fund, requesting \$144,274. Board Member Kouchakdjian seconded the motion.

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

VOTED: To support Article 11 – Stabilization Fund

Article 12 – FY24 Revolving Fund Spending Limits

Chair Russo stated that the Board would review Article 12 at the next Select Board meeting.

Article 13 – Capital Stabilization Fund

Vice-Chair Dretler motioned to support Article 13 - Capital Stabilization Fund, requesting \$250,000. Board Member Kouchakdjian seconded the motion.

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

VOTED: To support Article 13 - Capital Stabilization Fund

Article 14 – Funding of GO Sudbury! Taxi and Uber Transportation Programs for FY24

Vice-Chair Dretler motioned to support the Funding of GO Sudbury! Taxi and Uber Transportation Programs for FY24, requesting \$150,000. Board Member Kouchakdjian seconded the motion.

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

VOTED: To support Article 14 – Funding of GO Sudbury! Taxi and Uber Transportation Programs for FY24

Vice-Chair Dretler stated this is the second year that free cash is being requested. She stressed that free cash should not be used to support an operating article. Chair Russo opined it would be wise to discuss operationalizing the program going forward.

Article 15 – Fairbank Community Center A/V Equipment and Associated Funding

Chair Russo stated a Board vote would likely take place at the next Select Board meeting, and an update from the Facilities Director was anticipated.

Article 16 – Authorize Select Board to Petition the General Court to Adopt Legislation – An Act Authorizing the Town to Establish a Fee for a Checkout Bag Charge

Chair Russo confirmed that Article 16 had been previously voted.

Article 17 – Medicaid reimbursement and additional Chapter 70 Funding Transfer to fund ELA Curriculum update

Vice-Chair Dretler motioned to support Medicaid Article 17 – Medicaid reimbursement and additional Chapter 70 Funding Transfer to fund ELA Curriculum update, requesting \$279,574. Board Member Kouchakdjian seconded the motion.

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

VOTED: To support Medicaid Article 17 – Medicaid reimbursement and additional Chapter 70 Funding Transfer to fund ELA Curriculum update.

Article 18 – Schools HVAC Repairs and Replacements

Vice-Chair Dretler motioned to support Article 18 – Schools HVAC Repairs and Replacements, requesting \$450,000. Board Member Kouchakdjian seconded the motion.

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

VOTED: To support Article 18 – Schools HVAC Repairs and Replacements

Article 19 – Curtis Middle School A/V System Replacement

Vice-Chair Dretler motioned to support Article 19 - Curtis Middle School A/V System Replacement, requesting \$160,000. Board Member Kouchakdjian seconded the motion.

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

VOTED: To support Article 19 - Curtis Middle School A/V System Replacement

Article 20 – SPS Surveillance Cameras

Vice-Chair Dretler motioned to support Article 20 – SPS Surveillance Cameras, requesting \$310,000. Board Member Kouchakdjian seconded the motion.

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

VOTED: To support Article 20 – SPS Surveillance Cameras

Article 21 – LSRHS Camera System Replacement

Vice-Chair Dretler motioned to support Article 21 – LSRHS Camera System Replacement, requesting \$206,652. Board Member Kouchakdjian seconded the motion.

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

VOTED: To support Article 21 – LSRHS Camera System Replacement

Article 22 – Purchase of Storage Building

Vice-Chair Dretler motioned to support Article 22 – Purchase of Storage Building, requesting \$200,000. Board Member Kouchakdjian seconded the motion.

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

VOTED: To support Article 22 - Purchase of Storage Building

Article 23 - Purchase of Fire Engine

Vice-Chair Dretler motioned to support Article 23 – Purchase of Fire Engine, requesting \$1,020,000. Board Member Kouchakdjian seconded the motion.

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

VOTED: To support Article 23 - Purchase of Fire Engine

Board Members discussed prioritization of Capital Articles such as the purchase of the fire engine.

Article 24 – Americans with Disabilities Act Transition Plan Recommendations

Vice-Chair Dretler inquired about last years approved ADA Transition Plan funding. Town Manager Sheehan detailed that the Combined Facilities Director was working on the IHCD (Institute for Human Centered Design) Plan and will be using those approved funds this calendar year.

Board Member Kouchakdjian recommended submittal of a more-detailed ADA Transition Plan for Sudbury, and indicated that she appreciated all the efforts made towards the IHCD Plan, but implementing specifics and related prioritization would be a great benefit to the Town.

Vice-Chair Dretler recommended that an itemized listing of ADA projects be presented to the Board related to the FY23 allocation before voting on Article 24 at the next Board meeting. She stressed that she wanted to see what funds were spent in FY23 and what projects would be included in the \$200,000 funding allocation for FY24. Board Members agreed.

Board Member Kouchakdjian reiterated that it would be important that the community see what related ADA tasks have been completed, and which tasks need to be completed. She suggested the benefit of a checklist. Vice-Chair agreed with the suggestion presented by Board Member Kouchakdjian.

Article 25 – DPW Roofing Project Funding

Vice-Chair Dretler motioned to support Article 25 – DPW Roofing Project Funding, requesting \$400,000. Board Member Kouchakdjian seconded the motion.

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

VOTED: To support Article 25 - DPW Roofing Project Funding

Article 26 – DPW Building Office Renovation

Article 27 – Space Use and Facility Condition Study

Article 28 – Atkinson Pool Dehumidification Equipment Replacement

Article 29 – Atkinson Pool Maintenance and Repair Fund

After related discussion and the request for additional information, Board Members agreed to wait to vote on Articles 26 – 29 at the next Select Board meeting.

Article 30 – Amend Solar Energy Revolving Fund

Vice-Chair Dretler motioned to support Article 30 - Amend Solar Energy Revolving Fund. Board Member Carty seconded the motion.

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

VOTED: To support Article 30 - Amend Solar Energy Revolving Fund

Article 31 – Authorization to Proceed with the Fairbank Community Center Solar Project

Vice-Chair Dretler motioned to support Article 31 - Authorization to Proceed with the Fairbank Community Center Solar Project. Board Member Kouchakdjian seconded the motion.

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

VOTED: To support Article 31 - Authorization to Proceed with the Fairbank Community Center Solar Project

Article 32 – Pickup Truck with Plow - Withdrawn

Article 33 – Swap Body Truck (replaces pickup truck)

Vice-Chair Dretler motioned to support Article 33 - Swap Body Truck (replaces pickup truck), requesting \$185,000. Board Member Kouchakdjian seconded the motion.

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

VOTED: To support Article 33 - Swap Body Truck (replaces pickup truck)

Article 34 - Swap Body Truck (replaces spreader truck with wings)

Vice-Chair Dretler motioned to support Article 34 - Swap Body Truck (replaces spreader truck with wings), requesting \$210,000. Board Member Kouchakdjian seconded the motion.

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

VOTED: To support Article 34 - Swap Body Truck (replaces spreader truck with wings)

Article 35 – Sports Field Mower

Vice-Chair Dretler motioned to support Article 35 – Sports Field Mower, requesting \$160,000. Board Member Kouchakdjian seconded the motion.

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

VOTED: To support Article 35 – Sports Field Mower

Article 36 – Multi-Purpose Tractor

Vice-Chair Dretler motioned to support Article 36 - Multi-Purpose Tractor, requesting \$215,000. Board Member Kouchakdjian seconded the motion.

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

VOTED: To support Article 36 – Multi-Purpose Tractor

Article 37 – Front End Loader

Vice-Chair Dretler motioned to support Article 37 - Front End Loader, requesting \$345,000. Board Member Kouchakdjian seconded the motion.

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

VOTED: To support Article 37 - Front End Loader

Article 38 – Amend General Bylaws, Article IX, Section 4200, Water Resource Protection Overlay Districts

Chair Russo recommended that the Board vote on Article 38 at the next Select Board meeting, in order to receive related information from the Planning Board.

Chair Russo acknowledged that the Select Board had previously voted 5-0 on Article 39 – Amend General Bylaws – Affordable Housing Trust Bylaw, and Article 40 – General Bylaw for the Placement of Small Wireless Facilities in the Public Ways.

CPC Articles

Article 41 – Community Preservation Act Fund – 67–73 Nobscot Road Acquisition, Design, and Construction

After significant discussion, Board Members agreed to vote on Article 41 at the next Select Board meeting, after additional information was received and considered.

Article 42 – Community Preservation Act Fund – Accessible Pathways on Town Properties

Chair Russo motioned to support Article 42 – Community Preservation Act Fund – Accessible Pathways on Town Properties, requesting \$187,744. Vice-Chair Dretler moved in the words of the Chair. Board Member Kouchakdjian seconded the motion.

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

VOTED: To support Article 42 – Community Preservation Act Fund – Accessible Pathways on Town Properties

Article 43 – Community Preservation Act Fund – Bruce Freeman Rail Trail CSX Extension

Chair Russo motioned to support Article 43 – Community Preservation Act Fund – Bruce Freeman Rail Trail CSX Extension, requesting \$300,000. Vice-Chair Dretler moved in the words of the Chair. Board Member Kouchakdjian seconded the motion.

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

VOTED: To support Article 43 – Community Preservation Act Fund – Bruce Freeman Rail Trail CSX Extension

Article 44 – Community Preservation Act Fund – Curtis Outdoor Health and Wellness Space

Chair Russo motioned to support Article 44 - Community Preservation Act Fund – Curtis Outdoor Health and Wellness Space, requesting \$480,000. Vice-Chair Dretler moved in the words of the Chair. Board Member Kouchakdjian seconded the motion.

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

VOTED: To support Article 44 - Community Preservation Act Fund – Curtis Outdoor Health and Wellness Space

Article 45 – Community Preservation Act Fund – Frank Feeley Fields Improvements Phase II

Chair Russo confirmed the Board would get additional information from the Park & Recreation Director, before voting at the next meeting.

Article 46 – Community Preservation Act Fund – Fence and Lights for Fairbank Multisport Court

Chair Russo motioned to support Article 46 - Community Preservation Act Fund – Fence and Lights for Fairbank Multisport Court, requesting \$100,000. Vice-Chair Dretler moved in the words of the Chair. Board Member Kouchakdjian seconded the motion.

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

VOTED: To support Article 46 - Community Preservation Act Fund – Fence and Lights for Fairbank Multisport Court

Article 47 – Community Preservation Act Fund – Historic Resource Inventory Surveys Phase V

Chair Russo motioned to support Article 47 - Community Preservation Act Fund – Historic Resource Inventory Surveys Phase V, requesting \$23,000. Vice-Chair Dretler moved in the words of the Chair. Board Member Kouchakdjian seconded the motion.

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

VOTED: To support Article 47 - Community Preservation Act Fund – Historic Resource Inventory Surveys Phase V.

Article 48 - Community Preservation Act Fund – Watershed Based Plan, Restoring Water Quality in Hop Brook

Chair Russo motioned to support Article 47 - Community Preservation Act Fund – Historic Resource Inventory Surveys Phase V, requesting \$78,600. Vice-Chair Dretler moved in the words of the Chair. Board Member Kouchakdjian seconded the motion.

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

VOTED: To support Article 48 - Community Preservation Act Fund – Historic Resource Inventory Surveys Phase V

Article 49 – Community Preservation Act Fund – Hosmer House Historic Structure, Cultural Landscape, and Collection Study

Chair Russo motioned to support Article 49 - Community Preservation Act Fund – Hosmer House Historic Structure, Cultural Landscape, and Collection Study, requesting \$130,000. Vice-Chair Dretler moved in the words of the Chair. Board Member Kouchakdjian seconded the motion.

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

VOTED: To support Article 49 – Community Preservation Act Fund – Hosmer House Historic Structure, Cultural Landscape, and Collection Study

Article 50 – Community Preservation Act Fund – Housing Trust Allocation – (\$292,000)

Board Member Carty confirmed that the requested amount was \$292,000, not \$282,000.

Chair Russo motioned to support Article 50 - Community Preservation Act Fund – Housing Trust Allocation, requesting \$292,000, as amended. Vice-Chair Dretler moved in the words of the Chair. Board Member Kouchakdjian seconded the motion.

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

VOTED: To support Article 50 - Community Preservation Act Fund – Housing Trust Allocation, as amended

Chair Russo acknowledged that Article 51 – Community Preservation Act Fund – Indigenous Cultural Landscape Study, and Article 52 – Community Preservation Act Fund – Regional Housing Services Office (RHSO) Membership Fee, had been voted on previously by the Board.

Article 53 – Community Preservation Act Fund – Return of Unspent Funds

Chair Russo motioned to support Article 53 – Community Preservation Act Fund – Return of Unspent Funds, in the amount of \$41,663.89. Vice-Chair Dretler moved in the words of the Chair. Board Member Kouchakdjian seconded the motion.

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

VOTED: To support Article 53 – Community Preservation Act Fund – Return of Unspent Funds

Article 54 - Community Preservation Act Fund General Budget and Appropriations

Chair Russo motioned to support Article 54 - Community Preservation Act Fund General Budget and Appropriations, requesting \$114,500. Vice-Chair Dretler moved in the words of the Chair. Board Member Kouchakdjian seconded the motion.

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

VOTED: To support Article 54 - Community Preservation Act Fund General Budget and Appropriations, in the amount of \$114,500

Petition Article

Article 55 – Control of Firearms Zoning

Chair Russo confirmed that the Petition for Article 55 - Control of Firearms Zoning, will be presented at the next Select Board meeting.

Discussion regarding 2023 Annual Town Election logistics, process, calendar, and other topics. Discussion could include Ballot Question 2: Fire Engine/Pumper Replacement.

Chair Russo announced that Town Manager Sheehan presented the 2023 Town Election video, which was posted on the Town website.

Board Members concurred that pre-recording of Warrant Articles would not be necessary.

Public Comment

None

Adjourn

Chair Russo motioned to adjourn the Select Board meeting of March 16, 2023. Board Member Roberts moved in the words of the Chair. Board Member Kouchakdjian seconded the motion.

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

VOTED: To adjourn the meeting.

There being no further business, the meeting was adjourned at 8:56 PM.

SUDBURY SELECT BOARD

Tuesday, MARCH 21, 2023

(Meeting can be viewed at www.sudburytv.org)

Present: Chair Charles Russo, Vice-Chair Janie Dretler, Select Board Member Daniel Carty, Select Board Member Jennifer Roberts, Select Board Member Lisa Kouchakdjian, Town Manager Andrew Sheehan

The statutory requirements as to notice having been compiled with, the meeting was convened at 7:00 PM via Zoom telecommunication mode.

Chair Russo 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, Kouchakdjian-present, Roberts-present, Dretler-present, Russo-present

Opening Remarks by Chair

- Announced World Down Syndrome Day
- Earth Day activities on Town website, including the Earth Day Festival at the Goodnow Library on April 22
- SudburyTV is expanding number of channels from 2 to 4, including high-definition channels, and updating on demand offerings. Check SudburyTV.org
- Thanked all for participating in tonight's Select Board meeting

Remarks from Town Manager

- Announced the hire of Vivian Zeng as the Town's new Health Director
- DPW will begin drainage construction work in the Peakham Road area next week, expect some detours/delays to last approximately two weeks
- Staff has no complaints regarding the Eversource construction currently in process

Reports from Select Board

Vice-Chair Dretler:

- Volunteered with the senior class "Relay for Life" event at LSRHS

Board Member Carty:

- Announced Town Election is Monday, March 27
- Stated per State, he has ability to sit participate in several discussions

Board Member Roberts:

- Attended a productive meeting of the Finance Committee last night. Town Moderator is accepting applications for new Finance Committee (FinCom) members

Board Member Kouchakdjian:

- Thanked FinCom for conducting a most productive meeting last night

Public Comment on items not on agenda

Resident Manish Sharma, 77 Colonial Drive, thanked Chair Russo for recognizing Down Syndrome Day. He wished everyone a happy Milrose, which is celebrated in India and extends many blessings to all.

Continued from March 7, 2023. As the Local Licensing Authority, vote on whether to approve the application of Sudbury Sundries, Inc, d/b/a Sudbury Sundries, 100 Boston Post Rd., Sudbury, for a Package Store License for the Sale of Wine & Malt Beverages, under G. L. Ch. 138, s.15, Ashraf Youssef, Manager. The premises proposed to be licensed (i.e., 100 Boston Post Road) is described as: Left unit of a 2-unit commercial building. Single entrance in the left front and single exit in the rear. Approximately 2600 Sq. Ft. This Public Hearing is expected to be Immediately Continued.

Chair Russo motioned to close the Public Hearing for Sudbury Sundries, for a Package Store License for the sale of Wine & Malt Beverages. Board Member Roberts moved in the words of the Chair. Board Member Kouchakdjian seconded the motion.

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

VOTED: To close the Public Hearing for Sudbury Sundries, for a Package Store License for the sale of Wine & Malt Beverages

Chair Russo motioned, as the Local Licensing Authority, to continue the public hearing for 100 Boston Post Road – Sudbury Sundries, Inc., d/b/a Sudbury Sundries, and vote on whether to approve a Package Store License for the Sale of Wine & Malt Beverages, under G. L. Ch. 138, s.15, Ashraf Youssef, Manager; at the Select Board meeting on April 4, 2023 at 7:15 PM. Board Member Roberts moved in the words of the Chair. Board Member Kouchakdjian seconded the motion.

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

VOTED: As the Local Licensing Authority, to continue the public hearing for 100 Boston Post Road – Sudbury Sundries, Inc., d/b/a Sudbury Sundries, and vote on whether to approve a Package Store License for the Sale of Wine & Malt Beverages, under G. L. Ch. 138, s.15, Ashraf Youssef, Manager; at the Select Board meeting on April 4, 2023 at 7:15 PM.

Remote meeting policy discussion and possible vote to update

Board Members presented the pre-COVID remote meeting policy, and how to proceed for a hybrid meeting setup, if such remote meetings should cease on March 31, 2023.

Board Members agreed to work with Town Manager Sheehan and Town Counsel regarding a possible update to the meeting policy.

Consent Calendar

As recommended by the Land Acquisition Review Committee (LARC), vote to recommend the Select Board NOT exercise the Town of Sudbury's right of first refusal to purchase Lots 1 and 2 on the property at 137 Brimstone Lane.

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

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

VOTED: To recommend the Select Board NOT exercise the Town of Sudbury's right of first refusal to purchase Lots 1 and 2 on the property at 137 Brimstone Lane

Vote to accept Chapter 269 of the Acts of 2022, allowing a one-time increase to the Cost-of-Living Adjustment (COLA) increase for retirees in FY23, from 3% to 5% of the System's \$16,000 COLA base, as requested by Middlesex County Retirement Board.

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

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

VOTED: To accept Chapter 269 of the Acts of 2022, allowing a one-time increase to the Cost-of-Living Adjustment (COLA) increase for retirees in FY23, from 3% to 5% of the System's \$16,000 COLA base, as requested by Middlesex County Retirement Board

Accept a \$100 donation to the Senior Center Donation Account from the Sudbury Foundation, in memory of Sandra Wilensky, Watercolor Instructor, which will be used to subsidize cost of Watercolors classes for students with financial constraints, as requested by Debra Galloway.

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

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

VOTED: To accept a \$100 donation to the Senior Center Donation Account from the Sudbury Foundation, in memory of Sandra Wilensky, Watercolor Instructor, which will be used to subsidize cost of Watercolors classes for students with financial constraints, as requested by Debra Galloway

Accept a \$50 donation to the Senior Center Donation Account from Frank Chiodo and Judith Aufderhaar in memory of resident Pat Duarte, which will be used to support older adult programming, as requested by Debra Galloway

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

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

VOTED: To accept a \$50 donation to the Senior Center Donation Account from Frank Chiodo and Judith Aufderhaar in memory of resident Pat Duarte, which will be used to support older adult programming, as requested by Debra Galloway

Vote to review and possibly approve the open session minutes of 12/13/22

Chair Russo motioned to approve the open session minutes of 12/13/22, as edited. Board Member Kouchakdjian moved in the words of the Chair. Board Member Carty seconded the motion.

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

VOTED: To approve the open session minutes of 12/13/22, as edited

Vote to open a joint meeting with the Finance Committee

Present: FinCom Chair Mike Joachim, Eric Poch, Susan Berry, Hank Sorett, LeYi (Colin) Wang, Andrew Bettinelli

Also Present: Combined Facilities Director Sandra Duran

Chair Russo motioned to open a joint meeting with the Finance Committee. Board Member Carty moved in the words of the Chair. Board Member Kouchakdjian seconded the motion.

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

VOTED: To open a joint meeting with the Finance Committee

Chair Joachim motioned to open the joint meeting with the Select Board. Ms. Barry seconded the motion. Roll call was taken: Poch-present Berry-present, Sorett-present, Wang-present, Joachim-present, Bettinelli-present

FinCom discussion highlighted several Warrant articles, including:

Article 3 - FY24 Budget and Override

Mr. Joachim stated the FinCom vote was 5-2 for the budget override, and 5-2 as well for non-override budget considerations. Mr. Joachim stated that FinCom members understood the budgetary needs for the Sudbury Schools, but expressed concerns about short and long-term school services, the uncertainty associated with State aid for SPS, and assessment of all other possible sources of funding.

Board Members presented related questions/comments.

Mr. Joachim addressed Article 14 – Funding of Go Sudbury! and confirmed that FinCom voted unanimously for the Article. Mr. Joachim stated that FinCom members viewed this item as an operating expense, and hoped it would soon be recognized as such.

Mr. Joachim addressed Article 15 – Fairbank Community Center A/V Equipment and Associated Funding, stating that this particular project did not go through a prioritization process; though FinCom Members understood the necessity for a more complete Fairbank Community Center, and to not have to revisit the site at a later time with additional expense. He urged the Town to ensure that these types of projects follow the outlined approval process.

Mr. Joachim reviewed Article 23 - Purchase of Fire Engine, noting that FinCom voted 7-0 in favor of the Article.

Mr. Joachim stated that FinCom voted unanimously to support Article 24 -Americans with Disabilities Act Transition Plan Recommendations.

Ms. Duran presented a PowerPoint presentation “Article 24 - ADA Transition Plan Recommendations,” which included ADA items which had been completed, Priority 1 items to be continued, as well as ADA items to be completed in FY24.

Mr. Joachim confirmed that FinCom would finish voting on the Warrant articles and produce an associated report by March 31.

Vote to close joint meeting with Finance Committee and resume Select Board meeting

Mr. Joachim motioned to adjourn the Finance Committee meeting. Ms. Berry seconded the motion.

It was on motion 6-0; Poch-aye, Berry-aye, Bettinelli-aye, Sorett-aye, Wang-aye, Joachim-aye

VOTED: To adjourn the Finance Committee meeting

Board Member Roberts motioned to close the joint meeting with the Finance Committee, and resume the Select Board meeting. Board Member Kouchakdjian seconded the motion.

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

VOTED: To close the joint meeting with the Finance Committee, and resume the Select Board meeting

ATM petition article on Firearms Zoning presented by resident Frank Riepe

Present: Petitioner and ZBA Member Frank Riepe, 54 Newbridge Road; Attorney Lee Smith, Town Counsel; Attorney Janelle Austin, KP Law; Police Chief Scott Nix

Mr. Riepe stated he was speaking on his own behalf, and had the support of the ZBA. He confirmed that the petition seeks to ban the selling of guns and ammunitions in Sudbury.

Attorney Smith said he had reviewed the petition. Attorney Austin indicated that she had concerns about the petition, stating that it might lead to constitutional appeal regarding violation of second amendment rights. She mentioned that if the petition passed, Sudbury would be the only Town in Massachusetts to do so.

Attorney Smith stated the Article should be referred to the Planning Board tonight.

Attorney Austin stated that any such selling of arms license would have to go through the Sudbury Police Department. Chief Nix was in agreement.

Chair Russo stated that he supported the petition in principle, but the voting of the petition could face legal challenges. He asked if the petition might need more work, and suggested the Article might be amended. Mr. Riepe agreed with amending the petition language.

Chair Russo asked if legal counsel could provide a memo which might include amended petition language. Attorney Austin said she would provide a memo with such language modification.

Resident Kay Bell, 348 Old Lancaster Road, asked about transfers of legally-possessed weapons. Chief Nix provided process details.

Chair Russo motioned to refer Petition Article 55 – Control of Firearms Zoning to the Planning Board. Board Member Roberts moved in the words of the Chair. Member Kouchakdjian seconded the motion.

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

VOTED: To refer Petition Article 55 – Control of Firearms Zoning to the Planning Board

Discussion on 2023 Annual Town Meeting articles

Frank Feeley Fields Improvements Phase II

Present: Park & Recreation Director Dennis Mannone

Mr. Mannone explained that Phase II of fields improvements dealt with drainage, and noted that the associated design had not been fully completed. He added that the improvement plan was previously presented to the Conservation Commission.

Mr. Mannone confirmed that that seven bids were submitted, and a contract would be submitted to Town Manager Sheehan sometime this spring.

Select Board Members asked related questions about the project. Mr. Mannone provided details regarding Phase I and Phase II of the project. He referenced the “Frank Feeley Field Park Improvements” document.

Fairbank Community Center A/V Equipment and Associated Funding

Present: Combined Facilities Director Sandra Duran

Ms. Duran provided details regarding the Fairbank Community Center A/V equipment project, noting that currently there was no date certain regarding timing/funding for the A/V redesign.

Ms. Duran confirmed that when more information became available, she would share that information with Town Manager Sheehan to pass along to the Board.

Article 3 - FY24 Budget

Chair Russo motioned to support the FY24 Budget. Vice-Chair Dretler seconded the motion. Board Member Kouchakdjian seconded the motion.

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

VOTED: To support the FY24 Budget

Board Member Roberts commented that FinCom approval Article 3, and recommended allocation of additional resources in the FinCom Report, if the override did not pass. She agreed with FinCom’s recommendation that the Transportation Program should be reviewed.

Override Budget

Board Member Roberts motioned to support the override budget. Board Member Kouchakdjian seconded the motion.

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

VOTED: To support the override budget

Article 8 – FY23 Snow & Ice Transfer

Chair Russo motioned to report Select Board Member positions on Article 8 at Town Meeting. Board Member Roberts moved in the words of the Chair. Board Member Kouchakdjian seconded the motion.

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

VOTED: To report Select Board Member positions on Article 8 at Town Meeting

Article 12 – FY24 Revolving Fund Spending Limits

Chair Russo mentioned that FinCom questioned the bus aspect.

Chair Russo motioned to present Article 12 – FY24 Revolving Fund Spending Limits at Town Meeting. Board Member Roberts moved in the words of the Chair. Board Member Kouchakdjian seconded the motion.

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

VOTED: To present Article 12 – FY24 Revolving Fund Spending Limits at Town Meeting

Article 15 – Fairbank Community Center A/V Equipment and Associated Funding

Vice-Chair Dretler motioned to support Article 15 – Fairbank Community Center A/V Equipment and Associated Funding, requesting \$200,000. Board Member Kouchakdjian seconded the motion.

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

VOTED: To support Article 15 – Fairbank Community Center A/V Equipment and Associated Funding

Article 24 – Americans with Disabilities Act Transition Plan Recommendations

Vice-Chair Dretler motioned to support Article 24 – Americans with Disabilities Act Transition Plan Recommendations, requesting \$200,000. Board Member Kouchakdjian seconded the motion.

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

VOTED: To support Article 24 – Americans with Disabilities Act Transition Plan Recommendations

Article 26 – DPW Building Office Renovation

Vice-Chair Dretler motioned to support Article 26 – DPW Building Office Renovation, requesting \$125,000. Board Member Kouchakdjian seconded the motion.

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

VOTED: To support Article 26 – DPW Building Office Renovation

Article 27 – Space Use and Facility Condition Study

Vice-Chair Dretler motioned to support Article 27 - Space Use and Facility Condition Study, requesting \$300,000. Board Member Kouchakdjian seconded the motion.

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

VOTED: To support Article 27 - Space Use and Facility Condition Study

Board Member Roberts expressed some concern about the amount of free cash being allocated to Article 27, especially in consideration of a Fall Town Meeting.

Article 38 – Amend General Bylaws, Article IX, Section 4200, Water Resource Protection Overlay Districts

Chair Russo suggested the Select Board hold off on voting on Article 38 at this time. Town Manager Sheehan detailed that the overlay protection district is also an overlay district, which is more restrictive; the relationship between the two district classifications is rather uncertain. He mentioned that the granting of a Special Permit from the Zoning Board of Appeals, could be a possibility.

Article 41 – Community Preservation Act Fund – 67-73 Nobscot Road Acquisition, Design, and Construction

Town Manager Sheehan stated there was question about necessary planning of Article 41, and being ready for Annual Town Meeting. He suggested that the Board might consider voting on Article 41 at the Select Board meeting on April 4. Chair Russo responded that both Article 38 and 41 could be considered by the Board at the April 4th meeting. Members were in agreement.

Article 45 – Community Preservation Act Fund – Frank Feeley Fields Improvements Phase II

Vice-Chair Dretler motioned to support Article 45 – Community Preservation Act Fund – Frank Feeley Fields Improvements Phase II, requesting \$799,668. Board Member Kouchakdjian seconded the motion.

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

VOTED: To support Article 45 – Community Preservation Act Fund – Frank Feeley Fields Improvements Phase II

Discussion and vote on updating the Bruce Freeman Rail Trail Advisory Task Force mission statement to include the Mass Central Rail Trail

Present: Bruce Freeman Rail Trail Advisory Task Force Chair John Drobinski, Planning and Community Development Director Adam Duchesneau

Board Members reviewed the amended draft Bruce Freeman Rail Trail Advisory Task Force mission statement, including the Mass Central Rail Trail.

Board Member Roberts motioned to approve the updated Bruce Freeman Rail Trail Advisory Task Force Mission Statement to include the Mass Central Rail Trail, as amended this evening. Vice Chair Dretler seconded the motion.

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

VOTED: To approve the updated Bruce Freeman Rail Trail Advisory Task Force Mission Statement to include the Mass Central Rail Trail, as amended this evening

Discussion and vote on next steps concerning the Bruce Freeman Rail Trail (BFRT) south of its intersection with Mass Central Rail Trail (MCRT)

Present: Bruce Freeman Rail Trail Advisory Task Force Chair John Drobinski, Planning and Community Development Director Adam Duchesneau

Mr. Drobinski confirmed that Mr. Duchesneau and his team had done an amazing job advancing the project. Mr. Duchesneau recommended that Phase III be developed as a Mass DOT TIP-funded project which Fuss & O'Neill had studied thoroughly.

Chair Russo motioned to endorse the next phase of the BFRT, and have it be developed as a Mass DOT, TIP-funded program, running east over Rte. 20. Vice-Chair Dretler moved in the words of the Chair. Board Member Kouchakdjian seconded the motion.

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

VOTED: To endorse the next phase of BFRT, and have it be developed as a DOT TIP program, running east over Rte. 20

Vote to create/appoint a Housing Production Plan Working Group consisting of the following membership to assist in updating the Town of Sudbury's Housing Production Plan: Select Board Member, Planning Board Member, Housing Trust Member, Sudbury Housing Authority Member, DEIC member, COA member, ZBA member, and at-large member appointed by the Select Board.

Present: Planning and Community Development Director Adam Duchesneau

Mr. Duchesneau mentioned that the Housing Production Plan was being worked on by the Planning Department, and is now seeking the formation of a related working group to begin meeting in late April, early May. He proposed an eight-member working group membership; including representation by the Select Board, the Planning Board, the Housing Trust, the Housing Authority, Commission on Diversity, Equality and Inclusion, The Council on Aging, the Zoning Board of Appeals, and an at-large member.

Board Member Kouchakdjian recommended a member from the Commission on Disability be included in the working group membership. Mr. Duchesneau agreed.

Chair Russo motioned to create the nine-member Housing Production Plan Working Group, as identified at tonight's meeting. Vice-Chair Dretler moved in the words of the Chair. Board Member Roberts seconded the motion.

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

VOTED: To create the nine-member Housing Production Plan Working Group, as identified at tonight's meeting

Discussion and possible vote whether to approve letter of support for Goodnow Library to include in their grant proposal, for a \$20K two-year grant the library is applying for through the MA Board of Library Commissioners to "Unearth Sudbury's Indigenous History" due on April 11, 2023.

As the Select Board liaison, Board Member Carty agreed to edit the letter.

Board Member Kouchakdjian motioned that Board Member Carty modify/edit and submit the letter for the Goodnow Library. Vice-Chair Dretler seconded the motion.

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

VOTED: That Board Member Carty modify/edit and submit the letter for the Goodnow Library

Public Comments (cont.)

None

Upcoming agenda items

Vice-Chair Dretler recommended any additional agenda item suggestions be submitted to the Town Manager. Board Members were in agreement.

Consent Calendar (cont.)**Vote to proclaim March as Women's History Month in Sudbury and sign a proclamation in that regard**

Board Members agreed that the consent item required rewriting, and the author had been given guidance numerous times. Board Member Carty stated that the Board Members support Women's History Month in Sudbury. Board Members concurred with Board Member Carty.

Vote to proclaim the first Monday in March as COVID-19 Victims and Survivors Memorial Day in Sudbury and sign a proclamation in that regard.

Board Member Carty mentioned that the consent item was not a "resolution," and language was amended to read "proclamation." Board Member Kouchakdjian provided grammatical edits to include "well-being," as presented in context.

Chair Russo motioned to vote to proclaim the first Monday in March as COVID-19 Victims and Survivors Memorial Day in Sudbury and sign a proclamation in that regard, per language and grammar edits, as presented at this meeting. Vice-Chair Dretler moved in the words of the Chair. Board Member Kouchakdjian seconded the motion.

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

VOTED: To proclaim the first Monday in March as COVID-19 Victims and Survivors Memorial Day in Sudbury and sign a proclamation in that regard, per language and grammar edits, as presented at this meeting

Adjourn

Vice-Chair Dretler motioned to adjourn the meeting. Board Member Kouchakdjian seconded the motion.

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

VOTED: To adjourn the meeting

There being no further business, the meeting of the Select Board ended at 12:00 AM.

SUDBURY SELECT BOARD

TUESDAY, APRIL 25, 2023

(Meeting can be viewed at www.sudburytv.org)

Present: Chair Charles Russo, Vice-Chair Janie Dretler, Select Board Member Daniel Carty, Select Board Member Lisa Kouchakdjian, Select Board Member Jennifer Roberts, Town Manager Andrew Sheehan

The statutory requirements as to notice having been compiled with, the meeting was convened at 7:26 PM, via Zoom telecommunication mode.

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

Call to Order/Roll Call

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

Opening Remarks by Chair

- Hoped everyone had a good school vacation week
- Town Meeting to begin May 1st at LSRHS at 7:00 PM
- Electronic voting a new addition to Town Meeting – Town Manager Sheehan presented a “Municipal Minute” on SudburyTV, and provided additional electronic voting information
- Sudbury had its first Earth Day Celebration on April 22nd at the Goodnow Library, which he attended and stated there was much to learn at the event
- Thanked all who participated in the Sudbury Clean-up Day 2023
- Recycling Drive to take place this Saturday at Curtis Middle School

Remarks from Town Manager

- Presented the Sudbury Clean-Up Day map, which highlighted areas in Town that were included in the Clean-Up Day event, and thanked all the volunteers who participated
- Thanked all who participated in the Flash Vote regarding Town Meeting; almost 800 participants (5.8% of registered voters in Town).
- Town Manager Office Hours scheduled for Thursday, April 27, 2:00 PM at the Flynn Building

Reports from Select Board

Vice-Chair Dretler

- She was looking forward to Town Meeting because she loves the event

Board Member Carty

- Welcomed everyone back after a good break
- Announced 8th graders at Curtis Middle School are participating in the second annual trip to Washington, DC next week

- Great Earth Day event at the Goodnow Library and looking forward to the “Fabulous Fifteen” event at the Library on May 5
- Congratulated 29 Sudbury residents who ran and completed the Boston Marathon
- Reiterated that Town Meeting will start on May 1; decisions are made by residents who come to Town Meeting and vote

Board Member Kouchakdjian

- Looking forward to Town Meeting and hoped to see many residents at Town Meeting, which is the “purist form of democracy”

Board Member Roberts

- Hoped all had a good school vacation week
- Earth Day was great and thanked all those involved, and thanked Leila Frank in the Select Board Office for her efforts
- Sustainable Sudbury distributed rain barrels at the Earth Day event, and her family received a barrel which was full of rain water from the downspout the day after Earth Day
- FinCom voted for several Town Meeting Articles at the FinCom meeting last night, and agreed to detail those articles later at this meeting

Public Comment on items not on agenda

Resident Manish Sharma, 77 Colonial Drive, noted on April 13th the spring/harvest festival took place in India; on April 16th - a somber event. He mentioned Sakar on April 21st and wished all Muslim neighbors well wishes. He thanked Chair Russo and Town Manager Sheehan for helping him donate chairs to the Noyes school where his children attended school. He explained the tradition of when leaving a place, the expectation is to give something back and thanked Chair Russo for helping to make that happen.

Resident and Finance Committee Member Susan Berry, 4 Dawson Drive, spoke on behalf of the Planning Committee of Sudbury Racial and Social Justice in response to articles about the increase in antisemitism and antisemitic incidents in MA. She read aloud the statement drafted by the Planning Committee of Sudbury Racial and Social Justice regarding the article in the Boston Globe detailing the increase in such incidents in MA in 2022, and that the State places 6th within the top six states with antisemitic incidence. She noted there have been many antisemitic incidents in Sudbury. Ms. Berry emphasized that on June 14, 2022 the Select Board voted to adopt the International Holocaust Remembrance Alliance definition of antisemitism, which can be found on the Town of Sudbury website. She suggested that this document be used to example current examples of antisemitism so the Town can stop it when it is encountered. She asked all residents to be aware and recognized the Planning Committee of Sudbury Racial and Social Justice members: Sue Abrams, Tricia Brunner, Nell Fracus, Debbie Howell, Donna Moy-Bruno, Sue Rushfirth, Ellie Stern and herself. She requested that this statement be posted on the Town website.

Interview Conservation Commission associate member Luke Faust. Following interview, vote whether to appoint Mr. Faust as a full member, for a term expiring 5/31/23, to fill the unexpired term of Richard Morse who resigned.

Present: Resident Luke Faust

Mr. Faust confirmed he has been an associate member for two years and has a special interest in bird and plant conservation.

Board Member Carty confirmed this appointment was a Town Manager appointment. Town Manager Sheehan detailed that Mr. Faust's initial appointment was short-term, and agreed with the appointment with the assumption the term would be renewed.

Board Member Kouchakdjian motioned to appoint Luke Faust as a full member of the Conservation Commission, for a term expiring 5/31/23, to fill the unexpired term of Richard Morse who resigned. Board Member Roberts seconded the motion.

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

VOTED: To appoint Luke Faust as a full member of the Conservation Commission, for a term expiring 5/31/23, to fill the unexpired term of Richard Morse who resigned

As the Licensing Authority for the Town of Sudbury, vote to approve a new Common Victualler License for Town Square Pizza (formerly CJ's), 29 Hudson Road, as requested in an application dated April 5, 2023, subject to conditions put forth by the Health Department, Fire Department and Building Department.

Chair Russo noted this agenda item was postponed.

Discussion/vote on First Parish License

Present: Sherril Cline, Chair of Board of Trustees - First Parish; Dennis Keohane, Finance Director

Town Manager Sheehan confirmed the Town was striving to restore the agreement with First Parish. He reviewed insurance coverage aspects.

Ms. Cline confirmed that no party could build on the subject property, which would renew every five years, unless cancelled.

Chair Russo mentioned that the signage aspect has been in force for decades, and there has never been an issue. Ms. Cline stated that the Town has the benefit of using the property and does post voting and event-type signage. Town Manager Sheehan mentioned the 150-foot rule.

Board Member Carty noted that the agreement concerned the private property and the public right-of-way on that property. He expressed concern about the Town providing funding for private property.

Board Member Kouchakdjian asked if Town Counsel agreed with the insurance coverage language. Town Manager Sheehan confirmed that Town Counsel was fine with Section 9 of the Agreement; adding that insurance coverage could always be increased, and termination could always be considered with 90-day notice.

Board Member Kouchakdjian motioned to approve the License of real property between the First Parish Church and the Town of Sudbury. Board Member Roberts seconded the motion.

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

VOTED: To approve the License of real property between the First Parish Church and the Town of Sudbury

FY22 Audit Presentation by Renee Davis of Powers & Sullivan, LLC

Present: Renee Davis, Powers & Sullivan

Ms. Davis presented the PowerPoint “Powers & Sullivan LLC Presentation to the Town of Sudbury, Massachusetts” and reviewed the results of the FY22 Audit:

- Town Financial Audit Objectives
- (Risk Based Audit – sample test of transactions)
- Audit Process
- Audit Results No findings/violations
- Annual Comprehensible Financial Report, with Financial Section
- Financial Position Highlights – (no overspending) strong stabilization fund
- Single Audit compliance regarding grants, such as the Children Nutrition Cluster
- Management Responsibilities
- P&S (Powers & Sullivan) Responsibilities
- Areas of Audit Emphasis

Board Members presented related questions/comments. Mr. Sharma presented several questions including inquiries about the free lunch program in the schools. Chair Russo stated that Mr. Sharma’s questions were more policy-oriented.

Ms. Davis provided further detail regarding the risk assessment process, which follows “Yellow Book” standards, and that Town retirement plans were the oversight of the State.

Discussion and vote of Town Counsel services renewal with KP Law

Town Manager Sheehan confirmed that he had presented KP Law with a one-year term renewal agreement, with the option of a three-year term agreement. Town Manager Sheehan commented that he had successful working relationships with KP Law since 2000, and indicated that the contract as presented was reasonable and Sudbury has a good relationship with KP Law.

Vice-Chair Dretler motioned to approve a new contract with KP Law as outlined in the letter dated April 11, 2023 regarding the terms of engagement for Town Counsel services and authorize Town Manager Sheehan to sign. Board Member Carty seconded the motion.

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

VOTED: To approve a new contract with KP Law as outlined in the letter dated April 11, 2023 regarding the terms of engagement for Town Counsel services and authorize Town Manager Sheehan to sign

Discussion on 2023 Annual Town Meeting articles: consent calendar; positions on articles; other

Present: Finance Director Dennis Keohane

Board Member Roberts confirmed that at their last meeting, FinCom voted 6-0 to support Article 12. – FY24 Revolving Fund Spending Limits.

Article 12 – FY24 Revolving Fund Spending Limits

Board Member Roberts confirmed that at their last meeting, FinCom voted 6-0 to support Article 12. – FY24 Revolving Fund Spending Limits.

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

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

VOTED: To support Article 12 – FY24 Revolving Fund Spending Limits, as reported in the Warrant

Article 8 – FY23 Snow & Ice Transfer

Town Manager Sheehan noted that DPW transfer funding would be considered at the end of the year.

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

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

VOTED: To indefinitely postpone Article 8 – FY23 Snow & Ice Transfer

Petition Article – Article 55 – Control of Firearms Zoning

Board Members agreed not to vote on this item at this time. Town Manager Sheehan confirmed that Town Counsel Lee Smith would be present at Town Meeting.

Article 2 – FY23 Budget Adjustments

Board Member Carty moved to indefinitely postpone Article 2 – FY23 Budget Adjustments. Board Member Kouchakdjian seconded the motion.

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

VOTED: To indefinitely postpone Article 2 – FY23 Budget Adjustments

Board Member Roberts made several corrections to the “ATM 2023 Articles” chart, to reflect votes taken by the Finance Committee.

Resident and COD Chair Kay Bell, 348 Old Lancaster Road asked about availability of assisted listening devices during Town Meeting. Town Manager Sheehan suggested that anyone needing such devices for Town Meeting should contact the Select Board Office, adding that close captioning would also be provided at Town Meeting.

Review ATM Article 14 Presentation - GO Sudbury!

Board Member Carty presented PowerPoint slides for Article 14 – Funding of GO Sudbury! Taxi and Uber Transportation Programs for FY24.

Board Members provided comments and agreed the presentation was well done and effective.

Review ATM Article 15 presentation on Fairbank AV Equipment and Associated Funding

Present: Jennifer Pincus, PBC; Sandra Duran, Combined Facilities Director

Board Member Kouchakdjian presented PowerPoint slides for Article 15 – “Audio-Visual Package Fairbank Community Center.”

Ms. Duran detailed aspects of the original cost estimate and provided detail regarding equipment enhancements.

Board Members agreed with the \$150,000 requested funding amount.

Recess

Board Member Roberts motioned to recess and return at 10:36 PM. Board Member Carty seconded the motion.

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

VOTED: To recess and return at 10:36 PM

Select Board and Town Manager review of the Town Manager onboarding process and discussion of priorities

In consideration of lateness of the hour, Board Members and Town Manager Sheehan agreed to discuss this item at the May 16, 2023 meeting.

Vote decision on Sudbury Sundries from meeting of March 21, 2023

Vice-Chair Dretler motioned to authorize the Chair to sign the “Notice of Decision” for the application for new package store license – Wine and Malt Beverages, dated April 25, 2023. Board Member Roberts seconded the motion.

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

VOTED: To authorize the Chair to sign the “Notice of Decision” for the application for new package store license – Wine and Malt Beverages, dated April 25, 2023

Acknowledge and discuss Open Meeting Law complaint against Select Board Chair Charles Russo dated April 6, 2023, and against the Sudbury Select Board dated April 8, 2023, both filed by resident Manish Sharma; and review and discuss responses to complaints.

The Board Members agreed to modify the related language and include signatures of the five Board Members, including language that the Board denies the complaints.

Vice-Chair Dretler motioned to approve and authorize the letter dated April 25, 2023 regarding Town of Sudbury Select Board Open Meeting filed complaint from Manish Sharma, received April 6, 2023 and the letter dated

April 25, 2023 regarding Town of Sudbury Select Board Open Meeting filed complaint from Manish Sharma, received April 8, 2023, as edited. Board Member Kouchakdjian seconded the motion.

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

VOTED: To approve and authorize the letter dated April 25, 2023 regarding Town of Sudbury Select Board Open Meeting filed complaint from Manish Sharma, received April 6, 2023 and the letter dated April 25, 2023 regarding Town of Sudbury Select Board Open Meeting filed complaint from Manish Sharma, received April 8, 2023, as edited

Vote to review and possibly approve the open session minutes of 10/24/22, 11/12/22 and 11/15/22.

Board Members agreed to postpone review of minutes.

Public Comment

None

Upcoming agenda items

May 16, 2023:

- Town Manager 90-day onboarding process

Future:

- Curtis School Civics Project Plan – Carty
- Transportation Committee terms - Carty
- In person/hybrid meetings - Carty
- Discussion of liaison role - Carty
- Remote meeting participation policy – Roberts

Consent Calendar

On behalf of the Historical Commission, vote to accept return of the 19th Century garden plow originally belonging to the Hosmer family to be utilized by the Commission for continuing educational purposes.

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

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

VOTED: To accept return of the 19th Century garden plow originally belonging to the Hosmer family to be utilized by the Commission for continuing educational purposes.

Vote to accept a \$200 donation from Middlesex Savings Bank for the purposes of the Sudbury Spring Slam Pickleball Tournament on May 20, 2023

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

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

VOTED: To accept a \$200 donation from Middlesex Savings Bank for the purposes of the Sudbury Spring Slam Pickleball Tournament on May 20, 2023, as requested by Tricia Sardagnola, Sudbury Park and Recreation Program Coordinator

Vote to accept a \$500 donation from Roche Bros. Supermarket towards the 2023 Summer Concert Series

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

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

VOTED: To accept a \$500 donation from Roche Bros. Supermarket towards the 2023 Summer Concert Series, as requested by Tricia Sardagnola, Park and Recreation Program Director

Vote to accept a \$15,000 grant from the Sudbury Foundation to the Goodnow Library for the purposes of adding adaptive services offerings to the Library of Things, book collections, and programming

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

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

VOTED: To accept a \$15,000 grant from the Sudbury Foundation to the Goodnow Library for the purposes of adding adaptive services offerings to the Library of Things, book collections, and programming, as requested by Esme Green, Library Director

Vote to enter into the Town record and congratulate Ryan Coyne Warzynski of Scout Troop 63 for having achieved the high honor of Eagle Scout

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

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

VOTED: To enter into the Town record and congratulate Ryan Coyne Warzynski of Scout Troop 63 for having achieved the high honor of Eagle Scout

In accordance with Article VII, Section 8 "OBEDIANCE TO ISOLATED STOP SIGNS" of the Town of Sudbury Traffic Rules and Regulations and M.G.L. Chapter 89, Section 9, VOTE to approve the installation of "STOP" signs across the eastbound and westbound King Philip Road approaches

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

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

VOTED: In accordance with Article VII, Section 8 "OBEDIANCE TO ISOLATED STOP SIGNS" of the Town of Sudbury Traffic Rules and Regulations and M.G.L. Chapter 89, Section 9, VOTE to approve

the installation of “STOP” signs across the eastbound and westbound King Philip Road approaches, as requested by DPW Director Dan Nason

Adjourn

Vice-Chair Dretler motioned to adjourn the Select Board Meeting. Board Member Kouchakdjian seconded the motion.

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

VOTED: To adjourn the meeting.

There being no further business, the meeting was adjourned at 10:58 PM.

DRAFT

SUDBURY SELECT BOARD
 SEWATARO ASSESSMENT AND RECOMMENDATIONS SUBCOMMITTEE
 THURSDAY, JULY 8, 2021

Present: Select Board members Charles Russo, Bill Schineller.

The statutory requirements as to notice having been compiled with, the meeting was convened at approximately 8 PM via Zoom telecommunication mode.

Member Russo announced the recording of the meeting and other procedural aspects included in the meeting. Select Board roll call: Russo-present, Schineller-present.

Update on discussion with Camp Operator regarding public swimming

Member Schineller gave a recap of a conversation and email exchange he had with Scott Brody, Camp Sewataro Property Manager and Camp Operator, regarding planning for public swimming. Details around potential days and hours of public swimming, estimated number of swimmers, estimated staffing requirements, and estimated support services, such as bathrooms, parking, accessibility, and “swim pass” checking were requested.

NARA Park in Acton, Wayland Town Beach, and Sudbury’s ADA Transition Plan were referenced.

Members discussed the importance of keeping Town staff informed when details were received from the Camp Operator/Property Manager.

Discuss and edit draft Sewataro Third Party Use policy document and key policy decision document

Members Russo and Schineller reviewed a draft of the proposed Third Party Use policy document and key policy decision document, which incorporated feedback from Camp Sewataro Community Liaison Kristen Drummey and Town Manager Henry Hayes. Further edits and clarifications were made. User fees were discussed but not proposed.

User fees for other facilities in Sudbury, such as Town Hall and school rooms, were reviewed.

The Select Board’s Goals for Sewataro were reviewed.

Adjourn

Member Russo read in the words of the motion.

It was on motion 2-0; Russo-aye, Schineller-aye

VOTED: To adjourn the Select Board Sewataro Subcommittee Meeting.

There being no further business, the meeting adjourned at approximately 10 PM.

SUDBURY SELECT BOARD
SEWATARO ASSESSMENT AND RECOMMENDATIONS SUBCOMMITTEE
THURSDAY, AUGUST 19, 2021

Present: Select Board members Charles Russo, Bill Schineller.

The statutory requirements as to notice having been compiled with, the meeting was convened at approximately 8 PM via Zoom telecommunication mode.

Member Russo announced the recording of the meeting and other procedural aspects included in the meeting. Select Board roll call: Russo-present, Schineller-present.

Update on discussion with Camp Operator regarding public swimming

Member Schineller mentioned visiting the camp during the day while in camp was in session and meeting with Camp Operator/Property Manager Scott Brody and Camp Sewataro Community Liaison Kristen Drummey regarding delivery of a plan for public swimming by Sept. 30. Discussion topics included water quality testing and maintenance processes that already occurs. Lifeguard hiring challenges, ADA compliance, and Town Counsel review were all discussed.

Discuss and edit draft Sewataro Third Party Use policy document and key policy decision document

Members Russo and Schineller reviewed a draft of the proposed Third Party Use policy document and key policy decision document. Changes suggested by the Town Manager and Camp Sewataro Community Liaison were accepted. Further edits and clarifications were made. The use of a reservation form was discussed.

A blank matrix of potential user fees was reviewed and the categories discussed. Comparable facilities in Sudbury, such as Town Hall and School meeting rooms, as well as comparable facilities in towns such as Sharon Lincoln, and Wayland were reviewed. The size of groups reserving space and the associated maintenance requirements based on group size were discussed. Discussion about whether alcohol would be banned, or allowed with permission, allowed by default, or allowed with an associated additional fee occurred.

Member Schineller expressed a preference for fees to be based on size of the user group, for example over or under 100 group members, as a trigger for when additional staff or maintenance above the baseline might be required. Member Russo agreed with this thought based on his participation in a fishing derby at the site that hosted about 60 people.

Three categories: Town organizations and non-profit groups, for-profit Sudbury groups, and non-resident/corporate/for-profit groups were considered.

Setting rates comparable to Sudbury Parks and Recreation rates, so as not to compete and undercut pricing for comparable facilities such as tennis and basketball courts, was discussed and proposed.

A draft user fee table was completed based on discussion and comparable facilities.

Other sections were reviewed and questions flagged for further consideration, such as for port-a-potties, allowed group sizes, and consistency with other Town facilities.

A draft to be reviewed by the full Select Board was finalized.

Discussion around when the policy, once approved, might take effect, was discussed – comparing immediate effect, Jan. 1 effect, end of season effect, and grandfathering, etc., though no final decision was made.

Public Comment

No public comment was made.

Adjourn

Member Russo read in the words of the motion.

It was on motion 2-0; Russo-aye, Schineller-aye

VOTED: To adjourn the Select Board Sewataro Subcommittee Meeting.

There being no further business, the meeting adjourned at approximately 10:20 PM.

DRAFT



SUDBURY SELECT BOARD
Tuesday, June 13, 2023

MISCELLANEOUS (UNTIMED)

10: Review minutes and vote to dissolve SDASOC

REQUESTOR SECTION

Date of request:

Requestor: Chair Dretler

Formal Title: Review and possibly approve meeting minutes of 1/16/18, 1/29/18, 2/20/18, 4/9/18, and also vote to dissolve the School District Administrative and Structural Options Subcommittee.

Recommendations/Suggested Motion/Vote: Review and possibly approve meeting minutes of 1/16/18, 1/29/18, 2/20/18, 4/9/18, and also vote to dissolve the School District Administrative and Structural Options Subcommittee.

Background Information:
attached draft minutes

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

06/13/2023 7:00 PM

Sudbury Public Schools (SPS)
Meeting Minutes
School Committee Meeting
April 9, 2018, 6:00 PM
Senior Center

Members Present:

Christine Hogan, Chair
Richard Tinsley, Vice Chair
Margaret Helon
Lisa Kouchakdjian
Lucie St. George

Also Present:

Don Sawyer, Director of Business and Finance
Kimberly Swain, Assistant Superintendent of Schools
Audrey Swennes, SEA Representative
Dan Carty, BOS/liaison
Susan Iuliano, BOS/liaison

Open Regular Session

Chair Christine Hogan called the meeting to order at 6:00 PM.

1. District Reports

- a. SEA Report - Audrey Swennes reported that first graders will be putting on a puppet show for the Kindergarten students on the topic of bugs; third graders are working on biography projects; some classes will participate in a wax museum presentation. Fourth graders had a visit from Mr. Walley as they learned about how electricity is made. Some fourth graders are learning about the growth mindset and the human brain. A group of fifth grade girls put together a video about kindness which was shared with the entire school. Some fifth-grade students are developing presentations based on "Genius Hour". Other fifth graders are working on MARC, an anti-bullying campaign in which they are encouraged to be mindful of how to be a good friend and show empathy for others.
- b. Business and Finance Director's Report - Don Sawyer stated that Committee Members have a copy of the FY18 YTD budget report for the month of April, there has not been a lot of changes since the prior report.
- c. Assistant Superintendent's Report - Kim Swain congratulated Sudbury educators for being awarded \$18,016.29 in grants, Ms. Swain listed the grant recipients. Ms. Swain thanked colleagues who attended the First Annual IDEAS Conference at Bentley College with her, noting this conference was through the EDCO Collaborative.
- d. Superintendent's Report - Superintendent Anne Wilson - Dr. Wilson was unable to attend this evening's meeting.

2. School Committee Reports [Liaison/Subcommittee Reports]:

Lisa Kouchakdjian attended the Strategic Financial Improvement Committee for Capital Funding meeting with Lucie St. George. Ms. St. George explained that this Committee is trying to determine the necessary amount to have for capital, and how it will go into the yearly budget. Ms. Kouchakdjian noted the Committee discussed Policy, and how that is defined. The next meeting is scheduled for April 25th.

Ms. Kouchakdjian discussed her and Maggie Helon's work on the Policy Subcommittee, they are currently on Section I, adding that Michael Gilbert has been a tremendous expert. Ms. Helon noted that Mr. Gilbert is planning on attending a School Committee meeting in June at which time he will review the edits that have been made thus far. Ms. Hogan and Mr. Tinsley expressed concern that there may be too much information to review at one time, and as per previous agreement by the School Committee, would prefer periodic updates including any changes. They noted they have not seen any substantive updates. Mr. Sawyer added that SPS Administration has objectives within the Policy they want to meet and need to ensure there are no conflicts. Ms. Hogan inquired as to whether the administration has been involved in and signed off on the policies thus far. Ms. Kouchakdjian noted all the policies are vetted by the attorneys for MASC and DESE and all meetings are open. Ms. Helon and Ms. Kouchakdjian agreed to have a timeline in place to show a schedule and topics so all can follow the process. Ms. Hogan asked that the Committee be provided with suggested changes to date.

Ms. Kouchakdjian stated that she is glad to be part of the Search Committee for the Director of Student Services, adding the process has begun.

Ms. St. George noted that she attended the EDCO meeting, Collins has been hired to do an accelerated search for the Executive Director.

Ms. Helon noted she is excited to be part of the Loring principal search which starts tomorrow. Last week she attended a parent forum with Loring parents that was very valuable and helpful going forward.

Mr. Tinsley inquired as to the cost of insurance on Chromebooks, what it covers, and whether it may be more cost effective to self-insure. Mr. Sawyer said a cost analysis was done and offered to bring information back to the Committee as to the cost on losses incurred.

3. Open Forum - None

4. Board of Selectmen Joint Committee Presentation

Dan Carty and Susan Iuliano joined the School Committee Members at the table; Mr. Carty called the Board of Selectmen subcommittee joint meeting with the Sudbury Public School Committee to order.

Mr. Carty stated that last year the Board of Selectmen created a list of goals, one of the goals was the creation of a subcommittee to explore administrative options to improve the partnership with Lincoln Public Schools and Lincoln-Sudbury; he and Ms. Iuliano are the liaisons for this subcommittee.

Ms. Iuliano noted the goal is to look at the LS Regional Agreement and work on a long-term plan, including Lincoln in the discussions, to advance future exploration in an appropriate way. A letter proposal was forwarded to this School Committee and to the Lincoln Board of Selectmen. The letter included a list of general goals for improving education. Mr. Carty noted they would like to know the School Committee's impression of the concept, and what possible roadblocks they perceive. Ms. Helon noted that speaking with the Administration and Superintendent to see how curriculums align would be first and foremost and an understanding of the history. Ms. St. George agreed the history of the Regional Agreement is important, specifically how it came about. Ms. Kouchakdjian stated that better collaboration will be a great benefit to our students, and inquired as to community involvement. Ms. Kouchakdjian stated she does not believe consolidation will save money. Ms. Swain would like to see a needs assessment, and believes student transitions are successful. Mr. Tinsley noted that a lot is done to ensure there is alignment, he would like to see a better structure as we look at this. Mr. Sawyer noted it is a challenge when dealing with three distinct, legal school districts, and two towns, adding that care must be taken to not increase dollars on one side. Mr. Sawyer added he would be willing to look at anything but the objective at this point is vague. Ms. Hogan said she is all for exploring how we can further work together by exploring additional options to collaborate, adding that when collecting data, the same

criteria should be used for all parties, and noted the importance of keeping the community involved. Ms. Hogan stated as to Ms. Kouchakdjian's point, we do not know whether there will be cost savings but anything that could lead to a better educational experience for our students is something we should explore. Ms. Hogan added we will not have answers until we explore. The Committee agreed to move forward with an open collaborative dialogue. Mr. Carty adjourned the subcommittee meeting.

5. Historical Overview of Enrollment Catchment Areas (Susan Iuliano)

Ms. Hogan thanked Ms. Iuliano for agreeing to discuss the history of the four elementary schools and the Sudbury's historical districting efforts and processes with the Committee tonight. Ms. Iuliano presented a slideshow which began with the 1980's through the redistricting that occurred in 2010 and explained the process used stressing it was a multi-year process. Ms. Iuliano emphasized the importance of looking long term, doing it right and including input from the community. Ms. Kouchakdjian noted there has been some uncertainty as to potential housing developments which could impact enrollment. Ms. Hogan added there will always be uncertainty in this area and she advocated for a long-term process including looking at upcoming years as well as long-view with commitment to looking every few years. She pointed to Ms. Iuliano's presentation where redistricting historically looked at and considered within time frames and we are overdue. Mr. Tinsley discussed the current capacity levels at each of the schools. Ms. Helon emphasized the need to set goals and guides, adding this process will require a long time to think about and to decide whether this is something that should happen and added she likes Sudbury's current boutique district model. Ms. Hogan asked the Committee to consider looking into hiring an outside consultant to assist the Committee with a look at district and town needs including enrollment, housing, upcoming administrative office space needs to give the Committee recommendations for moving forward. Mr. Sawyer noted this would be the optimum time to look at redistricting where the Committee could begin with a space assessment and then possibly enlist the assistance of an outside consultant. Mr. Tinsley, Ms. St. George, Ms. Kouchakdjian and Ms. Helon stated they would prefer for Mr. Sawyer to conduct a current needs assessment at this time. Mr. Sawyer noted that he would be able to begin a space assessment in July.

6. Meadowwalk Update

Ms. Hogan read the email from Superintendent Wilson who stated there is little new information. As of this date, there is an expected seven new elementary grade students and three new middle school students.

7. Revolving Accounts and User Fees Overview

Mr. Sawyer explained that in regards to the revolving accounts and user fees, all in all it is coming together the way we would like it to be, and will end on a positive note. The athletic revolving account is self-sustaining. Ms. Helon inquired, and Mr. Sawyer responded, that there is a minimum required number of participants. Mr. Sawyer suggested the Committee may want to consider an upcoming meeting to discuss where athletic fees fit in, whether they want it to remain self-sustaining.

8. FY19 Bus Transportation

Mr. Sawyer reviewed the bus registration process for FY19. Mr. Sawyer explained there are currently 27 buses in the bus fleet for Sudbury and Lincoln. Mr. Sawyer reviewed the District's requirements. Mr. Sawyer noted that it is important for families to follow the registration process. Mr. Sawyer discussed the budget process, and cost by school. Mr. Tinsley asked if this could be broken down as older students from LS typically don't use the bus. Mr. Sawyer noted there is no School policy that discusses transportation for residences within two miles that are not secure, adding that he expects the 27 buses to be able to accommodate all students. Ms. Kouchakdjian inquired as to families who sign up for a bus pass but not use it. Mr. Sawyer said there is no way to follow up on that. Mr. Sawyer noted that the first weeks may be overbooked and over capacity; we are asking parents to help us in getting this set up for the safety and security of the students.

Public comment:

Susan Berry said there will be many students on the waiting list with the way this is set up. Mr. Sawyer said this is why families need to register, at \$80,000 for the cost of a bus, we cannot add buses in the event they ride.

Mr. Tinsley suggested looking into a technology program that could track students in order to determine if students are using their bus passes, the Committee agreed to look into this.

9. Designate Liaison to ESPAS and Custodians Negotiations

Ms. Kouchakdjian offered to be the liaison designate to ESPAS and Custodian Negotiations. Ms. Hogan suggested a motion to appoint Lisa Kouchakdjian. Ms. St. George so moved the motion. Ms. Helon seconded the motion.

Vote: 5-0. Motion carries.

10. Superintendent Transition Plan Update

Ms. St. George commented that she would like any items discussed with the new Superintendent be discussed as a Committee.

11. Members' Forum

Ms. St. George noted that she watched the School Committee's last meeting on cable.

Ms. Swain thanked all the families who showed up at Math Night. Ms. Swain reminded Middle School families that report cards were published today on Aspen Family Portal. Ms. Swain reminded all that the next School Committee meeting will be held in Boston at the Boston Public Schools headquarters.

Ms. Swennes reminded everyone about the Softball Bonanza on May 11th, rain date is May 18th at Curtis Middle School.

12. School Committee Communications - none.

13. Personnel Actions - none.

14. Minutes - Regular Session Minutes (3/27/18)

Ms. Kouchakdjian made a motion to approve the minutes for March 27, 2018. Ms. Helon seconded the motion.

Vote: 4-0-1. Motion carries. (Ms. St. George abstained as she was not present for this meeting)

15. Future Agenda Item Discussion

The Committee discussed future agenda items: User fees, Curtis sports fees, Policy Subcommittee Members will create a timeline.

16. Executive Session

Ms. Hogan suggested a motion to go into Executive Session to discuss strategies with respect to negotiations with union and non-union personnel as to do so in open session may be detrimental to the negotiating position of the Committee and to review and approve Executive Session minutes, to not return to Open Session. Mr. Tinsley made a motion to go into Executive Session. Ms. St. George seconded the motion.

Vote: 5-0. Motion carries.

17. Adjournment

The meeting adjourned at 9:23 P.M.

Respectfully submitted,
Laura Clifford

DRAFT

School District Administrative and Structural Options Subcommittee
January 29, 2018
Thompson Room, Flynn Building
Meeting Minutes

Present: Susan Iuliano (Sudbury BOS), Dan Carty (Sudbury BOS)
Citizens in attendance: Janie Dretler, Silvia Nersessian, Nancy Marshall (Lincoln)

Meeting opened @ 6:18 pm by Iuliano, Carty offered to take minutes

Subcommittee tabled January 16 minutes, waiting on changes from Kevin Matthews (LS School Committee) and Christine Hogan (SPS School Committee).

Subcommittee reviewed and approved January 24 minutes with minor edits.

Subcommittee reviewed and discussed draft of Sudbury BOS proposal. Made minor revisions including asking for a meeting with the LS School Committee in addition to one with the Lincoln BOS. Based on citizen feedback also expanded "To improve special education services...." to "To improve student services (including special education)...."

Motion to adjourn meeting made by Iuliano, seconded by Carty.

Meeting adjourned at 7:05pm

DRAFT

School District Administrative and Structural Options Subcommittee
January 16, 2018
Meeting Minutes

Present: Susan Iuliano (Sudbury BOS), Dan Carty (Sudbury BOS)
Guests: Christine Hogan (SPS Committee Chair), Kevin Matthews (L-S School Committee Chair, attended via telephone)
Citizens in attendance: Janie Dretler, Silvia Nerssessian, Pat Brown

Meeting opened @ 4:45pm by Iuliano, Carty offered to take minutes

Iuliano started by giving brief overview and history

Matthews discussed combination of concerns and opportunities. Concerns more historical in nature due in part to Lincoln’s relationship with Hanscom while opportunities exist in closing gaps endemic to this type of split model. Stated he is not interested in pushing for regionalization because historically Lincoln is not interested in regionalization.

Iuliano asked for clarification – do you mean K-12?

Matthews – 3 current districts merging into 1 to make it a K-12. Acknowledged that a consolidation or union superintendency, would need Lincoln’s permission. Also mentioned that while historically Lincoln wasn’t interested changes at Hanscom and its retirees may change people’s minds.

Iuliano – perhaps someday but not at this point. Hanscom underwrites 50% of Lincoln’s administrative costs.

Matthews – interested in pursuing what’s reasonably and easily attainable – shared superintendency could fall into that category. Historically we were not even able to get into a conversation to allay the fears that Lincoln might have and the process was not productive or collaborative at all. Once they see this is not a threat perhaps [Lincoln] might see that an improved LS would be better for Lincoln and Sudbury. Sees pressures put in K-8 due to this split - highlighted as historical trouble in superintendent searches for both SPS and LS. Seasoned experienced superintendents likely to not be interested in either job. We may not be getting the best candidates due to our structure. We are more likely to get aspirational candidates.

Iuliano – agreed Lincoln not interested in regionalization at least now. What about other models?

Matthews – not now because they don’t need it

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Luliano - Lincoln's position is they don't want us to come to them with solutions without addressing the problems we see and data to support it. There is value in discussing things in between shared superintendent and regionalization; we just need to define what issues we are addressing.

Carty – Agreed about the solutions and data but stated it's not just about solving problems; it's about potentially making things better too.

Hogan – Agreed and said as the leaders it is important that we message this appropriately. Need to stop referring to as problems and concerns as that is too negative and instead see this as opportunity for improvement.

Luliano – Certainly – let's flip it! I put the agenda together and used the word "concerns." Already spoke to others about using different wording.

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Hogan – we are in a unique position with Bella (Wong) who is a finalist for super position 2nd year in row and Anne retiring and I see our district as being a great place with terrific teachers and families and where an incoming superintendent sees opportunity for growth to possible Pre-K-12. Opportunities for efficiencies include Shared food services, Students services – continuity of service ages 2 through 22, Transportation, Arts – music, Fine Arts Coordinator, Student Leaders, Efficient administrative functions. Possible opportunity to rethink middle school: studies show separate middle schools not good for middle school students, better for them to be leaders to younger or looking up to high schoolers.

Luliano – Boston looking at rethinking middle school. Also we tried shared food service before and it didn't work.

Hogan – That shouldn't stop us from trying again, different people involved now. We are looking for a K-8 Superintendent and perhaps a 9-12 too so this could be viewed as a ground-floor opportunity.

Hogan – parents of students on IEPs are stressed by jumping from one system to another. We could perhaps gain some efficiencies via economy of scale and provide a single streamlined system. There are possible benefits to Lincoln too and big umbrella items to look at - coordinated middle school between Lincoln and Sudbury, their capital projects on the horizon including new schools and community center

Carty – definitely want to frame as opportunity but as Susan mentioned when met with Jennifer Glass Lincoln would want to know what problems we want to solve and show the data to support it so we can't lose sight of that.

Matthews – Lincoln in the past has voiced concern that Sudbury is reluctant to pay at the same level Lincoln is. If we gain efficiencies we could possibly roll the cost avoidance towards a higher dollar per student contribution. Students benefit from dollars spent in the classroom

and not from redundant administration. If we are truly partners our concerns should be theirs and vice versa.

Iuliano – They feel like we have not supported their concerns. Their concern isn't money but more about how to support LS. Sudbury has a low \$/student ratio at SPS and they are afraid we will syphon money from LS down to SPS. FinComm should not make educational decisions. If we moved to a Concord Carlisle model there may be more money available. CC has s educators looking at budget allocation in a K-12 way.

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Hogan – we have to look at entire funding model. Lincoln right now benefits from \$12MM federal every year which offsets their costs. If Sudbury had the same return based on comparable enrollment we would be looking at \$50MM/year.

Iuliano - Yes but that is not what they're talking about.

Hogan - You can't look at part of the issues and say Lincoln is concerned about some \$ moving towards Sudbury vs. Lincoln students and not the entire financial picture.

Matthews – High Schools always pay much more than elementary.

Iuliano – Yes but not to the extent that the Sudbury split is.

Hogan – this is much different now than it was 10 years ago. Plus Sudbury's population is more than Lincoln's is. Rich Tinsley has started great work on comparables. Sudbury pays 70% of our budget for education, Lincoln pays 40%. Given the government contract that Lincoln has and the 70%, 40% payments is just not an apples to apples comparison.

Carty – If Lincoln people say we should pay more what if you have a joint person who looks at SPED? It is not just dollars – there would be improved continuity and maybe save a couple bucks too.

Hogan – It wouldn't be a straight 2 for 1 swap

Carty – No, it's about economies of scale, not a 2 for 1 cut and run.

Matthews – It is difficult for people in different organizations to meet and collaborate but it gets a little easier when they have the same boss. There have been collaboration meetings yes but no deep conversations that I am aware of on how to make things better.

Hogan – yes, just look at amount of time spent on deciding first day of school and coordinating SPS with LS

Iuliano – I am hearing a lot of good things here. We need to make sure it would work for both towns.

Carty – I think that if we could start with something – anything – and show success between SPS and LS eventually Lincoln may grow trust and actually join in. That would give us even more economy of scale.

Matthews – Agreed. Messaging will be key.

Iuliano – What should our next steps be? We still need to keep in mind that Lincoln is going to want to know about specific problems not solutions. We have to let Lincoln know that we have them always at top of mind.

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Hogan – Kevin, Tim Christenfeld (Lincoln Public Schools Committee Chair) and I are pretty much in constant conversations. I can't speak for prior processes but we keep each other updated with what is going on in our space. Constant communications and meetings for anything that can impact budgets. Tim and I specifically discussed advantage Sudbury students have entering LS compared to LPS students and ways to address. Lincoln kids are at a disadvantage due simply to the fact that there are so many more Sudbury kids.

Carty – Jennifer Glass did tell us that social issues are big and is a primary reason why they wouldn't want their own school. Meeting new kids is very important.

Hogan – Feels a task force driven by the respective Boards of Selectmen would be a good idea

Carty – Tough one – we could pretty quickly get opportunities and problems ready to articulate but we don't want Lincoln to be on the defensive right out of the gate.

Matthews – We certainly have varying levels of turf on this. First we have town turf and then we have cost center or district turf. I saw defensive move on both LS and SPS and this is change – change naturally makes people uncomfortable. Conversations with BOS' involved in this process it is likely to give people on LS School Committee a level of comfort. If the BOS' can give permission to have this conversation and to give the people in Lincoln a way to express their concerns as well as in Sudbury. Talking about opportunities would be a cultural shift in the process. This is all normal – need to build trust with everyone around the table.

Carty – is this something BOS have to give permission for?

Hogan – No but it certainly would carry a lot of weight. Recommends BOS requests LS and SPS to explore options for sharing services and offer their support. Does not recommend directing us, but requesting will encourage committee members to take on and support goes a long way.

Matthews – Notes that the State is trying to push for shared services for their own reasons. When you have efficiencies to education then you can deliver more resources to the classroom.

Iuliano – Perhaps our BOS should reach out to Lincoln BOS?

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Carty – Timing and sequence will be tricky, we definitely need to include Lincoln but we also need to make sure our own school boards are on board. It will tell us if we have to push this or even if it may be feasible. Then go to Lincoln BOS through Jennifer Glass? Let them know what we are thinking about and get a sense of everyone’s appetite to move forward.

Luliano – We could but there’s historical aversion to this

Matthews – I think we are talking about incrementally building up a shared model. Demonstrate to Lincoln a degree of sobriety in process then down the road they may be more eager to. But to talk about it with a partner that is not at all eager to pursue is fruitless.

Luliano – that might be where we end up but we should go into this more open and without decisions already made. But building a coordinated system should start with a coordinated structure. We are fractured in our school committees, employment practices, etc. Concord Carlisle is much more integrated. I talked to people about this before, to different districts and teachers, and what I heard from a superintendent was I would not take a shared job – one committee wants to address school start time now, another next year. We should have an integrated approach – it will be very hard to hire this way. We might get a transitional figure.

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Carty – perhaps but it all has to start with a conversation.

Matthews – I’d like to see the process start. We get a group of interested parties to explore then we could always bring in someone like the Collins Group to facilitate

Luliano – I agree with that approach

Hogan – the Regionalization grant that SPS applied for could certainly help there. We should know results soon – Carmine Gentile is pushing hard for us.

Matthews – If a process started then LS might change. SPS could provide the seed money with their grant then we could apply for follow up. This will take a few years

Carty – I think we need to discuss with our BOS to make sure this is something they are interested in. Then next steps would be to reach out to Lincoln.

Luliano – Dan and I will meet again as our subcommittee then bring to the BOS for input. Then we will reach out to the Lincoln BOS. If both BOS’ agree then we would pull back in all three school committees.

Hogan, Carty, Matthews agreed with approach.

5:55PM – Matthews left call

5:55PM Public comment – Nersessian felt this is something the public wants but it should start with the two BOS then perhaps a task force be created.
Carty and Iuliano set next subcommittee meeting for Jan 24th at 6PM.

6:03 PM – Minutes from Dec 14 2017 approved with minor edits. Carty will forward to Leila Frank.

6:05PM Iuliano motioned to close meeting, Carty seconded. Unanimously approved, meeting adjourned.

DRAFT

School District Administrative and Structural Options Subcommittee
February 20, 2018
Thompson Room, Flynn Building
Meeting Minutes

Present: Susan Iuliano (Sudbury BOS), Dan Carty (Sudbury BOS)
No citizens or guests in attendance

Meeting opened @ 5:00 pm, Iuliano offered to take minutes

Subcommittee tabled January 16 minutes, as changes from Iuliano and Kevin Matthews had not yet been incorporated in the same version.

Subcommittee reviewed and approved January 29 minutes.

Subcommittee reviewed and discussed draft of BOS Newsletter article. Made minor revisions. Subcommittee voted to approve the article, which will be submitted for the February 27 BOS meeting packet.

Scheduled next Subcommittee meeting for March 7 at 5:00 pm.

Motion to adjourn meeting made by Iuliano, seconded by Carty.

Meeting adjourned at 5:25pm



SUDBURY SELECT BOARD

Tuesday, June 13, 2023

EXECUTIVE SESSION

11: Executive Session minutes review

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Vote to close open session, and enter executive session to review, approve and possibly release executive session meeting minutes pursuant to G.L. c. 30A, § 21(a)(7) (Purpose 7), citing to the Open Meeting Law, G.L. c. 30A, §§ 22(f), (g).

Recommendations/Suggested Motion/Vote: Vote to close open session, and enter executive session to review, approve and possibly release executive session meeting minutes pursuant to G.L. c. 30A, § 21(a)(7) (Purpose 7), citing to the Open Meeting Law, G.L. c. 30A, §§ 22(f), (g).

Background Information:

attached drafts from 11/10/16, 9/25/17, 7/30/18 (7/30/18 approved...just vote to release), and 8/20/19, 8/26/19.

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

- Select Board Office Pending
- Town Manager's Office Pending
- Town Counsel Pending
- Select Board Pending
- Select Board Pending

06/13/2023 7:00 PM

IN BOARD OF SUDBURY SELECTMEN
EXECUTIVE SESSION
THURSDAY, NOVEMBER 10, 2016

Present: Chairman Susan N. Iuliano, Vice-Chairman Charles C. Woodard, Selectman Leonard A. Simon, Selectman Robert C. Haarde, Selectman Patricia A. Brown and Town Manager Melissa Rodrigues

The statutory requirements as to notice having been complied with, the meeting was called to order at 1:05 p.m. in the Flynn Building Silva Room.

OPEN SESSION

Community Compact

Chairman Iuliano opened discussion on the application to enter the state Community Compact program, which has an application deadline of November 15, 2016.

Town Manager Murphy-Rodrigues explained that the program entails making a commitment to complete 3 best practice goals, which coincide with Community Compact categories. The goals must be completed at a rate of one per year over the course of 3 years. The Town receives support in the form of grants and technical assistance from the State to complete the goals.

Town Manager Murphy-Rodrigues further explained that she sat down with PCD Director Meagen Donoghue and Facilities Director Jim Kelly to determine the Town's top goals. The outlined list contained the following:

Top 3 Goals:

1. Complete a Master Plan
2. Implement Stormwater Measurement Measures
3. Implement a Citizen Engagement Communication Plan

2 Potential Backup Goals:

1. Cyber Security
2. Emergency Management Plans

She explained that while the Board of Selectmen do not need to sign the Compact, she would like their input on which Goals to put forward on the application.

Selectman Brown stated that Stormwater seems like a good choice as it would qualify the Town for additional grants through Minuteman Advisory Group of Interlocal Coordination (MAGIC). Town Manager Murphy-Rodrigues stated that, as the Town has several MS4 permit requirements which need to be met, outside funding will be very helpful.

Selectman Woodard stated that Cyber Security seems like it should be a top priority. A security breach can result in Selectmen Simon concurred that it seems like a present danger and should be in the top 3 priorities. He suggested that Citizen Engagement, while also important, is not as time-sensitive as Cyber Security.

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THURSDAY, NOVEMBER 10, 2016, 2016
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Town Manager Murphy-Rodrigues stated that municipalities tend to be embarrassed by cybersecurity failures and at times prefer not to make information about an occurrence public, thus it likely happens more often than is reported. She stated that she heard about a recent occurrence that transpired when a vendor came in to update software, and the firewall had to be taken down.

Selectman Haarde concurred on the importance of Cyber Security.

Selectman Brown inquired about timing requirements of the Community Compact goals and Town Manager Murphy-Rodrigues responded that the Town commits to completing one of the goals in the first year. She stated that Cyber Security could be this achievable item.

Selectman Woodard requested more information regarding a telephone town hall as listed under Community Engagement. Town Manager Murphy-Rodrigues explained this was offered in Everett and was successful. It is a call regarding an update on a Town project or initiative. The Town Manager discusses the chosen topic with a staff member and anyone can call in to listen and ask questions. The call is also recorded and available for those who wish to listen later. Residents can leave voice mails afterwards if they weren't able to participate during the call; they also have the option to listen live and not speak, if they choose. Murphy-Rodrigues concluded that it is one way to engage those who don't usually participate in municipal matters.

Selectman Simon asked if Remote Participation had been studied, and Town Manager Murphy-Rodrigues responded that it was estimated that implementation would cost approximately \$15,000.

Town Manager Murphy-Rodrigues stated that the Community Compact application would include Cyber Security and remove Community Engagement and that the application would go out that day.

There were no objections and, as no vote was required, there was no vote on the matter.

EXECUTIVE SESSION

Chairman Iuliano moved to:

Vote to enter into Executive Session to discuss strategy with respect to potential litigation if an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declares (Village at Sudbury Station), pursuant to General Laws chapter 30A, §21(a)(3).

To comply with, or act under the authority of, General Laws, chapter 30A, section 22 to review, approve and potentially vote to release the minutes of Executive Sessions, pursuant to General Laws, Chapter 30A, section 21(a)(7)

Vote to end Executive Session and not return to Open Session.

Selectman Simon seconded the motion.

It was on Roll Call Unanimously.

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VOTED: To enter into Executive Session to discuss strategy with respect to potential litigation if an open meeting may have a detrimental effect on the litigating position of the public body and the Chair so declared (Village at Sudbury Station), pursuant to General Laws chapter 30A, §21(a)(3). To comply with, or act under the authority of, General Laws, chapter 30A, section 22 to review, approve and potentially vote to release the minutes of Executive Sessions, pursuant to General Laws, Chapter 30A, section 21(a)(7). And to vote to end Executive Session and not return to Open Session.

Selectman Leonard A. Simon: aye, Vice-Chairman Charles C. Woodard: aye, Selectman Patricia A. Brown: aye, Selectman Robert C. Haarde: aye, and Chairman Susan N. Iuliano: aye.

Executive Session Minutes Release: November 3, 2010

Town Manager Murphy-Rodrigues explained that the minutes to be reviewed at this meeting were provided to the Board with suggested redactions for matters pertaining to collective bargaining as well as statements made by Town Counsel. Highlighted portions would likely be exempt under section D as explained in the November 9, 2016 email from Town Counsel Barbara Saint Andre. Alternately, the Board may choose to be more conservative and refuse to release the minutes in their entirety.

Chairman Iuliano clarified that this is policy decision and that, even if we are legally able to withhold certain information, we may choose not to. However, what we do now, could have an effect 3 years later. She asked whether the Board should redact sections or opt to not release an entire session.

Selectman Brown stated that she feels it would make more sense to redact the minutes.

Chairman Iuliano made a motion to release the Executive Session Minutes of November 3, 2010, with redaction of Collective Bargaining with Firefighter's Union details as highlighted in minutes provided to the Board.

Selectman Simon asked whether there would be pushback to redacting these details.

Town Manager Murphy-Rodrigues responded that the Section would be deleted and a note would be added, stating that section of minutes are protected under exemption D as ongoing litigation. She also agreed to include Town Counsel's opinion with the Minutes approved at this meeting so that future boards understand why they are redacted.

Selectman Brown moved to release the Executive Session minutes of November 3, 2010 with redaction of Collective Bargaining with Firefighter's Union details as highlighted in draft minutes provided to the Board, and to insert text indicating that redactions are made in compliance with Open Meeting Law Exemption D.

Selectman Simon seconded the motion.

It was on Roll Call Unanimously.

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VOTED: To release the Executive Session minutes of November 3, 2010 with redaction of Collective Bargaining with Firefighter's Union details as highlighted in minutes provided to the Board, and to insert text indicating that redactions are made in compliance with Open Meeting Law Exemption D.

Selectman Leonard A. Simon: aye, Vice-Chairman Charles C. Woodard: aye, Selectman Patricia A. Brown: aye, Selectman Robert C. Haarde: aye, and Chairman Susan N. Iuliano: aye.

Executive Session Minutes Release: January 17, 2012

Selectman Woodard made a motion to release the Executive Session Minutes of January 17, 2012.

Selectman Simon seconded the motion.

It was on Roll Call Unanimously.

VOTED: To release the Executive Session Minutes of January 17, 2012.

Selectman Leonard A. Simon: aye, Vice-Chairman Charles C. Woodard: aye, Selectman Patricia A. Brown: aye, Selectman Robert C. Haarde: aye, and Chairman Susan N. Iuliano: aye.

Executive Session Minutes Release: January 31, 2012

It was suggested that the entire section surrounding the highlighted paragraph regarding Firefighter's Union/ALS be redacted.

Chairman Iuliano made a motion to release the Executive Session minutes of January 31, 2012 with redaction of Collective Bargaining details as highlighted in minutes provided to the Board, and to insert text indicating that redactions are made in compliance with Open Meeting Law Exemption D.

Selectman Brown seconded the motion.

It was on Roll Call Unanimously.

VOTED: To release the Executive Session minutes of January 31, 2012 with redaction of Collective Bargaining details as highlighted in minutes provided to the Board, and to insert text indicating that redactions are made in compliance with Open Meeting Law Exemption D.

Selectman Leonard A. Simon: aye, Vice-Chairman Charles C. Woodard: aye, Selectman Patricia A. Brown: aye, Selectman Robert C. Haarde: aye, and Chairman Susan N. Iuliano: aye.

Executive Session Minutes Release: February 14, 2012

Selectman Woodard made a motion to release the Executive Session Minutes of February 14, 2012.

Selectman Simon seconded the motion.

It was on Roll Call Unanimously.

VOTED: To release the Executive Session Minutes of February 14, 2012.

Selectman Leonard A. Simon: aye, Vice-Chairman Charles C. Woodard: aye, Selectman Patricia A. Brown: aye, Selectman Robert C. Haarde: aye, and Chairman Susan N. Iuliano: aye.

Executive Session Minutes Release: March 29, 2012

Selectman Woodard moved to release the Executive Session minutes of March 29, 2012, with redaction of Pantry Brook Farm section as highlighted in minutes provided to the Board, and to insert text indicating that redactions are made in compliance with Open Meeting Law Exemption D.

Selectman Brown seconded the motion.

It was on Roll Call Unanimously.

VOTED: To release the Executive Session minutes of March 29, 2012, with redaction of Pantry Brook Farm section as highlighted in minutes provided to the Board, and to insert text indicating that redactions are made in compliance with Open Meeting Law Exemption D.

Selectman Leonard A. Simon: aye, Vice-Chairman Charles C. Woodard: aye, Selectman Patricia A. Brown: aye, Selectman Robert C. Haarde: aye, and Chairman Susan N. Iuliano: aye.

Executive Session Minutes Release: April 3, 2012

Selectman Simon moved to release the Executive Session minutes of April 3, 2012 with redaction of the entire "Collective Bargaining – Updates" section as well as the third to last paragraph, as highlighted in minutes provided to the Board, and to insert text indicating that redactions are made in compliance with Open Meeting Law Exemption D.

Selectman Woodard seconded the motion.

It was on Roll Call Unanimously.

VOTED: To release the Executive Session minutes of April 3, 2012 with redaction of the entire “Collective Bargaining – Updates” section as well as the third to last paragraph, as highlighted in minutes provided to the Board, and to insert text indicating that redactions are made in compliance with Open Meeting Law Exemption D.

Selectman Leonard A. Simon: aye, Vice-Chairman Charles C. Woodard: aye, Selectman Patricia A. Brown: aye, Selectman Robert C. Haarde: aye, and Chairman Susan N. Iuliano: aye.

Executive Session Minutes Release: April 24, 2012

Selectman Brown moved to release the Executive Session minutes of April 24, 2012 with redaction of the last paragraph of “Collective Bargaining – Updates” as highlighted in minutes provided to the Board, and to insert text indicating that redactions are made in compliance with Open Meeting Law Exemption D.

Selectman Woodard seconded the motion.

It was on Roll Call Unanimously.

VOTED: To release the Executive Session minutes of April 24, 2012 with redaction of the last paragraph of “Collective Bargaining – Updates” as highlighted in minutes provided to the Board, and to insert text indicating that redactions are made in compliance with Open Meeting Law Exemption D.

Selectman Leonard A. Simon: aye, Vice-Chairman Charles C. Woodard: aye, Selectman Patricia A. Brown: aye, Selectman Robert C. Haarde: aye, and Chairman Susan N. Iuliano: aye.

Executive Session Minutes Release: June 26, 2012

Selectman Brown made a motion to release the Executive Session Minutes of June 26, 2012.

Selectman Haarde seconded the motion.

It was on Roll Call Unanimously.

VOTED: To release the Executive Session Minutes of June 26, 2012.

Selectman Leonard A. Simon: aye, Vice-Chairman Charles C. Woodard: aye, Selectman Patricia A. Brown: aye, Selectman Robert C. Haarde: aye, and Chairman Susan N. Iuliano: aye.

Executive Session Minutes Release: July 31, 2012

Selectman Simon made a motion to release the Executive Session Minutes of July 31, 2012.

Selectman Haarde seconded the motion.

It was on Roll Call Unanimously.

VOTED: To release the Executive Session Minutes of July 31, 2012.

Selectman Leonard A. Simon: aye, Vice-Chairman Charles C. Woodard: aye, Selectman Patricia A. Brown: aye, Selectman Robert C. Haarde: aye, and Chairman Susan N. Iuliano: aye.

Executive Session Minutes Release: August 29, 2012

Selectman Brown made a motion to release the Executive Session Minutes of August 29, 2012.

Selectman Haarde seconded the motion.

It was on Roll Call Unanimously.

VOTED: To release the Executive Session Minutes of August 29, 2012.

Selectman Leonard A. Simon: aye, Vice-Chairman Charles C. Woodard: aye, Selectman Patricia A. Brown: aye, Selectman Robert C. Haarde: aye, and Chairman Susan N. Iuliano: aye.

Executive Session Minutes Release: September 18, 2012

Selectman Haarde made a motion to release the Executive Session Minutes of September 18, 2012.

Selectman Brown seconded the motion.

It was on Roll Call Unanimously.

VOTED: To release the Executive Session Minutes of September 18, 2012.

Selectman Leonard A. Simon: aye, Vice-Chairman Charles C. Woodard: aye, Selectman Patricia A. Brown: aye, Selectman Robert C. Haarde: aye, and Chairman Susan N. Iuliano: aye.

Executive Session Minutes Release: October 2, 2012

Chairman Iuliano made a motion to release the Executive Session Minutes of October 2, 2012.

Selectman Haarde seconded the motion.

It was on Roll Call Unanimously.

VOTED: To release the Executive Session Minutes of October 2, 2012.

Selectman Leonard A. Simon: aye, Vice-Chairman Charles C. Woodard: aye, Selectman Patricia A. Brown: aye, Selectman Robert C. Haarde: aye, and Chairman Susan N. Iuliano: aye.

Executive Session Minutes Release: October 16, 2012

Chairman Iuliano made a motion to release the Executive Session Minutes of October 16, 2012.

Selectman Woodard seconded the motion.

It was on Roll Call Unanimously.

VOTED: To release the Executive Session Minutes of October 16, 2012.

Selectman Leonard A. Simon: aye, Vice-Chairman Charles C. Woodard: aye, Selectman Patricia A. Brown: aye, Selectman Robert C. Haarde: aye, and Chairman Susan N. Iuliano: aye.

Executive Session Minutes Release: November 7, 2012

Chairman Iuliano made a motion to release the Executive Session Minutes of November 7, 2012.

Selectman Brown seconded the motion.

It was on Roll Call Unanimously.

VOTED: To release the Executive Session Minutes of November 7, 2012.

Selectman Leonard A. Simon: aye, Vice-Chairman Charles C. Woodard: aye, Selectman Patricia A. Brown: aye, Selectman Robert C. Haarde: aye, and Chairman Susan N. Iuliano: aye.

Executive Session Minutes Release: December 6, 2012

Chairman Iuliano made a motion to release the Executive Session Minutes of December 6, 2012.

Selectman Brown seconded the motion.

It was on Roll Call Unanimously.

VOTED: To release the Executive Session Minutes of December 6, 2012.

Selectman Leonard A. Simon: aye, Vice-Chairman Charles C. Woodard: aye, Selectman Patricia A. Brown: aye, Selectman Robert C. Haarde: aye, and Chairman Susan N. Iuliano: aye.

Sudbury Station

Chairman Iuliano provided an update on the status of Sudbury Station housing development applications, stating that Town Counsel Saint Andre and Special Counsel Silverstein are currently reviewing the proposed Planning Board motion regarding Sudbury Station, at the request of Planning. If any mortgage is present at the property at issue, Planning could not rescind their approval, since the mortgage would have been based on the approval. The Planning Board would need to consult on this matter in open session.

The Select Board will need to decide whether to move forward with a previously discussed complaint and whether there is indeed no mortgage interest present.

Town Counsel Saint Andre requested to attend the next Select Board meeting to discuss the recent Zoning Board of Appeal meeting and what to communicate with Planning Board regarding the proposed motion.

Selectman Woodard stated that it seems like the Planning Board rescinding their decision was the “icing on the cake,” not a factor for whether or not the Select Board should litigate.

Town Manager Murphy-Rodrigues explained that Town Counsel Saint Andre wants to discuss the big picture and general strategy with the Board as well as to provide updates on developments with other interested parties. She stated that Town Counsel Saint Andre was at the walk-through last week.

Selectman Haarde stated that he also attended the walk-through. He opined that the sight lines are bad in places and not as bad on Peter’s Way. Ultimately, the final project would be visible from the cemetery.

Chairman Iuliano stated that a new traffic consultant will be brought on and Town Manager Murphy-Rodrigues stated that a Planning Consultant will also be retained.

Selectman Brown indicated that Park & Recreation has a butter interest in the project due to the nearby location of Parkison’s Field.

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Chairman Iuliano stated that the matter will be taken up at next week's meeting.

Selectman Woodard made a motion to adjourn.

Selectman Simon seconded the motion.

It was on Roll Call Unanimously.

VOTED: To adjourn.

Selectman Leonard A. Simon: aye, Vice-Chairman Charles C. Woodard: aye, Selectman Patricia A. Brown: aye, Selectman Robert C. Haarde: aye, and Chairman Susan

There being no further business, the meeting adjourned at 2:10 p.m.

Attest: _____
Melissa Murphy-Rodrigues
Town Manager-Clerk

DRAFT

Attachment11.a: BOS ES 11-10-16_minutes_v2 (5899 : Executive Session minutes review)

SUDBURY SELECT BOARD
MONDAY, SEPTEMBER 25, 2017
EXECUTIVE SESSION
SILVA CONFERENCE ROOM, FLYNN BUILDING
9:30 AM -10:42 AM

Present: Chair Robert C. Haarde, Vice-Chair Leonard A. Simon, Selectman Patricia A. Brown, Selectman Daniel E. Carty, Selectman Susan N. Iuliano, Town Counsel Jonathan Silverstein and Town Manager Melissa Murphy-Rodrigues

The meeting opened in Regular Session. There was a call into Executive Session by Chair Robert Haarde. The motion was seconded. All Board members agreed to go into Executive Session to discuss the strategy with respect to potential litigation involving Ti-Sales and Sudbury Station.

Mr. Silverstein opened the meeting saying he wanted to bring everyone up to speed. He had been receiving many emails and has been reviewing them. Town Counsel is presently looking for a town staff employee to appear and testify regarding Peter's Way. The developers and trust are dealing with the right to easement. The abutter's counsel (Dan Hill) is trying to get the right to use this road. The Town needs to designate someone to appear and testify at the deposition.

Mr. Haarde said the Town has used the land primarily as a cemetery. The road would be used for people using the cemetery, visitors, and processions. The Board is trying to help the plaintiff. The plaintiff is trying to prove they own the road. The developer wants to prove they have the right to use the land for access to its development units.

Mr. Simon wanted to know if the abutters own Peter's Way. Mr. Silverstein said he is trying to deal with the title issue. Mr. Carty asked what was the town's historic use of the town land. Mr. Silverstein said the Town needed a witness to testify the access to the trust property. Ms. Iuliano wanted to know if there was extensive use of this land by the town.

Mr. Silverstein said Peter's Way was established in the early 1990s. There are 2-3 lots showing the abutter's use. The plaintiff claims the town assumed ownership of the subdivision lot. Mr. Silverstein said there was some right by the town to gain access into the property.

Prescriptive easement is the flip side if you use a road long enough, and if you're using it for a purpose. If you trespass, you develop the legal right to do so. The town isn't making a claim of prescriptive easement. Mr. Simon said the abutters have given the town the right to use the road. The land owner said the town could use the road. Ms. Iuliano said the Board and the Town always thought the town owned the dirt road. However, the abutters allowed the town to use the road without official use of the land. Mr. Silverstein recommended the 36-deposition notice and to find DPW staff or a town employee who has the most knowledge of who has used this road by the town.

No new date for a deposition has been set. All documents were received last week. If the records don't help, Town Counsel would work with the Town Manager on finding a town employee who could testify. The Board wants to respect the ownership of the land. The town never tried to turn it into a public way.

Mr. Silverstein said there is a motion filed to dismiss on. The timeframe should be the date of the hearing. There is a motion pending. The plaintiff, and the developer, filed a summary of decision. The ZBA recommends from

150 units to 130 units. A motion was filed to the Housing Authority Commission (HAC). None of the motions have been acted upon. All are waiting for some action from the HAC.

Mr. Silverstein mentioned that Mr. Henchy had talked with him in passing about this case. Mr. Henchy wanted to know if there could be a land swap with the Melone property and the land in question, Peter's Way. Mr. Simon asked if this swap would be a swap of equal acreage of property. Town Counsel said if the swap idea was attractive to the Board, then it needed to be looked into further. Mr. Haarde said the land swap idea was an interesting concept. There could possibly be some land contamination and other issues with the Melone property that maybe the town did not want to deal with. The 250 units the developer wants is a lot of units. This was something to think about.

Town Counsel said the message to Mr. Henchy could be the land swap is a new concept to the Board. We don't want to close a discussion or close the door on this idea at this time. The Town Manager said the town could negotiate for fewer units. Town Counsel said it would be possible to have some residential, and commercial use with the land on the Melone property.

Mr. Silverstein advised the Board to think about the process and their response to Mr. Henchy. He said the Board had two options:

1. The land swap is an interesting concept, but not now.
2. The Town could be interested, but Mr. Henchy would need to give the Town a conceptual proposal for the land before any decision to go forward with this swap idea was made.

The Town Manager advised it was best for the Board to absorb all this before having further discussion on a land swap with the Melone property. Mr. Simon said there would need to be a Town Meeting approval for this. The Board needed to think about this and come up with an outline of what steps the Board needed to take to start this process.

In conclusion, the Town Manager and Town Counsel would continue to work on finding a witness for Ti-Sales. This would be a staff member or DPW employee who would testify for the deposition.

Discussion on Intermunicipal Agreement between the Towns of Wayland and Sudbury for Septage Disposal Facility Disposition

The meeting opened in Regular Session. There was a call into Executive Session by Chair Robert Haarde. The motion was seconded. The Board members agreed to go into Executive Session for the second item on the agenda.

The Town Manager said she had been talking with the Town of Wayland about the septage disposal facility disposition. She was afraid the situation went back to 1997, where the Town of Sudbury was responsible for demolition costs. Wayland wanted two agreements. If Wayland went ahead with this, Sudbury would lose any power and would be responsible for the demolition close. Wayland wanted to present this issue at their Fall Town Meeting. Ms. Rodrigues thought it best for Wayland to push off until the spring Town Meetings. Wayland wants to maintain their leverage. The Wayland Town Manager was retiring in the next few months. Once he left, all history would be lost. Ms. Rodrigues also mentioned that Wayland was not using any Town Counsel. The Town of Sudbury was using Petrini as its Town Counsel.

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Ms. Rodrigues was also concerned about what Sudbury’s liabilities would be when Wayland closed with the developer on this property. Selectman Brown mentioned the demolition cost was \$300,000. The clean-up cost was unknown.

Ms. Rodrigues had asked Wayland for another meeting. As of now, the Agreement is until 2040. If Wayland doesn't close in 2019, they need to pay Sudbury legacy costs. Mr. Haarde asked if Sudbury could delay the development? Ms. Rodrigues said since Sudbury was an abutter on this, the town only has abutter rights.

In conclusion, Ms. Rodrigues said she needed the Board’s permission to keep pushing on this issue. She didn’t think she needed anyone from the town or the Board to attend the next Wayland meeting with her.

A vote was taken to close the Executive Session. All Board members voted yes. There being no further business, the meeting adjourned at 10:42 am.

Attest: _____
Melissa Murphy- Rodrigues
Town Manager - Clerk

CONFIDENTIAL DRAFT

Attachment 11.b: BOS ES 9.25.17 draft (5899 : Executive Session minutes review)

IN BOARD OF SUDBURY SELECTMEN
EXECUTIVE SESSION
MONDAY, JULY 30, 2018

Present: Chairman Robert C. Haarde, Vice-Chairman Daniel E. Carty, Selectman Patricia A. Brown, Selectman Leonard A. Simon, Selectman Janie Dretler, Town Manager Melissa Rodrigues, and Town Counsel Attorney John Silverstein.

The statutory requirements as to notice having been complied with, the meeting was convened at 10:00 a.m. in the Flynn Building, Silva Room, 278 Old Sudbury Road.

Executive Session

It was on motion unanimously

VOTED: Vote to enter into Executive Session to discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declares (Village at Sudbury Station), pursuant to General Laws chapter 30A, §21(a)(6).

Town Manager Rodrigues stated that it was necessary to have Executive Session regarding the litigation status of Sudbury Station, and that confidentiality regarding this matter was still in effect, and she cautioned that all present not violate that status.

Town Counsel Silverstein stated that he would present the Housing Appeals Committee (HAC) appeal status, and how it pertained to Sudbury Station. The Town has appeared at Housing Appeals several times, and the Town has the burden of making a case for conditions that outweigh the need for public housing. Town Counsel Silverstein explained that pre-trial testimony was filed at the end of June, and a response is due tomorrow. He said that a one to two-week extension was granted due to vacations.

Town Counsel Silverstein stated that the Town has hired the following experts: Real Estate Appraiser/specialist John Bowman, Civil and Transportation Engineering specialist Tom Houston, and Planning Specialist Judy Barrett. Mr. Bowman has experience working with municipal projects, and Mr. Houston will provide traffic-related testimony and will be working with an architecture firm. Town Counsel Silverstein conveyed that Ms. Barrett informed the Town that she felt that she could not present a viable argument, and did not see drainage or architectural issues. Town Counsel Silverstein stated there have been many recent meetings, including a four-hour meeting with the neighbors last Friday.

Town Counsel Silverstein shared possible strategy components with the Board including there would be a ZBA review for projects over 64 bedrooms, and that the development of town houses and garden style units would trigger a commercial code with economic ramifications regarding setbacks. The Engineer indicated the Sudbury Station construction price is deflated as well as the site development cost. Town Counsel Silverstein mentioned that testimony focusing on local concerns is due at the end of August, and some of those topics include drainage, traffic, and other engineering considerations.

Town Counsel Silverstein stated that the best argument may be one that stresses the traffic issue, and that might be a long shot based on previous history of HAC determinations. He would support the argument of affordable housing being attained by the Town at 10%, and would argue that the Town should be granted safe harbor because the developer did not have the right to acquire Peter's Way by the prescribed deadline.

Vice-Chairman Carty stressed that there is a regional housing need in this area, and not just a Sudbury housing need. Town Counsel Silverstein detailed that Ms. Barrett would be helpful with the housing strategy aspect.

Selectman Brown asked what the official definition of "region" might be. Town Counsel Silverstein stated that the term has never been given an official definition, and the closest definition might be the affordable housing percentage according to Town inventory. Selectman Brown asked if Ms. Barrett is consulting the Town regarding

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this aspect. Town Counsel Silverstein affirmed that Ms. Barrett is a consultant for the Town, and that a big aspect of her focus is planning vs. regional need. Town Manager Rodrigues stated that Ms. Barrett is a well-respected planner.

Town Counsel Silverstein said that he would follow-up with the Board regarding Ms. Barrett's opinion. Chairman Haarde commented that thus far Ms. Barrett believes that it is a long shot.

Selectman Simon asserted that the developers of Sudbury Station said that the Town of Sudbury was hostile to affordable housing. Town Counsel Silverstein agreed that the developers did indicate that, however, Selectman Simon said that premise is totally unfounded. Town Counsel Silverstein stated that the job of the Town is to fight that perception.

Selectman Simon asked how feasible a decrease in unit number for Sudbury Station might be. Town Counsel Silverstein replied that a decrease to 198 units might be the number for negotiation.

Selectman Dretler brought up the fact that the Gilmartin property is in foreclosure. Town Counsel Silverstein said that he would pull the records, and foreclosure is a long process. Selectman Dretler wondered why the Town could not look into the Gilmartin property further. Town Counsel Silverstein said he was not focusing on that given the fact ZBA had approved it, and it did not trigger any traffic safety issues. Town Counsel Silverstein stated that the P&S is in place, and the question is if the property will in fact go into foreclosure. Vice-Chairman Carty said that it probably will not be going into foreclosure. Town Counsel Silverstein added that the date of the application would probably not make for a strong argument.

Selectman Dretler asked why the Town did not make an offer to Mr. Claussen regarding this property. Town Manager Rodrigues responded and said that the Town did make offers. Town Counsel Silverstein stated that the developer is overpaying for the property and the Town has limited funds.

Selectman Simon asked Town Counsel Silverstein if there was any possibility that Sudbury could buy Sudbury Station. Town Counsel Silverstein responded that he had spoken to Attorney Henchy about that possibility, and Attorney Henchy dismissed the suggestion.

A group discussion ensued regarding continuance of litigation in regard to HAC considering a ZBA reconsideration. Selectman Simon offered that such litigation might take a couple of years to resolve. Town Counsel Silverstein agreed with the suggested timeframe. Selectman Brown asked Town Counsel Silverstein to put that into a dollar amount. Town Counsel offered that litigation fees would be under \$500,000, but would likely fall between \$150,000 to \$200,000 given the cost of experts. He had reached out to Attorney Henchy asking about the developer reimbursement if the litigation aspect was to stop. Town Counsel relayed that Attorney Henchy offered that if there was an award, his client would put funds in escrow to reimburse the Town's litigation costs.

Town Counsel Silverstein confirmed that the RFP offer was one million dollars, plus the Sudbury Station land swap, with the recognition that any award was subject to negotiation with the Town. He confirmed that an additional \$100,000 would be allocated for well-testing, with anticipated mitigation funding to the Town of approximately one million dollars, and might consider additional mitigation funding.

Selectman Simon queried if the mentioned negotiation phase could be presented upon possible award. Town Counsel Silverstein thought not, and suggested that such negotiation might be addressed around the time of development. Town Counsel detailed that the developers proposed that Sudbury Station would have 250 units on nine acres, which is denser than the proposed development at Quarry North, having 20 acres with 330 units. Town Counsel maintained that when considering that comparison he did not believe the developers would reduce the number of units to 250. Town Manager Rodrigues stated this aspect could be an area of negotiation.

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Selectman Brown agreed that such negotiation must be part of the development process. Vice-Chairman Carty stated that the Board was not discussing the 250 unit piece today. Selectman Simon was concerned that this proposal would go to Town Meeting in October without the benefit of all possible aspects.

Selectman Dretler mentioned three easements on the Sudbury Station land. Town Manager Rodrigues replied that negotiations could possibly address the three easements. Town Counsel Silverstein noted a separate parcel on the Andrews property, and the approval stated that the land could not be subdivided. Town Manager Rodrigues stated that the APR could be altered. Town Counsel explained the abutter easement/merger process, and commented that the argument is the Town holds the APR for another five years or so, and there is the question of 30-year status. He detailed that Land Court decided it had to be recorded. The Town could argue that the APR goes on, or that the Town owns the land, so eliminates the APR or the Town could wait it out.

Town Counsel Silverstein referred to the map, and presented some of options with the easements. He added that Peter's Way went straight back with some 30 acres of land. Town Counsel made the point that if the Town retained part of the Andrews site, then the Town could be more definitive about what was desired there. He added that the land generally was not being farmed, with the exception of a very small section.

Chairman Haarde responded that there is a slim chance of winning, and if the developers are willing to go forward with Melone, the Town could award them a bid pending negotiation on the development agreement. Selectman Dretler was concerned about moving too fast, and she wanted to feel more comfortable about the process.

Town Manager Rodrigues reminded the Board of the 120-day timeframe and the October 15 Town Meeting, and that there would be no award until after Town Meeting.

Town Counsel Silverstein mentioned that perhaps there might be a chance that a negotiated agreement could take place before October Town Meeting. Selectman Brown stated that such negotiation could not take place in open session. Town Counsel Silverstein stated there are many ways to bring the rest of the Board up to speed on this matter.

Chairman Haarde agreed that a deliberation process was needed before the October 15th Town Meeting. He added that Melone could be taken off the table at any time.

Town Counsel Silverstein stated that if the Town waits for the HAC decision and an award has not been made, that may result in less negotiating room, and the developer could go forward with Melone now instead of Sudbury Station.

Vice-Chairman Carty suggested waiting, and have the topic presented at spring Town Meeting. Town Manager Rodrigues commented that the special Town Meeting reflected good faith.

Selectman Dretler inquired about an appraisal for Melone. Vice-Chairman Carty felt that the public needed to be educated, and more time was needed to do that. Selectman Dretler stated that performance of an appraisal would present a trust aspect for the developer. Selectman Simon added that good faith might be a reason to see what happens with the Housing Authority determination, and perhaps that could enable an extension. Town Manger Rodrigues thought that such an extension might not be possible, as the RFP process could not be altered. Chairman Haarde agreed the Town does not have the leverage power in this case.

Town Counsel Silverstein stated that in his many discussions with Attorney Henchy, the developers indicated they would perceive extensions as delays in granting the award for Melone, and they did not want that.

Chairman Haarde asserted that if the Town does not approve of the award for Melone, then the Board has done all that it can. Town Counsel Silverstein stated that he would be shocked if the Town won the Sudbury Station litigation case.

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Town Manager Rodrigues stated that she would go forward with the scheduling of an appraisal for Melone. Vice-Chairman Carty maintained that the appraisal would go a long way as a good faith measure.

Selectman Brown asked for record of other HAC decisions. Town Manager Rodrigues said that she would gather those decisions.

It was on motion unanimously

VOTED: To close Executive Session and not resume in open session, until 1:00 p.m. for the proposers' interview session.

There being no further business, the meeting adjourned at 12:08 p.m.

Attest: _____

Melissa Murphy-Rodrigues
Town Manager-Clerk

CONFIDENTIAL DRAFT

Attachment11.c: BOS_7.30.18_Exec_APPROVED (5899 : Executive Session minutes review)

IN BOARD OF SUDBURY SELECTMEN
EXECUTIVE SESSION
TUESDAY, AUGUST 20, 2019

Present: Chairman Daniel E. Carty, Vice-Chairman Patricia A. Brown, Selectman Janie Dretler (via conference telephone), Selectman Jennifer Roberts, Selectman William Schineller, Town Manager Melissa Rodrigues, Assistant Town Manager/HR Director Maryanne Bilodeau (via conference telephone), Finance Director Dennis Keohane, Town Counsel Lee Smith, KP Law.

The statutory requirements as to notice having been complied with, the meeting was convened at 4:05 p.m. at the Flynn Building – Silva Conference Room. Chairman Carty called the meeting to order.

Convene in Open Session and Enter Executive Session

Chairman Carty moved to convene in open session and immediately vote to enter Executive Session to consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body (Camp Sewataro) pursuant to General Laws chapter 30A, §21(a)(6).

Selectman Brown seconded the motion.

It was voted unanimously on roll call:

Daniel E. Carty – aye, Patricia A. Brown – aye, Janie Dretler (via conference telephone) – aye, Jennifer Roberts – aye, William Schineller – aye.

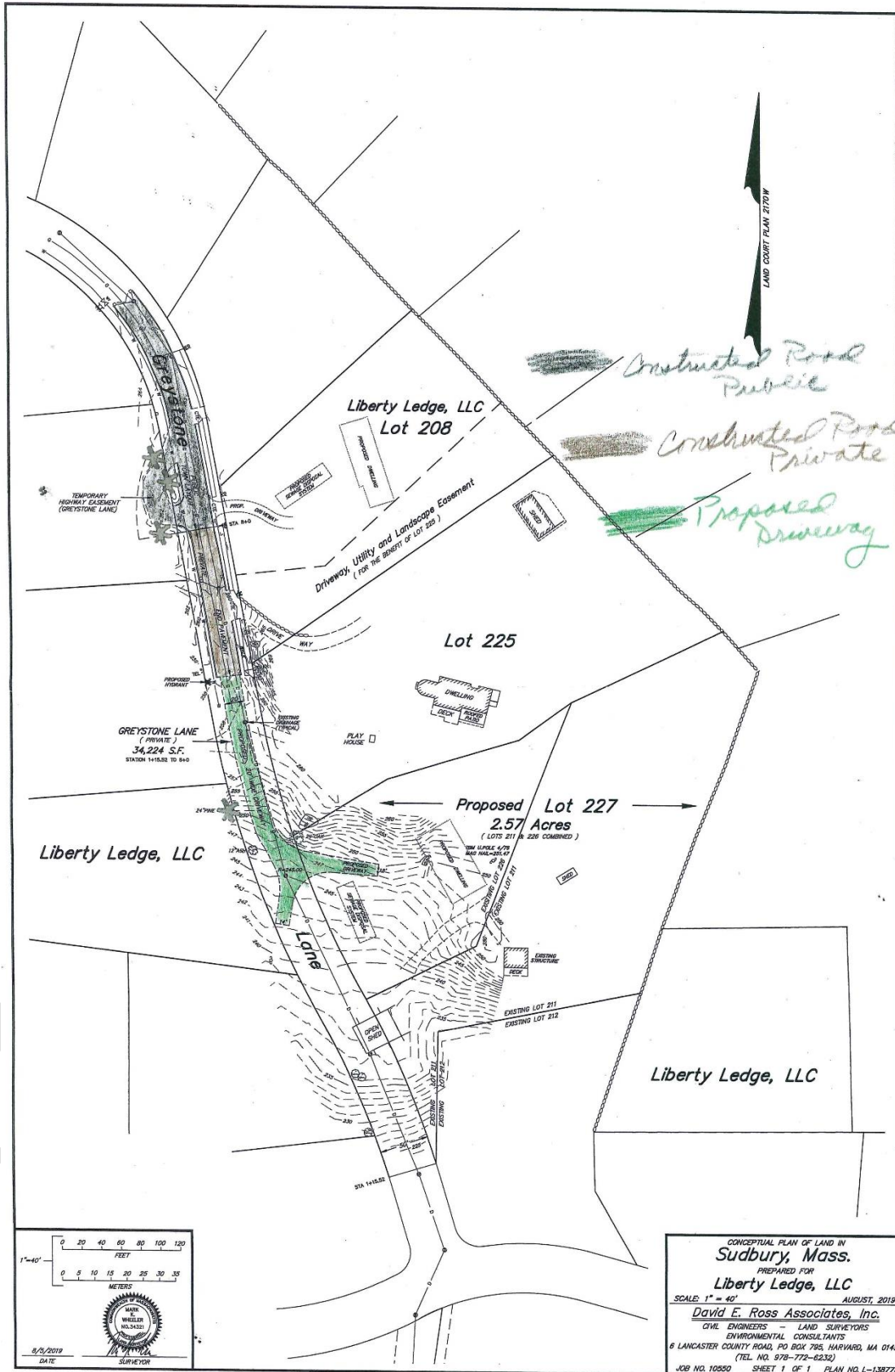
Camp Sewataro Purchase & Sale Agreement

Town Manager Rodrigues stated that Town Counsel Lee Smith has been working on the Purchase & Sale Agreement (P&S) with Mark Taylor and other Camp Sewataro representatives. He has been working to incorporate all items in the Letter of Intent into the P&S. The closing date is scheduled for October 17 and the property and all buildings are to be delivered vacant and in current “as is” condition.

Town Counsel Smith provided a recap of the P&S, highlighting aspects that may be considered outside of a typical P&S, as requested by the Board. He explained that the P&S goes into effect when it is signed and that there are three components to the sale: the property itself, which belongs to the Taylor Trust, the structures on the property and the intellectual property, which belongs to the Sewataro corporation.

Section 2: Land Description – the total acreage for the property is 44.3 Acres. Four (4) house lots are excluded from the property and that Greystone Lane is now included. Of the four house lots, Mark Taylor resides on one and another one is likely to be developed. As for Greystone Lane, Mark Taylor will apply to the Planning Board for a modification of the existing subdivision. He will request a waiver on the southerly portion of Greystone Lane to build a driveway. The proposed driveway is shown in green on a plan distributed to the Board (see attached).

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Attachment 11.d: BOS ES 08-20-19_minutes_DRAFT (5899 : Executive Session minutes review)

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Per the P&S, the current Board of Selectmen must agree not to oppose this request. Mark Taylor will be responsible for building and maintaining the driveway, including snow removal.

Selectman Dretler asked whether a letter of support is being requested from the Board for the modification.

Counsel Smith responded that a letter of support is not being requested at this time, only the Board's cooperation.

Selectman Roberts asked whether the possible issued regarding the drop off/pick up area had been addressed.

Counsel Smith responded that it has not been addressed.

Selectman Roberts stated that there is no reason to believe it will present an issue.

Counsel Smith continued with the P&S recap. Section 3: Buildings, Structures, Improvements and Fixtures – the sale includes all buildings and structures except the shed near Greystone Lane, which will be removed in its entirety by the closing date. Exhibit D1 of the P&S lists items which are excluded from the sale, such as trucks and vehicles. Exhibit D2 will be an updated inventory of all camp equipment which will be included in the sale. The Exhibit will be updated when a current inventory is completed. As camp has concluded for the year, this should be occurring soon.

Mark Taylor will have until April 30, 2020 to remove these other items. This date should not interfere with operation of the new camp management.

Section 4: Gift of Camp – this section gifts corporate shares of Camp Sewataro to the Town. There will be a donation agreement from each of the shareholders. The website, domain name, camper list and intellectual property will be included.

Selectman Brown asked whether the Town will be liable for lawsuits that may arise pertaining to Sewataro.

Counsel Smith explained that the date of the claim (not the date that it is filed but the date when it occurred) would determine the liable party. Sudbury is held harmless for damages occurring prior to closing.

Section 8: Time for Performance; Delivery of Deed – the new closing date has been set for October 17. This allows the Town time to secure the funding.

Section 9: Possession and Condition of Premises – the property will be delivered in the same condition as it is currently and free of occupants.

Section 16: Adjustments – the Town is tax exempt and there will be no refund for costs after closing.

Town Manager Rodrigues explained that the total amount borrowed is approximately \$11,300,000 and the closing costs are estimated at \$20,000 - \$30,000.

Section 24: Buyer's Due Diligence – prior to closing, there will be a period for the Town to conduct due diligence. The Town intends to conduct a Title Investigation as well as an Environmental Inspection.

Selectman Roberts asked whether it is permissible for the Board to walk the property.

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Town Manager Rodrigues affirmed that it is possible during the due diligence period with 24 hour advance notice to the owner.

Section 26: As Is Condition – The property will be delivered in “as is condition” but it is up to the Board to decide whether the current condition is sufficient.

Town Manager Rodrigues explained that the DPW, Building and Fire departments have inspected all buildings except the residences on the property. Access was previously restricted due to the residences being occupied. The residences will be inspected during the due diligence period.

Counsel Smith explained that one example of the property being presented in insufficient condition would be if the presence of underground fuel storage tanks was discovered on the property. A Response Action Outcome Submittal from Eversource indicating the absence of such storage will be provided to the Town after closing.

He further explained that warranties and representations made by the seller survive 9 months after closing.

Selectman Schineller asked whether the Profit & Loss statement provided by the seller would fall under representations and warranties, and asked whether the sale could be reversed if the statement was found to be inaccurate and the business has in fact been losing money.

Counsel Smith explained that the Profit & Loss statement is non-binding. It is one component of the due diligence analysis.

Town Manager Rodrigues emphasized that the Town is purchasing the land rather than the business, which is being gifted. She further explained that the Profit & Loss statement is consistent with tax returns reviewed by the Town.

Counsel Smith stated that there could be a possibility of a fraud claim if a misrepresentation is made by the seller.

He went on to review some of the Exhibits which accompany the P&S.

Exhibit C: Reservation of Rights – agreed upon outcome regarding the driveway on Greystone Lane. The Town reserves the rights of access.

Exhibit G: Indemnity Agreement – has a 6-year survival date after closing.

Exhibit H: License Agreement – provides camper data to the Town which can be used by the Town or a camp operator. The website will be provided after closing.

Exhibit I: Deed Restriction – there will be no night lighting, field lighting taller than 20 feet or cell towers installed on the property. This will be in perpetuity.

Chairman Carty conducted a straw poll asking if any Board members would not be voting in favor of the P&S.

Selectman Dretler stated that she intends to vote against the P&S. She appreciates the work done by the Town in preparing the P&S, however, for the same reasons that Ms. Dretler has been opposed to the acquisition, she continues to oppose it.

Town Manager Rodrigues stated that it would be preferable to either vote for or against the P&S rather than attempt to modify it at this time.

There was discussion as to whether the items on the agenda should be taken out of order so that the P&S vote may take place first. It was noted that camp operators have been waiting for the open meeting to begin so that they can learn the outcome of the Sewataro Camp Management RFP.

Close Executive Session and Resume Open Session

Selectman Schineller moved to adjourn the meeting. Selectman Brown seconded the motion.

It was voted unanimously on roll call:

Daniel E. Carty – aye, Patricia A. Brown – aye, Janie Dretler (via conference telephone) – aye, Jennifer Roberts – aye, William Schineller – aye.

VOTED: To close Executive Session and resume Open Session.

The meeting resumed in Open Session at 4:47 p.m.

Attest: _____

Melissa Murphy-Rodrigues
Town Manager-Clerk

CONFIDENTIAL DRAFT

Attachment11.d: BOS ES 08-20-19_minutes_DRAFT (5899 : Executive Session minutes review)

IN BOARD OF SUDBURY SELECTMEN
JOINT MEETING WITH PLANNING BOARD
EXECUTIVE SESSION
MONDAY, AUGUST 26, 2019

Board of Selectmen present: Chairman Daniel E. Carty, Vice-Chairman Patricia Brown, Selectman Janie Dretler, Selectman Jennifer Roberts, Selectman William Schineller. Also present: Town Manager Melissa Rodrigues, Assistant Town Manager/HR Director Maryanne Bilodeau, Town Counsel Jonathan Silverstein, Planning and Community Development Director Adam Duchesneau, and Environmental Planner Beth Suedmeyer.

Planning Board present: Chairman Steve Garvin, John Hincks, Nancy Kilcoyne, Justin Finnicum, and Charles Karustis (by conference call).

The statutory requirement as to notice having been complied with, the meeting was convened at 12:30 p.m., in the Flynn Building, Silva Room, 278 Old Sudbury Road.

Convene in open session and immediately vote to enter Executive Session to discuss strategy with respect to litigation (Town of Sudbury v. Stone and Stone v. Sudbury Zoning Board of Appeals), pursuant to General Laws chapter 30A, §21(a)(3).

Chairman Carty moved to enter into executive session. Vice-Chairman Brown seconded the motion.

It was on motion unanimously. Carty-aye, Brown-aye, Dretler-aye, Schineller-aye, and Roberts-aye.

Planning Board Chairman Garvin moved to enter into executive session. Mr. Karustis seconded the motion.

It was on motion unanimously. Garvin-aye, Karustis-aye, Hincks-aye, Kilcoyne-aye and Finnicum-aye.

Attorney Silverstein summarized the current status of litigation between the Town of Sudbury v. Stone and Stone v. Sudbury Zoning Board of Appeals. He detailed that the constructive approval appeal is in the initial stages and the developer is prepared to move forward with a variance denial appeal.

Three possible outcomes were presented by Attorney Silverstein:

1. The Town could choose to continue with constructive approval appeal litigation, if successful with the case, could anticipate alternate use of the Stone Farm, such as housing.
2. The second option would presume that the Town is not successful in winning the constructive approval case, and the developer returns to the original site plan and does not have to incorporate any preservation measures.
3. The third option would involve resolution/counter offer via negotiation with the developer, and the project would go forward.

Mr. Schineller commented that if the variance were overturned, a development of two large residences would be likely.

Town Counsel Silverstein stated the Dover Amendment exempts certain uses from zoning control such as day care facilities, religious facilities, non-profit educational schools, charter schools, solar farms and the like.

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Chairman Carty asked if medical facilities could be included under the Dover Amendment. Attorney Silverstein responded generally not, but a residential detox site might also be exempt.

Ms. Suedmeyer explained that extended agricultural use could be utilized such as greenhouses. Attorney Silverstein agreed that agricultural use would be covered.

Mr. Hincks asked about the chances of winning the litigation. Attorney Silverstein responded that there are good arguments and noted that the case was unique and spoke further about "use variance." He added that the Town would not want to rezone one property at a time. A zoning discussion took place.

Vice-Chairman Brown commented that precedent has been set with variances since 2011 with properties on Boston Post Road, Raymond Road, 631 Boston Post Road (American Legion Hall) and 415 Boston Post Road (former Police Station). She stressed the importance of avoiding arbitrary zoning and noted that the Planning Board determines the zoning plan which is best for the Town. Chairman Garvin noted that the Stone Farm developer has been compliant with Board requests; reducing FAR (Floor and Area Ratio), screening, aesthetics and preservation.

Ms. Roberts asked if a real estate expert could analyze the site rather than relying on the applicant's statements, only. Chairman Carty noted that Ms. Stone's situation is an emotional one, due to the fact that she cannot manage the property in question and it is her property.

Ms. Roberts commented that lighter commercial use might be preferred such as a café. Mr. Schineller remarked that the Town would retain the preservation aspect with the current proposal. Mr. Hincks stated that it would be preferable if the building were not a storage facility. Ms. Dretler commented that a smaller building would be much preferred.

Mr. Schineller asked if the Whole Foods building was larger than the proposed storage facility. Chairman Garvin responded not. Mr. Hincks added that the proposed building would be the 13th largest building in Town.

Mr. Karustis stated that he was initially opposed to the project, but as changes have been made with solar inclusion and considerable size reduction, he felt differently. He noted that much of the Meadow Walk development is still unoccupied and the Stone Farm developer seems to know his market. Associated taxes and revenue would be beneficial for the Town.

Chairman Carty would rather see the barn remain, but that represents a major risk assessment and the Town could then lose the tavern as well. Attorney Silverstein stated that a demolition delay permit and litigation could take about six months and then both buildings could likely be demolished.

Mr. Schineller stated that the permitting process will be ongoing and he did not think there was enough time to present new proposals.

Ms. Roberts mentioned that the property has been deteriorating for years.

Town Manager Rodrigues recognized that Chairman Carty was instrumental in negotiating the preservation of the Stone Tavern. Ms. Roberts stated that the related conversation should have been conducted earlier and the Town should have considered the site five years ago.

Ms. Dretler mentioned the utilization of 18-wheelers on the proposed construction site. Mr. Hincks stated that use of those trucks might be negotiated.

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Ms. Dretler asked exactly what would be stored at the proposed facility. Mr. Hincks agreed that specifics about storage product detail should be listed, and added that storage is the #1 land development in the US today. Ms. Kilcoyne commented that the City of Marlborough might prohibit further storage development in that location.

Chairman Garvin indicated that the current proposal might be the best option for retaining some historic preservation at the site unless the Town was to consider purchasing the property. Vice-Chairman Brown stated that such a purchase by the Town would be prohibitively expensive. Ms. Roberts commented the Town might buy the property and then sell it to a developer they choose.

Ms. Dretler stated that she objected to the traffic associated with the current proposal and the fact that the proposed structure would block the open vista. Chairman Carty explained that he drove by the site and was able to catch only 22 seconds of a vista. Ms. Dretler asked the Planning Board if they would be willing to participate in a site visit of the property. Chairman Garvin responded affirmatively and noted that because the site is private property, Ms. Stone would have to give permission.

Mr. Hincks mentioned the possibility of conditioning access. Attorney Silverstein commented that Ann Stone would likely reserve the access for herself. Vice-Chairman Brown indicated that the Town did not have right of first refusal on an APR (Agricultural Preservation Restriction) property. A discussion took place.

Chairman Carty asked about the litigation timeline. Attorney Silverstein replied that the conference with the judge is scheduled for September 10 with five to six months for the discovery stage, including possible depositions, expert interviews, and related traffic studies. He affirmed that the trial would take place in approximately 14 to 16 months, with a final decision to be determined within an additional two-month period.

Attorney Silverstein explained that counsel for the developer relayed the fact that if there is additional delay, the developer might not move forward with the settlement offer. Ms. Bilodeau queried if the developer would be able to go forward with demolition permit. Attorney Silverstein responded in the affirmative.

Mr. Schineller commented the purpose of the joint meeting held was to vote on the litigation aspect and possible conditioning options, such as right of first refusal, adjusting size, etc. Attorney Silverstein reiterated that the decision was whether or not to drop an appeal that was granted by default.

At 1:30 p.m., Town Manager Rodrigues excused herself from the meeting.

Mr. Karustis noted the applicant likely does not want to proceed with litigation and this would be the time to negotiate possible options. Ms. Dretler maintained that the negotiation aspects should include: decreasing the building size, maintaining the vista, eliminating use of 18-wheeler trucks during construction, and getting an exact definition on what is being stored in the proposed structure.

Mr. Finnicum also suggested examining the project from a connectivity perspective, which would include historic preservation and bringing the building in scale with the Stone Tavern.

Ms. Kilcoyne suggested painting parts of the proposed structure a patina color to make the structure look older.

Vice-Chairman Brown reiterated the possible options:

- Cease the constructive approval litigation and negotiate for options.
- Continue with litigation which would likely negate preservation.
- If Town loses the case, applicant can resume with the original plan.

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Chairman Garvin stated that the Town could leverage for a smaller building, but did not believe that would occur. Mr. Hincks agreed and stated that if the structure were reduced by 25%, the business might fail, which would not be a good situation for the Town. He noted that 18-wheeler construction trucks are already present in Town, but use of such trucks could be conditioned by a specific truck schedule.

Ms. Roberts asked if economic viability could be conditioned. A related discussion took place.

Ms. Kilcoyne stressed that she did not want oil from cars on the floor of the proposed structure. Chairman Garvin agreed that he wanted more information regarding what was planned in the storage shelter building and expressed that more leverage might be possible when considering the special permit.

Ms. Roberts queried if Sudbury residents would be able to afford the storage rates if storage was intended for high-end vehicles. Chairman Garvin stated that he would ask the developer.

Attorney Silverstein suggested that a member of the Board of Selectmen, Ms. Bilodeau and Mr. Finnicum (with his architectural prospective) could compose a negotiation team. He added that potential negotiation points would include: further information regarding exactly what items are being stored, restrictions on 18-wheelers and first right of refusal. Mr. Schineller stated that he would like to see useful use of the timber which is currently in the barn.

Chairman Carty stated that construction using 18-wheelers would have to be restricted and he would like to see vintage autos stored in the proposed facility because owners do not take the autos out of storage much. He affirmed that he did not want separate businesses in the storage structure. Mr. Hincks suggested permitted usage.

Mr. Finnicum commented about the ratio of exterior doors to interior doors.

Vice-Chairman Brown was concerned that what the Town might deem esthetically pleasing would be subjective.

Attorney Silverstein suggested that the Board authorize Town Counsel to enter into negotiations regarding the plan and appoint liaison figures Chairman Dan Carty and Director of Planning and Community Development Adam Duchesneau.

Ms. Roberts stated that she was not comfortable about proceeding with the storage proposal. Vice-Chairman Brown stated that the Board needed to proceed.

Chairman Garvin moved in the words of Attorney Silverstein. Mr. Hincks seconded the motion. The vote was unanimous 5-0. Garvin-aye, Karustis-aye, Hincks-aye, Kilcoyne-aye and Finnicum-aye.

Vice-Chairman Brown moved in the words of Attorney Silverstein. Mr. Schineller seconded the motion. It was on motion one no and four in favor. Carty-aye, Brown-aye, Dretler-aye, Schineller-aye and Roberts-no.

Ms. Roberts commented that in the future, the Town must examine the economics of the situation so that the Town can remain in control.

Chairman Brown moved to adjourn the Board of Selectmen meeting. Mr. Schineller seconded the motion.

Mr. Hincks moved to adjourn the Planning Board meeting. Ms. Kilcoyne seconded the motion.

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There being no further business, the joint meeting adjourned at 2:05 p.m.

CONFIDENTIAL DRAFT

Attachment11.e: BOS Executive Session 8-26-19_for_review (5899 : Executive Session minutes review)



SUDBURY SELECT BOARD
Tuesday, June 13, 2023

EXECUTIVE SESSION

12: Close executive session

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Close executive session and not resume open session.

Recommendations/Suggested Motion/Vote:

Background Information:

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

06/13/2023 7:00 PM