

SUDBURY SELECT BOARD

TUESDAY MARCH 12, 2024

7:00 PM

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

ZOOM Meeting

Present: Chair Janie Dretler, Vice-Chair Lisa Kouchakdjian, Select Board Member Daniel Carty, Select Board Member Jennifer Roberts, Select Board Member Charles Russo, 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 Dretler announced the recording of the meeting and other procedural aspects included in the meeting.

**Call to Order**

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

**Opening remarks by Chair**

- Announced Annual Town Election on March 25, 2024
- Expressed her deep condolences to the family of Colby Caravaggio, beloved Noyes School teacher who touched the lives of many students, including her own family.

**Reports from Town Manager**

- Expressed condolences to the family and friends of SPS teacher Colby Caravaggio
- Thanked all who participated in the Presidential Primary; the Town Clerk's Office, Town election wardens and clerks
- Announced Earth Day and Town-wide cleanup schedule for April 20, 2024 at the Town Center; invited residents to sign up and see the Town website for additional information
- Thanked Sudbury COA for hosting a well-attended St Patrick's Day lunch at the Fairbank Community Center

At 7:05 PM, Board Member Roberts announced her presence; Roberts-present.

**Reports from Select Board**

**Vice-Chair Kouchakdjian**

- Happy to see everyone enjoying use of the Fairbank Community Center
- Expressed her family's condolences to Mr. Caravaggio's family, the Sudbury Community and Noyes School community, who were blessed to have him as a treasured teacher for some 25 years

Board Member Russo

- Shared his condolences regarding the passing of Mr. Caravaggio and the loss to his family and the Noyes School community

Board Member Carty

- Stressed that the passing of Mr. Caravaggio reflects a tremendous loss for Sudbury

Board Member Roberts

- Extended her condolences to Mr. Caravaggio's family, friends and the Noyes community
- Recognized that the Finance Committee has been meeting weekly to consider Town Meeting Articles; Planning Director Adam Burney and Town Manager Andy Sheehan presented the MBTA Communities Article at last night's Finance Committee meeting
- As DEI Commission liaison, she participated in that Commission's recent meeting; two new co-chairs were elected and DEI Members are looking forward to advancing the mission of the Commission

Public comments

Resident Key Bell, 348 Old Lancaster Road, extended sympathies to the family of beloved teacher Colby Caravaggio. Ms. Bell mentioned the Municipal Empowerment Act as recommended by Governor Healy, with provisions including provisions regarding hybrid meetings and public access to all with disabilities as well as those with children, and those with transportation challenges. She proposed that Sudbury advocate for remote meetings.

Resident Manish Sharma, 77 Colonial Road, extended condolences to family and friends on the passing of Mr. Caravaggio. He acknowledged that he reached out to SPS Superintendent Brad Crozier regarding related donations and support in remembrance of Colby Caravaggio.

Resident Len Simon, 40 Meadowbrook Circle, mentioned the gun shop safety article; he stressed the need for transparency regarding this article and asked that a subcommittee be formed, adding that several Select Board Members appeared to be against such a community gun shop bylaw subcommittee.

Resident Rich Thalmann, 61 Pine Street, mentioned the SPS budget and emphasized the importance of additional SPS funding.

Consent Calendar

**1. Vote to accept the resignation of Nancy Rubenstein, 57 Winsor Road, from the Permanent Building Committee (PBC), and send a letter of thanks for her service to the Town.**

**2. Approve award by the Town Manager of a contract between the Town and Lapinski Electric, Inc. for Rt 117 Traffic Signal Improvements to be performed pursuant to Contractor's bid (Contract# 2024-117TS-2) dated February 22, 2024, in the amount of \$609,090, and a contract between the Town and TEC, Inc., for contract administration for the above project in the amount of \$66,750, and further, to execute all documents relative to said contract inclusive of amendments, if any.**

**3. Vote to sign a proclamation to recognize March 22, 2024 as Colby Caravaggio Day in the Town of Sudbury. (POSTPONED TO FUTURE DATE).**

Vice-Chair Kouchakdjian motioned to approve Consent Calendar items 1 & 2, as presented in the 3/12/24 Select Board agenda packet. Board Member Roberts seconded the motion.

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

VOTED: To approve Consent Calendar items 1 & 2, as presented in the 3/12/24 Select Board agenda packet

Consent Calendar #3 was postponed to a future date.

**Interview four candidates for membership to the Sudbury 250 Committee. Following interviews, vote whether to appoint Jan Hardenberg, John Neuhauser, Radha Gargeya and Rachel Robinson to the committee for a term expiring Sept. 30, 2026.**

Present: Jan Hardenberg, John Neuhauser, Radha Gargeya and Rachel Robinson

Jan Hardenberg – Town Historian

Mr. Hardenberg indicated Sudbury 250 Events would provide great opportunity for people to appreciate 1973 Sudbury. He detailed that at the historic celebration in 1973, Sudbury hosted the Mayor from Sudbury, England.

John Neuhauser – Lt. Colonel of the Sudbury Companies of Militia and Minutes

Mr. Neuhauser stressed that the 1776 time period in Sudbury is fascinating and people who attend the events will be amazed.

Radha Gargeya – Recognized Sudbury leader and Follower of American History

Mr. Gargeya stated that the Town must celebrate those who formed the United States and to make this a learning experience for all.

Rachel Robinson – Executive Director of the Sudbury Historical Society

Ms. Robinson confirmed the Sudbury Historical Society is making special plans for this celebration and she is looking forward to starting the commemorative events on Patriot's Day.

Vice-Chair Kouchakdjian motioned to appoint Jan Hardenberg, John Neuhauser, Radha Gargeya and Rachel Robinson to the Sudbury 250 Committee for a term expiring Sept. 30, 2026. Board Member Russo seconded the motion.

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

VOTED: To appoint Jan Hardenberg, John Neuhauser, Radha Gargeya and Rachel Robinson to the Sudbury 250 Committee for a term expiring Sept. 30, 2026

**Discussion with Town Moderator, Cate Blake, on vote threshold for Consent Calendar articles and other Town Meeting topics**

Present: Cate Blake, Town Moderator

Board member Carty indicated he wanted a balance between Town Meeting efficiency and maintaining the spirit of Town Meeting. He suggested that seven hands being raised by participants would require that any given Consent Calendar Article be addressed as a non-Consent Calendar item.

Board Member Roberts agreed with the recommendation of Board Member Carty. Ms. Blake agreed with the threshold number of seven.

All Select Board Members agreed that seven was the appropriate threshold number regarding Consent Calendar items.

**Discussion regarding 2024 Annual Town Meeting: consent calendar, positions on articles; discussion of Goodnow Library Trustees article; and update from Board Member Roberts on CPC articles**

CPC Article Considerations

Board Member Roberts mentioned CIAC concerns regarding CPC Article 39 – Parkinson Field Driveway Design. Chair Dretler opined that Article 39 would help provide safe access to the BFRT from the field. Board Member Carty concurred that CIAC found article 39 to be controversial. Board Member Russo indicated that CIAC was seeking additional information regarding justification regarding the cost of the proposed project.

Board Member Roberts confirmed that CPC voted unanimously in support of Article 39.

Board Member Russo indicated that CIAC wanted additional information to justify the cost of the project. He felt comfortable keeping it on the Consent Calendar.

Chair Dretler indicated her preference of including Article 39 on the Consent Calendar.

Board Member Roberts provided detail regarding CPC Articles 41, 42, and 43. Vice-Chair Kouchakdjian noted that CPC properly examined all listed CPC articles, and had no further questions about the presented articles.

Vice-Chair Kouchakdjian motioned to include ATM 2024 articles enumerated as “Y” within the “ATM 2024 Articles” spreadsheet, as found in tonight’s meeting packet. Board Member Roberts seconded the motion.

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

VOTED: To include ATM 2024 articles enumerated as “Y” within the “ATM 2024 Articles” spreadsheet, as found in tonight’s Select Board packet

Board Members discussed ATM Articles 36 & 37 regarding Sudbury Housing Authority Allocation and Sudbury Housing Trust Allocation. As CPC Select Board liaison, Board Member Roberts stated that she would provide the Board with additional related information at the next Select Board meeting.

Electric Vehicle Charging Stations - Goodnow Library

Town Manager Sheehan suggested that the Goodnow Library charging station article be added to the 2024 Town Meeting Warrant as considered a year ago under the direction of the Combined Facilities Director. Aspects regarding process/evaluation and funding was discussed by the Board.

Board Member Roberts motioned to add to the 2024 TM Warrant the Electric Vehicle Charging Stations – Goodnow Library article, submitted before January 1, 2024 by the Trustees of the Goodnow Library. Board Member Carty seconded the motion.

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

VOTED: To add to the 2024 TM Warrant the Electric Vehicle Charging Stations – Goodnow Library article, submitted before January 1, 2024 by the Trustees of the Goodnow Library

**Article 10 - Chapter 90 Highway Funding**

Board Member Carty motioned to support Article 10 - Chapter 90 Highway Funding. Board Member Roberts seconded the motion.

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

VOTED: To support Article 10 - Chapter 90 Highway Funding

**Article 11 - FY25 Stabilization Fund**

Board Member Carty motioned to support Article 11 - FY25 Stabilization Fund. Board Member Roberts seconded the motion.

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

VOTED: To support Article 11 - FY25 Stabilization Fund

**Article 12 - FY25 Revolving Fund Spending Limits**

Board Member Carty motioned to support Article 12 - FY25 Revolving Fund Spending Limits. Board Member Roberts seconded the motion.

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

VOTED: To support Article 12 - FY25 Revolving Fund Spending Limits

**Article 13 - Capital Stabilization Fund**

Board Member Carty motioned to support Article 13 - Capital Stabilization Fund. Board Member Roberts seconded the motion.

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

VOTED: To support Article 13 - Capital Stabilization Fund

**Article 14 - Revoke Opioid Settlement Stabilization Fund**

Board Member Carty motioned to support Article 14 - Revoke Opioid Settlement Stabilization Fund. Board Member Roberts seconded the motion.

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

VOTED: To support Article 14 - Revoke Opioid Settlement Stabilization Fund

**Article 15 - Means Tested Senior Tax Exemption Extension**

Board Member Carty motioned to support Article 15 – Means Tested Senior Tax Exemption. Board Member Roberts seconded the motion.

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

VOTED: To support Article 15 – Means Tested Senior Tax Exemption

**Article 16 – Amend Zoning Bylaw: Firearms Safety Business Use**

Board Member Carty motioned to support Article 16 – Amend Zoning Bylaw: Firearms Safety Business Use. Board Member Roberts seconded the motion.

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

VOTED: To support Article 16 – Amend Zoning Bylaw: Firearms Safety Business Use

**Article 17 – Acquisition of MBTA Buildings**

Board Member Carty motioned to support Article 17 – Acquisition of MBTA Buildings. Board Member Roberts seconded the motion.

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

VOTED: To support Article 17 – Acquisition of MBTA Buildings

**Article 18 – Swap Body Trucks w/Plow & Various Bodies - 2 of same vehicle**

Board Member Carty motioned to support Article 18 – Swap Body Trucks w/Plow & Various Bodies – 2 of same vehicle. Board Member Roberts seconded the motion.

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

VOTED: To support Article 18 – Swap Body Trucks w/Plow & Various Bodies – 2 of same vehicle

**Article 19 – Pickup Truck with Plow**

Board Member Carty motioned to support Article 19 – Pickup Truck with Plow. Board Member Roberts seconded the motion.

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

VOTED: To support Article 19 - Pickup Truck with Plow

**Article 20 – Town Wide Culvert and Drainage Reconstruction**

Board Member Russo motioned to support Article 20 – Town Wide Culvert and Drainage Reconstruction. Board Member Carty seconded the motion.

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

VOTED: To support Article 20 – Town Wide Culvert and Drainage Reconstruction

**Article 21 – DPW Roof Top HVAC Unit Replacements**

Board Member Carty motioned to support Article 21 – DPW Roof Top HVAC Unit Replacements. Board Member Roberts seconded the motion.

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

VOTED: To support Article 21 – DPW Roof Top HVAC Unit Replacements

**Article 22 – DPW Salt Shed Vinyl Cover Replacement**

Board Member Carty motioned to support Article 22 – DPW Salt Shed Vinyl Cover Replacement. Board Member Roberts seconded the motion.

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

VOTED: To support Article 22 – DPW Salt Shed Vinyl Cover Replacement

**Article 23 – Atkinson Pool Renovation**

Board Member Carty motioned to support Article 23 – Atkinson Pool Renovation. Board Member Roberts seconded the motion.

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

VOTED: To support Article 23 – Atkinson Pool Renovation

**Article 24 – SPS - School Classroom Instructional Equipment Replacement**

Board Member Carty motioned to support Article 24 – SPS - School Classroom Instructional Equipment Replacement. Board Member Roberts seconded the motion.

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

VOTED: To support Article 24 – SPS - School Classroom Instructional Equipment Replacement

**Article 25 – SPS - Haynes Elementary School Dehumidification HVAC**

Board Member Carty motioned to support Article 25 – SPS – Haynes Elementary School Dehumidification HVAC. Board Member Roberts seconded the motion.

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

VOTED: To support Article 25 – SPS – Haynes Elementary School Dehumidification HVAC

**Discussion of proposed Firearms Safety Business Bylaw and all related matters: (1) vote to recommend/not recommend Firearms Safety Business Bylaw; (2) presentation of bylaw to Finance Committee; (3) discussion of Firearms Safety Business Bylaw Town Forum, 3/28/24 at Goodnow Library.**

Chair Dretler acknowledged that Board Member Russo submitted a draft agenda for the Firearms Safety Business Bylaw Forum/Informational Session, to take place on March 28, 2024; via hybrid meeting.

Chair Dretler mentioned that the Finance Committee was considering aspects of the Bylaw. Board Member Roberts stated that the Finance Committee Members questioned hypothetical financial impacts associated with this matter. Town Manager Sheehan noted that it was difficult to assess associated litigation.

Town Manager Sheehan confirmed that the three KP Law Town Counsel attorney's, Planning Director Adam Burney and himself would be included as panelists on the Forum/Informational Session.

Board Members reviewed the submitted proposed agenda and spent significant time commenting about the applicable Town zoning maps, as presented in the Select Board packet for this evening's meeting. Chair Dretler recommended that the Select Board review the proposed Firearms Safety Business Bylaw PowerPoint presentation a week before the Forum.

Board Member Roberts indicated that she wanted to act as the moderator for the Firearms Safety Business Bylaw Forum/Informational Session.

Chair Dretler stated that discussion regarding the Firearms Safety Business Bylaw Forum/Informational Session would continue to the Select Board meeting on March 26, 2024.

**Discussion on Town Manager 360 reviews**

Chair Dretler referenced the nine 360 review responses, were included in this meeting's packet. Board Members agreed that the Town Manager 360 review responses were very positive with comments consistent with strong



leadership and effective communications. It was noted that one responder responded that they had not worked with the Town Manager.

Board Member Carty inquired about the Town Manager self-evaluation time frame. Town Manager Sheehan confirmed that he would submit his self-evaluation by March 20, 2024.

Board Members agreed that the Town Manager self-evaluation could be extended if the next two Board meetings had full agendas.

**Request the Select Board to appropriate a sum of \$85,000 of ARPA Funds to be expended under the direction of the Combined Facilities Director for the purpose of the replacement of the Fire Station 3 Roof system, or act on anything relative thereto.**

Present: Combined Facilities Director Sandra Duran

Ms. Duran confirmed that a lower bid than what was presented, had been submitted. She stressed that the dilapidated roof reflected emergency status and would fall within the Town Manager's budget and ARPA funding.

Vice-Chair Kouchakdjian motioned to appropriate a sum of \$85,000 of ARPA Funds to be expended under the direction of the Combined Facilities Director for the purpose of the replacement of the Fire Station 3 Roof system, or act on anything relative thereto. Board Member Roberts seconded the motion.

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

VOTED: To appropriate a sum of \$85,000 of ARPA Funds to be expended under the direction of the Combined Facilities Director for the purpose of the replacement of the Fire Station 3 Roof system, or act on anything relative thereto

**Vote to review and possibly approve the open session minutes of 1/23/24 and 1/31/24**

1/23/24 Minutes

Vice-Chair Kouchakdjian motioned to approve the open session minutes of 1/23/24. Board Member Carty seconded the motion.

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

VOTED: To approve the open session minutes of 1/23/24

1/31/24 Minutes

Vice-Chair Kouchakdjian motioned to approve the open session minutes of 1/31/24, as edited. Board Member Roberts seconded the motion.

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

VOTED: To approve the open session minutes of 1/31/24, as edited

**Adjourn**

Vice-Chair Kouchakdjian motioned to adjourn the Select Board Meeting; enter into Executive Session and not resume in open session. Board Member Carty seconded the motion.

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

VOTED: To adjourn the Select Board Meeting; enter into Executive Session and not resume in open session

There being no further business, the meeting ended at 10:39 PM.

## **SB Meeting 3/12/24 -Documents & Exhibits**

1. Vote to accept the resignation of Nancy Rubenstein, 57 Winsor Road, from the Permanent Building Committee (PBC), and send a letter of thanks for her service to the Town.

### **Attachments:**

1.a NRubenstein\_PBC\_resign

2. Approve award by the Town Manager of a contract between the Town and Lapinski Electric, Inc. for Rt 117 Traffic Signal Improvements to be performed pursuant to Contractor's bid (Contract# 2024-117TS-2) dated February 22, 2024, in the amount of \$609,090, and a contract between the Town and TEC, Inc., for contract administration for the above project in the amount of \$66,750, and further, to execute all documents relative to said contract inclusive of amendments, if any.

### **Attachments:**

2.a Sudbury Bid Award Letter

2.b TEC Rt 117 Agreement

3. Vote to sign a proclamation to recognize March 22, 2024 as Colby Caravaggio Day in the Town of Sudbury.

4. Interview four candidates for membership to the Sudbury 250 Committee. Following interviews, vote whether to appoint Jan Hardenbergh, John Neuhauser, Radha Gargeya and Rachael Robinson to the committee for a term expiring Sept. 30, 2026.

### **Attachments:**

4.a Sudbury 2025 Committee\_12.05.23

4.b JanHardbergh250ComApplication.redact

4.c JohnNeuhauser250ComApplication.redact

4.d Application-for-Appointment-RRG.redact

4.e Sudbury250\_Application

4.f RRG\_Citizenship

4.g RachaelRobinson250ComApplication.redact

5. Discussion with Town Moderator, Cate Blake, on vote threshold for Consent Calendar articles and other Town Meeting topics.

6. Discussion regarding 2024 Annual Town Meeting: consent calendar, positions on articles; discussion of Goodnow Library Trustees article; and update from Board Member Roberts on CPC articles.

### **Attachments:**

6.a 2024 ATM\_Articles\_draft

6.b Warrant draft SB mtg 3-12-24 rev

7. Discussion of proposed Firearms Safety Business Bylaw and all related matters: (1) vote to recommend/not recommend Firearms Safety Business Bylaw; (2) presentation of bylaw to Finance Committee; (3) discussion of Firearms Safety Business Bylaw Town Forum, 3/28/24 at Goodnow Library.

### **Attachments:**

7.a Firearm Bylaw Presentation Outline

7.b Allowable\_Parcels\_FBU

7.c ID\_Zoning\_Map

7.d Firearms Safety Business Use

**8. Discussion on Town Manager 360 reviews**

**Attachments:**

- 8.a 2024 Town Manager Annual Review Timeline\_Final
- 8.b Town Manager 360 Assessments

**9.** Request the Select Board to appropriate a sum of \$85,000 of ARPA Funds to be expended under the direction of the Combined Facilities Director for the purpose of the replacement of the Fire Station 3 Roof system, or act on anything relative thereto.

**Attachments:**

- 9.a ARPA Status Update 2024-03-07 AJS
- 9.b Letter to Town Manager requesting ARPA Funds for Fire Station 3 Roof 3.7.2024-signed

**10.** Vote to review and possibly approve the open session minutes of 1/23/24 and 1/31/24.

**Attachments:**

- 10.a SB\_draft1\_1.23.24\_min.for\_review
- 10.b SB\_draft1\_1.31.24\_min.for.review

**11.** Vote to enter into Executive Session pursuant to Exemption 3 (M.G.L. c.30A, §21(a)(3)) to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares.

**Attachments:**

- 11.a Exec Session

**12.** Vote to close Executive Session and not resume Open Session