

Recently I commented on a conversation I had with Nicole Burnard, Chair of the Sudbury Public School Committee, regarding a possible Fall Town Meeting, with the hopes that it would be the only time I did so. However, the issue festered to the point where my motives and ethics were called into question and references made to things we never discussed. Ms. Burnard recently made a comment at her July 22 School Committee meeting and sent a copy of it to the entire Select Board on July 24. I am going to take a moment to read it so that the community is aware of its existence then make a statement of my own.

Public Comment: Sudbury Public School Committee Meeting, July 22, 2024.

Nicole Burnard, Sudbury MA, speaking as an individual member of the Sudbury School Committee and not representing the Committee.

I initially did not plan to address the letter sent to the Select Board regarding my conversation with Dan Carty, the Select Board liaison, as I believed the meeting itself provided sufficient clarity. However, after receiving numerous inquiries following the Select Board meeting, I felt it necessary to issue a statement.

As I near the end of my second year on the Sudbury School Committee and take on a more active role as Chair, I recognize the importance of information gathering, seeking guidance and support. I rely on the expertise of experienced Board and Committee members, as well as external sources like the Massachusetts Association of School Committees (MASC) and legal counsel, to ensure informed decision-making as I navigate my new responsibilities.

The Town sent a request for relevant topics for special Fall Town Meeting warrant articles, which from my experience in the past the Town has not specifically solicited ideas for warrant articles for Fall Town Meeting. However, the request did not specify whether these submissions were intended for convening a special Town Meeting or for discussion after the Select Board decided whether to hold a Town Meeting. My conversation with Dan Carty was simply to clarify the Fall Town Meeting process and the Town's request and had no influence on me or the business of the School Committee.

I would like to end my statement by thanking Dan for taking the time to answer my questions. I also want to highlight the Select Board Liaison and Work Assignment Policy, which states that the liaison may serve as a resource or provide support as needed.

Thank you.

I think back to when I started on the Select Board. There was one colleague that went out of his way to make things difficult on me, and one that went out of her way to help me out. The interesting part is quite often I disagreed with both of them on policy matters, and both had an opportunity to deal with an inexperienced volunteer, yet they took completely different approaches in doing so. Having been the recipient of both treatments I prefer, and try, to model my behavior towards new volunteers after the helpful one, which is exactly what happened here. Now I am the volunteer with more experience, and I tried, in the spirit of that helpful Board member I mentioned earlier, answer the process question from a lesser experienced colleague.

The opinions of those that questioned my ethics don't surprise me. I've been their target before, and I am sure I will be again and thus I've developed emotional callouses towards them. However, others may hear what they say or read what they write in political blogs and assume it is the truth. To that I will simply say the only two people participating in that conversation have now publicly commented on it. Anything beyond that, and comments from anyone else not part of the actual conversation, is hearsay.

In closing, if this really is a question about ethics, I would suggest to instead look at those who were not part of the conversation between Ms Burnard and me yet felt compelled to make inferences about it. Certainly, they have reasons for doing so but only they could explain them.

As a member of this Board requested that an email on this topic be included in the online support materials packet for our July 16 meeting and that request was honored, I formally ask and expect that this statement be included in the packet for this meeting.

Thank you,
Dan Carty, Select Board Member
July 30, 2024

What are the biggest barriers to finding/instituting a solution?

- SED expansion (need staff, location, and transportation)
- Sudbury Parks & Rec programming (need staff, programming, transportation)
- Sewataro programming (need staff, programming, and transportation)
- YMCA programming in Sudbury (need location and transportation)
- BASEC programming in Sudbury (need location and transportation)
- BASEC in Maynard (needs transportation)
- Boys & Girls Club of Maynard (need transportation)
- Existing private programs (need transportation)

	Transportation	Staffing	Programming	Location
SED expansion				
Parks & Rec				
Sewataro				
YMCA in Sudbury				
BASEC in Sudbury				
BASEC Maynard				
B&G Club Maynard				
Existing programs				

Based on this table, it is clear that the best solution **in the short term** is addressing the transportation issue, as it opens up lots of existing programs (particularly outside Sudbury) by doing so.

Also based on this, it is clear that the best solution **in the long term** is to leverage the **locations** either at Parks & Rec (Fairbank) or Sewataro, and bring in **programming/staff** offered by YMCA or BASEC. Expanding SED to Parks & Rec or Sewataro doesn't solve the core problem of each option (staffing) -- in other words, they don't make a "complete solution" by coming together. Only outside programming can make a "complete solution" -- and we need to work towards a complete solution. Transportation is still a gap, but ideally we solve transportation in the short term plan and carry over that infrastructure to support the long term plan.

To: Select Board, Town Manager
From: Len Simon
Re: Zoning Board of Appeals
Date: July 28, 2024

On Tuesday, July 16, the Select Board took the unprecedented step of refusing, 3-2, to reappoint a full member of the Zoning Board of Appeals to another term. Member Russo led the charge against the entire ZBA, and in particular Jon Gossels. Mr. Gossels has served 24 years on the ZBA, more than any other member. During those 24 years no resident has complained about Mr. Gossels's fairness or objectivity. He provided valuable guidance as a member of the ZBA to stop the proposed development at Johnson Farm, and later to the Town when a developer wanted to build a 40B high-rise development in Town Center. His creativity and knowledge of zoning laws and regulations were key to keeping the project from changing Town Center forever.

Member Charlie Russo accused the ZBA of being a run-away, out-of-control board. He accused it of, 'poor decision making, an increasing trend toward advocacy and away from rule-following, people not playing by the rules, diverging from Select Board policy and town meeting votes, and in the habit of making mistakes.' He called the ZBA "scofflaws".

Mr. Russo then listed ZBA 'errors.' For each of the 'errors' there are sound reasons the ZBA ruled as they did. And for at least the past 20 years, there is no time the ZBA was taken to court and lost. At the time the ZBA decisions were made, no member of the Select Board voiced any public concerns. When Mr. Russo was done, Mr. Carty gave his full-throated support.

What is truly remarkable is that on July 16 neither the ZBA Chair, John Riordan, nor a 24-year member of the ZBA, Jon Gossels, were present. They were not given the basic courtesy of responding to the very serious charges being leveled against them, and to correct misinformation. Before the meeting, Mr. Riordan and Mr. Gossels were not aware that Mr. Russo would object to their reappointment, let alone go to these lengths. As far as they knew, this was to be a routine reappointment matter, with no reason to attend in person.

The decisions on reappointment should have been suspended, and the ZBA given an opportunity to respond before a vote was taken. The ZBA was tried and convicted 'in absentia'.

The ZBA opposed the Select Board's Article 16 Zoning Bylaw at Town Meeting in May. Mr. Gossels had the courage to stand up at town meeting and explain to the hall why he opposed the bylaw. The hall agreed, and the bylaw failed. Mr. Russo's repeated references to the failed firearm bylaw appear to be the underlying motivation for his unjust attack on the ZBA and Mr. Gossels.

Mr. Russo went on to criticize the ZBA members, and their spouses, for signing a petition in 2022 seeking a ban on firearm stores. Since when is signing a petition to protect the safety and character of our town wrong? The activities of spouses had traditionally been out of bounds.

It is no coincidence that it was the same three members of the Select Board (Russo, Carty and Roberts) who tried to push their firearm bylaw through town meeting, who voted out Mr. Gossels. The same three Select Board members did not have the courtesy to consult the ZBA in the six months before the firearm bylaw was put on the warrant and brought before town meeting. When Mr. Russo was done, Member Kouchakdjian wisely pointed out that if the Select Board had consulted with the ZBA, the debacle at town meeting might have been avoided. She also noted the 'complaints' were actually policy disagreements, and board members should not be dismissed over good faith disagreements.

Member Dretler said she was 'shocked, and this was retaliation, and it bordered on slander.' The ZBA may not be faultless, and with any committee decision, a party may be aggrieved, but the ZBA has a solid reputation for doing fine work under Mr. Riordan and Mr. Gossels. What happened Tuesday night was disgraceful.

Mr. Russo's use of his Select Board platform to disparage a talented volunteer board member, who has given decades of service to Sudbury, is repugnant to our community values. Why would any resident now choose to serve their community when they could be the next victim of public pillory by the Select Board?

Sadly, last Tuesday night, political differences of opinion were used for retribution.

Len Simon
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Sudbury