

SUDBURY SELECT BOARD

TUESDAY NOVEMBER 19, 2024

7:00 PM

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

ZOOM Meeting

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

**Call to Order**

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

**Opening Remarks by Chair**

- On 11/12/24 attended the great presentation “Parenting Today’s Super Connected Kids,” hosted by Dr. Jean Twenge at LSRHS
- Observed last night’s Finance Committee meeting, which included discussion with a DESE representative regarding the circuit breaker and also included members from the Park & Recreation Commission who addressed present challenges and opportunities

**Reports from Town Manager**

- Provided update regarding posted alert that the Sudbury Water District will be working on Fairbank Road to replace a hydrant which affects services on Fairbank and adjoining roads for about six hours (see Water District webpage for additional information)
- Thanked all for participating in the recent housing FlashVote; a good response by about 961 people; Town is hoping to utilize the FlashVote process on a more frequent basis
- Announced the Sudbury Holiday Village is December 7<sup>th</sup> with additional information on the Town website; volunteers for the Holiday Village can sign up on the website

**Reports from Select Board**

**Vice-Chair Carty**

- Announced CPC public hearing commences tomorrow night, with two proposals from the Sudbury Housing Trust, a proposal for a sculpture to be installed on the BFRT
- The Select Board Office Hours hosted by Chair Roberts and himself scheduled for Thursday evening, has been rescheduled to Thursday at noon due to the CPC meeting at 7:00 PM

- Announced the November 30, 2010 anniversary of Sudbury resident LT Scott Milley who was killed in military action – extended thoughts to the Milley family
- Announced the Milley Family Foundation annual fundraiser; Warriors 4 Warriors tournament between the Lincoln-Sudbury High School girls and boys hockey teams and the Concord-Carlisle High School girls and boys hockey teams on December 14, 2024

Board Member Dretler

Had no comments at this time.

Board Member Kouchakdjian

- Mentioned the informative presentation by Dr. Jean Twenge
- Wished all a wonderful Thanksgiving holiday

Board Member Russo

- Acknowledged most of MA being in a critical drought situation; cautioned all to be very careful with outdoor activities, such as enjoying firepits and related activities

**Public Comments**

Resident Manish Sharma, 77 Colonial Drive, awaiting documents regarding Town audit and tax related aspects, as previously requested. He thanked Vice-Chair Carty for recognizing the anniversary of Scott Milley, war hero. He thanked Board Member Kouchakdjian for presenting her Thanksgiving greetings to all. Mr. Sharma noted that he recently celebrated Diwali.

**Consent Calendar**

**1. Vote to approve a one-hour extension of the licensed closing hour and serving of alcoholic beverages for licensees who make application in advance to the Town Manager's Office: Lavender, 519A Boston Post Road on Wednesday, November 27, 2024 (Thanksgiving eve) and Tuesday, December 31, 2024 (New Year's Eve), on the condition that the kitchen remains open and food is served.**

**2. Vote whether to approve 1-day wine and malt license for a Holiday event at Date & Time, 5 Concord Road, on Thursday, December 5, 2024 from 6:30 PM to 9:00 PM, subject to the use of a TIPS-trained bartender and a receipt of a Certificate of Liability.**

**3. Vote to accept the resignation of Diana Cebra, 20 Metacomet Way, from the Historical Commission, and send a letter of thanks for her service to the Town.**

**4. Vote to appoint Michael Hershberg, 5 Brooks Road, to the Earth Removal Board with a term ending 5/31/25.**

**5. Vote to confirm the Town Manager appointment of Peter Abair, 4 Blackmer Road, to the Historical Commission for a term to expire 5/31/25.**

**6. As the Local Licensing Authority, vote on whether to approve the application of Logus Craft Beer and Wine, Inc d/b/a Franco's Craft Beer, 365 Boston Post Rd, for a Change of d/b/a from Sudbury Craft Beer to Franco's Craft Beer, under G. L. Ch. 138, s.15, Alexandre Alvarenga, Owner/Manager.**

Vice-Chair Carty motioned to approve Consent Calendar items 1-6, as presented in the Select Board meeting packet presented tonight. Board Member Kouchakdjian seconded the motion.

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

VOTED: To approve Consent Calendar items 1-6, as presented in the Select Board meeting packet presented tonight

**Interview two candidates for the Permanent Building Committee (PBC). Following interviews vote whether to appoint John Mann, 61 Willard Grant Rd., Sudbury, to serve as a member of the Permanent Building Committee for a term expiring on May 31, 2027, and whether to appoint Kathleen Bell, 348 Old Lancaster Rd., Sudbury, to serve as a member of the Permanent Building Committee for a term expiring on May 31, 2026, pursuant to the recommendations of the Permanent Building Committee at its meeting of October 1, 2024.**

Present: John Mann, Kathleen Bell, Elaine Jones, PBC co-chair; Craig Blake, PBC co-chair

Candidate John Mann

Mr. Mann presented his related experience including his employment in the area of construction planning with projects in Boston and surrounding areas, with exposure to new technologies in the construction field.

Ms. Jones endorsed the appointment of Mr. Mann and noted that PBC members voted unanimously for the appointment of Mr. Mann.

Board Members thanked Mr. Mann for his willingness to become a member of the PBC.

Vice-Chair Carty motioned to appoint John Mann, 61 Willard Grant Rd., Sudbury, to serve as a member of the Permanent Building Committee for a term expiring on May 31, 2027. Board Member Kouchakdjian seconded the motion.

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

VOTED: To appoint John Mann, 61 Willard Grant Rd., Sudbury, to serve as a member of the Permanent Building Committee for a term expiring on May 31, 2027

Candidate Kay Bell

Mr. Blake stated PBC recommended the appointment of Ms. Bell. Ms. Jones added that PBC voted 3-2 in support of Ms. Bell's appointment to the PBC.

Ms. Bell detailed that she would offer her time and experience to the PBC and had followed Sudbury PBC projects for several years and wanted to add an additional prospective to PBC.

Board Member Russo thanked Ms. Bell for her volunteerism to the Town and mentioned her principal focus as a disability advocate. Board Member Russo noted instances of past friction between Ms. Bell and Town officials and other committee members and explained that would affect his vote. Ms. Bell maintained that she follows the mission of any Town commission/board or committee and also serves as a member on the League of Women Voters.

Ms. Jones explained there may be a third member PBC candidate.

Board Member Dretler stressed that Ms. Bell has been involved with Town committees/commissions and boards for many years and stressed that PBC needs volunteers who are willing to work and be resilient. Board Member Dretler commented that Ms. Bell brings practical experience to the PBC, in consideration of her efforts regarding the Fairbank Center and the Fire Station.

Vice-Chair Carty stated the PBC has a special charge and seeks members with particular skill sets. He indicated that direct experience matters in this case. He suggested the Board conduct a related discussion in executive session in consideration of associated difficulties when Ms. Bell was a member of the Commission on Disability.

Board Member Kouchakdjian stated she had worked with Ms. Bell for many years and strongly supported the appointment of Ms. Bell on the PBC.

Chair Roberts recognized the dedication of Ms. Kay while serving on various Town commissions/boards and committees.

Ms. Bell confirmed that she is also seeking membership on the Sudbury Housing Trust.

Vice-Chair Carty motioned to appointed Kay Bell to the PBC for a term expiring on May 31, 2026. Board Member Kouchakdjian seconded the motion.

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

VOTED: To appointed Kay Bell to the PBC for a term expiring on May 31, 2026

### **Town Manager Sheehan to provide the Financial Condition of the Town**

Town Manager Sheehan presented the “Financial Condition of the Town of Sudbury,” PowerPoint presentation, which included the following topics; Financial Forecasting, Financial Summary, Budget, Revenues, Expenditures, Identified Needs, Long-Term Sustainability, and Financial Policies.

Town Manager Sheehan thanked Town Finance Director Victor Garofalo and Assistant Town Manager and Human Resources Director Maryanne Bilodeau for their contributions to the “Financial Condition of the Town of Sudbury” presentation.

Mr. Sheehan and Mr. Garofalo provided answers to related Board Member questions.

Board Member Dretler opined that this was the best Town finance presentation that she had seen to date as Sudbury Select Board Member. She hoped that the Select Board could continue discussions regarding ways to boost revenue and economic growth in concert with the Planning Board and economic consultant in place with further progress for the Master Plan.

Board Member Kouchakdjian applauded Town Manager Sheehan and Finance Director Victor Garofalo regarding the most informative and thorough Financial Condition of the Town presentation.

Other Board Members concurred with the thoroughness of the “Financial Condition of the Town of Sudbury” presentation. Chair Roberts commented that the discussed presentation would also be of great importance to the Finance Committee.

**Discussion of Camp Sewataro Financials**

Town Manager Sheehan commented that he had spoken to members of the Camp Sewataro team, who confirmed that such financials had not yet been received by the CPA.

Board Member Dretler referenced the agreement which was due by November 15, 2024.

Chair Roberts stated the financial audit would be of benefit going forward.

**ARPA Update - return surplus ARPA funds and/or allocate ARPA funds**

Board discussion took place regarding return of surplus ARPA funds and allocation of ARPA funds.

Town Manager Sheehan summarized a potential listing of unclaimed ARPA funds totaling \$492,000 for:

- Feasibility Study for Haynes and Curtis School Roofing - \$100,000
- Economic Development Consultant - \$15,000
- Camp Sewataro Audit - \$25,000
- ConCom Vehicle - \$50,000
- Finance Department postage machine - \$15,000
- Fire Department Life Pack - \$64,000
- Additional funds for GOSudbury! Transportation Program - \$135,000
- Department of Public Works pick-up vehicle - \$88,000

Board Member Dretler motioned to authorize the Town Manager to enter into an ARPA grant agreement with the Sudbury 250 Committee in the amount of \$25,000. Board Member Kouchakdjian seconded the motion.

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

VOTED: To authorize the Town Manager to enter into an ARPA grant agreement with the Sudbury 250 Committee in the amount of \$25,000

Board Member Dretler motioned to authorize the Town Manager to enter into an ARPA grant agreement with the Transportation Committee in the amount of \$17,000. Board Member Kouchakdjian seconded the motion.

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

VOTED: To authorize the Town Manager to enter into an ARPA grant agreement with the Transportation Committee in the amount of \$17,000

Board Member Dretler motioned to return the following ARPA funds totaling \$424,512.29 to the unobligated category so said funds can be obligated to other ARPA-eligible uses: Police Medical Equipment: \$6,232.64; Park & Recreation Department van: \$14,467.50, and Fire Station #2: \$403,812.15. Board Member Kouchakdjian seconded the motion.

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

VOTED: To return the following ARPA funds totaling \$424,512.29 to the unobligated category so said funds can be obligated to other ARPA-eligible uses: Police Medical Equipment: \$6,232.64; Park & Recreation Department van: \$14,467.50, and Fire Station #2: \$403,812.15

Board Member Dretler motioned to obligate ARPA funds totaling \$492,000, as described in the Town Manager's Memo dated November 19, 2024. Board Member Kouchakdjian seconded the motion.

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

VOTED: To obligate ARPA funds totaling \$492,000 as described in the Town Manager's Memo dated November 19, 2024

**Discussion and possible vote on request for comments from Massachusetts Housing Partnership (MHP) on the Kanso Maynard 40B multifamily housing project**

Town Manager Sheehan referenced the Sudbury Select Board comment letter to the Massachusetts Housing Partnership, as drafted by Board Member Russo. The letter captured Board sentiment regarding the proposed Kanso Maynard 40B multifamily housing project; *"The Sudbury Select Board does not support this project as currently proposed. Evidence indicates that the development could increase flooding of existing homes and roads, impact the quality and quantity of the water supply, destroy natural habitat including damaging critical wetlands, and create multiple safety concerns. The safety concerns include traffic safety, and a too-high burden on both Sudbury and Maynard public safety departments, as well as flooding and water supply issues, which existing municipal budgets and infrastructure cannot safely accommodate. These issues are detailed in the memo provided by Sudbury Director of Planning and Community Development Adam Burney. While the proposed housing would be built in the Town of Maynard, the development would include nearly 6 acres of land in the Town of Sudbury. Additionally, the impacts noted above would unquestionably have real, unavoidable, and negative impacts on Sudbury residents and their property.*

*You should know that Sudbury supports the Massachusetts Housing Partnership's goals implementing innovative policy and financing solutions that provide affordable homes and better lives for the people of Massachusetts. This is evidenced by our 11.88% SHI level, a 2024 Town Meeting approval of the Chapter 40A so-called MBTA Communities Act, a 2020 Town Meeting approval of an Inclusionary Zoning bylaw, and a 2019 Town Meeting approval of a 40R district in North Sudbury. Sudbury has taken these actions to expand affordable housing opportunities in appropriately sized projects in appropriate locations."*

Town Manager Sheehan detailed proposed easement factors on property in Sudbury which would limit the use of the property along with likely extensive flooding in both Sudbury and Maynard. He stressed that Maynard does not have the water capacity for such a project. Town Manager Sheehan acknowledged such detailed communications justifying potential safety, environmental and water shortage aspects to the Massachusetts Housing Partnership, as provided by Director of Planning and Community Development, Adam Burney.

Board Member Russo motioned to approve the letter to the Massachusetts Housing Partnership to be sent by Staff, with edits proposed by Board Member Dretler. Vice-Chair Carty seconded the motion.

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

VOTED: To approve the letter to the Massachusetts Housing Partnership to be sent by Staff, with edits proposed by Board Member Dretler

### **Discuss potential 2025 Annual Town Meeting Articles**

Town Manager Sheehan presented a Preliminary List of Articles to be considered at the May 5, 2025 Annual Town Meeting:

- Trailside Drive/Bridle Path: extinguish pedestrian easement
- Establish a Pension Stabilization Fund pursuant to GL c. 40, s. 5B and transfer from available funds a certain sum
- Establish (revolving/special revenue/other) fund for Health Department Public Health Excellence grant
- Establish Fairbank Community Center rental revolving fund
- Amend General Bylaws, Chapter 68 Town Meetings, [for the purpose of efficiency and modernization]
- Amend General Bylaws, Chapter 5, s. 5-3 Composition and Eligibility (of the Finance Committee) to clarify that Finance Committee members are prohibited from serving on other permanent boards/committees
- Amend General Bylaws, Article 11 Capital Planning, consistent with the recommendations of the Review of Capital Improvement Program, April 2020, by the Division of Local Services
- Adopt chapter 140 of the Acts of 2024 relative to tax titles
- Adopt General Law Chapter 44, s. 63, sale or other disposal of realty; disposal of proceeds
- Amend General Bylaws, Chapter 170-2, relative to fees for Weights & Measures to reflect increases in the Town's assessment

Town Manager Sheehan confirmed that Adam Burney was planning to submit an Accessory Dwelling Unit (ADU) Bylaw article.

### **Discuss Select Board professional development**

Board Member Dretler stated it would be beneficial for Select Board Members to participate in professional development sessions.

Board Member Kouchakdjian thanked Board Member Dretler for bringing this topic to the Board and agreed it was important that such professional development training be recognized as a recorded public meeting in light of transparency and the community can learn as well. Chair Roberts agreed.

Town Manager Sheehan agreed to contact legal counsel regarding such training offerings. Board Member Dretler recommended that Code of Conduct training should be scheduled before the Board participates in the professional development offerings.

**Upcoming Agenda Items**

12/3/24

- Review Select Board Minutes
- Tax Classification Hearing
- Open the Annual Town Meeting Warrant
- Sewataro financials
- Fairbank Center Select Board Goal
- Town Forum Update

**Upcoming Meetings**

- Combined Facilities Update

**Adjourn**

Vice-Chair Carty motioned to adjourn the Select Board Meeting. Board Member Kouchakdjian seconded the motion.

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

VOTED: To adjourn the Select Board Meeting

There being no further business, the Select Board Meeting adjourned at 11:02 PM.



## **SB Meeting 11/19/24 - Documents & Exhibits**

1. Vote to approve a one-hour extension of the licensed closing hour and serving of alcoholic beverages for licensees who make application in advance to the Town Manager's Office: Lavender, 519A Boston Post Road on Wednesday, November 27, 2024 (Thanksgiving eve) and Tuesday, December 31, 2024 (New Year's Eve), on the condition that the kitchen remains open and food is served.

### **Attachments:**

1.a Lavender\_2024 holiday hours extension\_SB

2. Vote whether to approve 1-day wine and malt license for a Holiday event at Date & Time, 5 Concord Road, on Thursday, December 5, 2024 from 6:30 PM to 9:00 PM, subject to the use of a TIPS-trained bartender and a receipt of a Certificate of Liability.

### **Attachments:**

2.a Date and Time Holiday Event\_SB

2.b Department Feedback\_Date and Time Holiday 2024\_1 Day Alcohol

3. Vote to accept the resignation of Diana Cebra, 20 Metacomet Way, from the Historical Commission, and send a letter of thanks for her service to the Town.

### **Attachments:**

3.a SHC Resignation Letter\_Diana Cebra

4. Vote to appoint Michael Hershberg, 5 Brooks Road, to the Earth Removal Board with a term ending 5/31/25.

### **Attachments:**

4.a Hershberg\_ZBA\_Appoint\_Recommend

4.b Michael\_Hershberg.redact

5. Vote to confirm the Town Manager appointment of Peter Abair, 4 Blackmer Road, to the Historical Commission for a term to expire 5/31/25.

### **Attachments:**

5.a Abair\_Peter\_2024 Historical Commission.red

5.b SHC Abair

6. As the Local Licensing Authority, vote on whether to approve the application of Logus Craft Beer and Wine, Inc d/b/a Franco's Craft Beer, 365 Boston Post Rd, for a Change of d/b/a from Sudbury Craft Beer to Franco's Craft Beer, under G. L. Ch. 138, s.15, Alexandre Alvarenga, Owner/Manager.

### **Attachments:**

6.a Francos Craft Beer\_Change of DBA\_SB

6.b Department Feedback\_Francos Craft Beer\_DBA 2024

7. Interview two candidates for the Permanent Building Committee (PBC). Following interviews vote whether to appoint John Mann, 61 Willard Grant Rd., Sudbury, to serve as a member of the Permanent Building Committee for a term expiring on May 31, 2027, and whether to appoint Kathleen Bell, 348 Old Lancaster Rd., Sudbury, to serve as a member of the Permanent Building Committee for a term expiring on May 31, 2026, pursuant to the recommendations of the Permanent Building Committee at its meeting of October 1, 2024.

### **Attachments:**

- 7.a Application-for-Appointment John Mann.redact
- 7.b Mann Appointment Recommendation for PBC 10-2024
- 7.c Kay Bell\_red.2024
- 7.d Brief\_Resume\_Kay\_Bell\_Sud\_service.red
- 7.e Bell Appointment Recommendation for PBC 10-2024

**8. Town Manager Sheehan to provide the Financial Condition of the Town**

**Attachments:**

- 8.a 2024 Financial Condition and Forecast 11-19-24

**10. ARPA update - return surplus ARPA funds and/or allocate ARPA funds**

**Attachments:**

- 10.a ARPA memo 2024-11-19

**11. Discussion and possible vote on request for comments from Massachusetts Housing Partnership (MHP) on the Kanso Maynard 40B multifamily housing project (cont. from 11/6).**

**Attachments:**

- 11.a 30 -Day Notice, Kanso-Sudbury
- 11.b Town of Sudbury Kanso Avalon Project Comments
- 11.c Sudbury Select Board KANSO MHP 2024-11-19

**12. Discuss potential 2025 Annual Town Meeting articles**

**Attachments:**

- 12.a 2025 ATM list - preliminary

**13. Discuss Select Board professional development**

**Attachments:**

- 13.a JD email

**14. Upcoming agenda items**

**Attachments:**

- 14.a Upcoming agenda.items 11.19.24