

IN SUDBURY SELECT BOARD

WEDNESDAY NOVEMBER 12, 2025

7:00 PM - ZOOM

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

Present: Chair Lisa Kouchakdjian, Vice-Chair Janie Dretler, Select Board Member Dan Carty, Select Board Member Charles Russo, Select Board Member Radha Gargeya, Town Manager Andrew Sheehan

Also Present: Town Counsel David Jenkins

Chair Kouchakdjian called the meeting to order at 7:00 PM.

Roll call: Dretler-present, Russo-present, Carty-present, Gargeya-present, Russo-present, Kouchakdjian-present

Opening Remarks by Chair

- Reminded everyone that the next Select Board Meeting is scheduled for November 18th to begin earlier at 6:30 PM in consideration of a full agenda, including the Annual legislative update with Senator Eldridge and Representative Carmine Gentile, and the Financial Condition of the Town as presented by Town Manager Sheehan among other agenda items that night

Town Manager Sheehan and Select Board Members had no further comments.

Public Comment

There were no public comments.

Miscellaneous

Move to find that Frank Mahwinney is not in conflict of GL c. 268A, s. 20(d) provided that he recuses himself from voting on the particular matter before the Cultural Council in which he has a financial interest.

Town Manager Sheehan acknowledged that the presented matter involves a conflict-of-interest disclosure and the topic is time-sensitive in consideration that the Cultural Council (of which Mr. Mahwinney is a member) meets next week.

Town Manager Sheehan noted that a 20(c)-disclosure form was completed by Mr. Mahwinney prior to Attorney Lee Smith's review of the disclosure, and Mr. Smith confirmed that the 20(d) disclaimer was preferable for matters before public body and form 20(c) is appropriate for matters not before public

body for which one serves and, in this case, the Cultural Council is considering a grant that Mr. Mahwinney is involved in and he is a member of the Cultural Council.

Town Manager Sheehan stated the matter is brought before the Select Board in order to allow Mr. Mahwinney to participate in the matter even though there is conflict.

Board Member Carty asked if it was common that all members of the Council file such disclaimer and acknowledged Mr. Mahwinney's conflict. Town Manager Sheehan indicated that he did not see such action from any other Board.

Mr. Gargeya stated that all other related correspondence stated that the decision is impartial by all those on the Council.

Town Manager Sheehan shared the opinion from Town Counsel Lee Smith dated November 6, 2025 and comes before the Select Board as the appointing authority.

Board Member Russo stated that all involved handled the issue in a transparent manner, which was the correct approach. Mr. Russo detailed that the Council has a type of matrix for scoring items, which adds to the level of objectivity during the process. He added that the Council is "a self-selecting group," which makes the potential for conflict greater. Mr. Russo stated that in this case, everything is "above board," and Mr. Mawhinney is a great candidate.

Town Manager Sheehan confirmed that Mr. Mahwinney submitted form 20(d) today.

Vice-Chair Dretler motioned to find that Frank Mahwinney is not in conflict of GL c. 268A, s. 20(d) provided that he recuses himself from voting on the particular matter before the Cultural Council in which he has a financial interest. Board Member Carty seconded the motion.

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

VOTED: to find that Frank Mahwinney is not in conflict of GL c. 268A, s. 20(d) provided that he recuses himself from voting on the particular matter before the Cultural Council in which he has a financial interest.

Vice-Chair Dretler recommended that the Cultural Council record all their meetings by SudburyTV and perhaps make the meetings hybrid going forward.

Vote to close Open Session and enter Executive Session to conduct strategy session in preparation for negotiations with nonunion personnel and/or to conduct contract negotiations with nonunion personnel, namely the Town Manager, pursuant to General Laws chapter 30A, §21(a)(exception 2).

Vice-Chair Dretler motioned to close Open Session and enter Executive Session to conduct strategy session in preparation for negotiations with nonunion personnel and/or to conduct contract negotiations with nonunion personnel, namely the Town Manager, pursuant to General Laws chapter 30A, §21(a)(exception 2). Board Member Carty seconded the motion.

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

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VOTED: to close Open Session and enter Executive Session to conduct strategy session in preparation for negotiations with nonunion personnel and/or to conduct contract negotiations with nonunion personnel, namely the Town Manager, pursuant to General Laws chapter 30A, §21(a)(exception 2).

There being no further business, open session ended at 7:14 PM.

Documents & Exhibits

1. Move to find that Frank Mahwinney is not in conflict of GL c. 268A, s. 20(d) provided that he recuses himself from voting on the particular matter before the Cultural Council in which he has a financial interest.

Attachments:

- 1.a KP-#1004441-v3-SUDB_Cultural_Center_OPL_re_Conflict_of_Interest
- 1.b Ledebuhr Disclosure of Appearance of Conflict of Interest
- 1.c Mawhinney SCC Exemption Form
- 1.d Shaw Conflict_of_Interest_Disclosure_Form SCC
- 1.e Ryan Conflict_of_Interest_Disclosure_Form
- 1.f Obrien Conflict_of_Interest_Disclosure_Form SCC1
- 1.g Peters_Disclosure Conflict_Of_Interest_Form_SCC1
- 1.h Gallup - Conflict_of_Interest_Disclosure_Form

2. Vote to close Open Session and enter Executive Session to conduct strategy session in preparation for negotiations with nonunion personnel and/or to conduct contract negotiations with nonunion personnel, namely the Town Manager, pursuant to General Laws chapter 30A, §21(a)(exception 2).

3. Vote to close Executive Session and not resume Open Session.