

IN BOARD OF SUDBURY SELECTMEN
TUESDAY, AUGUST 20, 2019
FLYNN BUILDING – SILVA ROOM

Present: Chairman Daniel E. Carty, Vice-Chairman Patricia Brown, Selectman Jennifer Roberts, Selectman William Schineller, Attorney Lee Smith, Town Manager Melissa Rodrigues, Selectman Janie Dretler, via conference call and Assistant Town Manager Maryanne Bilodeau, via conference call.

The statutory requirements as to notice having been complied with, the meeting was convened at 4:48 p.m. in the Flynn Building – Silva Room.

Chairman Carty called the meeting to order.

Opening Remarks by Chairman

Chairman Carty announced the Community Preservation Committee (CPC) is asking that proposals for funding be submitted by September 30, 2019. He added that proposal topics must involve acquisition, creation and preservation of open space, acquisition/restoration of historic resources, acquisition, creation, preservation and rehabilitation of restoration land for recreational use and acquisition, and preservation and creation in support of community housing. Further detail can be found on the Town website.

Chairman Carty mentioned that mosquito spraying will take place this evening, and if postponed for any reason, will take place tomorrow evening at: Landham Road, Woodside Road, Goodman's Hills Road, Nobscot Road, Lancaster Road, Raymond Road, Codjer Lane, Rice Road and Horse Pond Road.

He announced the September 11 Memorial Service to be held at the Memorial Garden on Wednesday, September 11 and bells would be rung at 8:46 a.m.

Reports from Town Manager

Town Manager Rodrigues stated that she had nothing to report.

Reports from Selectmen

Vice-Chairman Brown stated that Selectmen Office Hours will be held this Thursday, August 22, 2019 at the Coolidge Community Room, 189 Boston Post Road. She and Selectman Schineller would be there.

Selectman Roberts stated that boring work has been taking place at the Bruce Freeman Rail Trail in preparation of the design associated with the proposed boardwalk. The project is moving toward completion of 25% design and she thanked the community for their patience while this process continues.

Selectman Schineller mentioned that several Board members toured the Broadacres site and noted that some of the buildings are in rough shape and perhaps the Town Forum will touch on visions for that site and other properties. He stated that a Wayside Inn group asked him to advocate for the preservation of the historic roadway on the property.

Selectman Schineller will join Vice-Chairman Brown at the Selectmen Office Hours on August 22. He indicated that having the meeting at the Coolidge site might encourage the Town's older population to participate.

Selectman Dretler commented that a Fairbank Center users group meeting with the project architect took place last week and the group expects to meet again in several weeks with additional information to be presented.

Chairman Carty said today is the last scheduled open meeting with Town Manager Rodrigues who is leaving shortly. He thanked Town Manager Rodrigues for everything she has done and noted that a farewell reception will take place and details will follow.

Selectman Schineller asked if Town Manager Rodrigues could provide an update regarding the scheduled date of the Massachusetts SJC (Supreme Judicial Court) oral arguments. Town Manager Rodrigues responded SJC oral arguments regarding the Town's case against the MBTA and Eversource are scheduled for October 1, 2019.

Citizen's comments on items not on agenda

There were no citizen's comments.

Discussion and vote to approve the Purchase and Sale Agreement for Camp Sewataro

Chairman Carty explained that the Board met in Executive Session at 4:00 p.m. today and discussed the Sewataro Purchase and Sale Agreement.

Attorney Smith stated that completed plans are to be submitted soon and indicated that no substantive changes would be made.

Selectman Roberts affirmed that as a Board member and citizen she had concerns about the Camp Sewataro acquisition due to financial uncertainty and potential impact on other long-standing priorities. However, the vote to purchase Camp Sewataro did pass at Town Meeting and she noted the Camp Sewataro Purchase and Sale Agreement was reasonable so she is voting in favor of the P&S.

Vice-Chairman Brown stated that Selectman Roberts' comments presented a reasonable assessment.

Selectman Schineller thanked the negotiation team for the work they did, and affirmed that it was not an easy decision for him, and ultimately recognized the potential benefit of the site and believed it a worthy acquisition by the Town.

Selectman Dretler stated that she was not in favor of the purchase from the beginning of the process and felt the price of the property was excessive. She confirmed that she would be voting not to approve the Camp Sewataro Purchase and Sale Agreement and did appreciate the efforts performed by Town Manager Rodrigues, Town Counsel Silverstein, Attorney Smith and the Board Chairman.

Chairman Carty thanked everyone involved as well as the Taylor family.

Vice-Chairman Brown moved to approve the Purchase and Sale Agreement for Camp Sewataro. Selectman Schineller seconded the motion.

It was on motion, one no and four in favor.

Carty-aye, Brown-aye, Roberts-aye, Schineller-aye and Dretler-no.

VOTED: To approve the Purchase and Sale Agreement for Camp Sewataro.

Chairman Carty stated that the Sewataro Purchase and Sale Agreement would be signed by the Board after the meeting.

Authorize the Town Manager to award the contract for the management of Camp Sewataro

Town Manager Rodrigues stated that on July 10, 2019 the Town issued an RFP for a management group to run Camp Sewataro and on August 5 the Town received three bids: Scott Brody - K&E Camp Corporation, Marcus Lewis Enterprises Inc., and Metrowest YMCA.

On August 8, the evaluation Committee interviewed the respondents and evaluated each bid, with ranking performed (which is available online). She detailed that the Evaluation Committee was comprised of Dennis Keohane, Finance Director; Bill Barletta, Facilities Director; Adam Duchesneau, Director of Planning and

Community Development; Frank Livera, Acting Director of Parks & Recreation; and William Murphy, Director of the Board of Health.

Town Manager Rodrigues explained that on August 8th she reviewed and evaluated the price proposals of the three bids as well as the evaluations and rankings of the Evaluation Committee. She made recommendation to the Board of Selectmen on August 8 to enter into contract negotiations with Scott Brody of K&E Camp Corporation.

Providing additional detail, Town Manager Rodrigues stated on August 13th, the Town received notification that Camp Sewataro sent an e-mail to campers' families (without notification or approval of the Town) regarding the RFP process and supported one respondent. In response to that action, the Town issued a cease and desist letter to Camp Sewataro asking that they issue no further correspondence regarding the RFP process. She emphasized that by that point, the entire RFP process had been completed and her non-public recommendation had been made five days before the occurrence. Town Manager Rodrigues stated that all Camp Sewataro information can be found on the Town website.

Selectman Roberts asked why Town Manager Rodrigues and the Evaluation Committee chose K&E Camp Corporation. Town Manager Rodrigues answered that the RFP ranking process is very objective with "highly advantageous" ranking with consideration of the camp director's related experience as well as the public access aspect, which is very important to the Town. She referred to the three proposals and detailed that the Brody RFP provided revenue of \$10,000 per month in two annual installments and 20% of the \$500,000 net revenue per year, 25% on the next \$500,000 per year and 33.3% of all net revenue per year. She indicated that this proposal provided the least amount of risk for the Town.

Selectman Dretler compared the annual income of K&E of \$120,000 per year and the YMCA annual income was \$150,000. Town Manager Rodrigues acknowledged that comparison and added that it was more likely that the Town would receive the next payment at 20% in the Brody proposal and the YMCA proposal involved a sliding scale methodology. A related discussion continued.

Selectman Dretler asked if there would be a fee associated with proposed public access. Town Manager Rodrigues responded such considerations would have to be negotiated in the contract. Selectman Dretler responded that there was no free access at this time. Town Manager Rodrigues read that for the proposed "events" there would be no fees, but there is vagueness associated with other free public access such as walking the trails which would have to be negotiated.

Selectman Roberts stated her concern regarding public access particularly in consideration that the suggested rental amounts are not huge. Town Manager Rodrigues stressed the importance of the operator assuming the responsibility for insurance and maintenance of the property and buildings is of benefit to the Town at this time with no such appropriation in the budget for this year. Selectman Roberts indicated her support of that fact and again emphasized the public access aspect. A related discussion continued.

Selectman Dretler commented about the access ranking with the YMCA proposal. Town Manager Rodrigues responded that the YMCA bid included fee membership for public access provision.

Selectman Schineller asked for clarification regarding free access to events and weekends. Town Manager Rodrigues read from the K&E Camp Corporation bid: "will offer weekend programming at various times through the summer on certain portions of the site to residents of Sudbury. Other events will be held throughout the year."

Selectman Schineller stated that the Town would want to maximize that access and usage and agreed that all three bidders were excellent. He noted that negotiations were required in order to help clear the understanding of these vagaries. He asked if one of the bids allowed for summer access after 4:00 p.m. Town Manager Rodrigues

responded that the Marcus Lewis Enterprises proposal did make mention of public access after a certain hour of the day, and mentioned that only some of the buildings on site would be utilized. Selectman Schineller reiterated that there was no weekday access in the K&E Camp Corporation bid. Town Manager Rodrigues affirmed the statement.

Selectman Schineller stated that it appeared that the K&E bid was willing to provide resident access during the school year. Town Manager Rodrigues read: “willing to partner to create year-round enrichment programming with the whole Town if buildings are not used by the Camp year-round.” Town Manager Rodrigues stressed the “negotiation” concept. Town Manager Rodrigues requested that the Board vote to allow that negotiation process to begin today in consideration of momentum. She stated that if such negotiations did not go well, it was possible to reach out to the next RFP bidder. Chairman Carty confirmed that process. Vice-Chairman Brown asserted that at any given time, only one bidder would be in negotiation. Town Manager Rodrigues affirmed “good faith” negotiating practice.

Selectman Dretler indicated that she found it interesting that the Marcus Lewis proposal touched on community access to the pool on the weekends, but Mr. Taylor stated that would not be feasible due to complicating issues. Town Manager Rodrigues said that she was not part of such discussion, but understood that maintaining pH balance would become a factor for weekend use.

Selectman Roberts stated that she was not in favor of the Marcus Lewis bid in the area of closing the property during the winter months, which would not be open to cross-country skiing and other winter activities. However, she did endorse the aspect that it would be open mornings during the year before camp hours and from 5:00 p.m. to sunset on weekends. She stressed that she wanted to know more about the proposed openings and events associated with the Scott Brody bid. Town Manager Rodrigues affirmed that the Marcus Lewis bid presented the highest financial risk because it did not include a set monthly fee.

Selectman Dretler stated that she appreciated the fact that Mr. Brody suggested scholarships, and detailed that with increased enrollment he would guarantee more scholarships: 50 scholarships if current enrollment of 600 was permitted to increase to an enrollment of 650. Chairman Carty stated that in any case, there would be some scholarships available.

Selectman Dretler noted the K&E Camp bid included that major capital development improvements would not be made until after the third year. Selectman Schineller added that the Town could direct certain improvements. He recognized that the buildings on site would likely not be improved until after year three. Selectman Dretler agreed. A related discussion took place.

Selectman Roberts asked if there is access to the pools, would ADA compliance be mandated? Town Manager Rodrigues responded that in such an instance, a handicapped lift could be mandated, but did not recall accessible swimming being mentioned in the K&E bid.

Selectman Roberts queried if the Planning Board is likely to increase the camp enrollment to 650. Town Manager Rodrigues responded she did not know. Selectman Schineller added that Mr. Brody has experience with large camp enrollment.

Vice-Chairman Brown asked the negotiation team if this Board discussion was helpful. Town Manager Rodrigues and Chairman Carty responded in the affirmative. Town Manager Rodrigues added that negotiations would begin on Monday.

Selectman Schineller stated that he shared his concerns (especially financial) with the negotiating team and was confident that results would be beneficial. He stated that a clear definition of “net revenue” in the K&E bid would

be very important in consideration of expenses. He was in favor of the aspect that K&E would be operating according to the current blue print of Camp Sewataro including the same staff.

Selectman Dretler asked about associated consultant fees. Town Manager Rodrigues responded such aspect would have to be included as an item for negotiation.

Selectman Roberts asked if additional negotiation comments and recommendations could be submitted to the negotiation team. Chairman Carty and Town Manager Rodrigues responded affirmatively. Selectman Roberts emphasized that the three RFP bids were exceptional and understood staff recommendation.

Selectman Schineller highlighted the related FlashVote that was done with the emphasis on community access and the offsetting of revenue and mentioned two other proposals can be considered by the Board, if negotiations with K&E are not successful.

Selectman Schineller motioned to authorize the Town Manager to award the contract for the management of Camp Sewataro to K&E Camp Corporation – Scott Brody and authorize the Town Manager and the Chairman to negotiate to enter into this contract. Vice-Chairman Brown seconded the motion.

It was on motion unanimously. Brown-aye, Schineller-aye, Roberts-aye, Carty-aye and Dretler-aye.

VOTED: To authorize the Town Manager to award the contract for the management of Camp Sewataro to K&E Camp Corporation – Scott Brody and authorize the Town Manager and the Chairman to negotiate to enter into this contract.

Selectman Dretler thanked Town Manager Rodrigues for all the work she has done regarding Camp Sewataro.

Board members signed the approved agreement. Attorney Lee Smith left the meeting at this time.

Discuss Town Manager Search Firm and review of questions

Town Manager stated that all Town Manager Search firm bids are in as of yesterday and the RFP bids will now be evaluated; candidates in the highly advantageous category will be interviewed.

Town Manager Rodrigues distributed the search evaluation forms to Board members. She stated that the Selectmen would have to return the completed evaluation forms to Patty Golden, Senior Administrative Assistant to the Town Manager, by August 27, 2019. She explained that each member would have to check two or three provided search firm references. The Town Manager detailed that when Ms. Golden compiles the ranking, she could schedule interviews the last week in August and early September, with the Town Manager Search firm contract beginning in September 2019 and ending in January 2020.

Town Manager Rodrigues distributed Town Manager search firm interview questions with focus on:

- Successful Town Manager placements
- Processes used with a Town Manager search
- Community awareness methods when finding the best candidate
- Alerting candidates to the important issues of the community
- How to attract the appropriate personality type in addition to experience factor

Vice-Chairman Brown stated that the expectation would be to have a new Town Manager in place by January 2020. Chairman Carty commented that he thought a search period of approximately 100 days sounded appropriate.

Selectman Roberts asked if the holidays could negatively impact the timing of the search process. Town Manager Rodrigues responded not and felt that after summer vacation is a good time to start the search and added that the contract timeline should be aggressive.

Selectman Roberts inquired about a search committee. Town Manager Rodrigues stated that the search firm should make those related suggestions. Vice-Chairman Brown mentioned that a search committee and a search panel was well-defined by a previous Town Manager search firm that worked with the Town. Town Manager Rodrigues stated that her objective was to select the search firm before she left her post.

Selectman Schineller asked if the full Board interviews the candidates. Town Manager Rodrigues responded in the affirmative, adding that the Board could be conducting interviews at the September 10th meeting.

A discussion regarding the interview questions took place.

Discussion on Goal Setting

Chairman Carty emphasized that he wanted the Goal-Setting session to happen earlier this year and highlighted that the Town Manager search and the setting of Town goals were immediate priorities for the Board.

Selectman Roberts distributed the “Public Board of Selectmen Goal Sheet Comparison,” dated August 20, 2019, which she researched and compiled. She explained that the objective of the goal setting process was to “Compare structure and information within Board of Selectmen/Select Board goal sheets from various MA communities (10) and consider changing/enhancing Sudbury Board of Selectmen goal sheet.”

Vice-Chairman Brown maintained that the primary concern dictates the goal setting session must include all of the Selectmen.

Selectman Roberts detailed that the community goal setting processes ranged from a one-page process (Sudbury, Westford, Acton, Chelmsford) to a 10-page descriptive goal-setting process in Lexington. She noted that half of the towns researched had category designations and others had somewhat of a laundry list. She recognized Natick’s process as being comprehensive and stated that the Acton approach was very clear with ten long-term goals and five short-term goals.

Chairman Carty stated that categories present opportunity to brainstorm about what the goals should be and commented that goals are not a necessity for each category.

Vice-Chairman Brown asked for various Town goal sheets links. Selectman Roberts responded that she would provide the link/s.

Selectman Schineller stated that he did some goal-setting research as well and explained a goal-setting software method with demographic focus. Chairman Carty commented that it was an interesting concept and addressed the aspect of who wants it and why do they want it.

Vice-Chairman Brown was concerned that the process might become too complicated. Chairman Carty mentioned the benefit of a short list with four to six attainable goals and commented that voting with assigned colors might be the best approach.

Selectman Schineller asked if the initial goal setting designations could be done privately and then presented publicly. Town Manager Rodrigues stated that she would have to approve such a “concealed vote” approach to Town Counsel. Selectman Dretler added that she was in favor of public voting. Chairman Carty stated that the results of such voting would be public, but it would be beneficial for Selectmen to initially reflect upon their own choices without influence.

Selectman Dretler stated that the “high priority categories” should be attainable within a year and not require extensive voting process. She detailed members should have their own assigned colors when voting and affirmed that she did not appreciate the “stacking of colored stickers” approach.

Chairman Carty suggested that eight to ten agreed-upon goals could fit into a category framework. Selectman Roberts stated that she would further develop that concept and recognized that goals should remain a permanent documented piece.

Chairman Carty said that he favored including the facilitator that was involved in last years’ goal setting session. He affirmed that the goal setting session must be scheduled during the workday to include essential staff members. Ms. Bilodeau stated she would start the scheduling process and report back to the Board.

Citizen's comments (cont.)

There were no citizen’s comments.

Discuss upcoming agenda items

A joint Executive Session with the Planning Board is scheduled for Monday, August 26th at 12:30 p.m. to address Stone Farm.

It was noted that Facilities Director Bill Barletta has jury duty for several weeks which would postpone Fairbank architect discussions.

Sept. 10 Agenda items:

Vice-Chairman Brown will not be present on Sept. 10 and will participate via conference call.

- Goal Setting discussion and appointment of subcommittee
- Transition with Interim Town Manager
- Interview with Town Manager Search firms
- Traffic/Complete Streets discussion as suggested by Selectman Schineller

Tentative Sept. 24 Agenda items:

- Bruce Freeman Rail Trail Update Discussion on CSX
- Sewataro Discussion
- Financial Policies
- Possible DLS presentation, which must happen before the Goal Setting session
- KP Law media policy

Future Agenda items:

- Broadacres Farm discussion
- Goal Setting session

Vice-Chairman Brown provided a Lincoln-Sudbury Academy building project update. She detailed that the Historical Commission determined that the building at 420 Lincoln Road is a historical building and further challenges involving construction and funding must be addressed. She stated that she will be attending the Historical Commission meeting on August 29th which will address the building, as well as, Stone Farm. Vice-Chairman Brown requested that other Board members might consider attending this meeting.

Selectman Roberts asked if Town Manager Rodrigues arranged a meeting with the property owner at the corner of Nobscot Road and Route 20. Town Manager Rodrigues responded that she would be arranging that meeting with herself, Selectman Roberts and Selectman Schineller. Selectman Roberts asked if Steve Garvin, Planning Board Chairman, should be included in that meeting. Town Manager Rodrigues stated that she would check with Adam Duchesneau, Director of Planning and Community Development.

Consent Calendar

Before voting on Consent Calendar items, Selectman Schineller asked if the Board had any Community Preservation Act (CPA) application items to be considered. Chairman Carty responded not.

Special permit to hold “Ride to Defeat ALS” bike ride on Sunday, September 22, 2019

Vice-Chairman Brown motioned to vote to grant a special permit to Myke Farricker, Committee Co-Chair, to hold a “Ride to Defeat ALS” bike ride on Sunday, September 22, 2019. Selectman Roberts seconded the motion.

It was on motion unanimously.

VOTED: To grant a special permit to Myke Farricker, Committee Co-Chair, to hold a “Ride to Defeat ALS” bike ride on Sunday, September 22, 2019, from 7:00 a.m. through approximately 3:00 p.m., following the same route as in previous years, subject to Police Department safety requirements, proof of insurance coverage and the assurance that any litter will be removed at the race’s conclusion.

Special permit to hold “Walk for the Poor” on Sunday, September 29, 2019

Vice-Chairman Brown motioned to grant a special permit to Lisa Hanson, St. Anselm Conference of the Society of St. Vincent de Paul, to hold a “Walk for the Poor” on Sunday, September 29, 2019. Selectman Roberts seconded the motion.

It was on motion unanimously

VOTED: To grant a special permit to Lisa Hanson, St. Anselm Conference of the Society of St. Vincent de Paul, to hold a “Walk for the Poor” on Sunday, September 29, 2019, from 10:30 a.m. through approximately 1:00 p.m., subject to Police Department safety requirements, proof of insurance coverage and the assurance that any litter will be removed at the race’s conclusion.

Cultural Council Appointment

Vice-Chairman Brown motioned to appoint Amy Wilson Sheldon, 123 Moore Road, to the Cultural Council for a term expiring 10/30/22. Selectman Roberts seconded the motion.

It was on motion unanimously

VOTED: To appoint Amy Wilson Sheldon, 123 Moore Road, to the Cultural Council for a term expiring 10/30/22.

Approve First Student (busing) contract

Vice-Chairman Brown motioned to approve First Student (busing) contract. Selectman Roberts seconded the motion.

It was on motion unanimously

VOTED: To approve First Student (busing) contract.

There being no further business, the meeting adjourned at 7:00 p.m.

Attest: _____

Melissa Murphy-Rodrigues

Town Manager-Clerk