

SUDBURY BOARD OF SELECTMEN

TUESDAY, MARCH 3, 2020

Present: Chairman Daniel E. Carty, Vice-Chairman Patricia A. Brown, Selectman Janie Dretler, Selectman Jennifer Roberts, Selectman William Schineller, Interim Town Manager Maryanne Bilodeau and Henry Hayes, Jr., Contracted Town Manager.

The statutory requirements as to notice having been complied with, the meeting was convened at 7:00 p.m. at the Sudbury Police Station Training Room. Chairman Carty resumed the meeting in Open Session.

Opening Remarks by Chairman

Chair Carty announced the following:

- Movie filming at Wayside Inn, the surrounding neighborhood, and Goodnow Library began today.
- Updated Coronavirus information is on the Town website.
- Presidential Primary taking place this evening and the Town election will take place on March 30.
- Political signage not allowed on public/Town property, 100 feet from a polling place and cannot obstruct vision in any way.
- Eversource tree pruning began today.
- Bill #4388 Gender Neutral (Selectmen to Select Board) is moving through the State House.
- He and Selectman Dretler hosted BOS Office Hours on February 29 which was well-attended.
- He and Vice-Chair Brown met with Cub Scouts on February 13th at St. Elizabeth's Church and the topic of government was discussed.

Reports from Town Manager

Interim Town Manager Bilodeau announced the Historical Society has a new home at Loring Parsonage on or about March 19.

Reports from Selectmen

Selectman Dretler stated that the Fairbank Working Group met with the Finance Committee last week and the Fairbank Working Group met with CIAC last week to present the Fairbank Community Center project.

Selectman Dretler also attended a Master Plan Steering Committee meeting last week. Selectman Dretler attended the Complete Streets Working Group meeting and the associated meeting with the public where discussion involving inclusion of bike paths on Landham Road, North Road and Maynard Road took place.

Selectman Schineller stated that the Selectmen voted to send a note to MassDOT to expedite Bruce Freeman Rail Trail (BFRT) progress. The Town received word after such communication that the project was on track. He thanked Beth Suedmeyer, Environmental Planner, for her efforts.

Selectman Schineller noted that DLS (Division of Local Services) has not gotten back to the Board regarding a financial policy presentation/discussion.

Selectman Schineller attended the Complete Streets Working Group meeting last week and residents indicated preference to include safe cycling on Dakin Road, Haynes Road, and Union Avenue. He also met with the Historic Commission members recently and spoke of a potential project on Landham Road.

Vice-Chair Brown had no additional comments.

Selectman Roberts met with female members of Scout Troop #65 on February 27th and the topic covered was Constitutional Rights and related voting responsibility. She spoke with the Troop regarding Sudbury Town Government and recognized that the Scouts were working on their Citizen Merit Badge.

Selectman Roberts stated there was a good conversation at the Fairbank Working Group meeting with the Finance Committee which she attended. She also attended the Fairbank Working Group meeting with CIAC. The Working Group will soon be meeting with the Energy and Sustainability Committee.

Selectman Roberts reminded everyone that the Fairbank Community Center Forum will take place on March 28, 10:00 a.m. at LSRHS.

Citizen's Comments on items not on agenda

No comments

Approve Town Manager Contract between the Town of Sudbury and Henry L. Hayes, Jr., and ratify the vote taken in Executive Session

Present: Henry L. Hayes, Jr., Appointed Town Manager (Effective April 1, 2020)

Chair Carty stated that the Board approved the Town Manager Contract between the Town of Sudbury and Henry L. Hayes, Jr. in executive session minutes before. He thanked everyone involved, especially those citizens who volunteered their time to complete this important process. Chair Carty gave special thanks to Selectman Roberts who worked with him throughout the contract negotiations with Mr. Hayes. Chair Carty highlighted several terms within the Town Manager Contract:

- Mr. Hayes will assume his role as Town Manager commencing April 1, 2020.
- Annual Salary of \$180,000
- Agreed upon continued education while on-the-job
- Inclusion of 360 Review process, review at six months and twelve months for the first year of employment, followed by annual reviews.

Selectman Dretler thanked Interim Town Manager Bilodeau for her help. Selectman Schineller expressed thanks to all involved. Selectman Roberts thanked everyone for their efforts and stressed that training will now begin for Mr. Hayes. Vice-Chair Brown indicated that she was pleased with process results and welcomed Mr. Hayes.

Mr. Hayes thanked everyone involved in the process and relayed special thanks to the Board and affirmed he was looking forward to assuming the role of Sudbury Town Manager.

Selectman Brown motioned and Selectman Dretler seconded the motion.

It was on motion unanimously.

VOTED: To approve the Town Manager Contract between the Town of Sudbury and Henry L. Hayes, Jr., and ratify the vote taken in Executive Session.

Health Director Bill Murphy to provide update on EEE and Coronavirus

Present: Bill Murphy, Health Director and Phyllis Schilp, Board of Health Nurse

Mr. Murphy provided an update regarding the coronavirus and said that continued updates would be posted on the Town website. Mr. Murphy made assurance that the Town is currently prepared to address the illness.

Ms. Schilp explained that she is the lead investigator for the Town and asked the public to comply if requested. She detailed the self-isolation and quarantine requirements. She stated that all questions directed to the Health Department would be answered and strongly recommended that people refer to the Town website as updates will continue to be provided.

Selectman Roberts asked about symptoms. Ms. Schilp responded that related symptoms are similar to virus symptoms, and can be very mild to very serious, and travel is a prime consideration. Selectman Roberts mentioned the shortage of masks and gloves, etc. Ms. Schilp responded that the Town is ordering related supplies every five days.

Selectman Dretler asked about communications with schools. Ms. Schilp responded that CDC (Center for Disease Control) guidelines have been sent to Town schools and the Council on Aging (COA).

Resident and FinCom member Scott Smigler asked if the Town had the resources needed to address the pandemic. Mr. Murphy responded at this time the Town had what it might need.

Resident and FinCom member Jean Nam asked about the quarantine aspects. Ms. Schilp replied that such a procedure is dependent on the illness level and if a virus is confirmed.

Selectman Schineller asked how long the virus bacteria could last on a doorknob or other object. Ms. Schilp responded that she was unsure and stated that a prevention list would be distributed.

EEE Update

Present: Bryan Farless, Superintendent of East Middlesex Mosquito Control

Mr. Farless provided mosquito control information, stating that Sudbury is a member of the E. Middlesex Mosquito Control Project. He explained Mass. EEE risk categories as of September 23, 2019.

Selectman Dretler mentioned the importance of related bird activity and climate change. Mr. Farless stressed that 2019 was most significant year for human EEE infection since 1956 and acknowledged the influences of climate change and bird activities.

Mr. Farless detailed the increase in EEE prevention via adult mosquito control and increased trapping and testing. He provided details regarding early detection, three additional traps in Wayland and Framingham and two additional traps in Sudbury.

Selectman Dretler speculated about a more active upcoming mosquito season due to the mild winter. Mr. Farless said the mild winter might not increase the incidence of EEE, but could likely contribute to an

increase of mosquitoes. He added that the challenges included MA towns not participating in treatment/prevention measures and emergency MPPH spraying.

Chair Carty asked when mosquito season starts. Mr. Farless replied the season starts in April. Selectman Schineller commented about Frost Farm area spraying. Selectman Roberts reiterated the importance of dawn and dusk restrictions and sports-related precautions.

Chair Carty recommended starting the communication chain with Park & Recreation and the schools.

Police Chief Scott Nix suggested that residents refer to the Town website before calling the Police Department unless a related emergency arises.

Joint meeting with Finance Committee (FinCom) and Capital Improvement Advisory Committee (CIAC) to discuss Town Meeting Articles

Present: Dennis Keohane, Finance Director; CIAC members: Jamie Gossels, Chair; Susan Asbedian-Ciaffi, Thomas Travers, and Matthew Dallas. FinCom Members: Jeffrey Atwater, Chair, Lisa Gutch, Ronald Brumback, Susan Berry, Eric Poch, Bryan Semple, Jean Nam, and Scott Smigler.

CIAC Chair Gossels motioned to open the CIAC joint meeting.

FinCom Chair Atwater motioned to open the FinCom joint meeting.

Chair Carty motioned and Vice-Chair Brown seconded the motion.

It was on motion unanimously

VOTED: To open joint meeting with Finance Committee and Capital improvement Advisory Committee to discuss Town Meeting Articles.

Presentation of FY21 Town Manager Operating Capital Budget by Interim Town Manager Maryanne Bilodeau

Interim Town Manager Bilodeau presented the Town Manager's Budget, the Town Budget, the Sudbury Public School (SPS) Budget and the Lincoln-Sudbury Regional High School (LSRHS) Budget. She detailed that the FY21 Operating Capital Budget was \$947,076.

Interim Town Manager Bilodeau itemized several projects:

- Town-Wide Walkway
- Carpet Replacement
- Various Building Improvements
- Hosmer House Roof Repair
- Ultraviolet Secondary Filtration System for Town Pool
- Half-Ton Pick-up Truck
- Flynn Building – 2nd Floor Bathroom
- Fire Car Replacement
- Information Systems – Document Scanning and Fiber Optic Network (funded in part by Community Compact Grant)
- LSRHS Vehicles – a pick-up and an athletic van

- Police Motorola Radios and VAF Repeater
- School Cafeteria Kitchen Equipment/Replacement Equipment
- SPS HVAC Repairs – Curtis School HVAC Repairs

Related budgetary questions and discussion took place between BOS, FinCom and CIAC. Capital funding sources were discussed, including overlay surplus, stabilization funds and capital exclusions.

Mr. Keohane explained release of overlay surplus in a ten-year span and added that funds were released due to the resolution of litigation.

Mr. Smigler suggested that a prioritization plan regarding the capital budget be put in place next year and recommended that each Board complete a project evaluation form at that time. Vice-Chair Brown asked who would be responsible for such prioritization plan. Ms. Gutch stated that she would want to hear more from the cost centers.

Interim Town Manager Bilodeau explained the capital prioritization process, which is somewhat dependent on what the items of prioritization are. Ms. Nam commented that the current process might benefit by a more transparent approach.

Selectman Schineller reiterated that DLS has yet to present the financial policies at a BOS meeting.

Interim Town Manager Bilodeau mentioned that if the groups had additional questions, there is time to address them before May Town Meeting.

Presentation on capital Town Meeting articles by Fire Chief John Whalen

Present: Fire Chief John Whalen

Fire Chief Whalen explained the increase in Town ambulance calls and EMS activity. At this time Chief Whalen summarized the proposed options for a new fire station.

Vice-Chair Brown confirmed that the proposed Route 20 Fire Station would accommodate two crews of two firefighters to better serve South Sudbury.

Fire Chief Whalen detailed that the Town must have two ambulances in service at all times and explained that the cost for a proposed new ambulance was \$340,000.

Presentation of capital Town Meeting articles by DPW Director Dan Nason

Present: DPW Director Dan Nason

Mr. Nason explained the necessity for maintaining an equipment replacement plan. He presented the article requesting a dump truck with a plow.

Selectman Schineller asked how many new DPW vehicles were being requested this year. Mr. Nason responded that five vehicles needed to be replaced.

Mr. Nason outlined the two roadway drainage systems at Pratts Mill Road and Goodman's Hill Road, and two culverts on Old Sudbury Road which should be repaired.

Presentation of capital Town Meeting articles by Brad Crozier, SPS Superintendent

Present: SPS Superintendent Brad Crozier and Police Chief Scott Nix

Mr. Crozier presented the article to replace the fourth Sudbury playground. He requested the transfer of unused funds from other completed school playground projects. The Noyes playground was completed and the Nixon Playground project would start in June.

Selectman Dretler asked about related contingencies. Mr. Crozier stated that there was a contingency of 10%. Selectman Dretler requested an update regarding the proposed parking lot at the playground, and Chair Carty responded that an update would be provided.

Selectman Roberts inquired about the life expectancy of playgrounds. Mr. Crozier confirmed a ten to fifteen year-life expectancy.

Mr. Crozier outlined the school security/camera article in collaboration with Police Chief Nix. Chief Nix elaborated on the proposed security measures.

Mr. Crozier detailed the need for a school foster student account. He stated that Town Counsel recommended such an account as a vehicle, allowing deposit of such funds into a dedicated account rather than into general revenue.

Ms. Nam inquired about collecting such funds. Mr. Crozier responded that there have been no deposits thus far; this would present an opportunity to collect funds for this service.

Mr. Semple asked about the amount of such funds. Mr. Crozier responded \$40,000 to \$80,000.

Vote to close joint meeting with FinCom and CIAC and resume Board of Selectmen meeting

CIAC Chair Gossels closed the CIAC joint meeting.

FinCom Chair Atwater closed the FinCom joint meeting.

Chair Carty motioned and Vice-Chair Brown seconded the motion.

It was on motion unanimously

VOTED: To close joint meeting with FinCom and CIAC and resume Board of Selectmen meeting.

Vote to exercise, or not exercise, the Town's right of first refusal to purchase the deed restricted affordable dwelling unit at 8 Eddy Street and inform DHCD; and to designate, or not designate, the right of first refusal to purchase the dwelling unit to the Sudbury Housing Authority

Present: Adam Duchesneau, Director of Planning & Community Development.

Mr. Duchesneau stated that due to the owner selling the 8 Eddy Street property, the Sudbury Housing Authority had expressed interest in buying the property for rental purposes. He noted that the structure is sound and the systems are in good shape. Mr. Duchesneau affirmed that the unit would remain on the Town's Affordable Housing inventory.

Selectman Roberts noted that DHCD would have to be notified of the purchase interest by the Sudbury Housing Authority.

Resident and Chair of the Housing Authority Kaffee Kang, stressed that the best use of the property would be to serve the lower income population rather than being sold to purchasers, who might not be qualified. She detailed that neighboring properties were also owned and managed by the Housing Authority.

Vice-Chair Brown commented that the Housing Authority is a good and attentive landlord.

Vice-Chair Brown motioned and Chair Carty seconded the motion.

It was on motion unanimously

VOTED: To exercise the Town's right of first refusal to purchase the deed restricted affordable dwelling unit at 8 Eddy Street and inform DHCD; and to designate, the right of first refusal to purchase the dwelling unit to the Sudbury Housing Authority.

Approve sale of assets by the Sudbury Access Corporation (SAC)

Chair Carty motioned and Selectman Dretler seconded the motion.

It was on motion unanimously, (5-0).

VOTED: To approve the sale of assets set forth on the attached list dated 2/4/20 by the Sudbury Access Corporation (SAC) as requested pursuant to Section 9 of the Agreement between the Board of Selectmen of the Town of Sudbury, Massachusetts, and Sudbury Access Corporation dated November 15, 2011, as extended through November 15, 2020.

Interim Town Manager Bilodeau to present FY21 Town Budget

Interim Town Manager Bilodeau presented the Town Manager's FY21 Town Budget of \$106,621,742. She noted that the Budget reflected revenues from the available funds:

- Real Estate and Personal Property Taxes
- State Aid
- MSBA Reimbursement
- SAFER Grant
- Local Receipts
- Other Available receipts (ambulance trips).

Interim Town Manager Bilodeau reviewed the FY21 Budget and detailed the primary financial clusters:

- COLA
- General Government
- Public Safety
- Public Works
- Human Services

Chair Carty stressed that the presented budget would not be voted upon at this meeting.

Mr. Keohane provided detail regarding the OPEB Plan and endorsed the 30-year plan.

Resident and FinCom member Susan Berry asked how long the Town would maintain outside insurance coverage for Broadacres Farm. Interim Town Manager Bilodeau responded by saying that such outside coverage would continue until buildings on the property were occupied or razed.

Selectman Dretler noted that a Camp Sewataro debt discussion must take place.

Review draft Winter 2020 Board of Selectmen Newsletter and approve for distribution

Selectman Roberts commented that various dates on Newsletter articles had passed and she recommended a change in language to reflect those changes.

Selectman Dretler motioned and Chair Carty seconded the motion.

It was on motion unanimously, (5-0)

VOTED: To approve the Board of Selectmen Newsletter and approve for distribution, with language change, as appropriate.

Discussion on the Fairbank Community Center/Town Forum

Selectman Roberts stated that the CIAC indicated likely approval of the project and Forum presentation and questions would be included on the Fairbank Town website project page.

Citizen's comments (cont.)

There were no citizen's comments

Upcoming Agenda items:

March 17th

- Meet with FinCom
- Historic Districts Article/Possible Candidate Review
- BFRT Update by Beth Suedmeyer
- Fairbank Center Financing
- Housing Authority/Sudbury Trust discussion regarding several properties
- Bella Wong Presentation
- CPC Articles
- Role of Selectmen and Town Manager Discussion

April 14th

- Financial Policies with Dennis Keohane
- Continued Fairbank updates
- Camp Sewataro discussion – tentative for March 31 or April 14

Consent Calendar

Sign Annual Town Election Warrant for March 30, 2020

It was on motion unanimously

VOTED: To sign the Annual Town Election Warrant for March 30, 2020, which must be delivered to residents by March 23, 2020.

Approve regular session minutes of 1/7/20, 1/9/20, 1/15/20 and 1/28/20

Vice-Chair Brown commented that Selectmen had to reconcile proposed wording in regard to the 1/9/20 minutes. Chair Carty stated that the language within the 1/9/20 minutes would be resolved and voted on at the next meeting.

It was on motion unanimously

VOTED: To approve regular session minutes of 1/7/20, 1/15/20, and 1/28/20.

Grant a 1-day Wine & Malt license to William E. Kneeland, Jr, to accommodate a Knights of Columbus fundraiser

It was on motion unanimously

VOTED: To grant a 1-day Wine & Malt license to William E. Kneeland, Jr, to accommodate a Knights of Columbus fundraiser on Saturday, March 14, 2020 from 6:00 PM to 10:00 PM at Our Lady of Fatima Parish Hall, 160 Concord Road, subject to the use of a TIPS-trained bartender and a receipt of a Certificate of Liability.

Accept Massachusetts FY20 Firefighter Turnout Gear Grant funds

It was on motion unanimously

VOTED: To accept Massachusetts FY20 Firefighter Turnout Gear Grant funds in the amount of \$5,250 for the purchase of Firefighting Gloves and Firefighter Protective Hoods to be used by the Fire Department personnel during fire operations.

Eagle Scout Recognitions

It was on motion unanimously

VOTED: To enter into the Town record and congratulate Evan Lanzendorf, Ethan Peter Mossi and Parker James Simon of Boy Scout Troop 63 for having achieved the high honor of Eagle Scout.

Earth Removal Board appointment

It was on motion unanimously

VOTED: To appoint Jonathan G. Gossels, 11 Spiller Circle, as a member of the Earth Removal Board for a term ending 5/31/21.

Re-appointment of John M. Porter to serve as a member of the Permanent Building Committee with a term expiration date of May 31, 2021

Chair Carty indicated that he was confused about the number of openings on the Permanent Building Committee (PBC). Interim Town Manager Bilodeau responded there was only one open position. She noted that PBC favored Mr. Porter because he was a structural engineer.

Chair Carty commented that because the Permanent Building Committee vacancy had not been advertised, the Board could not agree to re-appoint Mr. Porter at this time. Selectman Dretler agreed with Chair Carty's assessment of the situation, adding that the Board must post the vacancy.

There being no further business, the meeting adjourned at 11:50 p.m.

Attest: _____

Maryanne Bilodeau

Interim Town Manager-Clerk

Documents & Exhibits – 3/3/20

1. Open in regular session and immediately vote to enter executive session for the following purpose: Conduct strategy session in preparation for negotiations with nonunion personnel and/or to conduct contract negotiations with nonunion personnel (new Town Manager) pursuant to General Laws chapter 30A, §21(a)(exception 2).

Attachments:

1.a H Hayes KP-#712170-v1-SUDB_Town_Manager_Employment_Contract_Hayes FINAL WORD VERSION 2-25-20

4. Health Director William Murphy to provide update on EEE.

Attachments:

4.a March 2020 Sudbury Presentation Select Board 332020

6. Presentation of FY21 Town Manager Operating Capital Budget by Interim Town Manager Maryanne Bilodeau.

Attachments:

6.a MB Capital Article
6.b TM Capital presentation
6.c FY21 TM Operating Capital Consolidated 3-3-20 updated FINAL HANDOUT-Packet

7. Presentation on capital Town Meeting articles by Fire Chief John Whalen

Attachments:

7.a Fire Dept Articles
7.b Town Meeting_presentation_2020_Fire Station
7.c FY2021 Ambulance Purchase

8. Presentation of capital Town Meeting articles by DPW Director Dan Nason.

Attachments:

8.a DPW Articles_rev
8.b FY21 DPW Capital Requests 03-03-2020_minus_23

9. Presentation of capital Town Meeting articles by either Brad Crozier, SPS Supt., or Bill Barletta, Facilities Director.

Attachments:

9.a SPS Articles
9.b FY21 SPS Warrant Articles

11. Discussion and vote on whether to approve the sale of assets by the Sudbury Access Corporation (SAC)

Attachments:

11.a Winston Memo
11.b Sudbury Asset Inventory_20200206
11.c Inventory to Be Disposed_2020
11.d Inventory to Be Sold_2020

12. Interim Town Manager Bilodeau to present FY21 Town Budget.

Attachments:

12.a FY21 Budget Presentation MB FINAL for handouts and packets 3-3-20 TO BOS

13. Vote to exercise, or not exercise, the Town's right of first refusal to purchase the deed restricted affordable dwelling unit at 8 Eddy Street

Attachments:

13.a 8 Eddy Street ROFR

14. Review draft Winter 2020 Board of Selectmen Newsletter and approve for distribution.

Attachments:

14.a BOS Newsletter 3.3.20_v3

17. Upcoming Agenda Items

Attachments:

17.a POTENTIAL UPCOMING AGENDA ITEMS_3_3_20

18. Vote to sign the Annual Town Election Warrant for March 30, 2020.

Attachments:

18.a 2020 ATE Warrant

19. Approve regular session minutes of 1/7/20, 1/9/20, 1/15/20 and 1/28/20.

Attachments:

19.a IN BOARD OF SUDBURY SELECTMEN_1_7_20_with_edits_rev

19.b IN BOARD OF SUDBURY SELECTMEN_1_9_20_with_edits_rev

19.c IN BOARD OF SUDBURY SELECTMEN_1_15_20_with_edits

19.d IN BOARD OF SUDBURY SELECTMEN_1_28_20_with_editsPB2

20. Vote to grant a 1-day Wine & Malt license to accommodate a Knights of Columbus fundraiser on Saturday, March 14, 2020

Attachments:

20.a Knights One Day WM_2020_BOS

20.b Department Approvals_Knights of Columbus 2020_One Day WM

21. Vote to accept Massachusetts FY20 Firefighter Turnout Gear Grant funds in the amount of \$5,250

Attachments:

21.a FY2020 FF Turnout Gear Grant (002)

22. Vote to enter into the Town record and congratulate scouts of Boy Scout Troop 63 for having achieved the high honor of Eagle Scout.

Attachments:

22.a Eagle_Scout_email

23. Vote to appoint Jonathan G. Gossels, 11 Spiller Circle, as a member of the Earth Removal Board for a term ending 5/31/21.

Attachments:

23.a ZBA Recommendation Letter for BOS re Gossels to ERB 200213

23.b Duchesneu_email_ERB

24. Vote to re-appoint John M. Porter, 2 Woodland Road, to serve as a member of the Permanent Building Committee with a term expiration date of May 31, 2021, unless otherwise reappointed.

Attachments:

24.a PBC Application_and_resume_JMPorter