

SUDBURY BOARD OF SELECTMEN

TUESDAY MAY 26, 2020

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

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

The statutory requirements as to notice having been complied with, the meeting was convened at 7:00 p.m., via Zoom telecommunication mode.

Chairman Carty called the meeting to order after being in executive session and resuming in open session.

Opening Remarks by Chairman

Chair Carty announced:

- Many openings for Town Board/Committee membership. Information is on the Town website
- June 7 designated as Class of 2020 Day
- Upcoming Transportation Committee updates and grant funding. MAPC (Metropolitan Area Planning Council) had made grant funding available for municipalities to partner with taxi companies to serve the more vulnerable population during the COVID-19 state of emergency. Chair Carty noted that the Town would be submitting application for grant funding.
- Smaller Memorial Day celebrations, and the Department of Public Works and the Police Department posted events on social media sites.

Reports from Town Manager

Town Manager Hayes announced:

- The former owner of Camp Sewataro has removed his personal effects from the Camp.
- Sewataro intellectual property licensure signed.
- The Town of Sudbury will be applying for CARES Act funding in the amount of 1.7 million dollars with an application to be completed by June 5.
- The Town is working on the 1/12th budget which will be presented at the next Board meeting.
- Met with Sean Cronin of DLS (Division of Local Services) shortly after the presentation to the Board.
- Spoke with Representative Carmine Gentile regarding a proposed IT bond bill.
- Energy Aggregation application process completed. The Town secured a favorable rate and the signed documentation will be distributed to Board.
- Board members will be receiving the mentioned Finance Committee letter.
- Annual Town Election postcards were mailed to residents on Saturday, May 23. Many voters have requested mail-in ballots.
- Sudbury Reopening Working Group met today as Town Manager's goal continues to keep staff/personnel as safe as possible and minimize COVID-19 risk. There have been no complaints regarding level of service. Town re-entry plan to be reviewed mid-to-late June. The Town has received plexiglass dividers and face coverings.

Town Manager Hayes noted that Town Counsel reviewed the election bylaws stating that newly elected Town officials could assume their positions after Town Meeting, unless the Town sought a more immediate process via court action. Town Manager Hayes recommended that new officials assume their positions after Town Meeting.

Town Manager Hayes confirmed that the e-signature process is official.

Selectman Roberts asked if financial itemization was required to be submitted with the CARES Act application. Town Manager Hayes explained the application was a three-category process and funds could be transferred to expenses in 2021.

Selectman Roberts asked about the amendments related to the proposed Technology Bond Bill. Town Manager Hayes confirmed he would present those amendments to the Board. He added that LSRHS could submit their own Technology Bond application.

Reports from Selectmen

Vice-Chair Brown spoke of the recent MMA (MA Municipal Association) meeting which focused on CARES Act funding.

Vice-Chair Brown thanked everyone involved with the Memorial Day services.

Selectman Roberts mentioned the COA (Council on Aging) Senior Services update on the Town website. She stated that she and Selectman Dretler attended the BOH (Board of Health) meeting today, which focused on the concerns surrounding opening of businesses and possible community transmission of COVID-19. Selectman Roberts noted that BOH will need additional funding/resources to continue the level of health servicing they have been providing.

Selectman Dretler spoke about the impressive Memorial Day service and Presentation of Flags, which was posted to Facebook. She thanked DPW for their efforts.

Selectman Dretler participated in the Municipal Selectmen Association Leadership Conference webinar on May 20th, and the speaker was Attorney Lauren Goldberg of KP Law. Attorney Goldberg addressed topics regarding open records, public meetings, and conflict of interest. Selectman Dretler detailed that the conference was most interesting. The webinar can be found on the Municipal Selectmen Association website.

Selectman Dretler expressed her condolences to the family of former Sudbury resident Kathleen McLean, who was a victim of domestic violence.

Selectman Schineller stated that he had no further comments.

Update on COVID-19

Present: Bill Murphy, Health Director; and Bethany Hadvab, Town Social Worker

Mr. Murphy stated that the Town had 179 confirmed COVID-19 cases (118 from assisted living and senior living facilities) and 24 deaths recorded at senior living facilities. He noted that the BOH continues to work closely with those senior facilities.

Mr. Murphy stated that phase 1 of re-opening of businesses is the responsibility of the individual municipalities. He stated that Phase 2 would be unveiled on June 8.

Ms. Hadvab spoke of the many social concerns due to the COVID-19 crisis:

- Health services for older adults
- Housing instability in MetroWest with increased homelessness
- HOPEsudbury – emergency grant funding to address food instability, and rental payments
- Domestic violence and child abuse
- Mental health needs

Selectman Roberts suggested that Town Manager Hayes prepare a mental health message to the community.

Selectman Schineller asked about the opening of pools and camps in Town. Mr. Murphy responded that no related information is available at this time and conversations with stakeholders continue.

Citizen's comments on items on agenda

Resident Robert May, 98 Maynard Farm Road, asked about Personal Care Attendants (PCAs) and when they might be able to see their patients again. Mr. Murphy responded it was the decision of the health care agency or the independent PCA to provide adequate education regarding COVID-19 safety measures. Mr. May inquired about patients being admitted to nursing homes during this time. Mr. Murphy responded that new nursing home admissions must be quarantined and isolated from COVID-19 positive patients.

Citizen's comments on items not on agenda

Resident Robert May inquired about Camp Sewataro bringing out-of-town campers to the camp. Mr. Murphy affirmed that the process is controlled and regulated, and out-of-town campers must follow protocol. Mr. Murphy stated that vaccination administration and testing of campers is difficult because physicians are seeing more urgent cases at this time.

Open a joint meeting with the Sudbury Housing Authority (SHA)

Present: Sheila Cusolito, Executive Director – SHA; SHA Commissioners - Kaffee Kang, Amy Lepak, Sherril Cline, Steve Swanger, Terry Layden and Tania Vitvitsky

Chair Carty moved and Selectman Dretler seconded the motion.

It was on motion unanimously

VOTED: To open a joint meeting with the Sudbury Housing Authority to vote to appoint Tania Vitvitsky to the SHA Board on a one-year interim basis, effective June 1, 2020.

Ms. Kang called the meeting of the SHA (Sudbury Housing Authority) to order.

Ms. Kang confirmed that she was resigning from SHA on May 31st and recognized that SHA is nominating a SHA tenant, Tania Vitvitsky, to take her position and complete her term expiring on 5/31/21. She noted that Ms. Vitvitsky has been an associate member and a SHA tenant.

Resident Tanya Vitvitsky, 55 Hudson Road Unit 8A, maintained that there exists a need for non-age restricted SHA housing for families.

SHA member Amy Lepak thanked Ms. Kang for her work on the SHA.

Chair Carty motioned and Selectman Dretler seconded the motion.

It was on motion unanimously

VOTED: The Sudbury Board of Selectmen appointed Tania Vitvitsky to the SHA Board on a one-year interim basis, effective June 1, 2020, and in accordance with M.G.L. c.41, §11, to coincide with the resignation of Kaffee Kang, current Chairperson, whose term expires 5/31/2021, but who has submitted a letter of resignation, effective May 31, 2020.

Ms. Cusolito motioned and Ms. Cline seconded the motion.

It was on motion unanimously

VOTED: The Sudbury Housing Authority appointed Tania Vitvitsky to the SHA Board on a one-year interim basis, effective June 1, 2020, and in accordance with M.G.L. c.41, §11, to coincide with the

resignation of Kaffee Kang, current Chairperson, whose term expires 5/31/2021, but who has submitted a letter of resignation, effective May 31, 2020.

Close joint meeting with Sudbury Housing Authority and resume Board of Selectmen meeting

Chair Carty motioned and Selectman Dretler seconded the motion.

It was on motion unanimously

VOTED: To close the joint meeting with the Sudbury Housing Authority and resume the Board of Selectmen meeting.

Mr. Swanger motioned to close the Sudbury Housing Authority meeting. Ms. Layden seconded the motion.

It was on motion unanimously

VOTED: To close the Sudbury Housing Authority meeting.

Discussion on Reopening Working Group

Present: Fire Chief John Whalen, Assistant Town Manager/HR Director Maryanne Bilodeau, Town Manager Henry L. Hayes, Jr., and Health Director Bill Murphy

Town Manager Hayes stated that the working group was examining re-entry procedures for the Town and Sudbury businesses. He confirmed that he expected that the remote work schedule for Town staff would likely continue through June.

Chief Whalen detailed that the working group has been meeting with the core group, (senior Town management), and will continue meeting weekly. The extended core group will include business representatives as business openings take place.

Ms. Bilodeau detailed that staff members are coming to work one or two days per week, the Goodnow Library is considering curbside pick-ups, and Park and Recreation has no state guidance to date. Chief Whalen commented that the state maybe providing additional camp information by Friday.

Interview two applicants for the Historic Districts Commission - Marlana Voerster and Anuraj Shah

Present: Marlana Voerster, Anuraj Shah, and Chris Hagger, Chairman of the Sudbury Historical Commission.

Resident Marlana Voerster, 48 King Philip Road, stated that she would not proceed with her application to the Historic Districts Commission. She explained that her historic home was being renovated and, unfortunately, collapsed during construction and she will be busy with the rebuilding project.

Ms. Voerster maintained that many historic homes in Sudbury are vulnerable and hoped the Town could find ways to save these homes before it was too late.

Resident Anuraj Shah, 257 Concord Road, introduced himself and explained that he continues with the renovation of his historic home and fully understands the challenges involved with such renovation.

Mr. Hagger confirmed that the Historical Commission voted unanimously to appoint Mr. Shah to the Historic Districts Commission.

Chair Carty motioned and Selectman Dretler seconded the motion.

It was on motion unanimously

VOTED: To appoint Anuraj Shah to the Historic Districts Commission for a term to expire 1/1/24.

Discussion and possible vote to approve Lincoln-Sudbury Regional High School Excess & Deficiency funds (up to \$337,500 for Stadium Field and up to \$500,000 for unanticipated expenses related to tuition, specialized student services or COVID-19), to request letter of affirmation of apportionment method, and possible discussion about CARES Act applicability to Regional Schools.

Present: Bella Wong, LSRHS Superintendent/Principal

Ms. Wong asked that the Board vote on three items:

- Vote to request letter of affirmation of apportionment method.
- Vote to approve use of E & D up to \$337,500 to replace the Stadium Field
- Vote to approve use of E & D up to \$500,000 for unanticipated expenses related to tuition, specialized student services, or COVID-19

Vice-Chair Brown asked if the three-year student enrollment numbers were being utilized in this process. Ms. Wong confirmed that the 3 Year Rolling Average Apportionment Enrollment Ratio would be utilized in setting the FY21 LS Budget.

Selectman Roberts stated that she wanted the schools to have the funding necessary to open in the fall, and be eligible for any COVID-19 funding. Ms. Wong responded the CARES Act funding would be approximately \$28,000, with 10% of this amount to be reserved for use by private schools in the area.

Selectman Schineller motioned and Selectman Dretler seconded the motion.

It was on motion unanimously

VOTED: To approve the letter of affirmation of apportionment method and be sent to the MA Commissioner of Education.

Vice-Chair Brown asked if a detailed accounting of COVID-19 funding would be provided. Ms. Wong responded affirmatively. Town Manager Hayes confirmed that the Title 1 formula determines the CARES Act amount of funding for Sudbury.

Selectman Schineller motioned and Vice-Chair Brown seconded the motion.

It was on motion unanimously

VOTED: To take no action for approval of E & D up to \$500,000 for unanticipated expenses related to tuition, specialized student services, or COVID-19.

Ms. Wong emphasized that she would want the \$375,500 allocation be earmarked expressly for the Stadium Field, and not be put into a general stabilization fund.

Selectman Schineller motioned and Vice-Chair Brown seconded the motion.

It was on motion unanimously

VOTED: To take no action for approval of E & D up to \$337,500 to replace the Stadium Field.

Reappointment of Sudbury Housing Trust members

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

It was on motion, (4-0); Carty-aye, Brown-aye, Schineller-aye, Roberts-aye, and Dretler-abstain.

VOTED: To reappoint the following members of the Sudbury Housing Trust for a two-year term to expire 4/30/2020: Cynthia Howe, 28 Birchwood Avenue, Kelley Cronin, 244 Lincoln Road, and Janie W. Dretler, 286 Goodmans Hill Road.

Town Manager reappointment to the Historical Commission

Present: Jan Costa

Selectman Roberts motioned and Selectman Dretler seconded the motion.

It was on motion unanimously

VOTED: To approve the Town Manager reappointment of Jan Costa, 91 Willard Grant Road, to the Historical Commission for a term to expire 5/31/23.

Execute the Regional Housing Services Office (RHSO) Inter-Municipal Agreement (IMA) 90-day extension to 9/30/20

Present: Liz Rust of RHSO

Town Manager Hayes described the executive 90-day extension which he would be authorized to sign.

Chair Carty queried about Sudbury having a higher RHSO rate when compared to other participating communities. Ms. Rust explained the lottery process involved. Vice-Chair Brown asked if the extension covered the Town and the Sudbury Housing Trust. Ms. Rust affirmed it did.

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

It was on motion unanimously

VOTED: To authorize the Town Manager to execute the Regional Housing Services Office (RHSO) IMA 90-day extension to 9/30/20.

Review Town Meeting articles, possibly take positions on articles, and assign motions and presentations

Finance/Budget Article

Article 9 – Unpaid Bills

Vice-Chair Brown motioned and Selectman Dretler seconded the motion.

It was on motion unanimously

VOTED: To support Article 9 – Unpaid Bills.

Conservation Commission Article

Article 39 – Exchange of Real Property – Brimstone Lane parcels

Selectman Dretler suggested an increase in land received by the Town to provide additional buffer for Town trails. Selectmen Dretler and Roberts agreed to present related questions to the Conservation Commission before the Board votes on Article 39.

Petition Article

Article 54 - Cost/Benefit study on burying overhead utility lines

Selectmen Roberts suggested a clearer understanding of Planning Department time availability in regard to this article.

Board members agreed to obtain additional information on Articles 39 and 54 before taking a vote on the prospective articles.

Discussion on Board policies

Vice-Chair Brown presented the BOS Meeting Policy. Selectman Dretler recommended that the Board liaison could provide BOS meeting update regarding topics covered by other Town board/committee meetings. Board members agreed.

Selectman Roberts recommended the elimination of the phrase “brief form” when describing agenda materials provided to BOS. She maintained that she was happy with the information provided in current agenda packets and valued receiving such packets in advance.

Town Manager Hayes cautioned against Board policy being overly prescriptive.

Selectman Schineller acknowledged that the Meeting Policy documentation must adhere to Open Meeting Law.

The Board agreed that the public must be provided with information in the packet and such information will be posted by the day of the meeting.

Chair Carty moved and Selectman Dretler seconded the motion.

It was on motion unanimously

VOTED: To approve the edits to the Selectmen Meeting Policy as discussed.

Review minutes of 4/28/20

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

It was on motion unanimously

VOTED: To approve the regular session minutes of 4/28/20 as amended.

Discussion on the Fairbank Community Center/Town Forum

Chair Carty spoke of a swim team memorandum that was circulated and not originated from or endorsed by the Board of Selectmen. He suggested that Selectmen Dretler and Roberts present their Fairbank Community Center presentation to the Board.

Town Manager Hayes stated he would be scheduling a Fairbank Community Center working group meeting.

Citizen's Comments

There were no citizen's comments.

Upcoming Agenda Items

Board requests for future agenda items not included in the Upcoming Agenda Items list:

For June 9, 2020

- Transportation Committee Update and Grant Discussion/Update
- Town Manager Hayes' 1/12th Budget Update
- Possible Executive Session

For Mid-June

- Selectman Dretler's Town budget questions
- Selectman Robert's Request for Bruce Freeman Rail Trail (BFRT) status report including goals for the next two years
- Selectman Schineller's request for project status/updates

Topics to be assigned for the Spring 2020 Board of Selectmen Newsletter

Board members agreed to the following article assignments:

- Selectman Dretler – Bruce Freeman Rail Trail
- Vice-Chair Brown – Interview with Lynn Puorro, Executive Director – Sudbury Access Corporation
- Selectman Roberts – Fairbank Community Center
- Selectman Schineller – Impact of COVID-19 on the Town of Sudbury
- Chair Carty – Transportation Initiatives

Chair Carty stated that assigned articles must be submitted to the Selectmen's office by June 5.

Consent Calendar

Vote to dissolve the Town Manager Search Committee

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

It was on motion unanimously

VOTED: To dissolve the Town Manager Search Committee, and send a letter of thanks to all participants for their service to the Town.

Vote to adjourn meeting

Vice-Chair Brown motioned to adjourn the meeting. Chair Carty seconded the motion.

It was on motion unanimously

VOTED: To adjourn meeting

There being no further business, the open meeting adjourned at 10:51 p.m.

Attest: _____

Henry L. Hayes, Jr.
Town Manager-Clerk

5/26/20 Documents & Exhibits

2. Also to review executive session meeting minutes, pursuant to G.L. c. 30A, § 21(a)(7) “[t]o comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements” (“Purpose 7”), citing to the Open Meeting Law, G.L. c. 30A, §§ 22(f), (g).

Attachments:

- 2.a BOS Executive Session 12-04-18_draft_for_review
- 2.b BOS Executive Session 1-08-19_draft_for_review

6. Interview two applicants for the Historic Districts Commission. Following interview, vote whether to appoint Marlana Voerster, 48 King Philip Road, for a term to expire 1/1/25. Also vote whether to appoint Anuraj Shah, 257 Concord Road, as the Historical Commission designee, for a term to expire 1/1/24.

Attachments:

- 6.a HDC membership resommendations
- 6.b HDC members
- 6.c Email re Anu Shah
- 6.d AnurajShah Resume 041620_redact
- 6.e Shah HDC Application1_redact
- 6.f Marlana Voerster_HDC_redact

7. Discussion and vote whether to reappoint the following members of the Sudbury Housing Trust for a two-year term to expire 4/30/2020: Cynthia Howe, 28 Birchwood Avenue, Kelley Cronin, 244 Lincoln Road, and Janie W. Dretler, 286 Goodmans Hill Road.

Attachments:

- 7.a Trustee Appointment Recommendation - Howe Cronin Dretler 200507
- 7.b Housing Trust members

8. Discussion and vote whether to approve the Town Manager reappointment of Jan Costa, 91 Willard Grant Road, to the Historical Commission for a term to expire 5/31/23.

Attachments:

- 8.a HC members
- 8.b Costa_reappt

9. Review Town Meeting articles, possibly take positions on articles, and assign motions and presentations.

Attachments:

- 9.a Copy of Articles list ATM 2020 05-26-20
- 9.b Warrant Articles for 5-26 BOS meeting

10. Discussion on Board policies

Attachments:

- 10.a Selectmen Policiesfinal_May26

11. Review regular session minutes of 4/28/20, and possibly vote to approve minutes.

Attachments:

- 11.a BOS_draft1_4.28.20B_min_for_review

14. Upcoming Agenda Items

Attachments:

14.a POTENTIAL UPCOMING AGENDA ITEMS_5_26_20

16. Vote to open a joint meeting with Sudbury Housing Authority to vote to appoint Tania Vitvitsky to the SHA Board on a one-year interim basis, effective June 1, 2020, and in accordance with M.G.L. c.41, §11, to coincide with the resignation of Kaffee Kang, current Chairperson, whose term expires 5/31/2021, but who has submitted a letter of resignation, effective May 31, 2020.

Attachments:

16.a MGL C41 S11

16.b Kang resignation letter

18. Discussion and possible vote to approve Lincoln-Sudbury Regional High School Excess & Deficiency funds (up to \$337,500 for Stadium Field and up to \$500,000 for unanticipated expenses related to tuition, specialized student services or COVID-19), to request letter of affirmation of apportionment method, and possible discussion about CARES Act applicability to Regional Schools.

Attachments:

18.a Board Selectmen Sudbury Alt Assmt

18.b BOS Sudbury 337.5

18.c BOS Sudbury 500K

19. Discussion and vote whether to authorize the Town Manager to execute the Regional Housing Services Office (RHSO) IMA 90-day extension to 9/30/20.

Attachments:

19.a RHSO IMA Amendment - FY20 Extention

20. Vote to dissolve the Town Manager Search Committee, and send a letter of thanks to all participants for their service to the Town.

Attachments:

20.a Town Manager Screening Committee_members