

SUDBURY BOARD OF SELECTMEN

TUESDAY NOVEMBER 17, 2020

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

Present: Chairman Janie Dretler, Vice-Chairman Jennifer Roberts, Selectman Daniel E. Carty, Selectman William Schineller, Selectman Charles Russo, Town Manager Henry L. Hayes, Jr., Assistant Town Manager/HR Director Maryanne Bilodeau

The statutory requirements as to notice having been complied with, the meeting was convened at 7:01 p.m. via Zoom telecommunication mode.

**CALL TO ORDER/ROLL CALL**

Chair Dretler conducted roll call and made announcement regarding the recording of the meeting and other procedural aspects included in the meeting.

Roll Call: Russo-aye, Carty-aye, Roberts-aye, Schineller-aye, Dretler-aye,

**Opening remarks by Chairman**

Chair Dretler reported:

- Health Department Flu Clinic being held today for the senior residents, children 5-8 years old are welcomed to receive flu shots on November 18th. Additional information found on Town website.
- Board of Selectmen Goals Meeting took place yesterday and five top goals were: Financial Policies and Capital Planning Funding, LSRHS Agreement and Assessment Process, Upgrade - Fire Station 2 on Rte. 20, BFRT Project, and Camp Sewataro. She noted that a ratified vote regarding the 2021 BOS Goals would be taken at a future meeting.
- BOS will be holding an NSTAR/Eversource Public Utility Hearing on Tuesday, December 15, 2020 at 8:00 p.m.
- BFRT is seeking Advisory Task Force members; a number of applications have been received, and applicants are encouraged to submit applications. Some applications will be reviewed on December 1.
- Police Officer Hutchinson, Sudbury School Resource K-8 Officer, was filmed on TV today in recognition of his work with residents, including reading to children.

**Reports from Town Manager**

Town Manager Hayes reported:

- Jail Diversion Program received the 2020 Innovator of the Year Award.
- Library: Continues to offer virtual programs throughout the COVID emergency closure; such as weekly children programs, and additional programs for teens and adults. Contactless material pick-up and weekly pop-up library events outside. Also the Library has introduced book and movie bundles for everyone.
- Fairbank: Noted that the Town will select an Owner's Project Manager (OPM), conduct the interview process which will be overseen and report to Town Manager and Combined Facilities Director. Said he will ask the Combined Facilities Director to work with the Permanent Building Committee (PBC). Expects ZOOM meeting for PBC within the next two weeks
- Fairbank Community Center Next Steps:
  - RFQ and OPM processes:

- Develop timeline for entire project to determine intensity of work for OPM as budget is limited and funds for OPM will also be used for a full-time Clerk of Works once construction commences
- Refine tasks for OPM tailored to project
- Prepare RFQ including complete scope of work, evaluation criteria, contract document
- Advertise in newspaper and Central Register – 3-week reply period which may include site visit
- Send RFQ's to parties interested in applying
- Upon receipt, evaluate all applicants based on established evaluation criteria noted in RFQ
- Select three or more applicants for interview
- Negotiation of price with selected candidate
- Recommendation to Town Manager for contract

Kick-off meeting - the PBC will be meeting with the Facilities Director on Thursday, 11/19 to:

1. Develop the Fairbank project timetable required for determination of the tasks of the Owner's Project Manager
  2. Discuss the OPM tasks to be set forth in the Request for Qualification (RFQ) which will include provision for a Clerk of the Works during the construction
  3. Finalize the publication/interview schedule
- The hiring of an OPM is a requirement under statute for a project of this size and proceeds as in the Designer Selection process which requires development of an RFQ with qualifications and tasks enumerated, criteria for selection, and draft contract inclusion for extensive advertisement. This is followed by response review, determination of candidates for the PBC interview process, and recommendation to the Town Manager for award of contract.
  - At subsequent meetings, the PBC will be working on the RFQ for the Architect, also in accordance with statute.
  - I intend to utilize the Combined Facilities Director as my immediate go to leader.
  - The PBC will be a great resource to get this work under way and identify many professional, design and construction needs and make recommendations to the Town Manager, while working closely with and through the Combined Facilities Director.
  - Inclusion of applicable statutory and ADA requirements are a must.
  - We will ensure the will of the people comes to fruition in a predictable way.
  - I commit to be engaged and maintain true oversight of this project.
  - The voice of the Professional Staff is the largest voice that I will hear. I greatly value the citizen groups, and I currently intend to sustain the Town Manager Fairbank Working Group
  - When it comes to the process going forward, I anticipate a similar approach to the BFRT selection process where I utilized a multi-functional team to evaluate the submissions and make recommendation to me.
  - OPM via RFQ (reduce to potentially 4)
  - I ask for the meetings regarding this to be recorded so I can click into the meetings that I need to, as I will likely not attend every meeting real time

### **Reports from Selectmen**

Selectman Carty reported:

- Sudbury Public School Committee meeting discussion included the Committees acceptance of additional DESE funding regarding COVID testing pilot. The pilot involves antigen testing for students showing symptoms.
- LSRHS School Committee is meeting now to discuss increased COVID testing at that school.
- Attended MPO Pilot Transit Working Group session and he spoke briefly about GO Sudbury! Taxi Program; additional grant funding is being requested with another application.
- Christmas Tree Ornament program is popular and working well. The 2020 Time Capsule and Menorah lighting were mentioned. More information on the Town website.
- Sudbury Boy Scouts will be delivering Christmas trees this year instead of selling Christmas Trees, due to COVID. Go to [SudburyScouts.org](http://SudburyScouts.org) for additional information.

Selectman Schineller reported:

- The Sudbury Food Pantry looking for contributions
- Camp Sewataro listing of programs, 30-40 hours per week.
- Eversource project securing permitting, with another public hearing regarding waterways to take place in several weeks.

Selectman Russo reported:

- Zoning Board of Appeals (ZBA) approved the likely last round of permits for Cold Brook Crossing Development and drafting update/s to Sudbury storage unit bylaw to be presented at Spring Town Meeting.
- Conservation Commission appointed member Richard Morse as liaison member to the BFRT Advisory Task Force.

Vice-Chair Roberts reported:

- Park & Recreation Commission confirmed positive usage at the Atkinson Pool, and the Commission is doing their best with other programming.
- Finance Committee has formed an Operating Procedures subcommittee.
- Commission on Disabilities is looking forward to the ADA Adaptive Assessment Study results.
- Community Preservation Commission (CPC) took part in a site walk at Feeley Field where a new softball field is proposed, and at the Smile Playground near the Fairbank Community Center.
- Sudbury Boy Scouts looking to selling some 5 acres at the Scout site off Nobscot Road preferably for housing, affordable housing or conservation purposes. The Sudbury Housing Authority may have interest.

Chair Dretler asked that everyone wear masks and socially distance themselves.

### **Citizen Comments**

There were no citizen's comments.

### **Vote whether to approve petition of NStar Electric Company d/b/a/ Eversource Energy and Verizon for the purpose of obtaining a Grant of Location to relocate one (1) pole #71/119**

Present: Deputy DPW Director Bill O'Rourke

Selectman Russo motioned and Selectman Carty seconded the motion.

Selectman Carty asked about easements. Mr. O'Rourke responded that there was no such easement.

Vice-Chair Roberts asked if the pole removal would be permanent. Mr. O'Rourke responded affirmatively.

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

VOTED: To approve petition of NStar Electric Company d/b/a/ Eversource Energy and Verizon for the purpose of obtaining a Grant of Location to relocate one (1) pole #71/119. This work is necessary to accommodate Dutton Road bridge replacement project.

**Vote whether to support the expenditure of up to \$150,000 for the 75% design of the Bruce Freeman Rail Trail as appropriated by vote on Article 42 of the 2016 Annual Town Meeting. Also , vote to potentially release the Town Counsel Opinion regarding the use of Community Preservation Act ("CPC") funds pursuant to G.L. c.44B for the design of a portion of the Bruce Freeman Rail Trail in Sudbury**

Present: Director of Planning and Community Development Adam Duchesneau, Environmental Planner Beth Suedmeyer, Town Counsel Lee Smith

Selectman Carty suggested changing the order of the motion.

Selectman Carty motioned and Vice-Chair Roberts seconded the motion.

Mr. Smith agreed to release his opinion regarding the use of Community Preservation Act ("CPC") funds pursuant to G.L. c.44B for the design of a portion of the Bruce Freeman Rail Trail in Sudbury.

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

VOTED: To release Town Counsel Opinion regarding the use of Community Preservation Act ("CPC") funds pursuant to G.L. c.44B for the design of a portion of the Bruce Freeman Rail Trail in Sudbury.

A related discussion regarding use of CPC funding took place. Selectman Carty asked Beth Suedmeyer how much had been spent thus far, and has any money been spent on 75% design as these funds are specifically used to start 75% design. Beth Suedmeyer responded that no money had been spent on 75% design.

Vice-Chair Roberts motioned and Selectman Russo seconded the motion.

It was on motion 4-1; Russo-aye, Roberts-aye, Schineller-aye, Carty-aye, Dretler-aye

VOTED: To support the expenditure of up to \$150,000 for the 75% design of the Bruce Freeman Rail Trail as appropriated by vote on Article 42 of the 2016 Annual Town Meeting.

**Vote whether to authorize the acquisition of the rail corridor from Mile Post QBS 3.40 to QBS 4.80 from CSX Transportation, Inc. pursuant to the terms of the Purchase and Sale Agreement dated August 24, 2020, as may be amended, and that the Chair be authorized to execute any and all documents as may be necessary or convenient in order to consummate the acquisition.**

Present: Director of Planning and Community Development Director Adam Duchesneau, Environmental Planner Beth Suedmeyer, Town Counsel Lee Smith

Selectman Russo motioned and Selectman Schineller seconded the motion.

Mr. Smith confirmed that Environmental testing was performed and the Town completed due diligence in accordance with the purchase deadline of November 30. Mr. Smith informed the Board that CSX officials suggested that the final purchase documentation could be extended to the week of November 30th, due to the Thanksgiving holiday. He also detailed that the purchase contract stipulating the purchase of 11.26 acres would be

modified to the actual acreage of 9.25. Mr. Smith confirmed the purchase price would be amended to reflect that change.

Ms. Suedmeyer detailed that soil testing results were similar to those found with the 2009 testing, with no tracing of lead, herbicides or pesticides. She explained that testing had also been performed on the two adjacent Town properties, with no evidence of PAHs or PCBs.

Vice-Chair Roberts asked if any dangerous soil levels were found with this testing. Ms. Suedmeyer responded that PH and arsenic levels were not found at reportable levels, according to MA DEP (Department of Environmental Protection) rail pathway standards.

Selectman Schineller asked if trenching of the site would be required. Ms. Suedmeyer responded not.

Selectman Carty asked about the expense of soil removal, if necessary. Ms. Suedmeyer responded that any such soil removal would be covered under construction cost. Mr. Smith commented the Town would assume any such liability.

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

VOTED: To authorize the acquisition of the rail corridor from Mile Post QBS 3.40 to QBS 4.80 from CSX Transportation, Inc. pursuant to the terms of the Purchase and Sale Agreement dated August 24, 2020, as may be amended, and that the Chair be authorized to execute any and all documents as may be necessary or convenient in order to consummate the acquisition.

Resident Len Simon, 40 Meadowbrook Drive, asked if legal counsel opinion could be made public. Mr. Smith responded affirmatively.

Mr. Smith left the meeting at 8:15 p.m.

#### **Discussion on next steps with Fairbank Community Center**

Town Manager Hayes stated that next steps in the process would involve appointing a Project Manager in the next several days, with the Facilities Director releasing a RFQ (Request for Qualifications).

Mr. Hayes noted three or four applicants would be interviewed, and the PBC (Permanent Building Committee) would be instrumental in this process. Chair Dretler indicated that PBC would be meeting in two days, and hoped that such meeting would be broadcast by SudburyTV. Town Manager Hayes responded that such broadcasting would take place.

Vice-Chair Roberts inquired about user group involvement. Town Manager Hayes stated that the existing Fairbank Working Groups would remain in place, and professional staff would be involved as well.

Selectman Russo motioned that the Board of Selectmen recess for five minutes, and then resume with the Sudbury Diversity, Equity, and Inclusion Commission discussion. Selectman Carty seconded the motion.

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

VOTED: To recess for five minutes and resume with the Sudbury Diversity, Equity, and Inclusion Commission discussion

#### **Discussion and vote on mission statement and application process for the Sudbury Diversity, Equity, and Inclusion Commission**

Selectman Russo noted he had reviewed 12 community Diversity groups and mission statements, and suggested the Board move forward now.

Chair Dretler read through the document with proposed edits made by the Board.

Edits were included within topic areas of: Mission Statement, Goals, Membership, Compliance with State/Local Laws and Town Policies. Members reiterated that DEI (Diversity, Equity and Inclusion) meetings would be open to the public, recorded, and would include community- wide surveys and discussion groups.

Resident Debbie Howell, 123 Victoria Road, thanked the Board for their efforts and commented about the members at large, which would exclude Boston residents; primarily those involved in the METCO Program in Sudbury.

Selectman Schineller motioned to approve the Sudbury Diversity, Equity, and Inclusion Commission/Charter as edited on screen tonight by Town Manager Henry Hayes. Selectman Carty seconded the motion.

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

VOTED: To approve the Sudbury Diversity, Equity, and Inclusion Commission/Charter as edited on screen tonight by Town Manager Henry Hayes.

**Discussion and possible vote on Key Performance Indicators (KPIs)**

Selectman Schineller stated that the KPI goal was to develop a tool for Town project management review, control and reporting. He mentioned KPI drafts for Town projects including; Eversource Litigation, Broadacre Farm, Sudbury Station/Town Center Acquisition, and the Fairbank Community Center.

Selectman Schineller drafted language for the KPI Project Tracking Policy, and indicated that he could present KPIs on a quarterly basis, or as needed.

Selectman Carty motioned to approve the Board of Selectmen Project Tracking Policy as presented by Selectmen Schineller. Selectman Schineller seconded the motion.

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

VOTED: To approve the Board of Selectmen Project Tracking Policy as presented by Selectmen Schineller.

**Discussion on Lincoln-Sudbury Regional School District Agreement, and vote whether to ratify the vote taken in Executive Session regarding the release of Lampke Law opinion in a letter dated 9/8/20.**

Selectman Schineller motioned and Selectman Carty seconded the motion.

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

VOTED: To ratify the vote taken in Executive Session regarding the release of Lampke Law opinion in a letter dated 9/8/20.

The Board discussed various LSRHS District Agreement topics, including vocational education.

Several Board members recommended forming an LSRHS Agreement Subcommittee. Selectman Carty acknowledged that such a subcommittee could be re-enacted, and stated that he would speak to the chair of the LSRHS School Committee.

Chair Dretler stated that the LSRHS Agreement discussion will resume at the December 1st Board of Selectmen meeting.

Resident Pat Brown, 34 Whispering Pine Road, asked if the Board was considering a formal LSRHS Agreement subcommittee.

**Review draft Fall 2020 Board of Selectmen Newsletter and approve for distribution**

Board members reviewed edits made on their prospective Newsletter articles. Selectman Schineller acknowledged he would not be submitting an article due to time restraints.

Vice-Chair Roberts motioned to approve the Fall 2020 Board of Selectmen Newsletter as edited. Selectman Carty seconded the motion.

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

VOTED: To approve the Fall 2020 Board of Selectmen Newsletter as edited.

Selectmen agreed that all changes/edits would be submitted to Ms. Frank by tomorrow.

**Town Manager Self-Evaluation**

Town Manger Hayes summarized important aspects covered in his self-evaluation document addressed to the Select Board Members, dated November 16, 2020.

Town Manager Hayes identified several challenges; Staff meetings conducted by Town Manager Hayes. He expressed the worth and value aspects of such monthly Staff Meetings. He wrote: ideas and cross-functional collaboration occurs. Part of this is a carry-over from my previous profession, however, the alternative is to actually share less with certain Department Heads and the potential of the haves and have nots could become an emotional exercise that is less productive overall. Again, I am sensitive to the comments and will keep an eye on the situation and impacts. I perceive that the Department Heads and others know that I am very available whenever any of them want to discuss a matter of concern.

Town Manager Hayes recognized the challenge associated with Atkinson Pool revenue during the uncertain COVID period. He noted: "I have confidence in the professionals we have seeking remedies and their collaboration with the associated Commission."

Regarding the challenge of decreasing discord in various areas, Town Manager Hayes stated: "Diminishing discord in various areas is a challenge that I may not own in every case, however, I will strive to do my part in situations that I become aware of, if it is appropriate to do. In public service, relationship is just as important as performance."

Town Manager Hayes acknowledged that the COVID Pandemic has shifted everyone's normal work rhythms, increased the workload in many cases, and he did not want staff burnout to occur. In his words: "In the beginning of COVID-19 and leading up to major events, surging the workforce and operations may be appropriate; however, it is not sustainable and if the attempt is made to make that a new normal; health, morale, and sustainment of the team is likely to be negatively impacted."

Town Manager Hayes mentioned the challenge of the long-term vocational education disposition, and stressed that effective alignment and ownership of vocational education planning was necessary.

In terms of self-evaluated successes, Town Manager Hayes indicated that the transition into the Town Manager role has continuously advanced; including completing a budget in a most challenging period of history.

Another milestone for Town Manager Hayes was successfully implementation of an outdoor Annual Town Meeting, including all goals being met.

He noted that he created a Health Inspector position for Sudbury, which helps the Health Department during this COVID crisis, which tests all Health Department staff and contractors.

Town Manager Hayes acknowledged strengthening of his state and municipal relationships, which he established before assuming the Town Manager role. He stated: “new interactions and mentorship opportunities have presented themselves and I have great exchanges with various Town and City leaders locally and in other parts of the United States.”

Other personal successes mentioned by Town Manager Hayes included being a member of the ICMA Veteran Advisory Board, and on a panel interviewing Military Service Academy candidates, from the state level authority that oversees this process.

Town Manager Hayes acknowledged that opportunities are present:

- Set more predictable interactions with School Superintendents.
- Make more opportunities to interact with more of the professionals on the staff.
- Ensure the functional priorities are not delayed as a result of perceptions that the Select Board is requesting variances to direction of guidance given internally.
- Examine the Town Hall plans, as they likely need updating prior to moving towards construction.
- Deliver a new Fire Station, Town Hall, Fairbank Center, BFRT and post-CXS acquisition activities.
- Encourage and demonstrate what future leaders coming up in Sudbury need and desire to see by way of proper examples, exchanges and excellence. We will always have opportunities to improve interactions, and I believe all facets of leading this Town can become the model for others (internal and external) to emulate in the near future. We need future employees and citizen groups, let’s give them the best example to follow!

Within the area of self-assessment Vision/future thoughts, Town Manager Hayes stated: I understand the Select Board to be the legislative and chief executive body for the Town and my role as the Chief Administrative Executive. That said, there is a balance in responsibilities and I recognize my obligation to contribute to support the Board regarding the community and execute service delivery. My overarching vision for the Town is for us to sustain a safe, secure, serviced and strong Sudbury. This has layers to it and will be incorporated into the Employee Handbook.

Since I arrived, I have made it clear that we must think about the future and how to successfully transition to different postures related to the pandemic, I am not in a rush to try to return to what normal was or will be, yet we cannot fail to examine the steps towards the next normal. We have taken advantage of incorporating innovative ways to serve the community within the limitations associated with the virus.

Implement exercises for emergency management and responding to incidents within Town, to include resource protection; space utilization with focus on functional alignment, future growth potential and needs that may develop.

Secure financial support for future stabilization for long-term, community and infrastructure needs.



Future Agenda Items: As time goes, I have compiled some Bylaw considerations for the Board, most of them are listed on the document loaded in most meeting packets.

Sudbury has an abundance of protected spaces and recreation/quality of life resources. It is time to ensure the workplaces are seen with a similar lens. Long term capital strategy is needed and deferred maintenance should cease as it directly relates to employee satisfaction in many cases. I aim to be successful in providing spaces for our team to be comfortable and confident in over the next two decades. This is not a quick work, as the funds are Town Meeting items that must be properly planned, presented and subsequently approved by the citizens. Our crew is dedicated far beyond simple observation and I intend to enhance the workplaces and staffing numbers over time, where appropriate.

Camp Sewataro: I recognize there is a contract for current operations, how long it continues is under the watchful eye of the Select Board and my team. I speak with both the leaders on the staff as well as the camp operator about potentials and future activities. Example: at some point, we should devise a way to incorporate retreats, and leadership off-site and training opportunities on the premises. This can be for business, youth and clergy-related activities. Once the globe is turned back on and food can be served in settings like this, longer term thoughts lean towards overnight retreats and year-round potentials for utilization/revenue generation.

When I met with the Sudbury Chamber of Commerce, I encouraged that set of leaders to consider how they can grow and inspire Sudbury residents regarding entrepreneurship. There is a huge socio-economic span within the borders of Sudbury, increasing financial literacy, and bolstering the business mindset within our population will be beneficial throughout in the long run.

Citizen engagement: Sudbury has a large portion of the residents that could take a more active role in the Town, I imagine that at some point there could and should be more direct outreach to invite more participation. This is not a primary responsibility for me or the staff, however, the outcome would be a better representation of the citizens' thoughts and experiences.

Employee Handbook and development intent: Work is being done to enhance these areas. Big meetings will often include a teachable moment.

Selectman Schineller thanked Town Manager Hayes for helping the Town during the current emergency mode.

Selectman Russo indicated his appreciation of the Self-Evaluation presentation by Town Manager Hayes.

Selectman Carty noted the benefit of viewing the pandemic influence through the eyes of Town Manager Hayes. He appreciated the Town Manager's plan to interact with Sudbury School Superintendents.

Vice-Chair Roberts thanked Town Manager Hayes for his contributions. She stressed the importance of the BFRT project, and the related influence the Town Manager has on this impactful transformation of Sudbury. She also stressed the importance of advancement of economic development in the Town.

Chair Dretler stated that she was looking forward to the Town Managers continued performance milestones, and recognized the challenges associated with the BFRT and the Fairbank project. She also stressed the importance of economic development in the Town and upcoming collective bargaining agreements.

**Review open session minutes of 9/30/20 and 10/6/20 and possibly vote to approve minutes**

Selectman Carty motioned to approve the 9/30/20 minutes, as edited. Selectman Russo seconded the motion.

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

VOTED: To approve the 9/30/20 minutes, as edited.

Selectman Russo motioned to approve the 10/6/20 minutes, as edited. Selectman Carty seconded the motion.

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

VOTED: To approve the 10/6/20 minutes, as edited.

### **Citizen's Comments (cont.)**

There were no citizen's comments

### **Upcoming agenda items**

- Check Dennis Keohane's availability for December 8th Financial Policy Meeting
- Scheduling of joint meeting with Finance Committee and the Capital Improvement Advisory Committee
- Selectmen Office Hours to schedule for mid-December; Vice-Chair Roberts and Selectman Schineller hosting.

### **Vote to execute the Community Preservation Act Grant Agreement between the Town of Sudbury and the Sudbury Housing Authority (SHA) setting forth the terms and conditions for use of Community Preservation Act funding in the amount of \$259,000 toward creation by the SHA of rental housing specific to low income individuals or families which appropriation was approved by the 2020 Annual Town Meeting under Article 46.**

Selectman Carty motioned and Selectman Russo seconded the motion.

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

VOTED: To execute the Community Preservation Act Grant Agreement between the Town of Sudbury and the Sudbury Housing Authority (SHA) setting forth the terms and conditions for use of Community Preservation Act funding in the amount of \$259,000 toward creation by the SHA of rental housing specific to low income individuals or families which appropriation was approved by the 2020 Annual Town Meeting under Article 46.

### **Vote to send a thank-you letter to all election workers and Town Clerk staff for their outstanding efforts in preparation for the Nov. 3, 2020 Presidential Election**

Selectman Carty motioned and Selectman Russo seconded the motion.

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

VOTED: To send a thank-you letter to all election workers and Town Clerk staff for their outstanding efforts in preparation for the Nov. 3, 2020 Presidential Election.

### **Vote to adjourn meeting**

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

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

VOTED: To adjourn the meeting

There being no further business, the meeting was adjourned at 11:37 p.m.

## **11/17/20 Documents & Exhibits**

2. Continue executive session 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 ES\_DRAFT\_02-28-17\_minutes\_for\_review
- 2.b BOS Executive Session 6-22-2020\_for\_review

3. Vote whether to release LampkeLaw opinion letter dated 9/8/20 related to Lincoln-Sudbury Regional School District Agreement

### **Attachments:**

- 3.a 20200908 Response Memo to Questions\_Concerns with LS Regional Agreement - Town of Sudbury

5. Vote whether to approve petition of NStar Electric Company d/b/a/ Eversource Energy and Verizon for the purpose of obtaining a Grant of Location to relocate one (1) pole #71/119. This work is necessary to accommodate Dutton Road bridge replacement project.

### **Attachments:**

- 5.a Dutton Road Cover OH No Hearing.WO# 2316819
- 5.b Dutton Road Order OH No Hearing WO# 2316819 (5 signatures)
- 5.c Dutton Road Signed Petition- 2316819
- 5.d Dutton Road-#2316819 Plan

6. Vote whether to support the expenditure of up to \$150,000 for the 75% design of the Bruce Freeman Rail Trail as appropriated by vote on Article 42 of the 2016 Annual Town Meeting. Also, vote to potentially release the Town Counsel Opinion regarding the use of Community Preservation Act ("CPA") funds pursuant to G.L. c.44B for the design of a portion of the Bruce Freeman Rail Trail in Sudbury.

### **Attachments:**

- 6.a KP-#738566-v1-SUDB\_Opinion\_Letter (LSS)

7. Vote whether to authorize the acquisition of the rail corridor from Mile Post QBS 3.40 to QBS 4.80 from CSX Transportation, Inc. pursuant to the terms of the Purchase and Sale Agreement dated August 24, 2020, as may be amended, and that the Chair be authorized to execute any and all documents as may be necessary or convenient in order to consummate the acquisition.

### **Attachments:**

- 7.a Sudbury PSA Amend1

9. Discussion and vote on mission statement and application process for the Sudbury Diversity, Equity, and Inclusion Commission.

### **Attachments:**

- 9.a Draft\_Sudbury DEI Commission\_093020 v3
- 9.b DEI Committee Comparisons2\_10.29.2020

10. Discussion and possible vote on Key Performance Indicators (KPI) as requested by Selectman Schineller.

### **Attachments:**

- 10.a DRAFT SelectBoard Project Tracking Policy

- 10.b Project Status and KPIs
- 10.c Project Status Template

**11.** Discussion on Lincoln-Sudbury Regional School District Agreement, and vote whether to ratify the vote taken in Executive Session regarding the release of LampkeLaw opinion in a latter dated 9/8/20.

**Attachments:**

- 11.a 20200908 Response Memo to Questions\_Concerns with LS Regional Agreement - Town of Sudbury

**12.** Review draft Fall 2020 Board of Selectmen Newsletter and approve for distribution.

**Attachments:**

- 12.a BOS Newsletter 11.17.20\_v3

**13.** Town Manager self-evaluation

**Attachments:**

- 13.a Goals and evals - 30 90 6months - Hayes - 2020 Nov
- 13.b Self Evaluation - Hayes - 2020 Nov

**14.** Review open session minutes of 9/30/20 and 10/6/20 and possibly vote to approve minutes.

**Attachments:**

- 14.a BOS\_draft1\_9.30.20\_min\_for\_review
- 14.b BOS\_draft1\_10.06.20\_min\_for\_review

**16.** Upcoming agenda items

**Attachments:**

- 16.a POTENTIAL UPCOMING AGENDA ITEMS\_11\_17\_20

**17.** Vote to execute the Community Preservation Act Grant Agreement between the Town of Sudbury and the Sudbury Housing Authority (SHA) setting forth the terms and conditions for use of Community Preservation Act funding in the amount of \$259,000 toward creation by the SHA of rental housing specific to low income individuals or families which appropriation was approved by the 2020 Annual Town Meeting under Article 46.

**Attachments:**

- 17.a CPA grant

**18.** Vote to send a thank-you letter to all election workers and Town Clerk staff for their outstanding efforts in preparation for the Nov. 3, 2020 Presidential Election.

**Attachments:**

- 18.a thank you 2020 election workers from bos