

## SUDBURY SELECT BOARD

TUESDAY APRIL 27, 2021

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

Present: Chair Janie Dretler, Vice-Chair Roberts, Select Board Member Daniel E. Carty, Select Board Member William Schineller, Select Board Member Charles Russo, Town Manager Henry L. Hayes, Jr.

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

Chair Dretler announced the recording of the meeting and other procedural aspects included in the meeting. She acknowledged that the Board had just adjourned in Executive Session.

### **Call to Order/Roll Call**

Select Board Roll Call: Schineller-present, Carty-present, Russo-present, Roberts-present, Dretler-present

### **Opening remarks by Chair:**

- Baker-Polito Administration announced MA will reopen some outdoor Phase 4, Step 2 industries effective May 10<sup>th</sup> and plan for additional reopenings on May 29<sup>th</sup> and August 1, 2021.
- Real Estate and Personal property taxes are due May 3, 2021
- Annual Town Meeting Warrant has been mailed to residents

### **Reports from Town Manager:**

- Inter-departmental meeting held today regarding planning for the Annual Town Meeting
- Received May 1st payment from Camp Sewataro
- Attended the Sudbury Lions Club meeting last night
- Fire Station 2 and Town Moderator Municipal Minutes have been recorded
- Sudbury received the 2020 New England Stormy Award for the “Using Mini Weather Stations to Improve Winter Operations, Reduce Chloride Impacts, and Meet Stormwater Permit Requirements” submission; kudos extended to Sudbury DPW

### **Reports from Select Board**

Board Member Carty:

- Thanked all for participation in Sudbury Clean-up; his family participated
- Curtis Middle School and LSRHS resumed full-time, in-person learning this week; he requested everyone exercise patience regarding related increase in traffic
- Announcements during the SPS meeting last night included: the Federal Government - sponsored free lunch program would continue through the next school year and the State COVID-pool testing program would continue through the summer
- Tomorrow evening SPS and Lincoln Public School Committees will meet with legislators
- Last meeting of the Master Plan Steering Committee scheduled for tomorrow

Board Member Schineller:

- Select Board Financial Policies Subcommittee (Board Members Roberts and Schineller) met last night with Finance Director Dennis Keohane; will present revised Policies to the Board at the next meeting
- Sewataro Subcommittee (Board Members Russo and Schineller) held the first Subcommittee meeting, with several residents in attendance
- The Diversity, Equity, and Inclusion (DEI) Commission will conduct the first DEI meeting soon, with Board liaisons Schineller and Roberts
- Attended Earth Removal Board meeting last night with focus on the Eversource transmission line proposal
- Looking forward to the joint meeting with Commission on Disability during this meeting

Board Member Russo:

- Thanked Staff for efforts associated with the Sewataro Subcommittee
- Attended American Recovery Act funding meeting
- Participated in Earth Day activities
- At last evening's meeting, members of the Earth Removal Board voted to continue the Eversource Transmission Hearing discussion.
- Announced mild drought status in the state of MA and recommended that everyone be mindful of outdoor water usage

Vice-Chair Roberts:

- Announced Select Board Office hours with she and Board Member Russo on Thursday, April 29; made recommendation that the Select Board Office Hours be posted on the Town website
- Expecting the first DEI meeting to be held in May
- Select Board Policies and Procedures draft revision likely to be presented at the next Board meeting
- Congratulations to DPW regarding the 2020 Stormy Award as granted by the New England Stormwater Collaborative
- Addressed the lifting of COVID-related openings and practices; she recommended that all continue to exercise caution in this regard, stressing that youth population has not been vaccinated

**Citizens comments on items not on agenda**

No comments presented

**Vote to open a joint meeting with the Commission on Disability to review results from ADA Assessment**

Present: Commission on Disability Members: Chair Pat Guthy, Kathleen Bell, Lisa Kouchakdjian, Doug Frey, Caroline Santangelo; IHCD Representatives: Meghan Dufresne, David West, Kathy Gips; Sudbury Staff: Bill Barletta, Facilities Director; Maryanne Bilodeau, Assistant Town Manager/Human Resources Director; Henry L. Hayes, Jr., Town Manager; Bethany Hadvab, Town Social Worker; Anna Christina, COA Administrator

Chair Dretler read in the words of the motion. Board Member Carty moved in the words of the Chair. Vice-Chair Roberts seconded the motion.

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

VOTED: To open a joint meeting with the Commission on Disability to review results from ADA Assessment. Representatives from IHCD also attending.

Commission on Disability Chair Guthy read in the words of the motion. Ms. Bell moved to open a joint meeting with the Select Board. Mr. Frey seconded the motion.

It was on motion 5-0; Bell-aye, Frey-aye, Santangelo-aye, Guthy-aye, Kouchakdjian-aye

VOTED: To open a joint meeting with the Select Board.

Town Manager Hayes stated that the ADA project had been in process for over a year. Ms. Bilodeau noted that she is the ADA Coordinator for Town of Sudbury employees, Bill Barletta is the ADA Coordinator for Town facilities, and Town Manager Hayes is the overall ADA Coordinator.

Mr. West presented the IHCD - Town of Sudbury ADA Transition Plan slide show. Ms. Dufresne highlighted items from the presentation:

- Brief Overview of IHCD
- Self-Evaluation and Transition Plan Overview
- Built Environment Findings
- Policies and Procedures Findings

Ms. Dufresne acknowledged the following Sudbury municipal buildings were evaluated by IHCD:

- DPW Offices and Garages
- Fairbank Community Center
- Fire Station 1
- Fire Station 2
- Fire Station 3
- Flynn Building
- Goodnow Library
- Hosmer House
- Loring Parsonage
- Parks and Grounds Building
- Police Department
- Town Hall
- Transfer Station

Schools:

- Curtis Middle School
- Haynes Elementary School
- Loring Elementary School
- Nixon Elementary School
- Noyes Elementary School

Parks:

- Broadacres Farm
- Camp Sewataro
- Davis Field
- Featherland Park
- Feeley Field
- Grinnell Park
- Haskell Field
- Heritage Park
- Playground at Horse Pond Road
- Ti-Sales Field
- Willis Lake Access

Ms. Dufresne noted the primary municipal ADA deficiencies focused on parking, exterior Accessible Routes, Service Counters, Assembly Areas, Toilet Rooms, signs, and facilities for detainees.

Mr. West and Ms. Dufresne provided best practice options.

Vice-Chair Roberts asked if IHCD would provide assistance with advancing ADA municipal websites and help communications regarding ADA improvements for the residents of Sudbury. Mr. West responded in the affirmative.

Mr. West initiated a discussion regarding screen readers. Vice-Chair Roberts addressed Zoom options in effort to include all people. Ms. Gips agreed that meeting options such as Zoom would be of great benefit.

Ms. Guthy asked if the presented IHCD Power Point presentation would be accessible for COD review. Mr. West responded in the affirmative, and noted the Power Point presentation was included on the Town website.

Ms. Guthy asked about possible COD guidance during the transitional phase of the project. Mr. West spoke about the significance of the capital plan in this regard and suggested that any COD request/questions for IHCD go through the Town Manager.

Ms. Guthy asked about the Transition Plan timeline. Mr. West responded the overall timeline was three to five years, with exception of a large university who had a time allotted (via super variance) of ten years.

Ms. Kouchakdjian asked if IHCD could attend a future COD meeting in order to address additional questions by COD members. Chair Dretler concurred with the need for additional time and requested that Town Manager Hayes consider this aspect.

Ms. Bell inquired about the “user expert/s” involvement, and queried about what might happen when “user expert/s” are involved and what might happen when such experts are not involved. She suggested that this topic be discussed at a future meeting.

Ms. Hadvab mentioned the high incidence of mental health and cognitive disabilities. She stressed the impact of these disabilities during the COVID pandemic and increased cases of extreme anxiety. She suggested that future presentations included mental health and cognitive disabilities, as well. Mr. West mentioned that physical space

can determine how individuals view the environment and effective communications could include providing assistance to people who are overwhelmed.

Ms. Kouchakdjian commented that the SPS website is now accessible and is comprehensive. She suggested that Sudbury IT personnel speak to the SPS Superintendent for more information.

Vice-Chair Roberts commented about next steps, and agreed that another group meeting as suggested by COD would be helpful. Chair Dretler suggested posting such meeting as a Select Board meeting. Town Manager Hayes stated the next steps would involve detailing the Transition Plan aspect. He stressed that the capital plan would fund the ADA project, and noted the funding reflected a “competing” process with other Town projects requiring funding. Town Manager Hayes indicated that specific considerations would be further studied during the summer, and stated that the compliance aspect would be studied. He thanked Mr. Barletta for his work on this project and his availability, as well as changes made at Sewataro and related IT adjustments. He stressed he was open to receiving additional questions/comments.

Chair Dretler asked about associated timeline to complete the report and complete the transition plan. Mr. West said IHCD would be checking with Town Manager Hayes and Mr. Barletta regarding some minor changes to the transition plan, which would likely be completed within several weeks. Chair Dretler confirmed that the objective was to complete the plans as soon as possible, and recommended the Board and COD receive the report at the same time. Town Manager Hayes concurred.

**Vote to close joint meeting with Commission on Disability and resume the Select Board meeting**

Ms. Guthy motioned to adjourn the joint meeting with the Select Board. Ms. Bell seconded the motion.

It was on motion 5-0; Guthy-aye, Bell-aye, Frey-aye, Kouchakdjian-aye, Santangelo-aye

VOTED: To adjourn the joint meeting with the Select Board

Chair Dretler read in the words of the motion. Board Member Schineller moved in the words of the Chair. Board Member Russo seconded the motion.

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

VOTED: To close joint meeting with Commission on Disability and resume the Select Board meeting.

**Town Meeting Planning, Communication, and Public Education - update from Town Manager**

Town Manager Hayes stated that he conducted a related meeting with department heads, SudburyTV, Town Moderator, and COD members Lisa Kouchakdjian and Doug Frey. He stated that the outdoor Annual Town Meeting would look much like the last outdoor Town Meeting.

Town Manager Hayes confirmed there are 18 Warrant Articles to be covered at May Town Meeting. He provided details regarding seating, food vendors, rest room accommodations, golf carts, and cleaning schedule.

Town Manager Hayes confirmed that Governor Baker announced today that face coverings would not be required/mandated for outdoor use if a distance of at least six feet was maintained. Chair Dretler asked if the Town would amend the proposed mask plan. Town Manager Hayes noted that such decision would be under the

purview of the Select Board. Chair Dretler indicated that Board of Health advice would be preferred regarding the face covering issue.

Vice-Chair Roberts suggested a strong advisory regarding face coverings be issued in consideration that the meeting is less than a month away. Vice-Chair Roberts inquired about pre-Town Meeting communications, especially in consideration of the Fire Station #2 Article. Town Manager Hayes acknowledged that Chief Whalen had presented the Fire Station #2 Article. He also noted that the recent Municipal Minute episode with Chief Whalen addressed possible Fire Station #2 funding. Vice-Chair Roberts suggested that residents submit related questions/comments to the Town and recommended establishing a designated Fire Station #2 project webpage on the Town site. Chair Dretler agreed with residents submitting Fire Station #2 questions via e-mail and supplying the answers on the proposed Town website.

Board Member Carty suggested that the Health Department provide guidance regarding the use of face coverings at Annual Town Meeting. Chair Dretler reiterated receiving guidance from the Health Department would be beneficial.

Board Member Russo noted that there may be benefit a waiting a bit to access the mask situation and suggested having that discussion at the May 11<sup>th</sup> Board meeting.

#### **Discussion on Town Manager Evaluation and 360 Assessment**

Chair Dretler confirmed that the 360 assessments were completed and would be included in an upcoming Board meeting.

The Board voted to recess for five minutes.

Upon return from a five-minute recess, the Board discussed the 2018 Town Manager Evaluation procedure/policy. Board Members agreed to follow the most recent 2018 Town Manager Evaluation iteration. Board Members acknowledged that quantitative and qualitative evaluation information would be submitted to Ms. Golden of the Select Board's Office by May 10, 2021.

Town Manager Hayes confirmed that the Town Manager Evaluation – Option 1, was acceptable and that he preferred to submit his self-evaluation after receiving the 360 assessment results and the Board's evaluations.

#### **Vote to establish Town Manager Evaluation subcommittee. Also, vote to appoint Board members Daniel Carty and Charles Russo to this subcommittee for an indefinite term.**

Vice-Chair Roberts stressed the merit of having this agenda item discussed at a future Board meeting, in consideration of Town Manager Evaluations going forward. Board Member Carty said it was worth discussing the review process.

#### **Recusal Discussion**

Board Member Carty provided detail regarding the Commonwealth guidelines regarding recusal process at "Selectmen" Meetings. He referred to recusal incidences as demonstrated at several Select Board meetings. He indicated that his treatment was different when compared to that of other Board Members.

Chair Dretler stated Board Member Carty's recusal practice over the recent meetings had not been consistent so it was difficult to determine when to begin discussing the agenda item.

Board Member Carty stressed the importance of consistency in regard to the recusal process. Chair Dretler asked for clarity as to whether someone who is recused could participate in any part of a discussion for which they are recused including voting to open the discussion. Chair Dretler recognized the importance of consistency and noted the unique implications associated with virtual meetings. She confirmed that going forward, she would wait to get members recusal directive/s before proceeding.

Town Manager Hayes stated that unless something was clearly stated by a Board Member, the minutes would not reflect such recusal.

**Discuss topics to be assigned for the Spring 2021 Select Board Newsletter**

Board Members selected the following topics:

- |   |                         |
|---|-------------------------|
| • Town Manager's first year on the job        | Board Member Carty      |
| • Fairbank Community Center and BFRT summary  | Chair Dretler           |
| • Formative of Diversity Inclusion Commission | Board Member Schineller |
| • ADA Assessment                              | Vice-Chair Roberts      |
| • Town Culverts                               | Board Member Russo      |

Chair Dretler stated the Newsletter submission deadline is May 17, 2021.

**Review open session minutes of 3/23/21 and 4/6/21 and possibly vote to approve minutes**

**Vote to approve 3/23/21 Open Session minutes**

Chair Dretler moved in the words of the motion. Board Member Carty moved in the words of the Chair. Vice-Chair Roberts seconded the motion.

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

VOTED: To approve the open session minutes of 3/23/21, as edited

**Vote to approve 4/6/21 Open Session minutes**

Chair Dretler moved in the words of the motion. Board Member Carty moved in the words of the Chair. Board Member Russo seconded the motion.

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

VOTED: To approve the open session minutes of 4/6/21, as edited

**Upcoming Agenda Items**

May 4<sup>th</sup> agenda items include:

- Eversource Transmission Line Hearing
- Financial Policies
- American Rescue Plan
- Town Forum

May 18<sup>th</sup> items:

- Financial Policies
- Sewataro
- Lincoln BOS and LSRHS School Committee meeting

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

There were no citizen's comments

**Consent Calendar**

**Vote to accept and execute the Conservation Restriction from JoAnn L. Howe to the Town of Sudbury, acting by and through its Conservation Commission, pursuant to M.G.L. Ch. 184 Sec. 32 for a 0.33-acre portion of the property located at 38 Birchwood Avenue, shown as a portion of Assessor's Map F04, Parcel 0427, to maintain the Premises predominantly in its natural state in perpetuity**

Chair Dretler moved in the words of the motion. Board Member Russo moved in the words of the Chair. Board Member Schineller seconded the motion.

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

VOTED: To accept and execute the Conservation Restriction from JoAnn L. Howe to the Town of Sudbury, acting by and through its Conservation Commission, pursuant to M.G.L. Ch. 184 Sec. 32 for a 0.33-acre portion of the property located at 38 Birchwood Avenue, shown as a portion of Assessor's Map F04, Parcel 0427, to maintain the Premises predominantly in its natural state in perpetuity.

**Vote to appoint Janet Cowan, 25 Adams Road, to fill a vacant position on the Sudbury Housing Authority as an interim appointment through the start of Ms. Cowan's elected term, which will begin at the conclusion of 2021 Annual Town Meeting**

Chair Dretler moved in the words of the motion. Board Member Russo moved in the words of the Chair. Board Member Schineller seconded the motion.

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

VOTED: To appoint Janet Cowan, 25 Adams Road, to fill a vacant position on the Sudbury Housing Authority as an interim appointment through the start of Ms. Cowan's elected term, which will begin at the conclusion of 2021 Annual Town Meeting.

**Vote to accept a \$2,800 donation from Mary Ellen and Stewart Hoover to the Sudbury Health Department and Social Work Office Single Mothers Scholarship Fund**

Chair Dretler moved in the words of the motion. Board Member Russo moved in the words of the Chair. Board Member Schineller seconded the motion.

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

VOTED: To accept a \$2,800 donation from Mary Ellen and Stewart Hoover to the Sudbury Health Department and Social Work Office Single Mothers Scholarship Fund.

**Vote to approve for FY22 the annual or renewal DPW contracts awarded and previously approved for FY21 or to be awarded in FY22 on a Fiscal Year basis or Calendar Year basis by the Town Manager in accordance with procurement requirements and as reviewed by Town Counsel.**

Chair Dretler moved in the words of the motion. Board Member Russo moved in the words of the Chair. Board Member Schineller seconded the motion.

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

VOTED: To approve for FY22 the annual or renewal DPW contracts awarded and previously approved for FY21 or to be awarded in FY22 on a Fiscal Year basis or Calendar Year basis by the Town Manager in accordance with procurement requirements and as reviewed by Town Counsel.

**Vote to approve the Town Manager appointment of Randi Korn, 21 Pine Ridge Road, to the Commission on Disability for a term ending 5/31/24**

Chair Dretler moved in the words of the motion. Board Member Russo moved in the words of the Chair. Board Member Schineller seconded the motion.

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

VOTED: To approve the Town Manager appointment of Randi Korn, 21 Pine Ridge Road, to the Commission on Disability for a term ending 5/31/24

**Vote to Adjourn Meeting**

Chair Dretler read in the words of the motion. Board Member Carty moved in the words of the Chair. Vice-Chair Roberts seconded the motion.

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

VOTED: To adjourn the meeting

There being no further business, the meeting was adjourned at 10:22 p.m.

## **4/27/21 - Documents & Exhibits**

**1.** Vote to enter executive session to review, approve and possibly release 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:**

- 1.a BOS Executive Session 10-02-18\_APPROVED\_BUT\_NOT\_RELEASED
- 1.b BOS Executive Session 10-30-18\_for\_review
- 1.c BOS Executive Session 12-17-2019\_for\_review

**3.** Vote to open a joint meeting with the Commission on Disability to review results from ADA Assessment. Representatives from IHCD also attending.

### **Attachments:**

- 3.a Final Sudbury Presentation 04.22
- 3.b ADA survey emails
- 3.c Survey Form for Public Input\_sud - RESULTS
- 3.d Survey Form for Town of Sudbury Staff - RESULTS

**6.** Discussion on Town Manager evaluation and 360 assessment.

### **Attachments:**

- 6.a TM Evaluation Process for 5.1.18 meeting FINAL
- 6.b 041421 JD\_Town Manager Evaluation Timeline 2021
- 6.c Town of Sudbury - Town Manager 360 Assessment (Annual Evaluation - 2021) - Combined

**9.** Discuss topics to be assigned for the Spring 2021 Select Board Newsletter.

### **Attachments:**

- 9.a BOS Newsletter Previous Topics\_4.27.21

**10.** Review open session minutes of 3/23/21 and 4/6/21 and possibly vote to approve minutes.

### **Attachments:**

- 10.a SB\_draft1\_3.23.21\_min\_for\_review
- 10.b SB\_draft1\_4.06.21\_min\_for\_review

**11.** Upcoming Agenda Items

### **Attachments:**

- 11.a POTENTIAL UPCOMING AGENDA ITEMS\_4\_27\_21

**13.** Vote to accept and execute the Conservation Restriction from Jo-Ann L. Howe to the Town of Sudbury, acting by and through its Conservation Commission, pursuant to M.G.L. Ch. 184 Sec. 32 for a 0.33-acre portion of the property located at 38 Birchwood Avenue, shown as a portion of Assessor’s Map F04, Parcel 0427, to maintain the Premises predominantly in its natural state in perpetuity.

### **Attachments:**

- 13.a 38 Birchwood CR
- 13.b Baseline Documentation Report CR 121 38 Birchwood Sudbury

**14.** Vote to appoint Janet Cowan, 25 Adams Road, to fill a vacant position on the Sudbury Housing Authority as an interim appointment through the start of Ms. Cowan's elected term, which will begin at the conclusion of 2021 Annual Town Meeting.

**Attachments:**

14.a SHA Temporary Appointment\_Janet Cowan

**15.** Vote to accept a \$2,800 donation from Mary Ellen and Stewart Hoover to the Sudbury Health Department and Social Work Office Single Mothers Scholarship Fund.

**Attachments:**

15.a Single Mothers Scholarship Fund Donation

**17.** Vote to approve the Town Manager appointment of Randi Korn, 21 Pine Ridge Road, to the Commission on Disability for a term ending 5/31/24.

**Attachments:**

17.a Randi Korn COD Application

17.b Letter of ecommendation for Randi Korn. final letter