

SUDBURY SELECT BOARD

TUESDAY MAY 25, 2021

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

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

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.

Call to Order/Roll Call

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

At approximately 7:04 p.m. Vice-Chair Roberts joined the meeting and confirmed her presence; Roberts-present

Opening remarks by Chair

- Successful Town Meeting on Saturday. Town voted to pass 36 articles, including the Fire Station expansion Article
- Today Governor Baker filed bill to extend remote provision meeting law until September 1, 2021
- Treasury announced ARPA (American Rescue Plan Act) funding in the amount of \$2 million to non-entitlement communities, which includes Sudbury

Reports from Town Manager

- Thanked the team for outstanding planning and execution of the Annual Town Meeting. Front office was instrumental with preparation and they anticipated every need
- Proposed wastewater management application from a prospective tenant at the Sudbury Crossing Shopping Center which would greatly improve existing wastewater conditions

Reports from Select Board

Vice-Chair Roberts:

- Thanked everyone involved with Annual Town Meeting
- Major articles passed at Town Meeting including the renovation/expansion of Fire Station 2
- Board of Health (BOH) meeting took place earlier today; included discussion of extension of Governor's Executive Orders - outdoor dining provisions

Board Member Russo:

- Extended his appreciation to all involved with a great Annual Town Meeting especially the efficiency of new Town Moderator Blake and staff
- Town street sweeping taking place

- Town gravesites being prepared for Memorial Day; contribution from local businesses, garden clubs, and Sudbury Girl Scouts

Board Member Carty:

- Thanked Town Manager Hayes, Town Moderator, staff, SudburyTV, and Boy Scouts for a great job at Town Meeting
- Conducted a Town government information session with Scout Troop 60
- Attended MAGIC (Minuteman Advisory Group on Interlocal Coordination) “Making Connections” session earlier today. Recognition of Alice Sapienza and Adam Duchesneau in connection with Sudbury transportation programs; now acknowledged by MAGIC as transportation leaders

Board Member Schineller:

- Noted efficiencies and successful sharing of information at Town Meeting
- Town Boards/Committees inquiring about Governor’s extension of remote meetings
- Acknowledged that the Sudbury Diversity, Equity and Inclusion (DEI) Commission recently met and Sudbury Clergy Association serving in advisory role – he encouraged Sudbury Public Schools and LSHRS to also participate
- Recognized the 1st anniversary of the George Floyd killing noting that progress has been made, and more related advancement is needed

Discussion on Fall Town Forum - Vice-Chair Roberts to report

Vice-Chair Roberts addressed the organizing of the Master Plan Fall Town Forum with the Planning Board to be offered to help organize the Fall Master Plan Form. She indicated that the newly appointed Vice-Chair could handle the logistics of the Forum and the liaison to the Planning Board could help manage the Forum planning.

Chair Dretler recommended the topic be continued after Board reorganization took place later in the meeting.

Upcoming Agenda items

- Letter to ISO New England
- Town fee schedules and local receipts
- Tree removal at 9/11 Memorial Garden
- Financial Policies discussion with Financial Policies Subcommittee and Dennis Keohane
- Remote Participation Policy and live Board meeting preparations
- Update from Sewataro Subcommittee (mid-June)

Vote to open a joint meeting with Board of Health (BOH) to discuss the global pandemic changes related to COVID-19, the MA COVID restrictions and the Sudbury status going forward regarding public health guidance, and the status and next step related to the State/Declaration of Emergency declared on March 10 & 18, 2020

Present: Health Director Bill Murphy; BOH members: Carol Bradford, Linda Marie Clayton, Susan Sama

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

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

VOTED: To enter into joint meeting with the Board of Health.

Ms. Bradford motioned to enter into joint meeting with the Select Board. Ms. Clayton seconded the motion

It was on motion 3-0; Bradford-aye, Clayton-aye, Sama-aye

VOTED: To enter into joint meeting with the Select Board

Mr. Murphy noted, as documented on the State COVID listing site, Sudbury maintained standing in the grey area, with incidence of only one COVID case in the last three weeks. He provided specific details regarding percentage of Sudbury COVID vaccination administration, which exceeds other communities in MA.

Board Member Carty congratulated the BOH noting that MA led the country in vaccination numbers, and Sudbury was one of the lead distribution communities in the Commonwealth.

Board Members recognized and thanked the BOH for COVID-prevention actions implemented under the leadership of Mr. Murphy.

Vice-Chair Roberts asked if COVID relief funding was still available. Town Manager Hayes responded that such funding was available.

Mr. Murphy recommended that the Town follow state guidelines regarding the lifting of the COVID emergency ban. Vice-Chair Roberts opined that the Town could impose additional COVID restrictions, if needed. Mr. Murphy confirmed.

Chair Dretler mentioned that the Town boards/committees may be able to continue with remote public meetings pending MA legislation vote.

Ms. Sama stated that many parents continue to express concern about lifting of the emergency ban. She suggested that the updated face covering status be included on the BOH Town website, and indicated that monitoring and related COVID testing should continue.

Town Manager Hayes acknowledged added staff would be working from the Town offices beginning June 14th, with increased participation by July 6.

Vice-Chair Roberts asked about children and the wearing of face masks according to current CDC (Center of Disease Control) requirements. Ms. Bradford responded that the MA DESE (Department of Elementary and Secondary Education) continues to recommend face coverings in school. Ms. Sama mentioned pool testing and preparations for school openings in the Fall.

Chair Dretler asked about proposed meeting sites in anticipation of live meetings. Town Manager Hayes responded that Town meeting locations would include the Flynn Building, Town Hall, The Goodnow Library, and most locations where meetings were held pre-COVID.

Chair Dretler commented about Town Hall ventilation. Town Manager Hayes stated that proper equipment and filters would be installed in all meeting locations. Ms. Sama noted that she would distribute a link regarding preferred air filters.

Ms. Clayton commented that businesses would have the opportunity to address COVID-related requirements. Mr. Murphy concurred that private businesses have additional latitude.

Chair Dretler motioned to rescind the Sudbury Declaration of Emergency dated March 10 & 18, 2020.

Board Member Russo inquired about setting a rescinding date in Sudbury, and indicated that a June 15, 2021 date might be preferred to align with state plans.

Chair Dretler retracted her previous motion.

Vice-Chair Roberts moved to rescind the Sudbury/State Declaration of Emergency, concurrent with MA Declaration-State of Emergency order. Board Member Schineller moved in the words of the Vice-Chair. Board Member Russo seconded the motion.

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

VOTED: To rescind the Sudbury/State Declaration of Emergency, concurrent with MA Declaration-State of Emergency order.

Ms. Bradford motioned to rescind the Sudbury/State Declaration of Emergency, concurrent with MA Declaration-State of Emergency order. Ms. Clayton seconded the motion.

It was on motion 3-0; Bradford-aye, Clayton-aye, Sama-aye

VOTED: To rescind the Sudbury/State Declaration of Emergency, concurrent with MA Declaration-State of Emergency order.

At 7:56, Ms. Bradford motioned to close the joint meeting with the Select Board. Ms. Clayton seconded the motion.

It was on motion 3-0; Bradford-aye, Clayton-aye, Sama-aye

VOTED: To close the joint meeting with the Select Board.

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

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

VOTED: To close the joint meeting with Board of Health.

Update on public outreach and education on the Comprehensive Wastewater Management Plan (CWMP), as requested by DPW Director Dan Nason. In attendance will also be consultants from Woodard & Curran and Capital Strategic Solutions.

Present: DPW Director Dan Nason, Consultants Rosemary Blacquier and Scott Mederios

Mr. Nason reviewed highlights from the “Comprehensive Wastewater Management Plan” Power Point presentation:

- Project Scope – Update Wastewater Planning to Date and Review; Prepare Draft Report for Town Review, Strategize State Filings, Prepare Environmental Impact Studies

- Develop Study Areas: Town-wide analysis; Key Areas – Hop Brook Wells (Pratts Mill), Raymond Road Wells
- Developed Needs Areas: Reviewed Health Department Records, Met with Health Director Bill Murphy. GIS Mapping, Historical/Environmental
- Needs Areas and Draft Recommended Plan: Phase I – Rte. 20; Phase 1A – Raymond Road South; Phase 2 – Raymond Road North; Phase 3 – Rte. 20 East; Phase 4 – Goodman’s Hill/Rte. 20
- Schedule of Next Tasks: Public Outreach (mailings, website updates, Social Media Announcements, General and Targeted Public Workshops); State and Regulatory Meetings; Funding applications – ongoing; Massachusetts Environmental Policy Act (MEPA) Filing – Summer 2021

Ms. Blacquier mentioned that Sudbury had been studied as a whole, with special emphasis on drinking water/well areas. She detailed the phases involved in the wastewater management plan for the Town. Ms. Blacquier suggested Sudbury residents consider participating in a wastewater treatment plan with the Town of Wayland.

Ms. Blacquier confirmed that project information had been posted on the Town website. She provided summary of various funding sources available. Notation was made in accordance with MGL Ch. 80 & 83, any existing betterments would have to be paid, if related funds were to be borrowed.

Board Member Schineller asked about associated sewer installation costs, with special consideration to residents who might want to tie into the Town system. Board Member Carty noted that such a cost estimates would include significant expense associated with road construction and installation of a lateral system to allow for resident inclusion (tie-ins).

Vice-Chair Roberts asked about wastewater systems in nearby Towns. Ms. Blacquier responded that most of Framingham was part of the MWRA (Massachusetts Water Resource Authority) system; Wayland, Concord and Hudson had treatment facilities. Ms. Blacquier added LSRHS and the Avalon development had their own treatment facilities.

Vice-Chair Roberts asked about potential treatment facilities in Town. Ms. Blacquier responded that the DPW site, and school field areas would be preferable locations.

Board Member Russo inquired about associated fees if the Town chose to connect to the Wayland plant. Board Member Carty mentioned that an interdisciplinary agreement would likely be set up with Wayland. Ms. Blacquier commented that associated connection costs would be greater if the Town of Sudbury did not participate in such an agreement with Wayland.

Board Member Carty stated that public outreach/education should reflect an open and fact-finding approach, and not be dictated. He stressed the goal was to have a plan readily available if an emergency situation should arise.

Chair Dretler confirmed this project would incur a large capital expense for the Town, and inquired about a Town Meeting timeline. Ms. Blacquier responded that such capital project might be included at a Fall 2022 Town Meeting.

Chair Dretler asked if funding from the American Rescue Plan could be used. Mr. Medeiros responded affirmatively, and stated that the Plan would be in force until 2024.

Vice-Chair Roberts recommended reaching out to Lincoln and Concord to consider participation.

Update on potential Route 117 traffic mitigation

Present: DPW Director Dan Nason

Chair Dretler stated that a resident recently submitted inquiry pertaining to the traffic mitigation funds associated with the Cold Brook Crossing project.

Chair Dretler confirmed that the Planning Board had not taken a formal position regarding such mitigation. Board Member Russo stated, as liaison to the Planning Board, he would suggest the Planning Board prepare related recommendation/s.

Mr. Nason referenced the Planning Board link, which outlined the traffic studies done in the proposed area. Mr. Nason confirmed DPW conducted its own study. He provided detail regarding the North Road, Dunton and Pantry Road intersection.

Mr. Nason requested the Board approve funding for a design plan and use of mitigation funding.

Vice-Chair Roberts commented that additional resident questions are be received, as traffic increases. She suggested reaching out to the Town of Concord.

Town Manager Hayes to discuss his annual evaluation, and the results of the "360 degree" assessment with the Board, including a written self-assessment

Town Manager Hayes provided detailed narrative from his Self-Assessment document.

Board members provided comments regarding the Town Manager Self-Assessment document as presented by Town Manager Hayes:

Board Member Schineller stated that Town Manager Hayes was the right choice for the Town; Town Manager Hayes possessed strong people management skills.

Vice-Chair Roberts stated the Town Manager's Self-Assessment was very thought provoking, especially in consideration of the difficult pandemic period. She mentioned she would look forward to additional information regarding Town Manager goals.

Board Member Russo stated the timing process regarding Town Manager Self-Evaluation was important.

Board Member Carty noted the theme of empowerment and inspiration defined the Town Manager's Self-Assessment. He suggested that everyone read the Town Manager Act of 1993, and review the role of Town Manager.

Chair Dretler acknowledged that the Self-Assessment document submitted by Town Manager Hayes was detailed, and indicated it would be helpful to have received the assessment in advance of Select Board Town Manager Evaluations. She expressed concern regarding staff "overload" and looked to the Town Manager to handle staff situations.

Discussion with the Board and Town Manager about defining goals and performance objectives, which they determine necessary for the proper operation of the Town and the attainment of the Board's policy objectives, and shall further establish a relative priority among the various goals and objectives, and said goals and objectives shall be reduced to writing. In addition, discussion on Annual Town Manager evaluation process.

Chair Dretler requested further discussion about Town Manager multi-year goals as previously outline on November 17, 2020.

The timing of the Town Manager review was discussed.

Town Manager Hayes shared his multi-year goals with the Board highlighting new additions. Town Manager Hayes confirmed that he reviewed prime Town Manager goals on a daily basis including ADA Assessment, Sewataro Policy, Fairbank Community Center, Broadacres Farm, etc.

Chair Dretler stated that she would prefer to seek the opinion of Town Counsel to provide guidance regarding the Town Manager self-assessment process and review in consideration of the Town Manager evaluation.

Vice-Chair Roberts opined that the request was not intended as an “egregious” ask, but just a way to ensure a more complete Town Manager review.

Town Manager Hayes stated he was fine with Town Counsel advice, though he felt it was unnecessary. He commented the contract was stronger than policy.

Vice-Chair Roberts motioned to seek opinion from Town Counsel regarding the Town Manager Contract, and review of the Town Manager Self-Evaluation before the Select Board Town Manager Review submission. Board Member Russo seconded the motion.

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

VOTED: To seek opinion from Town Counsel regarding the Town Manager Contract, and review of the Town Manager Self-Evaluation before the Select Board Town Manager Review submission.

Chair Dretler states she would send an email to Town Counsel requesting their opinion about the order of the Town Manager self-assessment and Select Board evaluation.

Vote to elect a new Chair and Vice-Chair and reappoint Town Manager Henry Hayes as Clerk to the Select Board. This will take effect at the close of tonight's meeting.

Chair Dretler motioned to appoint Jennifer Roberts as Chair of the Select Board, and Charles Russo as the Vice-Chair of the Select Board. Vice-Chair Roberts seconded the motion.

Board Member Carty commented that William Schineller should be considered Vice-Chair, in consideration of seniority. He also acknowledged that one motion to appoint both a Chair and a Vice-Chair had never been presented in one motion.

Board Member Schineller mentioned that in consideration of seniority, he should be considered for Vice-Chair. He noted that if appointed he would be pleased to work with Jennifer Roberts.

Chair Dretler acknowledged that Vice-Chair Roberts did an exemplary job over the past eight months as Vice-Chair. She affirmed that Board Member Russo brings a “fair-minded” attitude to the Board, and offers worthy solutions to matters being considered.

Vice-Chair Roberts acknowledged that she had served as Vice-Chair for eight months, and had taken an active lead on many Town projects and financial policies. She accepted the nomination and stressed that she takes the position very seriously.

Board Member Russo stated that Jennifer Roberts would be best suited as Chair, and was honored by his nomination to be appointed as Vice-Chair.

It was on motion 4-0-1; Roberts-aye, Russo-aye, Dretler-aye, Carty-aye, Schineller-abstain

VOTED: To appoint Jennifer Roberts as Chair of the Select Board, and Charles Russo as the Vice-Chair of the Select Board

Board Member Carty motioned to reappoint Town Manager Henry Hayes, or his designee, as Clerk to the Select Board. Chair Dretler seconded the motion.

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

VOTED: To reappoint Town Manager Henry Hayes, or his designee, as Clerk to the Select Board.

Town Manager Hayes confirmed that the new appointments would be in effect at the close of tonight's Board meeting.

Discussion on Fall Town Forum

Board Member Schineller motioned to appoint Charles Russo to lead Fall Town Forum. Vice-Chair Roberts seconded the motion.

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

VOTED: To appoint Charles Russo to lead Fall Town Forum.

Citizen's Comments (cont.)

There were no citizen's comments

Adjourn

At approximately 11:00 p.m., Chair Dretler adjourned the meeting.

5/25/21 Documents & Exhibits

1. Vote to open a joint meeting with Board of Health to discuss the global pandemic changes related to COVID-19, the MA COVID restrictions and the Sudbury status going forward regarding public health guidance, and the status and next step related to the State/Declaration of Emergency declared on March 10 & 18, 2020.

Attachments:

- 1.a Sudbury-Declaration-of-Emergency-3-18-20
- 1.b COVID-Order-4-29-2020-2

3. Update on public outreach and education on the Comprehensive Wastewater Management Plan (CWMP), as requested by DPW Director Dan Nason. In attendance will also be consultants from Woodard & Curran and Capital Strategic Solutions.

Attachments:

- 3.a CWMP_update

5. Town Manager Hayes to discuss his annual evaluation, and the results of the "360 degree" assessment with the Board, including a written self-assessment.

Attachments:

- 5.a Self Evaluation - Hayes - 2021 May 24
- 5.b Copy of Hayes_Evaluation_2021_by_member_and_ranking
- 5.c Summary TM with individual evals
- 5.d Town of Sudbury - Town Manager 360 Assessment
(Annual Evaluation - 2021) - Combined

6. Discussion with the Board and the Town Manager about defining goals and performance objectives, which they determine necessary for the proper operation of the Town and the attainment of the Board's policy objectives, and shall further establish a relative priority among the various goals and objectives, and said goals and objectives shall be reduced to writing. In addition, discussion on Annual Town Manager evaluation process.

7. Discussion on Fall Town Forum - Vice-Chair Roberts to report.

Attachments:

- 7.a Town Forum on Master Plan - for Select Board Packet

8. Vote to elect a new Chair and Vice-chair and reappoint Town Manager Henry Hayes as Clerk to the Select Board. This will take effect at the close of tonight's meeting.

10. Upcoming Agenda Items

Attachments:

- 10.a POTENTIAL UPCOMING AGENDA ITEMS_5.25.21