

**SUDBURY BOARD OF SELECTMEN
AGENDA
TUESDAY, AUGUST 20, 2013
7:30 p.m., Town Hall, 322 Concord Road**

1. 7:30 Opening remarks by Chairman
2. 7:35 Reports from Town Manager
3. 7:40 Reports from Selectmen
4. 7:45 Public Hearing: Site Plan Submission – Cavicchio Property, 110 Codjer Lane
**Vote/
Sign** (*Jody Kablack, Dir. of Planning & Community Development, and Paul Caviccho, applicant, will attend.*)
5. 8:05 Acceptance of FY13 year-end statement for Pooled Town Trusts and authorize spending requests
Vote for FY14 (*Andrea Terkelsen, Finance Director, will present*)
6. 8:15 Meet with Friends of the Bruce Freeman Rail Trail
 (*Tom Michelman, president of the Friends of the Bruce Freeman Rail Trail, will attend*)

Consent Calendar:

7. **Vote** Vote to approve the regular session minutes of July 30, 2013, and the special session minutes for Bond Signing of August 6, 2013.
8. **Vote** Vote to accept the resignation of Mary-Lee Mahoney Emerson, 11 Poplar Street, from the Council on Aging, as noted in a letter dated July 28, 2013, and to send a letter of thanks for her service to the Town.
9. **Vote** Vote to accept, on behalf of the Town, a grant in the amount of \$400,000 from the Executive Office of Energy and Environmental Affairs Land and National Diversity (LAND) Grant Program for the Pantry Brook Farm preservation project.
10. **Vote/
Sign** Vote to sign a Special State Primary Election Warrant for posting at Town Hall and in at least three places within each of the five precincts no later than October 8, 2013, at least seven days before the time appointed for said meeting of October 15, 2013, as requested by the Town Clerk.

Miscellaneous (untimed items):

11. **Vote/
Sign** Right of First Refusal – Newbridge Farm Trust
12. Discussion of first draft of Selectmen’s Citizens Comment Procedure

AGENDA REQUEST – Item #4

BOARD OF SELECTMEN

Requestor's Section

Date of request: *June 24, 2013*

Requestor: *Paul Cavicchio, Jr., Applicant*

Action requested: *Consideration of Site Plan application by Paul Cavicchio, Jr., applicant, to construct an 18,000 sq. ft. agricultural building on property located at 110 Codjer Lane, zoned Residential-A District, Town Assessor Map J08, Parcel 0004.*

Financial impact expected:

Background information (if applicable, please attach if necessary):

See attached material.

Recommendations/Suggested Motion/Vote: *Vote to approve Site Plan Application to construct an approximately 18,000 sq. ft. agricultural building on property located at 110 Codjer Lane, zoned Residential-A District, Town Assessor Map J08, Parcel 0004.*

Person(s) expected to represent Requestor at Selectmen's Meeting:

Paul Cavicchio, Applicant

Selectmen's Office Section

Date of Selectmen's Meeting: *August 20, 2013*

Board's action taken:

Follow-up actions required by the Board of Selectmen or Requestor:

Future Agenda date (if applicable):

Distribution:

11/4

Public Hearing:
Site Plan of Cavicchio Greenhouses, Inc.
110 Codjer Lane
Material received as of August 15, 2013

Notice of the Public Hearing was duly posted and advertised in the *Sudbury Town Crier* on August 1 and 8, 2013. Abutters according to the Assessors were provided written notice by first class mail. The Sudbury Planning Board and other boards and officials were notified and requested to report to the Selectmen. The Selectmen opened the public hearing on August 20, 2013

The Board is in receipt of the following:

1. Application for Site Plan Approval dated July 8, 2013 (received July 16, 2013), including a Request for waiver from Site Plan rules and Regulations. Site Plans submitted with the proposal consist of MapsOnLine aerial prints.
2. Memo from John Whalen, Asst. Fire Chief, to Jody Kablack, Planning Director, dated August 8, 2013.
3. Memo from Deborah Dineen, Conservation Coordinator, to Jody Kablack, Planning Director dated August 6, 2013.
4. Memo from Jody Kablack, Planning Director, to the Board dated August 13, 2013.
5. Email from Mark Herweck, Building Inspector, dated August 14, 2013.
6. Draft Decision dated August 20, 2013



10/17 11

Town of Sudbury

Office of Selectmen

Flynn Building
278 Old Sudbury Rd
Sudbury, MA 01776
978-639-3381
Fax: 978-443-0756

TOWN OF SUDBURY NOTICE OF PUBLIC HEARING

The Board of Selectmen will hold a public hearing on Tuesday, August 20, 2013, at 7:45 p.m. at the Town Hall, 322 Concord Road, Sudbury, MA, on the application of Paul Cavicchio, applicant, to construct an approximately 18,000 sq. ft. agricultural building on property located at 110 Codjer Lane, zoned Residential-A, Town Assessor Map J08, Parcel 0004.

Board of Selectmen

Publication: *Sudbury Town Crier*: August 1 and 8, 2013

Post: Town Hall and Flynn Building

cc: Abutters
Applicant
Owner
Sudbury Town Clerk
Sudbury Planning Board
Town Boards and Officials: KINDLY SUBMIT YOUR REPORTS TO THE
SELECTMEN WITH COPY TO THE APPLICANT AND TOWN BOARDS BY
August 15, 2013.



John M. Whalen
Assistant Fire Chief

TOWN OF SUDBURY
Fire Department

77 Hudson Road
Sudbury, MA 01776
Tel. (978) 443-2239
Fax (978) 440-8213

August 8, 2013

To: Jody Kablack, Director
Planning & Community Development.

Subject: 110 Codjer Lane Site Plan

The proposed site plan for a 14,000 square foot building located at the above address was reviewed by the Fire Department.

Access for responding fire apparatus to the rear of this property is limited, the lack of municipal fire hydrants on the property will delay fire department operations in the event of a fire incident. If you would like more information please contact me.

John M. Whalen
Assistant Fire Chief



Town of Sudbury

CONSERVATION

275 Old Lancaster Rd.
Sudbury, MA 01776
978-443-2209 x1370
Fax 978-443-6128

Wetlands • Conservation Land Management • Land Protection • Stormwater

To: Jody Kablack, Director of Planning
From: Debbie Dineen, Conservation Agent
Date: Aug. 6, 2013
Re: Site Plan, Cavicchio property, Codjer Lane

I have reviewed the information on the Application for Site Plan Approval dated July 8, 2013 for the above property. The applicant is seeking to enlarge an existing agricultural building by approximately 11,400 sq. ft.

The work proposed is considered a normal improvement to land in agricultural use, however it is not exempt because the increase in structure size exceeds 4,000 sq. ft. Therefore a Wetlands Protection Act and local wetlands bylaw filing will be required as the property and proposed work directly border Hop Brook.

For most new agricultural activities, alternatives should be investigated to locate new work outside 100' from the river's mean annual high water. If work must be located in the riverfront area (RFA) it may not exceed 5,000 sq. ft. or 10% of the riverfront area on the site unless the RFA is considered "degraded" and a 100' wide area of vegetation is kept/restored directly adjacent to the river in the inner riparian area.

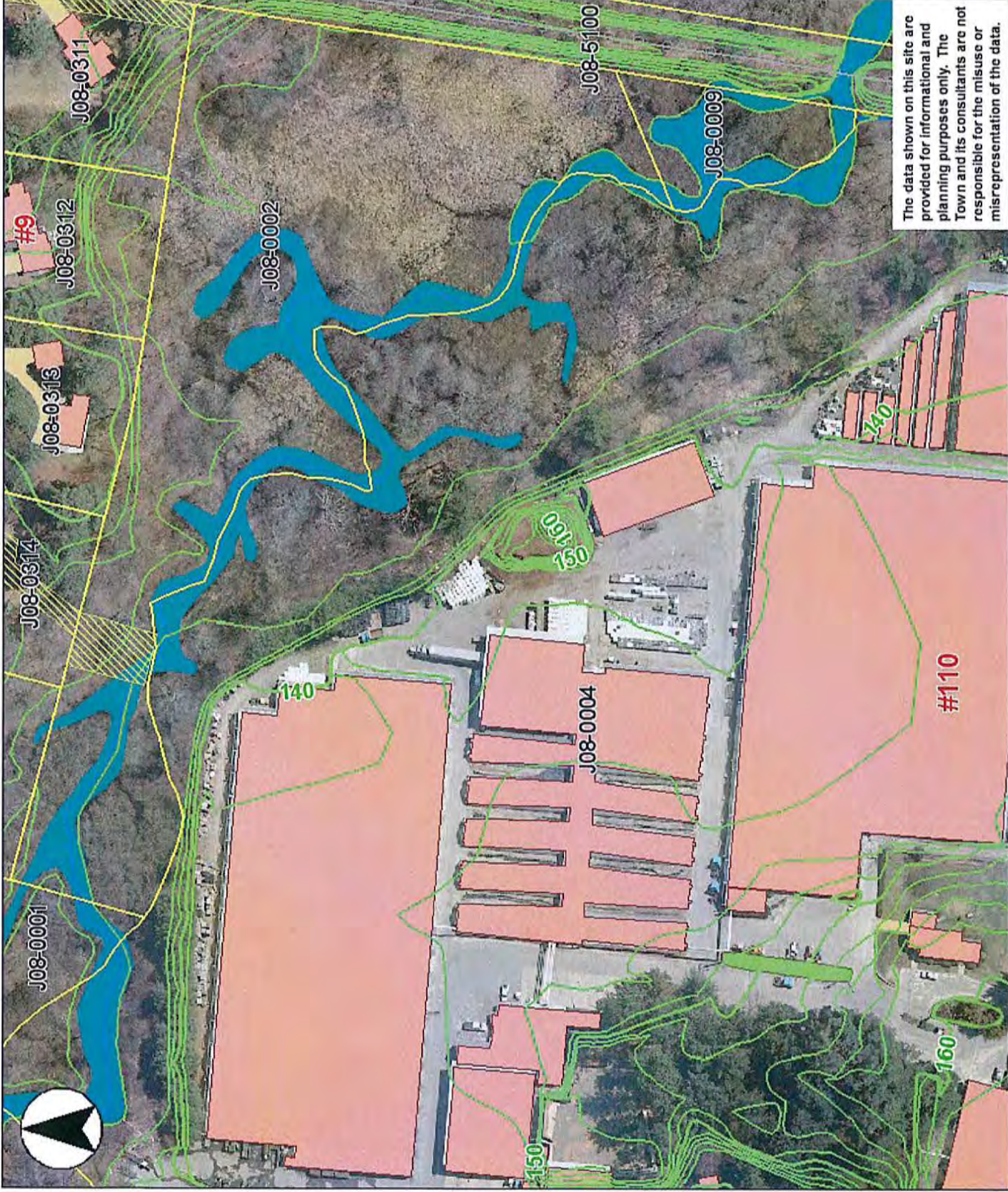
The area proposed for the building expansion will be considered "degraded" and will not count toward the maximum allowable disturbance in the RFA. The proposed work meets the requirement of being no closer to the river than existing conditions and disturbances. The Notice of Intent filing must show some improvement over existing conditions and must remedy an existing adverse impact.

According to the site plan application, the new building area will be used for planting and for the storage of pots and trays. It is unclear if this is a greenhouse or a normal structure. In any event, fertilizers and pesticides may not be stored in this building (they may be used in accordance with the manufacturer's instructions).

The one discrepancy I found was the location of the floodplain on the site. Based on Sudbury's Maps-on-Line, the 100-year floodplain extends into the area of the proposed building enlargement. However, if you overlay the contour elevations, it shows the elevation at or above elevation 140', outside the floodplain. I have attached these maps. This should be resolved.



- Town Boundary
- Easements
- Restrictions
- Parcels
- Parcels With Orthos
- Parcels with Orthos
- Parcels
- Hydrants
- Signs
- Cutbs
- Abandoned Railroad
- Drainage
- Culverts
- Dams
- Drainage Ditches
- Headwalls
- Contours
- Index Contours
- Intermediate Contours
- Buildings
- Roads
- Paved
- UnPaved
- Medians
- Driveways
- Streams
- Open Water
- Abutting Towns

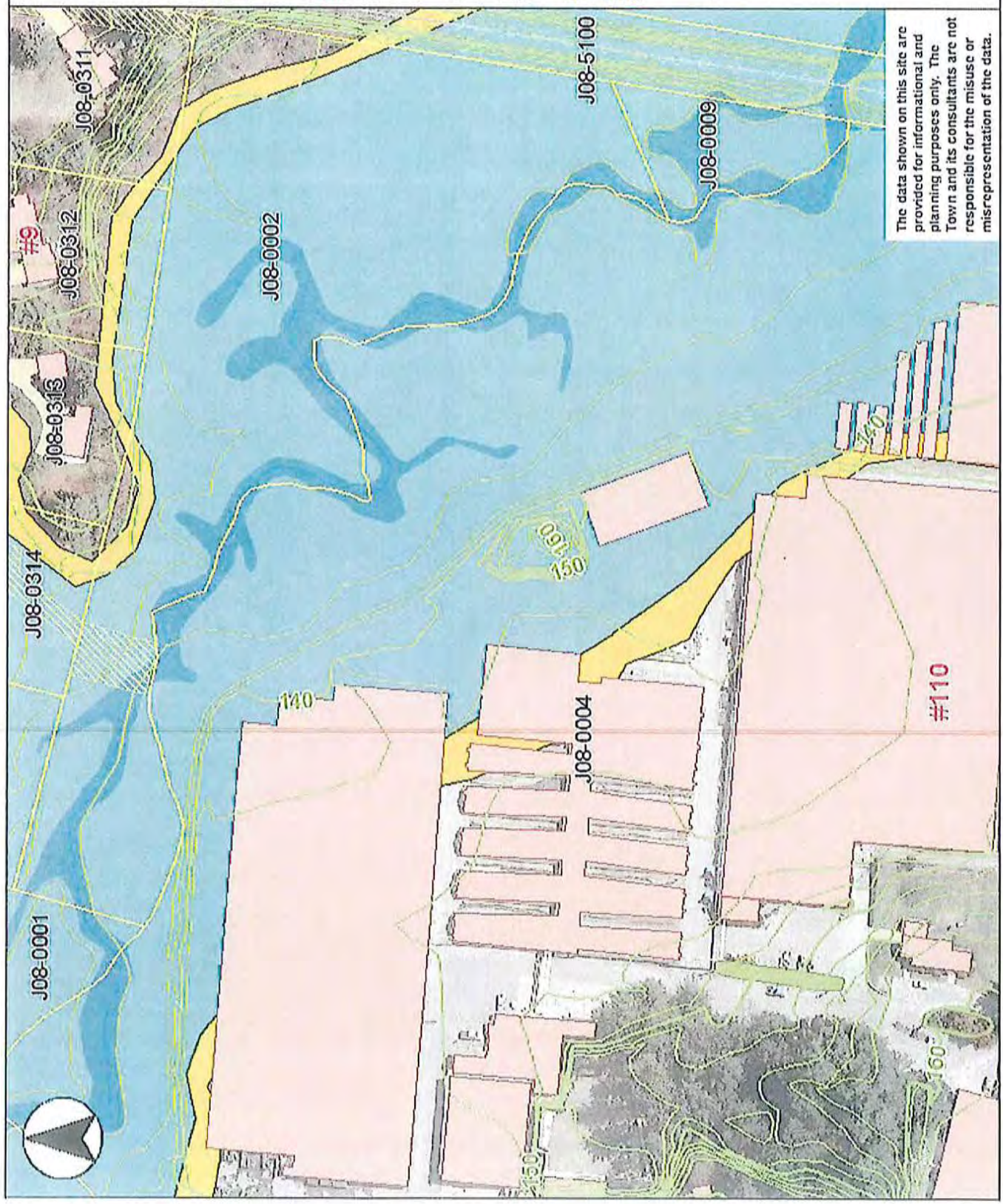


The data shown on this site are provided for informational and planning purposes only. The Town and its consultants are not responsible for the misuse or misrepresentation of the data.





- Town Boundary
- Easements
- Restrictions
- Parcels
- Parcels With Ortho
- Parcels with Ortho
- Parcels
- Hydrants
- Signs
- Curbs
- Abandoned Railroad
- Drainage
- Culverts
- Dams
- Drainage Ditches
- Headwalls
- Contours
- Index Contours
- Intermediate Contours
- Buildings
- Roads
- Paved
- UnPaved
- Medians
- Driveways
- Streams
- Open Water
- FEHMA Q3 Flood Zones
- 100yr Zone w/ BFE (A)
- 100yr Zone w/ BFE (AE)
- 500yr Flood Zone (S500)
- Possible Flood Zone (D)
- Abutting Towns



The data shown on this site are provided for informational and planning purposes only. The Town and its consultants are not responsible for the misuse or misrepresentation of the data.



Town of Sudbury

Planning and Community Development Department

Jody A. Kablack, Director

<http://www.sudbury.ma.us/services/planning>
kablackj@sudbury.ma.us

Flynn Building
278 Old Sudbury Rd
Sudbury, MA 01776
978-639-3387
Fax: 978-443-0756

TO: Board of Selectmen
FROM: *jak* Jody Kablack, Director of Planning and Community Development
RE: Cavicchio Greenhouses, Inc. Site Plan
DATE: August 13, 2013

A proposal has been submitted by Paul Cavicchio for Site Plan approval for the construction of an approximately 18,000 sq. ft. new agricultural structure on a parcel of land located at 110 Codjer Lane. The parcel contains approximately 130 acres of land, and is located in an A-Residential Zoning District and within the Water Resource Protection District Zone II. The purpose of the new building is for planting and storage of pots and trays associated with the greenhouse operation on the site.

Over 450,000 sq. ft. (10 acres) of existing structures are located on the property. An existing 6,600 sq. ft. structure will be removed, and a new 18,000 sq. ft. one-story building will be constructed. The use of the property is agricultural and is therefore an exempt use under M.G.L. c. 40A, s. 3 for the purposes of zoning. The application requires Site Plan review under section 6311 of the new Zoning Bylaw. The Board's jurisdiction in this matter is limited to bulk and height of structures, yard sizes, lot area, setbacks, open space, parking and building coverage requirements, pursuant to section 2130 of the Zoning Bylaw.

I have reviewed the materials submitted with the application, and offer the following comments and recommendations:

1. The proposed location of the new building is in an area containing pavement and agricultural material storage. No removal of vegetation is required. No earth removal is anticipated.
2. The proposed location of the new building meets all zoning setbacks.
3. Parking appears adequate for the proposed operation.
4. Existing impervious surface appears to cover approximately 27%, 23 acres, of the total property (using MapsOnline). However, no increase in impervious surface is proposed.
5. A waiver from the plan requirement for site plan approval has been requested due to the minor nature of this proposal. It is recommended to grant this waiver.



Town of Sudbury

Planning and Community Development Department

Jody A. Kablack, Director

<http://www.sudbury.ma.us/services/planning>

kablackj@sudbury.ma.us

Flynn Building
278 Old Sudbury Rd
Sudbury, MA 01776
978-639-3387
Fax: 978-443-0756

6. Typically this proposal would require review by the Design Review Board, however due to the agricultural exemption, this is not required. The building will not be visible from a public way so there is no public visual impact.
7. As noted in the Debbie Dineen's memo dated August 6, 2013, the proposal is categorized as "normal maintenance and improvement of land in agricultural use" as defined in the Wetlands Protection Act, and therefore the proposal is also exempt from the Town's Stormwater Management Bylaw pursuant to section 5.D.1 of the Bylaw. However, it is recommended that an erosion control barrier be installed during construction activities to prevent sediment from entering Hop Brook and the abutting wetlands.
8. No Water Resource Protection District Special Permit is required for this proposal as there is no increase in the amount of impervious surface proposed.

cc: Building Inspector
Fire Chief
Director of Public Works
Conservation Commission
Board of Health
Applicant

11/17

Kablack, Jody

Subject: FW: Cavicchio site plan

From: Herweck, Mark
Sent: Wednesday, August 14, 2013 12:40 PM
To: Kablack, Jody
Cc: Miles, William; Whalen, John
Subject: RE: Cavicchio site plan

Hi Jody; I would like to mention The building has got be used solitary for its intended Agricultural use. Use Group U . Change of that use will activate Building Code requirements for Fire suppression and other issues. I am fine with requiring the as built. Thanks.

August 20, 2013

SITE PLAN DECISION
SUDBURY BOARD OF SELECTMEN
Cavicchio Greenhouses, Inc.
110 Codjer Lane

DECISION of the Board of Selectmen of the Town of Sudbury, Massachusetts (the "Board") on the petition of Paul Cavicchio, Jr. for Cavicchio Greenhouses, Inc. (the "Applicant"), for Site Plan approval for property located at 110 Codjer Lane, Sudbury, MA for construction of an approximately 18,000 sq. ft. building on the property, shown on Sudbury Town Assessors' Maps J08, Parcel 0004, zoned Residential-A (the "Property").

This decision is in response to an application by the Applicant for approval of a Site Plan submitted to the Board on July 16, 2013 pursuant to the Zoning Bylaw of the Town of Sudbury (the "Zoning Bylaw"), Section 6300.

After causing notice of the time and place of its public hearing and of the subject matter thereof to be published, posted and mailed to the Applicant, abutters and other parties in interest, as required by law, John C. Drobinski, Chairman of the Board, called the public hearing to order on August 20, 2013. The hearing was closed at the end of the August 20, 2013 proceedings. Board members and John C. Drobinski, Robert C. Haarde, Lawrence W. O'Brien, Leonard A. Simon and Charles C. Woodard were present throughout the proceedings. The record of the proceedings and submissions upon which this decision is based may be referred to in the office of the Town Clerk or the Board office.

The Board is in receipt of the following:

1. Application for Site Plan Approval dated July 8, 2013 (received July 16, 2013), including a Request for waiver from Site Plan rules and Regulations. Site Plans submitted with the proposal consist of MapsOnLine aerial prints.
2. Memo from John Whalen, Asst. Fire Chief, to Jody Kablack, Planning Director, dated August 8, 2013.
3. Memo from Deborah Dineen, Conservation Coordinator, to Jody Kablack, Planning Director dated August 6, 2013.
4. Memo from Jody Kablack, Planning Director, to the Board dated August 13, 2013.
5. Email from Mark Herweck, Building Inspector, dated August 14, 2013.

Based upon a determination that the foregoing evidence, together with the plans submitted, conformed to the intent and purpose of the Zoning Bylaw requirements, a motion was made and unanimously approved as follows:

VOTED: To approve the Site Plan Application of Paul Cavicchio, Cavicchio Greenhouses, Inc. to construct an 18,000 sq. ft. agricultural building at Property located at 110 Codjer Lane, shown on Sudbury Town Assessors' Maps J08, Parcel 0004, as described in the Site Plan application submitted to the Board, subject to compliance with all governmental laws and regulations including, but not limited to Wetlands Protection Act and Sudbury Wetlands Administration Bylaw, zoning, building and health laws and regulations, and further subject to the following conditions insofar as they apply to the Property:

1. Issuance of an Order of Conditions by the Conservation Commission.
2. Installation of an erosion and sediment control barrier between the construction area and the adjacent wetlands shall be in place prior to commencement of construction.
3. No storage or use of chemicals on site except in conformity with guidelines and requirements of the Board of Health and the Fire Chief; the owner or operator of the site shall comply with the Massachusetts Oil and Hazardous Materials Release Prevention and Response Act, M.G.L. Chapter 21E, as amended, and all regulations issued there under.
4. All fire lanes and parking areas shall be kept clear at all times, and all snow shall be removed from these areas to ensure access by fire trucks and other public safety vehicles.
5. As as-built plan showing the location of the new building shall be submitted prior to issuance of an Occupancy Permit.
6. This Decision shall be recorded in the Middlesex South Registry of Deeds prior to issuance of an Occupancy Permit.
7. This approval shall lapse if construction and substantial use thereof have not commenced except for good cause within two (2) years from the effective date of said approval.

Appeals of the grant of this permit, if any, shall be made pursuant to M.G.L. Chapter 40A, Section 8.

Date: August 20, 2013

SUDBURY BOARD OF SELECTMEN

John C. Drobinski, Chairman

Robert C. Haarde

Lawrence W. O'Brien

Leonard A. Simon

Charles C. Woodard

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss

August 20, 2013

On this 20th day of August, 20013, before me, the undersigned notary public, personally appeared the above-named _____, proved to me through satisfactory evidence of identification, which was personal knowledge, to be the person whose name is signed on the preceding document, and acknowledged to me that he signed it voluntarily for its stated purpose as a member of the Board of Selectmen.

, Notary Public

My commission expires:

cc: Town Clerk
Board of Health
DPW Director
Building Inspector
Planning and Comm. Dev. Dpt.

Town Counsel
Conservation Commission
Fire Chief
Applicant



Town of Sudbury

Planning & Community Development

Flynn Building
278 Old Sudbury Rd
Sudbury, MA 01776
978-639-3387
Fax: 978-443-0756

Jody Kablack, Director
pcd@sudbury.ma.us

<http://www.sudbury.ma.us/services/planning>

TO: Building Inspector
DPW Director
Board of Health
Conservation Commission
Fire Chief
Commission on Disability
Board of Selectmen
Town Counsel
Sudbury Water District

FROM: Jody Kablack

DATE: June 24, 2013

RE: *Notice of Site Plan Submission –Cavicchio Property, Paul Cavicchio
110 Codjer Lane*

Attached please find a copy of the above-referenced plan. Please review the plan and submit your findings or recommendations to my attention by **August 13, 2013**. **The Public Hearing is scheduled with the Selectmen for August 20, 2013**

Prompt reply will allow incorporation of necessary changes into the plan. Failure to receive recommendations from any Board or Commission may be deemed as approval of the proposed plan by that Board or Commission.

Name of Site Plan reviewed _____

Name of Reviewer _____ No. of hours spent on plan _____



Town of Sudbury

Office of Selectmen

Flynn Building
278 Old Sudbury Rd
Sudbury, MA 01776
978-639-3381
Fax: 978-443-0756

TOWN OF SUDBURY NOTICE OF PUBLIC HEARING

The Board of Selectmen will hold a public hearing on Tuesday, August 20, 2013, at 7:45 p.m. at the Town Hall, 322 Concord Road, Sudbury, MA, on the application of Paul Cavicchio, applicant, to construct an approximately 18,000 sq. ft. agricultural building on property located at 110 Codjer Lane, zoned Residential-A, Town Assessor Map J08, Parcel 0004.

Board of Selectmen

Publication: *Sudbury Town Crier*: August 1 and 8, 2013

Post: Town Hall and Flynn Building

cc: Abutters
Applicant
Owner
Sudbury Town Clerk
Sudbury Planning Board
Town Boards and Officials: KINDLY SUBMIT YOUR REPORTS TO THE
SELECTMEN WITH COPY TO THE APPLICANT AND TOWN BOARDS BY
August 15, 2013.

RECEIVED
JUL 16 2013

APPLICATION FOR SITE PLAN APPROVAL

Date: 07/08/2013

To: The Board of Selectmen, Town of Sudbury, Massachusetts 01776

In accordance with Town of Sudbury Bylaws Article IX.6000, Section 6300, and the Board of Selectmen's Rules and Regulations, application for Site Plan approval is made as follows:

1. **Name of Plan/Business**
Cavicchio Greenhouses Inc
2. **Site location/address** 110 Codjer Lane
 Zoning District Residential Assessors Plate/Parcel No. J08-0004
 Registry of Deeds Book 48795 Page 63 Area of Property 20.8 acres/square
 feet
3. **Proposed Use** Agriculture
4. **Applicant** Paul Cavicchio Jr. Tel/FAX Nos. 978 443 7177
 Address 110 Codjer Lane
5. **Owner of property** Paul Cavicchio Jr. Tel/FAX Nos. 978 443 7177
 Address 110 Codjer Lane
6. **Engineer** Dante Montuori, PE Tel/FAX Nos. 978 443 8071
 Address 345 Boston Post Road Sudbury Ma. 01776
7. **Architect** N/A Tel/FAX
 Nos. _____
 Address _____
8. **Plans** (list each sheet of plan by title, date, and sheet number):

9. **Other documents and data (ATTACH):**

a. Consent of owner, if applicable (yes/no).

b. Traffic impact study (yes/no). If yes, provide title reference. N/A

c. Mass. Highway Dept. street entrance permit (yes/no). If yes, provide date or progress. N/A

d. Other studies or data (list). _____

10. **Prior Site Plans** (list any prior site plans submitted, indicating date filed and whether approved or denied):

N/A

11. **Prior variances or permits granted by Board of Appeals** (list by Case Numbers and attach copies):

N/A

12. **Present use of property:**

Agriculture

13. **ATTACH: Written Statement of proposed use of property** (fully describe all activities to be conducted and by whom).

14. **ATTACH: Written statement of changes to site.**

15. **ATTACH: Building coverage and open space - description and calculation.**

16. **ATTACH: Estimated traffic impact on adjacent public ways due to changes to site.**

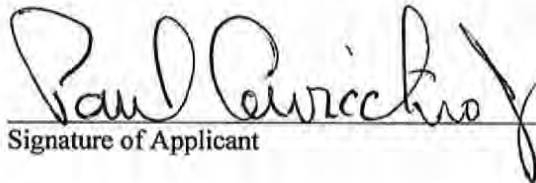
17. **ATTACH: Drainage calculations.**

18. **ATTACH: Calculations of the volume of earth to be removed.**

19. **ATTACH: Parking space calculations.**

20. Applicant understands that application to any of the following may be required for a proposed use or change (this list is not all inclusive):

- Board of Appeals (zoning permit or variance)
- Conservation Commission (alterations affecting wetlands)
- Board of Health (septic/sewerage, food permits)
- Building Inspector (building/wiring/gas permits, occupancy permit, approval of signs).
- Earth Removal Board [Bylaws, Article V(A)]
- Planning Board (Water Resource Protection Special Permit)
- Historic Districts Commission (Certificate of Appropriateness)
- Board of Selectmen (licenses for alcoholic beverages, common victualler, and entertainment)
- Sudbury Dept. of Public Works (access to public storm drains, street permit for utilities, driveway permit)
- Sudbury Water District (water service)
- Massachusetts Highway Department (street entrance permit if State road)


Signature of Applicant

Name, title
110 Colyer Lane
Address
Sudbury Ma

REQUEST FOR WAIVER FROM SITE PLAN RULES AND REGULATIONS

Date: 07/08/2013

To: The Board of Selectmen, Town of Sudbury, Massachusetts 01776

In connection with Site Plan Application for property at 110 Codjer lane

for the purpose of Construction of an agriculture builing (proposed use),

the undersigned requests the Board of Selectmen grant a waiver from the following provision of its Site Plan Rules and

Regulations: Section 6352 and 6352.

Provide explanation and state reasons:

Due to the minor nature of this proposal, I request the board accept aerial plans of the property in lieu of a site plan prepared by a registered professional engineer. This proposal requests approval for an additional 14,000 square feet of building on approximately 130 acres of land containing approximately 450,000 square feet of buildings.

Attach plans or descriptive materials as appropriate.

APPLICANT:

Paul Courcchio Jr
Signature

110 Codjer Lane
Address

978 443 7177
Telephone Number

Attachment to site plan approval

1.) Proposed use of the property

a.) The new, one story, building will remain in the same use as the old one, we will be using it for planting and the storage of pots and tray.

2.) Changes to site

a.) The only change is going to be a larger building

3.) Building coverage

a.) The old building covered about 6,600 square feet and the new building will cover about 18,000 square feet

4.) Estimated traffic impact.

a.) None

5.) Drainage calculation.

a.) None

6.) Calculation of earth to be removed.

a.) There is not going to be any earth removed

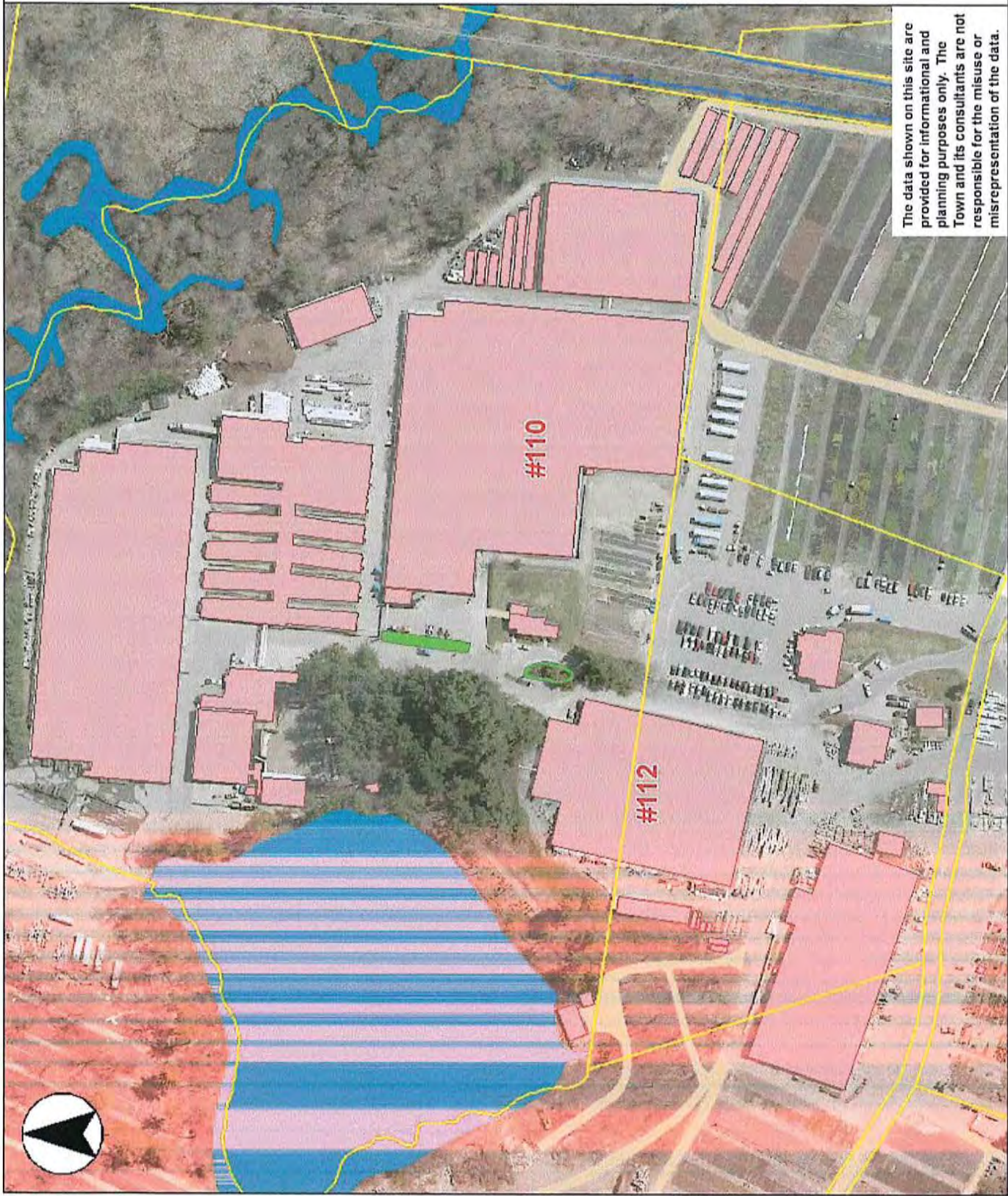
7.) Parking space calculation

a.) Parking remains the same.

Cavicchio Greenhouses



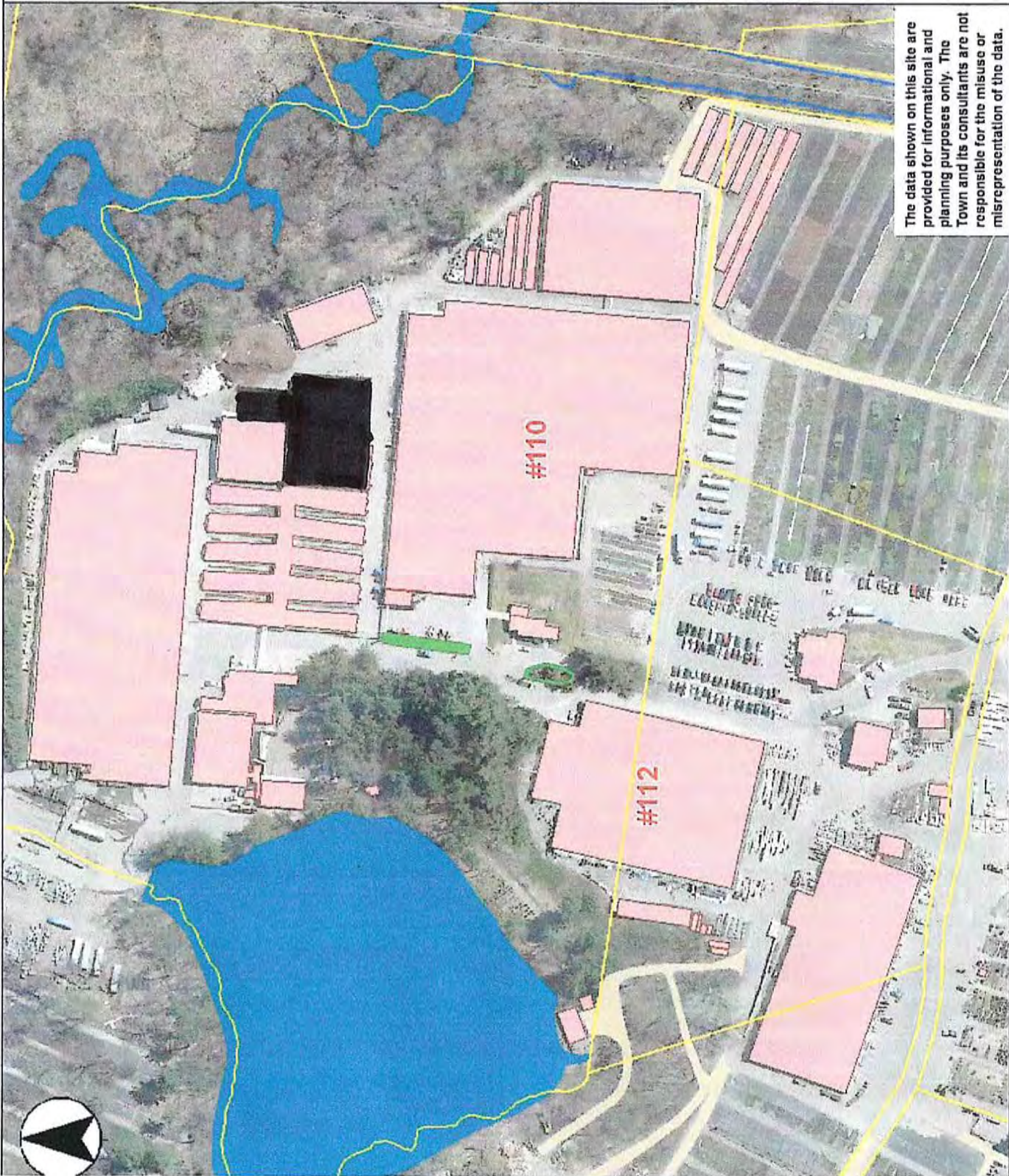
- Town Boundary
- Easements
- Restrictions
- Parcels
- Parcels With Orthos
- Parcels With Orthos
- Parcels
- Curbs
- Abandoned Railroad
- Drainage
- Culverts
- Dams
- Drainage Ditches
- Headwalls
- Buildings
- Roads
- Paved
- UnPaved
- Medians
- Driveways
- Streams
- Open Water
- Abutting Towns



The data shown on this site are provided for informational and planning purposes only. The Town and its consultants are not responsible for the misuse or misrepresentation of the data.



- Town Boundary
- Easements
- Restrictions
- Parcels
- Parcels With Orithos
- Parcels With Orithos
- Parcels
- Curbs
- Abandoned Railroad
- Drainage
- Culverts
- Dams
- Drainage Ditches
- Headwalls
- Buildings
- Roads
- Paved
- Unpaved
- Medians
- Driveways
- Streams
- Open Water
- Abutting Towns



The data shown on this site are provided for informational and planning purposes only. The Town and its consultants are not responsible for the misuse or misrepresentation of the data.

Cavicchio Greenhouses

200 400 ft

AGENDA REQUEST #5

BOARD OF SELECTMEN

Requestor's Section

Date of request: 8/6/13

Requestor: Andrea Terkelsen, Finance Director

Action requested:

Accept FY13 year-end statement for Pooled Town Trusts and authorize spending requests for FY14.

Financial impact expected: None for General fund

Background information (if applicable, please attach if necessary):

Annual acceptance of report and requests for new fiscal year. Statement and spending requests attached.

Recommendations/Suggested Motion/Vote:

Acting as co-trustees of Town Trust funds, vote to accept the unaudited FY13 fourth quarter statements for the Pooled Town Trust Funds for the period ended June 30, 2013, and vote to accept the Pooled Trust Fund expenditure limits for FY14 as submitted by the beneficiaries and requested by Andrea Terkelsen, Finance Director, on August 6, 2013.

Person(s) expected to represent Requestor at Selectmen's Meeting:

Andrea Terkelsen, Finance Director

Selectmen's Office Section

Date of Selectmen's Meeting:

8/20/13

Board's action taken:

Follow-up actions required by the Board of Selectmen or Requestor:

Future Agenda date (if applicable):

Distribution:

Town Counsel approval needed?

Yes ()

No ()



"5"
TOWN OF SUDBURY
Office of the Treasurer/Collector

278 Old Sudbury Road
Sudbury, MA 01776
Tel: (978) 443-8891 x376
Fax: (978) 443-8450

MEMORANDUM

Date: August 15, 2013
To: Board of Selectmen
From: Andrea L. Terkelsen, Treasurer/Collector
Subject: Town Trust FY14 Spending Requests

Town Trust FY13 Beneficiary Requests for Expenditures: The following requests are hereby submitted for the Board's consideration.

To be Voted: Acting as Co-Trustees, move to accept that the Board of Selectmen approve the following expenditure limits for the Town Trust Funds for fiscal year 2014.

Trust Fund	Amounts Recommended to Board by Treasurer
Forrest Bradshaw Memorial	\$100
Goodnow Library	\$20,900
Lydia Raymond	\$300
Rhodes Memorial	\$800
Cheri-Anne Cavanaugh	\$2,200
Discretionary	\$2,200
Raymond Mausoleum	\$900
Perpetual Care	\$25,800
Total	\$53,200

Background:

The trusts (spending limits) being voted on tonight are part of a special segment of resources residing outside the Town's general fund treasury. These particular trusts along with many other grant, gift and donation funds together reside in the Sudbury Trust program which was established in 2010. The Sudbury Trust is a comprehensive charitable donation program sponsored by the Town of Sudbury. The Sudbury Trust invites all concerned citizens and organizations to help sustain vital municipal and educational programs, as well as advance new economic, social, and cultural initiatives in Sudbury (See The Sudbury Trust Program on the Town of Sudbury's website).

The Board has been provided with the FY13 year-end statements for the Town trusts that are pooled together for both investment and reporting purposes. Your package contains the following:

Page 1: Investments. This statement shows the pooled trust investment results and year-end balances. All investment positions are currently with Charles Schwab & Company, Inc. All investments are directly managed and controlled by the Town Treasurer. However, the Treasurer may consult with the individuals, Fred Prior, David Pettit and Dan Flanagan, all of whom are Sudbury residents with extensive professional investment advisory credentials. As you can see from the statement summary, the portfolio has a combined \$1.7 million balance as of June 30, 2013. This balance includes approximately \$86 thousand in total unrealized market gains. The outlook for FY14 remains cautiously optimistic; with little or no changes in portfolio composition or positions.

Page 2: Disbursements. Total pooled trusts disbursements in FY13 totaled approximately \$45 thousand. Disbursements are authorized by trustees to pay for a variety expenses throughout the fiscal year, not to exceed the spending limits set by the Board of Selectmen. You are being asked to set the spending limits for FY14.

Page 3: Balances. The non-expendable balance for the group increased significantly due solely to contributions to perpetual care. Some of the \$49 thousand added to perpetual care resulted from the reclassification of prior year receipts incorrectly posted to the new cemetery revolving fund. The expendable component for each trust includes all other activities for the year including expenditures and market adjustments. The portfolio generated interest and dividends of \$48 thousand during FY13 which slightly exceeded disbursements. This combined with a positive net increase in unrealized market value resulted in a total balance of nearly \$575 thousand.

Page 4: Trust expendable balance statistics. The group ended up spending slightly less than what the portfolio was able to produce in realizable income. This earnings trend is likely to continue for the foreseeable future. The outlook for FY14 will be to maintain spending limits at (or below) expected interest and dividends.

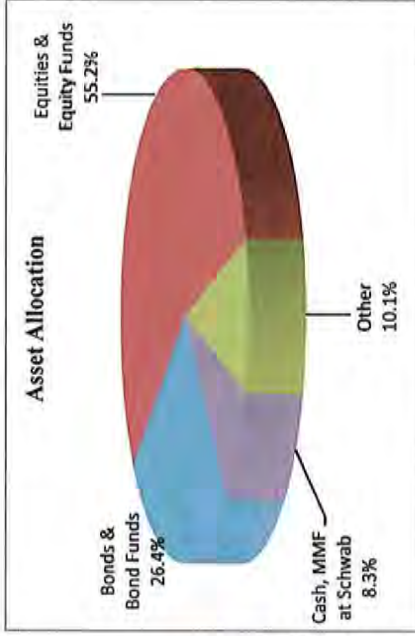
Respectfully submitted by,

Andrea L. Terkelsen, Treasurer/Collector

**Town of Sudbury
Town Trust Investments
as of June 30, 2013**

Snapshot for FY13

Portfolio Composite:	Market Value	Unrealized Gain/(Loss)	% Gain/(Loss)
Bonds & Bond Funds	\$ 468,597	\$ (16,473)	-3.5%
Equities & Equity Funds	\$ 980,395	\$ 67,042	6.8%
Other	\$ 179,564	\$ 35,989	20.0%
Cash, MMF at Schwab	\$ 146,589	\$ -	0.0%
	<u>\$ 1,775,144</u>	<u>\$ 86,557</u>	<u>4.9%</u>
FY Income/Earnings	\$ 47,949		
FY Market Value Changes	\$ 69,058		
FY changes excl. Deposits/transfers	<u>\$ 117,007</u>		



**Investment Portfolio for FY13
as of June 30, 2013**

Investments - Bonds & Bond Funds	% of Portfolio	Price		Average		Unrealized Market Gain/(Loss)
		Current	Value	Cost Basis	Market	
Investments - Bonds & Bond Funds						
Vanguard GNMA Fund	12.15%	20,586.11	\$ 10.48	215,742.43	226,523.21	(10,780.78)
Vanguard Interim Term	6.19%	11,239.77	\$ 9.78	109,924.91	113,446.90	(3,521.99)
Vanguard Short-Term Treasury	8.09%	13,382.93	\$ 10.68	142,929.72	145,099.90	(2,170.18)
Total:	26.40%	45,208.81		468,597.06	485,070.01	(16,472.95)
Investments - Equities & Equity Funds						
Fidelity Contra Fund	12.74%	2,639.71	\$ 85.64	226,064.76	176,976.20	49,088.56
Harbor International Fund Inst CL	10.91%	3,106.74	\$ 62.35	193,705.05	174,974.75	18,730.30
PIMCO All Asset Instl CI	10.89%	16,155.09	\$ 11.97	193,376.42	200,076.00	(6,699.58)
Vanguard Emerging Mkts Stock Index Fund	7.64%	5,505.62	\$ 24.62	135,548.32	153,354.06	(17,805.74)
Vanguard Div Appreciation	13.05%	3,500.00	\$ 66.20	231,700.00	207,971.95	23,728.05
Federated Strategic Value Dividend	0.00%	0.00		0.00		-
Total:	55.23%	30,907.15		980,394.55	913,352.96	67,041.59
Investments - Other						
JP Morgan Exch Traded NT Alerian MLP	10.12%	3,850.00	\$ 46.64	179,564.00	143,575.45	35,988.55
Total:	10.12%	3,850.00		179,564.00	143,575.45	35,988.55
Investments - Cash & MMF						
Cash & MMF- at Charles Schwab	8.26%	146,588.84	\$ 1.00	146,588.84	146,588.84	-
TOTAL TRUST INVESTMENTS				1,775,144.45	1,688,587.26	86,557.19

**Town of Sudbury
Town Trust Disbursements
as of June 30, 2013**

Fund	Approved Distributions		Expenses FY13	Distribution Balance FY13
	FY13	FY13		
Forrest Bradshaw	100.00		85.90	14.10
Goodnow Library*	30,900.00		23,690.85	7,209.15
Lydia Raymond	199.00			199.00
Rhoades Memorial	686.00		406.66	279.34
Total: Goodnow Library	31,885.00		24,183.41	7,701.59
Annie Thorpe				0.00
Cheri-Anne Cavanaugh	2,000.00		720.00	1,280.00
Discretionary/Charity	1,500.00		1,500.00	0.00
Raymond Mausoleum	1,000.00		910.00	90.00
Raymond Scholarship				0.00
Tercentenary Fund				0.00
School Fund				0.00
Sept. 11 Memorial Fund	1,000.00		547.07	452.93
Perpetual Care	16,930.00		16,930.00	0.00
Garfield Trust				0.00
Haskell Field Loop Trail				0.00
Boundless Playgrd Maint				0.00
Wood-Davison House				0.00
Harry C Rice				0.00
Total: Other	22,430.00		20,607.07	1,822.93
Total: Town Trust Funds	54,315.00		44,790.48	9,524.52

**Town of Sudbury
Town Trust Fund Balances
as of June 30, 2013**

	Curr % of Total in Trust		NON EXPENDABLE PORTION				EXPENDABLE PORTION						Allocated Cash Balance
			7/1/2012 Balance	New Principal	YTD-FY13 Balance	7/1/2012 Balance	Investment Income	Market Value Changes	Expendable Principal	Distributions	YTD-FY13 Balance		
Forest Bradshaw	0.06%		600.00	-	600.00	501.06	32.02	45.98	-	85.90	493.16	125.82	
Goodnow Library	20.31%		254,386.30	-	254,386.30	102,949.18	10,278.52	14,944.40	-	23,690.85	104,481.25	26,656.30	
Lydia Raymond	0.11%		854.79	-	854.79	995.69	53.81	77.29	-	0.00	1,126.79	287.48	
Rhoades Memorial	0.41%		3,793.46	-	3,793.46	3,431.21	210.03	301.78	-	406.66	3,536.36	902.23	
Sub-Total: Goodnow Library	20.90%		259,634.55	-	259,634.55	107,877.14	10,574.38	15,369.45	-	24,183.41	109,637.56	27,971.83	
Annie Thorpe Fund	1.65%		6,222.27	-	6,222.27	20,947.46	789.89	1,134.96	-	0.00	22,872.31	5,835.41	
Cheri-Anne Cavanaugh Fund	0.67%		1,045.04	-	1,045.04	10,054.78	323.89	451.73	701.00	720.00	10,811.40	2,758.31	
Discretionary/Charity	3.51%		51,370.67	-	51,370.67	7,653.52	1,699.36	2,440.85	286.00	1,500.00	10,579.73	2,699.21	
Ramond Mausoleum	0.29%		1,020.10	-	1,020.10	4,614.89	142.81	224.29	-	910.00	4,071.99	1,038.89	
Raymond Scholarship	0.91%		13,879.50	-	13,879.50	1,076.14	434.77	624.75	-	0.00	2,135.66	544.87	
Tercentenary Fund (Yr 2075)	0.04%		0.00	-	0.00	635.43	18.46	26.54	-	0.00	680.43	173.60	
School Fund	0.21%		276.11	-	276.11	3,168.91	100.16	143.92	-	0.00	3,412.99	870.76	
Sept 11 Memorial	1.82%		0.00	-	0.00	30,467.83	877.95	1,273.57	-	547.07	32,072.28	8,182.60	
Perpetual Care ¹	53.57%		767,723.03	49,704.25	817,427.28	84,652.11	25,098.55	36,032.89	-	16,930.00	128,853.55	32,874.40	
Garfield Trust	2.64%		41,136.86	-	41,136.86	2,339.11	1,263.93	1,816.08	-	0.00	5,419.12	1,382.58	
Haskell Field Loop Trail	0.42%		0.00	-	0.00	7,010.72	203.80	292.86	-	0.00	7,507.38	1,915.36	
Boundless Playgrd Maint Trust	0.90%		0.00	-	0.00	14,836.97	431.34	619.78	-	0.00	15,888.09	4,053.53	
Wood-Davison House	3.85%		0.00	-	0.00	63,463.63	1,845.00	2,651.03	-	0.00	67,959.66	17,338.55	
Harry C Rice	8.64%		0.00	-	0.00	142,563.42	4,144.56	5,955.21	-	0.00	152,663.19	38,948.96	
Sub-Total: Other	79.10%		882,673.58	49,704.25	932,377.83	393,484.92	37,374.47	53,688.46	987.00	20,607.07	464,927.78	118,617.01	
Total: Pooled Trust Funds	100.00%		1,142,308.13	49,704.25	1,192,012.38	501,362.06	47,948.85	69,057.91	987.00	44,790.48	574,565.34	146,588.84	

¹ new principal includes \$34K adjustments from prior year from new perpetual care revolving fund.

AGENDA REQUEST - Item #6

BOARD OF SELECTMEN

Requestor's Section:

Date of request: 7/26/13

Requestor: *Tom Michelman, president of Friends of the Bruce Freeman Rail Trail*

Action requested (Who, what, when, where and why):

Meet with Friends of the Bruce Freeman Rail Trail to discuss offer to fund the 25% design for the northernmost 0.5 miles of the Bruce Freeman Rail Trail in Sudbury.

Financial impact expected: *None at this time.*

Background information (if applicable, please attach if necessary): *see attached*

Recommendations/Suggested Motion/Vote: *None – discussion only*

Person(s) expected to represent Requestor at Selectmen's Meeting:

Tom Michelman, president of Friends of the Bruce Freeman Rail Trail

Selectmen's Office Section:

Date of Selectmen's Meeting: *August 20, 2013*

Board's action taken:

Follow-up actions required by the Board of Selectmen or Requestor:

Future Agenda date (if applicable):

Town Counsel approval needed? Yes () No ()

Golden, Patricia

From: Tom Michelman <tmichelman@gmail.com>
Sent: Thursday, August 08, 2013 10:26 AM
To: Board of Selectmen
Cc: Place, Bill; Conservation Office; Kablack, Jody; Valente, Maureen; Rail Trail Conversion Advisory Committee; Rebecca S. Williamson P.E.
Subject: FBFRT Offer Letter & Cost Estimate In Preparation to Aug-20th Meeting
Attachments: Bring the Trail to Sudbury Aug-8-2013.pdf; PRELIMINARY DESIGN SUDBURY BFRT Revised July 2013.pdf

Dear Sudbury Board of Selectmen,

Per the August 20th meeting per which our offer to fund the 25% design for the northernmost 0.5 miles of the Bruce Freeman Rail Trail in Sudbury will be on the agenda, please find attached:

1. A letter describing an update of our offer so as be compatible with the updated cost estimate
2. An updated scope and cost estimate from GPI.

I encourage all to reach out to me prior to the August 20th meeting if you have any questions or concerns.

Best regards,

Tom Michelman
President – Friends of the Bruce Freeman Rail Trail, Inc.
www.brucefreemanrailtrail.org
6 Magnolia Drive
Acton, MA 01720

(m) 978-580-6190
tmichelman@gmail.com



**Friends of the
Bruce Freeman Rail Trail**

P.O. Box 1192
Concord, MA 01742
www.brucefreemanrailtrail.org

August 8, 2013

Board of Selectmen
Town of Sudbury
Flynn Building
278 Old Sudbury Road
Sudbury, MA 01776
Selectmen@sudbury.ma.us

RE: BRING THE TRAIL TO SUDBURY

Dear Board of Selectmen:

We are excited and thankful that our (the Friends of the Bruce Freeman Rail Trail - FBFRT) offer to fund the preliminary ("25%") design adhering to MassDOT guidelines of the 0.5-mile northernmost section of the Bruce Freeman Rail Trail in Sudbury is on your agenda for the August 20, 2013 meeting.

RECAP

To quickly recap our offer, on June 27, 2011 we, (the FBFRT), offered \$50,000 to the Town of Sudbury to pay for the preliminary ("25%") design adhering to MassDOT guidelines of the 0.5-mile northernmost section of the Bruce Freeman Rail Trail in Sudbury.

On January 12, and May 12, 2012 we officially wrote you again, urging you to move forward on our June 2011 offer. During the two years since our offer, the Town has passed two non-binding resolutions for moving ahead with the BFRT in Sudbury. These resolutions were submitted by the Board of Selectmen for the Town Election and for Town Meeting, and in both cases, the nonbinding resolutions passed overwhelmingly (by more than 2 to 1 in the Town Election). In addition representatives of the FBFRT have met and discussed the issue informally with members of the BOS over the last two years, and have weighed at various public forums.

As we previously described, accepting our offer of funds for the design of the northernmost 0.5-mile section to MassDOT guidelines does not obligate the Town to build to those guidelines. What it does do is provide the option to build the trail to MassDOT guidelines – and thus the option for construction to be paid for with state and federal rather than local funds. Further, such a design will provide information so the BOS and the Town can decide whether they want to move forward with a rail trail built to MassDOT guidelines.



Friends of the Bruce Freeman Rail Trail

P.O. Box 1192
Concord, MA 01742
www.brucefreemanrailtrail.org

Per the Transportation Improvement Program (TIP) process on July 25, 2013, the Boston Region Metropolitan Planning Organization (MPO) voted to fully fund construction for all unbuilt sections of the BFRT north of Sudbury.

- Phase 2A – Acton, Carlisle, Westford in 2014
- Phase 2B – Bridge over Route 2 spanning Acton & Concord in 2017
- Phase 2C – Concord to the Sudbury border in 2016

If Sudbury moves swiftly with a 25% design of its northernmost 0.5-mile section, it may be possible to be included as a short but very logical addition to Phase 2C, or put out to bid simultaneously with Phase 2B. Given our experience and success advocating for BFRT construction funds from the Boston MPO, and the Commonwealth's new emphasis on sustainable transportation, we are confident that the northernmost 0.5-mile section in Sudbury also will be funded through the TIP process, if a 25% design and request is submitted by the Town.

There are many questions remaining on the structure of the BFRT in Sudbury. We strongly believe that a professional 25% design study adhering to MassDOT guidelines for the northernmost 0.5 miles is in the best interest of Sudbury given the overwhelming public support for the BFRT to be built as a standard rail trail. A 25% design for the northernmost 0.5 miles of the trail, a study that the Town of Sudbury will control, will simultaneously accomplish:

- Answering many of the questions the proponents, doubters and BOS have about the details of a proposed trail (e.g., a rail trail built to MassDOT standards can have a permeable surface such as stone dust or permeable asphalt).
- It will provide a viable option (but not requirement) to become eligible for State funding to pay for the trail, and could be connected to the construction of a phase of the BFRT to the north. Given the above funding recommendations from the MPO, a 2016 / 2017 Sudbury construction start is a real possibility.
- A 25% design will signify real and concrete progress on the Sudbury portion of the BFRT. The trail has been officially studied for at least the last eight years since the commencement of the Rail Trail Conversion Advisory Committee (first official meeting March 3, 2005 see, <http://www.sudbury.ma.us/departments/RailTrail/#>). The 25% design would be the first detailed plan that could be reviewed and commented upon by all stakeholders in Sudbury.

UPDATED OFFER

In anticipation of the BOS discussing our offer on August 20, the FBFRT requested and received an updated cost estimate for a 25% design from Greenman-Pedersen, Inc. (GPI, the lead engineering consultant for Phases 2A & 2C). The cost estimate is for \$58,700 which includes an optional parking count and analysis to better address the often voiced concerns about parking at Davis Field. Given the GPI cost estimate, the Board of Directors of the FBFRT voted on July 29, 2013 to make the following updated offer.



Friends of the Bruce Freeman Rail Trail

P.O. Box 1192
Concord, MA 01742
www.brucefreemanrailtrail.org

The Board of Directors of the Friends of the Bruce Freeman Rail Trail authorizes up to \$58,700 to the Town of Sudbury for the purpose of completing the 25% design in the Right of Way (ROW) and according to MassDOT guidelines for the extension of the BFRT – approximately 1/2 mile from the Concord/Sudbury town line to the South side of North Road (Route 117). Up to \$5,000 of this amount will be available immediately upon full appropriate Town approval, and the balance will be paid when the Town of Sudbury executes the aforementioned 25% design contract.

If the BOS cannot or will not accept the above terms, then we would like to engage in a dialogue of terms that would be acceptable to both the BOS and the FBFRT. If the BOS desires additional scope not provided in the GPI cost estimate then we encourage the BOS to request such an increase in scope and engage in a dialogue with the FBFRT. More generally, if the BOS is amenable to the general structure of what is offered, please consider this offer letter part of that dialogue.

We (and GPI) understand that Sudbury will need to put the Sudbury 0.5 mile 25% design contract out to public bid, and that the actual costs may be higher or lower than the GPI estimate. If the costs are lower, then our offer will hold, if higher, then there would have to be a FBFRT Board vote for additional authorization of funds. We also would like to reiterate that the offer has no clawback provision; as long as the funds provided are used for the 25% design; the FBFRT will not be asking for a refund if the Town decides to deviate from MassDOT guidelines or do nothing at all with the railroad ROW after completion of the 25% design.

To help describe the cost estimates, a representative from GPI will attend the August 20th meeting to answer questions on methodology, requirements, and assumptions that may arise.

After waiting more than two years for a clear answer to our offer that we believe is both generous and logical, we hope the BOS votes at the August 20th or September 3rd meeting to accept our offer and proceed with the 25% design process.

We look forward to working with you, Town Staff, Town Committees, and the entire Sudbury community to make progress on the Bruce Freeman Rail Trail. Again, do not hesitate to contact me if you have any questions or concerns.

Sincerely,

Tom Michelman – President Friends of the Bruce Freeman Rail Trail, Inc.
tmichelman@gmail.com



Friends of the Bruce Freeman Rail Trail

P.O. Box 1192
Concord, MA 01742
www.brucefreemanrailtrail.org

www.brucefreemanrailtrail.org

6 Magnolia Drive
Acton, MA 01720

cc:

Sudbury

- Maureen Valente, Town Manager
- "Concept Committee" Members:
 - Debbie Dineen, Conservation Coordinator
 - Jody Kablack, Planning & Community Development Director
 - Bill Place, Department of Public Works Director
- Pat Brown Chair, Rail Trail Conversion Advisory Committee
- Rebecca Williamson, Project Manager GPI Greenman-Pedersen, Inc.

Friends of the Bruce Freeman Rail Trail

- Board of Directors (bcced)

PRELIMINARY DESIGN SUDBURY BFRT (CONCORD TOWNLINE TO ROUTE 117)

The following is a “ballpark” estimate of the design funds necessary to complete the 25% design of the Sudbury BFRT from the Concord Townline to Route 117. The estimate assumes the project will be reviewed and approved by MassDOT.

Assumptions

1. Survey and basemapping are complete and will be provided to the designer. No additional survey or mapping will be required.
2. Existing road layout and property lines (including trail property lines) are complete and accurate. Abutter information is current. Copies of right of way research are supplied. No further right of way research or field work is required.
3. Wetland delineation is complete, an Order of Resource Delineation was granted and no additional delineation will be required.
4. The trail will cross Route 117 and terminate.
5. Only work specifically detailed below is part of this design estimate.

Standard Scope of Service Tasks

1. Project Need Form
2. Project Initiation Form
3. Kick-Off Meeting
4. Field Reconnaissance
5. Preliminary Right – of – Way Plans
6. Early Environmental Coordination Report
7. Water Quality Data Form
8. Categorical Exclusion (CE) Checklist
9. Traffic Technical Memorandum
10. Meeting with Town and MassDOT
11. 10% Public Meeting
12. 25% Design Plans
13. 25% Preliminary Construction Cost Estimate
14. Design Public Hearing
15. Respond to 25%/Public Hearing Comments
16. General Coordination
17. Expenses – Mileage, Reproduction ATRs for traffic counts, speeds and gaps - \$1,500

Fee: \$53,020

Optional Scope of Service Tasks

1. Parking Counts – It is assumed that counts will be conducted at four (4) lots for a two hour period at three peak times (weeknight, Saturday and Sunday)
2. Parking Analysis
3. Expenses – Mileage, Reproductions \$400

Fee: \$5,680

Total Fee Standard and Optional Scope: \$58,700

**TOWN OF SUBURBY
PRELIMINARY DESIGN SUBURBY BRT (CONCORD TOWNLINE TO ROUTE 117)
PRICE PROPOSAL**

Project Tasks	PRINCIPAL IN CHARGE	PROJECT MANAGER	LEAD ENGINEER	PROJECT ENGINEER	SURVEYOR	DESIGNER/TECHNICIAN	TOTAL HOURS	FEE PER TASK
A. Standard Scope of Services	\$200.00	\$165.00	\$135.00	\$100.00	\$75.00	\$85.00		
PNF		2	14				16	\$2,220.00
PIF		2	14				16	\$2,220.00
Kick-Off Meeting		4					4	\$660.00
Field Reconnaissance				8			8	\$800.00
Preliminary Right-of-Way Plans			12			32	44	\$4,340.00
Early Environmental Coordination Report		4	16	8			20	\$2,820.00
Water Quality Data Form			4				4	\$540.00
Categorical Exclusion (CE) Checklist		2	8	8			18	\$2,210.00
Traffic Technical Memorandum		4	4				8	\$1,200.00
Meeting with Town and MassDOT		6	6			16	28	\$3,160.00
10% Public Meeting		4	40	80		40	164	\$17,460.00
25% Design Plans		2	4	32		8	46	\$4,750.00
25% Preliminary Construction Cost Estimate		6	6			16	28	\$3,160.00
Design Public Hearing		4	8	8			20	\$2,540.00
Respond to 25% Public Hearing Comments		16					16	\$2,640.00
General Coordination								
TOTAL LABOR FEE - STANDARD CONTRACT		52	108	144		112	416	\$51,520.00
DIRECT EXPENSES								\$1,500.00
<i>(Mileage, Reproductions, ATRs for traffic counts, speeds and gaps)</i>								
TOTAL FEE (Standard Scope of Services)								\$53,020.00
B. Optional Services								
Parking Counts		2	14			36	36	\$3,060.00
Parking Analysis							16	\$2,220.00
TOTAL LABOR FEE - OPTIONAL SERVICES		2	14	0	0	36	52	\$5,280.00
DIRECT EXPENSES								\$400.00
<i>(Mileage, Reproductions)</i>								
TOTAL FEE (Optional Scope of Services)								\$5,680.00
TOTAL FEE (Standard and Optional Scope of Services)		54	122	144	0	148	468	\$58,700.00



Town of Sudbury

Town Manager's Office

Townmanager@sudbury.ma.us

278 Old Sudbury Road
Sudbury MA 01776
978-639-3385

Maureen G. Valente, Town Manager

<http://www.sudbury.ma.us>

Date: August 13, 2013
To: Board of Selectmen
From: Maureen G. Valente, Town Manager *Maureen G. Valente*
Subject: Responses to Bruce Freeman Rail Trail Board Questions
CC: Senior Staff

Below I am providing information I have received from staff in response to different questions members have raised during and since your last meeting.

1. What would be the likely cost to Sudbury if Option 1 is chosen by the Board?

I have attached information from the Boston MPO on the costs of two other parts of the Bruce Freeman Rail Trail. From these forms, it appears the costs range from \$2.2 million per mile in Acton/Carlisle/Westford to \$2.5 million per mile in Concord. As an estimate, one can use an average of these two at \$2.3 million/mile. These figures do not represent the cost estimates for crossing Route 2, which will be higher. There is 4.4 miles in Sudbury so the guess is about \$10.5 million for the entire project. If Sudbury's responsibilities are 10%, then the Town's share would be around \$1.1 million.

2. How could Sudbury pay for the \$1.1 million for Option 1?

There are several options. Use of CPA dollars has been discussed before, but it's important to remember that the CPC would have to recommend this amount for this project before Town Meeting could vote the appropriation. And there are a number of other high priority projects underway that are looking at CPA funding – the Davis Field Expansion project, the Town Hall Renovation Project, among others. And there are still several parcels of land that are high priorities for preservation in the future. Finally, with the preservation of the Pantry Brook Farm, the CPC fund balances are lower than they have been previously.

Another option would be a bond issue or a capital exclusion. That decision should also be made in light of the number of other projects that are listed in the Strategic Financial Planning Report, dated April 4, 2013. And the Friends of the BFRT have offered to donate \$50,000 toward the design of the northern .5 mile design costs.

3. Could the costs of Option 1 be reduced? Could they be higher than estimated?

These are questions that still need more research to address. If the surface in Option 1 does not need to be paved for all or parts of the 4.4 miles, that might reduce the costs. And the design process should give better estimates of the total project costs.

4. Where are the nearby Greenways trails that can be visited to get a better sense of the Greenway type of rail trail (Option 3)?

- West Boylston/Sterling MA
<http://www.wachusettgreenways.org/WG%20Trail%20Map.html> ;
- Iron Horse Projects in MA
http://www.ironhorsepreservation.org/Iron_Horse_Preservation_Pro.html
- Topsfield Linear Common (see enclosed information)
http://www.topsfieldtrail.org/index_files/TRTC-brochure.pdf
- the Grand Trunk Trail in Sturbridge (see enclosed information)
- Wachusett Greenways. The RTCAC section of the Town website has Information compiled by Carole Wolfe in the summer of 2008 from presentations by Colleen Abrams, president of Wachusetts Greenways, a non-paved rail trail.

5. Please explain more about potential funding for a Greenways style trail?

The DCR has a competitive grant process and Sudbury would likely get only a portion of the total cost. Debbie Dineen spoke with Amanda Lewis at the DCR Recreational Trails Program. Here is the information on the DCR program for this year:

Recreational Trails Program

Agency: Department of Conservation and Recreation (DCR)

Description and Eligible Activities: Provides funding support for a variety of motorized and non-motorized trail development and trail maintenance projects.

Website: <http://www.mass.gov/dcr/stewardship/greenway/regionalGrants.htm>

Eligible Applicants: Non-profits, government agencies, and municipalities

Estimated Application Deadline: October

Average # of Grants: 54 projects this year

FY 2010 Spending: \$1,506,400 (federal share)

Average Grant Size: \$31,000; **Maximum:** \$50,000 grant award

Debbie also points out that Topsfield was able to put together a number of different grants for funding with the town providing the matching 25% by the use of town or volunteer labor. You can read more about that in the enclosed information on the Topsfield rail trail. There may be other funding sources we are unaware of.

6. What is the difference in providing Emergency Medical Response between Option 1 and Option 3, from the perspective of the Fire Chief?

Fire Chief Bill Miles has consulted with the Fire Chiefs of the Towns of Bedford and Lexington and has received the following information.

Chief Gruen of the Bedford Fire Department related they have a 12 foot wide paved bike path and an 8 foot wide rail trail. They can drive the ambulance down the 12 footer so he much prefers that design. They have had three cardiac arrests on the 8 footer since Father's Day. The last one was particularly difficult. They used a pickup with a basket stretcher to get close to the patient, then had to hand carry the stretcher with 4 personnel and try to do CPR at the same time. Luckily, a medic intercept truck arrived with a Lucas Machine that took care of the chest compressions for the rest of the trip through the woods. (NOTE: Chief Miles has submitted a grant application to The Sudbury Foundation for Sudbury to acquire a Lucas Machine that performs chest compressions freeing up SFD personnel from this task). Chief Gruen said the paved 12 footer is a lot more formal and tends to be better maintained. It is not plowed, but the DPW is good about keeping the height and width clear of tree limbs and brush for the ambulance. The 8 footer tends to be forgotten about.

I had a conversation with Lexington Chief John Wilson about their rail trail. It is 12 feet wide and paved. They drive an ambulance on it, but never take an engine. An engine and an ambulance respond to a medical, they stop at the gate, the engine personnel park the engine, hop into the ambulance, and they all drive to the patient. The ambulance keeps going to the next gate, and the engine crew walks back to the engine. There are enough access gates so they never have to turn the ambulance around, they just keep driving straight ahead. Most of the incidents are roller bladers and cyclists, along with the occasional heart attack. Chief Wilson says the rail trail does give them good access for brush fires using their smaller brush trucks.

Chief Miles concludes by saying logistically, the 12 footer would work better for us. It would eliminate the confusion of trailering the ATV, and having two personnel out of their engine and unavailable for a normal response. Our ambulance is 9 feet, 2 inches from mirror to mirror. He notes we already have an ATV with a basket stretcher.

I would add that the narrower non-paved trail would have safety issues that are similar to issues on the current trails on Town, SVT, state, or federally owned land in town.

7. How can the Board learn more about the permitting challenges identified by staff in the memo and presentation?

Debbie has followed up with the following information related to permitting challenges:

- Stormwater. Due to the linear trail configuration and limits on the use of infiltration due to contamination, meeting the MA Stormwater standards and our EPA MS4 permit requirements would be very difficult. Under these permits, all surface runoff from impervious areas must be

treated to specific levels before discharge. In addition, the new pending EPA permit will require reducing and tracking the impervious area within sub-watersheds. Sudbury (as of the latest EPA data, is 10% impervious, with most of this impervious area in the central and western part of Town. <http://www.epa.gov/region1/npdes/stormwater/ma/MADCIA.pdf>. All of Sudbury's major waterbodies are considered by EPA to be impaired and needing a TMDL (Total Maximum Daily Limit) for discharges containing excess nutrients and pollutants. Adding impervious area discharging to the watersheds of these waterbodies is prohibited without pre-treatment either structures (bmps) and through infiltration. The linear trail does not lend itself to structural bmps and infiltration is not an option if the trail needs to be capped.

- Wetlands. There are at least 6 riverfront areas along the rail bed. Other wetland resource areas directly border approximately ¼ to 1/3 of the trail. In several areas along the trail (just south of Pantry Rd., just north of Cavicchio, and a portion of the area north of Rte. 117, have a narrow raised rail bed. To construct the trail to AASHTO standards (10' with 2' shoulders) would require filling of bordering vegetated wetland and culvert extensions. This would require wetland replication to meet state standards and cannot meet the local bylaw standards. With a 66' wide row, wetland replication would be difficult as it must be within the same reach of the same waterbody, at the same elevation as the filled area.
 - Water supply. Zone II (aquifer contribution zones) of our public water supply covers the southernmost portion of the trail in the area around Hop Brook and most of the rail bed north of Rte.117 is within Zone II of Well #5. Impervious surface is limited in Zone II to 15% of the lot or 2,500 sq. ft., whichever is greater unless a special permit is granted. To obtain the special permit, there must be a net improvement to existing conditions in terms of water quality and the MA Stormwater standards must be met.
 - Wildlife and Wildlife Habitat. Under the state wetlands regulations, wildlife habitat is protected. It would require the replication of habitat features which might need to be located outside of the row on private property. Wildlife is protected under the local wetland bylaw. The Wildlife Evaluation Study indicates that the trail will alter wildlife habits for some species. This will need further investigation.
8. What are the specific permitting differences between Option 1 and Option 3?
- Clearing is not as extensive so less intrusion on the wetlands, as the width of the trail is less. Also, use of permeable surface may eliminate or significantly reduce stormwater management concerns.
 - Stormwater. A stone-dust trail is treated as pervious material, requiring much less in the way of collection and pre-treatment of surface runoff.
 - Wetlands. Less disturbance, greater buffers, no wetland filling, no replication, no culvert extensions.
 - Water supply. No increase in impervious surface unless we chose to paved several non-environmentally sensitive areas.

- Wildlife and Wildlife Habitat. Much less disruption and larger buffers could eliminate most of the wildlife concerns.
- Both Options #1 and #3 will require the reconstruction of the Hop Brook and Pantry Brook bridges. The design of the bridge could be much simpler, smaller, and less costly than a full-build AASHTO standards bridge with a greenway option.

9. Can PERVIOUS black top be used for segments or the entire length?

Yes, it would appear allowed but it is designed to infiltrate stormwater which might not be considered an acceptable method of capping due to presumed contamination.

10. Rail Bed Contamination: is one surface better for containment than another?

Paving caps contamination, but so would introduction of 12" of top soil.

11. Other questions: You had asked other questions but at this time the staff and I feel that they might best be answered by consultants as part of the design process. You can also review the Rail Trail Conversion Advisory Committee's Notebook to see information that they have gathered during their work on this project.

- What is the emergency vehicle accessibility on the Greenway option?
- Is the Greenway ADA compliant?
- How has MA DOT dealt with stormwater management of other RTs?
- What does the maintenance of a non-paved surface entail and how much will it cost?
- What is the minimum safe width of a Greenway for 2 way traffic?
- What is the extent of abutter mitigation along the corridor?
- Quantify the natural resources, commercial abutters, farms, wetlands, riverfront along the corridor, and compare to other RTs?

12. Options to consider in moving forward. Just to remind you that there is still \$25,000 in funds appropriated for assisting the Town in better understanding the different concept alternatives. The Town could use those funds to investigate more of the permitting assumptions for the entire corridor to help the Board better understand permitting and other limitations and under what circumstances they might apply (e.g. how does it change if the state is the applicant for the project and not the Town).

13. Note on the Friends Offer. Debbie notes that in the Friends offer there is an assumption that all wetland delineation is complete and an NRAD approved. This is not the case. The scope of the work in their proposal should be evaluated and expanded to take that into consideration. I asked her to provide you with an idea of cost for wetland delineation for the section of the trail north of Rt. 117. She noted that the Conservation Commission just completed a review of the one-mile of wetland delineation for the proposed NStar substation expansion. (5,300+-).

The cost of a consultant to review that one-mile line totaled \$12,700 (paid for by the applicant). The line did not include the need to determine mean annual high water associated with a riverfront area.

Please let me know if you have any questions about this memo. While staff provided information, I compiled the information into this memo, so please address your questions to me as a starting point.

Thank you.



Boston Region Metropolitan Planning Organization



Project Information Form

You are not logged in. You may view but not edit the information for this project.

User ID:
Password:

Log in

Printable Version

- Overview
- Roadness
- System Preservation, Modernization and Efficiency
- Livability and Economic Benefit
- Mobility
- Environment and Climate Change
- Environmental Justice
- Safety and Security
- Other

Proponent-Provided
Data last entered on: **02/03/2012**
Tip status: **FFYs 2014-17 TIP**

- 1. I.D. Number: **605189**
- 2. Municipality(ies): **Concord**
- 3. Project Name: **Bruce Freeman Rail Trail, Phase 2C**
- 4. Project Category: **Bicycle and Pedestrian**
- 5. MassDOT Highway Division District: **4**
- 6. MAPC Subregion: **MAGIC**
- 7. Estimated Cost: **\$6,260,080**
- 8. Earmark Funds:



10% = \$626,000

9. Description:
The Bruce Freeman Rail Trail (BFRT) corridor extends approximately 25 miles along the Framingham and Lowell railroad corridor and is named in memory of former State Representative Bruce Freeman. The Town of Concord is proposing the construction of a 2.5 mile context-sensitive trail section of the BFRT from Commonwealth Avenue south to Powder Mill Road. The section of the BFRT from Commonwealth Avenue to the Acton town line will be addressed as part of the Concord Rotary project. The section from Powder Mill Road to the Sudbury town line will be addressed in cooperation with the Town of Sudbury as they develop plans for the trail in their town.

- 10. Project Length (Miles): **2.5**
- 11. Project Lane Miles: **0**
- 12. Additional Lane Miles: **0**

Does not include crossing Rt. 2

Community Support

P1 Community Priority
1

Additional Status

13. Additional Status:

ITS Conformity	No, no ITS conformity
Approved CMAQ	No, no CMAQ approval
Approved Enhancement	No, not approved enhancement

\$2,504,032 / mile



Boston Region Metropolitan Planning Organization



Project Information Form

You are not logged in. You may view but not edit the information for this project.

User ID:
 Password:

- Overview
- Readiness
- System Preservation, Modernization and Efficiency
- Livability and Economic Benefit
- Mobility
- Environment and Climate Change
- Environmental Justice
- Safety and Security
- Other

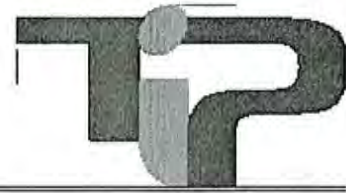
Readiness

- | | |
|--|--|
| <p>14. <u>TIP Status:</u></p> | <p>FFYs 2014-17 TIP</p> |
| <p>15. <u>Design Status:</u>
 PRC Approved
 25% Submitted
 25% Approved
 75% Submitted
 75% Approved
 100% Submitted
 100% Approved
 PSE Submitted</p> | <p>Yes Date: 11/6/2008
 Yes Date: 10/17/2008
 No, 25% not approved
 No, 75% not submitted
 No, 75% not approved
 No, 100% not submitted
 No, 100% not approved
 No, no P S E submitted</p> |
| <p>16. <u>Right-of-Way Requirement:</u></p> | <p>No, not required</p> |
| <p>17. <u>Right-of-Way Responsibility:</u>

 Mass DOT Highway Division Responsibility?
 Municipal Responsibility ?
 Municipal Approval ?</p> | <p>No, not MassDOT responsibility
 Yes, municipal responsibility
 No, not municipal approval</p> |
| <p>18. <u>Right-of-Way Certification:</u>
 Date Certification Expected:
 Date Certification Received:
 Certification Recorded:
 Date Certification Expires:</p> | <p>3/2/2012
 Yes, certification recorded</p> |
| <p>19. <u>Required Permits:</u></p> | |



Boston Region Metropolitan Planning Organization



Project Information Form

You are not logged in. You may view but not edit the information for this project.

Proponent-Provided
Data last entered on:
TIP Status

01/28/2013
FFYs 2014-17 TIP

- 1 ID Number: 604532
- 2 Municipality(ies): Acton, Carlisle & Westford
- 3 Project Name: Bruce Freeman Rail Trail, Phase 2A
- 4 Project Category: Bicycle and Pedestrian
- 5 Mass DOT Highway 3
Division District:
- 6 MAPC Subregion: MAGIC
- 7 Estimated Cost: \$11,090,009
- 8 Earmark Funds: 10% = \$ 1.109 Mill



9 Description:

The proposed project will extend from the end of the BFRT Phase 1 (Westford-Lowell Phase) and continue south through Westford, Carlisle and Acton for a total length of approximately 4.88 miles. The construction will include: a new variable width (ranges from 10 to 12 feet) paved asphalt multi-use rail trail with 2-foot stabilized shoulders, an adjacent 6 foot stone dust trail (provided where feasible), trail pavement markings and signing, passively actuated flashing beacons at trail/roadway crossings, new roadway pavement markings and signing at trail crossings, construction of a pre-fabricated pedestrian bridge structure over Route 2A/119, rehabilitating six existing railroad bridges along the trail, constructing culverts, earthwork, landscaping and other items incidental to the construction of the rail trail.

- 10 Project Length (Miles): 4.88
- 11 Project Lane-Miles: 0
- 12 Additional Lane-Miles: 0

\$ 2,225,42 / mile

Does not include crossing Rt. 2

Community Support

P1 Community Priority
2

Additional Status

13 Additional Status: ITS Conformity Approved CMAQ Approved Enhancement

Readiness

14 TIP Status: **FFYs 2014-17 TIP**

15 Design Status
 PRC Approved 25% Approved 75% Approved 100% Approved
 9/10/2007 1/28/2009
 25% Submitted 75% Submitted 100% Submitted PSE Submitted
 4/7/2008 11/6/2012

16 Right-of-Way Requirement

Required
 Not Required

17 Right-of-Way Responsibility

Mass DOT Highway Division Responsibility
 Municipal Responsibility Municipal Approval

18 Right-of-Way Certification

Date Certification Expected:
 Date Certification Received: 11/9/2012
 Certification Recorded:
 Date Certification Expires:

19 Required Permits:

System Preservation, Modernization, and Efficiency

20 Existing Pavement Condition

Pavement Roughness (IRI):
 IRI Year

21 Degree of Bicycle/Pedestrian Provisions

Sidewalks: none, one side
 ≥ Four-Foot Shoulder Signed Bicycle Route Bicycle Trail Striped Bicycle Lane

P2 What are the infrastructure condition needs or issues of the project area?

This is a new infrastructure project continuing the completed BFRT Phase 1 off-road corridor for bicycle and other non-motorized transportation south to East Acton. More than 90% of Phase 2 is in Acton, the rest in Carlisle and Westford. The provision of on-street accommodations (bike lanes) throughout the region is severely constrained by narrow roadways with narrow rights-of-way throughout. The BFRT Phase 2A would for the most part follow an exiting former railroad corridor. The existing surface is the former railroad bed - mostly with rails and ties still in place. The route crosses minor rivers and streams in six locations. There are three crossings of numbered routes: Route 27 (twice) and Route 2A/119 (once).

P3 How does this project address the infrastructure condition needs or issues in the project area?

The project will provide a paved trail surface with shoulders. Existing rails and ties will be removed. Six short railroad bridges will be rehabilitated and re-decked. Crossings of Route 27 will be at-grade and equipped with safe crossing devices as required. Crossing of Route 2A/119 will be accomplished with a bridge. The Towns' transportation infrastructure management systems for roads, sidewalks, bridges, etc. includes visual inspections and reports, tracking on spreadsheets of inspection reports and of repairs/resurfacing/improvements, and repairs/resurfacing/improvements as needed with Chapter 90 and local funds. When completed, the ARRT will become part of the system.

System Preservation, Modernization, and Efficiency Evaluation and Scoring (36 total points possible):

- Improves substandard pavement*
- Improves substandard signal equipment condition*
- Improves traffic signal operations*
- In a Congestion Management Process Identified Area*
- Improves intermodal accommodations/connections to transit*
- Implements ITS strategies other than traffic signal operations*
- Sum of Evaluation Scores*

4
4
4
6
6
0
24

Livability and Economic Benefit

22	Residential density threshold [7 dwelling units (DU)/acre (suburban) to 15 DU/acre (urban)]:	1.29
23	Commercial floor area ratio threshold [50 employees/acre (suburban) to 150 employees/acre (urban)]:	52
24	A future zoned population/employment ratio between 2.0 and .75 in the project area:	0.42
25	Mix of uses allowed within the area:	Yes
26	Maximum parking requirements in the corridor:	No
27	If any new development, a TDM program that includes at least four of the following:	Yes
	Ridesharing program	Subsidized transit use and financial incentives
	Parking restrictions or pricing policies	Areawide strategies
	Alternative work hours	Subsidies for local transit service
	Telecommuting options	Multi-occupant vehicle access
28	Serves as a targeted redevelopment site:	No
29	Municipality provides financial or regulatory support for targeted development:	No
30	Supports regional freight infrastructure:	No

P4 How does the project improve access for pedestrians, bicyclists, and public transportation?
The BFRT is exclusively for bicyclists, pedestrians, wheelchair users, etc. - not for automobiles. When fully completed, it will have direct transit access at three locations, with the West Concord commuter rail station being the closest to Phase 2A.

P5 How is the project consistent with local land use policies?
Bicycle and pedestrian improvements are long standing policy and planning objective in the Town of Acton, expressed in Master Plans, Open Space and Recreation Plans, and other policy documents since the 1980's. Acton has consistently supported and promoted the BFRT for many years. There is a high local and regional demand for this trail.

P6 How does the zoning within 1/2 mile of this project support transit-oriented development and preserve any new roadway capacity?
In the East Acton portion of the BFRT are many apartments. The trail will connect them to the West Concord train station (when connected across Route 2). North Acton and East Acton villages are designated mixed use growth centers under local zoning. Ice House Pond and NARA are two public parks located along the trail route.

P7 How is the project consistent with state, regional, and local economic development priorities?
The BFRT is identified on the regional bicycle plan. East Acton and North Acton Villages with mixed use zoning are located along the trail route. The trail also runs parallel to the Route 2A/119 mixed use corridor where many of Acton's business are located along with many apartments. Shops and business in these areas will benefit from the BFRT.

Livability and Economic Benefit Evaluation and Scoring (29 total points possible):

<i>Design is consistent with complete streets policies</i>	2
<i>Provides multimodal access to an activity center</i>	2
<i>Reduces auto dependency</i>	3
<i>Project serves a targeted development site</i>	0
<i>Provides for development consistent with the compact growth strategies of MetroFuture</i>	4
<i>Project improves Quality of Life</i>	2
<i>Sum of Evaluation Scores</i>	13

Mobility

- 31 Level of Service:
- 32 Transit Vehicles Using Roadway:
 - MBTA Bus Routes:
 - Other Transit:
- 33 CMP Congested Area:
- 34 Average Speed
 - AM Peak Period:
 - PM Peak Period:
- 35 Average Speed Index
 - AM Peak Period:
 - PM Peak Period:

36 Equipment Condition
 Number of Signals:
 Signal Descriptions:

P8 What is the primary mobility need for this project, and how does it address that need?
The need for alternative transportation modes and corridors, especially in Boston urban and suburban areas has been well documented. The BFRT when fully completed will serve Boston's northwestern suburbs between Lowell and Framingham with rail access in Lowell, West Concord, and Framingham. Roads in the area are congested due to land use densities, historic settlement patterns, and more recent suburban development. Opportunities to increase roadway capacities for non-motorized transportation do not exist, or are severely limited due to narrow rights-of-way.

P9 What intelligent transportation systems (ITS) elements does this project include?
Project will employ Cross Alert System or equivalent at all at-grade street crossings.

Mobility Evaluation and Scoring (25 total points possible):

- Existing peak hour level of service (LOS)*
- Improves or completes an MPO or State identified freight movement issue*
- Address proponent identified primary mobility need*
- Address MPO identified primary mobility need*
- Project reduces congestion*
- Improves transit reliability*
- Sum of Evaluation Scores*

2
0
2
2
2
0
8

Environment and Climate Change

- 37 Located in an area of critical environmental concern.
 38 Located within 200 feet of a waterway

P10 How does the project relate to community character?
In addition to providing rail access, the BFRT (ph. 2A/2C) links together historic town centers/villages (North Acton, East Acton, West Concord), other business areas, neighborhoods, and recreation facilities along its path. The project has been vetted thoroughly in all participating communities. No negative effects are known or anticipated.

P11 What are the environmental impacts of the project?
The BFRT will contribute to reduced motor vehicle miles travelled/emissions, and provides a healthful transportation option to commuters. The BFRT Phase 2A has little or no environmental impact. For the most part, the trail will be built on an existing railroad bed, which runs mostly along Nashoba Brook and crosses associated wetland areas. One area in Acton north of Route 2A/119 is mapped by NHESP as an estimated habitat of rare wildlife.

Environment and Climate Change Evaluation and Scoring (25 total points possible):

- Air Quality (improves or degrades)*
- CO₂ reduction*
- Project is in an Executive Office of Energy and Environmental Affairs (EOEEA) certified Green Community*
- Project reduces VMT/VHT*
- Addresses identified environmental impacts*
- Sum of Evaluation Scores*

1
1
4
2
2
14

Environmental Justice

(If there is no check in box 39 or 40, this section is not applicable to your municipality.)

39 Located within 1/2 mile of an Environmental Justice Area.

40 Located within 1/2 mile of an Environmental Justice Population Zone.

41 If this project is in an MPO-defined environmental justice area or environmental justice population zone, how would it improve access to an existing transit facility?

42 .

If this project is in an MPO-defined environmental justice area or environmental justice population zone, how would it improve safety for users of the transportation facility?

43 If this project is in an MPO-defined environmental justice area or environmental justice population zone, how would it improve air quality?

44 If this project is in an MPO-defined environmental justice area or environmental justice population zone, how does it address an MPO-identified environmental justice community need?

P12 Are there any other environmental justice issues being addressed by this project?

Regarding 41 & 42: This project (phase 2A of the BFRT) is being moved forward in design together with phases 2B and 2C. When all completed the project will provide this EJ population with continuous off road bike and pedestrian access over Route 2 to the Fitchburg commuter line station in West Concord (+/-2 miles east). There is presently, no safe way to make that connection across Route 2 without a car; also, there is local transit service. Regarding 43: The BFRT will contribute to reduced motor vehicle miles travelled/emissions, and provides a healthful transportation option to commuters. The BFRT Phase 2A has little or no environmental impact.

Environmental Justice Evaluation and Scoring (10 total points possible):

- Improves transit for an EJ population*
- Design is consistent with complete streets policies in an EJ area*
- Addresses an MPO identified EJ transportation issue*
- Sum of Evaluation Scores*

0
0
0
0

Safety and Security

- 45 Top 200 Rank:
- 46 EPDO/Injury Value: 8
- 47 Crash Rate/Crashes per Mile:
- 48 Bicycle-Involved Crashes: 0
- 49 Pedestrian-Involved Crashes: 0

P13 What is the primary safety need associated with this project, and how does it address that need?

Local roads and streets are unsafe for bicycle use. On-street bicycle accommodations do not exist. Paved shoulders are too narrow, or do not exist. Sidewalks are intermittent. Opportunities for widening roads to accommodate bike lanes do not exist or are extremely limited due to narrow rights-of-way. The BFRT will provide a safe off-road commuting/travel route for bicyclists and users of other non-motorized modes of transportation.

Safety and Security Evaluation and Scoring (29 total points possible):

- Improves emergency response*
- Design effect ability to respond to extreme conditions*
- EPDO/Injury Value Using the Commonwealth's listing for Estimated Property Damage Only (EPDO) or Injury Value information*
- Design addresses proponent identified primary safety need*
- Design addresses MPO identified primary safety need*
- Improves freight related safety issue*
- Improves bicycle safety*
- Improves pedestrian safety*
- Improves safety or removes an at grade railroad crossing*
- Sum of Evaluation Scores*

0
0
1
3
3
0
3
3
0
13

Additional Community Comments

Including additional project phases or concurrent public works associated with this project.

1. MassDOT and the Towns of Acton, Concord, Carlisle and Westford are advancing the design for BFRT Phases 2A and 2C in one unit. Acton is the lead community for both phases for all contracting purposes. An engineering firm (GPI) is under contract to produce the 100% design for both phases. Phase 2A is advanced ahead of Phase 2C. 2. MassDOT has begun the 25% design for Phase 2B, connecting 2A and 2C over Route 2. This was previously tied to the Route 2 rotary project. Phase 2B is now being advanced separately from the rotary project. 3. Construction of Phase 1 out of Lowell to Route 225 in Westford is completed. 4. Total length Ph. 2A: +/-4.8 miles (+/-3 miles in Ph. 2C; together +/-7.8 miles). 5. Current construction cost estimate based on 25% design with PRC approval: \$7.7 million for Ph. 2A; plus 25% contingency per MassDOT guidelines =

Total cost \$9.625 million (\$6.1 million for Ph. 2C; plus 25% contingency per MassDOT guidelines = Total cost \$7.625 million). Phases 2A and 2C together \$17.25 million in 2009 dollars. 6. Construction funding for Phases 2A and 2C is planned in "Paths to a Sustainable Region" for 2021-25; amount \$29,871,000. 7. Right of Way owned by MassDOT/Rail. Communities have completed title research. DOT Rail has all documents under review. Long term leases, licenses, or easements are being discussed.

Cost per Unit

50 \$ per ADT:
51 \$ per Lane-Mile:

Staff Comments

MPO/CTPS Study:
Air Quality Status: **Exempt**

TIP Contact: **Roland Bartl**

Grand Trunk Trail

Location	Runs between Southbridge and Old Sturbridge Village.		
State(s)	Massachusetts		
Counties	Worcester		
Type	Rail Trail		
Length	3.50 Miles / 5.63 Km	Loop Trail?	No
Allowed Uses	Bicycling (off pavement) Pedestrian - Walking/Hiking/Running		
Agency	U.S. Army Corps of Engineers		
Entry Fee?	No	Parking Fee?	No

Description



Old road bridge near Connecticut line, Douglas, MA. Photo by Scott Benoit
The Grand Trunk Trail begins in the Town of Southbridge, Massachusetts and follows the old Grand Trunk Railroad bed through a variety of spectacular landscapes. Upon completion, the 5-mile trail will connect to historic Old Sturbridge village via a bicycle trail along the Quinebaug River. This trail is a link in the growing east-west greenways system taking shape in southern New England. It

not only connects with trails in nearby States, but will also provide access to the Westville Recreation Area, a 578-acre flood control project utilized by hikers, bicyclists and fisherman.

Visitor Information

Seasonal Information

Date Opens: 1/1 - Date Closes: 12/31

Time Opens: Not Available - Time Closes: Not Available

Directions

I-90 (MA turnpike) Exit 9 or I-84 Exit 3 to Route-20 West, on to Route-131 East. Follow signs to the recreation area.

Or

I-84 Exit 1 to Mashapaug Rd. Follow signs to Dam and Rec. area

Additional Information

Width: 0 inches.

Primary Surface:
Crushed rock,
compacted

Secondary Surface:
Crushed Rock

Average Grade: 1%

Elevation Low Point:
Not Available

Elevation High Point:
Not Available

Year Designated:
2001
Date Last Updated:
05/01/2013

Contact Information

Trail Management:

Keith Beecher

Park Manager

US Army Corps of Engineers

Westville Lake

24 Riverview Ave.

Fiskdale , MA 1518

(508) 347-3705

keith.w.beecher@usace.army.mil

<http://www.nae.usace.army.mil/recreati/wvl/wvlhome.htm>

We are going north to Boxford! Topsfield Selectmen signed a license with National Grid for two miles of trail allowing us to use their property. Initially we will clean up the trail, mow the grass and try to dry out the wet sections which are mostly near Washington St.

Your Rail Trail Committee will be really gratified when kids ride bikes to Pye Brook Park for their games and recreation instead of being driven. Maybe their parents will even accompany them on the trail.

We need 99 year lease in order to qualify for state and federal grants but that will likely be several years before that happens. We don't like to ask for donations, and haven't done, so as we have been able to build the first 2 miles of trail without asking. In the meantime we will need lots of help from volunteers as well as donations to improve the trail. Please visit the [Friends Of Topsfield Trails](#) (a non-profit 501(c)3 organization to make a generous donation.

Boxford, Georgetown and Newbury are focused on getting the National Grid license.

What's next? Completing the trail going north for 2 miles to the Boxford town line is, and has been, our goal for 18 years! This section of the trail, and the trail going north to Newburyport, is owned by the National Grid utility company. We have joined forces with Boxford, Georgetown and Newbury to get a mowing permit, license and lease for the trail. We are steadily now at that

Rt. 97 crosswalk. With what your Rail Trail Committee learned from the work on the Rt. 1 crosswalk described below we completed a similar project for the Rt. 97 crosswalk by the canoe launch. By installing the equipment ourselves we realized almost \$10,000 in cost savings which has now depleted all the funds in our last Dept. of Conservation and Recreation grant. Please consider donating through the www.FriendsOfTopsfieldTrails.com.

U.S. Rt. 1 crosswalk. With funds from our most recent Dept. of Recreation and Conservation your Rail Trail Committee hired a traffic engineering firm to design a crosswalk for the TLC crossing of U.S. Rt. 1. The design was completed and submitted to the Massachusetts Dept. of Transportation for their approval. That approval was granted and the crosswalk markings installed through the generosity of the Institution for Savings. The remainder of the work including an "accessible" crossing (yellow tactile mats), installation of solar powered RRFB (rapid rectangular flashing beacons) were installed by a licensed contractor. Just in time for the 2012 Topsfield Fair the crossing has now been made much safer.

Please pick up trash you see on the trail. Your efforts will help keep the TLC a pleasure. We'd rather not put up signs to remind trail users of this. The Rail Trail Committee is picking up trash, planting grass seed on the trail shoulders and working on trail erosion issues from recent rains.

Bicycle racks. Besides the crossing light described below the Rail Trail Committee and its volunteers have been busy installed bicycle racks that were provided at no cost

to the Town through a grant from the Metropolitan Area Planning Commission. Eleven new racks including four bright red ones have been placed at along side the trail at the Proctor School, Main St., Rt. 1, and at the Fairgrounds Rt. 97 parking lot crossing.

A big THANKS to the Iron Horse Preservation Society, the non-profit that removed all the rails and ties for our trail. Iron Horse also installed the stone dust surface that was paid for by the Rail Trail Committee DCR grants.

How do you safely cross U.S. Rt. 1 on the trail? There is a trail end sign on the west side of Rt. 1. Officially, the Topsfield Linear Common (TLC) ends at this point and resumes on the other side of Rt. 1. With the new grant your Topsfield Rail Trail Committee received from the Mass. Dept. of Conservation and Recreation the committee and Selectmen are waiting for a cost estimate on some type of traffic control signal design at this location. This trail enhancement will also greatly benefit Topsfield fairgoers.

The Topsfield Linear Common trail surface is now complete from Washington St. to the Wenham town line— a distance of almost 2 miles! The town of Wenham installed stone dust from the Topsfield town line across Rt. 97 for another 1000 ft. towards Danvers. You can now mountain bike from Topsfield center over Rt. 114 in Danvers— a distance of 7.5 miles! Several groups of riders tried this out during the Essex County Historical Commission recent Trails and Sails weekends last month.

With the heavy rains the Topsfield Fair lost a lot of parking spaces. Many folks parked their cars in Topsfield center and walked the trail to Rt. 1 to access the Fair. Besides avoiding traffic and saving the parking fee trail users got some exercise enjoying the new trail!

All rails and ties have been removed from Topsfield. The trail is now clear and usable from Washington St. to the Wenham town line, continuing through Wenham and Danvers to just past Rt. 114! The next step is to put the final surface of stone dust on the trail from Summer St. to the Wenham town line. Enjoy this recreational treasure this summer. Donations can be made through the "Friends".

Work is expected to resume in May on the trail with tie removal from Maple St. to the Wenham town line.

Topsfield Fair goers made good used of the trail last October. They parked and walked from Topsfield village center to the Fairgrounds on Rt. 1. During August the trail was inaugurated by a wedding procession going from St. Rose to a resident on Pemberton Rd. They entered the residence through the back yard abutting the trail.

Removal of the ties has been proceeding much slower than expected, Topsfield Fair traffic counts, spillway and Ipswich River Bridge work and a new grant!

Tie removal and trail smoothing by the Iron Horse Preservation Society has

progressed much slower than anticipated. Phase II of the TLC now has its base course and Topsfield Fair enjoyed walking from the village to the Fair. **It must be noted that the trail is not officially open** and there is no provision for crossing Rt. 1. A cedar fence newly installed by the volunteers prevents users from going straight across Rt. 1 as they must exit to the left. We are told Iron Horse will shortly resume finishing the top course of stone dust on Phase II work will resume on removing ties to the Wenham town line.

Work on the Ipswich River Bridge and Spillway to prevent further trail erosion and contain the new trail surface has been completed by volunteers. The work took place over the Labor Day weekend. While one crew worked on the bridge and spillway while another crew prepared the trail from Summer St. to Rt. 1 with siltation barriers to keep soil out of the resource areas.

Rt. 1 is a state route and any traffic controls installed has to have state approval. To that end a traffic count has just been completed by the Topsfield Police and the Highway Departments recording the number of vehicles and speeds over a 2 week period. The data is now being analyzed by our consultant and the Mass. Dept. of Transportation. The result may be a permit to control speed, or erect a traffic warning or stop light.

Your Topsfield Rail Trail Committee recently received a grant for \$41,000 with a 25% match from the Department of Conservation and Recreation. While not yet decided these funds will likely be used to finish the trail to the Wenham town line.

Conservation Commission approves extending the trail south to Wenham

The Topsfield Linear Common got the **green** light to go south (3/10/10) to build the trail in those areas under the Conservation Commission's jurisdiction. During this month and next all the remaining rails and ties from Summer St. to the Wenham town line should be removed **creating another 1.9 miles of trail!** The work is being performed at no cost to Topsfield by a non-profit organization called the "Iron Horse Preservation Society". Most of the removed rails will have a next life likely carrying cars once again or used for homeland security. Good ties will be offered as landscape timbers while those that have decayed over the years will be chipped and either taken to a licensed creosote tie burning co-generation power plant or licensed land fill.

Meanwhile, discussions are continuing with National Grid to either license or lease the northern 2 miles of trail.

Wetland delineation of the Topsfield Linear Common

In preparation for continuing construction of the TLC going south from Summer St. to Rt. 1 the wetlands are being delineated. The next step will be to get approval from the Conservation Commission to proceed with a trail design and construction pending, of course, available future grant funds.

Safe Crossing of Rt. 1

Topsfield has a permit from MassDOT to collect traffic data, number of cars and speeds on Rt. 1, by the trail crossing. With this information we will continue exploring what type of safe trail user crossing system the state will allow.

Ipswich River Railroad Bridge redecked—Oct. 4 and 28, 2009

With a generous \$2800 **grant** from the *Essex County Trails Association* the Friends of Topsfield Trails was able to put a new deck and railing on the Ipswich River Bridge. ECTA provided funding for the materials and labor provided by the Friends.

Ribbon Cutting and Reception—Oct. 17th, 2009

Please join us at the Topsfield Library, by the Common, at 1 PM on Oct. 17th for a reception. At 2 PM we will walk to the trail head on Washington St. then proceed on the Topsfield Linear Common for a short trail walk to Main St. for the Ribbon Cutting ceremony and a few short presentations.

This day is also “**Topsfield Trails Day**”. There will be three trail walks in the morning sponsored by the Town Recreation Committee. Please visit www.TopsfieldRecreation.org for details.

Phase II Forum & Railroad History Presentation

At **7:00pm on the evening of Oct. 22nd** there was a forum to discuss the construction plans for Phase II of the Topsfield Linear Common. This phase is from Summer St. to Rt. 1. Before this presentation there was a multi-media presentation by Richard Symmes of the Beverly Historical Society on Topsfield’s railroad history. About 20 people came to share their memories of the railroad in Topsfield.

Spillway bridge re-decked on Sept. 19th

The “Spillway” is a short bridge just before the Ipswich River Bridge. On Sept. 19th a crew of volunteers replaced some rotted ties and covered all of them with a new deck and railing. Check the photos with this [link](#).

The steel Ipswich River Railroad bridge should also be re-decked this autumn thanks to a grant from the **Essex Country Trails Association**.

Phase I Completed on Sept. 10

The trail construction is now complete with the asphalt surface in front of Topsfield Station, from Washington St. to Summer St., a distance of about 3000 ft. When we reach Rt. 1 in Phase II we’ll have almost 1 mile built!

Construction from Construction from Main St. to Grove St. tennis courts

The easement for the Topsfield Linear Common’s alternate transportation corridor should be filed any day now. This allows the Topsfield Selectmen to approve the construction contract for the last segment of Phase I which will run from Washington to Main Streets. Construction is expected to take place during July.

Conservation Commission Gives Green Light

At the May 27th meeting of the Topsfield Conservation Commission work on the trail was approved within the wetland. Volunteers will remove two sections of curved track, which are a safety hazard, near Maple St. The rails on the Ipswich River Bridge will be removed and replaced with a wooden deck and the nearby spillway

will also receive a wooden deck. Finally, the “rail stop” near Amerigas on Rt. 1 will be relocated to Main St. This work is being done by the Topsfield Historical Society. The “stop” will commemorate the railroad in Topsfield and will be accompanied by a large sign containing railroad history and photographs.

Phase I is under construction

On March 16th the Topsfield Selectmen approved the recommendation of the Rail Trail Committee to award a \$21,840 contract to K & R Construction of Boxford. Phase I of the Topsfield Linear Common was divided into four segments for the bid process. The first segment is from Washington St. to the Proctor School tot lot. Segment B continues to the end of the Proctor School property behind the tennis courts. Segment C is the property owned by Grove Realty Partners and includes Topsfield Station. The last segment, D, is from Main to Summer Streets. The contract award is for Segments A, B and D. Segment C is almost ready to be approved by the Selectmen.

The Rail Trail Committee and many volunteers will be taking care of a myriad of details like clearing the path through the woods by the tot lots, installing signs and guard rails through the Park St. Parking lot.

Construction should be completed by early June. We are starting the survey work on Phase II which continues the trail to Rt. 1. Please visit the Rail Trail Committee and the Friends of Topsfield Trails at the Strawberry Festival on June 13.

Phase I

Following Informational Forums for both Phase IA and IB agreement has been reached on the trail alignment and design of the trail Topsfield Selectmen are now evaluating the bid construction package for all of Phase I (Washington to Main St.). It is expected the package will be sent out in early February. Construction, as funding allows, will start in the spring of 2009.

\$50,000 Grant Received!

The Massachusetts Department of Conservation and Recreation (DCR) announced a \$50,000 challenge grant for developing recreational trails. Your Topsfield Rail Trail Committee applied for the grant and was awarded \$50,000. This requires a 25% match in volunteer time, donated services and materials, or cash. The grant was awarded in October, 2008. the DCR awarded a total of \$600,000 and Topsfield’s share represented a large portion.

\$40,000 Grant Received!

The Massachusetts Department of Conservation and Recreation (DCR) announced a \$50,000 challenge grant for developing recreational trails. Your Topsfield Rail Trail Committee applied for the grant and was awarded \$40,000. This required a 25% match in volunteer time, donated services and materials, or cash. The grant was awarded in the the Spring of 2007 and funded this fall.

It is expected that 1/3 mile long Phase I (see below) of the Rail Trail, commonly called “TLC”, or Topsfield Linear Common, will create the trail from Washington St. to Main St. If enough funds are available the trail will be extended to

Summer St.

Another \$50,000 grant was applied for from the DCR in October, 2007 but it has yet to be awarded. We anticipate applying for the 2008 grant in October, 2008.

\$2000 ENHC Grant Applied For and Received!

Your Rail Trail Committee has applied for (Feb. 2007) a \$5000 grant (with a \$5000 match) to be used to develop Phase I (see below) of the TLC. This grant is to be awarded this summer. A grant in the amount of \$2,000 was awarded. This grant required a 100% match.

MBTA lease update.

After 10 years of work the MBTA and the Town of Topsfield has finally mutually agreed on a lease. This lease is for the southern 2 miles of trail starting roughly at the Grove St. tennis courts and continuing on to the Wenham town line off Rt. 97.

Topsfield Receives National Park Service Grant Awarded.

Topsfield, along with the towns of Danvers, Wenham, Georgetown, Newbury, Newburyport and Salisbury applied for and received a grant from the National Park Service. The grant is for "Rivers and Trailways" program to help us plan for the rail trail.

Since the grant was awarded the towns of Wakefield, Lynnfield as well as Peabody have met with us. The trail, if completed, from Danvers to the new Hampshire border would be about 29 miles in length.

The grant was for 2 years and has now expired.

Topsfield and 7 Other Communities Received \$800,000+ earmark.

From the efforts of our U.S. Representative John Tierney we were granted an earmark for \$800,000 under the SAFETEA-LU program on the list of "high priority projects" to design, engineer, permit, and construct the "Border to Boston Bikeway" rails-trails project, from Salisbury to Danvers. MassHighway has taken on this project with local direction from each town. They have added a significant amount to the earmark and the 25% design project is expected to be awarded this September.

To help access the funds an "Implementation Plan" was prepared by the Metropolitan Area and Merrimack Valley Planning Commissions with the assistance of committee members from the towns involved.

The funds will be used for trail design and planning as well as community outreach. Part of the trail design will include the services of landscape designers to address trail neighbor concerns regarding privacy and security.

The Commonwealth's Department of Transportation set up a task force, similar to that for the Blackstone River Bikeway, for studying all phases of the project. An Implementation Plan is now available. Please visit the new website at www.BorderToBoston.org.

The 25% design has been awarded to Faye, Spofford and Thronkide, a design firm that has worked on more miles of rail trails than any other organization in New England. Work is starting in early 2009 and is expected to take 2 years. The scope of

work includes determining the exact alignment of the trail, wetland determinations and permitting, and the important analysis of how Rt. 97 and Rt. 1 can be safely crossed.

NationalGrid utility corridor.

NationalGrid has recently approved a one time mowing permission to prepare the trail for state consultants to walk the trail. The Towns of Boxford and Georgetown are being used as model towns for the permitting process. When that is complete, or nearly so, Topsfield will start the process.

From where will the money come to design, build and maintain the trail?

We do not anticipate asking the Town's people for funds. Funds may be available from the Federal TEALU (Transportation Enhancement Act) program as well as many other sources including the State's Department of Conservation Services Urban Self-Help Program and support from the National Forest Service Rivers & Parks Program. Be assured the Rail Trail Committee will leave no stone unturned to gather the necessary resources to complete the trail. Many grants require some percentage of the funds come from the requesting town. These funds can often come from donated services. We are very fortunate to have talent in many different areas on the committee that should qualify. One example is this website.

With a stone dust surface installation and maintenance should be very low cost. This might be handled by a combination of grants, donated services, volunteers or fund raisers.

Can the train come back to Topsfield?

The MBTA lease has a 90 day reversionary provision that allows them to remove the trail and install track. While we feel this is unlikely it is actually state law that the railroad right-of-way cannot be sold without the permission of the State Secretary of Transportation. NationalGrid will have a similar requirement. In the latest lease included is a commitment that the MBTA will relocate the trail.

AGENDA REQUEST – Item #7

BOARD OF SELECTMEN

Requestor's Section

Date of request: *August 14, 2013*

Requestor: *Patty Golden*

Action requested: *Approval of minutes*

Financial impact expected: *None*

Background information (if applicable, please attach if necessary):

CONSENT CALENDAR – *see attached*

Recommendations/Suggested Motion/Vote:

Vote to approve the regular session minutes of July 30, 2013, and the minutes of Bond Signing of August 6, 2013.

Person(s) expected to represent Requestor at Selectmen's Meeting: *N/A*

Selectmen's Office Section

Date of Selectmen's Meeting: *August 20, 2013*

Board's action taken:

Follow-up actions required by the Board of Selectmen or Requestor:

Future Agenda date (if applicable):

Distribution:

Town Counsel approval needed? Yes () No (X)

"7"
IN BOARD OF SUDBURY SELECTMEN
TUESDAY, JULY 30, 2013

Present: Chairman John C. Drobinski, Selectman Lawrence W. O'Brien, Selectman Robert C. Haarde, Selectman Leonard A. Simon and Town Manager Maureen G. Valente

Absent: Vice-Chairman Charles C. Woodard

The statutory requirements as to notice having been complied with, the meeting was convened at 7:15 p.m. in the Lower Town Hall, 322 Concord Road.

Police Chief – Administer Oath

Present: Town Clerk Rosemary Harvell

At 7:15 p.m., Chairman Drobinski opened the meeting and he welcomed Town Clerk Rosemary Harvell to administer the oath of office to Sudbury's new Police Chief R. Scott Nix. He congratulated Scott, noting how proud the Town can be that one of their own has risen to fulfill this important position. Chairman Drobinski stated friends and family are in attendance tonight because of the respect and integrity Scott has exhibited through his career.

Town Clerk Harvell administered the oath to Chief Nix, and he was congratulated by each member of the Board. Chief Nix thanked the members of his Department, his fellow area Police Chiefs, his friends and family for attending tonight's ceremony. A brief reception followed.

Opening Remarks

At 7:36 p.m., Chairman Drobinski stated Selectman Woodard is sick and he will not attend tonight's meeting, but he will view the proceedings from home. He announced the Town offices in the Flynn Building and Town Hall will implement its summer schedule beginning this week, and he reviewed the revised schedule of hours, which is noted on the Town website. Offices will be closed on Friday, but a skeleton staff will be available to assist residents as needed. Chairman Drobinski stated the Board is interested in receiving feedback from citizens on how it can do its job better. He stated the Board will soon be reviewing the Citizen's Petition process and it may consider hosting a monthly coffee time with Board members.

Proclamation – CPT Kristen E. Walls

Present: CPT Kristen Walls and family members

At 7:36 p.m., Chairman Drobinski welcomed CPT Kristen E. Walls to the meeting to receive a proclamation from the Board and Town of Sudbury honoring her service to our country for nearly a year in Kosovo. He recognized the sacrifices she and her family have made for others. Selectman Simon read aloud the proclamation.

Capt. Walls thanked the Board for this honor, stating she is overwhelmed by the support the Town and the Sudbury Military Network has shown her and her family.

It was on motion unanimously

VOTED: To sign a proclamation for CPT Kristen E. Walls, a United States Army soldier, acknowledging her safe return from a tour of duty in Kosovo, and proclaiming Friday, August 2, 2013 as CPT Kristen E. Walls Day in Sudbury.

Reports from the Town Manager

Town Manager Valente stated the Town's AAA credit rating was reaffirmed last week. Sudbury's Finance Director Andrea Terkelsen is finalizing the details for awarding sale of bonds for Pantry Brook Farm and the Nixon Roof Repair projects and she may possibly refund a 2005 Community Preservation Act bond issue. A special Board Meeting has been posted for August 6, 2013 at 6:00 p.m., when at least three Board members will be needed to sign the required paperwork.

Ms. Valente stated the Goodnow Library held a reception to acknowledge a recent gift, which she attended. She acknowledged and thanked Permanent Building Committee member Mike Melnick for the work he has done to assist the Town in receiving construction-related State reimbursements.

Ms. Valente reported Town Counsel Kenny has advised that officially changing terminology from Selectmen to Selectperson would require an amendment to the Town charter.

Ms. Valente stated three members are needed for the Capital Improvement Planning Committee, and the openings will begin to be advertised tomorrow. She also reviewed correspondence received, including a letter from the Goodnow Library Director thanking fellow Department Heads for their assistance on Truck Day, a letter from Senator Mike Barrett regarding his support for the pending double-pole related legislation, and an announcement of a Walk for Alzheimer's to be held in Cambridge on September 29, 2013.

Town Manager Valente stated residents can subscribe on the Town website to receive her newsletter. She announced Mary McCormack's retirement effective tomorrow, noting how well Mary has served Sudbury and how much her talents will be missed.

Reports from the Board of Selectmen

Selectman O'Brien reported the Lincoln-Sudbury Regional High School (L-SRHS) Committee made progress in recent weeks regarding an amendment for the Softball Field to the Inter-municipal Agreement with the Town so that construction can begin on schedule. He stated this would be discussed later tonight. Selectman O'Brien also reported receiving positive comments of recognition from a citizen regarding the work of the Department of Public Works (DPW).

Selectman Simon stated he attended a recent L-SRHS School Committee meeting, and he commended all parties for working together to ensure the softball project is finished. He also attended a Route 20 Sewer Committee meeting.

Selectman Haarde stated the Route 20 Sewer Committee has been busy, but the Fairbank Community Center Committee has not met recently.

Conservation Commission – Candidate Interview

Present: Applicant Greg Topham

At 7:54 p.m., Chairman Drobinski welcomed Greg Topham, 210 Concord Road, to the Meeting to vote on approval of the Town Manager's appointment of Mr. Topham to the Conservation Commission. The Board was previously in receipt of copies of Mr. Topham's application for appointment. Town Manager Valente noted Mr. Topham previously served on the Commission, which also recommends his appointment.

Mr. Topham stated he has lived in Sudbury since 1966. He had served on the Commission for about seven years. Mr. Topham stated he misses being involved with Town issues.

The Board thanked Mr. Topham for his renewed interest to serve the Town.

It was on motion unanimously

VOTED: To approve the Town Manager's appointment of Greg Topham, 210 Concord Road, to the Conservation Commission for a term ending May 31, 2014, replacing John Sklenak.

Route 20 Sewer Citizens' Advisory Committee (CAC) – Status Report Update

Present: Route 20 CAC Chair Craig Blake and CAC members Andrew Sullivan, Kirsten Roopenian, Eric Poch and Town Staff Liaison Director of Planning and Community Development Jody Kablack

At 7:59 p.m., Chairman Drobinski welcomed Route 20 Citizens' Advisory Committee (CAC) Chair Craig Blake to the meeting. The Board was previously in receipt of copies of emails between Selectman O'Brien and Mr. Blake dated July 9, 2013, a memorandum from the CAC Alternatives Subcommittee dated June 13, 2013 regarding wastewater system alternatives and an accompanying map. Mr. Craig distributed copies of a map, which was displayed in tonight's presentation.

Selectman O'Brien recused himself from the discussion, due to living near the proposed vicinity of the project.

Mr. Blake provided a brief review of the project's history, current status and projected schedule for implementation. Referring to his map, Mr. Blake described the proposed sewer district area on Route 20, noting approximately 120 properties would be impacted by a decentralized sewer system. He highlighted several issues the Subcommittee has addressed in the past year, including the impact of zoning, funding mechanisms, and the best way to allocate costs to users and non-users. Mr. Blake stated the Subcommittee has also recently expanded the scope of research to include the possibility of burying utility lines on Route 20 in conjunction with the project. He stated the Subcommittee is working to present a report to the Route 20 Sewer Steering Committee in January 2014, in hopes of presenting a recommendation at the 2014 Town Meeting for design and permitting costs. It is anticipated permitting could take one year, and another recommendation would be made for a construction appropriation at the 2015 Town Meeting. Mr. Blake stated the Subcommittee estimates completion of the project in December 2017, and that the system would be available to users in the spring of 2018.

During the past nine months, Mr. Blake stated the Subcommittee met with relevant authorities, and has summarized its assessments of alternative options to Sudbury having its own decentralized wastewater system. The subcommittee explored an option to treat wastewater with Framingham as part of the Massachusetts Water Resources Authority (MWRA) system. However, the Subcommittee does not recommend further consideration of this alternative due to several regulatory concerns.

Mr. Blake stated the Subcommittee has also pursued discussions with Marlborough to transport the Town's wastewater to the Marlborough Easterly Wastewater Treatment Plant (WWTP), which he indicated on the map. He stated the Subcommittee believes this option should be further explored. Marlborough DPW staff members were interested in the prospect of a collaboration, but they stated the next step would be for Sudbury and Marlborough Town officials to discuss details. Thus, Mr. Blake stated the Subcommittee is requesting tonight the Board's assistance to begin formal discussions with Marlborough to determine costs for a joint connection to its system.

Sudbury resident Kathy Jacob, 328 Old Lancaster Road, thought the Easterly facility has had compliance issues, and she questioned how this would impact Sudbury.

Route 20 Sewer CAC member Andrew Sullivan explained the Environmental Protection Agency (EPA) has ordered a \$40 million upgrade to the facility which will require the plant to be in compliance. He also stated any plan agreed to by Sudbury would be fully-compliant. Mr. Sullivan also stated the result of the mandated upgrades will be cleaner Hop Brook water.

Chairman Drobinski stated the Town was successful in its litigation appeals to the EPA, resulting in more stringent levels of standards.

Mr. Blake stated Marlborough views the Wayside Inn as a tourist attraction and it would be considered advantageous to help the Inn with its wastewater disposal issues.

Town Manager Valente stated she and Assistant Town Manager Maryanne Bilodeau have spent considerable time in the past year cultivating relationships in Marlborough. She suggested coordinating a meeting with Marlborough officials where she, the Board Chairman and a member of the CAC Subcommittee could begin to discuss options.

Selectman Simon asked what charges would be for users of the sewer system. Mr. Blake stated this has not been determined yet.

Selectman Haarde stated there are a lot of unknowns at this time, and residents will surely want to know what the system will cost and what it will look like. He suggested the Route 20 Sewer Committee's Mission Statement be reviewed by the Board at a future date to ensure that its scope is broad enough to address relevant issues. Selectman Haarde stated the goal of implementing a sewer project is to revitalize the business district and to increase commercial tax revenue. He emphasized this will require more than just a sewer pipe, and that the proper environment needs to be created to revitalize the area. Selectman Haarde stated the Committee has struggled with what its full mission is. He also explained why the Committee has discussed putting utilities underground as a more permanent solution to improve services, aesthetics and to minimize ongoing maintenance. Chairman Drobinski stated it would be helpful for the Board to review this at a later time.

It was on motion unanimously

VOTED: To request that the Town Manager coordinates a meeting with the Board's Chairman and a member of Sudbury's Route 20 Sewer Citizens' Advisory Committee with appropriate City of Marlborough officials to discuss the potential for an Inter-Municipal Agreement regarding sewer treatment services.

Bruce Freeman Rail Trail Concept Planning – Town Staff Update

Present: Director of Planning and Community Development Jody Kablack, Conservation Coordinator Debbie Dineen and Department of Public Works (DPW) Director Bill Place

The Board was previously in receipt of copies of a memorandum from Director of Planning and Community Development Jody Kablack, Conservation Coordinator Debbie Dineen and Department of Public Works (DPW) Director Bill Place dated July 26, 2013 and accompanying attachments and a handout of a planned PowerPoint slide presentation, which was not displayed due to technical difficulties.

Ms. Dineen stated Town staff members have worked on the directives given by the Board during a discussion in August 2012. She stated Town staff researched four rail trail concepts during the past year, and Ms. Kablack prepared a matrix for each one noting pros and cons. Ms. Dineen highlighted them as 1) full

build to AASHTO standards, 2) a segmented bypass trail, 3) a greenway, and 4) expanding the current walkway system. During her presentation, she referred to maps, pictures and charts provided.

Selectman O'Brien suggested a category be added to the matrix for mitigation. Ms. Dineen stated it was not included because it was not perceived as part of the charge given to Town staff to delve into the financial aspects of the project or to produce a cost analysis. She stated Town staff members worked to develop concept options for the best trail for Sudbury.

Ms. Dineen summarized the pros and cons for each concept presented. She also reviewed the Town staff conclusions regarding the four concepts as follows: 1) full build to AASHTO standards would be the most costly and the most disruptive for abutters, has the most environmental impacts, and it may not be able to be permitted; 2) a segmented/bypass trail could be costly and confusing; 3) a greenway is a preferred option in that it is the least costly, could be enjoyed by residents sooner, has fewer environmental impacts, and provides the rail trail experience for users; 4) expanding the current walkway system would be less costly, would provide direct access for the most people, would provide better connections to public areas, but it would not provide a rail trail experience.

Ms. Dineen noted challenges the Town would have with an AASHTO design. She noted 26% of the Town is classified as wetlands and Sudbury has its own bylaw since 1994. She explained that the Wetlands Protection Act (WPA) regulations have become more stringent in the past 10-15 years. Ms. Dineen also noted there are pending State and Federal permitting regulations which contain more restrictive standards for stormwater management. She also highlighted Sudbury has designated State Outstanding Resource Waters and Priority Habitat Areas adjacent to the rail bed, and the Town is entirely served by either public or private ground water wells. Ms. Dineen stated Sudbury has conducted comprehensive wetlands and wildlife habitat studies not done by other communities. She further stated AASHTO standards were last revised in 1999, the WPA regulations were last revised in 2005 and the Wetlands Bylaw regulations were last revised in 2011. Ms. Dineen noted the Massachusetts Department of Transportation (DOT) stated current environmental regulations and AASHTO standards are incompatible in certain areas with specific natural resources.

Ms. Dineen also noted the Town's challenges with a greenways design, which included environmental permitting and construction regarding Hop Brook and Pantry Brook crossings, and with the design regarding access to the commercial district, safe pedestrian access on Union Avenue and proximity to abutters. She emphasized that, although a rail trail is a wonderful amenity for the Town, it will require compromises to be made to accommodate the best trail for Sudbury.

Ms. Kablack presented suggestions for next steps for the project, including the Board deciding on a preferred option by mid-September, and/or informing Town staff if more research is needed. She highlighted what the next steps would include for a greenways design or for one designed to AASHTO standards.

Chairman Drobinski stated it seems appropriate to give Town staff and citizens direction on this project by mid-September.

Town Manager Valente asked the Board for direction regarding whether more information is needed from Town staff in the interim.

Selectman Simon stated the Town has already provided direction for this project. Referencing information including relevant sections of a prior Town Ballot, Town Warrant and minutes from prior Board meetings, he stated that he believes the majority of citizens have made it clear they want a Bruce Freeman Rail Trail in Town, similar to what has been built in Lowell, Chelmsford, and Westford, and soon to be built in Acton and Concord. Selectman Simon noted widths for the right of way, opining there is enough room for

an environmental buffer. He also stated citizens have expressed interest in accepting the offer of the Friends of the Bruce Freeman Rail Trail for a 25% design of a half-mile stretch. Selectman Simon believes residents have voted overwhelmingly for a trail built to Mass. DOT standards. Thus, he believes Town staff members have ignored the will of voters in the concept report presented tonight.

Chairman Drobinski stated Town staff members were given specific charges from last year's Board to work on, and it is now up to this Board to decide how best to proceed and what additional information is needed.

Selectman Simon stated he would like to hear from Town staff how the will of the people could be implemented to design a standard rail trail.

Selectman O'Brien noted the Board has a related agenda item scheduled for its August 20, 2013 meeting. He stated he would like additional information regarding how different surfaces hold up and comply with the American Disabilities Act, and how current stormwater management regulations would impact construction and maintenance.

Selectman Simon asked if there is a minimum suggested width for a rail trail. He questioned whether emergency vehicles could access a 5-8 foot wide trail. He reiterated that he believes residents voted for an AASHTO-standard trail. Selectman Simon stated he appreciates the work of Town staff, but he perceives a bias in the matrix, and he does not believe it reflects what the majority of Sudbury citizens want. Town Manager Valente stated she will provide information from Public Safety officials at a later time.

Selectman Haarde stated he believes the report provides great information which is useful for the Town. He noted liking the grid format used, and he appreciates the work done by Town staff to compile the information. Selectman Haarde believes mitigation is an important factor to be addressed, and in particular, abutter mitigation. He asked if it would be possible to provide quantifiable information regarding the difficulty of tributary crossings in Sudbury as compared to other communities. Ms. Dineen stated it is possible to try to provide some of this data.

Selectman Haarde also stated that concept # 4, expanding the current walkway system from north to south, for an estimated cost of \$565,000, seems like a very worthwhile project for the Town to pursue even separately from a rail trail project. He believes an expanded walkway system could be utilized and benefits most citizens.

Friends of the Bruce Freeman Rail Trail President Tom Michelman asked if information to be presented at the Selectmens' Meetings could be made available to the public in advance of the meeting. Town Manager Valente stated all agenda materials are on the Town website on the preceding Monday afternoons. Mr. Michelman noted a few items which he believed needed clarification, including his opinion that AASHTO standards do not absolutely require only a hardtop surface. Ms. Dineen stated the Town staff report refers to full-build out to AASHTO standards, which does specify a paved surface. Mr. Michelman offered the assistance of his group in collecting quantifiable wetlands data from other communities. He asked if a greenway design would accommodate narrow-tire bicycle use. Ms. Dineen stated it would.

Sudbury resident, former Rail Trail Conversion Advisory Committee member and member of the Friends of Bruce Freeman Rail Trail Nancy Powers, 201 Union Avenue, urged the Board not to consider concept #4 presented tonight, which she believes has nothing to do with a rail trail.

Sudbury resident and former Rail Trail Conversion Advisory Committee member Eric Poch, 182 Pratt's Mill Road, stated he believes consideration of safety is missing from tonight's report presentation, and he

urged further review of this important factor. Mr. Poch stated he is an avid cyclist, and he anecdotally offered that a standard road width is often not safe for simultaneous travel by vehicles and bikes. He believes the citizens have requested a trail unencumbered by traffic, which can be used safely. Mr. Poch opined that five feet is a problematic width at times for two walkers.

Sudbury resident Kathy Jacob, 328 Old Lancaster Road, stated this is an old rail bed, which has already had its contour altered, and that the surrounding wetlands are not pristine. She believes the Town needs a north-south path, and that the right of way should be preserved.

Sudbury resident and former Rail Trail Conversion Advisory Committee member Madeleine Gelsinon, 520 Concord Road, stated she spoke with Sudbury's Fire Chief, who informed her that the Department would need to purchase an ATV to access a rail trail. Ms. Gelsinon believes the newer environmental laws and regulations should be complied with, as noted by Ms. Dineen.

At 9:59 p.m., Chairman Drobinski thanked Town staff for the information, and he closed the discussion.

2006 - Inter-Municipal Agreement with the Lincoln-Sudbury Regional School District – Amendment to Add Softball Field

At 10:00 p.m., Chairman Drobinski opened the discussion regarding an amendment to the Inter-Municipal Agreement (IMA) between the Town and L-SRHS for the community football field for the softball field. The Board was previously in receipt of copies of the original IMA and the proposed amendment and accompanying exhibits, a letter from Town Counsel dated July 26, 2013.

Chairman Drobinski stated L-SRHS, officials from Lincoln and Sudbury and the Park and Recreation Commissions of both towns worked hard to draft an amendment which will allow the project to proceed to be constructed, ensuring the youth of both Towns are served well. He is pleased all parties have been willing to cooperate towards a shared goal.

Town Manager Valente provided a brief summary of the project. She noted the L-SRHS School Committee will meet later this week to vote on the draft amendment. Ms. Valente also noted Town Counsel Paul Kenny provided an opinion that the amendment is in order, and she read aloud Mr. Kenny's letter.

Chairman Drobinski stated the draft amendment reflects the preference of the Board as stated at its last meeting. He also noted that he discussed the draft amendment with Selectman Woodard, who had no objections to its content.

Selectman Simon stated the deadline presented by the construction contractor helped all parties to focus on an agreeable solution, and he thanked everyone for their cooperation.

Selectman O'Brien thanked the Friends of Girls' Softball for their work on this project and their fundraising efforts.

Selectman Haarde stated the draft amendment clearly defines use of the fields. He provided two edits where the word field needs to be changed to "fields" in the documents provided.

It was on motion unanimously

VOTED: Pursuant to Article 37 of the 2013 Annual Town Meeting for the purpose of completing the improvement of the Lincoln-Sudbury Regional High School's Softball Field, to approve and sign the amendment to the 2006 Inter-Municipal Agreement between the Town of Sudbury and the Lincoln-Sudbury Regional School District, as revised tonight.

Minutes

It was on motion unanimously

VOTED: To approve the minutes of July 9, 2013.

Route 20 Sewer Steering Committee – Appointment

It was on motion unanimously

VOTED: To appoint Andrew Sullivan as Finance Committee's representative to the Route 20 Sewer Steering Committee for a term ending June 30, 2014, as requested by Doug Kohen, Finance Committee Chair. This appointment replaces Joan Carlton.

Route 20 Sewer Steering Committee – Appointment

It was on motion unanimously

VOTED: To appoint Peter Abair as the Planning Board's representative to the Route 20 Sewer Steering Committee for a term ending June 30, 2014, as requested by Michael Hunter, Planning Board Chair. This appointment replaces Jody Kablack.

Parmenter Foundation – Request for a One- Day Wine and Malt License

It was on motion unanimously

VOTED: To grant a one-day Wine and Malt License to Gail Coppola, Parmenter Foundation, 400 Boston Post Road, Suite 1A, to accommodate a fundraiser, "Hoedown for Heartplay," at The Sudbury Valley Trustees, 18 Wolbach Road, Saturday, September 21, 2013, from 7:00 p.m. to 10:00 p.m., subject to use of a TIPS-trained bartender and receipt of a Certificate of Liability.

Route 20 Sewer Citizens' Advisory Committee – Appointment

It was on motion unanimously

VOTED: To appoint Scott Nassa to the Route 20 Sewer Citizens' Advisory Committee for a term ending June 30, 2014, replacing Ellen W. Joachim who resigned from the Citizens' Advisory Committee.

DPW Contract – FY14 Annual or Renewal Contracts

It was on motion unanimously

VOTED: To approve for FY14 the following annual or renewal DPW contracts awarded and previously approved for FY13 or to be awarded in FY14 on a Fiscal Year basis or Calendar Year basis by the Town Manager in accordance with procurement requirements and as reviewed by Town Counsel.

Contract Number	Contract Name	
2013 & 2014-ER-1	Street Sweeping	Calendar Year
2013 & 2014-CM-1	Mowing/Lawn and Landscape	Calendar Year
2013 & 2014-G-1	Gasoline	State Contract – exp. 7/31/13
2013 & 2014-DF-1	Diesel Fuel	State Contract – exp. 7/31/13
2014-M-1	Borrow Materials	Fiscal Year
2013 & 2014-T-1	Trees & Stumps: Removal & Disposal	Calendar Year
2013 & 2014-BM-1	Bituminous Materials	Calendar Year
2014-M-2	Bituminous Concrete Type I In Place	Fiscal Year
2013 & 2014-SLM-1	Street Light Maintenance	Calendar Year
2013 & 2014-TLP-1	Traffic Line Painting	Calendar Year
2013 & 2014-SALT-1	Winter Salt	State Contract

Town Report Committee - Dissolution

It was on motion unanimously

VOTED: To formally disband the Town Report Committee, established by the Board of Selectmen in 1964, as the Report has been done by the Selectmen's Office staff for the last five years, whereby the reports are received, proofread and compiled into a final document and available to the public at least ten days prior to the start of the Annual Town Meeting.

Proclamation – Michael MacDonald

It was on motion unanimously

VOTED: To sign a proclamation for U.S. Army Sgt. Michael MacDonald, acknowledging his safe return home after spending nine months in Afghanistan, and proclaiming Friday, August 9, 2013 as Michael MacDonald Day in Sudbury.

Lease Purchase Award - Chadwick Ba-Ross and Freightliner

It was on motion unanimously

VOTED: To approve the award by the Town Manager for the lease-purchase of one Prinoth Model SW45 Multi-Purpose Tractor equipped with snow blower and fixed V-plow to Chadwick-BaRoss at a net price of \$131,496 after trade-in, and one 6-wheel Freightliner Model 114SD with 10' dump body and hydraulic sander to Freightliner at a net purchase price of \$139,998 after trade-in, said purchases to be financed over a five-year period; the Town Manager to execute all documents related thereto inclusive of the Lease-Purchase Agreements as negotiated by Town Counsel's Office.

Town Manager Valente stated these purchases are pursuant to a previously approved Town Meeting article. She suggested bringing a request to the Board next year, following Town Meeting, asking for the authority to sign these leases, so as not to miss a time-sensitive purchasing opportunity.

The consensus of the Board was that, in the future, the Town Manager should apprise the Board's Chairman and/or Vice-Chairman before signing such leases. However, since the money has already been appropriated by Town Meeting, the recommendation was deemed acceptable.

Election Officers - Appointments

The Board was previously in receipt of copies of a list of Sudbury Election Worker Appointments for August 15, 2013 to August 14, 2014.

It was on motion

VOTED: To appoint Gail-Ann Simon as an Election Officer for a one-year term commencing August 15, 2013 and ending August 14, 2014, as recommended by the Democratic and Republican Town Committee Chairmen and the Town Clerk; and also to approve the Town Manager to sign the appointment letter.

Selectman Simon abstained from the vote.

It was also on motion unanimously

VOTED: To appoint Election Officers for a one-year term commencing August 15, 2013 and ending August 14, 2014, as recommended by the Democratic and Republican Town Committee Chairmen and the Town Clerk; and also to approve the Town Manager to sign the appointment letters for these Election Officers.

Board of Selectman 2013-2014 Liaison Assignments

The Board was previously in receipt of copies of a revised Sudbury "Board of Selectmen Liaison Assignments 2013-2014," dated July 30, 2013.

It was on motion unanimously

VOTED: To approve the finalized 2013-2014 Sudbury Board of Selectman Liaison Assignments as discussed at the July 9, 2013 Board of Selectmen's meeting.

Cutting Field – Solar-Powered Scoreboard

Present: Park and Recreation Commission member Paul Griffin

The Board was previously in receipt of copies of a memorandum from Paul Griffin of the Park and Recreation Commission dated July 23, 2013, a map, and minutes of the July 24, 2013 Design Review Board's Meeting.

Mr. Griffin answered questions from the Board regarding the proposed location for the scoreboard, its height and its visibility. Selectman O'Brien suggested finding out if the scoreboard could also run on batteries for overcast weather conditions.

Town Manager Valente asked Mr. Griffin to provide the amount needed for the maintenance escrow account, which will need to be separately accepted by the Board at a later time.

Selectman Haarde thanked Mr. Griffin for his work to negotiate this amenity with Middlesex Savings Bank over the past two years. He suggested a similar approach be used with local businesses to meet similar

needs for other Town fields. Selectman Haarde suggested, and Mr. Griffin concurred, that people with other ideas should bring them to the attention of the Park and Recreation Commission.

It was on motion unanimously

VOTED: To approve the installation of a solar-powered scoreboard at the Cutting Recreational Field, and to accept this approximate gift of \$20,000 donated by Middlesex Savings Bank and Sudbury Girls' Lacrosse.

Dog Officer Agreement

The Board was previously in receipt of copies of the "Town of Sudbury Request for Proposals Dog Control Services," dated June 19, 2013.

Town Manager Valente explained the Town has successfully contracted for these services in recent years for an annual cost of approximately \$21,000.

It was on motion unanimously

VOTED: To approve signing by the Town Manager of a three-year contract expiring June 30, 2016, for Dog Control Services to the lowest eligible bidder.

There being no further business, the meeting adjourned at 10:23 p.m.

Attest: _____
Maureen G. Valente
Town Manager-Clerk

17
IN BOARD OF SUDBURY SELECTMEN
TUESDAY, AUGUST 6, 2013

Present: Chairman John C. Drobinski, Vice-Chairman Charles C. Woodard, Selectman Lawrence W. O'Brien, Selectman Leonard A. Simon and Town Manager Maureen G. Valente.

Absent: Selectman Robert C. Haarde

The statutory requirements as to notice having been complied with, the meeting was convened at 6:05 p.m. in the Silva Room, Flynn Building, 278 Old Sudbury Road.

Opening Remarks

At 6:05 p.m., Chairman John Drobinski mentioned that there was only one order of business regarding the sale of bonds.

Acceptance of Winning Bid – Bond Sale on August 1, 2013

Present: Andrea Terkelsen, Finance Director/Treasurer-Collector

At 6:06 p.m., Finance Director Terkelsen was asked to briefly discuss the contents of her memo to the Board dated August 1, 2013. In reference to the memo Finance Director Terkelsen indicated that the bond sale contained three separate issues for: the Pantry Brook Farm Conservation Restriction purchased in December 2012, the Nixon Roof Replacement project currently underway with an expected net cost to the Town of \$430,000 after MSBMA reimbursement and the refunding of CPA debt issued in 2005. Vice-Chairman Woodard asked for a dollar breakdown of each issue and length of term. Finance Director Terkelsen also confirmed the savings to the Town for the refunding as approximately \$138,000 over the next 6 years. Town Manager Valente referred the Board to the contents of the memo and voting document. This was followed by a brief discussion concerning the Town's fiscal advisory (UniBank Fiscal Advisory, Inc.) and the role of bond counsel (Edwards Wildman Palmer LLP). Finance Director also confirmed that the Town's AAA bond credit rating has been reaffirmed by Standard & Poor's.

There being no further questions the Town Manager proceeded to read the vote of the Board of Selectmen into the record verbatim from a 3-page document provided by bond counsel, as follows (referring to dollar amounts and years as per the financial exhibits provided herein):

“VOTE OF THE BOARD OF SELECTMEN

I, the Clerk of the Board of Selectmen of the Town of Sudbury, Massachusetts (the “Town”), certify that at a meeting of the board held August 6, 2013, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appear upon the official record of the board in my custody:

Voted: that we hereby determine, in accordance with G.L. c. 70B, that the amount of the cost of the General John Nixon Elementary School project authorized by a vote of the Town passed on September 24, 2012 (Article 1) and December 4, 2012 (Question 1) not being paid by the school facilities grant is up to \$529,479, and we hereby approve of the issuance of notes and bonds in such amount under said G.L. c.

70B, not to exceed at any time the actual amount of grant funds received by the Town for such project from the Massachusetts School Building Authority.

Further Voted: That in order to reduce interest costs, the Treasurer is authorized to issue refunding bonds, at one time or from time to time, pursuant to Chapter 44, Section 21A of the General Laws, or pursuant to any other enabling authority, to refund the Town's \$4,350,000 General Obligation Refunding Bonds, Series B dated June 15, 2005, maturing September 15 in the years 2014 through 2018, inclusive (the "Refunded Bonds") and that the proceeds of any refunding bonds issued pursuant to this vote shall be used to pay the principal, redemption premium and interest on the Refunded Bonds and costs of issuance of the refunding bonds.

Further Voted: that the sale of the \$5,390,000 General Obligation Municipal Purpose Loan of 2013 Bonds of the Town dated August 15, 2013 (the "Bonds"), to Robert W. Baird & Co., Inc. at the price of \$5,537,230.66 is hereby approved and confirmed. The Bonds shall be payable on August 15 of the years and in the principal amounts and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2014	\$615,000	2.00%	2022	\$180,000	3.00%
2015	610,000	2.00	2023	185,000	3.00
2016	600,000	2.00	2025	305,000	3.00
2017	585,000	3.00	2027	320,000	3.25
2018	360,000	2.00	2029	345,000	3.55
2019	170,000	3.00	2031	370,000	4.00
2020	170,000	3.00	2033	400,000	4.00
2021	175,000	3.00			

Further Voted: that the Bonds maturing on August 15 in each of the years 2025, 2027, 2029, 2031 and 2033 (each a "Term Bond") shall be subject to mandatory redemption or mature as follows:

Term Bond due August 15, 2025

<u>Year</u>	<u>Amount</u>
2024	\$150,000
2025*	155,000

*Final Maturity

Term Bond due August 15, 2027

<u>Year</u>	<u>Amount</u>
2026	\$155,000
2027*	165,000

*Final Maturity

Term Bond due August 15, 2029

<u>Year</u>	<u>Amount</u>
2028	\$170,000
2029*	175,000

*Final Maturity

Term Bond due August 15, 2031

<u>Year</u>	<u>Amount</u>
2030	\$180,000
2031*	190,000

*Final Maturity

Term Bond due August 15, 2033

<u>Year</u>	<u>Amount</u>
2032	\$195,000
2033*	205,000

*Final Maturity

Further Voted: that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated July 23, 2013, and a final Official Statement dated August 1, 2013 (the "Official Statement"), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Official Statement.

Further Voted: that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a continuing disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Bonds for the benefit of the holders of the Bonds from time to time.

Further Voted: that we authorize and direct the Treasurer to establish post issuance federal tax compliance procedures in such form as the Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Bonds.

Further Voted: that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above votes) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the Bonds were taken in executive session, all in accordance with G.L. c.30A, §§18-25 as amended.

Dated: August 6, 2013”

Town Manager Valente then asked for a member of the Board to move in the words of the motion.

The motion was so moved by Selectman O’Brien and seconded by Vice-Chairman Woodard. There being no further discussion,

It was on motion unanimously, with one member absent.

There being no further business, the meeting was adjourned at 6:28 p.m.

Attest: _____

Maureen G. Valente
Town Manager-Clerk

AGENDA REQUEST – ITEM #8

BOARD OF SELECTMEN

Requestor's Section:

Date of request: *July 29, 2013*

Requestor: *Patty Golden*

Action requested: CONSENT CALENDAR

Accept the resignation of Mary Lee Mahoney-Emerson from the Council on Aging.

Financial impact expected: *None*

Background information: *N/A*

Recommendations/Suggested Motion/Vote: *Vote to accept the resignation of Mary Lee Mahoney-Emerson, 11 Poplar Street, from the Council on Aging and to send a letter of thanks for her service.*

Person(s) expected to represent Requestor at Selectmen's Meeting: *None*

Selectmen's Office Section:

Date of Selectmen's Meeting: *August 20, 2013*

Board's action taken:

Follow-up actions required by the Board of Selectmen or Requestor:

Future Agenda date (if applicable):

Distribution:

Town Counsel approval needed? Yes () No (X)

"8"

Agenda
8/20
cc: Deb
Galloway

RECEIVED
BOARD OF SELECTMEN
SUDBURY, MA

Mary-Lee Mahoney Emerson

11 Poplar St., Sudbury, Ma 01776
☎ 📠

2013 JUL 29 A 8:05

11 Poplar St., Sudbury, Ma 01776

Town of Sudbury
Board of Selectmen
Flynn Building
278 Old Sudbury Road
Sudbury, Ma. 01776

07/28/13

Subject: Letter of Resignation, Council on Aging

Hello

Whereas recently I have encountered medical challenges that are preventing me from devoting the time, energy and attention that the Council on Aging's Board of Directors deserves, I shall be resigning from the Board effective immediately. I have truly enjoyed participating in the Board's activities and appreciate the opportunity to do so. I hope that in the future when this is resolved I will be once again able to contribute.

Sincerely

Mary-Lee Mahoney-Emerson

AGENDA REQUEST #9

BOARD OF SELECTMEN

Requestor's Section

Date of request: *July 29, 2013*

Requestor: *Jody Kablack, Dir. of Planning and Community Development*

Action requested (Who, what, when, where and why):

Accept a \$400,000 grant from the LAND Grant Program for the Pantry Brook Farm preservation project.

Financial impact expected: *None*

Background information (if applicable, please attach if necessary):

CONSENT CALENDAR

Award Letter attached

Recommendations/Suggested Motion/Vote:

Vote to accept a grant in the amount of \$400,000 from the Executive Office of Energy and Environmental Affairs Land and Natural Diversity (LAND) Grant Program for the Pantry Brook Farm preservation project.

Person(s) expected to represent Requestor at Selectmen's Meeting: *none*

Selectmen's Office Section

Date of Selectmen's Meeting: **August 20, 2013**

Board's action taken:

Follow-up actions required by the Board of Selectmen or Requestor:

Future Agenda date (if applicable):

Distribution:

Town Counsel approval needed?

Yes ()

No (x)



1197

The Commonwealth of Massachusetts
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114

Deval L. Patrick
GOVERNOR

Timothy P. Murray
LIEUTENANT GOVERNOR

Richard K. Sullivan Jr.
SECRETARY

Tel: (617) 626-1000
Fax: (617) 626-1181
<http://www.mass.gov/envir>

December 5, 2012

Jody Kablack
Director of Planning and Community Development
278 Old Sudbury Rd.
Sudbury, MA 01776

Re: Pantry Brook Farm Project, LAND #23

Dear Ms. Kablack:

I am pleased to officially confirm that the Pantry Brook Farm Project has been selected by the Executive Office of Energy and Environmental Affairs (EEA) to receive up to \$400,000 in state Local Acquisitions for Natural Diversity (LAND) Grant Program assistance.

Your award is for Fiscal Year 2014

Your award funds will be available in fiscal year 2014 (July 1, 2013 – June 30, 2014). In order to receive reimbursement payment, you must complete your project within FY14. You are *strongly* encouraged to complete your project well before the end of this period. If you anticipate any difficulties in meeting this deadline, please contact us immediately. Celia Riechel is the LAND program coordinator and can be reached at 100 Cambridge St., 9th floor, Boston, MA 02114, (617) 626-1187 or celia.riechel@state.ma.us. Direct all materials and correspondence to her unless otherwise noted.

Conditions of your award

Your reimbursement payment is contingent upon your satisfactory completion of the following:

1. Adherence to all contract specifications
2. Installation of a LAND acknowledgement sign
3. Provision of adequate means of public access
4. Completion of a Baseline Documentation Report and Land Management Plan
5. Completion of site inspection forms (enclosed) for the following LWCF properties:

6. Successful grant applicants that have purchased real property interests for open space or recreational purposes using money from the Community Preservation Fund must have all conservation restrictions required by Section 12 of Chapter 44B approved by the Secretary of Energy and Environmental Affairs and recorded prior to receipt of project reimbursement from the Executive Office of Energy and Environmental Affairs. Please submit to DCS documentation showing the conveyance of approved Conservation Restrictions to an appropriate entity on the below listed properties acquired with the use of Community Preservation Act funds. Documentation should include the grantee, date of conveyance, and registry book/page of the CR document.

#750	Cutting Athletic Fields
#946	Dickson property
#947	Cutting Farm
#948	Libby property
#4841	CSX Land Purchase
#5431	79 Lincoln Lane

Next steps

Sign and return the following forms by April 2, 2013:

1. **State Standard Contract.** This document allows our fiscal department to establish an account for your project.
2. **LAND Project Agreement.** Review the agreement to ensure that your project is correctly described. If the document is correct, your Chief Executive Officer and a majority of your Conservation Commission members must sign both copies. Return both to EEA.
3. **Contractor Authorized Signatory form (both sides).** Signed by your Chief Executive Officer and notarized.
4. **Certified copy of municipal vote authorizing the purchase.** If you have questions about the language for your town meeting/city council vote, you may send a draft for EEA review.

After we have received the above forms:

5. **EEA signs and executes the contract.** Only expenses incurred after this execution date are eligible for reimbursement. Do not close on the property until you have been notified that your contract has been signed and executed by EEA. If you purchase the property before your contract has been executed, you will not be reimbursed.
6. **Central Register Notice.** You must file a notice with the Central Register prior to closing on your property, in accordance with MGL Ch. 30B, unless you are using Community Preservation Act (CPA) funds. See enclosure.
7. **Submit a draft Conservation Restriction to EEA for approval,** if you are conveying a Conservation Restriction as part of your project. If you are using Community Preservation Act (CPA) funds you must comply with the CPA requirement to convey a CR. The CR review application available on the EEA Division of Conservation Services website: www.mass.gov/eea/dcs Mail CR review documents only to:

Nicole Sicard
Executive Office of Environmental Affairs -DCS
100 Cambridge St., Suite 900
Boston, MA 02114

Reimbursement procedures

Refer to the enclosed guidance documents for information on preparing a reimbursement request. You may request reimbursement after you have purchased the property and met the conditions of your grant award listed above.

Legally and permanently protected conservation land

By accepting grant funding, your municipality agrees that the property will remain undeveloped and open to the general public for appropriate passive recreation in perpetuity. It may not be converted to other uses or developed. You must abide by Article 97 of the Articles of Amendment to the State Constitution, as well as the terms of the LAND Project Agreement.

Grant requirements information meeting

A short but important meeting to review program requirements will be held on the following dates:

Monday, December 17

1:00pm

Massachusetts Department of Agricultural Resources
101 University Dr., Suite C4, Amherst, MA

Wednesday, December 19

1:00pm

Executive Office of Energy and Environmental Affairs
100 Cambridge Street, 9th floor, Boston, MA

Please RSVP to Celia Riechel at 617-626-1187 or celia.riechel@state.ma.us. If you cannot attend, you are advised to send someone to represent you.

Congratulations on your successful application to the LAND program, and best wishes for a speedy completion of your project.

Sincerely,



Robert O'Connor
Director, Division of Conservation Services

AGENDA REQUEST – Item #10

BOARD OF SELECTMEN

Requestor's Section:

Date of request: *August 13, 2013*

Requestor: *Town Clerk, Rosemary B. Harvell*

Action requested (Who, what, when, where and why):

CONSENT CALENDAR

Sign Warrant for the Special State Primary Election of Tuesday, October 15, 2013

Financial impact expected: N/A

Background information (if applicable, please attach if necessary): *N/A*

Recommendations/Suggested Motion/Vote: *Vote to sign a Special State Primary Election Warrant for posting at Town Hall and in at least three places within each of the five precincts no later than October 8, 2013, at least seven days before the time appointed for said meeting of October 15, 2013, as requested by the Town Clerk.*

Person(s) expected to represent Requestor at Selectmen's Meeting: *None*

Selectmen's Office Section:

Date of Selectmen's Meeting: *August 20, 2013*

Board's action taken:

Follow-up actions required by the Board of Selectmen or Requestor:

Future Agenda date (if applicable):

Distribution:

Town Counsel approval needed? Yes () No (X)

**COMMONWEALTH OF MASSACHUSETTS
WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH**

SS. Middlesex

To the Constables of the Town of SUDBURY

GREETING:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said town who are qualified to vote in the State Primary Election to vote at

**PRECINCTS 1A, 2, & 5 FAIRBANK COMMUNITY CENTER
40 FAIRBANK ROAD**

**PRECINCTS 3 & 4 TOWN HALL
322 CONCORD RD**

on **TUESDAY, THE FIFTEENTH OF OCTOBER, 2013**, from 7:00 A.M. to 8:00 P.M. for the following purpose:

To cast their votes in the Special State Primaries for the candidates of political parties for the following office:

REPRESENTATIVE IN CONGRESS. . . . 5th DISTRICT

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.

Given under our hands this _____ day of _____, 2013.
(Month)

SELECTMEN OF SUDBURY

(Indicate method of service of warrant.)

_____, 2013.
Constable (month and day)

Warrant must be posted by October 8, 2013 (at least *seven days prior* to October 15, 2013.)

AGENDA REQUEST – Item #11

BOARD OF SELECTMEN

Requestor's Section:

Date of request: August 1, 2013

Requestor: Jody Kablack, Dir. of Planning & Community Development

Action requested (Who, what, when, where and why): Selectmen to vote on exercising the Town of Sudbury's right of first refusal under M.G.L. c.61B, on a 40,043 +/- sq. ft. lot shown as Lot 3 on Newbridge Road, owned by Newbridge Farm Trust, which is proposed to be converted to residential use for the construction of a single family dwelling and is under an executed Purchase and sale Agreement dated June 20, 2013 for the price of \$305,000.00.

Financial impact expected: None

Background information (if applicable, please attach if necessary):

See letters from Roseanne Dickey, Trustee, and accompanying information dated July 3, 2013. Recommendations from Sudbury Planning Board dated August 1, 2013, Sudbury Conservation Commission, dated August 1, 2013, Sudbury Board of Assessors dated July 26, 2013, Land Acquisition Review Committee dated August 1, 2013 recommending that the Board not exercise its right of first refusal.

Recommendations/Suggested Motion/Vote: Vote NOT to exercise the Town of Sudbury's right of first refusal pursuant to M.G.L. c.61B on a 40,043 +/- sq. ft. lot shown as Lot 3 on Newbridge Road, owned by Newbridge Farm Trust, which is proposed to be converted to a residential use for the construction of a single family dwelling and is under and executed Purchase and Sale Agreement dated June 20, 2013 for the price of \$305,000.00.

Person(s) expected to represent Requestor at Selectmen's Meeting:

Selectmen's Office Section:

Date of Selectmen's Meeting: August 20, 2013

Board's action taken:

Follow-up actions required by the Board of Selectmen or Requestor:

Future Agenda date (if applicable):

Distribution:

Town Counsel approval needed?	Yes (X)	No ()
--------------------------------------	----------------	---------------



Town of Sudbury

Planning and Community Development Department

Jody A. Kablack, Director

Flynn Building
278 Old Sudbury Rd
Sudbury, MA 01776
978-639-3387
Fax: 978-443-0756

<http://www.sudbury.ma.us/services/planning>
kablackj@sudbury.ma.us

TO: Board of Selectmen
FROM: *gak* Jody Kablack, Director of Planning and Community Development
RE: Newbridge Farm Trust Notice of Intent to Sell Land Classified Under M.G.L. c. 61B
DATE: August 15, 2013

The Town is in receipt of a Notice of Intent to Sell Land Classified Under M.G.L. c. 61B dated July 3, 2013 from Roseanne Dickey, Trustee of the Newbridge Farm Trust, received July 5, 2013. The land in question is a 40,043.71sq. ft. parcel at 10 Newbridge Road which is shown as Lot 3 on a plan entitled "Plan of Land in Sudbury Massachusetts" prepared by Thomas Land Surveyors for New Bridge Farm Trust, 10 New Bridge Road, Sudbury, MA 01776 dated October 26, 2010, which has recently been endorsed by the Planning Board as an Approval Not Required lot. A Purchase and Sale Agreement has been submitted with the Notice offering the property for sale for \$305,000. The entire property under Chapter 61B consists of over 70 acres of land, and only this 1 acre lot is being removed.

You are also in receipt of letters from the Planning Board, Conservation Commission, Board of Assessors, the Land Acquisition Review Committee and Sudbury valley Trustees, all of which recommend passing on the Town's right of first refusal to purchase the lot.

I have taken the liberty of preparing a Discharge of Right of First Refusal should you vote in this manner. This discharge must be sent to the property owner via certified mail once it is executed. It is the responsibility of the property owner to record it at the Registry of Deeds.

Should you wish to entertain the offer, a public hearing must be held, and a vote taken by the Selectmen to purchase the property, or assign it to a non-profit conservation organization, within 120 days of receipt of the Notice, such date being November 2, 2013.

Please advise if you need anything further on this subject.

Attachments



Town of Sudbury

Planning Board

planningboard@sudbury.ma.us

<http://www.sudbury.ma.us/services/planning>

Flynn Building
278 Old Sudbury Rd
Sudbury, MA 01776
978-639-3387
Fax: 978-443-0756

August 1, 2013

Mr. John Drobinski, Chairman
Board of Selectmen
Sudbury, MA 01776

RE: Notice of Intent to Sell
Lot 3, Newbridge Road
Newbridge Farm Trust

Dear Board members,

At its meeting on July 31, 2013 the Planning Board discussed the above matter, and recommends release of the Town's option to exercise its right of first refusal on the above property. The Planning Board is of the same opinion that was rendered in 2011 regarding this same piece of property that although the overall property is listed on the Town's Open Space and Recreation Plan, this one-acre parcel has little ecological value to the Town. It is hoped that communication between the Town and the property owners will continue in anticipation of preserving a significant portion of the remaining property.

If we can be of any further assistance, please do not hesitate to ask.

On behalf of the Planning Board,

Michael Hunter / gair

Michael Hunter, Chairman

cc: Newbridge Farm Trust
Conservation Commission



Town of Sudbury

CONSERVATION

275 Old Lancaster Rd.
Sudbury, MA 01776
978-443-2209 x1370
Fax 978-443-6128

Wetlands • Conservation Land Management • Land Protection • Stormwater

To: Board of Selectmen
Maurcen Valente, Town Manager
From: Debbie Dineen, Conservation Coordinator
Date: Aug. 1, 2013
Re: Notice of Intent to Sell M.G.L. Chapter 61B (forestry) land
Lot 3 Newbridge Road

*DDineen
on behalf of
the Cons. Comm.*

At the Conservation Commission meeting held July 22, 2013, the Conservation Commission voted unanimously in favor of recommending release of the Town's option to purchase this one-acre frontage lot on Newbridge Road.

This lot is part of the Newbridge Farm Trust, commonly referred to as the "Dickey Land" which is on the Town's Open Space and Recreation Plan for protection as a mostly undeveloped parcel. The family has sold four frontage lots already on Newbridge Road. Purchasing these frontage lots would have the Town paying the highest dollar for the least environmentally important areas.

The Commission encourages the Trust to look at the entire parcel before continuing to reduce it in a piece-meal fashion. The Town, SVT, the state Dept. of Conservation and Recreation, and the USFWS are all interested in protection of the interior of the parcel as well as the area abutting Water Row.

Thank you for the opportunity to comment.



Town of Sudbury

CONSERVATION

275 Old Lancaster Rd.
Sudbury, MA 01776
978-443-2209 x1370
Fax 978-443-6128

Wetlands • Conservation Land Management • Land Protection • Stormwater

To: Board of Selectmen
Maureen Valente, Town Manager
From: Jody Kablack, Director of Planning JK/DD
Debbie Dineen, Conservation Coordinator
Date: Aug. 1, 2013
Re: Notice of Intent to Sell under M.G.L. Chapter 61B
Lot 3 Newbridge Road, Newbridge Farm Trust

The Land Acquisition Review Committee (LARC) met on July 18, 2013 to make a recommendation to the Selectmen on the "Notice of Intent to Sell Land Classified under M.G.L. Chapter 61B"; dated July 3, 2013; submitted by the Newbridge Farm Trust, Rosanne Dickey, Trustee.

The Town has had the first option to purchase the 4 lots the Trust has already sold along Newbridge Road. We did not exercise our option on these lots due to their limited conservation values. The lot they intend to sell now is no different.

The Open Space and Recreation Plan ranks the entire Newbridge Trust property as ninth in priority for permanent resource and conservation protection due to its size, potential for public trails, and proximity to other protected natural area. Lot 3 alone, with frontage on Newbridge Road, would not rank at all on the priority parcel list as it does not contain the natural resource, recreation, and conservation areas that are important to protect.

The LARC encourages continued discussion with the Trust toward the goal of town acquisition of the large balance of the parcel, particularly the northern and eastern sections.

Board of Assessors
Town of Sudbury

278 Old Sudbury Road Flynn Building • Sudbury, Massachusetts • 01776
Phone: (978) 639-3395 • Fax: (978) 639-3314 • E-mail: assessors@sudbury.ma.us

MEMORANDUM

TO: Board of Selectmen

FROM: Board of Assessors

DATE: July 26, 2013

At the Board of Assessors meeting held on July 25, 2013 at the Flynn Building, 278 Old Sudbury Rd., the Assessors reviewed the Newbridge Farm Trust, Notice of Intent to Sell Land Classified under M.G.L. Chapter 61B received on July 5, 2013. Following a review of the plan and the offer to purchase the 40,043.71.square foot lot 3 in the amount of \$305,000, the Board did not make a recommendation as to the Town's Right of First Refusal.

Kablack, Jody

Subject: FW: Newbridge Farm ROFR

From: Susan Crane [mailto:scrane@svtweb.org]
Sent: Wednesday, August 14, 2013 3:04 PM
To: Kablack, Jody
Cc: 'Christa Collins' (ccollins@svtweb.org)
Subject: Re: Newbridge Farm ROFR

Hi Jody,

Thanks for seeking SVT input. Christa and I took a look at the information you sent, and we agree with the Planning Board's conclusion, as described in Michael Hunter's letter of 8/1/13, and the similar ConCom conclusion, as stated in Debbie Dineen's 8/1/13 memo, that this single house lot is not worth purchasing for conservation.

We would be very interested, however, in pursuing the protection of the far more important backland. Christa emailed Linda Mead a few weeks ago about the potential use of some of the Nyanza mitigation funds to go towards protecting that parcel, but she has not yet heard back from Linda.

Best,

Susan

Susan J. Crane
Land Protection Specialist
Sudbury Valley Trustees
18 Wolbach Road
Sudbury, MA 01776
Direct line: 978-443-5588 x122
Cell: 978-460-0239
scrane@svtweb.org

11

DISCHARGE OF RIGHT OF FIRST REFUSAL

The Town of Sudbury, acting by and through its Board of Selectmen, holder of a Right of First Refusal Pursuant to M.G.L. Chapter 61B, dated October 21, 1993, recorded with MIDDLESEX SOUTH DISTRICT REGISTRY OF DEEDS at Book 23794, Page 178, hereby provides notice that it releases its right of first refusal with respect to a portion of the property located at 10 Newbridge Road, Sudbury Massachusetts, shown as a portion of parcel 0500 on the Town of Sudbury Assessor's Map G11, and being approximately 40,043.71sq. ft. of land shown as Lot 3 on a plan entitled "Plan of Land in Sudbury Massachusetts" prepared by Thomas Land Surveyors for New Bridge Farm Trust, 10 New Bridge Road, Sudbury, MA 01776, dated October 26, 2010, in Sudbury, Middlesex County, Massachusetts, bounded and described in a Quitclaim Deed to Linda M. Meade and Roseanne Eileen Dickey, as Trustees of the Newbridge Farm Trust, Sudbury, MA 01776, recorded at Middlesex South District Registry of Deeds at Book 19561, Page 70.

IN WITNESS WHEREOF, a majority of the said Board of Selectmen, duly authorized, have executed this release, this 20th Day of August, 2013.

**TOWN OF SUDBURY
BOARD OF SELECTMEN**

_____,
_____,
_____,
_____,

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

August 20, 2013

On this 20th day of August, 2013, before me, the undersigned notary public, personally appeared the above-named _____ proved to me through satisfactory evidence of identification, which was personal knowledge, to be the person whose name is signed on the preceding document, and acknowledged to me that he/she signed it voluntarily for its stated purpose, as a member of the Sudbury Board of Selectmen, a municipal board.

_____, Notary Public

My commission expires:

Address of affected property: 10 Newbridge Rd., Sudbury, MA 01776

AGENDA REQUEST - Item #12

BOARD OF SELECTMEN

Requestor's Section:

Date of request: 7/15/13

Requestor: *Maureen Valente*

Action requested (Who, what, when, where and why):

Discussion of first draft of Selectmen's Citizens Comment Procedure

Financial impact expected: *None.*

Background information (if applicable, please attach if necessary): *see attached*

Recommendations/Suggested Motion/Vote: *None – discussion only*

Person(s) expected to represent Requestor at Selectmen's Meeting:

Selectmen's Office Section:

Date of Selectmen's Meeting: *August 20, 2013*

Board's action taken:

Follow-up actions required by the Board of Selectmen or Requestor:

Future Agenda date (if applicable):

Town Counsel approval needed? Yes () No ()

"12"



Town of Sudbury

Town Manager's Office

278 Old Sudbury Road
Sudbury MA 01776
978-639-3385

Maureen G. Valente, Town Manager

Townmanager@sudbury.ma.us

<http://www.sudbury.ma.us>

Date: August 13, 2013
To: Board of Selectmen
From: Maureen G. Valente, Town Manager *Maureen*
Subject: Draft Addition to Selectmen's Policies and Procedures: Meeting Policy

Attached is a draft of an additional section to the Board's Policy and Procedure regarding the meetings of the Board of Selectmen.

Chairman Drobinski asked me to do research and look into how other towns handle the issue of a "citizen's comment" item on the agenda for the Board, particularly in light of the updated Open Meeting Law requirements regarding discussion of items on an agenda that have not received the proper 48 hour notice requirement.

The attached draft is based generally on that used by the Wellesley Board of Selectmen. It has been reviewed by Town Counsel, who has agreed this approach would comply with the OML.

Note I am suggesting that it be added as item 3 of the Board's current policy and procedure in the topic of Meeting Policy. I would further suggest that the Board's overall policies and procedures in this area be updated, as you have made a number of decisions to change items but those changes have not been made to this document. I have attached the current Meeting Policy for your reference.

Please let me know if you have any questions on this item before the meeting.

Thank you

TOWN OF SUDBURY

Selectmen's Policies and Procedures

MEETING POLICY

Insert the following into the Meeting Policy as item #3

3. The Board of Selectmen welcomes community members to attend our meetings and we place major importance on hearing the views of the public. We acknowledge that a Board meeting is a meeting that is held in public, not a public meeting, and we will make every effort to ensure that the Board meetings are effective and efficient. The procedure below is designed to facilitate both objectives.
 - a. The Board of Selectmen's Office will publish the agenda for an upcoming board meeting at the Town Clerk's office and on the Town's website 48 hours before the start of the meeting, in compliance with the Open Meeting Law. To the extent possible, the Board of Selectmen's Office will publish on the Town's website back up materials for the agenda 24 hours before the start of the meeting.
(<http://sudbury.ma.us/departments/BoardOfSelectmen>)
 - b. In addressing any agenda item, the Board, through its Chairman, will recognize any citizen who wishes to comment on such item, at such time as the Chairman deems advisable, either before, during or after the Board members discussion of the agenda item.
 - i. The Chairman has discretion when and if it becomes necessary to impose time limits on the expression of the public's views. For example, if numerous people wish to be heard, the Chairman is authorized to limit the time for any one person's comments, and also, in cases where many people wish to be heard and the hour is late, to encourage that further comment be voluntarily restricted to the expression of views and facts which have not been presented by prior speakers. The Chairman may also limit citizens to speaking only once on the agenda item at hand.
 - ii. Citizens who wish to address the Board, once recognized by the Chairman, are requested to approach a microphone and introduce themselves clearly by name and address. This is intended to ensure that citizen input is fully audible to attendees of the meeting and people viewing the meeting via SudburyTV.
 - c. The Board will schedule a "Citizen's Comment" at each meeting after scheduled agenda items with the following guidelines
 - i. In order to facilitate the process, at the beginning of each meeting the BOS will place a sign-up sheet at the rear of the meeting room. Residents are asked to write their names on the sign-up sheet and note the topic on which they wish to address the Board. Residents will be called to speak in the order of sign-up.

NOTE: This statement of procedure draws extensively from the procedure used by the Board of Selectmen, Town of Wellesley

- ii. Upon being called up, the citizen shall approach a microphone and introduce him/herself clearly by name and address. This is intended to ensure that citizen input is fully audible to attendees of the meeting and people viewing the meeting via SudburyTV.
- iii. As the topic of a "Citizen's Comment" will not be on the agenda as required by the 48 hour Open Meeting Law, the Board members will not be able to deliberate or take votes on the topic and may only listen and ask questions during the "Citizen's Comment" time. The Board may, at the Chair's discretion, schedule the topic for a later Board meeting as an agenda item.
- iv. The Chairman shall be sensitive to the subject matter under discussion and if it involves the performance of an official of the Town who has not previously been advised that a matter may be discussed, the citizen's comments will be noted but further discussion shall be curtailed. The Board may, at the Chair's discretion, schedule the topic for a later Board meeting as an agenda item.
- v. If the citizen has comments about a Town employee's performance, the citizen's comments will be curtailed and the citizen will be directed to discuss this topic with the Town Manager outside of a Selectmen's meeting.
- vi. The Chairman may, at his discretion, because of the lateness of the hour or time spent on a single item, close the Citizen's Comment in order to finish the Board's business meeting.

NOTE: This statement of procedure draws extensively from the procedure used by the Board of Selectmen, Town of Wellesley

TOWN OF SUDBURY

SELECTMEN'S POLICIES AND PROCEDURES

A. MEETING POLICY

(Amended 05/10/76, 04/23/84, 10/29/84, 11/08/84, 07/08/96)

1. An organizational meeting shall be held at the first meeting following Town Meeting.
 - a. Elect Chairman.
The Chairman will approve the agenda for and conduct the Selectmen's meetings; coordinate the affairs of the Board with due concern that all members' views are heard and considered; and act as liaison to the Town Manager and the major departments under the Board of Selectmen.
 - b. Elect Vice-Chairman.
The Vice-Chairman will assume the duties of the Chairman in his absence.
 - c. Elect Clerk (Town Manager unless voted otherwise).
The Clerk will be responsible for (1) preparation for Selectmen's meetings and keeping complete and accurate minutes of Selectmen's meetings; and (2) is authorized to provide attested copies of Selectmen's votes and minutes as necessary.
2. Meetings shall start promptly at 7:30 p.m. on Mondays. Formal business session shall adjourn no later than 12:00 midnight. Unfinished business will be postponed until the next meeting. Meetings will be held twice a month, unless the need for a special meeting arises.
3. In general, business will be scheduled as follows:
 - a. Opening statement by Chairman (7:30 p.m.)
 - b. Citizen petitions (15 minutes)
 - c. Miscellaneous: such as minutes, gifts, grants, consent calendar, licenses, utility petitions (7:45 p.m.)
 - d. Public hearings (8:00 - 9:00 p.m.)
 - e. Items for Selectmen's consideration (policy issues)
 - f. Town Manager's report
 - g. Reports from Board members and other business
4. The second meeting each month shall provide for the Town Forum from 8:00 - 9:00 p.m.
5. The Selectmen shall, if possible, conduct at least one meeting with boards and committees to discuss their activities and issues.
6. If practicable, executive sessions, other than a few minutes in duration, shall be scheduled for after 9:00 p.m.

A. Meeting Policy (CONTINUED)

7. Actions and decisions shall be by motion, second and vote. If the vote is not unanimous, the minutes shall reflect the vote of each Selectmen.
8. For the meeting, the Town Manager shall:
 - a. Provide Selectmen with pertinent explanatory or review material in brief form with agenda, sent prior to meeting.
 - b. Have on hand, all back-up data and files appropriate to a scheduled item of discussion. In addition, he shall provide any data, analyses and recommendations as appropriate.
 - c. Draft motions in advance of meeting.
 - d. Indicate on correspondence suggested action to be taken.
 - e. Report highlights from meeting minutes of other boards and committees.

B. AGENDA PROCEDURE

(Amended 05/10/76, 07/08/96)

The Town Manager shall prepare agenda for meetings and:

1. Schedule a realistic time period for each appointment, interview, conference or other scheduled items of business.
2. Confirm all appointments including time allotted.
3. Obtain Chairman approval of the agenda and time allocation prior to publication by the Town Manager on the Friday before the meeting.
4. Distribute copies of the agenda to the Selectmen on Friday with the draft copy of minutes of the previous meeting.
5. Post copies of the agenda, Friday, on Town Hall bulletin board, have copies of the agenda, with back-up material, available to the press representatives and have agenda copies available to the public at all meetings.
6. In order to expedite the business of the Board of Selectmen at their regular meetings, and in order that all subject matter scheduled for discussion by the Selectmen may be given proper attention and due consideration, the following procedure has been adopted for submission of items to appear on the regular meeting agenda of the Board of Selectmen.
 - a. Except in emergencies, any item requested to appear on the agenda must be in the office of the Town Manager by 12:00 noon, the Thursday preceding a regular meeting.
 - b. All back-up data, pertinent information or an outline for discussion must accompany all subject matters or items to appear on the agenda.