

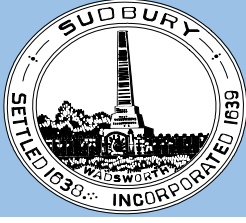
SUDBURY BOARD OF SELECTMEN
 WEDNESDAY, NOVEMBER 12, 2014
 6:30 PM, FLYNN BUILDING, 278 OLD SUDBURY ROAD
 7:30 PM, TOWN HALL, LOWER LEVEL, 322 CONCORD ROAD

Item #	Time	Action	Item Name
			Call to order
EXECUTIVE SESSION			
	6:30 PM	Vote	Open meeting in Open Session in Flynn Building, Silva Room, and immediately vote to go into Executive Session by roll call wherein having an open session on these issues will be detrimental effect on the bargaining position of the public body and the chair so declares. Following Executive Session, vote to return to Regular Session. <i>If necessary, the Executive Session will be suspended at 7:25 p.m. and resumed at the end of the Regular Session.</i>
TIMED ITEMS			
	7:30 PM		Opening Remarks by Chairman
	7:35 PM		Reports from Town Manager
	7:40 PM		Reports from Selectmen
	7:45 PM		Citizen's comments on items not on agenda
1	7:55 PM		Discussion with the Sudbury Historical Society regarding moving forward toward the creation of a Sudbury History Center/Museum. <i>(Stewart Hoover, SHS President, and Jim Kelly, Facilities Director, to attend)</i>
2	8:25 PM	Vote/Sign	Vote to accept the notice of SAANs (State Aid Anticipation Note) sold on November 6, 2014 and awarded by the Town Treasurer through the State House Note program. <i>(Andrea Terkelsen, Finance Director, to attend)</i>
3	8:30 PM		Discussion of Remote Participation
4	8:45 PM		Joint meeting with Planning Board regarding redevelopment of Raytheon site
5	9:15 PM		Johnson Farm Update <i>(Jody Kablack, Director of Planning and Community Development, to attend)</i>
MISCELLANEOUS			
6		Vote/Sign	Vote to Sign Special Town Meeting and Special Town Election Warrant
7		Vote	Vote to authorize use of \$40,000 as gifted to the Town by West Concord Development LLC towards completion of the walkway of Powder Mill Road from Cranberry Circle through its intersection with Route 117 (North Road)
8			Discussion on Draft Mission Statement for the Melone Property Redevelopment Advisory Committee

These agenda items are those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.

Item #	Time	Action	Item Name
9		<i>Vote</i>	Discuss and vote to release Executive Session meeting minutes from 2011 and 4/29/14
10		<i>Vote</i>	Vote to approve regular session and executive session meeting minutes on 10/28/14, and the regular session meeting minutes of 10/14/14.
11		<i>Vote/Sign</i>	Vote to approve and sign the Agreement for Legal Services with Petrini & Associates, P.C. for the period beginning January 1, 2015 and concluding June 30, 2017.
CONSENT CALENDAR			
12		<i>Vote/Sign</i>	Vote to appoint Yael Kupiec-Dar, 77 Hemlock Road, and Cynthia Kazior, 34 Blacksmith Drive and to re-appoint Ellen Gitelman, 19 Raynor Road, and Jeanne M. Maloney, 119 Willis Road, to the Sudbury Cultural Council for terms to expire October 14, 2017.
13		<i>Vote</i>	Vote to approve the annual L-SRHS Pre-Thanksgiving Day All Sports Ceremonial Bonfire on Wednesday, November 26, 2014 from 6:00 p.m. to 9:00 p.m., as requested in a letter dated October 31st from Paul Bisson, Board Member, Lincoln-Sudbury All Sports Boosters Club, Inc.
14		<i>Vote</i>	Vote to accept, on behalf of the Town, donations from Adrian & Judith Sheldon; Caroline & Joseph Santangelo; Sudbury Coffee Works; Skylana Associates; George & Melinda Connor totaling \$719.50 to be used by the Town of Sudbury for the purpose of the Sudbury Celebrates 375/Sudbury Day Committee celebration, and may be used for another similar purpose as authorized by the Board of Selectmen in the event that all funds are not expended at the conclusion of the aforementioned celebration.

These agenda items are those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.



SUDBURY BOARD OF SELECTMEN
WEDNESDAY, NOVEMBER 12, 2014

Item #
EXECUTIVE SESSION

Date of Request: 11/6/2014

Requested by: Town Manager Valente

Formal Title:
Executive Session to discuss Collective Bargaining

Recommendations/Suggested Motion/Vote:

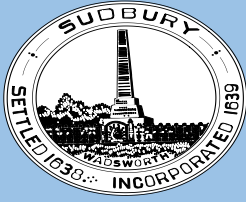
0

Background Information:
see attached memo from Town Manager Valente

Financial Impact Expected:

Approximate Time Requested: 45 min

Representative(s) Expected to Attend Meeting:



SUDBURY BOARD OF SELECTMEN
WEDNESDAY, NOVEMBER 12, 2014

Item # 1
Historical Society Discussion

Date of Request: 10/21/2014

Requested by: Stewart Hoover, Historical Society

Formal Title:

Discussion with the Sudbury Historical Society regarding moving forward toward the creation of a Sudbury History Center/Museum. (Stewart Hoover, SHS President, and Jim Kelly, Facilities Director, to attend)

Recommendations/Suggested Motion/Vote:

0

Background Information:

See attached material

Financial Impact Expected: N/A

Approximate Time Requested: 15 min

Representative(s) Expected to Attend Meeting:

Stewart Hoover, President, Historical Society; Jim Kelly, Facilities Director

Loring Parsonage
Preliminary Budget Pricing

10/8/2014

ITEM	NO PHASING	PHASE ONE		PHASE TWO
		Historic	Rebuilt EII	Barn and entry wing
General Conditions	\$51,200	\$46,000	\$0	\$40,000
Site work	\$68,800	\$11,000	\$11,000	\$46,800
Retaining Walls	\$35,000	\$0	\$0	\$35,000
Demolition	\$14,400	\$0	\$12,100	\$2,300
Concrete	\$47,800	\$5,500	\$16,500	\$25,800
Masonry	\$6,000	\$6,000	\$0	\$0
Metals	\$47,100	\$37,800	\$0	\$9,300
Wood & Plastics	\$170,000	\$21,800	\$42,510	\$105,690
Thermal & Moisture	\$139,500	\$0	\$27,250	\$112,250
Doors & Windows	\$91,200	\$5,200	\$11	\$85,989
Finishes	\$136,900	\$35,650	\$28,750	\$72,500
Specialties	\$3,000	\$0	\$3,000	\$0
Equipment	\$400	\$0	\$0	\$400
Conveying Systems	\$79,800	\$0	\$0	\$79,800
Plumbing	\$51,500	\$18,530	\$0	\$32,970
Heating	\$53,500	\$17,600	\$4,400	\$31,500
Air Conditioning	\$115,000	\$57,150	\$38,100	\$19,750
Electrical	\$122,200	\$77,700	\$11,100	\$33,400
Fire Alarm	\$34,500	\$27,000	\$0	\$7,500
Fire Protection	\$90,000	\$50,220	\$0	\$39,780
Security	\$6,500	\$5,750	\$0	\$750
TOTAL HARD COSTS	\$1,364,300	\$422,900	\$194,721	\$781,479
Contractor OH & P	\$204,645		\$92,643	\$117,222
TOTAL COST	\$1,568,945		\$710,264	\$898,701
Design & Engineering Fees	\$188,273		\$85,232	\$107,844
Permitting (other than building), legal and	\$20,000		\$18,529	\$23,444
Building permitting \$15/1,000 of construc	\$20,000		\$9,240	\$11,715
Contingency @15%	\$235,342		\$106,540	\$134,805
Furnishing and fittings	\$75,000	\$24,150	\$0	\$50,850
TOTAL BUDGET	\$2,107,560		\$953,955	\$1,227,359
	Escalation 5%	If Phase 2 is in 2016		\$1,288,727
	Escalation 5%	If Phase 2 is in 2017		\$1,353,163

Introduction

This scope describes the renovation of the 19th century Loring Parsonage, removal of a mid-19th century ell and construction of a new ell, a two story linking entry and elevator core and a two story barn with meeting space, restrooms and second floor storage for archives and 3-dimensional historic materials.

For purposes of this outline scope the existing two story portion of the building to remain will be called the Main Block, the 1-story restroom and entry will be the Existing Shed, the two story portion being removed is the Existing Ell, its replacement is the New Ell, there is an Elevator and Entry Wing and finally the “Barn” which houses the meeting space on the first floor and the archives on the second floor.

This will be a publicly bid job – think Union rates for labor.

The accompanying site plans are 1:20 scale.

The floor plans are 1/8” = 1’-0”

All plans are formatted to print on 11x17.

Exterior

Site work:

- New one-way drive 18-width, 150’ length – asphalt pavement. (Set price aside as an alternate).
- Regrade for new construction. From driveway to new entry 2% slope maximum,
- At courtyard behind Main Block and outside the Barn to reduce cross slope to 5% max (cut and fill – 25 cubic yards – assume use of material from Barn excavation). (Set price as an alternate).
- Excavate for new construction, New Ell to have full basement, full basement and elevator pit under south end of Entry Wing, slab on grade at “Barn” (note barn will be slightly “bank-built” into slope on north elevation.
- Added drywells, drainpipes for roof run-off control (under regraded yard) – assume CulTec, 1275 cu. Feet of storage – 760 square feet of bed area.
- Remove 20” maple tree and roots.
- 6” Loam and hydro seed full site (between parking, highway, driveway and Town Hall parking) – 2400 s.f..
- Trench for new water line for Fire Protection Sprinkler – assume 150’ length.
- Restore concrete walkways disturbed by construction – 150 square feet.

Demo:

- Existing Ell – 2-story, 16’ x 20’
- Existing 1-story shed roofed restroom and entry on east side of Parsonage 7x12

- Existing drywell in rear yard-assume 36-inch diameter

Concrete:

- Full height basement/foundation walls for New Ell 16'x20', south end of Entry Wing with elevator control, elevator pit, access – 25'x15'
- Slab on grade with perimeter frost wall for north end of Entry Wing. 25x20 and 42'x30'
- Slab on grade with perimeter frost wall extended above floor height 3' along north and partial east and west walls to retain bank – 42' + 20' lengths.
- New sidewalks – 150 l.f. asphalt paved, 5' sidewalks.
- Thick parge coat on exposed concrete foundations of new construction – 400 s.f..

Wood, Plastics, Composites:

- Stiffen Main Block second floor framing with flitch plates installed from above (requires removal of plank floor to access tops of beams for concealed flitch plate installation) – assume 8 beams at 20' lengths and posts (16) buried in first floor walls (will be concealed behind plaster).
- Reconstruct sills and first floor post in southwest corner of Main Block 12' each direction
- Reconstruct sills and first floor post in southeast corner of Main Block 8' each direction.
- Sister all beams supporting first floor framing Main Block. 8 beams at 12' lengths.
- Install 10 new steel posts on new footings (existing flooring has dust slab).
- Exterior trim on new construction to be pre-primed, painted wood, cedar or other rot resistant wood.
- NOTE: Parsonage siding and trim to remain – infill at removed shed only new siding.
- Beveled siding 3-3/4-inch exposure on New Ell and Entry Wing.
- Natural pre-dipped white cedar shingles on "Barn" – 4-1/2-inch exposure.
- Porch has painted fir decking and painted trim and posts – simple brosko or similar.

Thermal & Moisture Protection:

- At new gable roofs, galvanized round downspouts and half round galvanized 4" gutters linked to new drywells under courtyard at new construction.
- Wood shingle roofs on New Ell and Entry Wing on wood strapping over felt with ice and water at edges, ridges and valleys.
- Metal roof on "Barn", factory finished, raised lock seam.
- New construction, closed cell spray foam insulation (allow time for shutdown of interior access to job during application).
- Building wrap or zip-system boards as part of sheathing.
- Rigid insulation on inside face of new foundations (with 1x3 nailers for installation of board over face for protection in basements) at slab on grade and full foundation and under slab for slab on grade construction.
- Acoustic insulation at all new partitions.

Openings:

- SDL windows with bronze spacers, wood exterior and interior, preprimed, at new construction.
- Exit door at “Barn” painted, insulated steel- panic hardware, ball bearing hinges, lever on exterior.
- Double doors from “Barn” to yard – glazed French doors, no muntins, panic hardware, closers, coordinators.
- Sliding barn doors on exterior – board and batten doors, overhead door hardware, interior lock.
- Entry doors – Entry Wing (2 doors – 1 into entry vestibule, 1 into entry space) – 4 Panel doors with glazed upper panels with closers, ballbearing hardware, lever exterior and panic interior hardware interior, locking. Weatherstripping.
- Interior doors (New structures) – panic hardware on door out of “Barn” first floor assembly room into gift shop and into stairway. All doors lever sets. Closers on elevator mechanical and restrooms. Ballbearing hinges. Door silencers. Wood frames in public spaces, painted.
 - Stile and rail flat panel on first and second floor
 - Painted steel 90- min rated doors and frames in basement
- Interior doors (Existing) Assume removable jambs required at all room doors. Closet doors need not be altered.

Finishes:

- Paint all exterior woodwork – new and old.
- Paint all interior woodwork – new and old.
- Repaint wood floors, set raised nails.
- Tile floor at Entry Wing first floor entry vestibule and entry room.
- Carpet at New Ell first and second floors, second floor Entry Wing – 36 oz. tufted weight Atlas carpets.
- Carpet in Barn meeting room 36 oz. tufted weight Atlas carpets.
- VCT in Barn storage, mechanical space, restrooms, kitchenette.
- Walls in new construction plaster skim.
- New stair between first and second floor of New El will be open. Wood treads – clear finish, painted risers (red oak treads and risers), wood balusters (painted), wood handrail – clear finish with radiussed returns.
- New stair between basement and first floor of New Ell will be enclosed, Rubber treads and risers, handrail – painted metal with metal brackets
- New stair between first and second floor of Barn will be enclosed, rubber treads and risers, handrail both sides – painted metal with metal brackets.

Miscellaneous interior:

- Stainless steel handicap hardware in restrooms.

- Recessed paper towel, trash in restrooms
- Clear finish wood high/low MAAB ramp handrails both walls along interior ramps at first and second floor of entry wing – each ramp 12' long.
- In kitchenette - Laminate countertop, stock cabinets above and below, undercounter refrigerator, elkay or similar stainless steel sink and faucet.

Electrical:

- 4 exterior WP convenience receptacles
- Site lighting – allow for conduit for building lighting and path lighting at Entry Wing, outside “Barn” and along new sidewalk.
- 400 amp service to building.
- New wiring throughout existing.
- Typical commercial level electrical distribution throughout interior.
- Allowance of \$5 s.f. for lighting in interior.

Plumbing:

- 4 frost free hose bibs at exterior.
- Plumbing and fixtures – wall hung sinks, floor mounted toilets, two single use handicap restrooms, connection to domestic water and sanitary connection to site septic system (existing sanitary piping exits building to south).
- Boiler piping.
- Condensate drainage from air handlers.
- Sink for kitchenette, connection to domestic water and sanitary connection to septic system (no food prep.)

Fire protection

- Dual sprinkler system. Dry for Main Block (existing). Wet for new construction.

Elevator:

- 3-stop, two door (front to back), electric elevator in shaftwall construction – light gauge metal, hoistbeam., exterior sidewall louver for ventshaft with fire actuated louver mechanism.

HVAC:

- Hot water heat throughout. Use existing fuel oil boiler. New distribution.
- Air conditioning in new construction only.

Electrical:

- In basement, new protected porcelain fixtures – mounted to framing – with switches (10). Convenience receptacles. (10), assume power to basement air handler for Ell cooling. Power for dry sprinkler compressor.

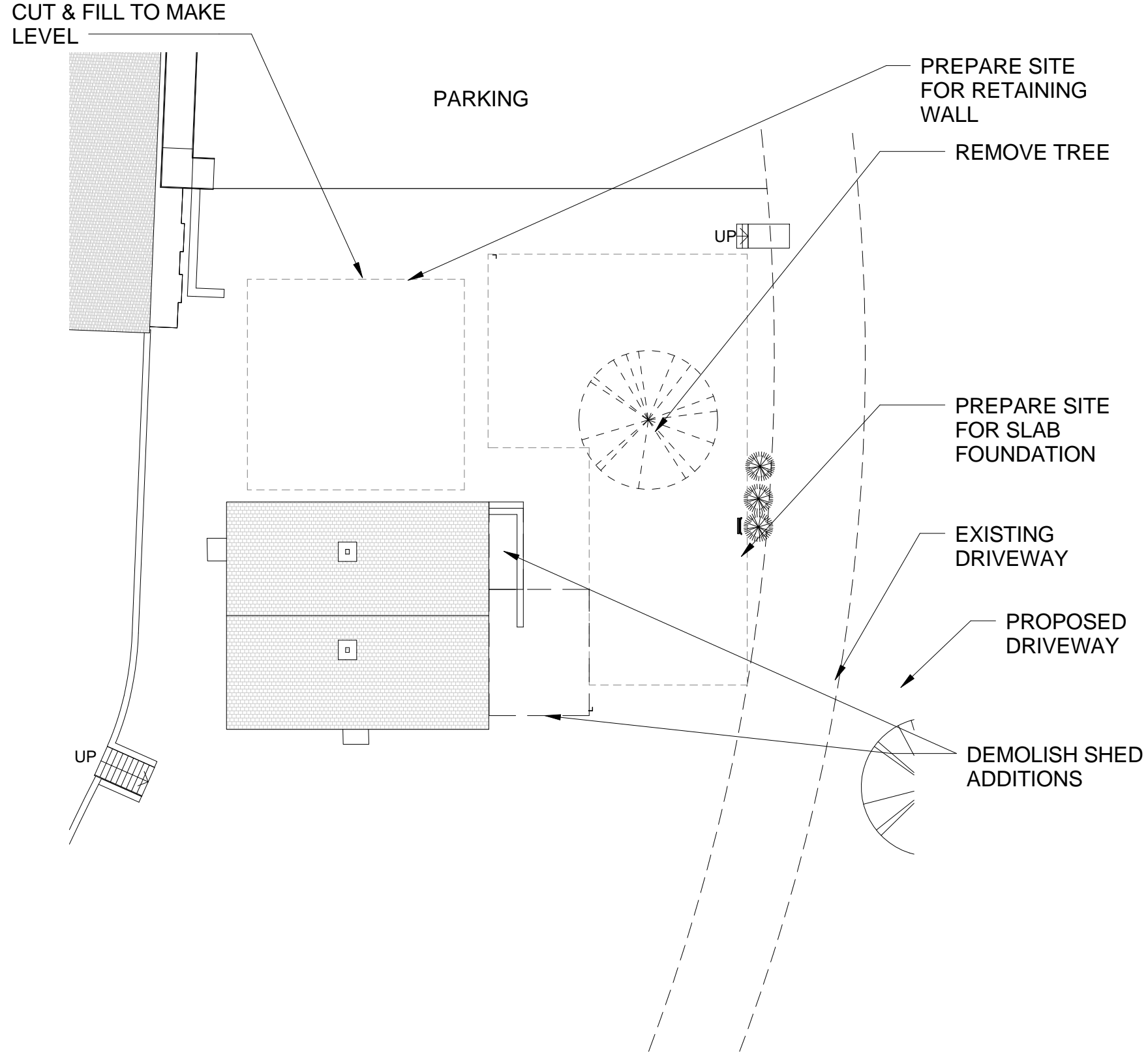
- In attic of Barn and Parsonage (2) convenience receptacles each attic, (6) lights each attic, power to assumed air handler in attic of Barn for cooling.
- New addressable FA system.
- Burglar alarm system.
- Lighting protection system.
- Timer for exterior lighting.

DRAWING LIST

- SP100 EXISTING SITE PLAN
- SP101 PROPOSED SITE PLAN
- A100 BASEMENT PLAN
- A101 FIRST FLOOR
- A102 SECOND FLOOR
- A102 ROOF PLAN

- EX100 EXISTING BASEMENT
- EX101 EXISTING FIRST FLOOR
- EX102 EXISTING SECOND FLOOR

- A900 VIEW - SOUTHEAST FACADE
- A901 VIEW - SOUTH FACADE
- A902 VIEW - COURTYARD VIEW
- A903 VIEW - PARKING ENTRY
- A904 VIEW - BIRDS EYE VIEW



1 EXISTING SITE
1" = 20'-0"

SPENCER & VOGT GROUP
architecture preservation

1 Thompson Square, Suite 504
Charlestown, MA 02129
617.227.2875
www.spencervogt.com

ISSUE:

9.3.2014

Date:

Author
Checked By: 1408.00
Project Number:

Author
Checked By: 1408.00
Project Number:

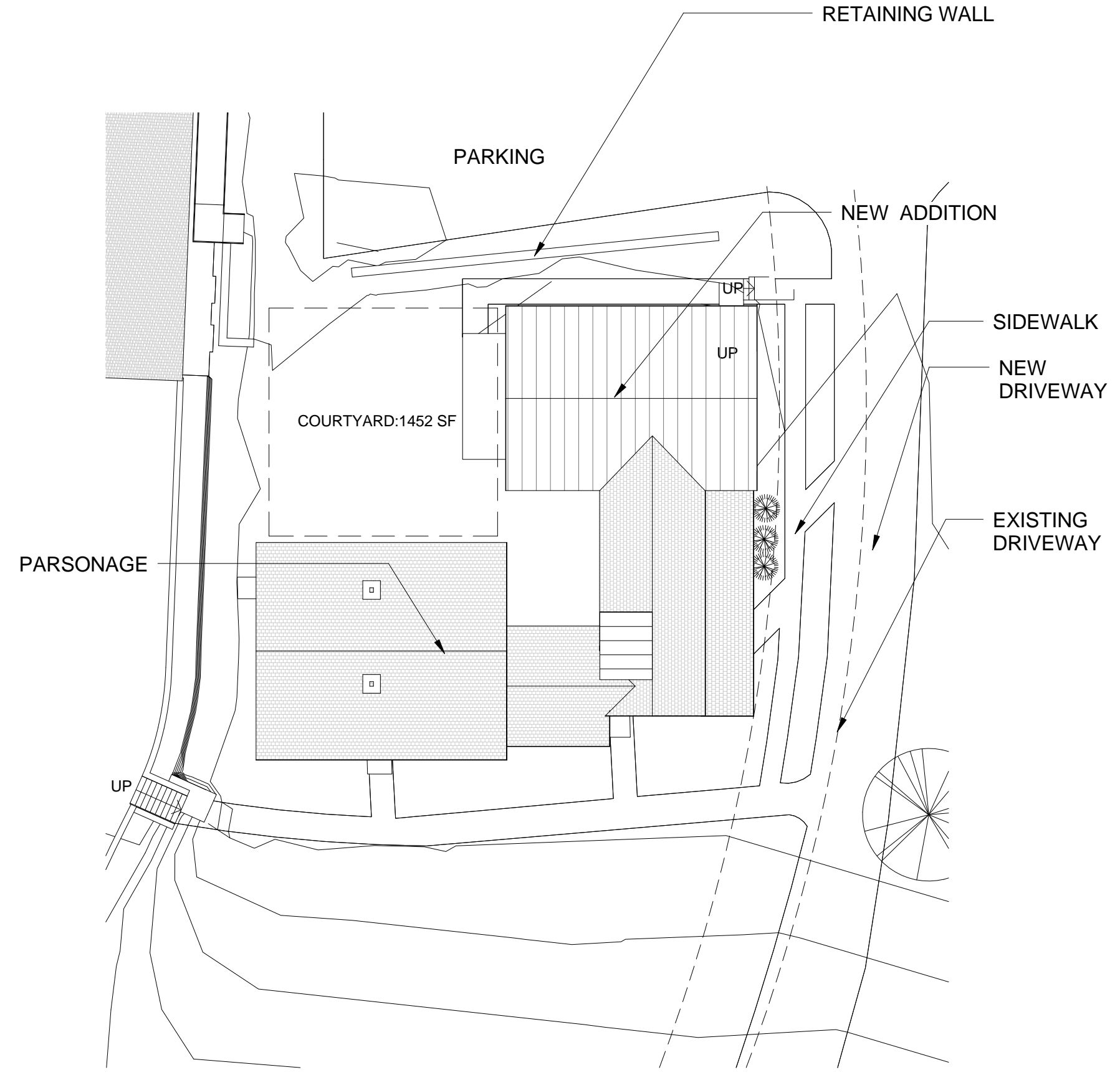
**SUDBURY
HISTORICAL
SOCIETY**

EXISTING SITE PLAN

Do not scale the drawings. All dimensions shall be confirmed prior to construction. The contractor shall immediately report any discrepancies to the architect.

SP100

1 Site
1" = 20'-0"



SPENCER & VOGT GROUP
architecture preservation
1 Thompson Square, Suite 504
Charlestown, MA 02129
617.227.2675
www.spencervogt.com

ISSUE:	
REVISIONS:	

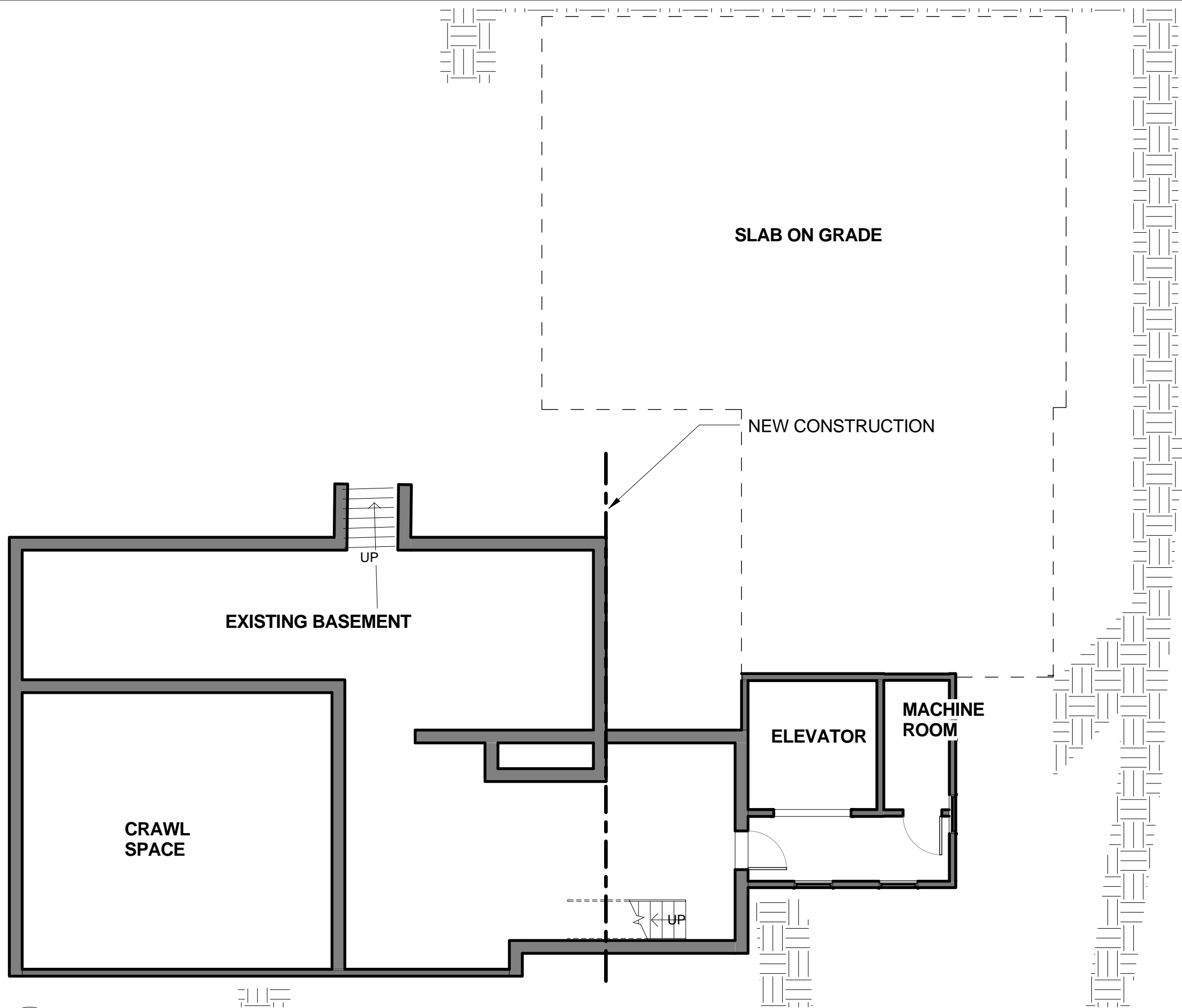
Date: 9.3.2014
 Drawn By: Author
 Checked By: Checker
 Project Number: 1408.00

Do not scale the drawings. All dimensions shall be confirmed prior to construction. The contractor shall immediately report any discrepancies to the architect.

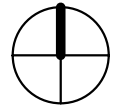
SUDBURY HISTORICAL SOCIETY

PROPOSED SITE PLAN

SP101



1 BASEMENT FLOOR
1/8" = 1'-0"



SPENCER & VOGT GROUP
architecture preservation
1 Thompson Square, Suite 504
Charlestown, MA 02129
617.227.2675
www.spencervogt.com

ISSUE:	
REVISIONS:	

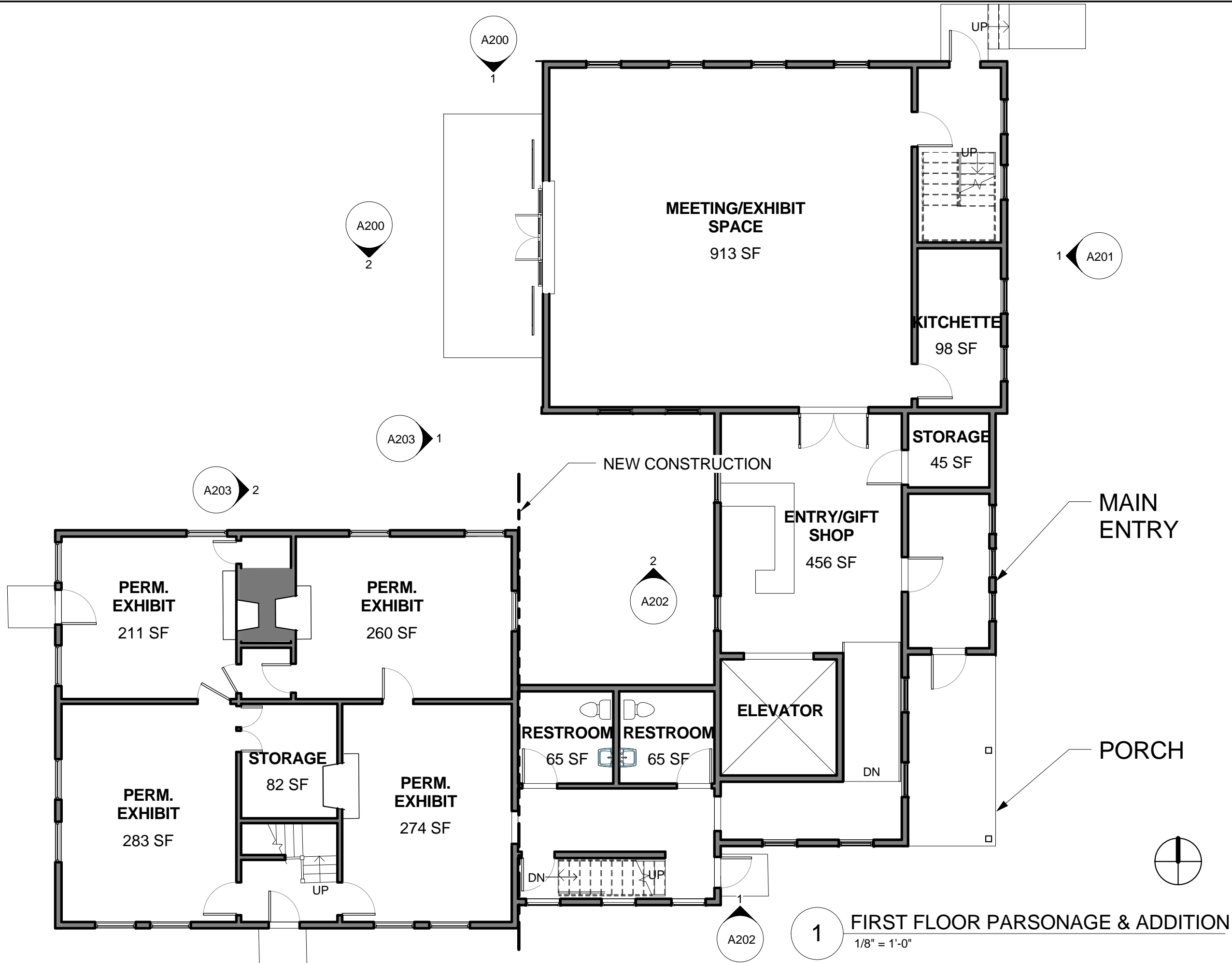
Date: 9.3.2014
 Drawn By: Author
 Checked By: Checker
 Project Number: 1408.00

Do not scale the drawings. All dimensions shall be confirmed prior to construction. The contractor shall immediately report any discrepancies to the architect.

SUDBURY HISTORICAL SOCIETY

BASEMENT PLAN

A100



1 FIRST FLOOR PARSONAGE & ADDITION
 1/8" = 1'-0"

SPENCER & VOGT GROUP
 architecture preservation
 1 Thompson Square, Suite 504
 Charlestown, MA 02129
 617.227.2875
 www.spencervogt.com

ISSUE:												
REVISIONS:												

Date: 9.3.2014
 Drawn By: Author
 Checked By: Checker
 Project Number: 1408.00

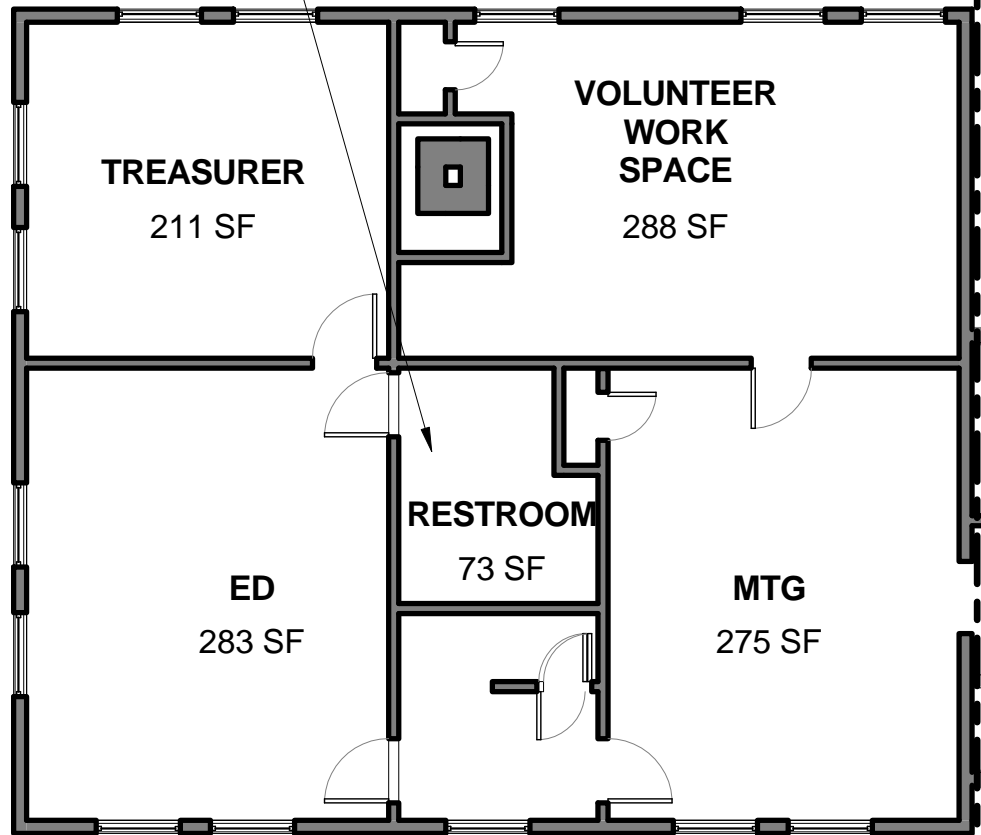
Do not scale the drawings. All dimensions shall be confirmed prior to construction. The contractor shall immediately report any discrepancies to the architect.

SUDBURY HISTORICAL SOCIETY

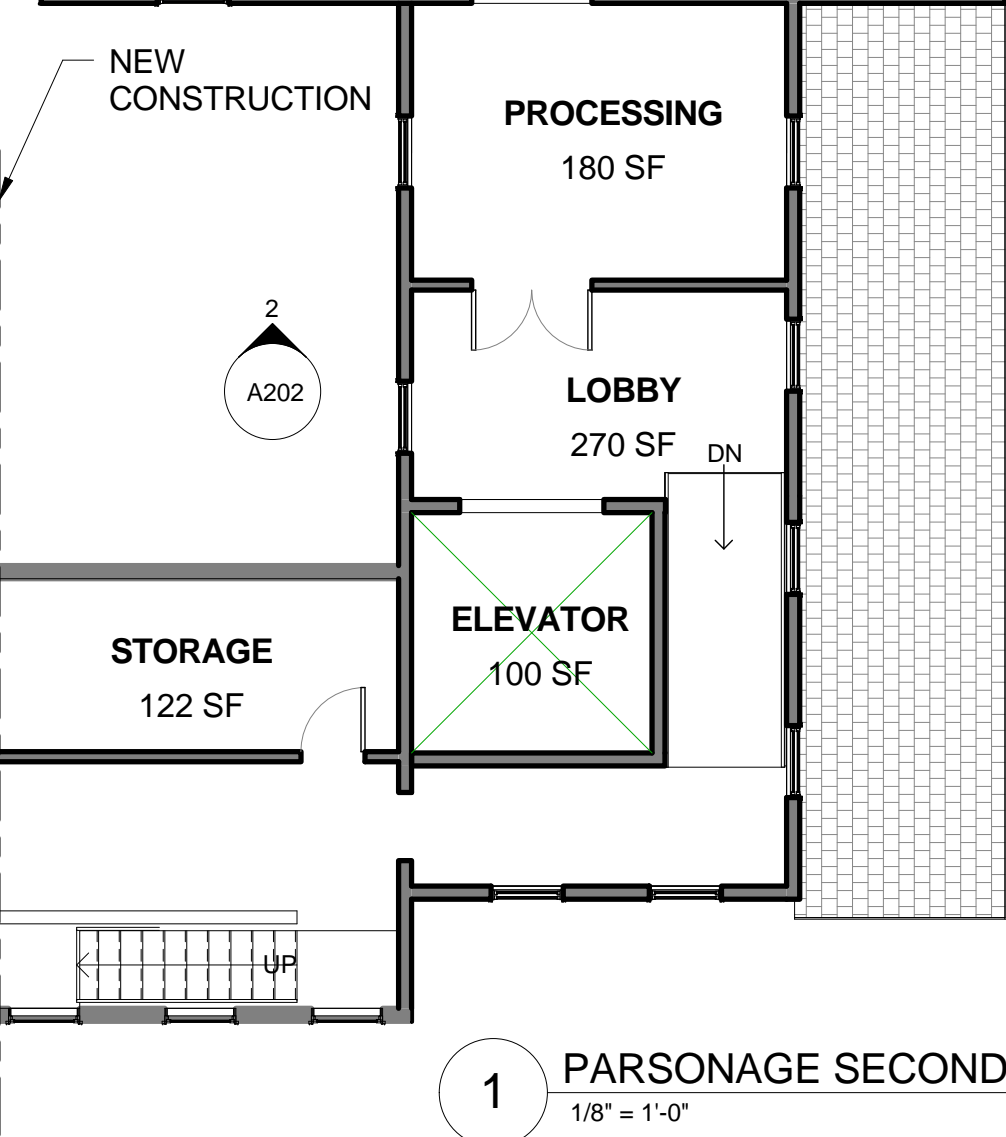
FIRST FLOOR PLAN

A101

NEW FIXTURES FOR
RESTROOM



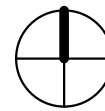
NEW
CONSTRUCTION



1

PARSONAGE SECOND FLOOR & ADDITION

1/8" = 1'-0"



ISSUE:								
Date:	9.3.2014	Drawn By:	Author	Checked By:	Checker	Project Number:	1408.00	
REVISIONS:								

Date: 9.3.2014
Drawn By: Author
Checked By: Checker
Project Number: 1408.00

Do not scale the drawings. All dimensions shall be confirmed prior to construction. The contractor shall immediately report any discrepancies to the architect.

**SUDBURY
HISTORICAL
SOCIETY**

SECOND FLOOR PLAN

A102

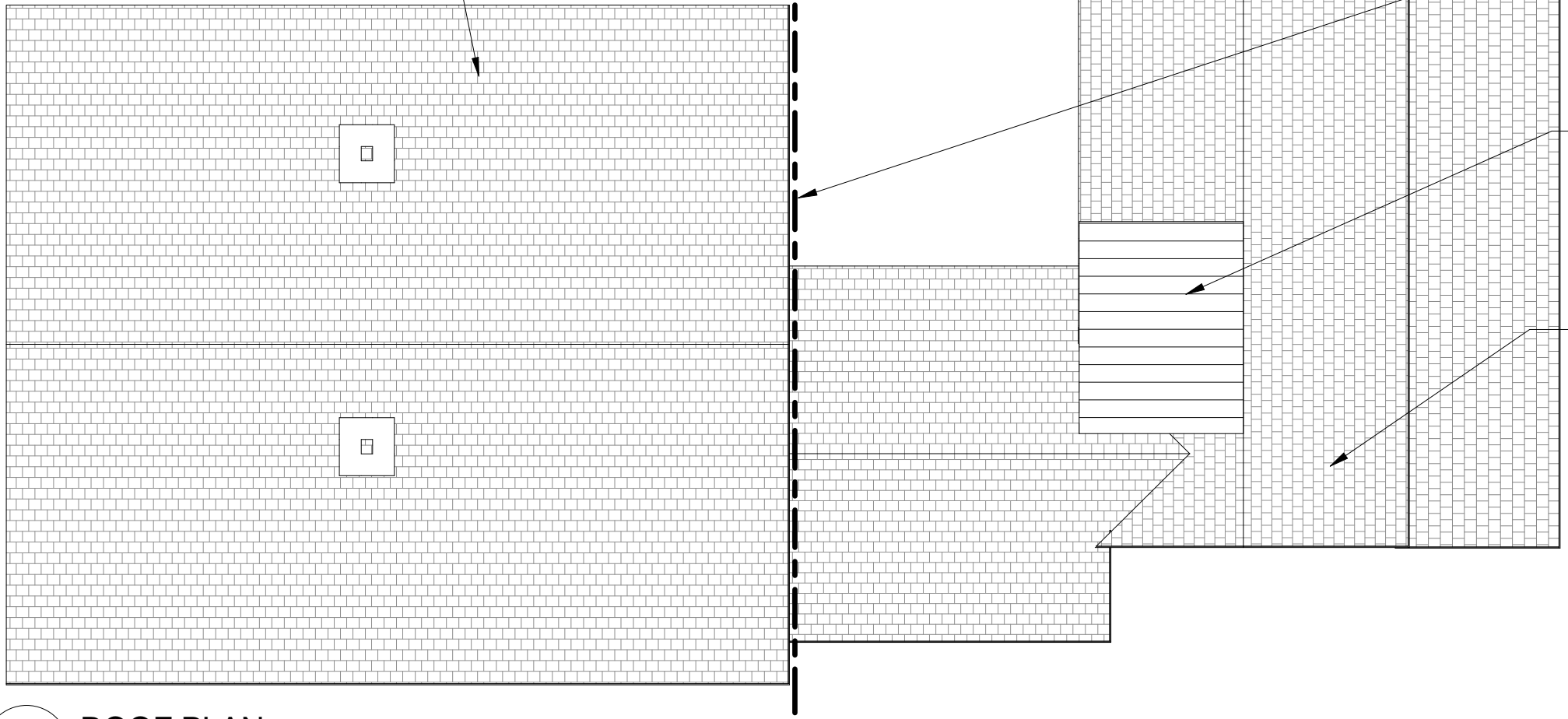
EXISTING PARSONAGE ROOF TO
REMAIN PARSONAGE

METAL ROOF

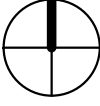
NEW
CONSTRUCTION

MEMBRANE ROOF

WOOD SHINGLE
ROOF



1 ROOF PLAN
1/8" = 1'-0"



SPENCER & VOGT GROUP
architecture preservation
1 Thompson Square, Suite 504
Charlestown, MA 02129
617.227.2675
www.spencervogt.com

ISSUE:									
Date:	9.3.2014	Drawn By:	Author	Checked By:	Checker	Project Number:	1408.00		

Do not scale the drawings. All dimensions shall be confirmed prior to construction. The contractor shall immediately report any discrepancies to the architect.

**SUDBURY
HISTORICAL
SOCIETY**

ROOF PLAN

A103



1 NORTH ELEVATION AA
1/8" = 1'-0"



2 NORTH ELEVATION BB
1/8" = 1'-0"

SPENCER & VOGT GROUP
architecture preservation
1 Thompson Square, Suite 504
Charlestown, MA 02129
617.227.2675
www.spencervogt.com

ISSUE:	
REVISIONS:	

Date: 9.3.2014
 Drawn By: Author
 Checked By: Checker
 Project Number: 1408.00

Do not scale the drawings. All dimensions shall be confirmed prior to construction. The contractor shall immediately report any discrepancies to the architect.

SUDBURY HISTORICAL SOCIETY

NORTH ELEVATION

A200

1 EAST ELEVATION
1/8" = 1'-0"



A201

SUDBURY
HISTORICAL
SOCIETY

EAST ELEVATION

Date: 9.3.2014
 Drawn By: Author
 Checked By: Checker
 Project Number: 1408.00

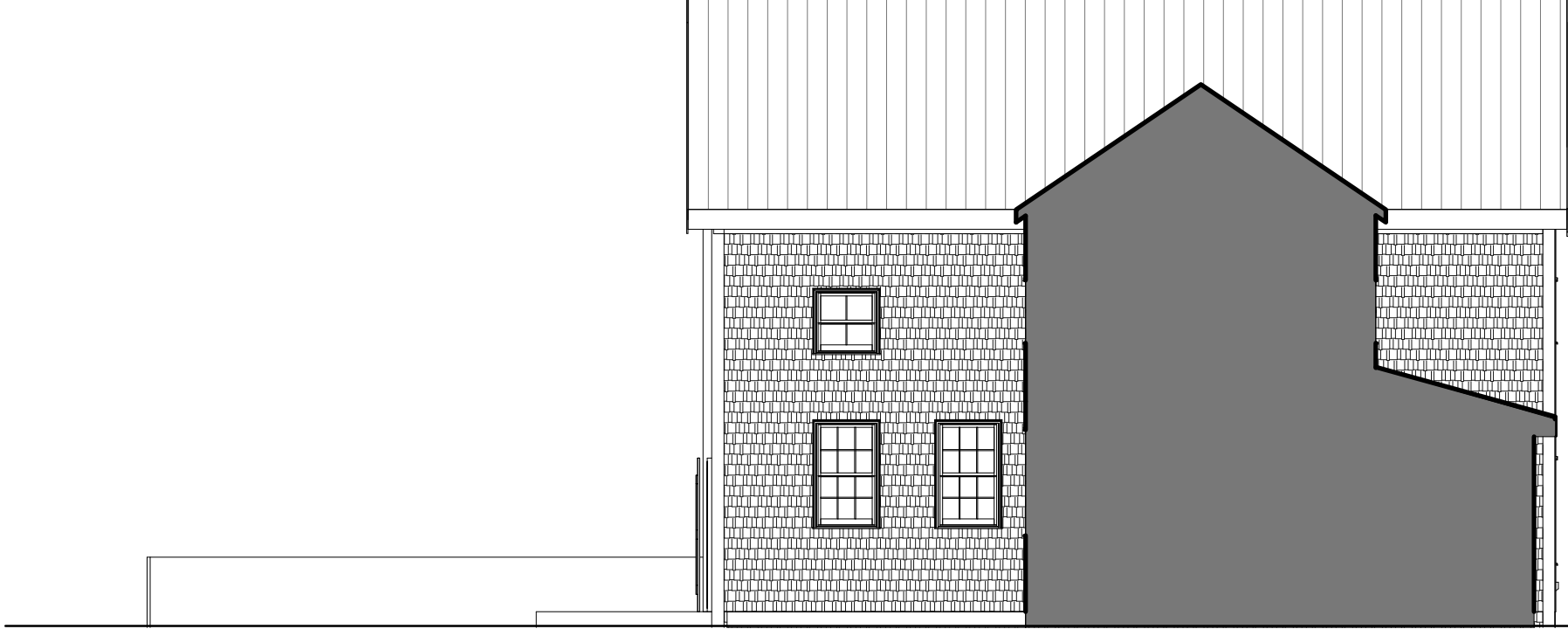
Do not scale the drawings. All dimensions shall be confirmed prior to construction. The contractor shall immediately report any discrepancies to the architect.

ISSUE:

SPENCER & VOGT GROUP
 architecture preservation
 1 Thompson Square, Suite 504
 Charlestown, MA 02129
 617.227.2675
 www.spencervogt.com



1 SOUTH ELEVATION AA
1/8" = 1'-0"



2 SOUTH ELEVATION BB
1/8" = 1'-0"

SPENCER & VOGT GROUP
architecture preservation
1 Thompson Square, Suite 504
Charlestown, MA 02129
617.227.2675
www.spencervogt.com

ISSUE:	
REVISIONS:	

Date:	9.3.2014
Drawn By:	Author
Checked By:	Checker
Project Number:	1408.00

Do not scale the drawings. All dimensions shall be confirmed prior to construction. The contractor shall immediately report any discrepancies to the architect.

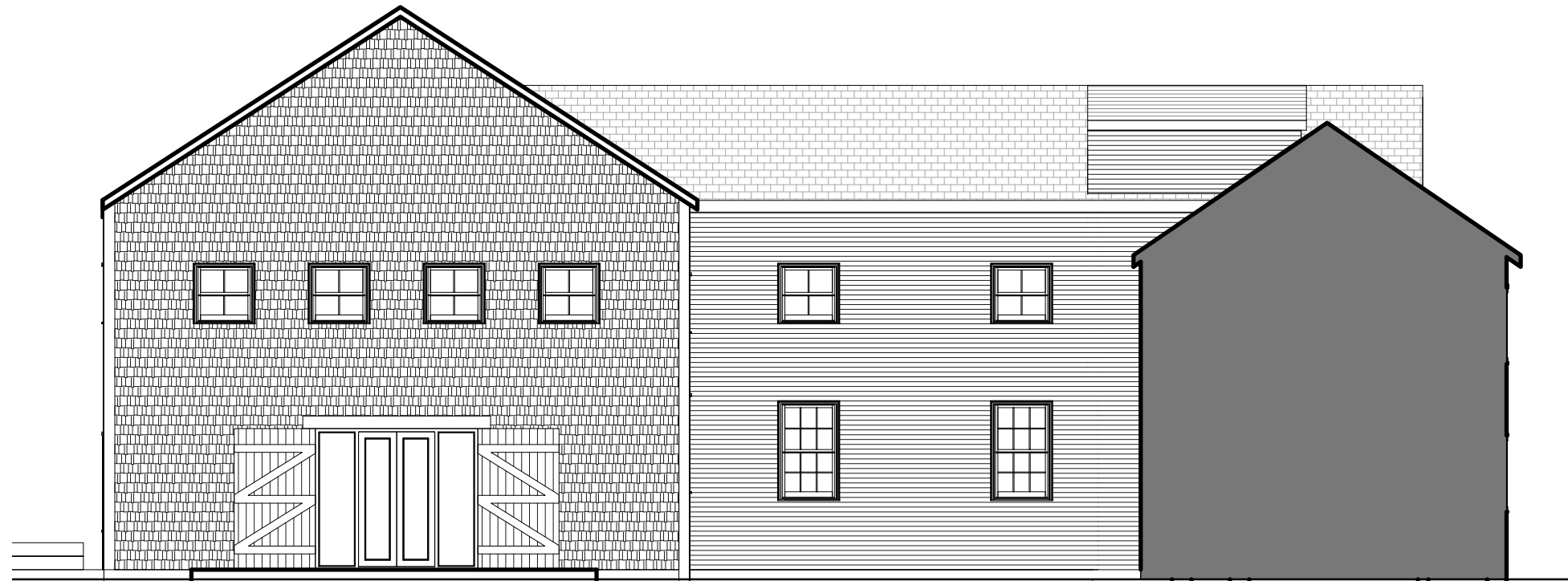
SUDBURY HISTORICAL SOCIETY

SOUTH ELEVATION

A202



1 WEST ELEVATION AA
1/8" = 1'-0"



2 WEST ELEVATION BB
1/8" = 1'-0"

SPENCER & VOGT GROUP
architecture preservation
1 Thompson Square, Suite 504
Charlestown, MA 02129
617.227.2675
www.spencervogt.com

ISSUE:	
REVISIONS:	

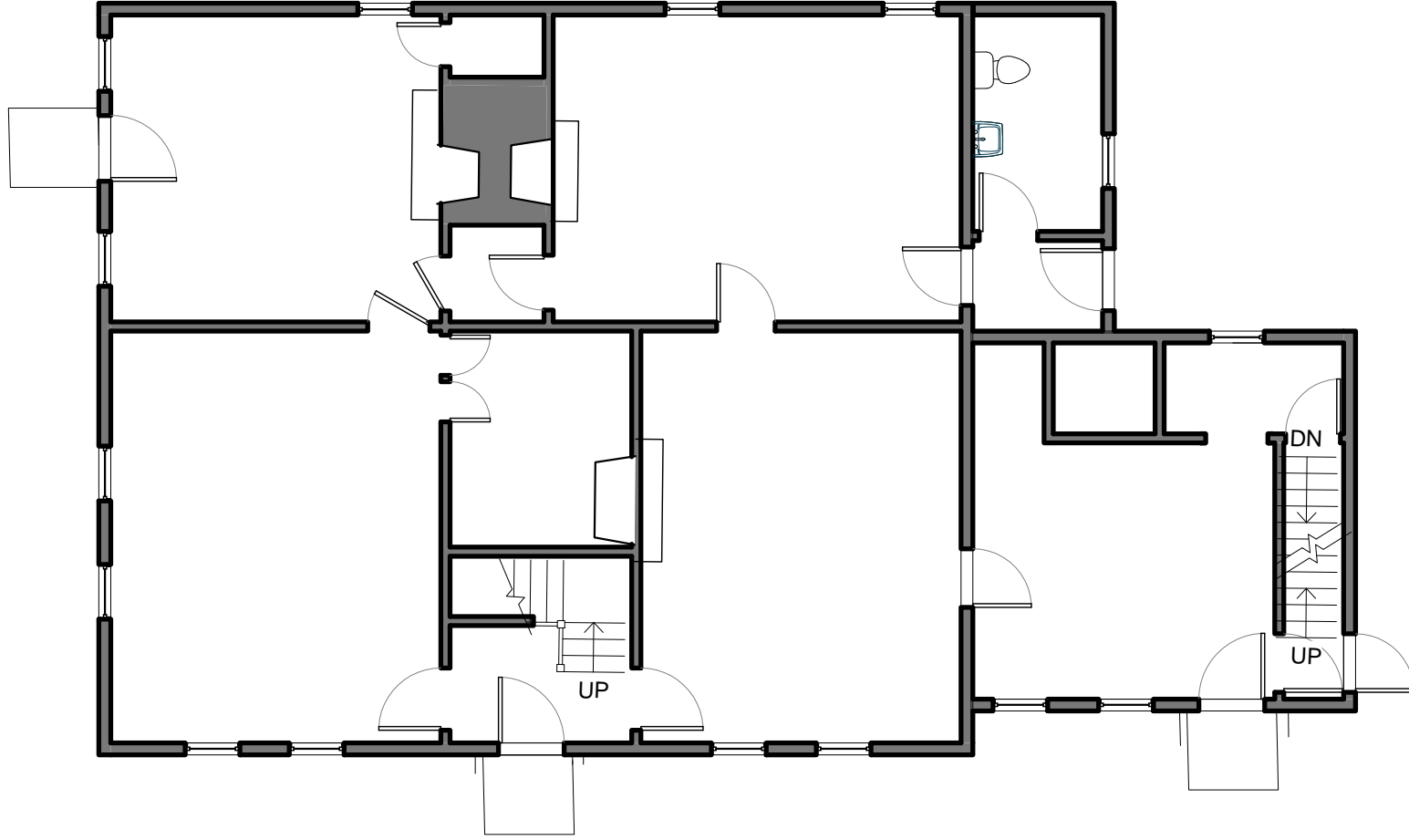
Date: 9.3.2014
 Drawn By: Author
 Checked By: Checker
 Project Number: 1408.00

Do not scale the drawings. All dimensions shall be confirmed prior to construction. The contractor shall immediately report any discrepancies to the architect.

**SUDBURY
HISTORICAL
SOCIETY**

WEST ELEVATION

A203



1

PARSONAGE FIRST FLOOR EXISTING

1/8" = 1'-0"

**SUDBURY
HISTORICAL
SOCIETY**

PARSONAGE FIRST
FLOOR EXISTING

Date: 9.3.2014
Drawn By: Author
Checked By: Checker
Project Number: 1408.00

Do not scale the drawings. All dimensions shall be confirmed prior to construction. The contractor shall immediately report any discrepancies to the architect.

ISSUE:

REVISIONS:

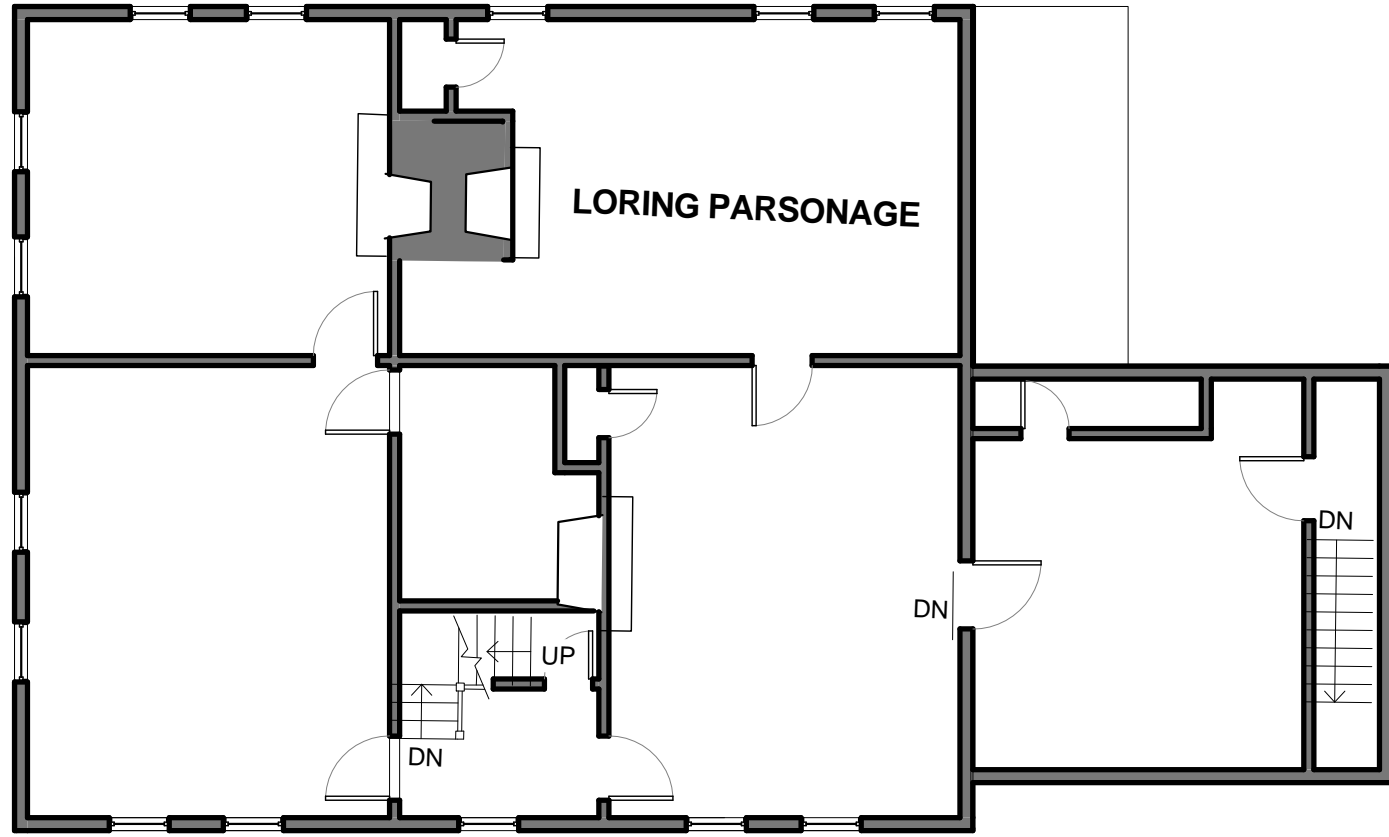
SPENCER & VOGT GROUP
architecture preservation

1 Thompson Square, Suite 504
Charlestown, MA 02129
617.227.2675
www.spencervogt.com

1

PARSONAGE SECOND FLOOR EXISTING

1/8" = 1'-0"



SUDBURY HISTORICAL SOCIETY

PARSONAGE SECOND
FLOOR EXISTING

Date: 9.3.2014
 Drawn By: Author
 Checked By: Checker
 Project Number: 1408.00

Do not scale the drawings. All dimensions shall be confirmed prior to construction. The contractor shall immediately report any discrepancies to the architect.

ISSUE:

REVISIONS:

SPENCER & VOGT GROUP
 architecture preservation

1 Thompson Square, Suite 504
 Charlestown, MA 02129
 617.227.2675
 www.spencervogt.com

EX 102



1

SOUTH EAST FACADE

SPENCER & VOGT GROUP
 architecture preservation
 1 Thompson Square, Suite 504
 Charlestown, MA 02129
 617.227.2675
 www.spencervogt.com

ISSUE:										

Date: 9.3.2014
 Drawn By: Author
 Checked By: Checker
 Project Number: 1408.00

Do not scale the drawings. All dimensions shall be confirmed prior to construction. The contractor shall immediately report any discrepancies to the architect.

**SUDBURY
 HISTORICAL
 SOCIETY**

SOUTH EAST FACADE

A900



1 SOUTH FACADE

SPENCER & VOGT GROUP
 architecture preservation
 1 Thompson Square, Suite 504
 Charlestown, MA 02129
 617.227.2675
 www.spencervogt.com

ISSUE:	
REVISIONS:	

Date:	9.3.2014
Drawn By:	Author
Checked By:	Checker
Project Number:	1408.00

Do not scale the drawings. All dimensions shall be confirmed prior to construction. The contractor shall immediately report any discrepancies to the architect.

**SUDBURY
 HISTORICAL
 SOCIETY**

SOUTH FACADE

A901



1 Courtyard View

ISSUE:	
REVISIONS:	

Date:	9.3.2014
Drawn By:	Author
Checked By:	Checker
Project Number:	1408.00

Do not scale the drawings. All dimensions shall be confirmed prior to construction. The contractor shall immediately report any discrepancies to the architect.

**SUDBURY
 HISTORICAL
 SOCIETY**

COURTYARD VIEW

A902



1

PARKING ENTRY VIEW

SPENCER & VOGT GROUP
 architecture preservation
 1 Thompson Square, Suite 504
 Charlestown, MA 02129
 617.227.2675
 www.spencervogt.com

ISSUE:	
REVISIONS:	

Date: 9.3.2014
 Drawn By: Author
 Checked By: Checker
 Project Number: 1408.00

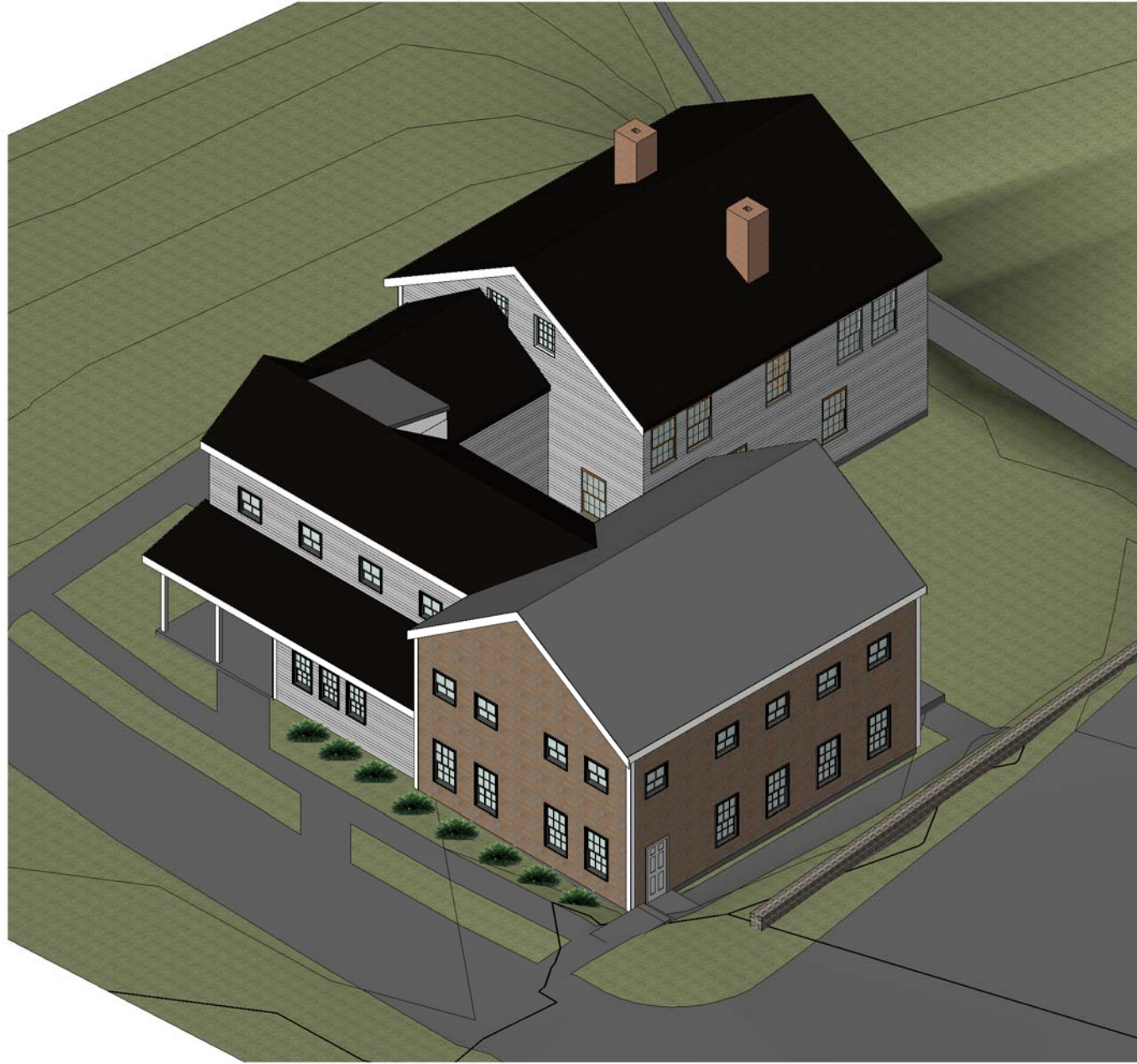
Do not scale the drawings. All dimensions shall be confirmed prior to construction. The contractor shall immediately report any discrepancies to the architect.

**SUDBURY
 HISTORICAL
 SOCIETY**

PARKING ENTRY VIEW

A903

1 BIRDS EYE VIEW



A904

SUDBURY
HISTORICAL
SOCIETY

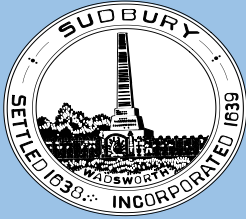
BIRDS EYE VIEW

Date: 9.3.2014
 Drawn By: Author
 Checked By: Checker
 Project Number: 1408.00

Do not scale the drawings. All dimensions shall be confirmed prior to construction. The contractor shall immediately report any discrepancies to the architect.

ISSUE:	
REVISIONS:	

SPENCER & VOGT GROUP
 architecture preservation
 1 Thompson Square, Suite 504
 Charlestown, MA 02129
 617.227.2675
 www.spencervogt.com



SUDBURY BOARD OF SELECTMEN
WEDNESDAY, NOVEMBER 12, 2014

Item # 2

SAAN Sale Acceptance for Traffic Center Project

Date of Request: 10/23/2014

Requested by: Andrea Terkelsen

Formal Title:

Vote to accept the notice of SAANs (State Aid Anticipation Note) sold on November 6, 2014 and awarded by the Town Treasurer through the State House Note program. (Andrea Terkelsen, Finance Director, to attend)

Recommendations/Suggested Motion/Vote:

Vote/Sign

Vote to accept the notice of SAANs (State Aid Anticipation Note) sold on November 6, 2014 and awarded by the Town Treasurer through the State House Note program. (Andrea Terkelsen, Finance Director, to attend)

Background Information:

see attached

Financial Impact Expected:

Approximate Time Requested: 15 min

Representative(s) Expected to Attend Meeting:

Andrea Terkelsen, Treasurer-Collector

MEMORANDUM

To: Board of Selectmen
Maureen Valente, Town Manager

From: Andrea Terkelsen, Finance Director/ Treasurer-Collector

Date: November 6, 2014

Subject: Note Sale

Vote: Motion to acknowledge the notice of sale of a short-term note which took place on November 6, 2014; further to accept the awarding of a SAN's in the amount of \$1,265,000 by the Town Treasurer to Century Bank.

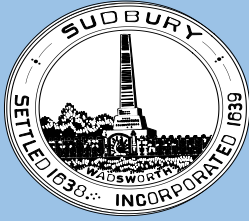
Sign: Upon acceptance the Board is hereby asked to countersign the short-term note

Background: Earlier today, I took bids on \$1,265,000 in short-term debt through the State House Note program. This issue is to provide funding for the Traffic Center project in advance of grants in accordance with Section 34 Chapter 90 MGL. The proceeds from this SAN are to be delivered on November 19, 2014.

Sale Amount: \$1,265,000 Duration: 304 days

We received three bids from local banking institutions. The SAN for the entire sum of \$1,265,000 is to be awarded to Century Bank at 0.40%.

Repayment Source: Funds set aside in part or in full from Sudbury's apportionment(s) through FY2015 Chapter 90 reimbursement cycles. The Chapter 90 Program was enacted on March 23, 1973, by vote of the Public Works Commission to entitle municipalities to reimbursement of documented expenditures under the provisions of General Laws, Chapter 90, Section 34, Clause 2(a) on approved projects.



SUDBURY BOARD OF SELECTMEN
WEDNESDAY, NOVEMBER 12, 2014

Item # 3
Remote Participation

Date of Request: 10/21/2014

Requested by: Town Manager Maureen Valente

Formal Title:
Discussion of Remote Participation

Recommendations/Suggested Motion/Vote:

No vote; discussion only

Background Information:

See attached documents: (1) regulations for Remote Participation; (2) minutes and materials from 7/31/12 BOS meeting when this was previously discussed; (3) information from Paul Kenny, Town Counsel

Financial Impact Expected: N/A

Approximate Time Requested: 15 min

Representative(s) Expected to Attend Meeting:



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: November 7, 2014
To: Board of Selectmen
From: Maureen G. Valente, Town Manager
Subject: Remote Participation Question

A request was made to the Board of Selectmen to consider again the question of approving Remote Participation for Boards and Committees of the Town of Sudbury. I have attached three items for your consideration.

- The regulations for Remote Participation.
- Minutes and materials from the Board meeting of July 31, 2012 when this was previously discussed.
- Information from Paul Kenny, Town Counsel.

If the Board of Selectmen decides, after review of these item and discussion, that you are interested in adopting this for Sudbury, I would suggest that you direct the staff and I to take steps necessary to get you ready for that vote. Those steps might include:

- Surveying other Sudbury boards and committees (again) to see if they see this as a positive option or if they anticipate issues or problems if adopted.
- Development of a policy for the Board's approval. You were provided with sample policies from Westwood and Southborough at the Citizen's Comment portion of your meeting when the question of looking at this issue again was raised. I would suggest that staff review these as well as others and develop a draft policy for your consideration.
- Asking the party who made the request to you, as well as any other interested party, to attend the Board meeting when your vote is being considered to hear their perspective again. I believe it is the Council on Aging as well as the Conservation Commission that has expressed interest in this being looked at again.
- If desired, asking Town's that adopted earlier if they have encountered any problems, or reversed their vote on this.

Please advise on any questions you might have.

CCode of Massachusetts Regulations Currentness

Title 940: Office of the Attorney General

Chapter 29.00: Open Meetings (Refs & Annos)**→→ 29.10: Remote Participation**

(1) Preamble. Remote participation may be permitted subject to the following procedures and restrictions. However, the Attorney General strongly encourages members of public bodies to physically attend meetings whenever possible. By promulgating 940 CMR 29.10, the Attorney General hopes to promote greater participation in government. Members of public bodies have a responsibility to ensure that remote participation in meetings is not used in a way that would defeat the purposes of the Open Meeting Law, namely promoting transparency with regard to deliberations and decisions on which public policy is based.

(2) Adoption of Remote Participation. Remote participation in meetings of public bodies is not permitted unless the practice has been adopted as follows:

(a) Local Public Bodies. The Chief Executive Officer, as defined in M.G.L. c. 4, § 7, must authorize or, by a simple majority, vote to allow remote participation in accordance with the requirements of 940 CMR 29.10, with that authorization or vote applying to all subsequent meetings of all local public bodies in that municipality.

(b) Regional or District Public Bodies. The regional or district public body must, by a simple majority, vote to allow remote participation in accordance with the requirements of 940 CMR 29.10, with that vote applying to all subsequent meetings of that public body and its committees.

(c) Regional School Districts. The regional school district committee must, by a simple majority, vote to allow remote participation in accordance with the requirements of 940 CMR 29.10, with that vote applying to all subsequent meetings of that public body and its committees.

(d) County Public Bodies. The county commissioners must, by a simple majority, vote to allow remote participation in accordance with the requirements of 940 CMR 29.10, with that vote applying to all subsequent meetings of all county public bodies in that county.

(e) State Public Bodies. The state public body must, by a simple majority, vote to allow remote participation in accordance with the requirements of 940 CMR 29.10, with that vote applying to all subsequent meetings of that public body and its committees.

(f) Retirement Boards. A retirement board created pursuant to M.G.L. c. 32, § 20 or M.G.L. c. 34B, § 19 must, by a simple majority, vote to allow remote participation in accordance with the requirements of 940 CMR 29.10, with that vote applying to all subsequent meetings of that public body and its committees.

(3) Revocation of Remote Participation. Any person or entity with the authority to adopt remote participation pursuant to 940 CMR 29.10(2) may revoke that adoption in the same manner.

(4) Minimum Requirements for Remote Participation.

(a) Members of a public body who participate remotely and all persons present at the meeting location shall be clearly audible to each other;

(b) A quorum of the body, including the chair or, in the chair's absence, the person authorized to chair the meeting, shall be physically present at the meeting location, as required by M.G.L. c. 30A, § 20(d);

(c) Members of public bodies who participate remotely may vote and shall not be deemed absent for the purposes of M.G.L. c. 39, § 23D.

(5) Permissible Reasons for Remote Participation. If remote participation has been adopted in accordance with 940 CMR 29.10(2), a member of a public body shall be permitted to participate remotely in a meeting, in accordance with the procedures described in 940 CMR 29.10(7), if the chair or, in the chair's absence, the person chairing the meeting, determines that one or more of the following factors makes the member's physical attendance unreasonably difficult:

(a) Personal illness;

(b) Personal disability;

(c) Emergency;

(d) Military service; or

(e) Geographic distance.

(6) Technology.

(a) The following media are acceptable methods for remote participation. Remote participation by any other means is not permitted. Accommodations shall be made for any public body member who requires TTY service, video relay service, or other form of adaptive telecommunications.

1. telephone, internet, or satellite enabled audio or video conferencing;

2. any other technology that enables the remote participant and all persons present at the meeting location to be clearly audible to one another.

(b) When video technology is in use, the remote participant shall be clearly visible to all persons present in the meeting location.

(c) The public body shall determine which of the acceptable methods may be used by its members.

(d) The chair or, in the chair's absence, the person chairing the meeting, may decide how to address technical difficulties that arise as a result of utilizing remote participation, but is encouraged, wherever possible, to suspend discussion while reasonable efforts are made to correct any problem that interferes with a remote participant's ability to hear or be heard clearly by all persons present at the meeting location. If technical difficulties result in a remote participant being disconnected from the meeting, that fact and the time at which the disconnection occurred shall be noted in the meeting minutes.

(e) The amount and source of payment for any costs associated with remote participation shall be determined by the applicable adopting entity identified in 940 CMR 29.10(2).

(7) Procedures for Remote Participation.

(a) Any member of a public body who wishes to participate remotely shall, as soon as reasonably possible prior to a meeting, notify the chair or, in the chair's absence, the person chairing the meeting, of his or her desire to do so and the reason for and facts supporting his or her request.

(b) At the start of the meeting, the chair shall announce the name of any member who will be participating remotely and the reason under 940 CMR 29.10(5) for his or her remote participation. This information shall also be recorded in the meeting minutes.

(c) All votes taken during any meeting in which a member participates remotely shall be by roll call vote.

(d) A member participating remotely may participate in an executive session, but shall state at the start of any such session that no other person is present and/or able to hear the discussion at the remote location, unless presence of that person is approved by a simple majority vote of the public body.

(e) When feasible, the chair or, in the chair's absence, the person chairing the meeting, shall distribute to remote participants, in advance of the meeting, copies of any documents or exhibits that he or she reasonably anticipates will be used during the meeting. If used during the meeting, such documents shall be part of the official record of the meeting, and shall be listed in the meeting minutes and retained in accordance with M.G.L. c. 30A, § 22.

(8) Further Restriction by Adopting Authority. 940 CMR 29.10 does not prohibit any person or entity with the au-

thority to adopt remote participation pursuant to 940 CMR 29.10(2) from enacting policies, laws, rules or regulations that prohibit or further restrict the use of remote participation by public bodies within that person or entity's jurisdiction, provided those policies, laws, rules or regulations do not violate state or federal law.

(9) Remedy for Violation. If the Attorney General determines, after investigation, that 940 CMR 29.10 has been violated, the Attorney General may resolve the investigation by ordering the public body to temporarily or permanently discontinue its use of remote participation.

Mass. Regs. Code tit. 940, § 29.10, 940 MA ADC 29.10

Current through August 16, 2013, Register #1241

END OF DOCUMENT

Mill Village – Donation

It was on motion unanimously

VOTED: To accept \$80 into the Walkway Account from Kirsten Van Dijk on behalf of the Mill Village business participants in the July 4th Window Display Contest, and expended under the direction of the DPW Director.

State Primary Election – Service of Warrant

It was on motion unanimously

VOTED: To sign the Service of Warrant for the September 6, 2012 State Primary Election, which must be posted no later than Thursday, August 30, 2012, as requested by the Town Clerk.

Energy and Sustainability Green Ribbon Committee – Resignation

It was on motion unanimously

VOTED: To accept the resignation of Jennifer Dudgeon, 148 Nobscot Road, as a member of the Energy and Sustainability Green Ribbon Committee, as requested in an email dated July 16, 2012, and to send a letter of appreciation for her service to the Town.

MetroWest Regional Transportation Authority – Designee Re-appointment

It was on motion unanimously

VOTED: To re-appoint Debra Galloway, Council on Aging Director, as the MetroWest Regional Transit Authority designee by the Chief Elected Officer.

Chapter 39, Sec. 23D – Remote Participation – Discussion - Open Meeting Law – New Regulations Allowing Remote Participation

The Board was previously in receipt of copies of a memorandum from Town Manager Valente dated July 25, 2012, a summary entitled “Basics of Remote Participation,” the relevant section of the official website of the Attorney General of Massachusetts and a relevant section of Sudbury’s Planning Board Meeting Minutes of November 30, 2011, supporting adoption of the remote participation regulations, while encouraging in-person participation as the preferred option.

Town Manager Valente summarized the option for the Board.

Selectman Drobinski asked what the criterion is for geographical distance being a reason to participate remotely. He also asked how one handles handouts distributed at a meeting, which the person participating remotely would not have for reference or be able to view. Town Manager Valente stated she could try to obtain more specific information for the Board, and she noted other communities have also noted these concerns.

Selectman Drobinski stated the concept is good, but he would not want to see its practice abused. He believes it is important for the public to be able to interact in person with board/committee members.

Selectman Drobinski further stated board/committee members should be in the same room where the meeting is scheduled. He believes the intimacy of a meeting venue allows citizens the opportunity to engage in meaningful discussion. Although, Selectman Drobinski appreciates advances in technology, he believes local government should continue to be conducted in person as much as possible.

Chairman O'Brien concurred, noting it has not occurred in recent memory that the Board was not able to arrange its schedule to accommodate a member's schedule. He also stated he does not believe there is an urgency for the Board to decide on adopting this option at this time.

Vice-Chairman Haarde agreed that remote participation is not as effective as in-person interactions, noting conference calls, while useful, are often not as effective as meetings.

Town Manager Valente reported Town Counsel Paul Kenny has stated the Board could decide at any time when, if and how it wanted to adopt this option, but does not have to do so now.

The consensus of the Board was that there were not enough compelling reasons to take action on this option at this time, and that Sudbury should continue to recommend in-person participation by members on committees and boards.

Goodnow Library Foundation – One-Day Liquor License

The Board was previously in receipt of copies of several emails from Goodnow Foundation President Jill Browne dated June 5, 2012, July 2, 2012 and July 24, 2012, an email from Sue Shapiro dated July 24, 2012, copies of six TIPS Certificates of Completion, a letter from Town Counsel Paul Kenny dated July 6, 2007, clarifying issues regarding the use of alcoholic beverages in Town facilities, email messages from Sudbury's Police Chief, Fire Chief and Building Inspector, noting no objections to the request.

Selectman Drobinski stated he sees no problem with the request.

Town Manager Valente referenced the communications from the Police and Fire Departments, noting they do not have objections to the request.

Vice-Chairman Haarde asked if the TIPS certificates provided are for all who will be serving at the event. He also asked if the Goodnow Foundation has insurance coverage. Town Manager Valente stated the appropriate insurance coverage for this type of request is required by the Town.

It was on motion unanimously

VOTED: As the Licensing Authority for the Town of Sudbury, to grant a one-day All Alcoholic Beverages License to Jill W. Browne, 80 Woodmere Drive, representing the Goodnow Library Foundation, to accommodate a fundraising event at the Goodnow Library, 21 Concord Road, on Saturday, October 20, 2012, from 6:30 p.m. to 10:00 p.m., subject to receipt of a Certificate of Liability for insurance secured by the Goodnow Foundation which names the Town as an additional insured and receipt of TIPS certificates for each individual who will work as servers at the event.



Town of Sudbury

Town Manager's Office

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

Maureen G. Valente, Town Manager

Townmanager@town.sudbury.ma.us

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

Date: July 25, 2012
To: Board of Selectmen
From: Maureen G. Valente, Town Manager *Maureen*
Subject: Remote participation discussion and future decision

The Board had earlier requested that I put this item on your agenda for discussion and development of action steps. For your review at this meeting, I have developed a statement of basics of remote participation, based on the section of the general laws and materials from other towns which have already discussed and voted on this.

Below is a partial listing of nearby towns who have adopted remote participation. I will try to have this updated by your meeting on Tuesday, including a list of communities which have not considered this matter yet, or have voted not to adopt.

Adopted Remote Participation:

Acton
Carlisle
Hopkinton
Natick
Wayland
Westwood

I recommend that you review these attached materials, discuss as a board, and then provide me with any questions you may have, as well as any other items you may want to include in your final decision. We can then schedule the actual vote on one of your future agendas.

Some other items you may want to think about.

1. Asking the other Sudbury boards and committees for their recommendations. Your decision will be binding on them as well, so their input might be important.
2. Adding other restrictions that make sense to you, keeping in mind the need to not make this overly difficult to administer for the committee chairs.

Valente, Maureen

From: Kenny, Paul
Sent: Friday, October 03, 2014 3:40 PM
To: Valente, Maureen
Cc: Jones, Elaine
Subject: Remote participation

Maureen:

The AG regulations have not changed. (Copy attached for your convenience.)
The Selectmen must first authorize for all boards and committees. They can't pick and chose.
Selectmen can rescind for all in same manner as approved.

I reviewed Westwood and Southborough. Both are fine. Westwood simpler and straight forward.

Paul

Town of Westwood

Remote Participation Policy

Adoption of Remote Participation

The Board of Selectmen must authorize by a simple majority, vote to allow remote participation in accordance with the requirements of these regulations, with that authorization or vote applying to all subsequent meetings of all local public bodies in that municipality.

Minimum requirements for Remote Participation

Members of the public body who participate remote and all persons present at the meeting location shall be clearly audible to each other.

A quorum of the body, including the chair or, in the chair's absence, the person authorized to chair the meeting, shall be physically present at the meeting location, as required by M.G.L. c.30A, sec 20(d)

Members of public bodies who participate remotely may vote and shall not be deemed absent for the purposes of M.G.L. c. 39, sec 23D.

Section 23D. (a) Notwithstanding any general or special law to the contrary, upon municipal acceptance of this section for 1 or more types of adjudicatory hearings, a member of any municipal board, committee or commission when holding an adjudicatory hearing shall not be disqualified from voting in the matter solely due to that member's absence from no more than a single session of the hearing at which testimony or other evidence is received. Before any such vote, the member shall certify in writing that he has examined all evidence received at the missed session, which evidence shall include an audio or video recording of the missed session or a transcript thereof. The written certification shall be part of the record of the hearing. Nothing in this section shall change, replace, negate or otherwise supersede applicable quorum requirements.

Permissible reasons for Remote Participation

A Board member may attend a meeting through electronic conferencing if his or her physical presence at the meeting is prevented due to i) personal illness or disability; ii) a family or other emergency; iii) Military Service; iv) geographic distance (due to personal employment or business with public body.)

Acceptable Methods of Remote Participation

Accommodations shall be made for any public body member who requires TTY service, video relay service, or other form of adaptive communications.

- (i) Telephone, internet, or satellite enabled audio or video conferencing.
- (ii) Any other technology that enables the remote participant and all persons present at the meeting location to be clearly audible and, if possible clearly visible to all persons present at the meeting location.
- (iii) If technical difficulties arise as a result of utilizing remote participation the Chair should suspend discussion while reasonable efforts are made to correct any problem that interferes with remote participant's ability to hear or be heard clearly by all persons at the meeting location. If technical difficulties result in a remote participant being disconnected from the meeting, that fact and the time at which the disconnection occurred and subsequent reconnection if achieved shall be noted in the meeting minutes. If a public hearing occurs after disconnection, the member shall be noted as absent.

Procedures for Remote Participation

- (i) Any member of a public body who wishes to participate remotely shall, at least 48 hours or as soon as reasonably possible prior to the meeting, notify the chair or person chairing the meeting.
- (ii) Prior to the meeting the individual and staff will discuss and if possible test the equipment that will be used to make the connection to ensure it is functioning properly.
- (iii) At the start of the meeting, the chair shall announce the name of any member who will be participating remotely and the reason under 940CMR 29.10(5) for his or her remote participation. This information shall also be recorded in the meeting minutes.
- (iv) All votes taken during any meeting in which a member participates remotely shall be by roll call vote. Members may participate remotely even if they are not qualified to vote.
- (v) A member participating remotely may participate in an executive session, but shall state at the start of any such session that no other person is present and/or able to hear the discussion at the remote location, unless presence of that person is approved by simple majority vote of the public body, and that the session is not being remotely recorded by any device.
- (vi) When feasible the chair or person chairing the meeting shall distribute to remote participants, in advance of the meeting copies of any documents or exhibits that he or she reasonably anticipates shall be used during the meeting.

This policy shall not be construed to mean that conferencing by electronic means shall be regularly used or used at every meeting of the public body, but shall be used only as necessary to allow the participation of the members who are unable to attend in person due to such circumstances listed in this policy or to allow a member that is absent for reasons that do not qualify for participation and or voting, if the member would still like to and if possible see the discussion in real time.

Note: Consideration should be given to the proposed language in the Charter regarding associate members on Boards and Commissions. Associate members should be utilized in the absence of members of Boards and Commissions when deemed appropriate by the Chair.

1-12
**REMOTE PARTICIPATION POLICY
TOWN OF SOUTHBOROUGH, MA**

1. PURPOSE STATEMENT

The Office of the Attorney General amended the *Open Meeting Law* regulations at 940 CMR 29.00 to allow members of public bodies, in limited circumstances, to participate remotely in meetings. While all members of Town Boards should try to attend meetings in person, the new regulations seek to promote greater participation in government meetings by allowing members to participate remotely when certain specific circumstances prevent them from being physically present.

The intent of this policy is to establish clear guidelines on the practice of remote participation by Town Boards under the *Open Meeting Law*, *M.G.L. c.30A, §§18-25*.

2. ENABLING AUTHORITY- 940 CMR 29.10(8)

A municipality may adopt a policy that prohibits or further restricts the use of remote participation by public bodies within its jurisdiction.

3. APPLICABILITY

In accordance with 940 CMR 29.10(2)(a), the Board of Selectmen, on [June 05, 2012], voted to authorize the adoption of 940 CMR 29.10 so that remote participation is permitted in the Town. In accordance with 940 CMR 29.10(3), the Board of Selectmen may revoke its adoption of 940 CMR 29.10 by simple majority vote at any time.

This policy and 940 CMR 29.10 shall apply to all Town boards, committees, commissions, sub-committees and working groups ("Town Boards") regardless of whether such Town Boards are appointed or elected. Where the Remote Participation Policy is more stringent than 940 CMR 29.10, the Policy shall control.

4. MINIMUM REQUIREMENTS FOR REMOTE PARTICIPATION

No member of a Town Board shall participate in a meeting remotely unless the following requirements are met:

- (a) Members of the Town Board who participate remotely and all persons present at the meeting location shall be clearly audible to each other;
- (b) A quorum of the Town Board, including the chair or the person authorized to chair the meeting, shall be physically present at the meeting locations in accordance with *M.G.L. c.30A, §20(d)*;

(c) Members of the Town Board who participate remotely must have access to the same materials being used at the meeting location.

(d) Members of public bodies who participate remotely may vote and shall not be deemed absent for the purposes of MGL Ch. 39 §23D.

Section 23D (a): Notwithstanding any general or special law to the contrary, upon municipal acceptance of this section for 1 or more types of adjudicatory hearings, a member of any municipal board, committee or commission when holding an adjudicatory hearing shall not be disqualified from voting in the matter solely due to that member's absence from no more than a single session of the hearing at which testimony or other evidence is received. Before any such vote, the member shall certify in writing that he has examined all evidence received at the missed session, which evidence shall include an audio or video recording of the missed session or a transcript thereof. The written certification shall be part of the record of the hearing. Nothing in this section shall change, replace, negate or otherwise supersede applicable quorum requirements.

5. PERMISSIBLE REASONS FOR REMOTE PARTICIPATION

It is the express desire of the Board of Selectmen that remote participation in meetings be an infrequent event, for both individual board members and Town Boards as a whole. Chairs of Town Boards are encouraged to interpret these rules in a strict fashion and to continue to induce all members to attend meetings in person as a general rule, due to the inherent benefits of physical presence in a meeting.

A member of a Town Board may be permitted to participate remotely in a meeting if the person chairing the meeting determines that there are extenuating circumstances with one or more of the following factors making the member's physical attendance unreasonably difficult yet still leaves that member able to actively participate in the meeting:

- (a) Personal illness;
- (b) Personal disability;
- (c) A family or other emergency;
- (d) Military service; or
- (e) Significant geographic distance (due to personal employment).

A member of a Town Board shall not be permitted to participate remotely from his or her place of business or other locations if the person chairing the meeting determines that travel from that location to the meeting location is reasonably possible.

Any determination by the person chairing the meeting to allow or not to allow remote participation shall be final and shall not be appealable.

6. ACCEPTABLE METHODS OF REMOTE PARTICIPATION

- (a) The following media are acceptable methods for remote participation. Accommodations shall be made for any Town Board member who requires TTY service, video relay service, or other form of adaptive telecommunications.
 - (i) telephone, internet, or satellite-enabled audio or video conferencing;
 - (ii) any other technology that enables the remote participant and all persons present at the meeting location to be clearly audible to one another.
- (b) When video technology is in use, the remote participant shall be clearly visible to all persons present in the meeting location.
- (c) If technical difficulties arise as a result of utilizing remote participation, the Chair should suspend discussion while reasonable efforts are made to correct any problem that interferes with the remote participant's ability to hear or be heard more clearly by all persons at the meeting location. If the chair determines that technical difficulties are inhibiting the progress of the meeting, the chair may elect to terminate the participation of the remote member. If technical difficulties result in a remote participant being disconnected from the meeting, that fact and the time at which the disconnected occurred and subsequent reconnection if achieved shall be noted in the meeting minutes.
- (d) Each individual Town Board member that anticipates using remote participation shall determine which of the acceptable methods may be used by its members.

7. PROCEDURES FOR REMOTE PARTICIPATION

- (a) Any member of a Town Board who wishes to participate remotely shall, at least 48 hours or as soon as reasonably possible prior to the meeting, notify the person chairing the meeting, of his or her desire to do so and the reason for and facts supporting his or her request.
- (b) If the person chairing the meeting approves the request for remote participation, he or she shall make any necessary arrangements with Assistant Town Administrator to ensure that the required equipment is available. If the required equipment is not available from the IT Department or another source, then the person chairing the meeting shall deny the request for remote participation.
- (c) At the start of the meeting, the chair shall announce the name of any member who will be participating remotely and the reason under 940 CMR 29.10(5) for his or her remote participation. This information shall be recorded into the minutes.
- (d) All votes taken during any meeting in which a member participates remotely shall be by roll call vote.

(e) Remote participants shall preserve the confidentiality of executive session. Certain media, such as speakerphone, can inadvertently be heard by people not party to the executive session discussions. The remote participant shall state at the start of any executive session that the session is not being remotely recorded by any device and that no other person is present and/or able to hear the discussion at the meeting location unless the presence of that person is approved by a simple majority vote of the Town Board.

(f) The Town shall not be responsible for the reimbursement of any out-of-pocket costs associated with the remote participation of Town Board members.

(g) Members participating remotely are cautioned that the same obligations of consideration apply as in any physical meeting. Remote participants should direct all their attention to the meeting, and should make their decisions based upon the same information as is available to all the other participants in the meeting. The remote participant shall also state at the beginning of any meeting that no other person is in proximity and could exert undue influence on the participant, in either executive or public session, and shall inform the chair if that situation changes.

Adopted by the Board of Selectmen: June 5, 2012

**TOWN OF SOUTHBOROUGH
REMOTE PARTICIPATION REQUEST**

I, _____ (print name), hereby request to participate remotely at the meeting of the _____ (Board/Committee/Commission) to be held on _____ (date). I certify to the Chair that my absence is the result of one or more of the following factors which make my physical presence unreasonably difficult:

- _____ (1) Personal Illness or Disability _____ (2) A Family or Other Emergency
_____ (3) Military Service _____ (4) Geographic Distance (Personal employment)

Explanation: _____

During the meeting, I will be at the following location:

Address _____ Phone Number _____

Signature of Member _____ Date _____

Please sign and return to Chairperson

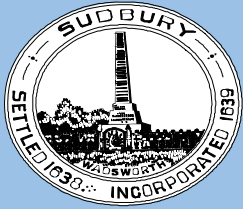
Request received by _____
Signature _____ Date _____

Method of Participation _____ (i.e. speakerphone)

Request Approved _____ Request Denied* _____

Signature of Chairman _____ Date _____

Forward a copy of this signed form to the Board of Selectmen's Office and the Town Clerk's Office.
***All Denied Requests are Final and Not Appealable.**



SUDBURY BOARD OF SELECTMEN
WEDNESDAY, NOVEMBER 12, 2014

Item # 4
Planning Board - Raytheon Discussion

Date of Request: 11/5/2014

Requested by: Jody Kablack

Formal Title:

Joint meeting with Planning Board regarding redevelopment of Raytheon sit

Recommendations/Suggested Motion/Vote:

0

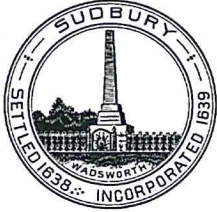
Background Information:

see attached material

Financial Impact Expected:

Approximate Time Requested:

Representative(s) Expected to Attend Meeting:



Maureen G. Valente
Town Manager

Town of Sudbury

Office of the Town Manager
www.sudbury.ma.us

Flynn Building
278 Old Sudbury Rd
Sudbury, MA 01776-1843
978-639-3381
Fax: 978-443-0756

Email: townmanager@sudbury.ma.us

TO: Planning Board
Board of Selectmen
FROM: Maureen Valente, Town Manager
RE: Raytheon Property
DATE: November 7, 2014

Attached please find materials that we think will be useful for the joint meeting on the Raytheon property to be held on November 12, 2014. After reviewing this material and to begin the public discussion, I am hoping that Board members will come to the meeting with thoughts about:

- Potential uses and development scenarios that would be desirable
- Potential uses that would be undesirable
- What other professional advice we may need throughout this process
- Ideas for soliciting public comments
- Which board should take the lead on the project
- Timeframe for action

We look forward to a productive discussion on the 12th!



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

RAYTHEON PROPERTY FACTS

Assessor Map #: K07-0011 and 0013, 526 and 528 Boston Post Rd

Size: 22.66 and 28.89 acres (total 51.55 acres)

Assessed Value: \$23 million

Building(s) size: 533,000 sq. ft.

Zoning: Limited Industrial, Water Resource Protection District Zone II

Uses Allowed under Zoning: See Use Chart (attached)

Wastewater Treatment: 50,000 gpd sewage treatment plant (enough for ~450 bedrooms)

Access: 3 driveways along frontage on Route 20

Parking: 2,042 spaces

Flood Plain Zone: No

Wetlands: 2-3 acres, maybe slightly more

Priority Habitat Area (endangered species): No

Vehicle Trips/day (currently): 2400 (based on # of current employees)

Employees (currently): 1200

Other Items of Note: Abuts Mass Central Rail Trail in rear
Fire Station #2 at front of property
Contains emergency medical helipad on property

Raytheon



Cavicchio

Chiswick

Raytheon

Shaws

Bartlett's

Stone Farm

Horse Pond Rd



- Forest with Open Space
- Water
- Slope Steep
- Slope Moderate
- Slope Gentle
- Deciduous Forest
- Conifer Forest
- Wooded Open Field
- Pasture
- Other
- Other
- Other
- Other
- Other

RAYTHEON POTENTIAL USES AND IMPACTS

USE	ZONING	Wastewater Usage	TRAFFIC	SIZE/# UNITS	POP/CHILD REN	REVENUE	
Industrial (Existing)	Y	50,000 gpd	2400 trips/day	50 acres	1200 employees	\$621,000	50 acres
Rental Apts.	N Unless 40B	49,500	6.5/unit/day 1462/day	225 units	57	\$495,000 (does not include school costs)	32 acres per DHCD 8 units/acre; taxes based on projection of Johnson Farm of \$2,200/unit; .25 child/unit
Assisted Living	N	9900	2.15/unit 142/day	66 units		\$135,000	5 acres per zoning; taxes based on 49 units @ Orchard Hill
Incentive Senior Dev.	N	9900	3.5/unit/day 224/day	64 units		\$576,000	40 acres based on 16, 2.3 acre lots; \$500,000/unit
Single Family Subdivision	N	11,000	200/day	20 lots	30	\$340,000	Based on current zoning; assume \$1 mill homes; revenue does not include school costs; 1.5 child/home
Retail Shopping Center	N	2250	40/1000 sf/day 1800/day	45,000 sq. ft. on 5 acres		\$102,000	5 acres; Revenue based on Mill Village; WW 50 gpd/1000 sq. ft. (does not include restaurants)
Business/ Profess Office	Y	3750	12/1000 sf/day 600/day	50,000 sq. ft.			WW based on Title V 75 gpd/1000 sq. ft.
Recreation-Out	Y						
Recreation-In	ZBA						
Educational	Y	10 gpd/person					Tax exempt
Religious	Y	3 gpd/seat					Tax exempt
Child Care	ZBA						
Kennel	ZBA						WW based on Title V: 50 gpd/kennel
Restaurant	N	2,000 gpd		100 seats (25 tables)			Title V: 20 gpd/seat
Manufacturing	Y						
R&D	Y						
Lumber Yard	Y						
Warehouse	Y						

RAYTHEON POTENTIAL USES AND IMPACTS

		LID					MITIGATION	
		100,000 sq. ft. min.					rail trail	
		(2.3 acres)					traffic light	
		50 ft. frontage					Nobscot Ext.	
		125' front yard					Chiswick Ext.	
		50' side/rear yard					sewer	
		35' height/2 stories					school payment	
		25% building coverage - 545,000 sq. ft.					undergrd. Utilities recreation field helipad	
							fire station expansion/relocati on	

SECTION 2230 APPENDIX A
 TABLE OF PRINCIPAL USE REGULATIONS

B.5
 4/2/02, 4/6/10
 C.11
 5/4/11
 B.6
 5/8/2012
 D.3
 4/7/03

D I S T R I C T S

PRINCIPAL USE	A-RES	C-RES	WI	BD	LBD	VBD ⁱ	ID	LID	IP	RD
A. RESIDENTIAL										
1. Single-family dwelling	Y	Y	Y	N	ZBA	Y	N	N	N	N
2. Residential apartments on second and/or third floors, above ground level business uses	N	N	N	N	N	Y	N	N	N	N
3. Boarding house	ZBA	ZBA	ZBA	N	ZBA	ZBA	N	N	N	N
4. Cluster Development (Section 5100)	PB	PB	PB	N	N	N	N	N	N	N
5. Flexible Development (Section 5200)	PB	PB	PB	N	N	N	N	N	N	N
6. Senior Residential Community (Section 5300)	PB	PB	PB	N	PB	PB	N	N	N	PB
7. Incentive Senior Development (Section 5400)	PB	PB	N	N	PB	PB	N	N	N	PB
8. Residential care facility	N	N	N	N	N	N	N	N	N	Y

A-RES = A-Residential LID=Limited Industrial District ZBA=Use Requires a Special Permit by

C-RES=C-Residential IP= Industrial Park District the Zoning Board of Appeals

WI=Wayside Inn Historic Preservation Zone RD=Research District BOS=Use Requires a Special Permit by

BD=Business District the Board of Selectmen

LBD=Limited Business District Y=Permitted Use PB=Use Requires a Special Permit by

VBD=Village Business District N=Prohibited Use the Planning Board

ID=Industrial District

PRINCIPAL USE	A-RES	C-RES	WI	BD	LBD	VBD ¹	ID	LID	IP	RD
B. EXEMPT AND INSTITUTIONAL USES										
1. Use of land or structures for religious purposes	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
2. Use of land or structures for educational purposes on land owned or leased by the commonwealth or any of its agencies, subdivisions or bodies politic or by a religious sect or denomination, or by a nonprofit educational corporation	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
3. Family day care	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
4. Child care facility (in existing building)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
5. Child care facility (not defined in M.G.L., Chapter 28A, section 9)	ZBA	ZBA	ZBA	ZBA	ZBA	ZBA	ZBA	ZBA	ZBA	ZBA
6. Use of land for the primary purpose of agriculture, horticulture, floriculture, or in accordance with M.G.L. c. 40A, s.3	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
7. Facilities for the sale of produce, and wine and dairy products, provided that during the months of June, July, August, and September of every year, or during the harvest season of the primary crop, the majority of such products sale, based on either gross sales dollars or volume, have been produced by the owner of the land containing more than five acres in area on which the facility is located	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
8. Municipal purposes	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
9. Essential services	ZBA	ZBA	ZBA	ZBA	ZBA	ZBA	ZBA	ZBA	ZBA	ZBA
C. COMMERCIAL										
1. Agricultural use, nonexempt	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y

PRINCIPAL USE	A-RES	C-RES	WI	BD	LBD	VBD ⁱ	ID	LID	IP	RD
2. Educational use, nonexempt	N	N	N	ZBA	ZBA	ZBA	ZBA	ZBA	ZBA	ZBA
3. Farm stand, nonexempt	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
4. Animal clinic or hospital	N	N	N	BOS	N	N	BOS	N	N	N
5. Kennel	ZBA	ZBA	ZBA	ZBA	ZBA	ZBA	ZBA	ZBA	ZBA	ZBA
6. Nursing or convalescent home and assisted care facility	ZBA ⁱⁱ	ZBA ⁱⁱ	ZBA ⁱⁱ	N	ZBA ⁱⁱ	ZBA ⁱⁱ	N	N	N	Y
7. Funeral home	N	N	N	ZBA	ZBA	ZBA	ZBA	ZBA	ZBA	ZBA
8. Adult day care facility	ZBA	ZBA	ZBA	ZBA	ZBA	ZBA	ZBA	ZBA	ZBA	ZBA
9. Bed and Breakfast	ZBA	ZBA	ZBA	ZBA	ZBA	ZBA	ZBA	ZBA	ZBA	ZBA
10. Motel or hotel	N	N	N	ZBA	N	Y ⁱⁱⁱ	ZBA	N	N	N
11. Retail stores and services not elsewhere set forth	N	N	N	Y	Y	Y	Y	Y	N	N
12. Motor vehicle sales and rental	N	N	N	ZBA	N	N	ZBA	N	N	N
13. Motor vehicle general and body repair	N	N	N	ZBA	N	N	ZBA	N	N	N
14. Motor vehicle light service	N	N	N	ZBA	N	N	ZBA	N	N	N
15. Personal service establishment	N	N	N	Y	Y	Y	N	N	N	N
16. Restaurant	N	N	N	Y	Y	Y	Y	N	N	N
17. Business or professional office	N	N	N	Y	Y	Y	Y	Y	Y	Y
18. Medical center or clinic	ZBA	ZBA	ZBA	N	ZBA	ZBA	N	N	N	Y
19. Bank, financial agency	N	N	N	Y	Y	Y	Y	Y	Y	Y

PRINCIPAL USE	A-RES	C-RES	WI	BD	LBD	VBD ⁱ	ID	LID	IP	RD
20. ATMs, kiosks and similarly sized service booths and detached structures ^{iv}	N	N	N	N	N	N	N	N	N	N
21. Drive-in establishments regularly dispensing merchandise or money from inside a building to persons outside but excluding the dispensing of food or drink	N	N	N	Y	N	N	N	N	N	N
22. Indoor commercial recreation	N	N	N	ZBA	N	Y	ZBA	ZBA	N	N
23. Outdoor commercial recreation	N	N	N	N	N	N	ZBA	Y	N	N
24. Club or lodge, private	N	N	N	Y	Y	Y	Y	Y	N	N
25. Major commercial project	N	N	N	ZBA	ZBA	ZBA	ZBA	ZBA	ZBA	ZBA
26. Pools, Private (reference section 2325)	Y	Y	Y	N	ZBA	Y	N	N	N	N
27. Pools, Public or semi-public (reference section 2325)	ZBA	ZBA	ZBA	N	ZBA	ZBA	N	N	N	N
D. INDUSTRIAL										
1. Light manufacturing	N	N	N	Y ^v	Y ^v	Y ^v	Y	Y	Y	Y ^{vi}
2. Laboratory for research and development	N	N	N	Y	N	N	N	Y	Y	Y ^{vi}
3. Wholesale, warehouse, self-storage, mini-warehouse or distribution facility	N	N	N	N	N	N	Y	Y	Y	N
4. Manufacturing	N	N	N	N	N	N	Y	Y	Y	Y ^{vi}
5. Wholesale or retail lumber yard	N	N	N	N	N	N	Y	ZBA	N	N

i. Any single occupancy of more than 10,000 square feet of building area, exclusive of basement or attic storage space shall not be permitted in the Village Business District.

ii. Provided that: (1) such use is on a parcel with a minimum size of 5 acres; (2) the facility can comply with minimum setbacks of 50 feet from front

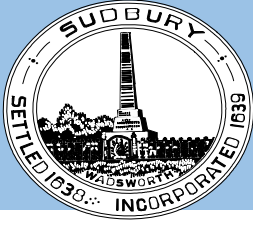
yard and 50 feet from the side and rear yard property lines; (3) if abutting a residential use, the facility must comply with a minimum 100 foot setback on any side abutting such use; (4) wastewater disposal shall only be by means of an on-site subsurface system complying with the requirements of Title 5, 310 CMR 15.000.

- iii. Hotels shall have a maximum of ten guest rooms.
- iv. Located, at their closest point, more than ten feet from an exterior wall of a lawful existing building, the sole purpose of which is to dispense or provide products, service or entertainment, including, but not limited to financial information or transaction services.
- v. Incidental to and usual in connection with any permitted uses on the same premises, provided that the major portion of the products are sold at retail on the premises and that not more than 1,000 square feet of floor area per establishment are used for such manufacturing.
- vi. Only as incidental to research, development or engineering work.

SECTION 2600 APPENDIX B - TABLE OF DIMENSIONAL REQUIREMENTS:
 (also see sections 2326, 2327, 2630 and 2640 for exceptions and other requirements) RD4/2/2002
 A, C, WI 4/9/2003 4/11/2005 Ctr. Setback

DISTRICT	Minimum lot area (sq. ft.)	Min. lot frontage (ft.)	Min. front yard (ft.)	Min. side yard (ft.)	Min. rear yard (ft.)	Min. Street Centerline Setback (ft.)	Min. Side or Rear Setback from Residence Zone (ft.)	Max. height (# stories)	Max. height (ft.)	Max. Building Coverage (% of lot) ¹
A-RES	40,000	180	40	20	30	-	-	2.5	35	40
C-RES	60,000	210	40	20	30	-	-	2.5	35	40
WI	5 acres	210	40	20	30	-	-	2.5	35	40
BD	-	50	20 ³	5 ²	-	-	20	2.5	35	60
LBD	-	50	35	5	-	-	20	2.5	35	60
VBD	-	50	20 ³	-	-	-	20	2.5	35	60
ID	-	50	20	30 ²	30 ²	-	30	2	35	60
LID	100,000	50	125	50 ²	50 ²	-	100	2	35	25
IP	100,000	50	125	50 ²	50 ²	-	300	2	35	25
RD	8 acres	200	100	50 ⁴	50 ⁴	-	150	3	45	18
OPEN SPACE	-	-	40	40	40	-	100	2	35	10

- 1 Including principal and accessory buildings.
- 2 Unless abutting a railroad siding.
- 3 Set back a maximum of 40 feet.
- 4 Unless abutting a railroad siding or Town Line.



SUDBURY BOARD OF SELECTMEN
WEDNESDAY, NOVEMBER 12, 2014

Item # 5
Johnson Farm update

Date of Request: 11/5/2014

Requested by: Jody Kablack

Formal Title:
Johnson Farm Update

Recommendations/Suggested Motion/Vote:

0

Background Information:

see attached material

Financial Impact Expected:

Approximate Time Requested:

Representative(s) Expected to Attend Meeting:



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: *JAK* Jody Kablack, Planning and Community Development Director
RE: Update on Johnson Farm question
DATE: November 7, 2014

As announced two weeks ago, the Board of Selectmen has negotiated an agreement to purchase approximately 33 acres of the Johnson Farm property for conservation and passive recreation purposes. The agreed upon price is \$2.9 million. Under the terms of the sale the owner will retain 2 one-acre lots along the Landham Rd frontage. There will be restrictions on these lots so that they can only be developed as single family homes. By allowing this limited development, the town was able to decrease the cost of the project and still preserve the most sensitive habitat.

Further, the Board voted to put this question of purchasing the Johnson Farm property to voters at both a Special Town Meeting on December 3rd, and a Special Town Election on December 9th. Residents will be receiving the warrant for the Town Meeting and the Special Election on or around November 19, 2014.

It is important for residents to understand the trade-offs involved in the question of the Town purchasing this property. Because of the development application and litigation history, we have a much clearer sense of how this property might be developed if the Town does not purchase it. Chairman Woodard asked me to provide some additional information on this to the Board.

NO Purchase/Development Scenario: The current development plan calls for 68 units of rental housing. While no development plan has final approval, and in fact litigation may continue for years, it is likely there will be a development in the range of 68 units on the property when all litigation is completed. Case law supports this position. There will also likely be significant open space preserved under the development scenario. The north-west portion of the property is not developable due to wetland laws and would remain in its natural state even with the development of 68 units. Approximately 22 acres of preserved land would be permanently preserved through placement of a Conservation Restriction on those acres. It is also likely that that there could be public access to a trail system into the back lands in the development scenario. No such system was proposed during the application review, but it may be possible to reach an agreement with the developer to create a trail system through the development which leads to the back lands.

Purchase/NO Development Scenario: The purchase of this property will eliminate the plan for development as previously proposed, and will end all litigation between the Town, the neighbors and the developer. Under the purchase scenario, the proposed 68 units of housing will not be built, and the entire back 33 acres of the property would be preserved in perpetuity. The only development will be the construction of 2 single family lots along the Landham Road frontage. Public access will be created along a 20 foot wide access located along the northern property boundary. The existing farm roads would be opened for walking and other passive recreation uses, and the Town could connect the trails

to those in the Lyons Cutler Reservation abutting the property to the west owned by SVT. Town staff envisions a small parking area being created at the back of the field on the Johnson property so this newest conservation land is usable by all residents.

The property is listed as a priority parcel for preservation in the 2009 Open Space and Recreation Plan. The Town had previously tried to purchase the land in 2007. While that effort was unsuccessful, its importance to the Town for natural resource protection has not changed. The property contains significant wetlands, vernal pools and streams and contributes groundwater to the Town's drinking water supply wells. It abuts other permanently protected lands to the west, and forms a large wildlife corridor of over 200 acres. And while many of these key natural features will be preserved even in the development scenario, there will be temporary and permanent impacts due to construction and the intensity of development in close proximity to water resources and wildlife habitat.

The Board of Selectmen chose to give the voters the opportunity to preserve the majority of the parcel by presenting voters with the Purchase/No Development question. There are pros and cons to every project and voters will need to decide which option they prefer. The Board is recommending 2 town funding sources be utilized for the purchase - \$1 million in CPA funds combined with \$1.9 million in a debt exemption. Funding this will take 2 affirmative votes at the Special Town Meeting on December 3, and a ballot vote on December 9. Use of town funds for the project will be the topic of discussion with the Finance Committee and the Conservation Commission on November 17, as well as the Capital Improvement Advisory Committee and the Community Preservation Committee on November 19. These meetings are all open to the public, and meeting places and times will be posted on the town's websites at least 2 business days in advance.

We are aware of a fundraising campaign that is being organized by SVT, and we thank them for their assistance in helping to preserve this property. Any private funds donated to the Town will be put towards and used to reduce the debt exemption portion.

I have tentatively scheduled a community site walk of the property on Saturday, November 22 at 2:00 pm (rain date Sunday November 23 at 2:00 pm) so that residents can see the property first hand before the votes. We have done this for every major land protection project, and they are usually popular walks. It is my hope that several Board members will attend.

Please let me know if you need anything further on this project.

Enclosures

cc: CPC
Conservation Commission
Finance Committee
Capital Improvement Advisory Committee

Planning Board
Sudbury Valley Trustees

GENERAL NOTES:

1. LOCUS OWNERS: JOHNSON LIVING TRUST, MARIAN & PETER C. JOHNSON TRUSTEES.
2. DEED REFERENCE: BOOK 50332, PAGE 338.
3. MIDDLESEX COUNTY REGISTRY OF DEED DISTRICT.
4. ASSESSORS REFERENCE: MAP L10, LOT 0500.
5. FEMA REFERENCE: ZONES "X" & "AE" SHOWN ON COMMUNITY PANELS 25017C0506E & 25017C0507E, DATED JUNE 4, 2010.
6. LOCUS IS ZONED SINGLE RESIDENCE - A (SRA)
7. ALL ELEVATIONS REFER TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88).

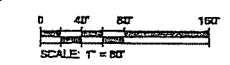
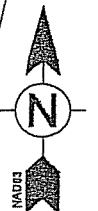
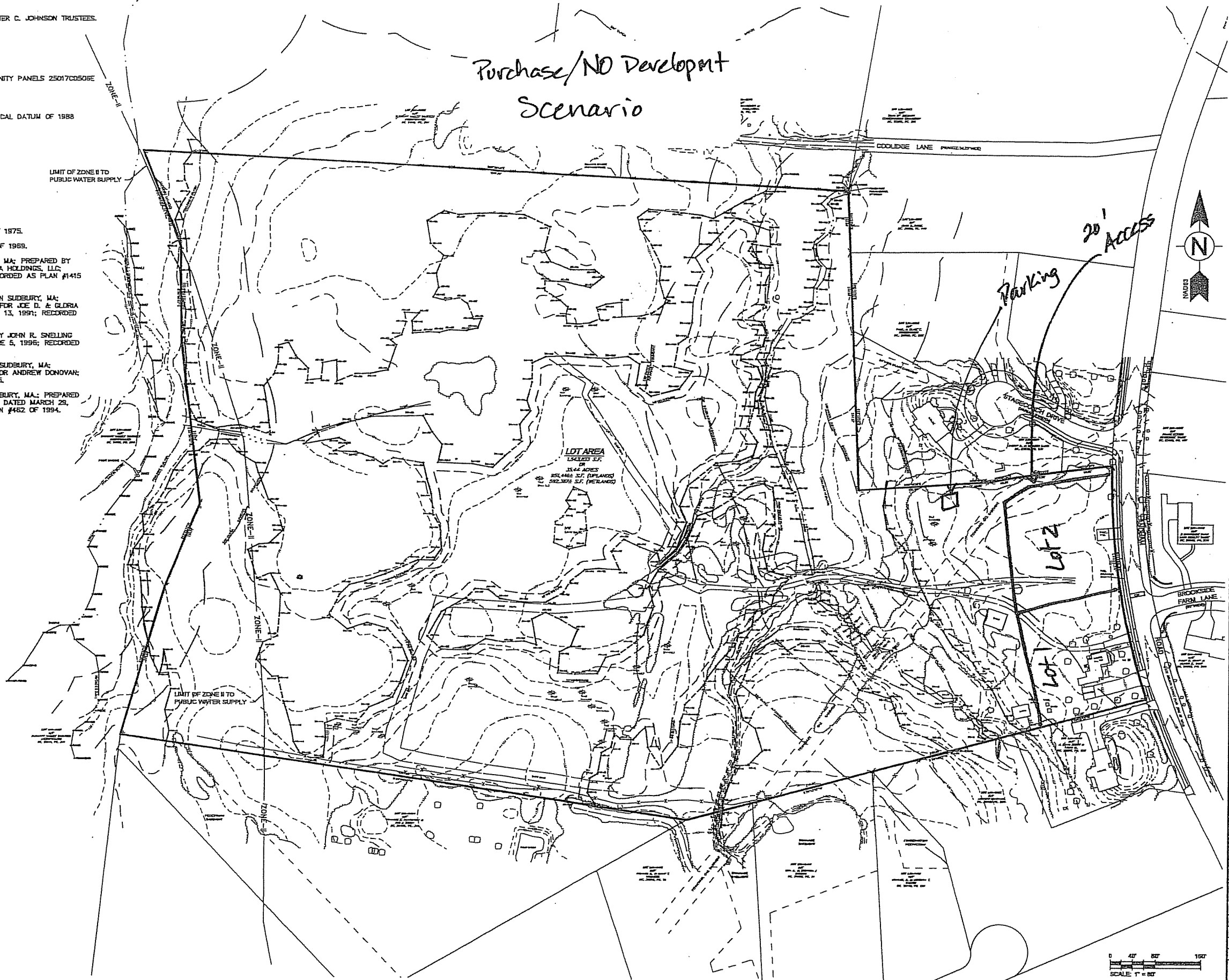
FEMA NOTE:

1. FEMA ZONE AE = BASE FLOOD ELEVATIONS DETERMINED.

PLAN REFERENCES:

1. 1975 COUNTY LAYOUT OF LANDHAM ROAD PLAN #598 OF 1975.
2. 1989 COUNTY LAYOUT OF LANDHAM ROAD PLAN #1358 OF 1989.
3. DEFINITIVE PLAN OF LAND BROOKSIDE FARM IN SUDBURY, MA; PREPARED BY SULLIVAN CONNORS AND ASSOCIATES; PREPARED FOR TERRA HOLDINGS, LLC. DATED JAN. 21, 2005, LAST REVISED AUGUST 3, 2005; RECORDED AS PLAN #1415 OF 2005.
4. DEFINITIVE SUBDIVISION PLAN OF STAGECOACH ESTATES IN SUDBURY, MA; PREPARED BY THOMAS LAND SURVEYORS, INC.; PREPARED FOR JOE D. & GLORIA SCHRAGER; DATED MAY 15, 1991, LAST REVISED SEPTEMBER 13, 1991; RECORDED AS #104 OF 1992.
5. COMPILED PLAN OF LAND IN SUDBURY, MA; PREPARED BY JOHN R. SWELLING ASSOCIATES; PREPARED FOR ANDREW DONOVAN; DATED JUNE 5, 1996; RECORDED AS PLAN #762 OF 1996.
6. KAYLA COURT DEFINITIVE SUBDIVISION PLAN OF LAND IN SUDBURY, MA; PREPARED BY ACTON SURVEY & ENGINEERING; PREPARED FOR ANDREW DONOVAN; DATED DECEMBER, 2002; RECORDED AS PLAN #361 OF 2006.
7. DEFINITIVE SUBDIVISION PLAN CUTLER FARM LAND IN SUDBURY, MA; PREPARED BY EUGIUS LAND COMPANY; PREPARED FOR CUTLER TRUST; DATED MARCH 29, 1993, LAST REVISED JANUARY 15, 1994; RECORDED AS PLAN #462 OF 1994.

Purchase/NO Developmt Scenario



TETRA TECH
www.tetrattech.com
One Great Street
Framingham, MA 01701
PHONE: (508) 903-2000 FAX: (508) 903-2001

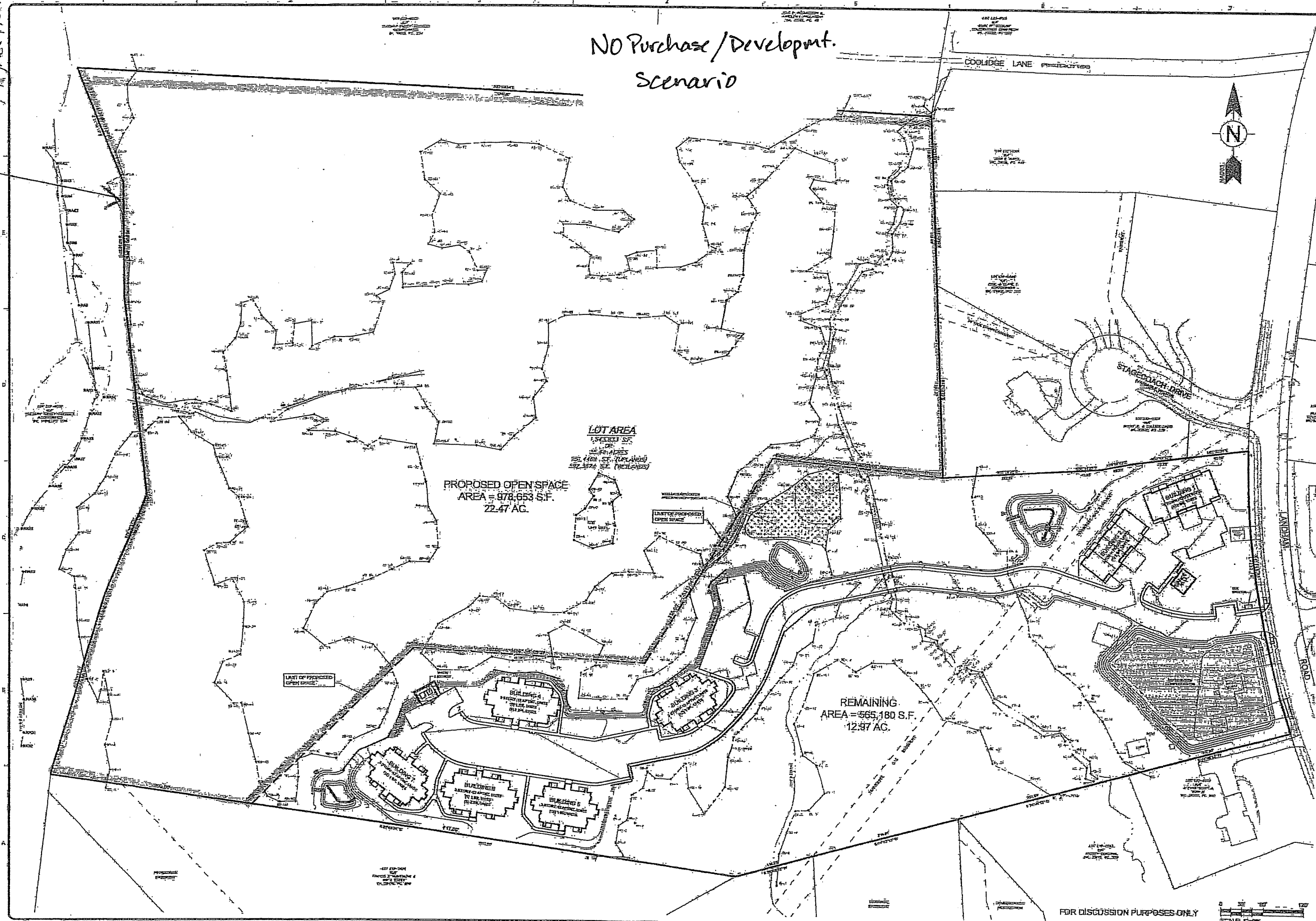
MARK	DATE	DESCRIPTION	BY	MARK	DATE	DESCRIPTION
0	8-8-12	ENG. DESIGN FOR 80 UNIT TOWNHOUSE		0	8-8-12	ENG. DESIGN FOR 80 UNIT TOWNHOUSE
1	10-4-11	NOTICE OF INTENT FILING		1	10-4-11	NOTICE OF INTENT FILING
2	12-24-11	UPDATED COMPREHENSIVE PERMIT PLANS		2	12-24-11	UPDATED COMPREHENSIVE PERMIT PLANS
3	2-3-12	REV. PLANS PER TOWN, NEPA & DEP COMMENTS		3	2-3-12	REV. PLANS PER TOWN, NEPA & DEP COMMENTS
4	3-9-12	REV. PLANS PER PERM REVIEW COMMENTS		4	3-9-12	REV. PLANS PER PERM REVIEW COMMENTS
5	5-21-12	REV. PLANS PER PERM REVIEW COMMENTS		5	5-21-12	REV. PLANS PER PERM REVIEW COMMENTS

Client: Madbury Place Sudbury LLC
Proj. Loc: Sudbury, MA
Project Name: The Residences at Johnson Farm
Latham Road, Sudbury
Topographic Plan of Land
Project No.: 127-14331-17001
Designed By: G.J.D.
Drawn By: J.L.P.
Checked By:
C-1.1
Copyright: Tetra Tech
Bar Measures 1 inch

4/20/2014 11:46:05 AM - P:\14331\17001\040808\HET\FILING-1 EXISTING CONDITIONS.DWG - PAPPAS, JUD

Proposed Conservation
Restriction per
DEP Settlement
Agreement
22.47
acres

NO Purchase/Developmt. Scenario



TETRA TECH
www.tetrattech.com
10000 Old Forge Road
Plymouth, MA 01969
Phone: (508) 833-2000 Fax: (508) 833-2001

#202011124-00-AM - P:\4831187-1001\0101\ESTFILES\OPEN SPACE PLAN.DWG - TAPPA, J.D.

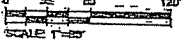
MARK	DATE	DESCRIPTION
1	11/11/20	Issue of Open Space Plan

Client: Manton Field Suburbs LLC
The Residences at Telegraph Farm
Laindham Road, Sudbury

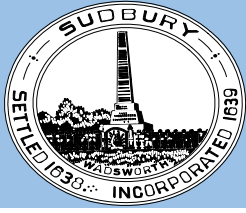
Proposed Open Space Plan

Project No: 127-4331-11001
Designed By: E.K.D.
Drawn By: J.L.P.
Checked By:

FOR DISCUSSION PURPOSES ONLY



Copyright: Tetra Tech



SUDBURY BOARD OF SELECTMEN
WEDNESDAY, NOVEMBER 12, 2014

Item # 6
Special Town Meeting/ Special Town Election Warrant

Date of Request: 11/7/2014

Requested by: Patty Golden

Formal Title:

Vote to Sign Special Town Meeting and Special Town Election Warrant

Recommendations/Suggested Motion/Vote:

Vote/Sign

Background Information:

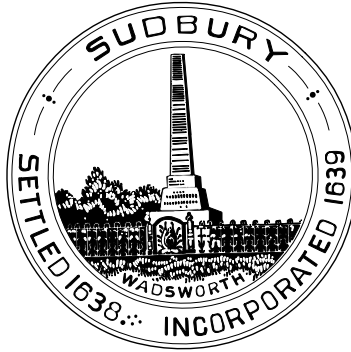
see attached

Financial Impact Expected:

Approximate Time Requested:

Representative(s) Expected to Attend Meeting:

**Town of Sudbury
Massachusetts**



OFFICIAL WARRANTS
SPECIAL TOWN MEETING

WEDNESDAY, DECEMBER 3, 2014 7:30 P.M.
Lincoln-Sudbury Regional High School Auditorium

If you are not a registered voter in the Town of Sudbury, the Town Clerk will have extended voter registration hours from 9 a.m. – 8 p.m. on November 21, 2014 (deadline for registering to vote at the Special Town Meeting).

SPECIAL TOWN ELECTION

TUESDAY, DECEMBER 9, 2014
Polls Open 7:00 A.M. to 8:00 P.M.

Precincts 1, 1A, 2 & 5
Fairbank Community Center, Fairbank Road

Precincts 3 & 4
Sudbury Town Hall, Concord Road

If you are not a registered voter in the Town of Sudbury, the Town Clerk will have extended voter registration hours from 9 a.m. – 8 p.m. on November 19, 2014 (deadline for registering to vote at the Special Town Election).

TOWN OF SUDBURY
SPECIAL TOWN MEETING WARRANT
Commonwealth of Massachusetts
Middlesex, ss.

To the Constable of the Town of Sudbury:

GREETINGS: In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the Town of Sudbury, qualified to vote in Town affairs, to meet at the Lincoln-Sudbury Regional High School Auditorium in said Town on Wednesday, December 3, 2014, at 7:30 o'clock in the evening, then and there to act on the following articles:

ARTICLE 1. **NIXON SCHOOL – PARTIAL ROOF, WINDOW AND DOOR**
REPLACEMENTS, ENVELOPE REPAIR PROJECT

To see if the Town will vote to appropriate, borrow or transfer from available funds, an amount of money to be expended under the direction of the Permanent Building Committee/School Building Committee for the purpose of partial roof replacement, window and door replacement, and envelope repair at the General John Nixon Elementary School, 472 Concord Road, and all expenses connected therewith, which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program and for which the Town may be eligible for a school construction grant from the Massachusetts School Building Authority (“MSBA”). The Town acknowledges that the MSBA’s grant program is a non-entitlement discretionary program based on need, as determined by the MSBA, and any project costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town. Any grant that the Town may receive from the MSBA for the Project shall not exceed the lesser of (1) 36.89 percent (%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA.

Submitted by the School Committee, Sudbury Public Schools
(Two-thirds vote required, if borrowed.)

FACILITIES DIRECTOR REPORT: The Sudbury Public Schools (SPS) are committed to replacing the aging and deteriorated shingle roof on the cafetorium of the General John Nixon Elementary School, and replacing the 54 year old inefficient single pane glass windows and selected older deteriorated exterior doors. The sealants at the envelope control joints and on the newer aluminum windows, particularly at the brick masonry interface, have failed or are failing. These will be removed and replaced as part of the project, before water infiltration issues occur.

The cafetorium roof is at the end of its useful life expectancy and is in poor condition, requiring significant maintenance. This portion of the roof is 5,000 square feet and the shingles are beginning to fail. The roof insulation does not meet present standards and will be increased to meet the current stretch energy code and provide greater energy efficiency.

Some windows and doors have also exceeded their useful life expectancy and are in poor condition. Many rubber gaskets on these older windows are missing or falling out, leading to air and water infiltration. Most are difficult to operate and do not lock properly.

Upon the anticipated acceptance of the project into the MSBA Accelerated Repair Program, the state will reimburse approximately 36% of qualified costs. These repairs and updates are

necessary to maintain the life and utility of an important element of the town's infrastructure, and we should take advantage of this opportunity to do the needed work.

BOARD OF SELECTMEN POSITION: The Board will report at the Special Town Meeting.

FINANCE COMMITTEE REPORT: The Finance Committee will report at the Special Town Meeting.

ARTICLE 2. PURCHASE JOHNSON FARM PROPERTY, 189 LANDHAM ROAD

To see what sum the Town will vote to raise and appropriate, or appropriate from available funds, for the acquisition of fee title or other land interest in a portion of the land commonly known as the Johnson Farm property, located at 189 Landham Road, Sudbury, MA, and identified on the Town of Sudbury Assessor Map No. L10, Parcel 0500, containing approximately 33 +/- acres for conservation and passive recreation purposes, and all expenses in connection therewith, inclusive of bond and note issuance expense; and to determine whether said sum shall be raised by a combination of an appropriation from Community Preservation Act funds, and/or by borrowing, or otherwise; and further to authorize the Board of Selectmen to grant a Conservation Restriction pursuant to M.G.L. c.184, s. 31-32 on said property. Borrowing outside the amount of community preservation funds shall be subject to a Proposition 2 ½ override; or act on anything relative thereto.

BOARD OF SELECTMEN REPORT: This article seeks to purchase in fee simple for conservation and passive recreation purposes a portion of the Johnson Farm property located at 189 Landham Road for \$2,900,000. Funding is intended to be split between a debt exemption (Proposition 2 ½ override) for \$1,900,000, and \$1,000,000 in Community Preservation Act funds, plus bond and note issuance costs. Private fundraising is also possible, and funds raised in advance of the bond sale for the project will be applied towards the debt exemption payment. The Johnson Farm property contains approximately 35 acres. The intent is to purchase the rear 33 +/- acres of land, and to reduce the overall cost of this purchase by allowing limited development of 2 one-acre building lots along the Landham Road frontage. Access to the rear of the parcel will be permitted over a 20-foot wide area of land along the northern property boundary. Purchase and preservation of this property will eliminate the threat of development as previously proposed, and will end all litigation between the Town and the developer on the property. Eventually a conservation restriction will be placed on the land pursuant to the requirements of the Community Preservation Act as added protection against any construction or use that will impair the property in perpetuity. The property is listed as a priority parcel for preservation in the 2009 Open Space and Recreation Plan, abuts other permanently protected lands to the west, and forms a large wildlife corridor of over 200 acres.

Submitted by Board of Selectmen. (Two-thirds vote required, if borrowed.)

BOARD OF SELECTMEN POSITION: The Board will report at the Special Town Meeting.

FINANCE COMMITTEE REPORT: The Finance Committee will report at the Special Town Meeting.

ARTICLE 3. MASS CENTRAL RAIL TRAIL, PHASE 1, ENGINEERING

To see what sum the Town will vote to raise and appropriate, or appropriate from available funds, for the purpose of creating engineering design specifications and construction bid documents for Phase 1 of the Mass Central Rail Trail, running from Union Avenue to Dutton Road, or act on anything relative thereto.

Submitted by the Board of Selectmen.

(Majority vote required)

BOARD OF SELECTMEN REPORT: This article seeks to begin the process of creating a rail trail along the Mass Central railroad corridor, which runs for 23 miles from Waltham to Berlin, MA. Discussions regarding this rail trail surfaced in 2013 with the lease of the corridor from the MBTA to the MA Department of Conservation and Recreation (DCR). DCR's vision is to construct a rail trail along the entire length of the corridor in partnership with the towns that it crosses, however no funding has been secured to date. Proponents of this rail trail estimate that Phase 1 of this project, a 1.8 mile segment from Union Ave. to Dutton Road in Sudbury, can be constructed for approximately \$300,000, and have persuaded the Board of Selectmen to seek Community Preservation funds for its design and construction at the 2015 Annual Town Meeting. Funds from this transfer will be used to prepare design specifications for construction of the trail so it can be put out to bid. The project will also benefit from privately raised funds which will be used for wetland delineation and preliminary wetland permitting.

This project contemplates the design and construction of a 10 foot wide multi-use recreational trail consisting of a stone dust (or similar) surface, compliant with ADA requirements for access, and including safe road crossings, wetland protection, bridge improvements, guardrails/fencing on elevated sections of the trail and signage. Additionally, the concept of steel rail removal and salvage in exchange for trail improvements by an independent contractor is contemplated, and is the basis for the cost estimate. This will reduce the cost of construction significantly.

If FY16 funds are approved, the Town will go out for competitive bid to qualified design/build firms, which could result in commencement of construction through the fall and winter of 2015, and completion of the trail by summer of 2016.

The Town has been supportive of creating a rail trail within this corridor. It is both a goal of the Board of Selectmen and a priority in the Open Space and Recreation Plan. Non-binding resolutions at the September 2014 Special Town Meeting also indicated strong support for this project, both Phase 1 and the full trail. The phased approach for this project reduces the FY16 funding need. Additional phases are contemplated in order to eventually complete the entire 4.6 miles of the trail in Sudbury.

BOARD OF SELECTMEN POSITION: The Board will report at the Special Town Meeting.

FINANCE COMMITTEE REPORT: The Finance Committee will report at the Special Town Meeting.

ARTICLE 4. MASS CENTRAL RAIL TRAIL, NON-BINDING RESOLUTION

To see if the Town will vote to advise the Board of Selectmen to support a paved travel surface on the Mass Central Rail Trail.

Submitted by Petition.

(Majority vote required)

PETITIONER'S REPORT: The Massachusetts Department of Conservation and Recreation (DCR) wants to build a hard surface, that is, a paved rail trail, on the east-west rail corridor known as the Mass Central Rail Trail. DCR has said that it will cover 100% of the cost of design and construction of this rail trail. The Mass Central Rail Trail will intersect with the Bruce Freeman Rail Trail, which runs north-south, near the intersection of Union Ave. and Route 20. Both the Bruce Freeman and the Mass Central rail trails are known as 'greenways' because they are for pedestrians and bicyclists, among others. They do not allow motorized vehicles.

The purpose of this resolution is to let our senators and representatives know that Sudbury supports this goal, and to ask them to make all reasonable efforts to secure funding for the

Mass Central Rail Trail. The state Transportation Bond Bill has already authorized \$36,000,000 for the Mass Central Rail Trail. The next step is having the legislature appropriate funding, and we need to work with our legislators to accomplish that. Sudbury will work with other towns along the route of the Mass Central in a concerted effort to get that funding.

There is nothing to be lost in this approach, and everything to be gained. The only mistake we would make is if we did not try.

Seniors, bicycle riders, and the handicapped will benefit from the stability and predictability of a paved travel surface. There will be no cost to Sudbury for this valuable amenity, that many call a linear park. It will be used for recreation, exercise, and transportation. The rail trails will connect Sudbury's neighborhoods, schools, parks, athletic facilities, Town Center, and the commercial district. They will encourage green transportation, and bring us closer to the nature of Sudbury.

The Mass Central Rail Trail is on the state's list of highest priority rail trails. It should be our priority, too.

And you are required to serve this Warrant by posting an attested copy thereof at the Town Hall at least fourteen days before the time appointed for said meeting.

Hereof fail not and make due return by your doing thereon to the Town Clerk at or before the time of meeting aforesaid.

Given under our hands this twelfth day of November, two thousand and fourteen.

SELECTMEN OF SUDBURY:

Charles C. Woodard

Patricia A. Brown

Robert C. Haarde

Lawrence W. O'Brien

Leonard A. Simon

TOWN OF SUDBURY
SPECIAL TOWN ELECTION WARRANT

Commonwealth of Massachusetts
Middlesex, ss.

To the Constable of the Town of Sudbury:

GREETINGS: In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the Town of Sudbury qualified to vote in Town Elections, that voters residing in Precincts 1, 1A, 2 and 5 should meet at the Fairbank Community Center and voters residing in Precincts 3 and 4 should meet at the Town Hall in said Town on Tuesday, December 9, 2014 between the hours of seven o'clock in the forenoon and eight o'clock in the evening, to cast their votes on the following question:

BALLOT QUESTION NO. 1

Shall the Town of Sudbury be allowed to exempt from the provisions of proposition two and one-half, so called, the amounts required to pay for the bonds issued in order to remodel, reconstruct, or make extraordinary repairs consisting of partial roof replacement, window and door replacement, and envelope repair at the General John Nixon Elementary School at 472 Concord Road, including the payment of all costs incidental or related thereto?

YES ___

NO ___

SUMMARY: Under Article 1, of the December 3, 2014 Special Town Meeting, the Town will be asked to vote to appropriate \$1,121,000, inclusive of issuance costs for debt, to perform partial roof replacement, window and door replacement, and envelope repair and pay all expenses connected therewith at the General John Nixon School, 472 Concord Rd., which project may be eligible for grant funding under the Massachusetts School Building Authority's (MSBA) Accelerated Repair Program with the exception of bonding costs. This ballot question seeks to exclude the principal and interest to pay for the Town's portion of this project from the Proposition 2 ½ levy limit. Funding approval at the Special Town Meeting together with a favorable vote on this Ballot Question is a prerequisite of the MSBA grant.

As usual, the Town's share of the project would be temporarily funded during the course of construction through the issuance of Bond Anticipation Notes. The amount of the bond issued at the completion of the project would be net of MSBA grant funding received, if approved, and would be based upon the actual approved costs incurred on the project. As an example, if the amount of the bond issued for the Town's portion of the project assuming a MSBA grant approval of 36.89% would be \$700,000, the estimated annual debt service impact on the tax rate beginning in FY16 would be \$0.02 per \$1,000 of property assessment. In this example, the tax impact on a \$640,277 average home valuation is estimated at \$13 per year over the ten-year bond period.

A "yes" vote on this question will authorize the Town to fund this project outside of the Town's levy limit and therefore allow the project to proceed; a "no" vote will mean the project cannot proceed.

ARGUMENT FOR PASSAGE: General John Nixon Elementary School, originally built during 1960, was renovated and reopened during 1991. A 28,000 sq. ft. addition was constructed during 1994 due to growing school enrollment. Sudbury Public Schools are committed to replacing the aging and deteriorated shingle roof on the cafetorium, replacing the 54-year old single pane glass windows and selected older deteriorated exterior doors, and the removal and replacement of caulking in masonry joints on the 1990 portions of the school. The new doors

and windows will be significantly more energy efficient with improved glazing and weatherstripping. The roof shingles over the original cafetorium are 24 years old; they are undergoing cracking and wind failure, and should be replaced. Insulation to comply with the present energy code will be added.

This project has been reviewed by the Sudbury Permanent Building Committee [PBC], consulting engineering and architectural firms, the Facilities Director and the Massachusetts School Building Authority [MSBA]. Upon acceptance of the project into its Accelerated Repair Program, MSBA will fund up to 36.89% of eligible costs.

Sudbury should replace this roof before its failure disrupts school operations and necessitates more costly repairs due to water infiltration. The existing 1960 windows are energy inefficient, mostly inoperable and create a drafty and uncomfortable learning environment. The energy benefits of a newly-insulated roof and weather tight windows and doors, reduction of future repair costs and a 37% reimbursement of project costs by the State make this project a sound investment.

ARGUMENT IN OPPOSITION: Any increase in the Town's debt, which is now in decline, will cause hardship to many residents because of the real estate tax revenue needed to pay debt service. Exempting the debt from the limits of Proposition 2 ½ undermines the efforts of those seeking to control costs by limiting spending. The Town should not be lured by state contributions into construction projects that add to the debt load, and should find ways to fund large maintenance and repair projects without raising taxes beyond the limits of Proposition 2 ½.

BALLOT QUESTION NO. 2

Shall the Town of Sudbury be allowed to exempt from the provisions of Proposition two-and-on-half, so called, the amounts required to pay the bonds issued in order to purchase in fee simple, including the payment of all cost incidental or related thereto, a portion of the land known as the Johnson Farm located at 189 Landham Road, containing 33 acres more or less, for conservation and passive recreation purposes.

Yes _____ No _____

SUMMARY: Under Article 2, of the December 3, 2014 special Town Meeting, the Town will be asked to vote \$2,925,000, including borrowing expense, to purchase for conservation and passive recreation purposes, 33 of 35 acres of the Johnson Farm property located at 189 Landham Road. The funding is intended to be split between a debt exemption of \$1,925,000, and \$1,000,000 in Community Preservation Act (CPA) funds or as designated or authorized by the vote at Town Meeting. The Johnson Farm property contains approximately 35 acres. The intent is to purchase and preserve the rear 33 +/- acres of land with access to the rear of the parcel over a 20-foot wide area of land with frontage on Landham Road. Private fundraising is also possible, and funds raised in advance of the bond sale for the project will be applied towards the debt exemption portion.

This ballot question seeks to exclude the principal and interest to pay for the non-CPA purchase funding from the Proposition 2 ½ levy limit. The estimated annual debt service impact on the tax rate beginning in FY16 on \$1,925,000 would be \$0.02 per \$1,000 of property assessment. In this example, the tax impact on a \$640,277 average home valuation is estimated at \$23 in year one, declining to a low of \$16 over the twenty-year bond period.

A yes vote would allow the purchase to go forward. A no vote would prevent the borrowing of funds to supplement CPA funds.

ARGUMENT FOR PASSAGE: This Town is being asked to fund the purchase of 33 +/- acres consisting of the major portion of the Johnson Farm property located at 189 Landham Road for \$2,900,000. The intent is to purchase the rear 33 +/- acres of land, and to reduce the overall cost of this purchase by allowing limited development of 2 one-acre building lots along the Landham Road frontage. The plan is to use \$1,000,000 in CPA funds and to appropriate \$1,900,000, which will require a debt exemption Proposition 2 ½ override. Private fundraising, in whole or in part, is also being sought. Any funds so raised in advance of the bond sale for the project will be applied towards the portion sought pursuant to the debt exemption. The property acquired will have public access along a 20 foot wide area of land fronting on Landham Road. Purchase and preservation of this property will eliminate the threat of intense development proposed, and will end all litigation between the Town and the developer. A conservation restriction will be placed on the land pursuant to the requirements of the Community Preservation Act as added protection against any construction or use that will impair the property in perpetuity. The property is particularly valuable as it abuts other permanently protected lands, forms a large wildlife corridor of over 200 acres and is listed as a priority parcel for preservation in the 2009 Open Space and Recreation Plan. Please vote yes on this question.

ARGUMENT IN OPPOSITION: The Town has expended a significant amount of money over the last two years. We are now asked to expend a substantial additional sum for a marginal piece of property containing a large percentage of wetlands making the purchase price exorbitant. We are also asked again to ignore the proposition 2 ½ limitations for the third time this year with an additional request on this ballot. The other requests were and are necessary for the Town's infrastructure, while this question seeks to fund a luxury at the expense of the taxpayers. Additionally, the approved development plan for the property would add much needed rental and affordable housing to Sudbury's housing stock, bringing Sudbury closer to the state mandated goal of 10%. The development is tightly clustered to avoid significant disturbance to the natural resources on the property, and over 50% of the property will be preserved in perpetuity under a conservation restriction even with development. A no vote is urged for the protection of taxpayers.

And you are required to serve this Warrant by posting an attested copy thereof at the Town Hall at least seven days before the time appointed for said election.

Hereof fail not and make due return by your doing thereon to the Town Clerk at or before the time of meeting aforesaid.

Given under our hands this twelfth day of November, two thousand and fourteen.

SELECTMEN OF SUDBURY:

Charles C. Woodard

Patricia A. Brown

Robert C. Haarde

Lawrence W. O'Brien

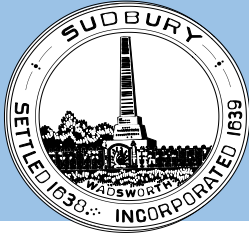
Leonard A. Simon



**Board of Selectmen
Sudbury, MA 01776**

**U.S. POSTAGE
PAID
Permit No. 4
Sudbury, MA 01776
ECRWSS**

**POSTAL PATRON
SUDBURY
MASSACHUSETTS 01776**



SUDBURY BOARD OF SELECTMEN
WEDNESDAY, NOVEMBER 12, 2014

Item # 7
Powdermill Road Walkway Funds

Date of Request: 11/5/2014

Requested by: Jody Kablack, Director of Planning & Community Development

Formal Title:

Authorize use of funds for completion of walkway on Powder Mill Road

Recommendations/Suggested Motion/Vote:

Vote to authorize use of \$40,000 as gifted to the Town by West Concord Development LLC towards completion of the walkway of Powder Mill Road from Cranberry Circle through its intersection with Route 117 (North Road)

Background Information:

attached memo

Financial Impact Expected: Funds accepted as a gift on 7/31/12

Approximate Time Requested:

Representative(s) Expected to Attend Meeting:



Town of Sudbury Dept. of Public Works

275 Old Lancaster Road
Sudbury, MA 01776
(978) 440-5421; (978) 440-5451 fax
I. William Place, DPW Director/Town Engineer

ENGINEERING • HIGHWAY • PARKS & GROUNDS • TRANSFER STATION • TREES & CEMETERY

November 6, 2014

Ms. Maureen Valente
Town Manager
288 Old Sudbury Road
Sudbury, MA 01776

Subject: Powder Mill Road Walkway

Dear Ms. Valente:

The Town is in the process of constructing a walkway along Powder Mill Road from its intersection of Route 117 to Singing Hill Circle, and from Tavern Circle to Cranberry Circle, almost 1/3 mile in length. This walkway was submitted and approved under the Walkway Planning Initiative, and funds were accepted by the Selectmen for its construction as mitigation from the West Concord Development LLC (developers of the Concord Mews project). Due to wetland proximity along sections of the route, the cost to construct this walkway exceeds the funds dedicated (\$54,250). I am aware of \$40,000 of additional funds that were accepted by the Selectmen from this same developer to be used for a similar purpose. On July 31, 2012, the Board of Selectmen voted unanimously: *to accept \$94,250 in mitigation funds from West Concord Development LLC resulting from the development of Concord Mews on the town borders of Sudbury and Concord towards development of pedestrian improvements along Powdermill and nearby roads and the design of a traffic signal or other improvements at the intersection of Route 117 and Powdermill Road as agreed to in a letter dated June 12, 2008 and expended under the direction of the DPW Director.*

There are currently no plans for a traffic signal at the intersection of Powder Mill Road and Route 117. In order to plan such a project, significant funds would need to be appropriated by the Town for the design and construction. State funds would not be eligible for this intersection since Route 117 is a town road. A land taking at the northwest corner of the intersection may also be necessary. By comparison, the traffic signal at Pantry Road and Rt 117 cost the Town \$169,222 in 2001. Construction costs have increased approximately 130% since that time, putting the 2014 cost for construction of this intersection at almost \$220,000.

I estimate that the cost to complete the walkway will be \$20,000. It is my recommendation that the use of a portion of the remaining funds would be better spent completing the pedestrian improvements along this road.

My request is that you authorize use of the \$40,000 towards completion of the Powder Mill Road walkway from Cranberry Circle through its intersection with Route 11 (North Road). Any funds remaining will be used for traffic safety improvements in and around this intersection and surrounding streets. Without these additional funds, I will not be able to complete the walkway until and unless additional funds are approved at the 2015 Annual Town Meeting.

If there are any questions, please advise.

Sincerely,



I. William Place, P.E.
Town Engineer/DPW Director

IWP/ab

cc:

Ace Restoration, Inc. – Bid Award

It was on motion unanimously

VOTED: To approve the bid award by the Town Manager for the Chimney Repair Project at the Hosmer House to Ace Restoration, Inc. of Medford, MA pursuant to bid dated July 12, 2012, for the sum of \$17,900; and to authorize the signing of any relevant documents by the Town Manager.

The Sudbury Foundation – Grant

It was on motion unanimously

VOTED: To accept a grant in the amount of \$15,000 from The Sudbury Foundation to support a website redesign for the Goodnow Library, as outlined in a letter dated July 10, 2012 from Marilyn Martino, Executive Director of the Foundation.

Department of Energy Resources Green Communities - Grant

It was on motion unanimously

VOTED: To accept a Green Communities Grant in the amount of \$250,000 from the Department of Energy Resources to offset the cost of the Atkinson Pool rooftop-mounted Heat Recovery Ventilation (HRV) unit as requested in an Energy & Sustainability Green Ribbon Committee grant application dated March 28, 2012; and to authorize the Town Manager to execute documents related to said project inclusive of the Grant Contract.

West Concord Development LLC – Mitigation Funds

It was on motion unanimously

VOTED: To accept \$94,250 in mitigation funds from West Concord Development LLC resulting from the development of Concord Mews on the town borders of Sudbury and Concord towards development of pedestrian improvements along Powdermill and nearby roads and the design of a traffic signal or other improvements at the intersection of Route 117 and Powdermill Road as agreed to in a letter dated June 12, 2008 and expended under the direction of the DPW Director.

Park and Recreation's Summer Concert Series – Donations

It was on motion unanimously

VOTED: To accept \$2,900 in miscellaneous donations to support Park and Recreation's Summer Concert Series, said funds to be deposited into the Park and Recreation Revolving Account, and expended under the direction of the Park and Recreation Director.

35 Corporate Drive
Burlington, MA 01803
Phone: (781) 685-4698
Fax: (781) 685-4704

West Concord Development LLC

June 12, 2008

Ms. Maureen G. Valente, Town Manager
Town of Sudbury
278 Old Sudbury Road
Sudbury, MA 01776

RE: Alexan Concord, 48 Old Powder Mill Road, Concord, MA

Dear Ms. Valente,

We appreciate the opportunity to discuss the Town of Sudbury's concerns outlined in Sudbury's letter dated May 7, 2008 to the Concord Zoning Board of Appeals. We now more fully understand the Town's concerns relative to the potential impacts of our development on the Town and residents of Sudbury. Accordingly, we propose the following for your consideration and are willing to be supportive of these items being included as conditions of the Town of Concord Zoning Board of Appeals' (ZBA) Comprehensive Permit for the project, if the Concord ZBA renders a positive decision and agrees to these conditions:

1. We agree to provide \$40,000 to the Town of Sudbury towards the design of a traffic signal or other improvements at the intersection of Route 117 and Powdermill Road in Sudbury.
2. We agree to provide \$54,250 to the Town of Sudbury towards the construction of pedestrian improvements along Powdermill Road and nearby roads in Sudbury.
3. To the extent approved by the Town of Maynard, we agree to repave the deteriorated portion of Sudbury Road from the Acton/Maynard Town Line to the Maynard/Sudbury Town Line to provide a more consistent surface from Route 117 to Route 62.
4. We agree to restrict construction vehicles from utilizing Powder Mill Road in Sudbury by requiring that construction subcontractors and other vendors with trucks enter the site from Route 62.
5. We agree to support enlargement of the description of local preference, as written in the draft conditions provided to Sudbury by the Town of Concord, to include the following additional groups, who represent governmental employees associated with the four applicable towns:
 - Public School employees;
 - Water District employees;
 - Regional High School District employees; and
 - Housing Authority employees.

We also understand that Sudbury has reviewed draft conditions provided by the Town of Concord, and that Sudbury supports removal of draft condition 25 (bullet #8) requiring the developer to design and construct a comprehensive sign and pavement marking improvement program for Powers Road in Sudbury. The Town of Sudbury will undertake this work on its own.

All parties agree to request the Concord Board of Appeals to include the above conditions in

the permit for the development if the Concord ZBA decides to issue such a permit.

And finally, Sudbury will accept the funds referenced above for the purposes set forth herein into a dedicated account upon receipt from West Concord Development LLC, which will pay such amounts prior to issuance of the 150th Certificate of Occupancy for the development. If the funds are not expended for their intended purposes within a 5 year period from their receipt they will be returned to West Concord Development LLC.

Please indicate Sudbury's acknowledgement of these items by signing below.

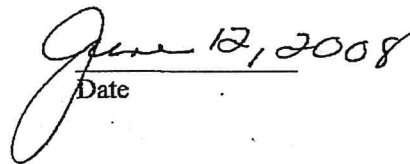
Sincerely,
WEST CONCORD DEVELOPMENT LLC



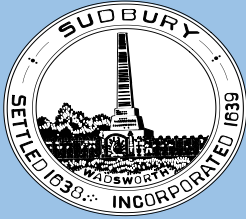
Robert D. Hewitt
Vice President

The Town of Sudbury hereby acknowledges that the concerns set forth in the May 7, 2008 letter from the Sudbury Board of Selectmen to the Concord Board of Appeals have been satisfied by the inclusion of the above conditions into the Comprehensive Permit decision issued for this development. We acknowledge that your agreements with us are predicated on the fact that the Sudbury Board of Selectmen and Town Manager will not directly or indirectly oppose, contribute in any way to an opposition to, or support in any way any opposition to your project and that we will communicate our support for the project to the Concord, Acton and Maynard Boards of Selectmen and Zoning Boards of Appeal. Future comments will be limited to making the requests identified in this letter or new issues resulting from altering the existing comprehensive permit applications.



Maureen G. Valente, Town Manager

Date



SUDBURY BOARD OF SELECTMEN
WEDNESDAY, NOVEMBER 12, 2014

Item # 8
Melone Committee Mission Statement

Date of Request: 10/21/2014

Requested by: Jody Kablack

Formal Title:

Discussion on Draft Mission Statement for the Melone Property Redevelopment Advisory Committee

Recommendations/Suggested Motion/Vote:

Discussion and vote to approve Draft Mission Statement for the Melone Property Redevelopment Advisory Committee

Background Information:

See attached draft mission statement

Financial Impact Expected:

Approximate Time Requested:

Representative(s) Expected to Attend Meeting:

Melone Property Redevelopment Advisory Committee
TOWN OF SUDBURY
(Voted to establish _____ by the Sudbury Board of Selectmen)

Mission Statement

It is the intention of the Selectmen in creating this Committee to provide a mechanism for the Board to be advised on options to redevelop the Melone gravel pit property on North Road into rental housing which significantly counts towards the Town's 10% affordable housing requirement and to enhance opportunities for recreational and other uses. The Melone Property Redevelopment Advisory Committee (Committee) will make recommendations to the Board of Selectmen on all Responsibilities and Functions noted below. The Committee will not have the power to control or commit town resources or approve projects. The Committee will work closely with all relevant Town boards, committees and departments which will, to the extent feasible, identify and recommend to the Town Manager available Town resources to support the goal of assessing the redevelopment capacity and restoration of this property.

Responsibilities and Functions

The Melone Property Redevelopment Advisory Committee shall:

- Develop a Request for Proposals for a consulting team
- Review RFPs and make a recommendation to the Board of Selectmen on the preferred consultant;
- Provide guidance and feedback to the consultant during the study period;
- Conduct a public process in partnership with the consultant to involve residents and boards in deciding the best use or uses for the property, including multiple/complementary uses;
- Prepare a Request for Proposals and make recommendations to the Board of Selectmen on the selection of a developer for disposition of the land; and
- Provide support for any required board, committee or Town Meeting votes on the project through construction of the project.

Membership and Officers

The Melone Property Redevelopment Advisory Committee shall have nine (9) voting members – seven (7) members representing boards and commissions of the Town, and 2 at-large members, all to be appointed by the Board of Selectmen. Each of the following boards and committees shall appoint a member, or a designee: Board of Selectmen, Planning Board, Conservation Commission, Park and Recreation Committee, Council on Aging, Design Review Board, and one member or designee from either the Sudbury Housing Trust or the Sudbury Housing Authority. All appointments shall end on May 31, 2016. In addition, the Conservation Coordinator, Town Planner, Board of Health Director, Director of Public Works and the Park and Recreation Director or his/her representative(s), shall serve as liaisons and resources to the Committee, subject to the discretion of the Town Manager.

The Committee shall elect a Chair and a Clerk from among its members. The Chair will run meetings and be the designated communications link with the Board of Selectmen's office. The Clerk shall insure that full minutes and a list of members in attendance are kept of each meeting and promptly submitted to the Committee for approval, filing with the Town Clerk, and posting to the Town's website.

Compliance with State and Local Laws and Town Policies

The Melone Property Redevelopment Advisory Committee is responsible for conducting its activities in a manner which is in compliance with all relevant state and local laws and regulations including but not limited to the Open Meeting Law, Public Records Law, and Conflict of Interest Law, as well as all Town policies which affect committee membership. In particular, all appointments are subject to the following:

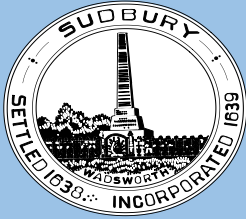
The Code of Conduct for Selectmen Appointed Committees. A resident or employee who accepts appointment to a Town committee by the Board of Selectmen agrees that he/she will follow this code of conduct.

Revised 9/2/14

The Town's Email Communication for Committee Members Policy. Anyone appointed to serve on a Town committee by the Board of Selectmen agrees that he/she will use email communication in strict compliance with the Town of Sudbury's email policy, and further understands that any use of email communication outside of this policy can be considered grounds for removal from the committee by the Selectmen.

Use of the Town's Web site. The Committee will keep minutes of all meetings and post them on the Town's web site. The committee will post notice of meetings on the Town's web site as well as at the Town Clerk's Office.

DRAFT



SUDBURY BOARD OF SELECTMEN
WEDNESDAY, NOVEMBER 12, 2014

Item # 9

Release Executive Session meeting minutes

Date of Request: 11/6/2014

Requested by: Town Manager Maureen Valente

Formal Title:

Discuss and vote to release Executive Session meeting minutes from 2011 and 4/29/14

Recommendations/Suggested Motion/Vote:

Vote

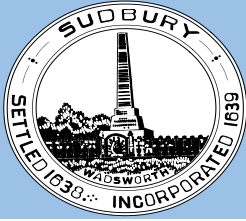
Background Information:

See attached

Financial Impact Expected:

Approximate Time Requested:

Representative(s) Expected to Attend Meeting:



SUDBURY BOARD OF SELECTMEN
WEDNESDAY, NOVEMBER 12, 2014

Item # 10
Minutes Approval

Date of Request: 10/29/2014

Requested by: Patty Golden

Formal Title:

Vote to approve regular session and executive session meeting minutes on 10/28/14, and the regular session meeting minutes of 10/14/14.

Recommendations/Suggested Motion/Vote:

Vote

Vote to approve regular session and executive session meeting minutes on 10/28/14, and the regular session meeting minutes of 10/14/14.

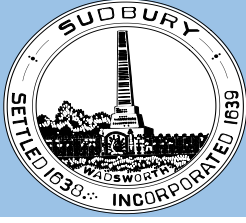
Background Information:

see attached amended 10/14 minutes by Selectman Brown

Financial Impact Expected:

Approximate Time Requested:

Representative(s) Expected to Attend Meeting:



SUDBURY BOARD OF SELECTMEN
WEDNESDAY, NOVEMBER 12, 2014

Item # 11

Approval of Agreement for Legal Services with Petrini & Associates, PC

Date of Request: 11/7/2014

Requested by: Town Manager Maureen Valente

Formal Title:

Approval of Agreement for Legal Services with Petrini & Associates, PC

Recommendations/Suggested Motion/Vote:

Vote/Sign

Vote to approve and sign the Agreement for Legal Services with Petrini & Associates, P.C. for the period beginning January 1, 2015 and concluding June 30, 2017.

Background Information:

Agreement is attached together with cover memorandum from Town Manager

Financial Impact Expected: Stated in proposal from Petrini & Associates which was accepted by the Board of Selectmen on 10/28/14, and is incorporated into the Agreement for Services.

Approximate Time Requested:

Representative(s) Expected to Attend Meeting:



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: November 7, 2014
To: Board of Selectmen
From: Maureen G. Valente, Town Manager
Subject: Legal Services Agreement

Attached is the Legal Services Agreement document, to be signed by Board of Selectmen, as the Board voted appoint Petrini & Associates on October 28th, 2014 and asked me to do the tasks necessary to effectuate this vote.

Your vote meant that you accepted the terms of the proposal from Petrini & Associates to provide the Legal Services. Some highlights of this agreement:

1. The term period is actually 2 ½ years, as the proposal was to provide services through June 30, 2017 and that coincides with our fiscal year. If satisfied with the work of the firm, the Board would not need to take any other votes for the remainder of this fiscal year, or FY16 or FY17, as the term and the fees have been proposed through that date.
2. Services to be provided. It's important to point out that the retainer does not include real estate transaction services, which we have had a significant number of real estate transactions in recent years and could continue with those in the near future. Those services are available from Petrini & Associates, but on an hourly fee basis. Same with building committee work and Chapter 40B work. We already have separate counsel for Labor and Tax Tile work and pay hourly rates for that work.
3. Termination by Client. As noted the Town may, by a vote of three members of the Board of Selectmen, terminate the services of the Law Firm at any time for reasons sufficient to the Client in its sole discretion, subject to contractual liability to the Law Firm for service rendered to the date of notice to the Law Firm of the termination of the Law Firm's services, with 30 days' notice required.

The agreement has been reviewed by Paul Kenny and he approved it for your consideration and vote. I recommend that this agreement be approved and signed at the Board's earliest convenience so the transition process can get underway.

Please let me know any questions you have in this matter.

AGREEMENT FOR LEGAL SERVICES

This Agreement dated as of January 1, 2015 is made

BETWEEN

The Town of Sudbury, a political subdivision of the Commonwealth of Massachusetts, whose address is 278 Old Sudbury Road, Sudbury acting by and through its Board of Selectmen. (The term "Client" refers to the Town of Sudbury.)

AND

Petrini & Associates, P.C., a Professional Corporation for the practice of law duly organized and existing under the laws of the Commonwealth of Massachusetts and having its principal office at 372 Union Avenue, Framingham, referred to herein as the "Law Firm."

Preamble

This Agreement is entered into between the Law Firm and the Client for the purpose of procuring legal services as more fully described herein. This Agreement shall govern the relationship between the parties during the entire term of this Agreement which shall commence January 1, 2015 and conclude June 30, 2017 which term is hereinafter referred to as the "Term of Appointment."

1. Legal Services to Be Provided

The Law Firm will provide the Client, acting through its Board of Selectmen, with advice and counsel as to the legal implications of matters of importance to the Client and, in general, will: administer the legal affairs of the Client; assume responsibility for particular matters undertaken by the Law Firm; monitor the status of matters undertaken by the Law Firm; respond periodically or upon request to inquiries from the Client or particular officers, boards or committees authorized by the Board of Selectmen; assure diligent prosecution or completion of all matters undertaken on behalf of the Client; attend promptly to all requests for legal opinions, formal or informal; and, in general, endeavor to control the cost of legal services so that expenses are proportionate to the resources of the Client that are available for the matter and to the nature of the responsibility undertaken and the importance of the matter to the Client as determined by the Client.

The Law Firm will not provide legal services with respect to tax title work, cable television licensing, and public employee retirement matters. The Client will make such arrangements as it deems necessary to obtain such services.

The Law firm will not provide any legal services other than those specified above without first consulting with the Client and obtaining authorization from the Client. In such matters the Client

may delegate to the Town Manager, either in particular instances or generally, the power to authorize such services.

The Law Firm is authorized to rely upon all communications made to it by the Town Manager relating to the general management of the Town's legal affairs as having been duly authorized by the Board of Selectmen. All communications permitted or required to be made by the Law Firm to the Client relating to such general management shall be deemed to have been sufficiently made when made to the Town Manager in such manner as the Town Manager may from time to time direct unless this Agreement or the Board of Selectmen require that they may be made directly or solely to the Board of Selectmen. The Law Firm may communicate directly with Department Heads and such other employees of the Town as the Law Firm deems necessary in particular matters in which it is rendering services. The Law Firm shall keep the Town Manager informed reasonably promptly as to the substance of such communications.

Attorney Barbara J. Saint André is designated as the primary attorney for the Town, and is authorized by the Law Firm to manage the legal services to be rendered to the Client and to act on behalf of the Law Firm with respect to all matters required to the Law Firm under this agreement.

2. Legal Fees

The Law Firm acting through the primary attorney will utilize its best efforts to manage the legal services required by the Client during the term of this Agreement so as to not exceed the amount made available by the Client.

a. Basic Town Counsel Services

The Law Firm will provide all basic and ordinary Town Counsel services to the town for a yearly fixed fee of sixty thousand dollars (\$60,000) for calendar year 2015; sixty thousand dollars (\$60,000) for calendar year 2016; and sixty-five thousand dollars (\$65,000) prorated for January 1, 2017 through June 30, 2017, plus out of pocket expenses at cost (hereinafter referred to as "Basic Town Counsel Services"). The fixed annual fee for Basic Town Counsel Services covers typical town counsel services, including the following (so long as the service is not part of an excluded matter):

- consultation with town officials at town hall or at our offices;
- weekly office hours at town hall;
- telephone conferences with town officials;
- research and writing of opinion letters;
- review, interpretation, and drafting of town bylaws;
- review and drafting town meeting warrant articles;
- review and drafting town meeting motions;
- attendance at town meetings;
- attendance at board and committee meetings (up to two per month);
- review of contracts;

- drafting of contracts;
- review of subdivision documents, such as covenants (to the extent not paid for by the developer);
- review and drafting of planning board, board of appeals, or other town board or committee decisions;
- review or drafting of routine legal instruments such as restrictive covenants, conservation restrictions, releases, and easements.

The list of services covered within Basic Town Counsel Services is not intended to be exhaustive, but merely illustrative of the Basic Town Counsel Services covered by the fixed annual fee. The fixed fee per fiscal year for Basic Town Counsel Services shall be billed in equal monthly increments, at a monthly rate of one-twelfth the yearly fixed fee. The Law Firm also agrees to provide in the first fiscal year two free seminars at Town Hall on topics to be agreed upon between the Town and the Law Firm, and periodic free seminars as appropriate after the first year.

b. Hourly Legal Services

Litigation, real estate transactions, Chapter 40B comprehensive permit hearings, construction and building committee issues, and labor are not included within the Basic Town Counsel Services, will be billed separately at an hourly rate, and are referred to herein as “Hourly Legal Services.”

The following are Hourly Legal Services not within Basic Town Counsel Services:

- work on litigation matters, including appeals to administrative agencies such as the ABCC and the Appellate Tax Board;
- real estate transactions, i.e. acquisition or disposal by the town of a parcel of real estate;
- comprehensive permit hearings;
- labor, i.e. collective bargaining, grievances, arbitrations, other union matters;
- construction and building committee issues and litigation.

The Hourly Legal Services rendered by the Law Firm outside of Town Counsel Basic Services during the term of this Agreement will be billed to the Client at the hourly rates set forth below. If additional attorneys are hired by the Law Firm, the Law Firm will inform the Client of the additional attorney and billing rate.

	2015	2016	1/1/17-6/30/17
Attorney Petrini	\$210	\$215	\$220
Attorney Saint André	\$190	\$195	\$200

Associates	\$175	\$180	\$185
Law Clerk/Paralegal	\$75	\$80	\$85

The Law Firm shall not charge for travel time to and from Town Hall except during normal working hours.

c. Invoicing

The Law Firm will use its best efforts to provide within fifteen days after the last working day of each month during the term of this Agreement invoices for serviced rendered for the prior month. In no event shall invoices for the prior month's services be provided to the Client later than the last business day of the immediately succeeding month of the month in which services have been rendered. Invoices shall identify for all legal services by the Law Firm, including Basic Services, the subject matter of the service; the attorney, law clerk or paralegal rendering the service; the date and description of the work performed thereon; the time devoted to the work on each date and the applicable hourly rate of charge. Expenses for which reimbursement is sought shall be similarly itemized. Additional information sought by the Client's accounting department if required will be provided promptly.

3. Costs and Expenses

The Law Firm shall be compensated or reimbursed for the costs of: photocopying; messenger service; costs of depositions, including stenographers' fees and costs of transcripts; out-of-pocket travel expenses incurred, including but not limited to court appearances and attendance at depositions; fees for service of process; delivery fees and other out-of-pocket disbursements. The Law Firm will not incur any single cost or costs of similar type that aggregate in any billing period in excess of \$500 for such cost or type of cost without the prior consent of the Client acting through the Town Manager unless such expenses have been included in any budget that may have been approved for the particular matter.

4. When Payments Are Due

Payments to the Law Firm shall be due upon receipt of the periodic invoices described herein and in any event not later than 30 days following such receipt.

5. Authorization and Decisions Making

The Law Firm agrees to notify the Client promptly of all significant developments in any matter with respect to which the Law Firm is to render legal services and to consult with the Client with respect to any significant decisions related to those developments.

6. Termination by Client

The Client may terminate the services of the Law Firm under this Agreement at any time upon the affirmative vote of three members of the Board of Selectmen for reasons sufficient to the Client in its sole discretion, subject to its contractual liability to the Law Firm for services rendered to the date of notice to the Law Firm of the termination of the Law Firm's services. Any such termination shall not be effective for at least thirty days after notice to the Law Firm. Upon termination of the services of the Law Firm for sufficient cause stated, the Law Firm shall be entitled only to payment for all services properly rendered in accordance with the terms of this Agreement through the date of termination.

Upon termination of the Law Firm's services, the Client shall be entitled to the return of all papers and effects of the Client in the possession of the Law Firm, and to receive copies made at the expense of the Client of all work papers, memoranda of law and other materials prepared by the Law Firm pertaining to the subject matter of the Law Firm's representation. The Law Firm shall have no possessory lien with respect to the foregoing items.

7. Termination by Law Firm

The Law Firm may terminate this Agreement if: (1) the Client is in breach of its obligation hereunder; (2) if the Client fails to pay invoices for services rendered within forty-five days (the Law Firm agrees to provide written notice to client at least ten days before exercising the right of termination set forth in this subsection); or (3) if the Law Firm is otherwise required to do so in accordance with the Rules of Professional Conduct governing attorneys admitted to practice law in the Commonwealth of Massachusetts. Unless the Law Firm is required to terminate this Agreement in accordance with the Rules of Professional Conduct, the Law Firm agrees to provide the Client with at least thirty days notice of termination.

Upon such termination, the Law Firm shall at the Client's direction deliver legible copies of all of the Law firm's work product, and other material relating to the subject matter of this agreement prepared in connection with the services, to the Client, or at the direction of the Client, to successor counsel. Upon such termination, the Law Firm will cooperate with successor counsel to assure a smooth transition of the representation. The attorney's lien for fees provided in Mass. Gen. Laws, c. 221, §50 shall not be deemed to constitute a possessory lien on any tangible expression of the attorney's work product or to any papers of the Client in the Law Firm's possession.

8. Information to Be Made Available to the Client

The Law Firm will make reasonable efforts to keep the Client informed reasonably promptly of developments or changes in the status of any matters with respect to which services are rendered under this Agreement and as to all acts that are being taken on behalf of the Client. The Law Firm will make its files on such matters available to the Client and at the Client's request will send copies of materials to the Client at the Client's expense. The Law Firm will be guided in the preparation of communications to the Client by the provisions of the Public Records Law of the Commonwealth of Massachusetts (Mass Gen. Laws c. 66, §10) and will clearly designate as

“Attorney-Client Confidential” or “Executive Session Material” each document that requires or warrants such designation.

9. Representations

The Law Firm represents to the Client that the Law Firm during the term of its representation of the Town will not represent any client in matters in which the interests of such client are adverse to those of the Town or in any matter seeking action by any officer, agency, board of committee of the Town.

In the event that the Law Firm shall be disabled or disqualified by reason of the Code of Professional Conduct from providing services to the Client in a particular matter as to which the foregoing representations do not apply, the Law Firm shall notify the Client promptly upon becoming aware of the circumstances and shall be excused from providing services to the Client in such matter. The Law Firm will be entitled to compensation for work performed on behalf of the Client at the hourly rates set forth herein prior to the discovery of a conflict to the extent such work has benefited Client.

10. Complete and Binding Agreement

This writing and the incorporated references include the entire agreement between the Client and the Law Firm regarding this matter. This Agreement can only be modified by another written agreement signed on behalf of the Client and the Law Firm. This Agreement shall be binding upon the Law Firm and the Client for the Term of Appointment specified herein, subject, nevertheless, to the provisions herein relating to termination of services.

11. Signatures

Both the Client and the Law Firm have read and agreed to the terms of this Agreement. The parties executing this Agreement hereby represent that they have the requisite authority to execute said Agreement and bind the respective parties. The Agreement has been executed in two counterparts. Any one of said two shall serve as an original.

*[Remainder of page has been intentionally left blank.
Signature page for Agreement appears on next page.]*

**Town of Sudbury
Board of Selectmen**

Charles C. Woodard, Chairman

Patricia Brown, Vice-Chair

Robert C. Haarde

Lawrence W. O'Brien

Leonard A. Simon

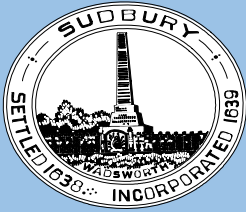
Dated:

2014.10.29 Sudbury contract (2700-06)

Petrini & Associates, P.C.

Christopher J. Petrini, Principal

Dated:



SUDBURY BOARD OF SELECTMEN
WEDNESDAY, NOVEMBER 12, 2014

Item # 12
Appoint Cultural Council Members

CONSENT CALENDAR

Date of Request: 10/28/2014

Requested by: Leila S. Frank

Formal Title:

Vote to appoint Yael Kupiec-Dar, 77 Hemlock Road, and Cynthia Kazior, 34 Blacksmith Drive and to re-appoint Ellen Gitelman, 19 Raynor Road, and Jeanne M. Maloney, 119 Willis Road, to the Sudbury Cultural Council for terms to expire October 14, 2017.

Recommendations/Suggested Motion/Vote:

Vote/Sign

Vote to appoint Yael Kupiec-Dar, 77 Hemlock Road, and Cynthia Kazior, 34 Blacksmith Drive and to re-appoint Ellen Gitelman, 19 Raynor Road, and Jeanne M. Maloney, 119 Willis Road, to the Sudbury Cultural Council for terms to expire October 14, 2017.

Background Information:

Sudbury Cultural Council Members - 10/28/14

Name	Position	Address	Term	End Date
Ellen M. Gitelman	Chairman	19 Raynor Road	3	10/11/2014
Michele H. Latimer	Member	45 Old Lancaster Rd	3	10/11/2014
Jeanne M. Maloney	Member	119 Willis Road	3	10/11/2014
Cynthia Nelissen-Nihart	Member	47 Raynor Rd	3	10/30/2015
Anne Riesenfeld	Member	25 Concord Rd	3	10/30/2015
Susan Rushfirth	Member	48 Harvard Dr	3	10/11/2014

Financial Impact Expected: N/A

Frank, Leila

From: Ellen Gitelman <ellen.gitelman@gmail.com> on behalf of Ellen Gitelman
<elleng@americangraphiti.com>
Sent: Wednesday, November 05, 2014 4:00 PM
To: Selectmen's Office
Subject: Sudbury Cultural Council appointments

Dear Board of Selectmen,

On Tuesday, October 28, 2014, the Sudbury Cultural Council met at Goodnow Public Library and voted to appoint the following new members:

Yael Kupiec Dar
Cynthia Kazior

The Sudbury Cultural Council also voted to reappoint me and Jeanne Maloney for another 3-year term.

Thank you for reviewing the appointments at your November 12th meeting.

Ellen Gitelman
Chair, Sudbury Cultural Council

TOWN OF SUDBURY
APPLICATION FOR APPOINTMENT

BOARD OF SELECTMEN
278 OLD SUDBURY ROAD
SUDBURY, MA 01776

FAX: (978) 443-0756
E-MAIL: selectmen@sudbury.ma.us

Board or Committee Name: Sudbury Cultural Council

Name: Yael R. Kupiec-Dar

Address: 77 Hemlock Rd.

Email Address

Home phone

Work or

Years lived in Sudbury: 10

Brief resume of background and pertinent experience:

Art Teacher part-time at the Ephraim Curtis Middle School, Sudbury, MA 2012-present

Curriculum Advisor Explorations Program Wellesley University, Wellesley, MA 2012

Art Education Adjunct Professor Lesley University, Cambridge, MA 2007

Art Teacher full-time Revere High School, Revere, MA 1995-2004

Municipal experience (if applicable):

Educational background:

Masters of Fine Arts Maryland Institute College of Art, Baltimore, MD 2001

Master of Science in Art Education Massachusetts College of Art, Boston, MA 1994

Bachelors of Fine Arts Brandeis University, Waltham, MA 1990

Reason for your interest in serving:

Interested in supporting the arts and cultural events in Sudbury. Have received several Massachusetts Cultural Council Grants and recognize the value to the community.

Times when you would be available (days, evenings, weekends):

Tuesday and Wednesday Evenings occasional Thursday evenings

Do you or any member of your family have any business dealings with the Town? If yes, please explain:

No

YRK-D (Initial here that you have read, understand and agree to the following statement)

I agree that if appointed, I will work toward furtherance of the committee's mission statement; and further, I agree that I will conduct my committee activities in a manner which is compliant with all relevant State and Local laws and regulations, including but not limited to the Open Meeting Law, Public Records Law, Conflict of Interest Law, Email Policy and the Code of Conduct for Town Committees.

I hereby submit my application for consideration for appointment to the Board or Committee listed above.

Signature _____

Date 11/5/14

**TOWN OF SUDBURY
APPLICATION FOR APPOINTMENT**

RECEIVED
BOARD OF SELECTMEN
SUDBURY, MA

BOARD OF SELECTMEN
278 OLD SUDBURY ROAD
SUDBURY, MA 01776

FAX: (978) 443-0756
E-MAIL: selectmen@sudbury.ma.us

2014 NOV -6 P 3:41

Board or Committee Name: Sudbury Arts Council

Name: Cynthia Kazior

Address: 34 Blacksmith Drive, Sudbury MA 01776

Email Address: [REDACTED]

Home phone: [REDACTED]

Work or Cell p [REDACTED]

Years lived in Sudbury: 30

Brief resume of background and pertinent experience:

American citizen born and raised in Switzerland (until college) with family members of multiple diverse backgrounds. Always been interested and thus attended all types of artistic exhibits and performances in the US and abroad. Both my children were involved in the music program and plays and my daughter in the LS dance troupe. At Haynes, while my kids attended elementary school, I helped bring the arts to school meetings by inviting outside guests/groups which were funded. Now that my children are grown I'm enjoying more of what Sudbury, nearby towns and Boston have to offer in terms of art. I believe that art is both an enjoyment and education and helps complement life.

Municipal experience (if applicable):

None

Educational background:

BA in International Relations Tufts University

Reason for your interest in serving:

Since I believe that art (all types and expressions of various cultures) continuously enriches my life I would like to share this passion with the people of Sudbury from the children to the seniors.

Times when you would be available (days, evenings, weekends):

Days and evenings preferred but occasional weekends if necessary fine

Do you or any member of your family have any business dealings with the Town? If yes, please explain:

No

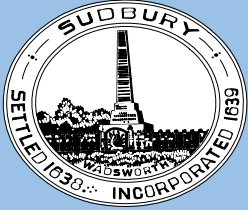
CK (Initial here that you have read, understand and agree to the following statement)

I agree that if appointed, I will work toward furtherance of the committee's mission statement; and further, I agree that I will conduct my committee activities in a manner which is compliant with all relevant State and Local laws and regulations, including but not limited to the Open Meeting Law, Public Records Law, Conflict of Interest Law, Email Policy and the Code of Conduct for Town Committees.

I hereby submit my application for consideration for appointment to the Board or Committee listed above.

Signature Cynthia Kazior

Date Nov 6, 2014



SUDBURY BOARD OF SELECTMEN
WEDNESDAY, NOVEMBER 12, 2014

Item # 13

Pre-Thanksgiving Day All Sports Bonfire at LSRHS

CONSENT CALENDAR

Date of Request: 10/31/2014

Requested by: Paul Bisson, Board Member, Lincoln-Sudbury All Sports Boosters Club, Inc.

Formal Title:

Vote to approve the annual L-SRHS Pre-Thanksgiving Day All Sports Ceremonial Bonfire on Wednesday, November 26, 2014 from 6:00 p.m. to 9:00 p.m., as requested in a letter dated October 31st from Paul Bisson, Board Member, Lincoln-Sudbury All Sports Boosters Club, Inc.

Recommendations/Suggested Motion/Vote:

Vote

Vote to approve the annual L-SRHS Pre-Thanksgiving Day All Sports Ceremonial Bonfire on Wednesday, November 26, 2014 from 6:00 p.m. to 9:00 p.m., as requested in a letter dated October 31st from Paul Bisson, Board Member, Lincoln-Sudbury All Sports Boosters Club,

Background Information:

This is an annual event held without incident – no one has any issues with it.

Financial Impact Expected:

Approximate Time Requested:

Representative(s) Expected to Attend Meeting:

LS All Sports Booster Pre-Thanksgiving Bonfire Department Feedback

DPW

From: Place, Bill

Sent: Wednesday, November 05, 2014 6:51 AM

To: Selectmen's Office

Subject: RE: LS All Sports Booster Pre-Thanksgiving Bonfire

Patty, they have been doing this for years and I believe without incident.

The DPW has no issues with this request.

-Bill

FIRE DEPARTMENT

From: Miles, William

Sent: Friday, November 07, 2014 8:59 AM

To: Frank, Leila; Golden, Patricia

Subject: Re: Please Respond: LS All Sports Booster Pre-Thanksgiving Bonfire

Hi Leila,

We normally send a fire engine and two personnel to monitor the bonfire. As long as the Boosters call us to be sure that fire detail is in place, we have no other issues.

-Bill

RESPONSE:

From: Paul [<mailto:bissonsales@gmail.com>]

Sent: Friday, November 07, 2014 9:18 AM

To: Frank, Leila

Cc: Golden, Patricia; polcari@verizon.net; Fire Department; David McCormick; Heather Clary; Wendy Casey

Subject: Suspicious URL:LS All Sports Booster Pre-Thanksgiving Bon Fire

Hi Leila,

Kimberly Polcari and I spoke this week either Monday or Tuesday and I provided her with the details.

I am copying her so she can confirm back that the detail has been put in place.

Thanks,

Paul Bisson

POLICE DEPARTMENT

From: Nix, Scott

Sent: Friday, November 07, 2014 9:05 AM

To: Frank, Leila; Grady, Robert

Subject: RE: Please Respond: LS All Sports Booster Pre-Thanksgiving Bonfire

Leila,

As long as they follow past protocols such as hiring a detail and Chief Miles feels the area proposed is safe given the construction of the solar array we have no issues.
-Scott

RESPONSE:

Hi Leila,

Peter Elenbaas (LH Athletic Director) confirmed earlier this week that he will be taking care of the notifying the police for the detail.

(responded to the Fire Department email moments ago)

Thanks again,

Paul

Frank, Leila

From: Paul <bissonsales@gmail.com>
Sent: Saturday, November 01, 2014 9:04 AM
To: Golden, Patricia
Cc: Selectmen's Office; Wendy Casey; Heather Clary; David McCormick; Cheryl Boland; Peter Elenbaas
Subject: Suspicious URL:Fwd: LS All Sports Booster Pre-Thanksgiving Bon Fire

Hi Patty,

Apologies for the typo - the date is the 26th.

Regards
Paul

Begin forwarded message:

From: "Golden, Patricia" <GoldenP@sudbury.ma.us>
To: Paul <bissonsales@gmail.com>, Selectmen's Office <selectmensoffice@sudbury.ma.us>
Cc: Wendy Casey <wendy.casey@comcast.net>, Heather Clary <heatherclary@comcast.net>, David McCormick <dmccormick11@gmail.com>, "Cheryl Boland" <cheryl.boland@comcast.net>, Peter Elenbaas <peter_elenbaas@lsrhs.net>
Subject: RE: LS All Sports Booster Pre-Thanksgiving Bon Fire
Date: October 31, 2014 at 4:38:36 PM EDT

Hello,
Could you please clarify the date? You mention 11/28 below, and also 11/26.

Thank you.

Patty Golden
Senior Admin Asst to the Town Manager
Town of Sudbury
Ph: 978-639-3382
Fax: 978-443-0756
www.sudbury.ma.us

-
When writing or responding, please be aware the Secretary of State has determined that e-mail is a public record and thus not confidential

From: Paul [<mailto:bissonsales@gmail.com>]
Sent: Friday, October 31, 2014 9:11 AM
To: Selectmen's Office
Cc: Wendy Casey; Heather Clary; David McCormick; Cheryl Boland; Peter Elenbaas
Subject: LS All Sports Booster Pre-Thanksgiving Bon Fire

To the BOS,

The LS All Sports Boosters are requesting permission to hold the annual. Pre-Thanksgiving Bonfire at Lincoln- Sudbury Regional High School to be held on Wednesday **November 28th** from 6:00 - 9:00

(See the attached document for details)

Thank you!

Paul Bisson - LS All Sports Booster Club Board Member
55 Highland Ave.
Sudbury, MA 01776
Mobile: [617-212-1307](tel:617-212-1307)

Lincoln- Sudbury All Sports Boosters Club, Inc.
Paul Bisson – Board Member
55 Highland Ave.
Sudbury, Massachusetts 01776
Mobile: 617.212.1307
Office: 978-.440.9581

Town of Sudbury Office of Selectmen
Attention: Patty Golden, Leila Frank
selectmenoffice@sudbury.ma.us
278 Old Sudbury Road
Sudbury, Massachusetts 01776

October 31, 2014

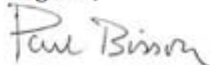
Re: Pre- Thanksgiving Day All Sports Bonfire

Dear Board of Selectmen,

On behalf of the Lincoln- Sudbury All Sports Boosters Club, I am asking for the Board's permission for Lincoln- Sudbury Regional High School to hold a Pre- Thanksgiving Day All Sports Ceremonial Bonfire at the school on Wednesday, November 26, 2014, from 6:00 PM to 9:00 PM. The event will comply with Police, Fire, DPW, and School Department regulations to ensure the event is safely accomplished.

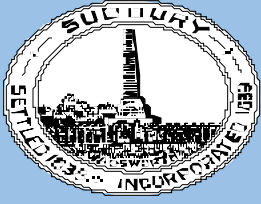
Thank you for your consideration.

Regards,



Paul Bisson

CC Peter Elenbaas, Heather Clary, Wendy Casey, David McCormick, Cheryl Boland



SUDBURY BOARD OF SELECTMEN
WEDNESDAY, NOVEMBER 12, 2014

Item # 14
Sudbury 375 Donation

CONSENT CALENDAR

Date of Request: 11/6/2014

Requested by: Leila S. Frank

Formal Title:

Vote to accept, on behalf of the Town, donations from Adrian & Judith Sheldon; Caroline & Joseph Santangelo; Sudbury Coffee Works; Skylana Associates; George & Melinda Connor totaling \$719.50 to be used by the Town of Sudbury for the purpose of the Sudbury Celebrates 375/Sudbury Day Committee celebration, and may be used for another similar purpose as authorized by the Board of Selectmen in the event that all funds are not expended at the conclusion of the aforementioned

Recommendations/Suggested Motion/Vote:

Vote

Vote to accept, on behalf of the Town, donations from Adrian & Judith Sheldon; Caroline & Joseph Santangelo; Sudbury Coffee Works; Skylana Associates; George & Melinda Connor totaling \$719.50 to be used by the Town of Sudbury for the purpose of the Sudbury Celebrates 375/Sudbury Day Committee celebration, and may be used for another similar purpose as authorized by the Board of Selectmen in the event that all funds are not expended at the conclusion of the aforementioned

Background Information:

Financial Impact Expected: \$719.50

Approximate Time Requested:

Representative(s) Expected to Attend Meeting: