

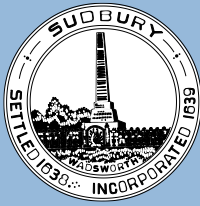
SUDBURY BOARD OF SELECTMEN
TUESDAY MAY 1, 2018
7:00 PM, TOWN HALL - LOWER LEVEL

Item #	Time	Action	Item
	7:00 PM		CALL TO ORDER
			Opening remarks by Chairman
			Reports from Town Manager
			Reports from Selectmen
			Citizen's comments on items not on agenda
PUBLIC HEARING			
1.	7:15 PM	<i>VOTE / SIGN</i>	Consideration of utility petition to approve a plan presented by Nstar Electric Company d/b/a/ Eversource Energy and Verizon to remove and install one pole #66/18 and to install one sidewalk anchor guy on 66/18. This work is necessary to remove the pole from the island at the Department of Public Works building entrance located at 275 Old Lancaster Road. Christine Cosby of Eversource to attend.
TIMED ITEMS			
2.	7:30 PM		Meet with legislators Representative Carmine Gentile and Senator Mike Barrett.
MISCELLANEOUS			
3.			Discuss Article 20 (Marijuana Zoning Bylaw) with Meagen Donoghue, Director of Planning and Community Development. Planning Board invited to attend.
4.		<i>VOTE</i>	Review Town Meeting articles, take positions on articles, and assign presentations.
5.		<i>VOTE</i>	Select authors for Special Town Election ballot questions pro/con arguments.
6.		<i>VOTE</i>	Discussion and appointment of subcommittee to review Selectmen's Policies.
7.			Review Town Manager Evaluation Process.
8.		<i>VOTE</i>	Discussion and vote on Town Manager evaluation.

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
9.		<i>VOTE</i>	Discussion and vote on Safe Community Policy
10.			Discussion on Ponds and Waterways Committee mission statement. Members Mary Addonizio and Diane Muffit to attend.
11.			Citizen's Comments (cont)
12.			Discuss upcoming agenda items
CONSENT CALENDAR			
13.		<i>VOTE</i>	Vote to accept donation of labor and materials from Lynch Tree Service and Cavicchio's for Town Center and Grinnell Park improvements, as requested by Dan Nason, DPW Director.
14.		<i>VOTE</i>	Vote to accept, on behalf of the Town, donations totaling \$866 from Multistate Tax Services, Bennos, Roche Brothers, and Tot Family Daycare to the Program Contributions and Donations Account (191448/483100) to support the Park and Recreation Summer Concert Series, as requested by Julie Harrington, Assistant Director of Parks, Recreation & Aquatics, in a memo dated 4/10/18.
15.		<i>VOTE</i>	Vote to approve the award of contracts by the Town Manager for project management and design services and such incidental services as may be necessary in connection with the Town Hall restoration/rehabilitation project (ATM 17 CPC Art. 31), upon the recommendation of the Permanent Building Committee acting as the Town's Designer Selection Committee.
EXECUTIVE SESSION			
16.		<i>VOTE</i>	At the conclusion of regular session, vote to enter into Executive Session to discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declares (Varsity Wireless lease), pursuant to General Laws chapter 30A, §21(a)(3).
17.		<i>VOTE</i>	Vote to close Executive Session and not resume regular session.

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

Tuesday, May 1, 2018

1

PUBLIC HEARING

1: Utility Petition - pole removal

REQUESTOR SECTION

Date of request:

Requestor: Eversource/Verizon

Formal Title: Consideration of utility petition to approve a plan presented by Nstar Electric Company d/b/a/ Eversource Energy and Verizon to remove and install one pole #66/18 and to install one sidewalk anchor guy on 66/18. This work is necessary to remove the pole from the island at the Department of Public Works building entrance located at 275 Old Lancaster Road. Christine Cosby of Eversource to attend.

Recommendations/Suggested Motion/Vote: Consideration of utility petition to approve a plan presented by Nstar Electric Company d/b/a/ Eversource Entergy and Verizon to remove and install one pole #66/18 and to install one sidewalk anchor guy on 66/18. This work is necessary to remove the pole from the island at the Department of Public Works building entrance located at 275 Old Lancaster Road. Christine Cosby of Eversource to attend.

Background Information:
attached public hearing notice and petition paperwork

Financial impact expected:

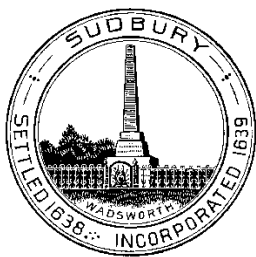
Approximate agenda time requested: 10 minutes

Representative(s) expected to attend meeting: Christine Cosby, Eversource, Dan Nason, (?) DPW Director

Review:

Patty Golden	Pending
Melissa Murphy-Rodrigues	Pending
Barbara Saint Andre	Pending
Robert C. Haarde	Pending
Board of Selectmen	Pending

05/01/2018 7:00 PM



TOWN OF SUDBURY

Office of Selectmen

www.sudbury.ma.us

278 Old Sudbury Road
Sudbury, MA 01776-1843

978-639-3381

Fax: 978-443-0756

Email: selectmen@sudbury.ma.us

NOTICE OF PUBLIC HEARING

The Sudbury Board of Selectmen will hold a meeting on **Tuesday, May 1, 2018 7:15 p.m.** at the Sudbury Town Hall, 322 Concord Road, on a request by Eversource Energy for removing and installing one pole #66/18 and to install one sidewalk anchor guy on 66/18. This work is necessary to remove pole from the island at Department of Public Works building entrance located at 275 Old Lancaster Road.

SUDBURY BOARD OF SELECTMEN

April 11, 2018

Post: Town Hall

cc: Applicant
Eversource Energy
Building Inspector
DPW Director
Abutters

For publication in 4/19/18 and 4/26/18 *Sudbury Town Crier*

Attachment1.a: UP18-01 Old Lancaster Rd_hearing_notice (2747 : Utility Petition - pole removal)



157 Cordaville Road
Southborough, MA 01772

RECEIVED
BOARD OF SELECTMEN
SUDBURY, MA

2017 DEC 11 P 3:06

November 21, 2017

Board of Selectmen
Sudbury Town Hall
322 Concord Road
Sudbury, MA 01776

RE: Old Landcaster Road
Sudbury, MA
W.O. #2124557

Hearing Required

Dear Members of the Board:

The enclosed petition and plan is being presented by the NSTAR ELECTRIC COMPANY d/b/a as EVERSOURCE ENERGY and VERIZON for removing and installing one pole # 66/18 and to install one sidewalk anchor guy on 66/18.

This work is necessary for the removal of pole out of the island at the entrance to the DPW building. (safety)

If you have any further questions, contact Chris Cosby @ (508) 305-6989.
Your prompt attention to this matter would be greatly appreciated.

Very truly yours,

A handwritten signature in black ink that reads "Kelly Ann Correia".

Kelly Ann Correia
Supervisor, Rights and permits

KAC/zj
Attachments

Attachment1.b: Eversource and Verizon Petition for Lancaster Road pole removal installation_update (2747 : Utility Petition - pole removal)

WO# 2229808

**PETITION OF NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY AND OTHER
COMPANIES FOR JOINT OR IDENTICAL LOCATIONS FOR POLE**

To the Board of Selectmen of the Town of Sudbury, Massachusetts:

Respectfully represent **NSTAR ELECTRIC COMPANY dba Eversource Energy** and **VERIZON NEW ENGLAND, INC.** companies subject to Chapter 166 of the General Laws (Ter.Ed.), that they desire to construct a line upon, along and across the public way or ways hereinafter specified.

WHEREFORE, your petitioners pray that after due notice and hearing as provided by law the **Board of Selectmen** may by Order grant your petitioners joint or identical locations for the erection or construction of poles, to be owned and used in common by them, and for such other fixtures including anchors and guys as may be necessary to sustain or protect the wires of the line, said poles to be located, substantially as shown on the plans made by **A. Debenedictis** dated 9/28/2017 revised 10/26/2017 and filled herewith, upon along and across the following public way or ways of said town:

Old Landcaster Rd – Northeasterly side approximately 228± feet Southeast of Wildwood Lane

**Remove one (1) old pole 66/18
Install one (1) new pole 66/18
Install one sidewalk anchor guy at pole 66/18**

Hearing Required

Also for permission to lay and maintain underground laterals, cables and wires in the above or intersecting public ways for making connections with such poles and buildings as each of said petitioners may desire for distributing purposes. Your petitioners agree to reserve space for one Crossarm at a suitable point upon each of said poles for the telephone, fire and police signal wires owned by the town and used for municipal purposes.

**NSTAR ELECTRIC COMPANY
dba EVERSOURCE ENERGY**

By: Kelly Ann Correia
Kelly-Ann Correia
Rights and Permits, Supervisor

VERIZON NEW ENGLAND INC.

By: Robert E. Bessette
Robert E. Bessette
Right of Way Manager

Dated this _____ day of _____ 2017
Town of SUDBURY, Massachusetts
Received and filed _____ 2017

Attachment1.b: Eversource and Verizon Petition for Lancaster Road pole removal installation_update (2747 : Utility Petition - pole removal)

**ORDER FOR JOINT OR IDENTICAL LOCATIONS FOR POLES
Town of Sudbury, Massachusetts**

WHEREAS, NSTAR ELECTRIC COMPANY d.b.a. Eversource Energy and VERIZON NEW ENGLAND INC. have petitioned for joint or identical locations for the erection or construction of poles to be owned and used in common by them upon, along and across the public way or ways of the town hereinafter specified, and notice has been given and a hearing held on said petition as provided by law.

It is ORDERED that NSTAR ELECTRIC COMPANY d.b.a. Eversource Energy and VERIZON NEW ENGLAND INC. be and hereby are granted joint or identical locations for the erection or construction of poles, to be owned and used in common by them, and for such other fixtures including anchors and guys as may be necessary to sustain or protect the wires of the line upon, along and across the following public way or ways of said town:

Old Lancaster Rd – Northeasterly side approximately 228± feet Southeast of Wildwood Lane

**Remove one (1) old pole 66/18
Install one (1) new pole 66/18
Install one sidewalk anchor guy at pole 66/18**

Hearing Required

All construction work under this Order shall be in accordance with the following conditions: Poles shall be of sound timber and located as shown on plans made by **A. Debenedictis** Dated **9/28/2017 revised 10/26/2017** on file with said petition. There may be attached to said poles by said **NSTAR ELECTRIC COMPANY d.b.a. Eversource Energy** and by said **VERIZON NEW ENGLAND INC.** wires and cables necessary for the conduct of their business. All such wires and cables shall be placed at a height of not less than eighteen feet from the ground at crossings of other ways and at not less than fourteen feet from the ground elsewhere

_____ **Selectmen of**
_____ **the town of**
_____ **SUDBURY**

CERTIFICATE

We hereby certify that the foregoing Order was adopted after due notice and a public hearing as prescribed by Section 22 of Chapter 166 of the General Laws (Ter.Ed.), and any additions thereto or amendments thereof, to wit: after written notice of the time and place of the hearing mailed at least seven days prior to the date of the hearing by the Selectmen to all owners of real estate abutting upon that part of the way or ways upon, along or across which the line is to be constructed under said Order, as determined by the last preceding assessment for taxation, and a public hearing held at _____ in said town on _____ day of _____, 2017 at _____ P.M.

_____ **Selectmen of**
_____ **the town of**
_____ **SUDBURY**

CERTIFICATE

I hereby certify that the foregoing are true copies of the Order of the Board of Selectmen of the town of SUDBURY Massachusetts, duly adopted on the _____ day of _____ 2017, and recorded with records of location Orders said town, Book _____, Page _____ and of the certificate of notice of hearing thereon required by Section 22 of Chapter 166 of the General Laws (Ter.Ed.), and any additions thereto or amendments thereof, as the same appear of record.

Attest: _____
Clerk of the Town of **SUDBURY**, Massachusetts

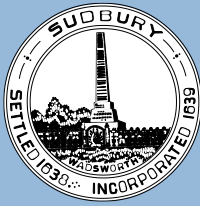


<p>NSSTAR EVERSOURCE <i>ELECTRIC</i> 01018 1105 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125</p>	<p>Plan of OLD LANCASTER ROAD SUDBURY</p>	<p>Showing PROPOSED POLE RELOCATION</p>
--	---	--

1165 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125
LANCASTER ROAD

Date SEPTEMBER 28, 2017

P#	SHEET	1 of 1	REVISED 10/26/17
----	-------	--------	------------------



SUDBURY BOARD OF SELECTMEN

Tuesday, May 1, 2018

2

TIMED ITEM

2: Meet with legislator Rep. Gentile and Sen. Barrett

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Meet with legislators Representative Carmine Gentile and Senator Mike Barrett.

Recommendations/Suggested Motion/Vote: Meet with legislators Representative Carmine Gentile and Senator Mike Barrett.

Background Information:

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Melissa Murphy-Rodrigues	Pending
Barbara Saint Andre	Pending
Robert C. Haarde	Pending
Board of Selectmen	Pending

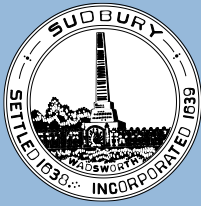
05/01/2018 7:00 PM

Potential legislative priorities/updates/questions

1. Remote participation
2. Budget
3. An Act Promoting Housing and Sustainable Development
 - a. Allows a town to become a certified community through office of Housing and Economic Development.
4. An Act Building for the Future of the Commonwealth
 - a. Legislation to establish an annual program of education, self-evaluation and training for members of local planning boards and zoning boards of appeals and to promote affordable community housing
5. An Act relative public investment in fossil fuels
6. An for community empowerment
 - a. Empowers communities to transition to renewable energy
7. Governor's Housing Choice Initiative
 - a. Changes to 40a that would reduce 2/3 voting threshold to enact zoning policies that are laid out in a best practices established by the administration
 - i. Multi family or cluster
 - ii. By right zones for accessory apartments
 - iii. Transfer of development rights
 - iv. Reducing parking and dimensional requirements, such as minimum lot sizes
 - b. Streamlines processes for local government that engage with state on housing matters by going to one online portal
 - c. Incentives through grant funding and technical assistance

Potential Legislative Priorities/Updates/Questions April 2018

Priority	Bill #	Desc.
1	H366	An Act establishing a remote voting system for town meeting in the Town of Sudbury
2	H2	Governor's FY 19 Budget
3	S81	An Act Promoting Housing and Sustainable Development <ul style="list-style-type: none"> a. Allows a town to become a certified community through office of Housing and Economic Development.
4	H2420	An Act Building for the Future of the Commonwealth <ul style="list-style-type: none"> a. Legislation to establish an annual program of education, self-evaluation and training for members of local planning boards and zoning boards of appeals and to promote affordable community housing
5	H3281	An Act relative public investment in fossil fuels
6a	H1745	An Act for community empowerment (Empower communities to transition to Renewable Energy)
6b	S1834	Renewable Energy Act
7	H4290	Governor's Housing Choice Initiative <ul style="list-style-type: none"> a. Changes to 40a that would reduce 2/3 voting threshold to enact zoning policies that are laid out in a best practices established by the administration <ul style="list-style-type: none"> i. Multi family or cluster ii. By right zones for accessory apartments iii. Transfer of development rights iv. Reducing parking and dimensional requirements, such as minimum lot sizes b. Streamlines processes for local government that engage with state on housing matters by going to one online portal c. Incentives through grant funding and technical assistance
8	S2325	An Act Modernizing the Foundation Budget for the 21st century (Regional School Districts)
9a	S1305	An Act to Protect the Civil Rights and Safety of all Massachusetts Residents (Safe Communities Act)
9b	H3269	Safe Communities Act
10	S1137	Regional Stabilization Fund
11	S93	An Act to Promote Livable Communities
12	H225	Disability Programs
13	S1560	Senior Tax Exemption
14	N/A	Bond Bill (Conference) - Playgrounds
15a	S315	School Safety/Gun Safety
15b	H1319	School Safety/Gun Safety
16	N/A	Aquisition of CSX Rail
17	N/A	CPA Funds



SUDBURY BOARD OF SELECTMEN

Tuesday, May 1, 2018

3

MISCELLANEOUS (UNTIMED)

3: Discuss Article 20 with Planning Board

REQUESTOR SECTION

Date of request:

Requestor: Chairman Haarde

Formal Title: Discuss Article 20 (Marijuana Zoning Bylaw) with Meagen Donoghue, Director of Planning and Community Development. Planning Board invited to attend.

Recommendations/Suggested Motion/Vote: Discuss Article 20 (Marijuana Zoning Bylaw) with Meagen Donoghue, Director of Planning and Community Development. Planning Board invited to attend.

Background Information:

Financial impact expected:

Approximate agenda time requested: 15 minutes

Representative(s) expected to attend meeting: Meagen Donoghue, Director of Planning & Community Development (and PB)

Review:

Patty Golden	Pending
Melissa Murphy-Rodrigues	Pending
Barbara Saint Andre	Pending
Robert C. Haarde	Pending
Board of Selectmen	Pending

05/01/2018 7:00 PM

ARTICLE 20

- Amend Zoning Bylaw, Article 7000, Definitions, and Section 2230 (Appendix A), Table of Principal Use

HISTORY

- November 2016 election, Sudbury residents voted “No” to Question 4 to legalize marijuana.
- May 2017 Annual Town Meeting, residents voted to impose a temporary moratorium on marijuana establishments.
 - Set to expire July 2018.

VOTING TO PASS THE ZONING BYLAW AMENDMENT

- Bylaw amendment would PROHIBIT marijuana establishments including for the cultivation, testing laboratory, marijuana product manufacturing, or retailer of any marijuana product or any other type of licensed marijuana-related business (as defined in MGL Ch. 94G, Section 1) in any zoning district throughout town.
- Change also include the Table of Principal Use.
 - Placing an "N" in the column for each district.
- Does not restrict the personal use or cultivation of marijuana (up to 12 individual plants per household).

VOTE DOES NOT PASS

- Economic Impact:
 - Licensing Fees
 - 20% of liquor licenses may go towards marijuana retailers
 - Within a Host Community Agreement:
 - Community Impact Fee = Optional Local Tax Revenue of up to 3% of gross sales to be paid to the host community as long as the fee is reasonably related to real costs imposed on the municipality due to the establishment or medical marijuana treatment center operating in there (Cannabis Control Commission).
 - Only affective for 5 years (Cannabis Control Commission).
 - Additional optional 3% excise tax (DOR Bulletin 2018-3, April, 2018)

SUDBURY POLICE CHIEF NIX

- To minimize adverse impacts of marijuana establishments that may include:
 - Concerns regarding operating under the influence of marijuana.
 - Ability to enforce applicable laws.
 - Open Container.
 - Exposure to children.
 - Colorado has seen increased emergency room visits.
 - Ultimately concerned about the safety of all.



COMMONWEALTH OF MASSACHUSETTS

Municipal Guidance

UPDATED MARCH, 2018

The following information is provided to assist municipalities by addressing questions related to the regulation of marijuana establishments. Additional information is available on the Cannabis Control Commission website at masscannabiscontrol.com. Please note that this Guidance document only pertains to marijuana for adult use and does not provide guidance on the medical use of marijuana program regulated by the Department of Public Health or the hemp program to be regulated by the Massachusetts Department of Agricultural Resources. The Medical Use of Marijuana Program will be transferring to the Cannabis Control Commission on or before December 31, 2018.

CONTACTING THE COMMISSION

101 Federal Street, 13th Floor
 Boston, MA 02110
 Phone: (617) 701-8400
 Fax: (617) 889-7892

INSIDE :

- * Timeline for Implementation of Marijuana for Adult Use
- * Background on 2016 and 2017 Laws on Marijuana for Adult Use
- * Types of Marijuana Establishments
- * Role of the Cannabis Control Commission
- * Municipal Role in the Licensing Process
- * Role of Municipalities
- * Host Community Agreements
- * Local Tax
- * Bylaws & Ordinances

The information in this guidance does not constitute legal advice. Please consult your City Solicitor or Town Counsel regarding municipal legal questions on adult use of marijuana.

TIMELINE FOR IMPLEMENTATION OF MARIJUANA FOR ADULT USE

November 8, 2016	Question 4 passed
July 28, 2017	Governor signs Chapter 55 of the Acts of 2017
August 1, 2017	Appointment of Cannabis Advisory Board
September 1, 2017	Appointment of Cannabis Control Commission
December 22, 2017	Announcement of Draft Regulations
February 5-15, 2018	Public Hearings
February 15, 2018	End of Public Comment Period
March 7, 2018	Final Regulations Approved
March 23, 2018	Anticipated date the final regulations will be published in the Massachusetts Register
April 1, 2018	Applications Scheduled to be Accepted

The information in this guidance does not constitute legal advice. Please consult your City Solicitor or Town Counsel regarding municipal legal questions on adult use of marijuana.

BACKGROUND ON 2016 & 2017 LAWS ON MARIJUANA FOR ADULT USE IN MASSACHUSETTS

On November 8, 2016, Massachusetts voters voted 53% in favor of a ballot initiative known as “Question 4” authorizing the limited adult use of marijuana and the licensing of marijuana establishments, amongst other things. The ballot initiative became Chapter 334 of the Acts of 2016 and created the “Regulation and Taxation of Marijuana Act, G.L. c.94G (“2016 Marijuana Act”).

In December 2016, the Massachusetts Legislature passed Chapter 351 of the Acts of 2016. Chapter 351 accomplished a number of things. First, it exempted the cultivation of marijuana from the agricultural exemption in the Zoning Act, G.L. c.40A §3, therefore retaining local control over the placement of marijuana establishments. It also delayed the deadlines set in Chapter 334 for six months to allow the Legislature time to amend Chapter 334 (the timeline above reflects the delayed dates). It also required the Department of Public Health to enter into an agreement with a research entity to conduct a comprehensive baseline study of marijuana use in the commonwealth. DPH is required to submit a report of its findings not later than July 1, 2018.

On July 19, 2017, the Massachusetts Legislature passed a bill (H.3818) to amend Chapter 334 and the law it created, G.L. c.94G, as well as create additional laws relating to adult and medical use of marijuana. The bill became Chapter 55 of the Acts of 2017 (“2017 Marijuana Act”) and was signed by the Governor on July 28, 2017. The 2017 Act built upon the foundation of the 2016 Act, creating a five-person Cannabis Control Commission, a twenty-five person Cannabis Advisory Board, as well as a hemp program to be run by the Department of Agricultural Resources. It also placed limits and restrictions on municipal control over the siting of marijuana establishments that will be discussed in this Guidance. The deadlines created by the Legislature in December 2016 remained unchanged.

In October, 2017, the newly-formed Cannabis Control Commission held listening sessions throughout the Commonwealth. The Cannabis Advisory Board was also convened in October, 2017 and broke into four subcommittees: Public Safety, Public Health, Market Participation and Marijuana Industry, which issued recommendations to the Commission regarding proposed regulations on December 5, 2017.

On December 21, 2017, the Cannabis Control Commission approved draft regulations. Public hearings were held throughout the Commonwealth and written comments were accepted through February 15, 2018. On March 7, 2018, the Commission promulgated final regulations at 935 CMR 500. It is anticipated that the regulations will be published in the Register on March 23, 2018.

HELPFUL LINKS

Chapter 334 of the Acts of 2016

<https://malegislature.gov/Laws/SessionLaws/Acts/2016/Chapter334>

Chapter 351 of the Acts of 2016

<https://malegislature.gov/Laws/SessionLaws/Acts/2016/Chapter351>

Chapter 55 of the Acts of 2017

<https://malegislature.gov/Laws/SessionLaws/Acts/2017/Chapter55>

Chapter 94G of the General Laws

<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXV/Chapter94g>

Bill H.4284

<https://malegislature.gov/Bills/190/H4284>

Final Regulations

<https://masscannabiscontrol.com/wp-content/uploads/2018/03/Reposted-031218-CCC-Final-Regulations-with-disclaimer.pdf>

Cannabis Control Commission website

<https://masscannabiscontrol.com/>

DEFINITIONS

Terms used in this Guidance, such as “marijuana,” “marijuana products” and many others are defined in the Regulations, 935 CMR 500.000. Please refer to the Regulations (link provided above) if you have any questions regarding the meaning of a particular term.

The information in this guidance does not constitute legal advice. Please consult your City Solicitor or Town Counsel regarding municipal legal questions on adult use of marijuana.

TYPES OF MARIJUANA ESTABLISHMENTS

The Marijuana Acts and the draft regulations create different kinds of marijuana establishments. Unlike a registered marijuana dispensary (“RMD”) (also known as a “medical marijuana treatment center”), which is required to cultivate, process and retail its own marijuana and marijuana products for medical use, an adult use marijuana establishment may opt only to participate in a particular part of the industry, such as cultivation. All marijuana establishments are subject to strict, comprehensive state regulations and inspections by Commission agents. All marijuana establishments are required to enter into host community agreements with the municipality in which they are located (there is more detail on host community agreements below). Only marijuana retailers are subject to the local marijuana tax created under the 2017 Act. One business may hold three licenses in each category, with certain exceptions.

MARIJUANA CULTIVATORS

Marijuana Cultivator: A marijuana cultivator may cultivate, process and package marijuana, to transfer and deliver marijuana products to marijuana establishments, but not to consumers. A Craft Marijuana Cooperative, which will be discussed in further detail below, is a type of Marijuana Cultivator. Cultivators may select what tier they will be in, which will affect their application and licensing fees. The following options are available, but no licensee may have a total canopy of more than 100,000 square feet.



Canopy: means an area to be calculated in square feet and measured using clearly identifiable boundaries of all areas(s) that will contain mature plants at any point in time, including all of the space(s) within the boundaries, canopy may be noncontiguous, but each unique area included in the total canopy calculations shall be separated by an identifiable boundary which include, but are not limited to: interior walls, shelves, greenhouse walls, hoop house walls, garden benches, hedge rows, fencing, garden beds, or garden plots. If mature plants are being cultivated using a shelving system, the surface area of each level shall be included in the total canopy calculation.

TIERS OF MARIJUANA CULTIVATOR

Each licensee (except a craft marijuana cooperative) may have three licenses, but the total canopy authorized by the licenses added together may not exceed 100,000 square feet.

Tier 1: up to 5,000 square feet

Tier 2: 5,001 to 10,000 sq. ft.

Tier 3: 10,001 to 20,000 sq. ft.

Tier 4: 20,001 to 30,000 sq. ft.

Tier 5: 30,001 to 40,000 sq. ft.

Tier 6: 40,001 to 50,000 sq. ft.

Tier 7: 50,001 to 60,000 sq. ft.

Tier 8: 60,001 to 70,000 sq. ft.

Tier 9: 70,001 to 80,000 sq. ft.

Tier 10: 80,001 to 90,000 sq. ft.

Tier 11: 90,001 to 100,000 sq. ft.

TIER MANAGEMENT

Expansion: A Marijuana Cultivator may submit an application to change the tier in which it is classified. A Marijuana Cultivator may change tiers to either expand or reduce production. If a Marijuana Cultivator is applying to expand production, it must demonstrate that while cultivating at the top of its production tier, it has sold 85% of its product consistently over the six months preceding the application for expanded production.

Relegation: At the time of license renewal process for Marijuana Cultivators, the Commission will review the records of the Marijuana Cultivator during the six months prior to the application for renewal. The Commission may reduce the licensee's maximum canopy to a lower tier if the licensee sold less than 70% of what it produced.

CRAFT MARIJUANA COOPERATIVE

Craft Marijuana Cooperative: a craft marijuana cooperative is a type of marijuana cultivator which may cultivate, obtain, manufacture, process, package and brand marijuana and marijuana products to deliver marijuana to marijuana establishments, but not to consumers, and must consist of:

- ◇ Massachusetts residents who have formed a limited liability company, limited liability partnership, or a cooperative corporation;
- ◇ A business may only have one craft marijuana cooperative license;
- ◇ Members of a craft marijuana cooperative may not have a controlling interest in any other marijuana establishment;
- ◇ A craft marijuana cooperative is not limited to a particular number of cultivation locations, but is limited to a total canopy of 100,000 square feet and 3 locations for activities authorized for marijuana product manufacturers;
- ◇ One member of the craft marijuana cooperative must have filed a Schedule F tax form (reporting farm income) in the past five years.
- ◇ The craft marijuana cooperative must operate according to the seven cooperative principles published by the International Cooperative Alliance in 1995.

MARIJUANA PRODUCT MANUFACTURER



Marijuana Product Manufacturer: an entity authorized to obtain, manufacture, process and package marijuana and marijuana products, to deliver marijuana and marijuana products to marijuana establishments and to transfer marijuana and marijuana products to other marijuana establishments, but not to consumers.

The information in this guidance does not constitute legal advice. Please consult your City Solicitor or Town Counsel regarding municipal legal questions on adult use of marijuana.

MARIJUANA RETAILER

Marijuana Retailer: an entity authorized to purchase and deliver marijuana and marijuana products from marijuana establishments and to sell or otherwise transfer marijuana and marijuana products to marijuana establishments and to consumers.

Please note that similar to marijuana for medical use, edible marijuana products for adult use shall not be considered food and therefore marijuana retailers would not be subject to inspection by local Boards of Health under 105 CMR 590 unless local regulations requiring such inspections are promulgated.

A marijuana retailer provides a retail location which may be accessed by consumers 21 years of age or older or, if the retailer is co-located with a RMD by individuals who are a registered qualifying patients with the Medical Use of Marijuana Program with a registration card.



MARIJUANA TRANSPORTER

Marijuana Transporter: An entity may only transport marijuana or marijuana products when such transportation is not already authorized under a marijuana establishment license if it is licensed as a Marijuana Transporter:

Third Party Transporter: An entity registered to do business in Massachusetts that does not hold another marijuana establishment license pursuant to 935 CMR 500.050 and is not registered as a registered marijuana dispensary pursuant to 105 CMR 725.000.

Existing Licensee Transporter: A Marijuana Establishment that wishes to contract with other marijuana establishments to transport their marijuana and marijuana products to other marijuana establishments.

MARIJUANA RESEARCH FACILITY



Marijuana Research Facility: an academic institution, non-profit corporation or domestic corporation or entity authorized to do business in the Commonwealth of Massachusetts. A marijuana research facility may cultivate, purchase or otherwise acquire marijuana for the purpose of conducting research regarding marijuana and marijuana products. Any research involving humans must be authorized by an Institutional Review Board. A marijuana research facility may not sell marijuana it has cultivated.

LABORATORIES

Independent Testing Laboratory: an entity that does not hold any other type of marijuana establishment license and is properly accredited to perform tests in compliance with the stringent requirements of the Department of Public Health protocols for testing marijuana and marijuana products.

Standards Testing Laboratory: an entity that would otherwise qualify to be an independent testing laboratory but instead performs blind tests to verify the results of an independent testing laboratory at the request of the Commission.



The information in this guidance does not constitute legal advice. Please consult your City Solicitor or Town Counsel regarding municipal legal questions on adult use of marijuana.

MICROBUSINESS

Marijuana Micro-Business: A microbusiness is a co-located Tier 1 marijuana cultivator, and/or marijuana product manufacturer limited to purchase 2,000 pounds of marijuana from other marijuana establishments in one year.

A microbusiness licensee shall not have an ownership stake in any other marijuana establishment and a majority of its executives or members must have been residents of Massachusetts for no less than 12 months prior to application is eligible to apply for a micro-business license.

Application fees and license fees for marijuana micro-businesses shall be set at 50% of the combined sum of the application fees and license fees for cultivation and/or, manufacturing.

SOCIAL CONSUMPTION AND DELIVERY

Social Consumption and Delivery: Regulations regarding licenses for social consumption and delivery to consumers have been delayed for further study. The Commission anticipates drafting regulations regarding licenses for this category in February, 2019. In the meantime, municipalities wishing to authorize social consumption in their community must follow the ballot process established in G.L. c.94G §3(b) for the election in November, 2018.

Please note that legislation has been filed to clarify the ballot process (Bill H.4284, which may be reviewed at <https://malegislature.gov/Bills/190/H4284>) and this Guidance will be updated if the legislation is enacted.

ROLE OF CANNABIS CONTROL COMMISSION

The Commission is required to promulgate statewide regulations addressing: public health issues such as products, labeling, advertising and potency; industry issues such as cultivation, distribution, transportation and seed-to-sale tracking; and market participation for communities including women, minority, and veteran-owned businesses, as well as growing cooperatives. The Commission will also review applications from candidates for licenses, determine which applicants may be awarded licenses, deny an application or limit, condition, restrict, revoke or suspend a license, establish a registration process, based on finding of suitability or approval of licensure, check the backgrounds of individuals associated with applicants or licensees. The Commission may inspect marijuana establishments, seize and remove from the premises of a marijuana establishment and impound any marijuana, equipment, supplies, documents and records obtained or possessed in violation of the law for the purpose of examination and inspection, inspect all papers, books and records of close associates of a licensee whom the Commission suspects is involved in the financing, operation or management of the licensee, impose fees and fines, and conduct adjudicatory proceedings. The Commission may also refer cases for criminal prosecution to the appropriate federal, state or local authorities, monitor any federal activity regarding marijuana, adopt, amend or repeal regulations for the implementation, administration and enforcement of the law, and may prepare, publish and distribute studies, reports, bulletins and other materials.

MUNICIPAL ROLE IN COMMISSION LICENSING PROCESS

The Commission is required by law to engage in a licensing process for marijuana establishments. During the application process, applicants will be required to demonstrate that they have held a community outreach meeting within the past six months and that they have executed a Host Community Agreement with the municipality. Once the application is complete, the municipality will be notified and given an opportunity to confirm and that the proposed location is compliant with bylaws or ordinances at the time the application was completed.

LICENSING PROCESS: COMMUNITY OUTREACH MEETING

Community Outreach Meeting: the applicant will need to submit documentation of a community outreach meeting, which must occur within six months of filing its application, including:

◇ **Notice**

- ⇒ Must contain the time, place and subject matter of the meeting, including the proposed address of the Marijuana Establishment, that was published in a newspaper of general circulation in the city or town at least seven calendar days prior to the hearing;
- ⇒ a copy of the meeting notice must be filed with the town or city clerk, the planning board, the contracting authority for the municipality, and local licensing authority for adult use of marijuana (if applicable); and
- ⇒ a copy of the meeting mailed to abutters and other parties of interest identified in the regulations;

◇ **Information Discussed:** information presented at the community outreach hearing, which must include:

- ⇒ the type(s) of Marijuana Establishment to be located at the proposed address;
- ⇒ information adequate to demonstrate that the location will be maintained securely; steps to be taken by the Marijuana Establishment to prevent diversion to minors;
- ⇒ a plan by the Marijuana Establishment to positively impact the community; and
- ⇒ information adequate to demonstrate that the location will not constitute a nuisance.

◇ **Q & A:** community members must be permitted to ask questions and receive answers from representatives of the Marijuana Establishment.

HOST COMMUNITY AGREEMENT

Host Community Agreement: Documentation in the form of a single-page certification signed by the contracting authorities for the municipality and the applicant evidencing that the applicant for licensure and host municipality have executed a host community agreement.

LICENSING PROCESS: MUNICIPAL NOTIFICATION & PERMITTING

Notice: Once the Commission determines an application is complete, it is required to notify a municipality that it has received a completed application for a marijuana establishment in the municipality.

Sixty Day Deadline: The municipality has sixty (60) days from receipt of the application to notify the Commission that the applicant is not in compliance with local ordinances or bylaws. If communication from the municipality is not received within 60 days, the applicant will be deemed to be compliant with all applicable local ordinances and bylaws.

Local Permits: Please note that if a local ordinance or bylaw requires local permitting or licensing, the applicant does not need to have the permitting or licensing granted at the time of the notice to a municipality. Instead, the Commission simply needs to know whether such permitting or licensing is available for that particular location.

Provisional License: Similar to the process with registered marijuana dispensaries, when it completes the application process, including the municipal notification, an applicant will initially receive a provisional license. If a provisional license is issued and the applicant does not yet have local permits or licenses, it may seek the necessary local permits or licenses prior to requesting a final license from the Commission.

Final License: A final license may be issued by the Commission once the applicant has passed all the necessary inspections to receive a final license, including a demonstration that all necessary local permits and licenses have been granted.

Local Licensing: A municipality may also implement its own licensing process, as long as it does not conflict with the state laws and regulations governing marijuana establishments.

ROLE OF MUNICIPALITIES REGARDING ADULT USE OF MARIJUANA

The Marijuana Acts both authorize and limit the way in which municipalities can control marijuana establishments in their communities. It also protects any restrictions or limitations a municipality may have imposed as of July 1, 2017 on the operation of RMDs, marijuana establishments or both, pursuant to the 2012 law authorizing medical use of marijuana (Chapter 369 of the Acts of 2012) or the 2016 Act. Below is a brief overview of provisions relating to municipal control. Any decision to implement local controls on marijuana should be made in consultation with a municipality's attorney.

HOST COMMUNITY AGREEMENTS

Under state law, marijuana establishments and RMDs are required to execute "host community agreements" with the municipalities in which they operate. The agreement must stipulate the responsibilities of the community and the marijuana establishment or RMDs.

The agreement may include a community impact fee of up to 3% of gross sales to be paid to the host community, as long as the fee is reasonably related to real costs imposed on the municipality due to the establishment or RMD operating there. The agreement may not be effective for longer than five years.

Please note that any cost to a city or town imposed by the operation of a marijuana establishment or RMD must be documented and considered a public record under Massachusetts public records laws, G.L. c.4 §7 cl. 26 and G.L. c.66 §10.

The Commission encourages municipalities to carefully consider the impact of the particular marijuana establishment proposed for a community, as well as benefits it may bring in local revenue and employment, when negotiating a host community agreement.

There is legislation pending to protect host community agreements executed on or before July 1, 2017 (<https://malegislature.gov/Bills/190/H4284>). The same legislation requires municipalities receiving community impact fee payments to establish a separate account into which fee payments must be deposited.

During each fiscal year, the funds in the account may be appropriated for the purposes identified in the agreement and the balance in the account would be available for appropriation in the next fiscal year. Any deficit in the account must be raised by taxation, unless the municipality has otherwise provided, and would be subject to all applicable provisions of G.L. c.59.

LOCAL CONTROL: TAXES

A municipality that accepts the local sales tax option may collect a 3% tax on sales of marijuana by a marijuana retailer to a consumer. The tax will be collected with other sales tax and distributed to municipalities at least four times per year. Please note that there is legislation pending (<https://malegislature.gov/Bills/190/H4284>) that would remove “marijuana products intended for consumption as defined in G.L. c.94G” from the exemption from sales tax for food products for human consumption in G.L. c.64H §6.

BYLAWS & ORDINANCES

The law allows, but does not require, municipalities to pass bylaws and ordinances governing the “time, place, and manner” of marijuana establishments (cultivators, retailers, manufacturers, testing labs, and any other licensed marijuana-related businesses) as well as businesses dealing with marijuana accessories. Such bylaws and ordinances may not be “*unreasonably impracticable*.”

Under the definition in the law, this means that the local laws cannot be so difficult to comply with that they would subject licensees to unreasonable risk, or require such a high investment of risk, money, time or any other resource or asset, that a reasonably prudent businessperson would not operate a marijuana establishment.

Alternatively, a municipality may determine a proposed marijuana-related use falls under an existing use authorized by its bylaws or ordinances. For the purpose of understanding how to respond to a notification from the Commission that an application has been deemed to be complete, the Commission provides the following interpretation of the limits of local control.

LOCAL CONTROL: BYLAWS & ORDINANCES

- ◇ ***Conversion from Medical Use to Adult Use:*** Zoning bylaws or ordinances are not permitted to operate to *prevent* the conversion of an RMD registered not later than July 1, 2017 that is engaged in the cultivation, manufacture or sale of marijuana or marijuana products to a marijuana establishment for adult use engaged in the same type of activity. The Commission interprets *conversion* to include not only replacing the operation of a registered marijuana dispensary entirely with the operation of a marijuana establishment, but also to address adding marijuana establishment operations to the operations of a RMD. There is legislation pending (<https://malegislature.gov/Bills/190/H4284>) that clarifies this interpretation. In other words, a registered marijuana dispensary that has received its provisional or final registration no later than July 1, 2017 is grandfathered against zoning bylaws or ordinances that would prevent it from conducting the same type of activities for adult use of marijuana that it is engaged in for medical use of marijuana. For a discussion on bans or limiting the number of marijuana establishments through a general bylaw or ordinance, please see the next page.
- ◇ ***A Moratorium of a Reasonable Length of Time is Permitted.*** Although municipalities are prohibited from using a zoning bylaw or ordinance to *prevent* the conversion of a registered marijuana dispensary, the Commission does not interpret the word *prevent* to prohibit the municipality from imposing a moratorium, a temporary delay passed as a zoning amendment to allow a municipality to engage in a planning process to determine how best to zone marijuana establishments for adult use in its community. The Commission will interpret the reasonableness of the length of a moratorium in a manner consistent with the opinions issued by the Attorney General's Office in reviewing moratoria proposed by communities, which, as of the date of this publication, in the majority of cases has allowed moratoria through December 31, 2018. When the moratorium expires, the Commission cautions local officials from amending their zoning bylaws or ordinances in a manner that could be deemed to conflict with the statute and recommends consulting the City Solicitor and Town Counsel regarding any zoning amendments.
- ◇ ***Additional Local Permits for Adult Use May Be Required.*** Although municipalities are prohibited from using a zoning bylaw or ordinance to *prevent* the conversion of a registered marijuana dispensary, the Commission does not interpret the word *prevent* to prohibit the municipality from requiring a registered marijuana dispensary eligible under the statute to apply for any additional local permits required to change its existing operation with a marijuana establishment for adult use. The Commission cautions local permitting boards from exercising their discretion in acting on a request for a local permit in a manner that could be deemed to conflict with the statute and recommends consulting the City Solicitor and Town Counsel during their decision-making.

LOCAL CONTROL: BYLAWS & ORDINANCES & BALLOTS

Banning or Limiting the Number of Marijuana Establishments in a Municipality: A municipality may restrict the number of marijuana establishments in its community, but it must follow certain procedures to do so.

- ◇ A municipality may pass a bylaw or ordinance limiting the number of marijuana retailers to 20% or more of the number of liquor licenses issued pursuant to G.L. c.138 §15 (commonly known as “package stores”) in that municipality. For example, if a municipality has 100 such liquor licenses, that municipality may set a maximum limit for 20 marijuana retailers.
- ◇ If the governing body of a municipality seeks to ban marijuana retailers from operating in the municipality, limit the number of them to fewer than 20% of the number of liquor licenses or limit the number of any type of marijuana establishment to fewer than the number of RMDs registered to engage in the same type of activity in the city or town, there are two different procedures for proceeding, which depend on how the municipality voted on the ballot initiative to legalize marijuana in 2016.
 - ⇒ If a municipality voted no on the initiative, then the governing body may limit or ban the number of marijuana establishments by passing a bylaw or ordinance prior to and including December 31, 2019.
 - ⇒ If a municipality voted yes on the initiative or if it is after December 31, 2019, then the question must be posed to the people of the municipality at a regular or special election following a specific process and wording.

Please note that there is legislation pending (<https://malegislature.gov/Bills/190/H4284>) to clarify the election process.

Ban: If a municipality enacts a complete prohibition on marijuana establishments for adult use through a general bylaw or ordinance, the Commission will not issue a license so as to authorize the conversion of a registered marijuana dispensary to a marijuana establishment for adult use in that municipality.

Limited Number: If a municipality adopts a general bylaw or ordinance imposing a limitation on the number of marijuana establishments within its community, such that the amount allowed is less than the registered marijuana dispensaries within that community, the municipality must determine which registered marijuana dispensaries will be permitted to proceed to the application process for adult use by executing a host community agreement with those dispensaries.

LOCAL CONTROL: BYLAWS & ORDINANCES

- ◇ *Buffer Zone:* Under state law, a marijuana establishment may not be located within 500 feet of a pre-existing public or private school providing education in kindergarten or any of grades 1 through 12. Municipalities may adopt an ordinance or bylaw to reduce that distance requirement.
- ◇ *Signage:* A municipality may regulate, by bylaw or ordinance, signage regarding marijuana-related uses, but the ordinance or bylaw may not impose a standard more restrictive than those applied to retail establishments selling alcoholic beverages within the municipality.
- ◇ *Transportation:* Municipalities are prohibited from barring the transportation of marijuana or marijuana products or adopting an ordinance or by-law that makes the transportation of marijuana or marijuana products unreasonably impracticable.

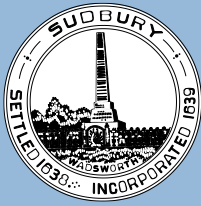
QUESTIONS?

If you have additional questions regarding local control over marijuana establishments or other questions regarding the Marijuana Acts, please contact the Cannabis Control Commission at:

CannabisCommission@State.MA.US

or

617-701-8400.



SUDBURY BOARD OF SELECTMEN

Tuesday, May 1, 2018

4

MISCELLANEOUS (UNTIMED)

4: Town Meeting items

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Review Town Meeting articles, take positions on articles, and assign presentations.

Recommendations/Suggested Motion/Vote: Review Town Meeting articles, take positions on articles, and assign presentations.

Background Information:

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Melissa Murphy-Rodrigues	Pending
Barbara Saint Andre	Pending
Robert C. Haarde	Pending
Board of Selectmen	Pending

05/01/2018 7:00 PM

ATM 2018 Articles

4.a

#	Article Title	Status	Sponsor/ Submitted by	Article Presenter	BOS Position	FinCom Position	Report BOS position at ATM	Funding Source	Requested Amount	Required Vote	Consent Calendar
	IN MEMORIAM RESOLUTION										
	FINANCE/BUDGET										
1	Hear Reports	submitted	BOS	Miles						Majority	
2	FY18 Budget Adjustments	submitted	BOS	MMR	RTM	RTM				Majority	
3	FY19 Budget	submitted	Town Manager	MMR	S	S			\$98,516,637	Majority	
4	FY19 Capital Budget - Town Manager	submitted	Town Manager	MMR	S	RTM			\$821,318	Majority	
5	FY19 Transfer Station Enterprise Fund Budget	submitted	Town Manager	MMR	S	S			\$327,506	Majority	
6	FY19 Pool Enterprise Fund Budget	submitted	Town Manager	MMR	RTM	RTM			\$503,447	Majority	
7	FY19 Recreation Field Maintenance Enterprise Fund Budget	submitted	Town Manager	MMR	S	S			\$239,866	Majority	
8	FY18 Snow & Ice Transfer	submitted	Town Manager	MMR	RTM	RTM				Majority	
9	Unpaid Bills	submitted	Town Accountant	MMR	RTM	RTM				Four-fifths	
10	Chapter 90 Highway Funding	submitted	DPW Director	Nason	S	S				Majority	X
11	FY19 Revolving Funds Spending Limits	submitted	SPS & Town	MMR	S	S				Majority	X
12	Fund Litigation Costs - Eversource	submitted	BOS	MMR	S	RTM				Majority	
13	Fund Litigation Costs - Sudbury Station Project	submitted	BOS	MMR	S	RTM				Majority	
14	WITHDRAWN	submitted	BOS								
15	Means Tested Senior Tax Exemption Extension	submitted	Assessors	Assessor	S	S				Majority	
16	Amend Article XXV - Capital Planning	submitted	BOS	MMR	S	S				Majority	
17	Amend Bylaws Article I - Town Meetings, s. 3	submitted	BOS	MMR	S					Majority	

Attachment 4.a: Articles list ATM 2018_4.26 (2721 : Town Meeting items)

4/27/2018

S-support; IP-Indefinitely Postpone; RTM-Report at Town Meeting

Page 1

Packet Pg. 36

ATM 2018 Articles

4.a

#	Article Title	Status	Sponsor/ Submitted by	Article Presenter	BOS Position	FinCom Position	Report BOS position at ATM	Funding Source	Requested Amount	Required Vote	Consent Calendar
18	Repeal Art. V(C) Smoking Prohibition	submitted	BOS	MMR	S					Two-thirds	
19	Amend Art. V, s.3 Nuisance or Dangerous Dogs	submitted	BOS	MMR	S					Majority	
20	Amend Zoning Bylaw, Art. 7000 Marijuana	submitted	Planning Board	Planning Board	RTM					Two-thirds	
CAPITAL ARTICLES											
21	DPW Rolling Stock Replacement	submitted	DPW Director	Nason	S	RTM		Free cash	\$60,000	Majority	
22	DPW Equipment	submitted	DPW Director	Nason	S	S		Bonds	\$860,000	Two-thirds	
23	DPW Underground Fuel Storage, etc.	submitted	DPW Director	Nason	S	RTM		Bonds	\$1,500,000	Two-thirds	
24	Stearns Mill Pond Dam/Dutton Rd. Bridge	submitted	DPW Director	Nason	S	S		Bonds	\$1,850,000	Two-thirds	
25	Sudbury Public Schools Playground Improvement Funding	submitted - also see CPC	SPS	SPS	S	RTM		Free cash	\$165,000	Majority	
26	Noyes School Fire Alarm System Replacement	submitted	SPS	SPS	RTM	RTM			\$22,000	Majority	
27	LSRHS Phone System Replacement	submitted	LSRHSC	LS	S	RTM			\$80,000	Majority	
28	Cutting Field	submitted - wording to be revised	Park & Rec		RTM	RTM				Majority	
29	WITHDRAWN	submitted	Fire Chief								
30	Fairbank Community Center Design Funds	submitted	BOS	MMR	IP	RTM			\$1,900,000	Two-thirds	
31	Acquisition of Broadacres Farm	submitted - see also CPC	BOS		RTM	RTM				Two-thirds	
32	Melone Property Disposition	submitted	BOS		RTM	RTM				Two-thirds	
33	WITHDRAWN	submitted	BOS								

Attachment 4.a: Articles list ATM 2018_4.26 (2721 : Town Meeting items)

4/27/2018

Page 2

S-support; IP-Indefinitely Postpone; RTM-Report at Town Meeting

Packet Pg. 37

ATM 2018 Articles

4.a

#	Article Title	Status	Sponsor/ Submitted by	Article Presenter	BOS Position	FinCom Position	Report BOS position at ATM	Funding Source	Requested Amount	Required Vote	Consent Calendar
	CPC Articles										
34	SPS Playground Modernization	submitted (supplement to SPS article)	CPC	SPS	S	S			\$250,000	Majority	
35	Pond Invasive Weed Removal	submitted	CPC	CPC	S	S				Majority	
36	Wayside Inn Invasive Plant Species Removal	submitted	CPC	CPC	S	S			\$12,500	Majority	
37	Acquisition of Broadacres Farm	submitted (supplement to BOS article)	CPC	CPC	RTM	RTM				Majority	
38	Regional Housing Services Office Allocation	submitted	CPC	CPC	S	S				Majority	
39	Sudbury Housing Trust Allocation	submitted	CPC	CPC	S	RTM			\$212,500	Majority	
40	CSX Alternative Acquisition Funding Reversion FY19	submitted	CPC	CPC	RTM	RTM			\$210,000	Majority	
41	Reversion of Funds FY19	submitted	CPC	CPC	S	S				Majority	
42	FY19 Community Preservation Fund General Budget and Appropriations	submitted	CPC	CPC	S	S			\$1,176,335	Majority	
	PETITION ARTICLES										
43	Petition - Release of Deed Restriction	submitted	Guthy		RTM					Majority	
44	Petition - Welcoming Town	submitted	Taylor		RTM					Majority	
45	Resolution - Transparency in Political Donations	submitted	Keklak		RTM					Majority	

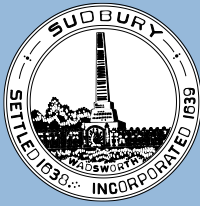
Attachment 4.a: Articles list ATM 2018_4.26 (2721 : Town Meeting items)

4/27/2018

Page 3

S-support; IP-Indefinitely Postpone; RTM-Report at Town Meeting

Packet Pg. 38



SUDBURY BOARD OF SELECTMEN

Tuesday, May 1, 2018

5

MISCELLANEOUS (UNTIMED)

5: Select authors for ballot questions pro/con arguments

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Select authors for Special Town Election ballot questions pro/con arguments.

Recommendations/Suggested Motion/Vote: Select authors for Special Town Election ballot questions pro/con arguments.

Background Information:

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Melissa Murphy-Rodrigues	Pending
Barbara Saint Andre	Pending
Robert C. Haarde	Pending
Board of Selectmen	Pending

05/01/2018 7:00 PM



SUDBURY BOARD OF SELECTMEN

Tuesday, May 1, 2018

6

MISCELLANEOUS (UNTIMED)

6: Selectmen Policies

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Discussion and appointment of subcommittee to review Selectmen's Policies.

Recommendations/Suggested Motion/Vote: Discussion and appointment of subcommittee to review Selectmen's Policies.

Background Information:
attached draft

Financial impact expected:

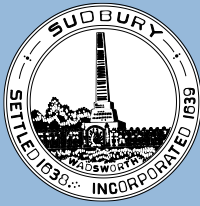
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Melissa Murphy-Rodrigues	Pending
Barbara Saint Andre	Pending
Robert C. Haarde	Pending
Board of Selectmen	Pending

05/01/2018 7:00 PM



SUDBURY BOARD OF SELECTMEN

Tuesday, May 1, 2018

7

MISCELLANEOUS (UNTIMED)

7: Review Town Manager Evaluation Process

REQUESTOR SECTION

Date of request:

Requestor: Chairman Haarde

Formal Title: Review Town Manager Evaluation Process.

Recommendations/Suggested Motion/Vote: Review Town Manager Evaluation Process.

Background Information:
attached documents provided by Susan Iuliano and Pat Brown

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Melissa Murphy-Rodrigues	Pending
Barbara Saint Andre	Pending
Robert C. Haarde	Pending
Board of Selectmen	Pending

05/01/2018 7:00 PM

TOWN OF SUDBURY TOWN MANAGER EVALUATION PROCESS

PREFACE

The Sudbury Board of Selectmen is committed to an evaluation process that is positive, constructive, and measurable in assessing performance. The BOS seeks to provide sound and regular feedback to the Town Manager. The purpose of the evaluation is to assist the Town Manager in reviewing her effectiveness in carrying out the duties of the position and in meeting the goals which the BOS and the Town Manager have mutually established. The evaluation should be a positive, constructive process, implemented with mutual respect for all involved, working toward the common goal of improving the Town of Sudbury.

PROCESS

The evaluation shall consist of:

SECTION 1: Annual Town Manager goals agreed upon by the Town Manager and the BOS. A self-evaluation completed by the Town Manager, addressing major areas of responsibility and progress in meeting the goals agreed upon by the BOS and the Town Manager.

SECTION 2: A self-evaluation completed by the Town Manager, addressing major areas of responsibility and progress in meeting the Town Manager's goals.

SECTION 3: Individual A-composite evaluations based on a checklist of the Town Manager's major areas of responsibilities including the Town Manager's progress in meeting the annual goals. All Selectmen will complete the checklist to evaluate each area. The scoring for each area will be an average of the Selectmen's ratings, with each Selectman's score weighted equally. The Town Manager Evaluation Subcommittee will provide a draft summary of the comments provided by the Selectmen for each area, to be approved by the BOS.

SECTION 3: A composite evaluation concerning the Town Manager's progress in meeting the goals agreed upon by the BOS and the Town Manager. Each Selectman will complete a narrative concerning the Town Manager's progress in meeting these goals. The Town Manager Evaluation Subcommittee will provide a draft summary of the comments provided by the Selectmen for each goal, to be approved by the BOS.

PROCEDURE AND SCHEDULE

~~By September (?) In June~~ each year, the BOS will establish or update goals for the Town of Sudbury that may be annual for the fiscal year or multi-year objectives. Within the context of these goals, the BOS and Town Manager together will outline specific annual goals for the Town Manager. ~~to identify her role in implementing the Town goals. The BOS will establish a Town Manager Evaluation Subcommittee to draft these goals.~~ The Town Manager's goals for the next calendar year will be established by the end of October~~July~~.

The individual Selectmen are encouraged to discuss progress toward goals and concerns about performance issues directly with the Town Manager throughout the year. Evaluation Subcommittee will meet with the Town Manager no later than January 15th of each year for an informal discussion regarding progress towards the mutual goals.

The Town Manager will submit a self-evaluation to the BOS by February 1 ~~March 15~~ each year. Each Selectman will complete the Section 32 checklist including comments and the Section 3 goal narrative and submit it to the Selectmen's office Town Manager Evaluation Subcommittee by March ~~April~~ 1. The complete performance evaluation will consist of the Town Manager's annual goals, the Town Manager's self-evaluation, the individual Selectmen's Section 3 evaluations, and a composite scoring averaging the Selectmen's ratings. The composite scoring for each area will be an average of the Selectmen's ratings, with each Selectman's score weighted equally. ~~The Selectmen will then discuss the evaluation with the Town Manager in a public meeting.~~

~~These individual evaluations, combined with information from the Town Manager's self-evaluation, will be compiled by the Subcommittee into a draft composite evaluation. The Subcommittee will then meet with the Town Manager to discuss the draft evaluation. The BOS will review and approve the evaluation by April 30 to ensure that those members who have supervised the Town Manager during the preceding year have voted on the evaluation.~~

~~FOR 2016: In June 2016, the BOS will conduct an informal evaluation discussion with the Town Manager concerning the Town Manager's performance since December 1, 2015.~~

TOWN OF SUDBURY TOWN MANAGER EVALUATION PROCESS

PREFACE

The Sudbury Board of Selectmen is committed to an evaluation process that is positive, constructive, and measurable in assessing performance. The BOS seeks to provide sound and regular feedback to the Town Manager. The purpose of the evaluation is to assist the Town Manager in reviewing her effectiveness in carrying out the duties of the position and in meeting the goals which the BOS and the Town Manager have mutually established. The evaluation should be a positive, constructive process, implemented with mutual respect for all involved, working toward the common goal of improving the Town of Sudbury.

PROCESS

The evaluation shall consist of:

SECTION 1: Annual Town Manager goals agreed upon by the Town Manager and the BOS.

SECTION 2: A self-evaluation completed by the Town Manager, addressing major areas of responsibility and progress in meeting the Town Manager's goals.

SECTION 3: Individual evaluations based on a checklist of the Town Manager's major areas of responsibilities including the Town Manager's progress in meeting the annual goals. All Selectmen will complete the checklist to evaluate each area.

PROCEDURE AND SCHEDULE

By September (?) each year, the BOS will establish or update goals for the Town of Sudbury that may be annual for the fiscal year or multi-year objectives. Within the context of these goals, the BOS and Town Manager together will outline specific annual goals for the Town Manager. The Town Manager's goals for the next calendar year will be established by the end of **October**.

The individual Selectmen are encouraged to discuss progress toward goals and concerns about performance issues directly with the Town Manager throughout the year.

The Town Manager will submit a self-evaluation to the BOS by **February 1** each year. Each Selectman will complete the Section 3 checklist including comments and submit it to the Selectmen's office by **March 1**. The complete performance evaluation will consist of the Town Manager's annual goals, the Town Manager's self-evaluation, the individual Selectmen's Section 3 evaluations, and a composite scoring averaging the Selectmen's ratings. The composite scoring for each area will be an average of the Selectmen's ratings, with each Selectman's score weighted equally. The Selectmen will then discuss the evaluation with the Town Manager in a public meeting.

TOWN OF SUDBURY TOWN MANAGER EVALUATION FORM

Instructions

A space has been provided for each statement within the performance areas. Check the number which most accurately reflects the level of performance for the factor. If you did not have an opportunity to observe or make a determination on a particular factor, please indicate so in the N/A space. Selectmen are encouraged to provide comments and suggestions, especially concerning significant areas of strength or weakness.

Rating Scale (1-5)

(1) Below Expectations/Unsatisfactory:

The Town Manager's work performance is inadequate and inferior to the standards of performance required for the position.

(2) Meets Some Expectations/Improvement Needed:

The Town Manager's work performance does not consistently meet the standards of the position.

(3) Meets Expectations/Satisfactory/Proficient:

The Town Manager's work performance consistently meets the standards of the position.

(4) Exceeds Expectations/Highly Effective:

The Town Manager's work performance is frequently or consistently above the level of a satisfactory employee.

(5) Excellent/Highly Commendable:

The Town Manager's work performance is consistently excellent when compared to the standards of the job.

1. Vision and Community Leadership	1	2	3	4	5	N/A
a. Demonstrates an understanding of the importance of mission and vision. Takes a leadership role in developing and communicating a vision for the Town.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Works with the Board of Selectmen to develop goals to protect and improve the quality of life of the Town of Sudbury and its core values.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Ensures that the Board's goals are translated into strategies and action steps leading toward implementation on a timely basis.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Creates and facilitates an environment where Town government is open to input and participation, an exchange of ideas, creativity, and responsible experimentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:						

2. Communications/Public Relationships	1	2	3	4	5	N/A
a. Projects a positive image in the community.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Communicates the Town's vision, goals, and accomplishments effectively. Expresses ideas in a logical, forthright manner in written and oral presentations. Communicates effectively with a variety of audiences (e.g., staff, community, media).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Develops a positive relationship with the press and uses various media, including social media, effectively.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Demonstrates an open and transparent approach to sharing information with the community. Is reasonably available to the public and responsive to citizen complaints and requests.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Encourages community involvement in Town government and supports the efforts of volunteer citizens.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Maintains contacts with other town administrative leaders throughout the state, through professional organizations and other means, and with state and federal government officials.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:						

3. Board of Selectmen Support/Relations	1	2	3	4	5	N/A
a. Offers professional advice, including appropriate recommendations and alternatives, based on thorough study and analysis.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Implements the Board of Selectmen's policies and directives.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Maintains a professional working relationship with the Board of Selectmen, promoting a climate of mutual respect and trust.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Keeps Board members informed of issues and activities in Town government and in the community.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Works with the Chair to establish an agenda that addresses issues in a timely manner. Provides support materials and sufficient lead time to allow for informed decision-making and policy formation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Helps the Board use Town Counsel to effectively achieve Town goals.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:						
4. Personnel Management	1	2	3	4	5	N/A
a. Establishes procedures and practices for hiring, supervision, promotion, and termination that support the Town and are implemented in a consistent and fair manner.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Effectively leads collective bargaining. Informs and advises the Board of Selectmen as appropriate in matters of collective bargaining and grievance proceedings.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Recognizes, develops, and utilizes the abilities of staff. Encourages participation and shared decision-making with appropriate staff. Develops strong, open, and honest relationships with staff. Effectively delegates tasks and assignments.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Develops a meaningful staff evaluation process and opportunities for professional development that contribute to professional growth.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Ensures that staff members work effectively with relevant town boards and citizen volunteers, appropriately seeking their input, and are open to public input and participation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:						

--

5. Financial Management	1	2	3	4	5	N/A
a. Employs a comprehensive and transparent process of business planning and budgeting. Employs sound fiscal management procedures, techniques, and methods. Develops and maintains a long-term financial plan.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Employs budget forecasting, accounting, and control systems to protect the Town's financial health. Effectively monitors and controls expenditures.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Prepares the annual budget in a timely manner with input from department heads and the Finance Director, in accordance with adopted goals and town-wide needs.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Presents budget information to the Board of Selectmen, Finance Committee, the community, and Town Meeting in a manner which promotes full understanding.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Pursues alternative funding sources to supplement programs and accomplish established goals. Creatively manages available resources to increase efficiency, productivity, and effectiveness.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:						

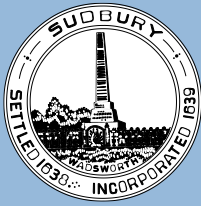
6. General Management and Planning	1	2	3	4	5	N/A
a. Provides leadership, motivation, and support within the organization. Creates and facilitates an environment for long-range and strategic planning.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Monitors and plans for maintenance, repairs, and improvement of Town facilities, including plans for long-range capital needs.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Supervises and maintains in good order financial, personnel, and other records and documents.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Administers the Town in accordance with state and federal laws, rules, and regulations, with Town By-laws, and with Board of Selectmen policies and procedures.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:						

--

7. Progress on Town Manager Goals	1	2	3	4	5	N/A
a. Manages priorities effectively.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Explains to the Board how unanticipated issues and challenges affect achievement of goals.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Creatively develops resources to support goal implementation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Plans for strategic use of limited resources.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Sets ambitious but realistic targets.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:						

8. Personal Qualities and Characteristics	1	2	3	4	5	N/A
a. Maintains high standards of ethics, honesty, integrity, and sound professional judgement.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Represents the Town in a professional manner at all times.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Displays the ability to be flexible, to manage conflict, to handle crisis, and to adjust to varying situations.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Displays creativity and innovation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Maintains a high level of ongoing professional development.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:						

9. Overall Rating	1	2	3	4	5	N/A
Overall, the Town Manager performs at the following level.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:						



SUDBURY BOARD OF SELECTMEN
Tuesday, May 1, 2018

8

MISCELLANEOUS (UNTIMED)

8: Town Manager evaluation

REQUESTOR SECTION

Date of request:

Requestor: Selectmen Pat Brown and Susan Iuliano

Formal Title: Discussion and vote on Town Manager evaluation.

Recommendations/Suggested Motion/Vote: Discussion and vote on Town Manager evaluation.

Background Information:
See attached documents

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Melissa Murphy-Rodrigues	Pending
Barbara Saint Andre	Pending
Robert C. Haarde	Pending
Board of Selectmen	Pending

05/01/2018 7:00 PM

**TOWN OF SUDBURY
BOARD OF SELECTMEN
TOWN MANAGER EVALUATION SUMMARY
FOR 2017**

Approved _____.

Overview

The Board of Selectmen values the Town Manager's dedication, hard work, and strong performance. Board members consistently rate the Town Manager as highly effective across many performance areas. She particularly excels at communication and financial management.

The Selectmen's Town Manager Evaluation process requires:

Section 1: A narrative self-evaluation completed by the Town Manager (attached).

Section 2: A composite evaluation based on a checklist of the Town Manager's major areas of responsibilities compiled from individual checklists completed by each of the Selectmen. The composite evaluations for these areas follow below. (The individual checklist evaluations are attached.)

Section 3: The development of specific goals for the Town Manager, agreed upon by the Board and the Town Manager, and a composite evaluation concerning the Town Manager's progress in meeting these goals. The Selectmen did not provide Town Manager goals for 2017. Thus, the Selectmen have looked more generally to Board of Selectmen goals approved for FY2017 and FY2018 as context for this evaluation. These goals, however, are generally the responsibility of the Board (and, to a varying extent, of other committees and staff members). Thus, progress in meeting these goals may not necessarily reflect the performance of the Town Manager. (Individual Selectmen narratives concerning goals are attached.)

Vision and Community Leadership

The Board of Selectmen generally commends the Town Manager's performance in this area. She has contributed to the Board's ongoing efforts to improve and streamline both the articulation and implementation of its goals. The Board and the Town Manager still have work to do in better communicating Town goals to the public and in the implementation process. Individual board members sometimes offer competing views of goal prioritization and appropriate action steps. The Town Manager seeks to implement the Board's goals, but some have noted that she could be more assertive in helping the Board to shape its vision.

The Town Manager is particularly good at presenting our Town in a positive fashion and received high ratings for supporting an environment where Town government is open to input, participation, and creativity.

Communications/Public Relationships

The Board agrees that the Town Manager projects a positive image in our community. She consistently received excellent ratings for her performance in many areas relating to communication with the public. She uses many different communication avenues, including social media, and has continued to find new ways to interact with the community both as individuals and groups.

It was noted that we as a Board, and as Town government, should look for ways to constantly improve in this area. In particular, we should make it easier for residents to follow the progress of Town projects and initiatives.

Board of Selectmen Support/Relations

The Town Manager has done an outstanding job promoting a professional working climate based on respect and trust. She is able to maintain good working relationships with all Board members despite our differences, although this can at times place her in an awkward position. The individual Board members find her attentive, responsive, and supportive. She thoughtfully communicates information to the Board through weekly reports and other messages. She promptly alerts the Board to significant developments in Town. Board members generally feel quite well-informed, although project updates or progress reports were noted as an area for further communication.

Personnel Management

Most Board members noted that the Selectmen's ability to evaluate personnel management is somewhat limited given the Town Manager's role and the structure of Town government and the confidential nature of staff evaluations. Some Selectmen noted improvements they have seen in the positive culture for Town staff. The Town Manager demonstrates support for appropriate personnel policies, staff development opportunities, wellness initiatives, a collaborative approach, and other practices that facilitate a positive working environment.

Financial Management

The Selectmen agree that the Town Manager excels in the area of financial management. She manages and presents the Town's finances in a very transparent and no-nonsense manner. Her accomplishments noted by the Selectmen include:

- Budget presentations that are clear, comprehensible, comprehensive, and concise
- Working closely with the FinCom and other cost centers

- Shepherding of an override budget, including use of free cash to offset short-term unemployment costs
- Working to improve the capital budget process
- Careful oversight of revolving funds, appropriate reserves, and expenses
- Consistently seeking efficiencies and alternative sources of funding

General Management and Planning

The Town Manager is effective at general management of our Town operations and planning for long-term needs. Several Board members noted the overlap of this area with financial management. In particular, all appreciate the Town Manager's efforts to plan for facility needs and improve our capital funding process. In her second year, she was able to be more forward-looking and to identify more improvement areas. The Board seeks to work closely with the Town Manager in further improvements to our planning and support of capital needs.

Personal Qualities and Characteristics

The Board truly appreciates the Town Manager's integrity, boundless energy and cheerfulness, responsiveness, professionalism, and openness. She has built trust within the community because of her commitment to transparency.



SUDBURY BOARD OF SELECTMEN

Tuesday, May 1, 2018

9

MISCELLANEOUS (UNTIMED)

9: Safe Community Policy

REQUESTOR SECTION

Date of request:

Requestor: Chairman Haarde

Formal Title: Discussion and vote on Safe Community Policy

Recommendations/Suggested Motion/Vote: Discussion and vote on Safe Community Policy

Background Information:
attached draft?

Financial impact expected:

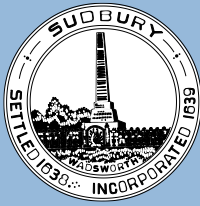
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Melissa Murphy-Rodrigues	Pending
Barbara Saint Andre	Pending
Robert C. Haarde	Pending
Board of Selectmen	Pending

05/01/2018 7:00 PM



SUDBURY BOARD OF SELECTMEN

Tuesday, May 1, 2018

MISCELLANEOUS (UNTIMED)**10: Ponds and Waterways Committee discussion****REQUESTOR SECTION**

Date of request:

Requested by: Patty Golden

Formal Title: Discussion on Ponds and Waterways Committee mission statement. Members Mary Addonizio and Diane Muffit to attend.

Recommendations/Suggested Motion/Vote: Discussion on Ponds and Waterways Committee mission statement. Members Mary Addonizio and Diane Muffit to attend.

Background Information:

Financial impact expected:n/a

Approximate agenda time requested:

Representative(s) expected to attend meeting: Mary Addonizio, Diane Muffit of Ponds & Waterways Committee

Review:

Patty Golden	Pending
Melissa Murphy-Rodrigues	Pending
Barbara Saint Andre	Pending
Robert C. Haarde	Pending
Board of Selectmen	Pending

05/01/2018 7:00 PM



PONDS AND WATERWAYS COMMITTEE TOWN OF SUDBURY

(Voted to establish May 3, 2005 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 the quality of publicly owned ponds and waterways throughout Sudbury. The Ponds and Waterways Committee (PWC) will make recommendations to the Board of Selectmen and other standing Town committees. While the Committee will not have the power to commit town resources or approve projects, it is the Selectmen's intention to support reasonable actions and recommendations of the Committee that are harmonious with the Master Plan and the published goals of the Board of Selectmen to the extent that Town Bylaws, Town Meeting action, budgetary limits, and the approval of the Park and Recreation and Conservation Commissions permit. To that end, and in furtherance of the Master Plan and goals of the Board of Selectmen, the Ponds and Waterways Committee will work closely with all Town boards, committees and departments which will, to the extent feasible, identify and recommend to the Town Manager available Town resources to support the goals of assessing the condition of the Town's major ponds, waterways and tributaries, recommending remediation strategies where necessary, in order to enhance opportunities for both active and passive recreational use as appropriate.

Responsibilities and Functions

The Ponds and Waterways Committee shall be responsible for studying and recommending strategies and options for remediation, and promoting pond and waterway sustainability for all publicly owned ponds and waterways throughout the Town, including education, consensus building, **coordination of funding activities**, and development of a Ponds and Waterways Master Plan. The first work project of the Ponds and Waterway Committee shall be to identify similar ponds and waterway groups in other towns in Massachusetts (or elsewhere if applicable), and **summarize and evaluate their mission, makeup, relationship to other Town boards and commissions, success rate, challenging issues, etc.** This shall be a report to the Board of Selectmen, due within three months of the creation of the PWC.

The Committee will also:

- **Study: Actively promote and/or initiate research as necessary to assess conditions, evaluate remedial alternatives, support pond sustainability and explore future uses of all the Town's ponds and waterways as a public, recreational resource.**
- **Restore Ponds and Waterways: Develop and recommend to the Selectmen a plan cooperatively with other stakeholders that would restore the publicly owned ponds and waterways in a timely fashion.**
- **Monitor: Pond and stream water quality and wildlife monitoring will provide an important scientific database for future actions.**

- **Identify Funding Sources:** At some point, private philanthropy and public grant assistance will be critical components of implementing any long-term remediation efforts. While not authorized to independently fundraise, the Committee should identify all potential funding sources for these efforts, assess their viability, and coordinate their execution.
- **Educate:** The Committee must raise public awareness, provide education about the problems and solutions, and build public support in the community for the proposed monitoring and remediation efforts.
- **Build a Constituency:** A large number of individuals and entities (corporations, non-profit organizations and foundations) in the region committed to this vision are needed to become stewards, financial supporters and advocates for the Town's ponds and waterways. The Committee should explore potential partnerships with such organizations and advocate for their sustained commitment to maintaining pond and waterway quality. The Committee should also consider the citizens of Sudbury as a "key constituency" whose support and cooperation will be of critical importance.
- **Report:** Report annually to the Board of Selectman regarding ponds and waterways quality and their potential for public recreational usage.
- **Review:** Participate in the review of the Town Meeting articles and present comments and recommendations on those that affect the ponds and waterways.
- **Engage:** Undertake all such other actions and activities as are consistent with this charge.

Membership and Officers

The Ponds and Waterways Committee shall have seven voting members. One member shall be from the Planning Board, one shall be from the Conservation Commission, one shall be from the Park and Recreation Commission, all appointed by their respective boards. The remaining four shall be resident-at-large positions and shall be appointed by the Board of Selectmen, which may include representatives from the following organizations: Hop Brook Protection Association, Earth Decade Committee, Sudbury Valley Trustees, and the Wayside Inn. All appointments shall be for a term of three years. All Committee members shall be expected to educate themselves as necessary so as to enable them to make valuable contributions to the Committee's work. Appointments shall be staggered: no more than three members' terms will end in one year, two the following year, and two in the third year. Each year a chair and clerk will be elected by the regular members from among their number. In addition, the Conservation Coordinator, Town Planner, Board of Health Director, Parks and Recreation Director, and Town Engineer, or his/her representative(s), shall serve as liaisons and resources to the Committee.

The Committee may from time to time, with approval from the Board of Selectmen, create subcommittees or ad hoc advisory boards comprised of various persons with scientific and regulatory expertise regarding the various biological, ecological, environmental, recreational, hydrogeologic and hydraulic issues associated with pond and waterway sustainability. However, no subcommittee or ad hoc advisory board shall be created which duplicates or overlaps the mission or efforts of any other Town committee or subcommittee already existing. Committee members may participate in subcommittees, task forces or working groups related to these subjects that are created by the Board of Selectmen or others.

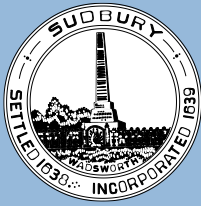
Relationship of Ponds and Waterway Committee to Standing Boards, Committees and Town Officers

The Ponds and Waterways Committee will need to collaborate with Town departments, committees and citizen groups to achieve these responsibilities. In so doing, the Committee will respect the following guidelines established by the Board of Selectmen.

- Should the Board of Selectmen, upon receipt of a proposed strategy, vote not to pursue such a strategy, no member of this committee will bring such a strategy to Town Meeting for funding or implementation as a petitioner unless such individual first resigns as a member of the Ponds and Waterways committee.
- Any strategy for enhanced and changed recreational opportunities related to ponds and waterways shall be presented to the Park and Recreation Commission, who shall have responsibility for recommending said recreational opportunity to the Board of Selectmen and Town Meeting. No action of the PWC shall intrude upon the responsibilities of the Park & Recreation Commission.
- Any strategy for enhanced remediation efforts of ponds and waterways shall be presented to the Conservation Commission, who shall have responsibility for recommending said remediation effort to the Board of Selectmen and Town Meeting. No action of the PWC shall intrude upon the responsibilities of the Conservation Commission
- Any requests for funding to the Community Preservation Committee, state or federal agencies, or the Sudbury Foundation shall have the prior approval of the Board of Selectmen as well as the Park and Recreation Commission and the Conservation Commission. If a project is funded by any of these or similar agencies, funds for all such projects shall be expended under the direction of the Town Manager.

Compliance with State and Local Laws

The Ponds and Waterways 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.



SUDBURY BOARD OF SELECTMEN

Tuesday, May 1, 2018

11

MISCELLANEOUS (UNTIMED)

11: Citizen's Comments (cont)

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Citizen's Comments (cont)

Recommendations/Suggested Motion/Vote:

Background Information:

Financial impact expected:

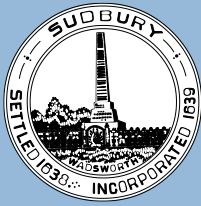
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Melissa Murphy-Rodrigues	Pending
Barbara Saint Andre	Pending
Robert C. Haarde	Pending
Board of Selectmen	Pending

05/01/2018 7:00 PM



SUDBURY BOARD OF SELECTMEN

Tuesday, May 1, 2018

12

MISCELLANEOUS (UNTIMED)

12: Discuss upcoming agenda items

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Discuss upcoming agenda items

Recommendations/Suggested Motion/Vote:

Background Information:

Financial impact expected:

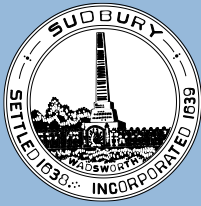
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Melissa Murphy-Rodrigues	Pending
Barbara Saint Andre	Pending
Robert C. Haarde	Pending
Board of Selectmen	Pending

05/01/2018 7:00 PM

**SUDBURY BOARD OF SELECTMEN**

Tuesday, May 1, 2018

CONSENT CALENDAR ITEM**13: Accept donation from Lynch Tree service****REQUESTOR SECTION**

Date of request:

Requestor: Dan Nason, DPW Director

Formal Title: Vote to accept donation of labor and materials from Lynch Tree Service and Cavicchio's for Town Center and Grinnell Park improvements, as requested by Dan Nason, DPW Director.

Recommendations/Suggested Motion/Vote: Vote to accept donation of labor and materials from Lynch Tree Service and Cavicchio's for Town Center and Grinnell Park improvements, as requested by Dan Nason, DPW Director.

Background Information:

Below is the scope of work to be donated to the town center:

- edging and mulching of the beds
- top dress paths
- light pruning of existing plant material
- fertilize plant material for the season
- planting of 2 Kousa Dogwood trees
- planting of 2 Red Maple, variety to be determined

donated by Lynch and Cavicchio

Financial impact expected:

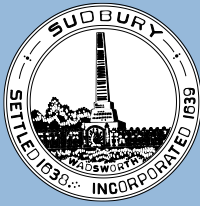
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Melissa Murphy-Rodrigues	Pending
Barbara Saint Andre	Pending
Robert C. Haarde	Pending
Board of Selectmen	Pending

05/01/2018 7:00 PM



SUDBURY BOARD OF SELECTMEN

Tuesday, May 1, 2018

CONSENT CALENDAR ITEM**14: Park and Rec Donation**REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Vote to accept, on behalf of the Town, donations totaling \$866 from Multistate Tax Services, Bennos, Roche Brothers, and Tot Family Daycare to the Program Contributions and Donations Account (191448/483100) to support the Park and Recreation Summer Concert Series, as requested by Julie Harrington, Assistant Director of Parks, Recreation & Aquatics, in a memo dated 4/10/18.

Recommendations/Suggested Motion/Vote: Vote to accept, on behalf of the Town, donations totaling \$866 from Multistate Tax Services, Bennos, Roche Brothers, and Tot Family Daycare to the Program Contributions and Donations Account (191448/483100) to support the Park and Recreation Summer Concert Series, as requested by Julie Harrington, Assistant Director of Parks, Recreation & Aquatics, in a memo dated 4/10/18.

Background Information:
attached memo

Financial impact expected:

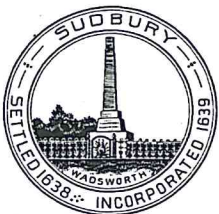
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Melissa Murphy-Rodrigues	Pending
Town Counsel	Pending
Barbara Saint Andre	Pending
Robert C. Haarde	Pending
Board of Selectmen	Pending

05/01/2018 7:00 PM



Town of Sudbury

Park & Recreation Department

Park and Recreation Department
40 Fairbank Road
Sudbury, MA 01776
978-443-1092

McNamarak@sudbury.ma.us

Memorandum

TO: Patty Golden
FROM: Kayla McNamara
RE: Donations
DATE: April 10, 2018


To the Board of Selectmen:

Please accept the following donations to support the Park and Recreation Summer Concert Series. These checks will be deposited in the Program Contributions and Donations Account 191448/483100.

Multistate Tax Services	\$101.00
Bennos	\$250.00
Roche Bros	\$500.00
Tot Family Daycare	\$ 15.00

I have enclosed a copy of the checks. The total donation is \$866.

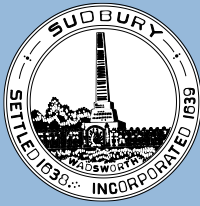
Thank you,


Julie Harrington
Assistant Director of Parks, Recreation & Aquatics
40 Fairbank Road
Sudbury, MA 01776-1843
978-639-3257

2018 APR 18 P 1:51

RECEIVED
BOARD OF SELECTMEN
SUDBURY, MA

Attachment 14.a: ParkRec_donation (2766 : Park and Rec Donation)



SUDBURY BOARD OF SELECTMEN

Tuesday, May 1, 2018

CONSENT CALENDAR ITEM**15: Approval of project mgmt and design services for Town Hall**REQUESTOR SECTION

Date of request:

Requestor: Permanent Building committee

Formal Title: Vote to approve the award of contracts by the Town Manager for project management and design services and such incidental services as may be necessary in connection with the Town Hall restoration/rehabilitation project (ATM 17 CPC Art. 31), upon the recommendation of the Permanent Building Committee acting as the Town's Designer Selection Committee.

Recommendations/Suggested Motion/Vote: Vote to approve the award of contracts by the Town Manager for project management and design services and such incidental services as may be necessary in connection with the Town Hall restoration/rehabilitation project (ATM 17 CPC Art. 31), upon the recommendation of the Permanent Building Committee acting as the Town's Designer Selection Committee.

Background Information:

The Permanent Building Committee (PBC) developed Request for Qualifications (RFQ) for both Owner's Project Management and Design services for the Town Hall restoration/rehabilitation funded under CPC Art.31 of the 2017 ATM. Six proposals were received for Project Management services pursuant to the Central Register notice and three firms were chosen for interview by the PBC acting in its role as the Town's Designer Selection Committee. Upon completion of the interviews, the PBC's recommendation is Construction Monitoring Services, Inc. for award of contract. The PBC is currently in the process of procuring designer services in accordance with statute.

Financial impact expected:funded by CPA funds

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Melissa Murphy-Rodrigues	Pending
Barbara Saint Andre	Pending
Robert C. Haarde	Pending
Board of Selectmen	Pending

05/01/2018 7:00 PM

ARTICLE 31. COMMUNITY PRESERVATION FUND - TOWN HALL RESTORATION/REHABILITATION

To see if the Town will vote to appropriate an amount not to exceed \$600,000 of Community Preservation Act Funds, as recommended by the Community Preservation Committee, for the purpose of preparing design and construction documents and associated cost estimates for the restoration/rehabilitation of Town Hall. The appropriation is to be allocated to the Historic category, and funded from: \$16,335 from Historic Reserves, \$212,600 from FY18 Revenue, and \$371,065 from Unrestricted Reserves.

Submitted by the Community Preservation Committee.

(Majority vote required)

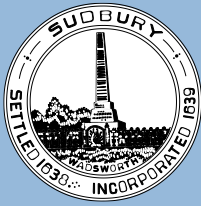
COMMUNITY PRESERVATION COMMITTEE REPORT: This article requests an appropriation to begin the process of transforming the Town Hall, largely through CPA Historic funds, into the anchor facility of Sudbury's newly revitalized Town Center. This is a significant Town-owned asset upon which very little money has been spent in modern times. In addition, for the 26 years since passage of the Americans with Disabilities Act, two of the building's three floors have been closed to the general public. It is hard to love a building that has seen little maintenance and is, in fact, little seen. The eight-member Town Hall Blue Ribbon Committee, representing expertise at the least in design, construction, finance and history, and after much investigation envisioned a restored and rehabilitated Town Hall with a small addition. The Committee felt strongly that "[n]ewly available and appealing, and endowed with modern utility... the Town Hall's varied spaces will grow significantly in their use by both government and community entities."

It is anticipated the bulk of future construction costs, will be eligible for CPA funds. At 85 years old, Town Hall meets national criteria as an historic building. Plus it is an enlarged replica of the town's original Town Hall of 1846, and its design was overseen by three now famous architects who happened to be summer or full time residents of Sudbury in 1930. That original Town Hall burned down, but like the current Town Hall, it was uniquely equipped with a fireproof vault, and together they have kept safe some of the best colonial records in America, thus making them still available to be utilized as the basis for the groundbreaking, 1964 Pulitzer Prize winning history book, "Puritan Village." The current Town Hall, indeed the entirety of the larger area of town center, is listed by the Massachusetts Historical Commission as protected, and locally is under the purview of both the Sudbury Historical Commission and the Sudbury Historic Districts Commission.

Adaptive reuse of the building has been a listed priority of the Board of Selectmen for 20 years. In that time many other priorities have been completed (new/renovated schools and library, new public safety buildings, etc.). An extensive feasibility study of Town Hall was voted in 2012 and completed in 2013. The Town Hall Blue Ribbon Committee used it as they worked diligently on the options, problems and possibilities posed by both the building and by its key location in Town Center. Their Report is available on the Town's website.

BOARD OF SELECTMEN POSITION: The Board of Selectmen supports this article.

FINANCE COMMITTEE REPORT: The Finance Committee recommends approval of this article.



SUDBURY BOARD OF SELECTMEN

Tuesday, May 1, 2018

EXECUTIVE SESSION**16: Vote to enter into Executive Session****REQUESTOR SECTION**

Date of request:

Requested by: Patty Golden

Formal Title: At the conclusion of regular session, vote to enter into Executive Session to discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declares (Varsity Wireless lease), pursuant to General Laws chapter 30A, §21(a)(3).

Recommendations/Suggested Motion/Vote: At the conclusion of regular session, vote to enter into Executive Session to discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declares (Varsity Wireless lease), pursuant to General Laws chapter 30A, §21(a)(3).

Background Information:

Financial impact expected:

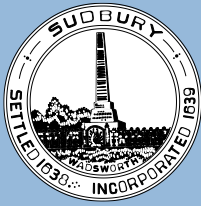
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Melissa Murphy-Rodrigues	Pending
Barbara Saint Andre	Pending
Robert C. Haarde	Pending
Board of Selectmen	Pending

05/01/2018 7:00 PM



SUDBURY BOARD OF SELECTMEN

Tuesday, May 1, 2018

17

EXECUTIVE SESSION

17: Vote to close Executive Session

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Vote to close Executive Session and not resume regular session.

Recommendations/Suggested Motion/Vote: Vote to close Executive Session and not resume regular session.

Background Information:

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Melissa Murphy-Rodrigues	Pending
Barbara Saint Andre	Pending
Robert C. Haarde	Pending
Board of Selectmen	Pending

05/01/2018 7:00 PM