

SUDBURY BOARD OF SELECTMEN
TUESDAY JULY 10, 2018
6:45 PM, TOWN HALL - LOWER LEVEL

Item #	Time	Action	Item
	6:45 PM		CALL TO ORDER
EXECUTIVE SESSION			
1.		<i>VOTE</i>	Open in regular session, and immediately 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 (DPW Cell Tower), pursuant to General Laws chapter 30A, §21(a)(6). ; and also to conduct strategy sessions with respect to collective bargaining as an open meeting may have a detrimental effect on the bargaining position of the government body pursuant to General Laws chapter 30A, §21(a)(3).
2.		<i>VOTE</i>	Vote to close Executive Session and resume Open Session.
			Opening remarks by Chairman
			Reports from Town Manager
			Reports from Selectmen
			Citizen's comments on items not on agenda
MISCELLANEOUS			
3.		<i>VOTE</i>	Discussion and vote on whether to approve the Memorandum of Agreement (MOA) between the Town of Sudbury and the Sudbury Supervisory Association, and ratify the vote taken in Executive Session as well as to authorize the Town Manager to sign said agreement.
4.		<i>VOTE</i>	Discussion and vote on whether to approve the Memorandum of Agreement (MOA) between the Town of Sudbury and the Sudbury Police Sergeants Union, MCOP Local 370/A and ratify the vote taken in Executive Session between the Town of Sudbury and the Police Sergeants Union.
5.			Discussion on Fairbank
6.		<i>VOTE</i>	Discussion and vote as to the sufficiency of the Notice of Intent to Sell Land Subject to M.G.L. Chapter 61A, s.14, received from

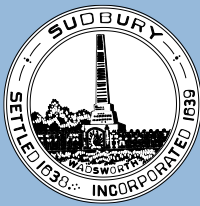
These agenda items are those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.

Item #	Time	Action	Item
			Owner Ledgewood II at Sudbury Development Corp., Richard Campana, President, on June 13, 2018, regarding 1.91 acres, known as Lots 42 and 43, Fox Hill Drive, Assessors Map B07 Parcels 0214 and 0215.
7.		<i>VOTE</i>	Discuss and vote to approve ballot language to send to the state for approval for the November 6 ballot. 1) Debt exclusion for Fairbank design; 2) Debt exclusion for Broad Acres Farm.
8.			Discuss topics to be assigned for the Summer 2018 Board of Selectmen Newsletter.
9.			Update on Selectmen's Policies
10.			Discussion on Selectmen's liaison assignments and committee membership for 2018-2019.
11.			Discussion on Fall Town Meeting
12.		<i>VOTE</i>	Vote to approve the appointment of Frank Riepe, 54 New Bridge Road, as a full member of the Zoning Board of Appeals (ZBA) for a term ending 5/31/23. Also vote to appoint Jeffrey Klofft as an alternate member of the ZBA and the Earth Removal Board, for a term ending 5/31/19.
13.		<i>VOTE</i>	Vote to accept the resignation of Jonathan Patch as a full member of the ZBA effective 6/26/18. Also, discuss whether to approve the appointment of Jonathan Patch to the Earth Removal Board at his request. Since Mr. Patch is not an associate member, this appointment is at the Board's discretion. If approved this appointment expires 5/31/19.
14.		<i>VOTE</i>	Discussion and potential vote on next steps regarding the CSX Rail Trail acquisition.
15.			Citizen's Comments (cont.)
16.			Discuss upcoming agenda items.
CONSENT CALENDAR			
17.		<i>VOTE</i>	Vote to approve the appointments of Marjorie Keane, 66 Beechwood Ave, and Miriam Chandler, 27 Crystal Lake Dr., to the Ponds & Waterways Committee for terms ending 5/31/21, as recommended by Diane Muffitt, chair.
18.		<i>VOTE</i>	Vote to approve the regular session minutes of 6/5/18.
19.		<i>VOTE</i>	Vote to enter into the Town record and congratulate Daniel Paul Griffith, Liam Karl Huston, and Daniel Avishai Stutman, of Boy Scout Troop 63 for having achieved the high honor of Eagle Scout.
			Executive Session (cont.)
20.			At conclusion of Open Session, vote to resume Exec Session to discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigating position of the public

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
			body and the chair so declares (Lincoln Lane, Kopelman and Paige, Broadacres Farm), pursuant to General Laws chapter 30A, §21(a)(6).
21.		<i>VOTE</i>	Vote to conclude Executive Session and not resume Open 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, July 10, 2018

EXECUTIVE SESSION

1: Vote to enter into Executive Session

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Open in regular session, and immediately 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 (DPW Cell Tower), pursuant to General Laws chapter 30A, §21(a)(6). ; and also to conduct strategy sessions with respect to collective bargaining as an open meeting may have a detrimental effect on the bargaining position of the government body pursuant to General Laws chapter 30A, §21(a)(3).

Recommendations/Suggested Motion/Vote: Open in regular session, and immediately 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 (DPW Cell Tower), pursuant to General Laws chapter 30A, §21(a)(6); and also to conduct strategy sessions with respect to collective bargaining as an open meeting may have a detrimental effect on the bargaining position of the government body pursuant to General Laws chapter 30A, §21(a)(3).

Background Information:

Financial impact expected:

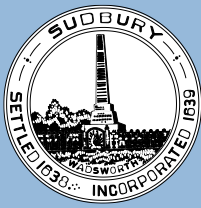
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Melissa Murphy-Rodrigues	Pending
Jonathan Silverstein	Pending
Robert C. Haarde	Pending
Board of Selectmen	Pending

07/10/2018 6:45 PM



SUDBURY BOARD OF SELECTMEN
Tuesday, July 10, 2018

EXECUTIVE SESSION
2: Close Executive Session

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Vote to close Executive Session and resume Open Session.

Recommendations/Suggested Motion/Vote: Vote to close Executive Session and resume Open Session.

Background Information:

Financial impact expected:

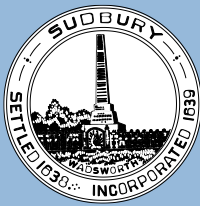
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Melissa Murphy-Rodrigues	Pending
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Board of Selectmen	Pending

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SUDBURY BOARD OF SELECTMEN
Tuesday, July 10, 2018

MISCELLANEOUS (UNTIMED)

3: Ratify contract with SSA

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Discussion and vote on whether to approve the Memorandum of Agreement (MOA) between the Town of Sudbury and the Sudbury Supervisory Association, and ratify the vote taken in Executive Session as well as to authorize the Town Manager to sign said agreement.

Recommendations/Suggested Motion/Vote: Discussion and vote on whether to approve the Memorandum of Agreement (MOA) between the Town of Sudbury and the Sudbury Supervisory Association, and ratify the vote taken in Executive Session as well as to authorize the Town Manager to sign said agreement.

Background Information:

Financial impact expected:

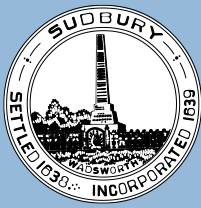
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Melissa Murphy-Rodrigues	Pending
Jonathan Silverstein	Pending
Robert C. Haarde	Pending
Board of Selectmen	Pending

07/10/2018 6:45 PM



SUDBURY BOARD OF SELECTMEN

Tuesday, July 10, 2018

MISCELLANEOUS (UNTIMED)

4: Ratify contract with Police Sergeant's Union

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Discussion and vote on whether to approve the Memorandum of Agreement (MOA) between the Town of Sudbury and the Sudbury Police Sergeants Union, MCOP Local 370/A and ratify the vote taken in Executive Session between the Town of Sudbury and the Police Sergeants Union.

Recommendations/Suggested Motion/Vote: Discussion and vote on whether to approve the Memorandum of Agreement (MOA) between the Town of Sudbury and the Sudbury Police Sergeants Union, MCOP Local 370/A and ratify the vote taken in Executive Session between the Town of Sudbury and the Police Sergeants Union.

Background Information:

Financial impact expected:

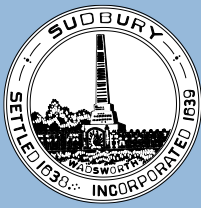
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Melissa Murphy-Rodrigues	Pending
Jonathan Silverstein	Pending
Robert C. Haarde	Pending
Board of Selectmen	Pending

07/10/2018 6:45 PM



SUDBURY BOARD OF SELECTMEN
Tuesday, July 10, 2018

MISCELLANEOUS (UNTIMED)

5: Fairbank discussion

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Discussion on Fairbank

Recommendations/Suggested Motion/Vote: Discussion on Fairbank

Background Information:

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Melissa Murphy-Rodrigues	Pending
Jonathan Silverstein	Pending
Robert C. Haarde	Pending
Board of Selectmen	Pending

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YOUR SUDBURY COMMUNITY CENTER

Here For Life

A PROJECT OF COMMUNITY PRIDE WHICH WILL
KEEP ON – PAYING IT FORWARD – FOR GENERATIONS



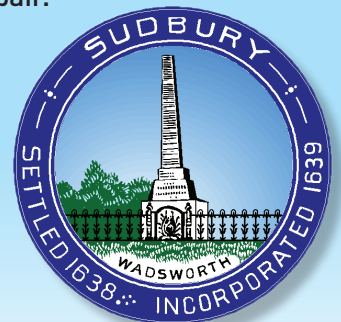
ABOUT THE PROPOSED FAIRBANK COMMUNITY CENTER

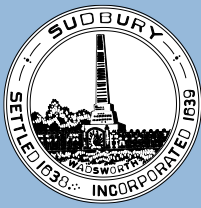
The proposed center will be 62,000 square feet and include: full gymnasium, fitness options, program space, Senior Center, Teen Center, walking track, Atkinson Pool, play space, and more. It would replace the old center, built in 1958, that is currently in need of remediation and repair. The Fairbank Community Center offers many potential benefits for Sudbury including:

- **Social:** gathering place for community, seniors, teens, and children
- **Health:** personal fitness, exercise classes, pool, and wellness programs
- **Economic:** increase property value and offer citizen-discounts for amenities
- Improved space for pre-k sessions, vacation/summer camps, Park & Rec programs
- ADA compliant
- Site for voting and emergency shelters

To learn more and get future updates visit:

<https://sudbury.ma.us/fairbankstudy/2018/02/27/fairbank-community-center-future-options/>
or email: Selectmenoffice@sudbury.ma.us





SUDBURY BOARD OF SELECTMEN

Tuesday, July 10, 2018

MISCELLANEOUS (UNTIMED)**6: Chapter 61a Fox Hill Drive**REQUESTOR SECTION

Date of request:

Requestor: Town Counsel

Formal Title: Discussion and vote as to the sufficiency of the Notice of Intent to Sell Land Subject to M.G.L. Chapter 61A, s.14, received from Owner Ledgewood II at Sudbury Development Corp., Richard Campana, President, on June 13, 2018, regarding 1.91 acres, known as Lots 42 and 43, Fox Hill Drive, Assessors Map B07 Parcels 0214 and 0215.

Recommendations/Suggested Motion/Vote: **Vote** to determine that there is sufficient information contained within the Notice of Intent to Sell Land Subject to M.G.L. Chapter 61A, s.14 received on June 13, 2018 from Owner, Richard Campana, President of Ledgewood II at Sudbury Development Corp. relating to 1.91 acres known as Lots 42 and 43 Fox Hill Drive, Assessors Map B07 Parcels 0214 and 0215, and to schedule a hearing at a future date within the 120-day period allowable by statute to make a determination whether or not to exercise the Town's option.

OR:

Vote to determine the Notice of Intent to Sell Land Subject to M.G.L. Chapter 61A, s.14 received on June 13, 2018 from Owner, Richard Campana, President of Ledgewood II at Sudbury Development Corp. relating to 1.91 acres known as Lots 42 and 43 Fox Hill Drive, Assessors Map B07 Parcels 0214 and 0215, is insufficient for the Board to make a determination whether or not to exercise the Town's options under statute and to so notify the Owner of such determination.

Background Information:

(From Town Counsel Jonathan Silverstein): The Board of Selectmen has 30 days from receipt of the June 13 Notice to determine and notify the Owner whether the Notice of Intent to Sell land taxed under M.G.L. Chapter 61A is sufficient to make a decision whether or not to exercise the Town's right of first refusal. If deemed insufficient, the Owner must be notified in writing and the process restarts. If deemed sufficient, the Board has 120 days to hold a hearing to make a determination as to whether to exercise its options which would be made upon review and recommendations from the Assessors, Planning, Conservation Commission and Park and Recreation.

I would note that the development of subdivision roads and sale of the first lot would seem to have triggered a conversion of the entire site. In other words, prior to the development of the subdivision infrastructure and sale of the first lot, the Town should have been given a notice of conversion of the entire site, in my opinion, which would have triggered its ability to have the entire property appraised. This would be more in keeping with the intent of the statute that developing subdivision infrastructure and giving the Town notice of the proposed sale of subdivision lots individually. Since it appears that nine of the lots in the subdivision have already been developed, however, there may not be much the Town can do at this point. Nevertheless, the Assessors may wish to consider whether the remaining lots in the subdivision are appropriately classified under Chapter 61A. I would be happy to meet with the Board to discuss this matter further.

If the Notice of Intent is deemed sufficient, and the process goes forward, the Selectmen will then make the following decisions each with financial considerations. If the Board of Selectmen does not exercise the right of first refusal then the sale can proceed with the Owner paying a conveyance tax to the Town which compensates the Town for the past reduction of tax revenue under Chapter 61B. If the Board exercises its right of first refusal to acquire the land upon review and recommendations from the Assessors, Planning, Conservation and Park and Recreation it must then secure funding to meet the purchase price.

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Melissa Murphy-Rodrigues	Pending
Jonathan Silverstein	Pending
Robert C. Haarde	Pending
Board of Selectmen	Pending

07/10/2018 6:45 PM

CHAPTER 61A NOTICE OF INTENT TO SELL

June 11, 2018

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

RECEIVED
JUN 13 2018

BY:

Board of Selectmen
Town of Sudbury
278 Old Sudbury Road
Sudbury, MA 01776

Sudbury Planning Board
Town of Sudbury
278 Old Sudbury Road
Sudbury, MA 01776

Sudbury Board of Assessors
278 Old Sudbury Road
Sudbury, MA 01776

Sudbury Conservation Commission
275 Old Lancaster Road
Sudbury, MA 01776

State Forester
c/o Leo Roy, Commissioner
Dept. of Conservation and Recreation
251 Causeway Street, Suite 900
Boston, MA 02114

RE: Notice Pursuant to Massachusetts General Laws, Chapter 61A §14
Lots 42 (Assessors' Parcel ID B07-0214, 0.92 +/- acres) and 43 (Assessors' Parcel ID B07-0215, 0.99 +/- acres), Fox Hill Drive, Sudbury, Massachusetts (collectively, "Property")

Dear Members of the Board:

This letter pertains to the above referenced Property which is currently classified as agricultural or horticultural under Massachusetts General Laws, Chapter 61A. Pursuant to Chapter 61A, Section 14, notice is hereby given to the Town of Sudbury of the intention of Ledgewood II at Sudbury Development Corp. ("Owner"), to sell this Property to Greg Gardiner or his nominee or permitted assignee ("Buyer") for residential, industrial or commercial use. The present intent of the Buyer is to construct one (1) single family dwelling on each of the Lots. Enclosed herewith as Exhibit A is a true and correct certified copy of the executed Purchase and Sale Agreement for the Property, specifying the purchase price and all terms and conditions of the proposed sale.

The Property contains 1.91 +/- acres of unimproved land and is shown as Lots 42 and 43 on a plan of land entitled "Subdivision Plan of Land in Sudbury, Medford Engineering & Survey, Surveyors Plan" dated July 1980 and revised October 1980, which is Plan No. 11045-I as approved by the Land Court, filed in the Land Registration Office, a copy of which is filed in the Middlesex South District Registry of the Land Court at Book 655, Page 110, with Certificate No. 105060. A copy of this plan is enclosed herewith as Exhibit B.

Attachment 6.a: Fox Hill Drive - Ch 61A RoFR Notice of Intent to Sell (2862 : Chapter 61a Fox Hill Drive)

The Owner's address is 27 Fox Hill Drive, Sudbury, MA 01776. The Owner's telephone number is (781) 235-6228.

There are no additional agreements or any additional consideration for any contiguous land under the same ownership and not classified under Chapter 61A, sold or to be sold contemporaneously with the proposed sale of the Property.

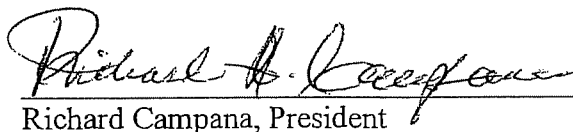
Pursuant to M.G.L. Chapter 61A §14, the Town of Sudbury shall have a period of one hundred and twenty (120) days to exercise its first refusal option to meet this bona fide offer for the Property.

If you have any questions, or require any additional information, please do not hesitate to contact me.

Thank you.

Very truly yours,

Ledgewood II at Sudbury Development Corp.



Richard Campana, President

Enc.

A True Copy

ATTEST: Richard A. Campana

PURCHASE AND SALE AGREEMENT

This 30th day of April, 2018.

- 1. PARTIES AND MAILING ADDRESSES: Ledgewood II at Sudbury Development Corp. is Massachusetts corporation with a principal place of business at 33 Maugus Hill Road, Wellesley, MA hereinafter called the SELLER, agrees to SELL and Greg Gardner/G Gardner Contracting LLC, of 11 Astor Lane, Bow, NH 03304 email greg.gardner76@gmail.com or his nominee or Permitted Assignee. Permitted Assignee is an entity of which Greg Gardner controls and owns no less than 50% equity of a prospective home buyer (as opposed to another contractor/builder/developer).
- 2. DESCRIPTION: hereinafter called the BUYER or PURCHASER, agrees to BUY, upon the terms hereinafter set forth, the following described premises: the undeveloped land known and identified as Lots 42 & 43 on Fox Hill Drive in Sudbury, Massachusetts, as shown on a certain plan of land entitled, "Subdivision Plan of Land in Sudbury, Medford Engineering & Survey, Surveyors Plan" dated July 1980 and revised October 1980, which is Plan No. 11045-1 as approved by the Court, filed in the Land Registration Office, a copy of which is filed in the Middlesex South District Registry of the Land Court at Book 655, Page 110, with Certificate No. 105060. For title reference see deed of Richard A. Campana to the Grantor herein registered with said Registry as Document No. 1066027 and noted on Certificate of Title No. 0211490, Book 1187, Page 140
- 3. BUILDINGS, STRUCTURES, IMPROVEMENTS, FIXTURES: None
- 4. TITLE DEED: Said premises are to be conveyed by a good and sufficient quitclaim deed running to the BUYER, or to the nominee designated by the BUYER by written notice to the SELLER at least seven days before the deed is to be delivered as herein provided, and said deed shall convey a good and clear record and marketable title thereto, free from encumbrances, except:
 - (a) Provisions of existing building and zoning laws;
 - (b) Existing rights and obligations in party walls which are not the subject of written agreement;
 - (c) Such taxes for the then current year as are not due and payable on the date of the delivery of such deed;
 - (d) Any liens for municipal betterments assessed after the date of this agreement;
 - (e) Easements, restrictions and reservations of record, if any, so long as the same do not prohibit or materially interfere with the use of said lot as a single family dwelling;
 - (f) Ledgewood II at Sudbury Master Declaration registered as Document No. 1308057.
- 5. PLANS: If said deed refers to a plan necessary to be recorded therewith the SELLER shall deliver such plan with the deed in form adequate for recording or registration.
- 6. REGISTERED TITLE: In addition to the foregoing, if the title to said premises is registered, said deed shall be in form sufficient to entitle the BUYER to a Certificate of Title of said premises, and the SELLER shall deliver with said deed all instruments, if any, necessary to enable the BUYER to obtain such Certificate of Title.
- 7. PURCHASE PRICE: The agreed purchase price for said premises is \$810,000.00, of which:

\$	1,000.00	is paid as a deposit to bind the Offer to Purchase.
\$	9,000.00	is to be paid as an additional deposit upon execution of the Purchase and Sale Agreement.
\$	10,000.00	are to be paid immediately upon the Town of Sudbury's release of the premises from c.61B
\$	790,000.00	are to be paid at the time of delivery of the deed in cash, or by certified, cashier's, treasurer's or bank check(s), drawn on a Massachusetts clearinghouse bank or attorneys conveyancing account check.
<hr style="border-top: 1px solid black;"/>		
\$	810,000.00	TOTAL

Richard A. Campana
RAC

Attachment 6.a: Fox Hill Drive - Ch 61A RoFR Notice of Intent to Sell (2862 : Chapter 61a Fox Hill Drive)

8. TIME FOR PERFORMANCE; DELIVERY OF DEED
Such deed is to be delivered on the fourteenth (14th) business day following the termination of the Town of Sudbury's 61B right of first refusal on the Premises. Said deed is to be delivered at the office of BUYER's lender's counsel, unless otherwise agreed upon in writing. It is agreed that time is of the essence of this agreement.
9. POSSESSION AND CONDITION OF PREMISE
Full possession of said premises free of all tenants and occupants, is to be delivered at the time of the delivery of the deed, said premises to be then (a) in the same condition as they now are, reasonable use and wear thereof excepted, and (b) not in violation of said building and zoning laws, and (c) in compliance with provisions of any instrument referred to in clause 4 hereof. The BUYER shall be entitled personally to inspect said premises prior to the delivery of the deed in order to determine whether the condition thereof complies with the terms of this clause.
10. EXTENSION TO PERFECT TITLE OR MAKE PREMISES CONFORM
If the SELLER shall be unable to give title or to make conveyance, or to deliver possession of the premises, all as herein stipulated, or if at the time of the delivery of the deed the premises do not conform with the provisions hereof, then SELLER shall use reasonable efforts* to remove any defects in title, or to deliver possession as provided herein, or to make the said premises conform to the provisions hereof, as the case may be, in which event the SELLER shall give written notice thereof to the BUYER at or before the time for performance hereunder, and thereupon the time for performance hereof shall be extended for a period of up to thirty days. *defined as not more than \$3,000.00 exclusive of voluntary monetary encumbrances and real estate taxes.
11. FAILURE TO PERFECT TITLE OR MAKE PREMISES CONFORM, etc.
If at the expiration of the extended time the SELLER shall have failed so to remove any defects in title, deliver possession, or make the premises conform, as the case may be, all as herein agreed, or if at any time during the period of this agreement or any extension thereof, the holder of a mortgage on said premises shall refuse to permit the insurance proceeds, if any, to be used for such purposes, then any payments made under this agreement shall be forthwith refunded and all other obligations of the parties hereto shall cease and this agreement shall be void without recourse to the parties hereto.
12. BUYER'S ELECTION TO ACCEPT TITLE
The BUYER shall have the election, at either the original or any extended time for performance, to accept such title as the SELLER can deliver to the said premises in their then condition and to pay therefore the purchase price without deduction, in which case the SELLER shall convey such title.
13. ACCEPTANCE OF DEED
The acceptance of a deed by the BUYER or his nominee as the case may be, shall be deemed to be a full performance and discharge of every agreement and obligation herein contained or expressed, except such as are, by the terms hereof, to be performed after the delivery of said deed.
14. USE OF MONEY TO CLEAR TITLE
To enable the SELLER to make conveyance as herein provided, the SELLER may, at the time of delivery of the deed, use the purchase money or any portion thereof to clear the title of any or all encumbrances or interests, provided that all instruments so procured are recorded simultaneously with the delivery of said deed or within a reasonable time thereafter in accordance with standard conveyancing practice.
15. INSURANCE
Until the delivery of the deed, the SELLER shall maintain insurance on said premises as follows:
- | <i>Type of Insurance</i> | <i>Amount of Coverage</i> |
|--------------------------------|---------------------------|
| (a) Fire and Extended Coverage | \$ NONE. |
| (b) | |
16. ADJUSTMENTS
Taxes for the then current fiscal year, shall be apportioned and fuel value shall be adjusted, as of the day of performance of this agreement and the net amount thereof shall be added to or deducted from, as the case may be, the purchase price payable by the BUYER at the time of delivery of the deed.

17. ADJUSTMENT OF UNASSESSED AND ABATED TAXES
If the amount of said taxes is not known at the time of the delivery of the deed, they shall be apportioned on the basis of the taxes assessed for the preceding fiscal year, with a reapportionment as soon as the new tax rate and valuation can be ascertained; and, if the taxes which are to be apportioned shall there-after be reduced by abatement, the amount of such abatement, less the reasonable cost of obtaining the same, shall be apportioned between the parties, provided that neither party shall be obligated to institute or prosecute proceedings for an abatement unless herein otherwise agreed.
18. BROKER'S FEE
A Broker's fee for professional services of 3.0% of the purchase price is due from the SELLER to Lois Krasilovsky, Inc. the Broker(s) herein, but only if and when title passes, the deed is recorded and the purchase price is paid in full.
19. BROKER(S) WARRANTY
The Broker(s) named above warrant(s) that the Broker(s) is(are) duly licensed as such by the Commonwealth of Massachusetts.
20. DEPOSIT
All deposits made hereunder shall be held in escrow by Lois Krasilovsky, Inc. as escrow agent subject to the terms of this agreement and shall be duly accounted for at the time for performance of this agreement. In the event of any disagreement between the parties, the escrow agent shall retain all deposits made under this agreement pending instructions mutually given by the SELLER and the BUYER.
21. BUYER'S DEFAULT; DAMAGES
If the BUYER shall fail to fulfill the BUYER's agreements herein, all deposits made hereunder by the BUYER shall be retained by the SELLER as liquidated and shall be SELLER's sole remedy both at law and in equity.
22. RELEASE BY HUSBAND OR WIFE
Intentionally Deleted.
23. BROKER AS PARTY
The Broker(s) named herein join(s) in this agreement and become(s) a party hereto, insofar as any provisions of this agreement expressly apply to the Broker(s), and to any amendments or modifications of such provisions to which the Broker(s) agree(s) in writing.
24. LIABILITY OF TRUSTEE, SHAREHOLDER, BENEFICIARY, etc.
If the SELLER or BUYER executes this agreement in a representative or fiduciary capacity, only the principal or the estate represented shall be bound, and neither the SELLER or BUYER so executing, nor any shareholder or beneficiary of any trust, shall be personally liable for any obligation, express or implied, hereunder.
25. WARRANTIES AND REPRESENTATIONS
The BUYER acknowledges that the BUYER has not been influenced to enter into this transaction nor has he relied upon any warranties or representations not set forth or incorporated in this agreement or previously made in writing, except for the following additional warranties and representations, if any, made by either the SELLER or the Broker(s): NONE.
26. MORTGAGE CONTINGENCY CLAUSE
Intentionally deleted.

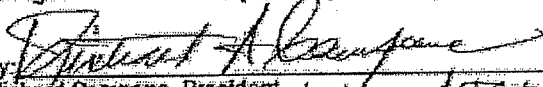


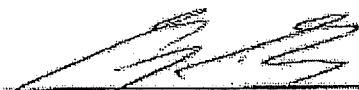
- 27. CONSTRUCTION OF AGREEMENT This instrument, executed in multiple counterparts, is to be construed as a Massachusetts contract, is to take effect as a sealed instrument, sets forth the entire contract between the parties, is binding upon and enures to the benefit of the parties hereto and their respective heirs, devisees, executors, administrators, successors and assigns, and may be cancelled, modified or amended only by a written instrument executed by both the SELLER and the BUYER. If two or more persons are named herein as BUYER their obligations hereunder shall be joint and several. The captions and marginal notes are used only as a matter of convenience and are not to be considered a part of this agreement or to be used in determining the intent of the parties to it.
- 28. LEAD PAINT LAW The parties acknowledge that, under Massachusetts law, whenever a child or children under six years of age resides in any residential premises in which any paint, plaster or other accessible material contains dangerous levels of lead, the owner of said premises must remove or cover said paint, plaster or other material so as to make it inaccessible to children under six years of age.
- 29. SMOKE/CO DETECTORS Intentionally Deleted.
- 30. ADDITIONAL PROVISIONS The rider(s) attached hereto, is/are incorporated herein by reference.

FOR RESIDENTIAL PROPERTY CONSTRUCTED PRIOR TO 1978, BUYER MUST ALSO HAVE SIGNED LEAD PAINT "PROPERTY TRANSFER NOTIFICATION CERTIFICATION"

NOTICE: This is a legal document that creates binding obligations. If not understood, consult an attorney.

SELLER - Ledgewood II at Sudbury Development Corp.

By: 
 Richard Campana, President, *Ledgewood II at Sudbury Development Corp.*


 BUYER - Greg Gardner

Attachment 6.a: Fox Hill Drive - Ch 61A RoFR Notice of Intent to Sell (2862 : Chapter 61a Fox Hill Drive)

RIDER TO PURCHASE AND SALE AGREEMENT
Ledgewood II at Sudbury Development Corp. ("SELLER")
Greg Gardner/G Gardner Contracting LLC ("BUYER")
Lots 42 & 43, Fox Hill Drive, Sudbury, MA ("Premises" or "Property")

A. WARRANTIES AND REPRESENTATIONS: BUYER acknowledges that BUYER has had an opportunity to make all inspections of the Premises, including without limitation, pest, soil, environmental and engineering inspections, is satisfied with the condition of the Premises, and accepts the Premises "as is" "where-is" except as expressly herein provided. SELLER has made no warranties or representations upon which BUYER has relied with respect to the Premises, express or implied. The provisions of this paragraph shall survive delivery of the deed.

B. CONSTRUCTION: BUYER shall use continuous diligent efforts to complete the construction on each lot of a luxury grade home of at least 4,000 square feet of finished space (excluding basement/lower level), containing at least 4 bedrooms within 12 months of the delivery of the deed hereunder. If BUYER has not accomplished same by the expiration of said 12 months, BUYER shall use continuous diligent efforts thereafter. SELLER shall permit BUYER to use fiber cement siding such as Hardi Board and PVC trim boards such as Azek. The provisions of this paragraph shall survive the delivery of the deed.

C. COMPLETE AGREEMENT: This Agreement supersedes all prior agreements and other understandings between the parties. Any such prior agreements are hereby declared void. This Agreement represents the complete agreement of the parties hereto. This Agreement may be modified only by written agreement signed by both BUYER and SELLER.

D. 61B: SELLER's obligations hereunder are contingent on the SELLER successfully terminating the Town of Sudbury's 61B right of first refusal. If the SELLER is unable to obtain such termination then upon termination of this Agreement, SELLER shall reimburse BUYER up to \$3,500 of BUYER's actual out of pocket expenses for approvals in connection with the purchase of the Premises including but not limited to septic, design, engineering and financing.

E. CONSTRUCTION APPROVALS: BUYER's obligations hereunder are contingent on BUYER obtaining all necessary construction approvals by the Town of Sudbury for two (2) 4,000 square foot, 4+ bedroom single family homes, including but not limited to septic system approval and obtaining building permits to BUYER's satisfaction. BUYER shall use continuous diligent efforts in its permitting endeavors. In the event that BUYER has not obtained such approvals on or before the closing date after using continuous diligent efforts, BUYER can extend the closing date by up to thirty (30) days. In the event that BUYER has not received such permits and approvals within this extension period, BUYER may elect to terminate this transactions in which case all deposits shall be refunded to BUYER without further recourse to the parties.

F. ACCESS: Any access to the Premises by BUYER prior to closing shall be in the presence of SELLER or SELLER's agents at reasonable times and after reasonable notice. BUYER shall be responsible for any damage to the Premises as a result of the same, and shall indemnify and hold SELLER harmless from any claims against SELLER by any person, including BUYER, arising out of or related to said access.

G. REGA STANDARDS: Any matter or practice arising under or relating to this agreement which is the subject of a title or practice standard of the Massachusetts Real Estate Bar Association shall be governed by such standard to the extent applicable.

H. All notices required or to be given hereunder shall be in writing and deemed duly given when: hand delivered, or sent via recognized express/overnight carrier, or placed in the US Mail postage prepaid or by registered or certified mail, return receipt requested, postage and registration or certification charges prepaid, or sent via facsimile with proof of transmission, or sent via e-mail with proof of transmission, addressed as follows: If to BUYER: as set forth in Section 1 hereof, and If to SELLER: Joshua M. Fox, Esq., Rollins, Rollins & Fox, P.C., 36 Glen Avenue, Newton, MA 02459; Telephone: 617-969-7555; Fax: 617-969-5281; E-mail: jfox@r-r-f.com; or to such other address or addresses as may from time to time be designated by either party by written notice to the other.


I. Without limitation of any other provisions of this Agreement, said Premises shall not be considered to be in compliance with the provisions of this Agreement with respect to title unless:

- (a) All buildings, structures and improvements on the Premises, and all means of access to and egress from the Premises shall be wholly within the lot lines of the Premises or within an easement area benefiting the Premises, and shall not unlawfully encroach upon, over or under any property not within such lot lines or property of any other person or entity;
- (b) No buildings, structures or improvements of any kind encroaches upon, over or under the Premises from other premises unless it is pursuant to and within an easement area benefiting said other premises granted from the Premises;
- (c) Title to the Premises is insurable, for the benefit of the BUYER, by a title insurance company reasonably acceptable to BUYER, in a fee owner's policy of title insurance, at normal premium rates, on the American Land Title Association form currently in use, subject only to the exceptions permitted under Paragraph Four (4) of this Agreement and those printed exceptions to title normally included in the "jacket" and schedule B1 to such form or policy;
- (d) The Premises abut and have unrestricted and unencumbered vehicular and pedestrian access to a public way, duly laid out or accepted as such by the town or city in which the Premises are located or a abut a private way with record access to a public way; and
- (e) Certificates of compliance have been recorded for lot specific wetland orders of conditions.

J. Without conducting any investigation or inquiry SELLER represents that to the best of SELLER's knowledge:

- (a) There are no underground oil storage tanks located on the Premises;
- (b) other than reasonable quantities of normal household products, SELLER has not released any toxic or hazardous substances (as same is contemplated by MGL Ch 21E) on the Premises;
- (c) There are no pending bankruptcy, mortgage foreclosure, or other proceeding which might in any material way impact adversely on SELLER's ability to perform under this Agreement;
- (d) as of the date hereof, the SELLER has received no written notice from any municipal, county, state or federal agency asserting or alleging that the Premises are presently or may presently be in violation of the provisions of any municipal, county, state or federal codes, ordinances, statutes or regulations relating to zoning, building, environmental or health matters or enforcement proceedings;
- (e) SELLER is not aware of any suits, actions, orders, decrees, claims, writs, injunctions or proceedings against the SELLER or affecting all or any part of the Premises or the operation thereof before any court or administrative agency or officer which, if adversely determined, would have material adverse effect upon the Premises;

K. All of SELLER's representations under this Agreement are to the SELLER's actual knowledge, and without conducting any independent investigation or inquiry and are not intended to imply or create any obligation for the SELLER to take additional actions or more further inquiry with regard to any topics contained within this Agreement or elsewhere, including but not limited to, documents to be executed in conjunction with the Closing; furthermore, it is acknowledged and agreed by the Parties that any such representations shall not constitute a representation or warranty against the existence of such conditions about which SELLER has no knowledge, nor a representation or warranty against the discovery or occurrence of such conditions. The provisions of this Paragraph shall survive the Closing and delivery of the Deed hereunder.


Buyer: Greg Gardner

SELLER:
LedgeWood II at Sudbury Development Corp.

By: 
Richard A. Campana, President

LedgeWood II at Sudbury Development Corp.

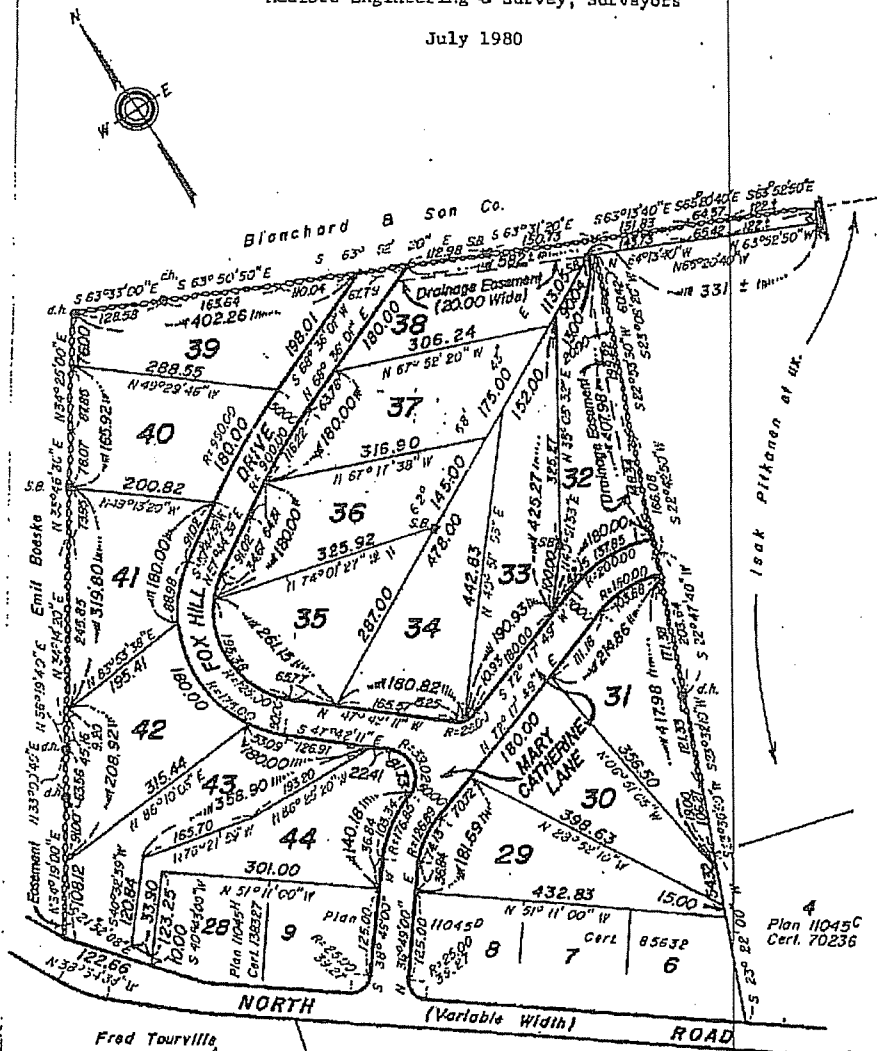
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Exhibit "B"

CH. 105060 Book 655 Page 110.

SUBDIVISION PLAN OF LAND IN SUDBURY
Medford Engineering & Survey, Surveyors
July 1980

11045^I



Fred Tourville
L.C. No. 3953^A
Cert. 4177

Subdivision of part of Lot 1 and Lots 11 thru 20
Shown on Plan 11045^A and 11043^B
Filed with Cert. of Title Nos. 20631 and 105060
South Registry District of Middlesex County

Separate certificates of title may be issued for land
shown hereon as Lots 29 thru 44
By the Court.

Middlesex South Registry District

SEP 16 1985
RECEIVED FOR REGISTRATION

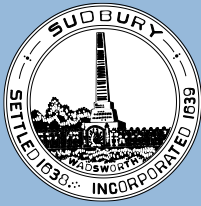
3 000 CLK 05 P.

Abutters are shown as on
original decree plan.

Copy of part of plan
filed in
LAND REGISTRATION OFFICE

324

Attachment 6.a - Fox Hill Drive - Ch 61A RoFR Notice of Intent to Sell (2862 : Chapter 61a Fox Hill Drive)



SUDBURY BOARD OF SELECTMEN
Tuesday, July 10, 2018

MISCELLANEOUS (UNTIMED)

7: Approve ballot language for Nov. 6 ballot

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Discuss and vote to approve ballot language to send to the state for approval for the November 6 ballot. 1) Debt exclusion for Fairbank design; 2) Debt exclusion for Broad Acres Farm.

Recommendations/Suggested Motion/Vote: Discuss and vote to approve ballot language to send to the state for approval for the November 6 ballot.

1) Debt exclusion for Fairbank design; 2) Debt exclusion for Broad Acres Farm.

Background Information:

Financial impact expected:see town meeting vote

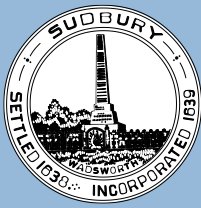
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Melissa Murphy-Rodrigues	Pending
Jonathan Silverstein	Pending
Robert C. Haarde	Pending
Board of Selectmen	Pending

07/10/2018 6:45 PM



SUDBURY BOARD OF SELECTMEN
Tuesday, July 10, 2018

MISCELLANEOUS (UNTIMED)

8: Summer 2018 Selectmen Newsletter Topic Discussion

REQUESTOR SECTION

Date of request:

Requested by: Leila S. Frank

Formal Title: Discuss topics to be assigned for the Summer 2018 Board of Selectmen Newsletter.

Recommendations/Suggested Motion/Vote:

Background Information:

List of previous topics attached

Financial impact expected:N/A

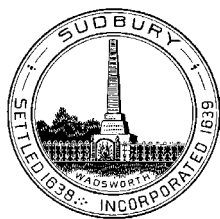
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Melissa Murphy-Rodrigues	Pending
Jonathan Silverstein	Pending
Robert C. Haarde	Pending
Board of Selectmen	Pending

07/10/2018 6:45 PM



Town of Sudbury

Office of Selectmen

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

selectmensoffice@sudbury.ma.us

June 18, 2018

To: Board of Selectmen

From: Leila Frank

Re: **Summer 2018 Board of Selectmen Newsletter Topics**

To facilitate discussion of topics for the upcoming Board of Selectmen Newsletter, below is a list of topics from previous editions.

APRIL 2018

Stearns Mill Pond Dam and Sutton Road Bridge
Livable Sudbury Community
BFRT Update
Meadow Walk Update
Fairbank Community Center Project Update

FEBRUARY 2018

Landham Road Intersection
Marijuana Town Forum
OPEB Update
School District Admin/Struct. Options
Fairbank Community Center Update
2018 Annual Town Meeting

OCTOBER 2017

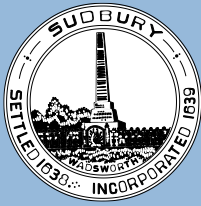
Marijuana Law
Fairbank Community Center Update
Transportation Needs
Eversource Update
Understanding CPA Finances
Fire Station #2

JULY 2017

2017 Annual Town Meeting
MS4 Permit
Meadow Walk
Eversource
Community Compact

SUMMER 2018 NEWSLETTER DEADLINES

BOS Meeting to Discuss Topic Assignments- Tuesday, July 10
Materials Due (to MMR/LSF)- Monday, August 6
BOS Meeting Approval- Tuesday, August 14



SUDBURY BOARD OF SELECTMEN
Tuesday, July 10, 2018

MISCELLANEOUS (UNTIMED)

9: Selectmen Policies

REQUESTOR SECTION

Date of request:

Requestor: Selectman Pat Brown

Formal Title: Update on Selectmen's Policies

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
Jonathan Silverstein	Pending
Robert C. Haarde	Pending
Board of Selectmen	Pending

07/10/2018 6:45 PM

Golden, Patricia

From: Brown, Patricia
Sent: Tuesday, July 03, 2018 1:04 PM
To: Golden, Patricia
Cc: Policies and Procedures
Subject: Updated copy of the Selectmen's Policies for discussion at the July 10 BOS meeting
Attachments: Selectmen Policiesfinal_Draft3.docx

Hi, Patty, all.

Bob, I'm assuming that a discussion of policies is on the July 10 Selectmen's agenda. If I'm wrong please let Janie and me know, but Seriously let Patty know so she doesn't have to try to cram this (62 page) document into the packet to no purpose.

For changes:

1) I've added our suggested changes from Melissa's original May 15 draft as edits through "Parade Policy" on page 23. (That's as far as we got.) This includes changes we talked about on June 20. The attached draft, Draft 3, contains the most recent version of the Town Manager's evaluation policy, as well.

2) I've added policies not originally included at the end of the document. They can be moved to a more sensible spot later; right now, I just want to have them all somewhere in the document. These policies are:

- 1) Safe Community
- 2) Minutes Policy
- 3) Ballot Question Policy

Thanks, everyone.

Pat

Attachment9.a: Pat email Policies (2836 : Selectmen Policies)

Selectmen Policies, Rules and Regulations

It is recognized that in order to operate efficiently and as a unit, a board shall have a system of policies to direct its decisions and actions.

Section 1. Procedural

1. Code of Conduct of the Board of Selectmen

1. A member of the Board of Selectmen, in relation to his or her community should:

- a. Realize that his or her basic function is to make policy, with administration delegated to the Town Manager.
- b. Realize that he or she is one of a team and should abide by, and carry out, all Board decisions.
- c. Be well informed concerning the duties of a Board member on both local and state levels.
- d. Remember that he or she represents the entire community at all times.
- e. Accept the role of a member is a means of unselfish service, not to benefit personally or politically from his or her Board activities.
- f. Abide by the ethics guidelines established by the State and not use the position of Selectmen to obtain inside information on matters that may benefit someone personally.

2. A member of the Board of Selectmen, in his or her relations with the Town Manager, should:

- a. Endeavor to establish sound, clearly defined policies that will direct and support the administration of or the benefit of the staff and residents of the community.
- b. Recognize and support the administrative chain of command and refuse to act on complaints as an individual outside the administration.
- c. Give the Town Manager full responsibility for discharging his or her disposition and solution.
- d. Not give instructions to or request assistance from Town department heads, but rather channel all such activities through the full Board and the Town Manager.

3. A member of the Board of Selectmen, in his or her relations with fellow Board members, should:

- a. Recognize that action at official legal meetings is binding and that he or she alone cannot bind the Board outside of such meetings.
- b. Not make statements or promises of how he or she will vote on matters that will come before the Board until he or she has had an opportunity to hear the pros and cons of the issue during a Board meeting.
- c. Uphold the intent of executive session and respect the privileged communication that exists in executive session.
- d. Refrain from communicating the position of the Board of Selectmen to such entities as reporters or state officials unless the full Board has previously agreed on both the position and the language of the statement conveying the statement.
- e. Treat with respect the rights of all members of the Board despite differences of opinion.

4. A member of the Board of Selectmen, in his or her relations with Town staff, should:

- a. Treat all staff as professionals, with clear, honest communication that respects the abilities, experience, and dignity of each individual.
- b. Limit contact to specific Town staff. Questions of Town staff and/or requests for additional background information should be directed only to the Town Manager, Town Counsel, Assistant Town Manager, Administrative Assistant to the Board of Selectmen, or Department heads. The Town Manager should be copied on all requests or correspondence.
- c. Refrain from criticizing ~~Never publicly criticize~~ an individual employee. Concerns about staff performance should only be made to the Town Manager through private conversation.
- d. Limit requests for staff support, and insure that all requests go through the Town Manager.
- e. Insure that any materials or information provided to a Selectmen from a staff member be made available to all Selectmen.

First adopted by the Board of Selectmen May 10, 2000

DRAFT

Attachment9.b: Selectmen Policiesfinal_Draft3 (2836 : Selectmen Policies)

2. Code of Conduct for Town of Sudbury Committees Whose Members are appointed by the Sudbury Board of Selectmen or the Sudbury Town Manager

A member of any Committee who has accepted appointment by the Board of Selectmen or the Town Manager to a Committee position is expected to comply with the following code of conduct. Failure to adhere to this code will be considered by the Board and Town Manager when making re-appointment decisions.

1. Realize that your function is to follow the mission statement of the Committee.
2. Accept the role of a Committee member is a means of unselfish service, not to benefit personally or politically from his or her Committee activities.
3. Abide by the ethics guidelines established by the State.
4. Conflicts of interest: Refrain from participating as either a member of the Committee or as a member of the public in Committee matters in which you have a personal interest.
5. Abide by all policies established by the Board of Selectmen, including the email communications policy.
6. Realize that you are one of a team and should abide by all decisions of the Committee.
7. Be well informed concerning the duties and responsibilities of the Committee.
8. Remember that you represent the entire community at all times.
9. Request assistance from Town staff only through the staff person assigned to the Committee.
10. Not make statements or promises of how you will vote on matters that will come before the Committee until you have had an opportunity to hear the pros and cons of the issue during a public meeting of the Committee.
11. Refrain from communicating the position of the Committee to reporters or state officials unless the full Committee has previously agreed on both the position and the language of the statement conveying the statement.
12. Treat with respect and courtesy all members of the Committee despite differences of opinion.
13. Treat with respect and courtesy any member of the public, including anyone they have brought to represent them, who comes before the Committee for any reason, but particularly in matters related to regulatory issues.
14. ~~Refrain from criticizing~~ ~~Never publicly criticize~~ an employee of the Town. Concerns about staff performance should only be made to the Town Manager through private conversation.
15. Insure that any materials or information provided to a Committee member from Town staff should be made available to all Committee members.
16. If circumstances change so that meeting attendance on a regular basis becomes difficult, the Committee member will offer his or her resignation to the Board, so that someone who can regularly attend meetings can be selected by the Board.

Adopted by the Board of Selectmen July 11, 2006; revised September 8, 2009.

2. Meeting Policy

- 1. An organizational meeting shall be held at the first meeting following Town Meeting.
 - a. Elect Chairman.
The Chairman will approve the agenda for and conduct the Selectmen’s meeting; coordinate the affairs of the Board with due concern that all members’ views are heard and considered; and act as liaison to the Town Manager and the major departments under the Board of Selectmen.
 - b. Elect Vice-Chairman.
The Vice-Chairman will assume the duties of the Chairman in his absence. The Vice-Chairman is tasked with organizing office hours, the town forum and the Board of Selectmen newsletter.
 - c. Elect Clerk (Town Manager unless voted otherwise).
The Clerk will be responsible for (1) preparation for Selectmen’s meetings and keeping complete and accurate minutes of Selectmen’s meetings and ; and (2) is authorized to provide attested copies of Selectmen’s votes and minutes as necessary.
- 2. Meetings shall start promptly at 7:00 p.m. on Tuesdays. ~~No new Formal~~ business will be introduced session shall adjourn no later than 10:00 PM. Unfinished business will be postponed until the next meeting unless the Board votes to extend the meeting. Meetings will be held twice a month, unless the need for a special meeting arises or the Board votes to hold fewer meetings.
- 3. Actions and decisions shall be by motion, second and vote. If the vote is not unanimous, the minutes shall reflect the vote of each Selectmen.
- 4. For the meeting, the Town Manager shall:
 - a. Provide Selectmen with pertinent explanatory or review material in brief form with agenda, sent prior to meeting.
 - b. Have on hand, all back-up data and files appropriate to a scheduled item of discussion. In addition, he shall provide any data, analyses and recommendations as appropriate.
 - c. Draft motions in advance of meeting.
 - d. Report highlights from meeting minutes of other boards and committees.

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

Commented [PB1]: Ask Melissa about this.

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Attachment9.b: Selectmen Policiesfinal_Draft3 (2836 : Selectmen Policies)

4. Town Counsel Policy

It is the intent of this policy to set forth general guidelines and expectations on the accessibility of Town Counsel to Town boards, commissions and committees, and employees, consistent with the Town of Sudbury general bylaws, the Town charter (the Board of Selectmen-Town Manager Act) and state law. It is not the intent of this policy to explicitly or implicitly deny anyone access to Town Counsel but rather to control and monitor accessibility to Town Counsel, thereby understanding and controlling the cost of legal services.

A. Boards, commissions and committees of the Town of Sudbury

1. Chairs of all boards, commissions or committees, other than the Board of Selectmen, shall have direct access to Town Counsel to obtain legal advice, including a request for a written opinion, or to request Town Counsel to attend a meeting of such board, committee or commission. Any member of a board, commission or committee may request a written opinion from Town Counsel, provided that said member obtains a majority vote of said board, committee or commission at a public meeting authorizing the request of such opinion. After obtaining a majority vote as set forth in the preceding sentence, said request shall be submitted to Town Counsel with a copy to the Town Manager for notification purposes.
2. Town Counsel will refer all requests for opinions received from individual members of boards, commissions or committee to the chair of said committee, who will schedule the request for a vote of the board, commission or committee on the matter of approving such a request at the next meeting of said committee, when feasible. Town Counsel will copy the Town Manager on all such requests.
3. Boards, commissions or committees may vote to authorize one member of the board, commission or committee to communicate directly with Town Counsel on a specific matter they have explicitly voted for that member to have responsibility for. For example, if a board appoints one member of the board to work on a policy item to be considered by the board, the board may include in their designation that this includes the ability to seek an opinion from Town Counsel as part of the work to be undertaken by that board member. Such vote of the board, commission, or committee must clearly reflect an authorization for the Town Counsel to speak directly with less than a quorum of the board, commission or committee on the specific matter. Such a vote must be filed with the Town Counsel and the Town Manager.
4. The chairs or vice-chairs of all boards, committees and commission shall have direct access to Town Counsel to request advice or assistance in preparation of the agenda for an upcoming meeting or for advice regarding chairing an upcoming meeting. They do not need to copy the Town Manager on such inquiries.
5. The chairs or vice-chairs of boards, committees or commission with the Town shall have direct access prospectively to Town Counsel to request opinions, advice or information concerning the **Open Meeting Law** codified at G.L. c. 39, section 23B or to receive guidance with respect to the rules governing responses to public records requests. They do not need to copy the Town Manager on such inquiries.
6. Officers of the Town, including all members of boards, commissions and committee requesting **Ethics Opinions** (Conflict of Interest Law) shall have direct access to Town Counsel. They do not need to copy the Town Manager on such inquiries.

7. The Moderator shall have direct access to Town Counsel to obtain legal advice, including a request for a written opinion, in relation to her/his duties as Moderator.

B. Board of Selectmen

1. The chair of the Board of Selectmen shall have direct access to Town Counsel to obtain legal advice, including a request for a written opinion, or to request Town Counsel to attend a meeting of the board. Any member of the Board of Selectmen shall have direct access to Town Counsel to obtain legal advice or request a written opinion. Such requests shall be submitted in writing to Town Counsel with a copy to the Town Manager and the chair of the Board of Selectmen for notification purposes. The chair of the Board shall ensure that other Board members are informed of such requests.
2. The chair of the Board of Selectmen shall have direct access to Town Counsel to request advice or assistance in preparation of the agenda for an upcoming meeting or for advice regarding chairing an upcoming meeting. The chair does not need to copy the Town Manager on such inquiries.
3. The chair or vice-chair of the Board of Selectmen shall have direct access prospectively to Town Counsel to request opinions, advice or information concerning the **Open Meeting Law** codified at G.L. c. 39, section 23B or to receive guidance with respect to the rules governing responses to public records requests. They do not need to copy the Town Manager on such inquiries.
4. All members of the Board of Selectmen requesting **Ethics Opinions** (Conflict of Interest Law) shall have direct access to Town Counsel. They do not need to copy the Town Manager on such inquiries.

C. Town Manager and Town Employees

1. The Town Manager shall have direct access to Town Counsel at all times in relation to her/his duties as Town Manager.
2. Department heads and division heads are encouraged to set up meetings with Town Counsel during regularly established Town Counsel office hours, via an email to Town Counsel with a cc to the Town Manager.
3. Department heads, division heads and other employees shall have email or phone access to Town Counsel as needed for general advice on issues concerning the operation of their offices, but must copy the Town Manager on the request to Town Counsel. If the request involves generation of a written opinion from Town Counsel, Town Manager shall be notified of that request before the opinion is written.
4. Employees of the Town requesting **Ethics Opinions** (Conflict of Interest Law) shall have direct access to Town Counsel. They do not need to copy the Town Manager on such inquiries.

D. Town Meeting Issues

1. Warrant articles for the Annual Town Meeting or Special Town Meetings sponsored by Town boards, committees, commissions or employees shall be drafted by the Town Counsel's office.

Sponsors of warrant article(s), excluding petition articles, shall submit draft wording for articles or general background information that Town Counsel will use to write the article, and send it back to the sponsor for signature before submission to the Board of Selectmen's Office.

2. Sponsors of petition articles for Annual or Special Town Meeting may submit draft articles to Town Counsel for legal review and guidance. Town Counsel will not draft articles for petitioners, but will be available for legal review and guidance. To obtain such legal review, draft petition articles must be submitted to the Board of Selectmen's office at least five days before the January 31 due date for article submission. Staff in the Board of Selectmen's office shall forward the draft petition article to Town Counsel for review.
3. Town Counsel's office will write all motions for all articles for Annual or Special Town Meeting, working with the sponsors of all articles as needed in the judgment of Town Counsel.

E. Confidentiality of Attorney-Client Communications

The attorney-client privilege shields from the view of third parties all confidential communications between a client and its attorney undertaken for the purpose of obtaining legal advice. As a matter of policy, the Board of Selectmen hereby requires that the confidentiality of communications between town officials, departments, boards, and committees, and Town Counsel and Special Town Counsel be maintained and preserved. The scope of privileged communications includes communications from Town officials, departments, boards or employees seeking legal advice, as well as opinions and advice received from Town Counsel or Special Town Counsel, whether in formal written opinions, email, in person, or by telephone. The attorney-client privilege belongs to the Town of Sudbury, acting through its Board of Selectmen. The Board of Selectmen is the chief policy making body of the Town and is responsible, in conjunction with Town Counsel, for managing the legal affairs of the Town. Accordingly, only the Board of Selectmen, acting as a Board at a duly noticed meeting, is authorized to waive the attorney-client privilege on behalf of the Town. Should any town official, department, board, or committee believe that it is in the best interests of the Town to waive the attorney-client privilege with respect to any privileged attorney-client communication received from Town Counsel or Special Town Counsel, they should request to discuss the matter with the Board of Selectmen in executive session to obtain a vote by the Board of Selectmen as to whether or not said privileged communication may be released. No town official, department, board or committee is permitted on his or her or its own volition to release any confidential attorney-client communications to third parties or otherwise purport to waive the Town's attorney-client privilege.

(Approved 9/8/2015)

5. Policy on Remote Participation

PURPOSE STATEMENT

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

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

ENABLING AUTHORITY- 940 CMR 29.10(8)

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

ADOPTION OF REMOTE PARTICIPATION

In accordance with 940 CMR 29.10(2)(a), the Board of Selectmen, on December 15, 2015, voted to authorize the adoption of 940 CMR 29.10 so that remote participation is permitted in the Town. In accordance with 940 CMR 29.10(3), the Board of Selectmen may revoke its adoption of 940 CMR 29.10 by simple majority vote at any time.

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

MINIMUM REQUIREMENTS FOR REMOTE PARTICIPATION

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

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

Members of the public body who participate remotely must have access to the same materials being used at the meeting location.

Members of public bodies who participate remotely may vote and shall not be deemed absent for the purposes of Article III, Section 8 of the Town General By-laws and M.G.L. c. 39, §23D.

Section 23D (a): Notwithstanding any general or special law to the contrary, upon municipal acceptance of this section for 1 or more types of adjudicatory hearings, a member of any municipal board, committee or commission when holding an adjudicatory hearing shall not be disqualified from voting in the matter solely due to that member's absence from no more than a single session of the hearing at which testimony or other evidence is received. Before any such vote, the member shall certify in writing that he has examined all evidence received at the missed session, which evidence shall include an audio or video recording of the missed session or a transcript thereof. The written certification shall be part of the record of the hearing.

Nothing in this section shall change, replace, negate or otherwise supersede applicable quorum requirements.

PERMISSIBLE REASONS FOR REMOTE PARTICIPATION

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

A Board member may attend a meeting through electronic conferencing if his or her physical presence at the meeting is prevented due to one of the following extenuating circumstances: personal illness or disability; a family or other emergency; military service; geographic distance.

Due consideration should be given regarding associate members on Boards and Committees, Associate members should be utilized in the absence of members of Boards and Committees when deemed appropriate by the Chair. Any determination by the person chairing the meeting to allow or not to allow remote participation shall be final and shall not be appealable.

The commission on disability may by majority vote of the commissioners at a regular meeting authorize remote participation applicable to a specific meeting or generally to all of the commission's meetings. If the commission on disability utilizes remote participation, a physical quorum of that commission's members shall not be required to be present at the meeting location; provided, however, that the chair or, in the chair's absence, the person authorized to chair the meeting, shall be physically present at the meeting location. The commission shall comply with all other requirements of law and this policy.

ACCEPTABLE METHODS OF REMOTE PARTICIPATION

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

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

PROCEDURES FOR REMOTE PARTICIPATION

Any member of a public body who wishes to participate remotely shall, at least 48 hours or as soon as reasonably possible prior to the meeting, notify the chair or person chairing the meeting of his or her desire to do so and the reason for and facts supporting his or her request.

- i. If the Chair approves the request for remote participation, he or she shall make any necessary arrangements with appropriate Town personnel to ensure that the required equipment is available and, to the greatest extent practical, provide access to all meeting materials. THE TOWN DOES NOT GUARANTEE AVAILABILITY OF REQUIRED EQUIPMENT AT ANY PARTICULAR TIME OR LOCATION.
- ii. At the start of the meeting, the chair shall announce the name of any member who will be participating remotely and the reason for his or her remote participation. This information shall also be recorded in the meeting minutes.
- iii. All votes taken during any meeting in which a member participates remotely shall be by roll call vote. Members may participate remotely even if they are not qualified to vote.
- iv. Remote participants shall preserve the confidentiality of the executive session (where applicable). The remote participant shall state at the start of any such session that no other person is present and/or able to hear the discussion at the remote location, unless presence of that person is approved by simple majority vote of the public body, and that the session is not being remotely recorded by any device.
- v. The Town shall not be responsible for the reimbursement of any out-of-pocket costs associated with the remote participation of Board members.
- vi. Members participating remotely are cautioned that the same obligations of consideration apply as in any physical meeting. Remote participants should direct all their attention to the meeting, and should make their decisions based upon the same information as is available to all the other participants in the meeting. The remote participant shall also state at the beginning of any meeting that no other person is in proximity who could exert undue influence on the participant, in either executive or public session, and shall inform the chair if that situation changes.
- vii. The chair of any committee which has agreed to allow remote participation shall provide to the Board of Selectmen, no later than June 30 and December 31 of each year, a report that indicates the date(s) of any meetings for which remote participation was requested, the name(s) of individuals making the request, the determination of the chair for each request, and a summary of any logistical, technical and compliance issues related to remote participation.
- viii. Remote participation shall be limited to one member per scheduled meeting.
- ix. Remote participants shall not operate a motor vehicle or otherwise jeopardize personal or public safety while participating in a meeting.

(Approved 12/15/2015)

6. APPOINTMENT POLICY

For positions appointed by the Selectmen and the Town Manager

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1. Expiration date for appointments is ~~May 31~~April 30~~st~~th, or until his successor is appointed and qualified, with the exception of the following:

- a. Historic Districts Commission, which, under G.L.Ch.40C, expire January 1st.
- b. Election Officers are appointed annually between July 15th and August 15th, in accordance with G.L.Ch. 54, s.12.
- c. Sudbury Cultural Council appointments may expire at varying times, depending upon date of appointment.

2. The Town Manager shall:

- a. Present, at the first regular meeting following Town Election, a list of appointments to be made by the Board.
- b. Notify incumbents and request their statement of availability regarding reappointment.
- c. Notify the chairman of the appropriate board or committee requesting recommendation for reappointment or filling vacancies.
- d. Actively seek volunteers for boards and committees and maintain a "Talent File" of same.
- e. Provide Chairmen of boards and committees with names of candidates from the Talent File and request recommendations from pertinent boards or committees to fill vacancies.

3. ~~Schedule~~ interviews for potential new appointees.

- a. Copies of applications shall be provided to the Selectmen and chairman of respective board or committee prior to interview.
- b. Invite chairman to join Selectmen in conducting the interview relating to his board.

4. Annual appointments shall be completed as soon as possible.

5. Updated lists of members will be provided to the office.

6. Retiring members will receive letters of thanks from the Town for their service.

(Amended 5/10/76, 8/23/99)

7. SELECTMEN'S LIAISON AND WORK ASSIGNMENTS

As the executive board responsible for the overall leadership and coordination of town affairs, and in order to promote close cooperation among town groups, the Selectmen shall maintain close liaison with selected boards and committees, as well as the departments for which they are directly responsible.

This liaison function usually shall be performed by individual Selectmen as assigned.

The liaison and work assignments shall be made each year after board organization, as proposed by the Chairman and approved by the Board. The Chairman's assignments shall include Town Manager and Town Counsel.

The intent and scope of the liaison functions shall depend on the type of individual, board or committee assigned, as follows:

1. Official Appointed by Selectmen:

Advice and counsel; contact point for interpretation and explanation of board decisions; coordination of activities with Board and other town groups, as required; familiarity with objectives and activities; recommendations to Selectmen for changes.

2. Board or Committee Appointed by Selectmen:

Assistance to committee and coordination of activities, as requested; familiarity with objectives and activities; recommendations to Selectmen for changes.

3. Other Elected or Appointed Board, Committee or Official:

Coordination of activities, as required; familiarity with objectives and activities.

The Selectmen assigned to a liaison function shall keep the Board of Selectmen advised of significant developments and activities and specific Selectmen decisions or advice required or sought.

(Amended 5/10/76, 8/23/99)

8. Citizen Comment Procedure

The Chair will schedule a "Citizen's Comment" timed agenda item for each meeting. The Chair of the Board has the discretion as to when to schedule this item on an agenda.

1. In order to facilitate the process, at the beginning of each meeting the Recording Secretary for the Board will ~~place~~ provide a sign-up sheet ~~at the rear of the meeting room~~. Residents are asked to write their names on the sign-up sheet and note the topic on which they wish to address the Board. Residents will be called to speak in the order of sign-up.
2. Upon being called up, the citizen shall approach a microphone and introduce him/herself clearly by name and address. This is intended to ensure that citizen input is fully audible to attendees of the meeting and people viewing the meeting via SudburyTV.
3. As the topic of a "Citizen's Comment" may not be on the agenda as required by the 48 hour Open Meeting Law, the Board members may not be able to deliberate or take votes on the topic and may only listen, comment and ask questions during the "Citizen's Comment" time. The Board may, at the Chair's discretion, schedule the topic for a later Board meeting as an agenda item. The citizen who made the comment or suggestion shall be notified of the date of such meeting.
4. The Chair shall be sensitive to the subject matter under discussion and if it involves the performance of an official of the Town who has not previously been advised that a matter may be discussed, the citizen's comments will be noted but further discussion may be curtailed. The Board may, at the Chair's discretion, ask follow up questions and/or schedule the topic for a later Board meeting as an agenda item. The citizen who raised the performance issue shall be notified of the date of such meeting. Citizens are encouraged to discuss employee performance with the Town Manager.
5. ~~If the citizen has comments about a Town employee's performance, the citizen's comments will be curtailed and the citizen will be directed to discuss this topic with the Town Manager outside of a Selectmen's meeting.~~
6. ~~The Chair may, at his/her discretion, because of the lateness of the hour or time spent on a single item, close the Citizen's Comment in order to finish the Board's business meeting.~~
7. ~~Any citizen may also petition the Board to be given time on a future agenda to discuss a particular issue. Whether the citizen will be given such time and, if given, what information or material will be required to be submitted in advance, shall be at the discretion of the Chair.~~
8. ~~Citizens have the option of emailing the Board with their questions and comments. The Board's email address is Selectmen@sudbury.ma.us. Please note that the Chair of the Board will endeavor to answer all emails sent to this address within 48 hours of receipt, but may not always be able to do so.~~
9. ~~Citizens have the option of attending one of the Board's monthly "Office Hours" to discuss items with members of the Board. Please check the Board's Sudbury webpage to see the next scheduled Office Hours session — <http://sudbury.ma.us/departments/BoardOfSelectmen>~~

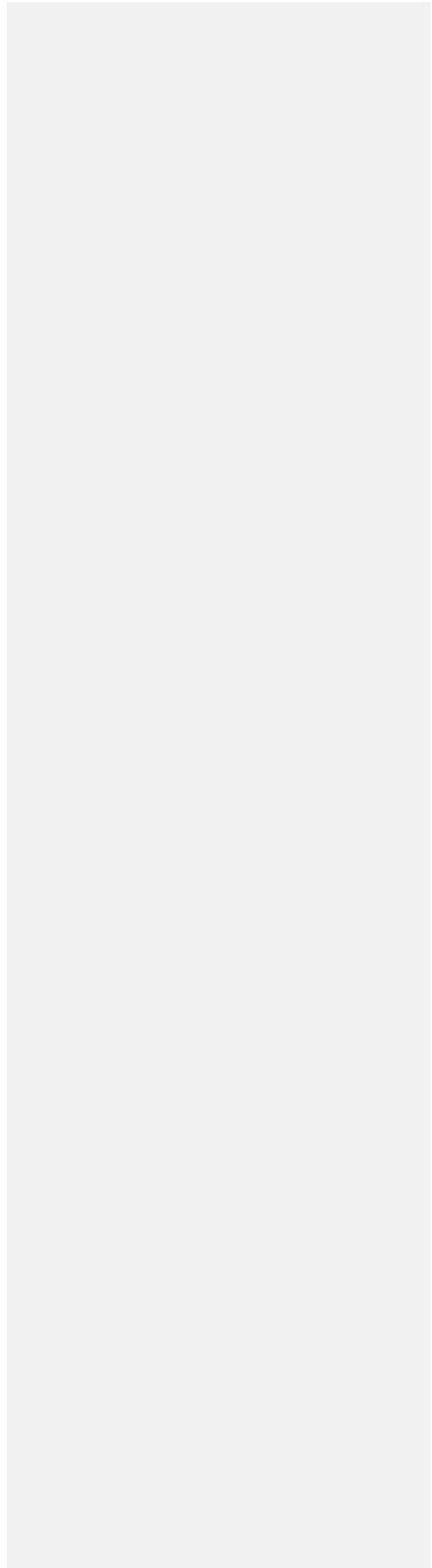
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9. Sudbury Board of Selectmen's Office Hours

The Board will begin offering monthly "Office Hours" where no more than two members of the Board will be at different sites in the Town. These office hours are not public meetings with an agenda, but rather a casual, open time for general discussions with Board members. The Board of Selectmen's Office Hours shall be posted on the Town's web site at least one week before each session.

DRAFT



Attachment9.b: Selectmen Policiesfinal_Draft3 (2836 : Selectmen Policies)

~~10.~~ **EVALUATION PROCESS FOR THE TOWN MANAGER**

10.

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.

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Attachment9.b: Selectmen Policiesfinal_Draft3 (2836 : Selectmen Policies)

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.

Originally approved 4/5/16; revised 5/1/18

Section 2. Board of Selectmen Financial Management Policies

Introduction

The Town of Sudbury has an important responsibility to carefully account for public funds, to manage municipal finances wisely, and to plan and provide for the adequate funding of services desired by the public and as required by laws, rules, or regulations, including the provision and maintenance of public facilities and improvements. The budget and financial goals and policies set forth by the Board of Selectmen in this document are intended to establish guidelines for the continued financial strength and stability of the Town of Sudbury. The Town Manager, per charter, is responsible for the financial management of the town, including budgeting.

Goals

Goals are broad, timeless statements of the financial position the Town seeks to attain. The financial goals for the Town of Sudbury are:

- To provide full value to the residents and business owners of Sudbury for each tax dollar by delivering quality services efficiently and on a cost-effective basis.
- To preserve our quality of life by providing and maintaining adequate financial resources necessary to sustain a sufficient level of municipal services, and to respond to changes in the economy, the priorities of governmental and non-governmental organizations, and other changes that may affect our financial well-being.
- To maintain our top level AAA credit rating
- To inform Town decision makers on management and policy matters which have significant fiscal importance.
- To set forth operating principles that balance the costs of government while supplying top rate services.
- To employ balanced and fair revenue policies that provide adequate funding for desired programs.
- To promote sound financial management by providing accurate and timely information on the Town's financial condition.
- To ensure the legal use of financial resources through an effective system of internal controls.

To achieve these goals, the Board of Selectmen adopts the following policies.

1. Operating Budget Policy

Sound financial practice and the desire to maintain a strong credit rating dictate that our budgets be balanced, constantly monitored, and responsive to changes in service demands and available resources. With these concepts in mind, the Town of Sudbury has adopted the following budget policy:

- On or before December 1, cost centers shall submit a proposed preliminary budget to the Finance Director for review.
- On or before January 31 of each year, the Town Manager will prepare a comprehensive budget for the Town of Sudbury, covering all major cost centers, all spending plans and all anticipated revenues. This comprehensive budget will be submitted to the Finance Committee and to the Board of Selectmen. (Bylaws Article IV Section 5)

- **Balanced Budget.** The annual operating budgets will be appropriated on a balanced basis, where operating revenues (estimated revenues) are used to fund operating expenditures (appropriations).
 - Operating revenues include property taxes, motor vehicle excises, charges for services, interest earnings, license and permit fees, fines and forfeitures, regularly recurring governmental aid, and transfers in from other funds established for operating purposes.
 - Operating expenditures/expenses include salaries and wages, employee benefits, equipment and improvements, materials, supplies, and contractual costs.
- Nothing in this policy shall prohibit the use of operating revenues for capital expenditures/expenses
- The Town will avoid relying on Free Cash to fund on-going operating expenses.
- To the extent possible, one-time revenues that are not required by law or agreement to be expended for a particular purpose will only be used for capital purposes, augmenting of Town reserves or emergency expenditures/expense.
- The Town Manager will annually estimate the costs of the Town's obligations for providing benefits for Town and Sudbury Public School employees as part of the preparation of the annual operating budget.
- The operating budget will not be subsidized by the Stabilization Fund.

2. Revenue Policy

Revenues determine the capacity of the Town to provide services. To ensure that revenues for the Town are balanced and capable of supporting desired levels of services, the Town of Sudbury has adopted the following revenue policy statements:

- The Town Manager and Finance Director are responsible for estimating revenues for the upcoming fiscal year. They will consult with other officials of the town as well as state officials and others with knowledge of state and local finance. (Town Charter)
- Revenue forecasts for local receipts and state aid shall be conservative, using generally accepted forecasting techniques and appropriate data. Revenue deficits will be avoided at all costs.
- The Town Manager and Finance Director will project revenues for the next three years as part of the three-year financial forecast.
- Each year and whenever appropriate, existing revenues will be re-examined and possible new sources of revenues will be explored to ensure that we are maximizing our revenue potential. All fees are reviewed and periodically updated, as necessary
- The Town will strive to be informed and aware of all grants and other aid that may be available to us. All potential grants and other aid shall be carefully examined for matching requirements (both dollar and level-of-effort) and restrictive covenants, to ensure that our participation in such grants will be beneficial and cost-effective.
- Each year and whenever appropriate, intergovernmental revenues will be reviewed to determine their short and long-term stability, to minimize the impact of any adverse changes. Intergovernmental revenues shall be used as legally prescribed or otherwise set forth by policy.

Commented [PB2]: Does this include the Finance Committee?

- The Town will carefully and routinely monitor all amounts due the Town. An aggressive policy of collection will be followed for all receivables, including property taxes. A target of 98% property tax collection rate by fiscal year end will be achieved.
- Recreational user charges and fees will be set to recover approximately 100% of total direct costs generated by revolving fund recreation programs, plus all indirect costs for Town employees.
- Enterprise fund (Transfer Station, Atkinson Pool and Recreation Field Maintenance) user charges and fees will be set to recover all direct costs ~~and~~ associated with the activities of these funds as well as the indirect ~~costs~~.

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3. Expenditure Policy

Expenditures are a rough measure of a local government’s service output. While many expenditures can be controlled, emergencies, unfunded mandates, and unanticipated service demands may strain our ability to maintain a balanced budget. To ensure the proper control of expenditures and provide for a quick and effective response to adverse financial situations, the Town of Sudbury has adopted the following expenditure policy:

- Expenditures and purchase commitments will be made in a form and process that is legal, appropriate, funded, authorized and sufficiently documented.
- Expenditures and purchase commitments will be recorded in an accurate and timely fashion.
- The review and approval process for all vouchers shall be followed at all times. Properly completed claims must be prepared and submitted to the accounting department by the department responsible for originating the claim. A “properly completed claim” must include, but is not limited to, the vendor’s name and address, date of claim, explanation, and accounts to be charged, department authorization signature and sufficient documentation. “Sufficient documentation” means that a person unfamiliar with the transaction could understand what was ordered, when, by whom, from what vendor, at what price, when the goods or services were delivered, who accepted delivery, and who authorized payment.
- The balances in appropriation accounts will be monitored regularly to ensure that the total of expenditures/expenses and purchase commitments do not exceed the authorized budget.
- Requests for competitive bids, proposals, formal and informal quotes, and other methods of seeking and encouraging vendor competition will be obtained as required by law and as otherwise established by the Town Manager or Town Counsel.
- Arrangements will be encouraged with other governments, private individuals, and firms, to contract out or cooperatively deliver services, in a manner that reduces cost and/or improves efficiency and effectiveness while maintaining service quality.
- All appropriations shall lapse at the close of the fiscal year to the extent that they shall not have been expended or encumbered.

4. Reserves and Risk Management Policy

A municipality's fiscal policies should include a plan for maintaining reserves. Operating reserves (or fund balance) are a prudent fiscal management tool and an important credit factor in the analysis of financial flexibility. The Town of Sudbury will maintain a level of reserves that protect the Town from emergency conditions, contribute to sufficient liquidity to pay all Town expenses, without short-term

borrowing, and contribute to the high credit rating that the Town currently holds from Standard & Poor's (AAA). To provide for adequate levels of reserves to protect the Town's financial condition over the long-term, the Town of Sudbury has adopted the following financial reserves policy:

Risk Management

- The Town will maintain an effective risk management program that provides adequate coverage, minimizes losses, and reduces costs.
- The Town will annually work with the Town's insurance carrier to update all listings of Town owned assets and the value of such covered assets.

As the Town is self-insured for some of the benefits programs it offers, the Town will maintain adequate reserves for its Workers Compensation and Unemployment Compensation **B. Stabilization Fund**

- The Town of Sudbury shall maintain a Stabilization Fund to provide the reserves that are required to protect the financial condition of the Town.
- The Town will work toward the goal of maintaining in the Stabilization Fund an amount equal to five percent (5%) of the total projected General Fund operating revenues for the previous fiscal year.
- Interest earned on Stabilization Fund balances will be retained in the Stabilization Fund.
- Withdrawals from the Stabilization Fund will only be used for extraordinary events.
- Transfers shall be made at the Fall Town Meeting if free cash has been certified.

Commented [PB4]: 1) Who can do transfers? 2) if the Selectmen determine not to hold a fall town me

5. Capital Budgeting and Planning Policy

Capital assets include land, improvements to land, buildings, building improvements, vehicles, machinery, equipment, works of art and historical treasures, infrastructure, construction in progress and all other tangible and intangible assets that are used in operations and have initial useful lives extending beyond a single reporting period. Infrastructure assets are long-lived capital assets that normally are stationary in nature and can be preserved for a significantly greater number of years than most capital assets. Examples of infrastructure assets owned by the Town of Sudbury include roads, bridges, culverts, dams and drainage systems. The Town of Sudbury has a capital planning and budget bylaw and process that require the following:

- Per Town Charter and Town By-Law, the Town Manager shall meet with Department Heads and compile a capital program and capital budget.
- The Town Manager will submit a capital program to the Board of Selectmen. The proposed program will detail each capital project, the estimated cost, description and funding source.
- The Town will update and adopt annually a five-year capital improvement plan ("CIP"), including the upcoming annual capital improvement budget ("CIB") and a four-year projection of capital needs and expenditures, which details the estimated cost, description and anticipated funding sources for capital projects.

Commented [PB5]: Is the CIP the spreadsheet lis capital projects? Or is it a written report or present

- The first year of the five-year CIP will be the basis of formal fiscal year appropriation request during the annual budget process.
- Per the Town's capital bylaw, the Capital Improvement Budget and Plan will generally address capital purchases/projects/improvement ~~with a value of more than \$50,000 and a useful life of over five (5) years as defined in Sudbury's Capital Planning Bylaw (Article XXV, Section 2)s.~~
- The Town will emphasize preventive maintenance as a cost-effective approach to infrastructure maintenance. Exhausted capital goods will be replaced as necessary.

Per Town By-Law, the Capital Improvement Advisory Committee shall consider the merits of each project over \$50,000 and make its recommendation to the Finance Committee, Board of Selectmen and Town Meeting.

6. Debt Management Policy

Debt is an effective way to finance capital improvements or to even out short-term revenue flows. Properly managed debt preserves our credit rating, provides flexibility in current and future operating budgets, and provides us with long-term assets that maintain or improve our quality of life. To provide for the appropriate issuance and responsible use of debt, the Board of Selectmen of the Town of Sudbury have adopted the following debt management policies:

- Long-term debt will be issued only for objects or purposes authorized by state law under Chapter 44, section 7 and 8. See <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVII/Chapter44/Section7.->
- Short-term debt may be issued to finance current operating expenditures only in the event of extreme financial emergency.
- Debt maturity will not exceed the lesser of: the useful life (as established by the Town Treasurer-Collector), or the period of probable usefulness (as defined in Massachusetts State Local Finance Law), of the object or purpose so financed, whichever is shorter.
- Debt limits established by law and policy will be calculated by the Town's Finance Director/Treasurer-Collector at least once each year and whenever otherwise requested or appropriate (see Section 9 for further details).
- The Town will maintain good communications with bond rating agencies, bond counsel, banks, financial advisors and others involved in debt issuance and management.
- The Town's annual Town Report, Town Manager's Budget Request and annual town meeting warrant will give comprehensive summaries of the debt obligations of the Town.
- The Town will attempt to maintain a long-term debt schedule so that at least 50 percent of outstanding principal will be paid within ten years.
- The Town will attempt to vote all significant debt questions (over \$500,000) exempt from the limits of Proposition 2 1/2.

Commented [PB6]: Discuss.

7. Protection of Credit Rating Policy

Maintenance of the highest-level credit rating possible is important to the continued financial health of Sudbury as it reduces the costs of issuing debt. Credit rating firms consider management practices to be very important factors. Several management practices can inadvertently jeopardize the financial

health of a local government. To be proactive in assuring the Town of Sudbury does not engage in these practices, the Board of Selectmen of the Town of Sudbury has adopted the following credit rating protection policies.

- The Town will not rely on reserves to sustain operating deficits. Use of such reserves will be limited to helping the Town deal with short-term or emerging financial stress, but then the Town will either reduce spending to within the limits of recurring revenues, or seek approval for additional revenues from the voters of the Town.
- **The Town will not defer current costs to a future date. This includes costs such as pension costs or benefits costs. From time to time, the State offers municipalities the option of deferring payments to their pension system, or other costs, as a short-term way of balancing a fiscal year's budget. However, it is the intention of the Town of Sudbury not to rely on these options.**
- The Town will analyze the full-life costs of multi-year decisions. For example, acquiring or construction of new buildings will be conducted with an assessment of the operating costs of the building. Lease agreements will be conducted with an assessment of future budgets and the ability to make annual payments. Labor agreements will be negotiated with an analysis of the full costs associated with the terms of the agreement. Cost estimates will include operating costs (including maintenance) and replacement costs. They will also include an analysis of the quality of service and the total (direct and indirect) costs of using town employees with the cost of outsourcing the service.
- The Town will follow the policies as outlined in this policy statement.

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8. Free Cash Policy

- To the extent the Town has certified free cash, the following guidelines should be adhered to:
- The Town should maintain a level of unallocated free cash equal to at least one-half of one percent (1/2%) of the current year's operating budget.
- Free cash should be used for capital projects, contributions to the OPEB trust and other reserves.
- Excess free cash should be used to replenish the general stabilization fund to the extent that the fund balance is below five percent (5%) of projected general fund operating revenues for the next fiscal year. This will help us maintain our reserves within DOR guidelines. A transfer to the stabilization fund is subject to a 2/3 vote at Town Meeting.
- To the extent there is surplus certified free cash remaining, the surplus may be used as voted on expenditures as voted by a majority at Town Meeting. However, use of free cash to fund shortfalls in the operating budget on an annual basis is generally discouraged.

Section 3 Regulatory

1. Parade Policy

- a. Except for a Military or Funeral Parade, no person shall form or conduct any parade in any public street, public sidewalk or public way within the Town without first obtaining a written permit from the Board of Selectmen.
- b. The Chief of Police, after conferring with the Fire Chief, will determine the appropriate public safety requirements for this parade and the cost of such special duty officers, if any required, will be borne by the applicant.
- c. The Town of Sudbury requires a Certificate of Insurance of no less than \$1,000,000, naming the Town as an additional insured.
- d. All cleanup from parade will be completed by the applicant within 8 hours after the stated ending time, or applicant will be billed for the Towns cost to clean up, depending on size of the parade.

(approved 5/31/11, ~~reviewed 6/13/18~~)

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2. Alcohol Rules and Regulations

Overview:

The following guidelines and regulations, developed by the Board of Selectmen, are designed to provide Liquor License holders in the Town of Sudbury with a clear understanding of the expectations of the Board of Selectmen as the Local Liquor Licensing Authority.

Licensees are required to adhere to the provisions of these regulations, as well as other Federal, State and local laws and regulations. If the Local Licensing Authority (LLA) or its designated representative determines that there exists satisfactory proof of such a violation(s), the Local Licensing Authority, or its designated representative, may take, after appropriate public meeting or hearing, disciplinary action, which may include oral warning, written warning, suspension of license, modification of license, non-renewal of license and/or revocation, depending upon the seriousness of the offense(s) and the judgment of the Local Licensing Authority.

Any situation not expressly covered by these regulations shall be addressed in accordance with the latest publication, guidelines or advisories of the Alcoholic Beverages Control Commission, as deemed appropriate by the LLA and adjudicated on a case-by-case basis by the Issuing Authority.

All regulatory considerations shall serve as guidelines to the Board of Selectmen in their deliberations regarding liquor license matters in accordance with Chapter 138 of the General Laws of the Commonwealth of Massachusetts and the Regulations of the Town of Sudbury.

The Board of Selectmen, as Local Licensing Authority, reserves the right to follow or deviate from these general guidelines, when in the judgment of the Board of Selectmen, it is warranted in the interest of public safety.

Attachment9.b: Selectmen Policiesfinal_Draft3 (2836 : Selectmen Policies)

General Considerations:

The Board of Selectmen, also referred to in this document as the Local Licensing Authority (LLA), has designated in matters of administrative filings, paperwork, and correspondence, the Selectmen's office as its representative.

The Board of Selectmen also designates the Sudbury Police Department, Sudbury Fire Department, Sudbury Building Inspector, Sudbury Board of Health, and Town Manager to act as representatives regarding compliance of regulations.

Licensees should note that the LLA has directed that the Sudbury Police Department will, on regular occasion, and no less than once per year, conduct "compliance checks" of each establishment to ensure rules and regulations are adhered to. These include postings, licensure, and conduct of a licensee with regard to State and local regulations.

Violations of regulations will be reported to the LLA/Board of Selectmen by the appropriate town bodies and pursued in accordance with these guidelines. These compliance checks and the report of any violations should occur prior to the yearly licensing process.

The LLA considers first and foremost the protection of Sudbury residents, and in particular Sudbury youths. Violations which relate directly to over-serving or serving of minors, whether reported through inspection or as a result of a criminal or safety complaint, may be considered with more gravity than those reported as administrative in nature.

Violations:

- A. Upon written notice from the Chief of Police or other source that an infraction has allegedly occurred at a licensed establishment or other matters that the Chief of Police, or designated representatives of the LLA, deems should be brought to the attention of the Board, the Board will consider in open session whether or not a public hearing should be held.
- B. If it is determined that a public hearing will be held by vote of the LLA, the Selectmen's office shall send via certified mail or direct an agent to deliver a written notice to the applicant outlining the proposed hearing date/time. The licensee is obligated to acknowledge the receipt of same and confirm they will appear at the scheduled hearing.
- C. Any hearing will normally occur within the following two (2) scheduled meetings of the Board of Selectmen (LLA) after the vote of the LLA to conduct such hearing, unless the LLA determines there are extenuating circumstances necessitating a deviation from normal protocol.
- D. At the hearing, the LLA will first hear evidence from the Police Chief (or his/her designee) and his/her agents and/or witnesses or from other complaining party, as

may be appropriate. Then the licensee and/or the licensee's counsel will have an opportunity to present their response and evidence.

- E. After all testimony has been given, the LLA reserves the right to question all witnesses and parties and, if necessary, take under advisement all facts and vote either to render their decision, or continue the hearing to a subsequent meeting of the LLA.

Disciplinary Remedies/General Approach:

- A. In matter of a first offense, the LLA, or their designee, may issue a verbal warning or letter of reprimand to the owner, licensed manager or managing employee present. If the violation is deemed particularly egregious or a public safety issue, the LLA may consider whether a suspension, revocation or any other action, to include re-training, is warranted at that time, given the nature of the offense.
- B. In matter of a second offense in a period of sixty (60) months, the LLA may consider imposing a suspension of 1 to 3 days, which can be deferred for up to a period of twelve (12) months, provided that during the period of suspension of this penalty, which shall be from the date of said vote until the end of the suspension period, the licensee shall not have engaged in any other conduct prohibited by Chapter 138 or the regulations promulgated herein. In considering the type of violation and the fact this is deemed a second offense, the LLA may consider revocation or any other action, to include re-training, given the nature of the offense.
- C. In matter of a third violation within sixty (60) calendar months, the LLA may consider the issuance of a suspension for a period of 3 to 14 days, the suspension or any part thereof, may be deferred for a period up to twenty-four (24) months, provided that during the period of suspension of this penalty, which shall be from the date of said letter until the end of the suspension period, the licensee shall not have engaged in any other conduct prohibited by Chapter 138 or the regulations promulgated herein. In considering the type of violation and the fact this is deemed a third offense, the LLA may consider revocation or any other action, to include re-training, given the nature of the offense.
- D. Additional violations within the sixty (60) calendar month window will be dealt with in a progressive manner commensurate with the violation.
- E. Any failure to comply with the stipulations contained within the entire policy may be considered a violation by the LLA.

- F. When a violation has been deemed to have occurred, the licensee shall provide a written explanation to the LLA of how the violation occurred and a detailed plan as to corrective measures.
- G. If an establishment incurs a violation and then remains violation free for a period of 60 months, the next following violation may be considered as a First Offense.

Other Causes for Revocation, Suspension & Modification/Inspections & Investigations:

- A. All licensed premises shall be subject to inspection by the Police Department of the Town of Sudbury and other duly authorized representatives of the LLA.
- B. Failure or refusal of the licensee to furnish or disclose any information required by any provision of the General Laws or by any rule or regulation of the Alcoholic Beverages Control Commission or any rule or regulation of the LLA, may be considered by the LLA a violation of the rules and regulations of the LLA.
- C. Any person who hinders or delays a police officer or other authorized agent of the LLA in the performance of the agent's duties, who refuses to admit or locks out any such agent from any place which such agent is authorized to inspect, or who refuses to give a designated agent such information as may be required for the proper enforcement of the General Laws, Chapter 138, shall be punished by a fine of not less than fifty (\$50) and not more than two hundred dollars (\$200) or by imprisonment for not more than two (2) months or both.
- D. Failure to pay Town real estate and/or personal property taxes or State meals and/or sales taxes may be considered by the LLA to be in violation of the rules and regulations contained hereunder.

Illegal Activity on the Licensed Premises:

- A. Licensees shall make all reasonable and diligent efforts to ensure that illegal activities do not occur at the licenses premises. Such efforts may include, but are not limited to:
 - 1) Calling for police and medical assistance as necessary to protect patrons against injury, to evict unruly patrons, to uncover unlawful conduct, or to give medical assistance and providing police with requested information.
 - 2) Frequent monitoring of restrooms and other nonpublic areas of the premises for signs of drug activity or other illegalities.

- B. It is the affirmative responsibility of the Licensee to report any illegalities discovered on the premises.

Renewals & Modifications:

- A. The LLA reserves the right to obtain updated information about a renewal applicant/manager/owner at the time of renewal.
- B. Renewal or modifications of said licenses shall follow the separate fee schedule as established in the Selectmen's Policies and Procedures "Fee Schedule."

Posting & Signs:

- A. Licenses issued by the Board shall be posted in a conspicuous place easily seen by the public where they can be read without difficulty or assistance of employees.
- B. All other licenses, permits and certificates affecting the licensed premises shall be posted conspicuously; provided, however, that no such document shall be posted in such a way as to cover any part of the license issued by the Board.
- C. The posting or presentation of any photographs, signs, posters, drawings or other matter that is of an improper or objectionable nature in the public areas of the licensed premises is prohibited. The material presented must be suitable for view by members of the general public in the same manner as if it were located in other public areas such as public ways, public parks, government offices, or business offices.
- D. Failure to comply with any stipulations outlined in this section of the policy may be considered a violation.

Entertainment at Premises:

- A. No licensee may provide entertainment of any kind unless the licensee holds an entertainment license issued pursuant to the General Laws, Chapter 140, §183A.
- B. No entertainment at the licensed premises may be conducted in a manner such that the noise from the entertainment is creating a nuisance and can be heard beyond the boundaries of the premises.
- C. No dancing by patrons is permitted except upon proper licensing pursuant to General Laws, Chapter 140, §183A, and confined to a particular dance floor area which has been approved by the Local Licensing Authority and which is not inconsistent with the entertainment license requirements.

- D. No licensee may permit any electronic games to be on the premises unless such machines are properly licensed pursuant to General Law, Chapter 140, §177A.
- E. Licensees shall not permit any games to be played at the premises for money, alcoholic beverages, or for any other prize. Games may be played for money at certain fundraising activities which have been approved by the appropriate authority and for which the licensee holds other appropriate licenses.

Hours of Operation:

- A. The licensee and his/her employees may be upon the premises during the time the establishment is closed to the public only for the purpose of cleaning, making emergency repairs, providing security for the premises, or preparing food for the day's/next day's business or for opening/closing the business in an orderly manner.
- B. No alcoholic beverages shall be served except during those hours delineated on the license approved by the LLA, which establishes the outer parameters during which alcoholic beverages may be served.
- C. Not less than fifteen (15) minutes prior to the closing hour of the premises, the licensee or his employees shall advise all patrons of the time remaining to closing.
- D. At a time no later than the time designated as the closing hour on the Liquor License, all glasses, bottles and unconsumed drinks will be surrendered by patrons.
- E. Patrons shall not be allowed on the premises for more than fifteen (15) minutes beyond the closing time.
- F. Licensees shall ensure that their patrons leave the premises in an orderly manner. Licensees who have a clientele that regularly fails to leave the area in a quiet and orderly manner shall hire security personnel to supervise the leave-taking of the patrons at closing time.
- G. No patron shall be allowed to enter the premises during the time the establishment is required to be closed.
- H. The LLA, or its agents, may enter the premises during the hours it is open to the public and at such other times as any persons are upon the premises, for the purpose of inspecting the premises and enforcing these rules and regulations.

Code - Fire/Health/Capacity:

- A. No license shall be issued or shall be considered in good standing unless the licensed premises complies with all statutory requirements, including all applicable building codes, and fire, health, safety, trash and other government regulations and laws.
- B. All premises covered by the license shall be kept in a clean and sanitary condition.
- C. No outside area shall be used as a gathering place for patrons unless approved by the LLA and the ABCC, if alcohol is consumed.
- D. All public areas in licensed premises shall be lighted in a manner sufficient for the safety of the patrons and in a manner sufficient for the agents of the LLA to make observations at the premises without the need to identify themselves or seek assistance.

Service of Suspension Orders:

- A. When the Local Licensing Authority suspends the license or licenses of any licensee, it shall provide the licensee with an order of suspension for public display that must contain the words, "Closed per order of the Licensing Board for the Town of Sudbury." Such an order shall be publicly displayed by the licensee in the following manner. The order shall be readily seen from the street by being affixed to the door of the entrance to the premises or a window facing the street upon which the door opens.
- B. Depending on the severity of the violation, the LLA may vote to implement the suspension in two ways:
 - 1. The licensee may be allowed to remain open for service of food only and must comply with the other stipulations delineated for suspension of their license.
 - 2. The licensee will be required to close in their entirety, not being allowed to continue with the sale of food and must comply with the other stipulations delineated for suspension of their license.
- C. Suspension orders of the LLA shall remain affixed throughout the entire period of suspension. The removal, covering, defacement, obliteration of the order of suspension, or the failure to maintain the order of suspension in the manner and place required prior to the expiration of the suspension period shall be deemed the act of the licensee and shall be cause for further suspension, modification or revocation of the license.

- D. Suspension periods may not be used as a time to make renovations at the licensed premises unless such renovations have previously been approved by the appropriate governing Board.
- E. No members of the public may be on the premises at any time during suspension periods, with the exception that restaurants may be able to continue to service patrons without serving alcohol with the approval of the Local Licensing Authority.

Other Business Responsibilities:

- A. Licensees shall immediately notify the Local Licensing Authority of any proceedings brought against them (or by them) under the Bankruptcy Act, or of any other proceedings, in court or otherwise, which may affect the status of the license.
- B. The licensee is responsible for ensuring that all employees who work in the public areas of the premises read the Rules and Regulations of the LLA and ABCC, and comply with all rules and laws.
- C. There shall be no alcoholic beverages brought onto or transported from the premises of a licensed establishment except for deliveries for the operation of the business as controlled by the laws, rules and regulations of the Commonwealth of Massachusetts, or regulations of the Town of Sudbury or as allowed for under 204 CMR 2.18 Resealing of Partially Consumed Bottles of Wine.

Employee Training:

- A. Any licensee holding an All Alcoholic, or Beer and Wine License shall participate in a program designed to train employees who engage in either package sales or pouring in methods of observation and detection to avoid selling or serving to intoxicated persons and/or minors. This program will be based on the type of license issued.
- B. Listed below are programs currently available which meet the requirements of this policy:
 - 1) Techniques of Alcohol Management (T.A.M.), sponsored by the Mass. Package Store Association;
 - 2) Training for Intervention Procedures by Servers of Alcohol (TIPS), offered by Health Communications, and Alcohol Intervention Methods (AIM) Campbell/Trent;
 - 3) ServSave – recommended by the National Restaurant Association;

- 4) Any Insurance Industry approved and qualified program offered by a certified trainer and previously approved by the Board of Selectmen.
- C. All personnel shall be required to participate in a training program based on the type of license issued. Establishments shall comply with this policy by having all of its eligible employees trained and certified.
- D. All establishments must maintain a roster or certificate of trained personnel in an accessible place during operating hours. An updated roster shall be submitted with the annual application for renewal of the license. The roster shall include:
 - 1. Employee name
 - 2. Employee date of birth
 - 3. Employee social security number
 - 4. Type of training (license)
 - 5. Date valid
 - 6. Date of expiration
 - 7. Date of hire

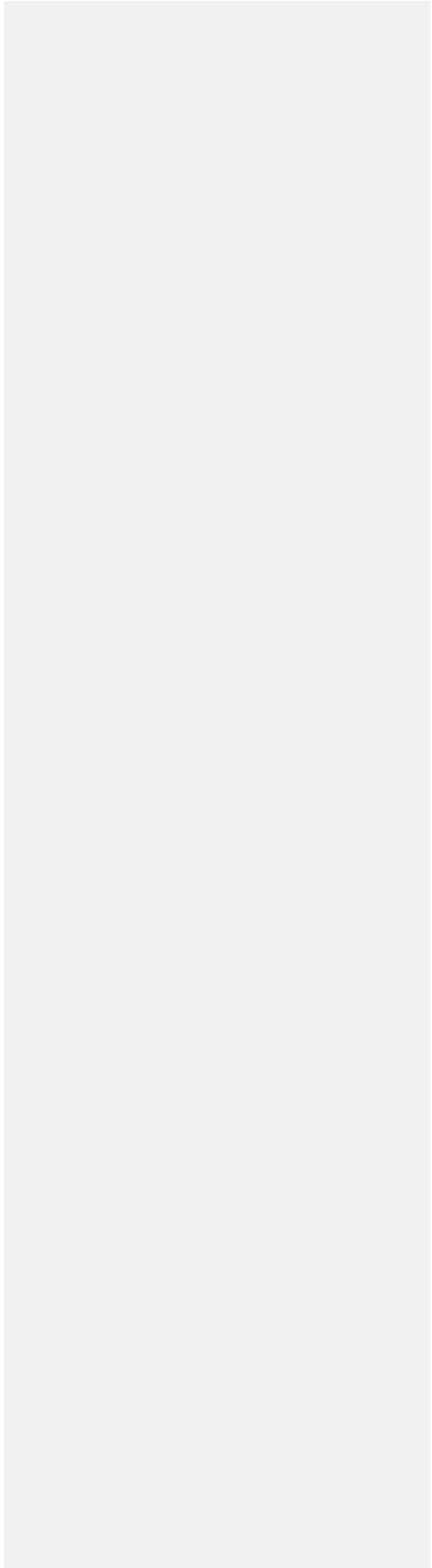
All personnel shall be required to be re-certified once every three (3) years by an approved program, as noted above.

- E. Failure to comply with this policy may result in suspension or revocation of the license. Fines may also be levied against the license holder should any violation of this policy occur.

Food Service:

A. Coinciding with the service of alcoholic beverages, licensees must serve food. Following the close of the full menu, licensees must provide, at a minimum, five (5) assorted items up until thirty (30) minutes before closing. The proposed assorted items will be submitted to the LLA for approval upon request for the original license or renewal. The LLA will approve said items with the understanding that chips, pretzels, popcorn or similar snacks will not suffice.

B. Any deviation from the approved limited menu must be submitted to the LLA for approval.
Last updated 2013



3. Sale of Kegs

1. A deposit of \$50.00 is required when furnishing a keg of any size to any customer.
2. Before delivery to the customer, an appropriate, numbered band in a form approved by the Police Department must be placed on the handle of the keg.
3. Require positive identification and log the customer's name, address, date of birth and band number in a journal. The journal shall be available at all times for inspection by the Board of Selectmen and any Sudbury police officer.
4. Upon return of the keg, make a notation in the journal indicating whether it was returned with a band and the band number.
5. Inform all keg customers that, if the keg is returned WITHOUT the same numbered band intact, the \$50.00 deposit is forfeited.

(Approved 9/10/1990, Updated 7/1/1998)

4. Fee Schedules

The Board of Selectmen is responsible for setting the fees for the issuance of certain permits, licenses and certificates. In doing so, the Board has the following objective: to set the amount of the fee so as to recover a reasonable approximation of the costs to the Town in processing the requested item. Further, the Selectmen require that staff annually review these fees and make recommendations to the Board before December 31 of each year if they believe an increase or decrease is warranted.

NOTE: The Town accepted Mass. General Laws Chapter 40, Section 22F in 1992, which allows statutory fee limits to be exceeded for the following permits with the exception of Alcoholic Beverages licenses, and state regulation of Alcoholic Beverages license fees have since been removed.

LICENSES	FEE ALLOWED BY STATUTE	FEE CHARGED BY TOWN	COMMENTS
Alcoholic Beverages:*			
Package Goods Store AA		Locally fixed \$2,250	
Package Goods Store WM		Locally fixed 1,500	
Restaurant/Innholder AA		Locally fixed 3,500	
Restaurant/Innholder WM		Locally fixed 1,500	
Liqueurs	Locally fixed	300	
Club AA	Locally fixed	500	Veterans Post
Club WM	Locally fixed	200	
One-day AA	Locally fixed	35	
One-day WM	Locally fixed	25/day	
Auctioneer, resident		\$50/annual	
Must be resident for 6 mos. preceding appl., set by Permit Agent			
Auctioneer, non-resident		\$25/day	Fee set by Permit Agent
Automatic Amusement Devices*	\$20/machine, unless set by Town Meeting	\$20/machine Prorated	
Billiards*	\$2/minimum no maximum	\$25 + \$25 per table	Fee set by Selectmen collected by Clerk
Bowling*	\$2/minimum per alley	\$25 + \$25	Fee set by Selectmen collected by Clerk
Common Victualler*	\$25/maximum, unless set by Town Meeting	\$50	

Entertainment -Wkday. \$100/maximum\$50 For live music, dancing,
radio, TV, etc.

Entertainment - Sunday \$400/maximum\$250 For live music, dancing,
\$20/single event \$20/single radio, TV, etc. #
Note: a Sunday Entertainment license for radio or TV is not necessary for
an innholder, tavern or common victualler licensee having an alcoholic pouring license.

(STATE annual Sunday Entertainment fee \$ 85/100 - payable to Dept. of Public Safety)

LICENSES	FEE ALLOWED BY STATUTE	FEE CHARGED BY TOWN	COMMENTS
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Hawkers & Peddlers & 22 max. \$52)	(G.L.c.101,s.17	\$50	
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Inflammable Storage* & Bylaw V.s.25)	(G.L.c.148, s.13	\$100	
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Motor Vehicle:*

Class I \$100/maximum\$50	Mfg. Agent/used cars
Class II \$100/maximum\$50	Dealer/used cars
Class III\$100/maximum\$50	Dealer/junk cars

Outdoor Amusement - Wkdy.	\$100/maximum\$50
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Outdoor Amusement - Sun. \$20/single event	\$400/maximum\$250 20/single
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Taxi Drivers	\$20/operator	issued by Police Department
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Taxi/Limo Operation* (G.L.c.40,s.22)	\$50
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Transient Vendor	Tax Goods or fix fee	\$50
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5. Regulations for Temporary Business or Industrial Trailers

The temporary business or industrial use of trailers for storage or office purposes under Section 2324 of the Sudbury Zoning Bylaw shall conform to the following requirements:

1. No trailer shall be put in place prior to the filing and approval of a request as follows:
 - a. Where the temporary use shall be for three months or less, the applicant shall file a request with the Building Inspector stating the name and address of the owner and lessee of the premises, the name of the company and a responsible official, the number, size and purpose of the proposed trailer(s), and the name and address of the owner/lessor of the trailer(s). A plan of the premises conforming to paragraph 5(b) shall also be filed. The Building Inspector may consider and approve the same with or without conditions or modifications, and shall notify the Selectmen's Office of such approval, or may, if he deems it appropriate in any case, refer the matter to the Board of Selectmen, stating his reasons for referral, and it shall then be handled under paragraph 1(b).
 - b. Where the temporary use shall exceed three months, the applicant shall file the request and plan described above with the Board of Selectmen who shall consider and approve the same at a regular meeting, with or without conditions or modifications. Such approval shall not authorize such use for a period exceeding twelve months.
2. The Building Inspector or Board of Selectmen shall consider the following factors in reviewing a request under these Regulations:
 - a. Whether the proposed placement is upon or obstructs access to parking areas, roadways, fire lanes, or building entrances/exits.
 - b. Where the proposed placement is visible from a public street, way or place, whether such placement is appropriate considering the intended use, or detrimental to the neighborhood.
 - c. Whether the proposed placement obstructs visibility affecting traffic flow or other safety considerations.
 - d. Whether the proposed time period, number or size of the trailers is reasonable in light of the intended use of the trailers.
 - e. Any other factor relating to the placement or use of the trailers which may affect the surrounding neighborhood or health or safety considerations.
3. The trailer(s) shall be removed from the premises prior to the expiration of the permitted time period unless an extension has been requested and received from the Board of Selectmen.
4. Request for an extension of time to permit the continued use or placement of trailer(s) shall be directed to the Board of Selectmen. Such request shall state the reasons for an extension and the additional time period desired.

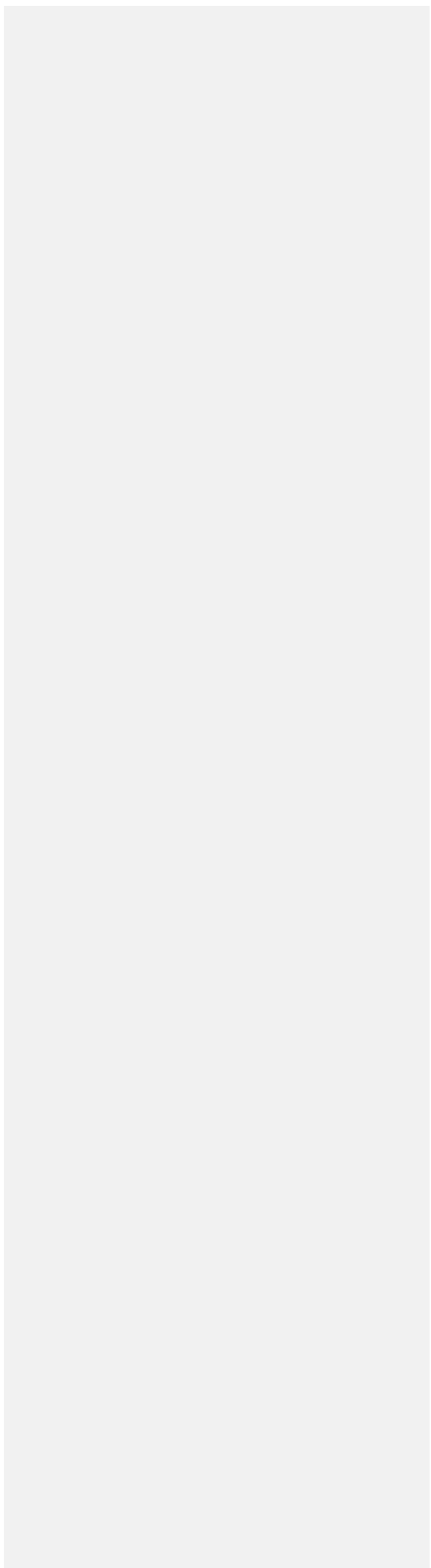
5. A. A filing fee of \$50 is required under this procedure.

B. The plan submitted under this procedure shall be clear and legible, and drawn to an appropriate scale so as to show all buildings, parking areas, setback distances, dimensions, roadways and the proposed location of the trailer(s) on the premises. It need not be reproducible or professionally prepared.

C. The Selectmen may waive any one or more of the provisions of these regulations if, in their opinion, the application of the regulation would create a hardship or is not reasonable in the circumstances.

(Adopted 7/23/1983)

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6. LICENSING OF OUTDOOR AMUSEMENTS POLICY

In accordance with Chapter 140, Section 181 of the General Laws, it is required that any outdoor theatrical exhibition, public show, public amusement or exhibition, to be held in the Town of Sudbury obtain a license from the Board of Selectmen for such show or amusement, and that such show or amusement cannot be held in a residential area. Application for a license must be filed with the Board of Selectmen at least thirty days before the event and must indicate the name of the owner and the name and address of the firm involved, the sponsor, if any, the nature and extent of the show or amusement, the days and hours, amount of admission charge, and the exact location within the Town where the show or amusement is to be held.

It is the policy of the Board of Selectmen that, after May 1, 1971, no permit under the jurisdiction of the Selectmen shall be issued for the operation of a carnival or circus in the Town of Sudbury.

If food service is planned, notice shall be sent to the Board of Health allowing no less than two (2) weeks, prior to opening to the public, for inspection and issuance of a food service permit required by that Board.

(Adopted as amended 4/29/71, 5/10/76)

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7. FLAG CODE

All orders for the raising or lowering of the flag shall issue from the Board of Selectmen.

The flag may be lowered to half mast on notification of the death of any past or present Town official as a mark of respect to the memory of such official. The flag shall remain at half mast until after the funeral services.

In time of war, the flag shall be flown from the time of opening to the time of closing of public buildings, in accordance with such orders that are issued by the proper authority.

In time of peace, the flag shall be flown from the time of opening to the time of closing of public buildings, but not before sunrise or after sunset unless ordered by the proper authority and properly illuminated.

Unless so ordered, the flag shall not be flown in inclement weather.

On Memorial Day, the flag shall be flown at half mast at the Town Hall, and at such other public buildings that are open, from sunrise to noon (12:00 p.m.) and at full mast until sunset.

Upon notification from the Selectmen's office, the flags on all public buildings are to be flown at half mast from the time of arrival, in Sudbury, of the body of a deceased veteran brought back from overseas, until after the funeral services.

The flag shall be flown at half mast on such occasions of local, state or national significance as may from time to time be determined by the Board of Selectmen or the Town Manager upon receipt of a specific request and/or recommendation from a Board, Committee, Commission, the Veterans Graves Officer, or from a duly authorized representative(s).

Flag laws and regulations shall be adhered to wherever appropriate, as adopted by the United States Congress.

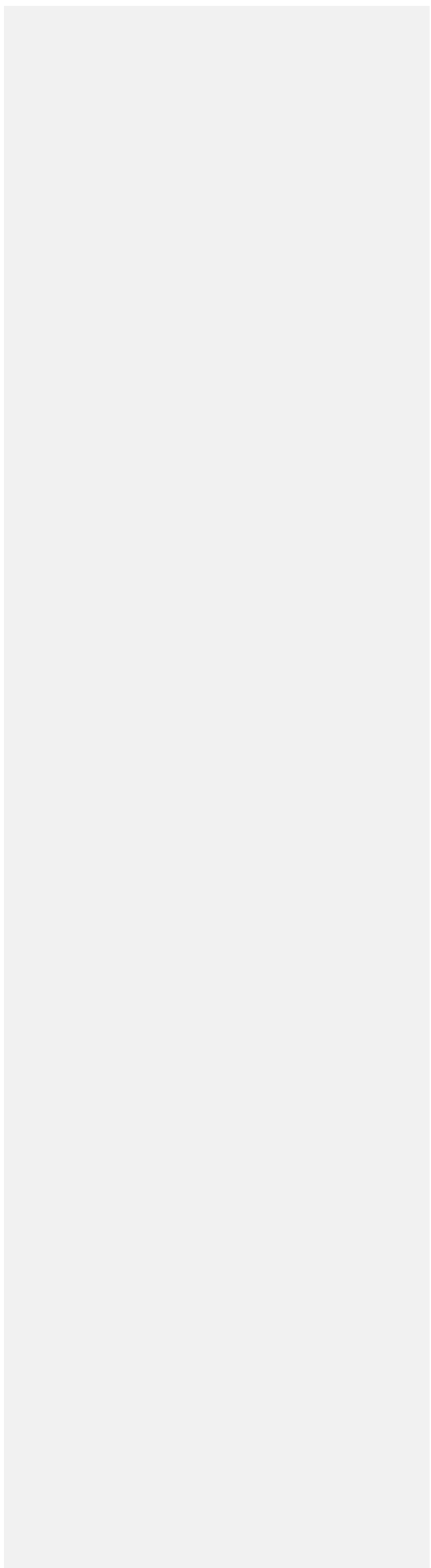
(Adopted 7/23/79, 8/23/99)

8. TRAFFIC CONTROL SIGNS POLICY

1. The Chief of Police is responsible for all matters relating to traffic control signs.
2. All requests for such signs will be submitted to the Chief of Police.
3. The Police Chief shall obtain approval from the Board of Selectmen as required when signs involve amendment to the Town of Sudbury Traffic Rules and Orders.
4. The Board of Selectmen shall solicit approval from the Massachusetts Highway Department for such signage and traffic regulations, as required by that agency.
5. The Town Clerk shall maintain the official record of the Town of Sudbury Traffic Rules and Orders. Amendments thereto shall be advertised in a newspaper with local circulation prior to their enforcement.
6. The Chief of Police will request such signs from the Department of Public Works.
7. The Department of Public Works shall erect and maintain such signs that the Chief of Police may request.

(Adopted 9/30/65, amended 5/10/76, 8/23/99)

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9. POLICY FOR USE OF FACILITIES

1. Town Hall

a. General Meetings or Events

(1) Facilities may be used without rental fee, provided there is no charge to the public either by admission fee or sales, by:

- (a) Town, State or Federal departments.
- (b) Non-profit organizations whose functions are charitable, civic, or patriotic.
- (c) Community service groups, such as Scouts, youth recreational groups, etc.

(2) Facilities may be used with rental fee by:

(a) Any organization charging admission or conducting sales.

(3) Rental fee Schedule – per date (each day):

Lower Town Hall	\$40
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(4) No use will be allowed if for private or personal financial gain.

(5) Reservations for all uses are subject to change on twenty-four (24) hour notice if a required official Town function conflicts, or upon orders of the Board of Selectmen.

(6) All reservations, including requirements for use of chairs, etc., will be made by the Town Manager. The group reserving the Hall will inform the Town Manager, at least twenty-four (24) hours in advance of all requirements for chairs, restrooms, or similar facilities. Custodial fees will be charged as necessary [see (7) below].

(7) Custodial charges will be made if it is determined by the Town Manager that an event requires custodial services and/or supervision. Such fees shall be determined by the Town Manager.

(8) During cold weather, users may be subject to a heating fee, to be determined by the Town Manager.

(9) The person signing Rental Application and Agreement is responsible for:

(a) Restoring order and cleanliness of hall, including placement of all debris or waste materials in appropriate receptacles

Remove all decorations, put away chairs and tables user has put out, sweep area used, clean up any soda spills, etc., check bathrooms for cleanliness

- (b) Putting lights out when leaving
- (c) Locking door when leaving
- (d) Closing all windows when leaving
- (e) Turning heat down to 55 degrees when leaving (if not on automatic setback)
- (f) Lowering fire curtain on stage (if upper floor is utilized)
- (g) Returning key the following day

Note: Any clean-up not done by user will be charged to user, as verified by the Supervisor of Town Buildings.

(10) In case of an emergency, user is to notify the Fire Captain on duty at Central Fire Headquarters located on Hudson Road.

(11) Refreshments may be served in the Lower Town Hall, but not in the Upper Town Hall.

b. Stage Productions (Upper Town Hall)

- (1) Regular productions with audience charge:

Rehearsals, tryouts	\$10.00 per date
Production dates	\$50.00 per date
(No charge for matinee if there is an evening performance.)	
Lower Town Hall	\$25
Police Paid Detail	Per collective bargaining agreement or contract.

- (2) Workshop productions with token audience:

Rehearsals	\$10.00 per date
Production dates	\$25.00 per date
Lower Town Hall	\$10.00 per date
Police Paid Detail	Per collective bargaining agreement or contract.

- (3) Workshop productions with no audience charge and limited public \$20.00 per date



(4) Dressing rooms shall be available for use for rehearsals and productions, and shall be cleaned by the user to the satisfaction of the Supervisor of Town Buildings following each rehearsal or production.

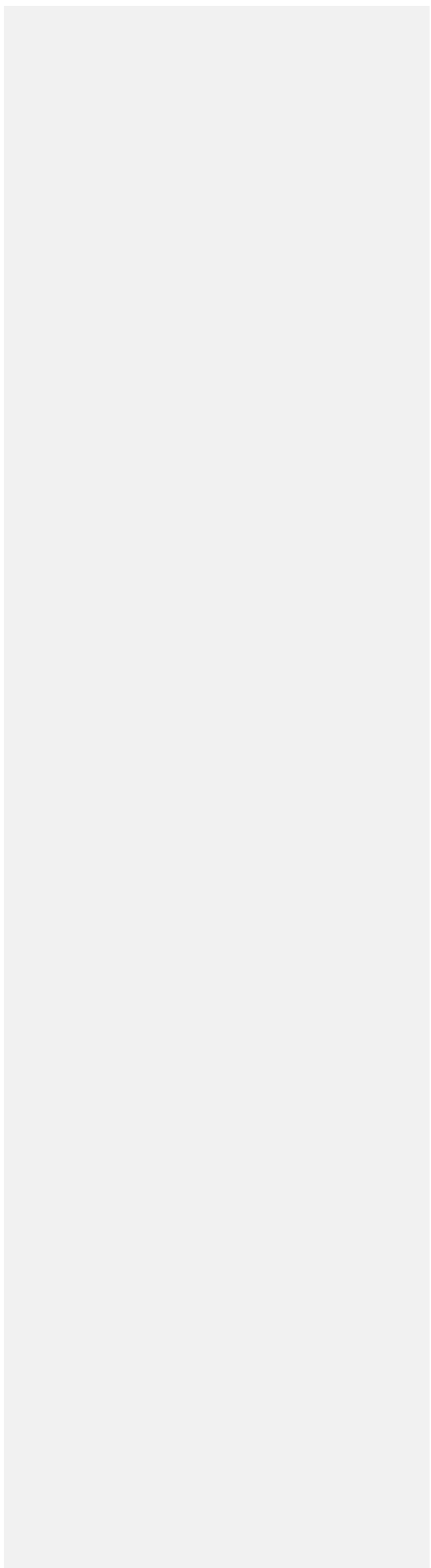
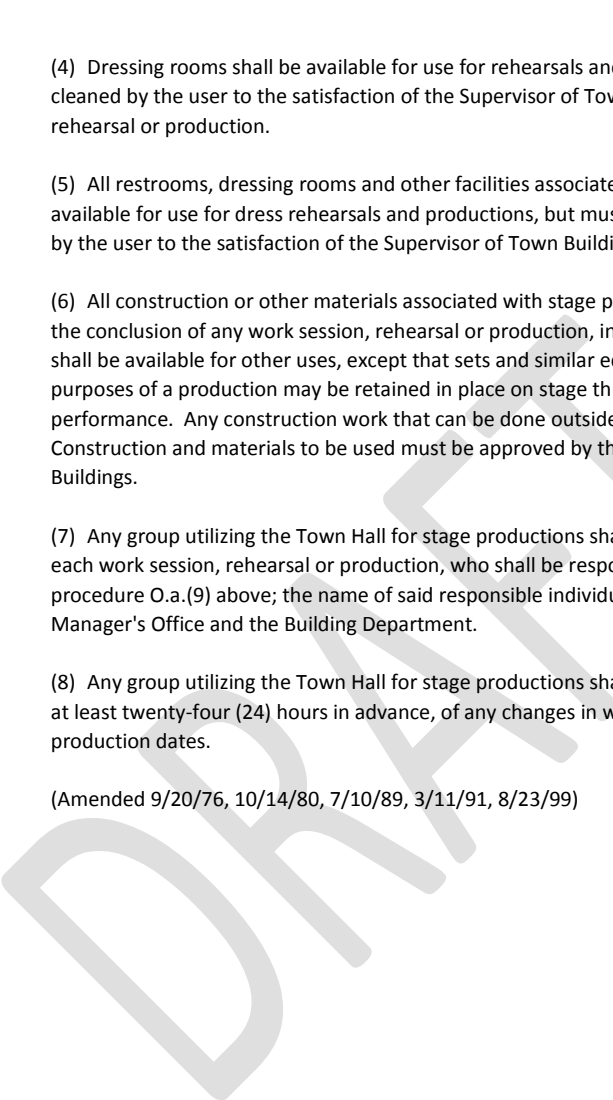
(5) All restrooms, dressing rooms and other facilities associated with the stage shall be available for use for dress rehearsals and productions, but must be cleaned after each use by the user to the satisfaction of the Supervisor of Town Buildings.

(6) All construction or other materials associated with stage productions shall be stored, at the conclusion of any work session, rehearsal or production, in such manner that the facility shall be available for other uses, except that sets and similar equipment installed for purposes of a production may be retained in place on stage throughout the course of the performance. Any construction work that can be done outside the premises should be. Construction and materials to be used must be approved by the Supervisor of Town Buildings.

(7) Any group utilizing the Town Hall for stage productions shall assign an individual, for each work session, rehearsal or production, who shall be responsible for compliance with procedure O.a.(9) above; the name of said responsible individual shall be given to the Town Manager's Office and the Building Department.

(8) Any group utilizing the Town Hall for stage productions shall notify the Town Manager at least twenty-four (24) hours in advance, of any changes in work session, rehearsal or production dates.

(Amended 9/20/76, 10/14/80, 7/10/89, 3/11/91, 8/23/99)



**10 SELECTMEN'S POLICIES AND PROCEDURES
FEE SCHEDULE**

The Board of Selectmen is responsible for setting the fees for the issuance of certain permits, licenses and certificates. In doing so, the Board has the following objective: to set the amount of the fee so as to recover a reasonable approximation of the costs to the Town in processing the requested item. Further, the Selectmen require that staff annually review these fees and make recommendations to the Board before December 31 of each year if they believe an increase or decrease is warranted.

NOTE: The Town accepted Mass. General Laws Chapter 40, Section 22F in 1992, which allows statutory fee limits to be exceeded for the following permits with the exception of Alcoholic Beverages licenses, and state regulation of Alcoholic Beverages license fees have since been removed.

<u>LICENSES</u>	<u>FEE ALLOWED BY</u>		<u>FEE CHARGED</u>	<u>COMMENTS</u>
	<u>STATUTE</u>	<u>BY TOWN</u>		
<u>Alcoholic Beverages:*</u>				
Package Goods Store AA		Locally fixed	\$2,250	
Package Goods Store WM		Locally fixed	1,500	
Restaurant/Innholder AA		Locally fixed	3,500	
Restaurant/Innholder WM		Locally fixed	1,500	
Liqueurs	Locally fixed	300		
Club AA	Locally fixed	500		Veterans Post
Club WM	Locally fixed	200		
One-day AA	Locally fixed	35		
One-day WM	Locally fixed	25/day		
Auctioneer, resident			\$50/annual preceding appl., set by Permit Agent	Must be resident for 6 mos.
Auctioneer, non-resident			\$25/day	Fee set by Permit Agent
Automatic Amusement Devices*		\$20/machine, unless set by Town Meeting	\$20/machine	Prorated
Billiards*	\$2/minimum no maximum	\$25 + \$25 per table		Fee set by Selectmen collected by Clerk
Bowling*	\$2/minimum per alley	\$25 + \$25		Fee set by Selectmen collected by Clerk

Common Victualler* \$25/maximum, \$50
 unless set by Town Meeting

Entertainment -Wkday. \$100/maximum\$50 For live music, dancing,
 radio, TV, etc.

Entertainment - Sunday \$400/maximum\$250 For live music, dancing,
 \$20/single event \$20/single radio, TV, etc. #
 # Note: a Sunday Entertainment license for radio or TV is not necessary for
 an innholder, tavern or common victualler licensee having an alcoholic pouring license.

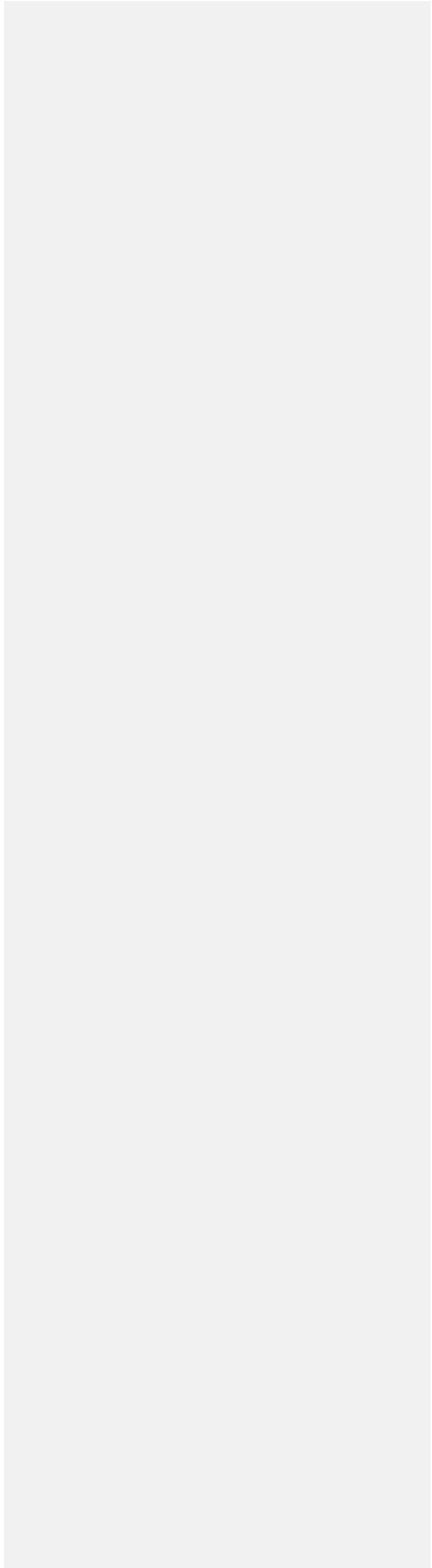
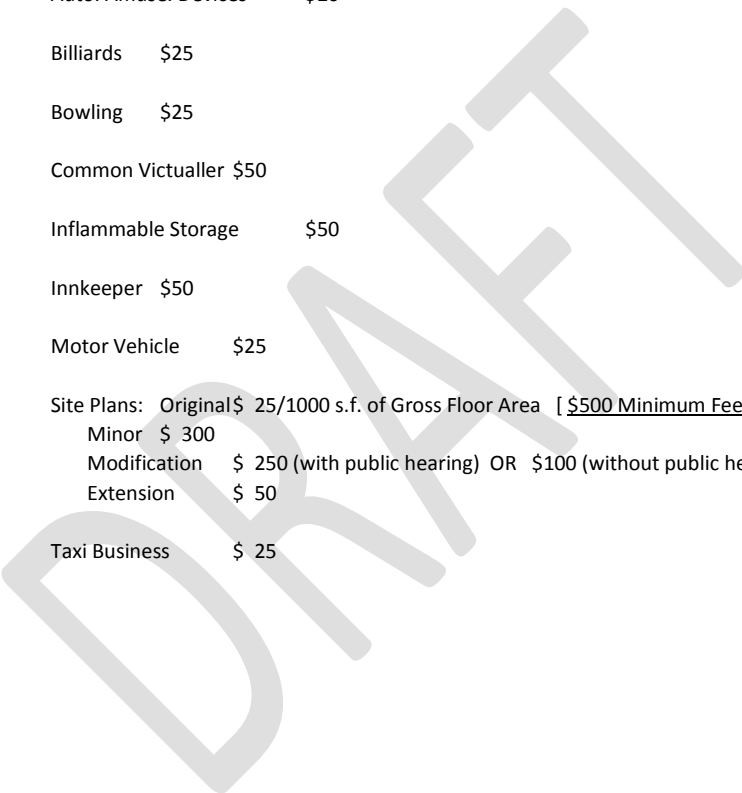
(STATE annual Sunday Entertainment fee \$ 85/100 - payable to Dept. of Public Safety)

LICENSES FEE ALLOWED BY FEE CHARGED COMMENTS
STATUTE BY TOWN

Hawkers & Peddlers & 22 max. \$52)	(G.L.c.101,s.17	\$50	
Inflammable Storage* & Bylaw V.s.25)	(G.L.c.148, s.13	\$100	
<u>Motor Vehicle:</u> *			
Class I	\$100/maximum	\$50	Mfg. Agent/used cars
Class II	\$100/maximum	\$50	Dealer/used cars
Class III	\$100/maximum	\$50	Dealer/junk cars
Outdoor Amusement - Wkdy.	\$100/maximum	\$50	
Outdoor Amusement - Sun.	\$400/maximum	\$250	
\$20/single event	20/single		
Taxi Drivers	\$20/operator		issued by Police Department
Taxi/Limo Operation*	(G.L.c.40,s.22)	\$50	
Transient Vendor	Tax Goods or fix fee	\$50	

* See below for application fees

<u>APPLICATIONS</u>	<u>FEE CHARGED BY TOWN</u>	<u>COMMENTS</u>
Alcoholic Beverages Licenses	\$150/new applications, transfers, changes in premises. \$ 75/revision (mgr. chg., etc.) \$ 25/renewal	For processing notice to abutters, advertising, mailing costs, etc.
Auto. Amuse. Devices	\$20	
Billiards	\$25	
Bowling	\$25	
Common Victualler	\$50	
Inflammable Storage	\$50	
Innkeeper	\$50	
Motor Vehicle	\$25	
Site Plans: Original	\$ 25/1000 s.f. of Gross Floor Area [<u>\$500 Minimum Fee</u>]	
Minor	\$ 300	
Modification	\$ 250 (with public hearing) OR \$100 (without public hearing)	
Extension	\$ 50	
Taxi Business	\$ 25	



Attachment9.b: Selectmen Policiesfinal_Draft3 (2836 : Selectmen Policies)

Section 4 Operational

I. Transfer Station

These rules and regulations govern the recycling and disposal of refuse at the Transfer Station area operated by the Town of Sudbury.

The Transfer Station is operated by the Board of Selectmen under the regulations established by it and the Board of Health and is intended to serve the residents of the Town of Sudbury only.

I. **DEFINITIONS** (As used in these Rules and Regulations)

- A. **Solid Waste:** Any unwanted or discarded solid material.
- B. **Refuse:** Putrescible or nonputrescible solid waste materials, consisting of combustible and non-combustible solid wastes including garbage and rubbish, but excluding sewage, construction and demolition wastes.
- C. **Recyclable:** Any waste material which may be processed or treated to be used again for which the Town of Sudbury provides recycling services.
- D. **Compost:** A mixture of decaying leaves and other nutritive matter which may be used to improve and fertilize soil.
- E. **Hazardous Waste:** A waste, which because of its quantity, concentration, or physical, chemical or infectious characteristics may cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness or pose a substantial present or potential hazard to human health, safety or welfare or to the environment when improperly treated, stored, transported, used or disposed of, or otherwise managed.
- F. **Special Waste:** Any waste material which can be accepted for disposal or recycling at the Transfer Station but requires special pre-approval because of unusual disposal problems or because it requires special handling, including but not limited to residential demolition and construction debris, and sewage.

II. **OPERATION**

- A. In general, the operation of the Transfer Station will be in accordance with the "Rules and Regulations for the Recycling and Disposal of Solid Wastes at the Transfer Station" as established hereunder.
- B. Only waste materials originating in the Town of Sudbury shall be placed at the Transfer Station site, and such placement shall be in accordance with the regulations and directions for recycling and disposal of designated materials in designated areas.

C. The operation and supervision of the Transfer Station is under the direction of the Director of Public Works. The Board of Selectmen shall have the exclusive right to assess and collect reasonable fees for the issuance of permits, tickets, tokens, or licenses for use of the facility.

D. The owner, operator, or other person in charge of a vehicle transporting refuse to be deposited in the Transfer Station, as a condition of such use, shall present evidence and/or answer any reasonable questions concerning the place of origin of that material as the person in charge of the Transfer Station may request.

Failure to comply with these regulations or to furnish credible evidence when requested shall be sufficient cause for the Board of Selectmen or its authorized representative to revoke, suspend, or modify a license or permit for the use of the Transfer Station and/or enforce other authorized penalties as provided by these regulations.

E. The hours of operation shall be established for the convenience of the general public. Use of the facilities, except during designated hours of operation, is strictly prohibited. For current hours of operation, see Appendix A.

III. **PERMITS & FEES**

A. **Residents**

1. A permit for residential refuse shall be issued at a cost of \$170.00 for one year. The charge for a second vehicle is \$20. The permit shall consist of decal to be affixed to the lower left (driver's side) corner of the windshield.

2. All vehicles (except town-owned equipment) using the Transfer Station for disposal of refuse not requiring a special permit (Section V) nor prohibited (Section VI) shall have a permit. Residents bringing recyclables shall be required to have a permit. However, certain recyclables may only be deposited upon payment of the fee set forth in Appendix B.

3. Residential permits are issued at the Highway Department offices,
275 Old Lancaster Road, during normal business hours (Monday - Friday, 8:00 a.m. to 3:30 p.m.), or at other locations and times as determined by the Selectmen.

4. Residential permits shall be issued to Sudbury residents only. To be eligible for a permit decal, applicants must prove by appropriate documentation that they are residents of the Town and that the vehicles they want to use for delivery or refuse are registered under their name or the name of a member of their immediate household.

5. The Transfer Station will only accept the Pay-As-You-Throw disposal bags. A five pack of 15-gallon bags costs \$6.00 ; a five pack of 30-gallon bag costs \$12.00. The bags must be purchased in packages of five and are available at the following retail stores:

Brooks Pharmacy (423 Boston Post Rd.)

CVS Pharmacy (501 Boston Post Rd.)

Shaw's (509 Boston Post Rd.)

Sudbury Farms (439 Boston Post Rd.)

Sudbury Lumber (28 Union Ave.)

Town Line Hardware (84 Boston Post Rd.)

6. Residents who want to use their company's vehicle for delivery of their household's refuse must prove by appropriate documentation that they are residents of the Town and that the vehicle is principally garaged in the Town.

7. If additional vehicles are to be provided with decals, the necessary application card may be obtained at the Highway Department offices. A separate application shall be required for each vehicle. Each additional decal shall be issued at a cost of \$20.00 per year.

8. If the decal is lost or damaged, a new decal may be obtained at the Highway Department offices. The original permanent record of the decal will be updated with the new decal number.

9. The decal must be removed upon sale of the vehicle. The buyer, provided he/she is a Sudbury resident, may apply for a new identification decal for the vehicle.

B. Fee Waiver

A waiver will be granted, upon request and the completion of a form for such purpose, of 50 percent of the Transfer Station fee for those individuals 65 years of age or older who demonstrate hardship, for those persons living in subsidized housing, and for those other persons with demonstrated hardship situations.

C. Business

Commercial disposal of solid waste and disposal of solid waste by local businesses is prohibited at the Transfer Station.

D. Town Business and Vehicles

1. Contractors employed by the Town, when operating on Town business, will be required to obtain permits, but no fee will be charged.

2. Town departments, operating Town-owned Equipment, may use the Transfer Station without permit or charge.

E. Special Permits

A special permit is required for all residents depositing special wastes at the Transfer Station. Special permits are issued at the Transfer Station during normal business hours. A special permit shall consist of a slip for each load and shall be surrendered to the Transfer Station operator at the time of depositing the waste material. Permits for multiple loads may be obtained in advance at the discretion of the Transfer Station Agent. For current Schedule of Fees, see Appendix B.

IV. **UTILIZATION**

A. All recyclable materials shall be placed in accordance with the regulations and directions for recycling of designated materials in the designated areas.

B. Refuse not recyclable, compostable, or requiring special permit shall be deposited in the appropriate designated area or as directed by the Transfer Station operator. Such refuse shall be free from other materials not allowed in the designated area. Refuse shall be bagged and tied securely so that items in the bag are not blown around.

C. Scavenging is prohibited. The Board of Selectmen or its authorized representative may designate items available to the public such as mulching materials, wood chips, or "put & take" and the areas where they are available.

V. **MATERIALS REQUIRING SPECIAL HANDLING OR PERMITS**

A. Materials from the remodeling or repair of an occupied residence or the construction of an addition thereto or the repair or construction of a garage or outbuilding on such premises may be disposed of by either residents or commercial haulers providing a special permit is obtained.

B. Disposal of wood (other than stumps, brush and cut logs which are prohibited, and other than wood which is fabricated into a product) requires a special permit and is further subject to the following:

1. Milled lumber shall be free of pieces of metal, refuse, or other foreign matter and shall be placed in the designated area. All lumber shall be cut into a maximum length of thirty-six (36") inches.

C. Tires from resident vehicles and refrigerators from residents may be disposed of in accordance with the provisions of Section III.A.1. and Appendix B.

D. Materials, which cannot be contained within a 35-gallon container or bagged in plastic, for example, metal lawn or wooden furniture, bedsprings and mattresses require a special permit.

E. Other materials or substances may be designated as requiring a special permit by the Board of Selectmen or its authorized representative if the placement of such materials or substances in the Transfer Station requires special handling.

VI. **MATERIALS PROHIBITED AS REFUSE**

The Transfer Station operator shall reject and prohibit the placement of materials, which are considered to be detrimental to the operation of the Transfer Station and materials and items that are listed on the recycle chart or fee schedule. Materials prohibited as refuse shall include, but are not limited to, the following:

- A. Any substance or object likely to damage, injure, destroy or obstruct the usefulness or operation of the Transfer Station.
- B. Any substance which may attack, damage, or alter by any means the equipment, employees, or citizens engaged in the use and operation of the Transfer Station.
- C. Wood – Treated and untreated wood including wood waste.*
- D. Yard Waste – Deciduous and coniferous, seasonal clean ups (e.g. leaves, grass clippings, weeds, hedge clippings, garden material and brush.)*
- E. Any quantities of gasoline, kerosene, alcohol, oil, tar, flammable or explosive gas or vapor or any material or substance which may generate or form a flammable, explosive, or combustible substance, fluid, gas, vapor or mixture.*
- F. Any substance at a temperature above 100°F, or its burning point, or substance which, upon coming into contact with water, refuse or air will generate steam, vapor, fire, smoke, or toxic fumes.
- G. Poisons, cyanides, asbestos, or any other substance likely to generate poisonous substances that may interfere with, constitute a hazard to, or be dangerous to human beings, wildlife, or domestic animals.
- H. Containers filled with hazardous liquids.
- I. Any waste containing animal tissues, entrails, offal, blood or other types of pathological wastes, including formaldehyde.
- J. Any substance containing, or labeled as containing, radioactive wastes or explosive material.
- K. Any refuse likely to cause damage, injury, or loss to other persons or to the property of other persons who are lawfully entitled to use the Transfer Station for the discarding or recycling of their refuse, or to any person or equipment engaged in the treatment and disposal of such refuse for the Town of Sudbury.
- L. Any substance or material defined as hazardous waste. (From time to time the Town will accept certain hazardous waste material from Sudbury residents at a designated place in Town during designated "Hazardous Waste Collection Days.")
- M. Refuse or materials from the following:
1. The development of a building lot or the construction of any building or addition to any building thereon (exception: see Section V, A).
 2. The development of a subdivision.
 3. The construction, reconstruction, remodeling, repair, demolition or development of a business, industrial or commercial property.

- N. Commercial quantities of pharmaceutical or medical wastes.
- O. Tree stumps, cut or chipped logs or brush, leaves and all yard waste from commercial or residential sources.*
- P. Asphalt, pavement, brick and concrete.*
- Q. Fluorescent lighting fixtures and appliances, including, but not limited to, washing machines, dryers, stoves, dishwashers, freezers, refrigerators, hot water heaters, microwave ovens, wall ovens, air conditioners and cathode ray tubes (CRTs).*
- R. Metal – Ferrous and nonferrous.*
- S. Lead batteries.*
- T. Corrugated paper or cardboard and paperboard products.*
- U. Automobile and truck tires.*
- V. Glass bottles and jars.*
- W. Post consumer recyclable aluminum, metal and glass containers.*
- X. Tires.*
- Y. Single polymer plastics and recyclable paper.*

*NOTE: Certain materials which are prohibited in this section from deposit as refuse may be collected in the Recycling or other areas at the Transfer Station. Please refer to the attached Recycling Chart and Fee Schedule

VII. **PENALTIES**

A. **Revocation of Permits**

The Board of Selectmen or its authorized representative may at any time cancel, suspend, revoke or modify permits or privileges issued hereunder for cause. The suspension, revocation or modification of an existing permit or privilege shall not entitle the person holding such a permit to a refund of all or a portion of the fee collected, if any, for the issuance of such permit or privilege.

B. **Violation of Regulations**

The following schedule shall apply to violation of the rules and regulations governing the commercial use of the Transfer Station:

1st Violation Written warning from the Transfer Station Operator plus a disposal cost of twice the regular fee.

2nd Violation Suspension of use of the Transfer Station for one month plus a disposal cost of twice the regular fee, but in no case less than \$100 over the regular fee.

The penalty for violations committed subsequent to the 2nd violation shall be determined by the Board of Selectmen on a case-by-case basis.

C. **Right to Hearing**

Any person accused of violating these rules and regulations shall be notified of the alleged violation in writing via certified mail, return receipt requested, which shall set forth a date and time at which a hearing will be held before the Board of Selectmen or its designee in order to afford the person an opportunity to be heard in regard to the alleged violation, with or without counsel, as the person shall choose.

VIII. **SEVERABILITY**

If any provision of these rules and regulations is, for any reason, declared to be unconstitutional or otherwise invalid, such unconstitutionality or invalidity shall not affect the validity of the remaining portions or sections of these rules and regulations.

These Rules and Regulations for the Recycling and Disposal of Solid Wastes at the Transfer Station will replace all prior rules and regulations and will become effective as of April 1, 2006.

Rev. 8/1/88

Rev. 10/17/88

Rev. 1/23/89, as amended 1/30/89

Rev. 5/1/89

Rev. 5/8/89

Rev. 4/23/90, fees effective 7/1/90

Rev. 12/3/90

Rev. 5/6/91, fees effective 7/1/91

Rev. 11/25/91, effective 1/1/92

Rev. 5/26/92, fees effective 7/1/92

Rev. 8/31/92, effective 12/31/92

Rev. 4/14/93, refrigerator fee effective 5/13/93

Rev. 2/8/93 & 3/31/93, fees effective 7/1/93

Rev. 11/7/94, effective 12/31/94

Rev. 12/20/99; effective 1/01/00

Rev. 8/13/03; effective 7/1/03

Rev. 3/16/06; effective 4/1/06

APPENDIX A

HOURS OF TRANSFER STATION OPERATION

OPEN

Tuesday, Thursday and Saturday 8:00 a.m. to 3:00 p.m.

CLOSED

Sunday, Monday, Wednesday, Friday

TRANSFER STATION SPECIAL PERMIT SCHEDULE

Fee 1/2 Cu. Yd.: \$16.00

1 Cu. Yd. \$32.00

FEES FOR RECYCLABLE MATERIALS FROM RESIDENTS

Fee for Each

Air conditioners \$20.00

Carpeting (approx. 9x12) 32.00

Computer Monitors 20.00

Couch (upholstered furniture) 16.00 to 32.00

Gas grills 5.00

Lawnmower 5.00

Mattresses

Twin, double, queen & king 16.00

Twin mattress & box spring 16.00

Double, queen & king (mattress & box) 32.00

Paint — Waterbase 4.00 per gal.

Refrigerators \$20.00

Ceramic 16.00

Stoves/Ovens 5.00

Television sets 20.00

Tires from Vehicles

Automobile 2.00

Truck 10.00

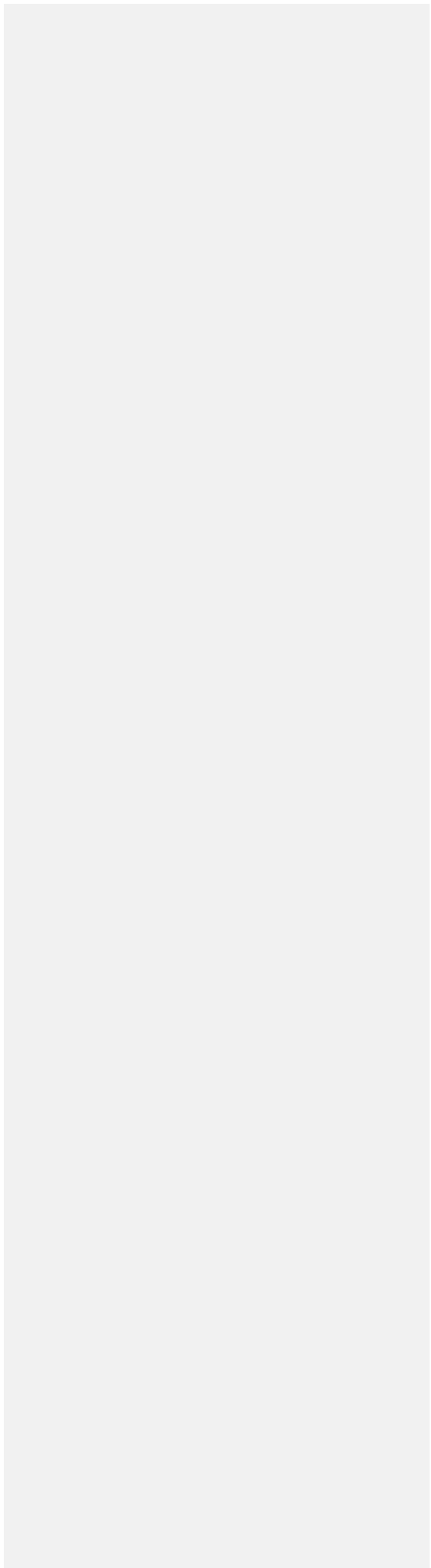
(All tires must be off the rim.)

Toilets 16.00

Washing machines/dryers 5.00

Water heaters 5.00

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Attachment9.b: Selectmen Policiesfinal_Draft3 (2836 : Selectmen Policies)



2. CITATIONS AND PROCLAMATIONS

a) Citations - Any member of the Board of Selectmen shall have a citation issued as a congratulatory message to any person or business in Sudbury upon request to the support staff. Citations will be signed by the member requesting the citation or by the Chairman upon request of the member.

b) Proclamations may be made on behalf of the Town of Sudbury by majority vote of the Board of Selectman in accordance with the following guidelines:

Proclamations are ceremonial documents signed by the Board of Selectman and issued for:

- Public awareness
- Charitable fundraising campaigns
- Arts and cultural celebrations
- Special honors

Proclamations will not be issued for:

- Matters of political controversy, ideological or religious beliefs, or individual conviction
- Events or organizations with no direct relationship to the Town of Sudbury

Other: The Board of Selectmen reserves the right to modify or deny any proclamation request. More than one cause can be proclaimed simultaneously. A person/organization does not have exclusive rights to the day, week or month of their proclamation. A citation is an alternative where proclamation criteria are not met.

Who can make a proclamation request?

- Request must be made by a Town of Sudbury resident to the Office of the Board of Selectmen.

How should a proclamation request be made?

- All requests must be made in writing. Requests can be mailed, faxed, or hand-delivered or e-mailed. If mailed or faxed, please call to verify receipt by our office.
- Requests should be made at least thirty days in advance of the date the document is needed. Exceptions to this rule may be made as required.

What must the request include?

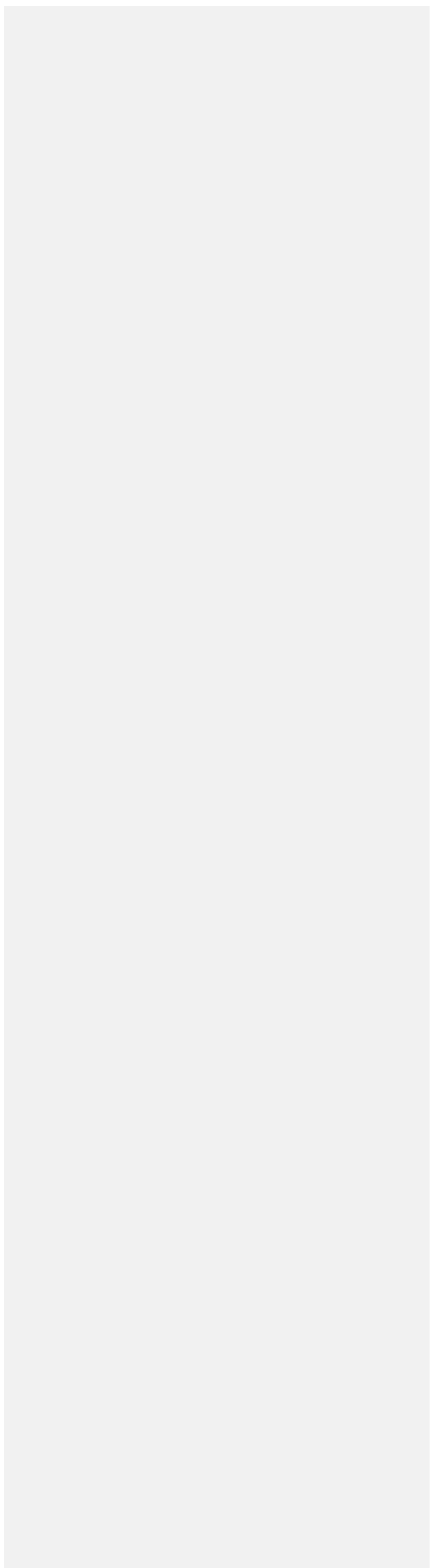
- Contact person's first and last name, address, and telephone number
- A brief summary and/or background of the event or organization
- The name and date(s) of the day, week, month, or event to be proclaimed
- Draft text for the proclamation, including 4-6 "whereas" clauses

3. Memorial Bench Program

- a. Memorial benches may be purchased through the Town of Sudbury for a fee of \$1,400. This fee covers the cost of a granite bench with a brass plaque or engraving, installation and perpetual care of the bench. Plaques may be inscribed with up to two lines of text.
- b. Installation of the benches will be completed by the Department of Public Works in a location deemed appropriate by the DPW director, Park and Recreation Director, Town Manager and Board of Selectmen. Perpetual care of the benches will include cleaning and repair of any bench as necessary.
- c. All requests for Memorial Benches shall be made to the Town Manager and should include the requested inscription. Bench requests may take as long as 8 weeks to be installed and remain the property of the Town of Sudbury.

(September 8, 2009)

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Attachment9.b: Selectmen Policiesfinal_Draft3 (2836 : Selectmen Policies)

4. PURCHASE CONTRACTS

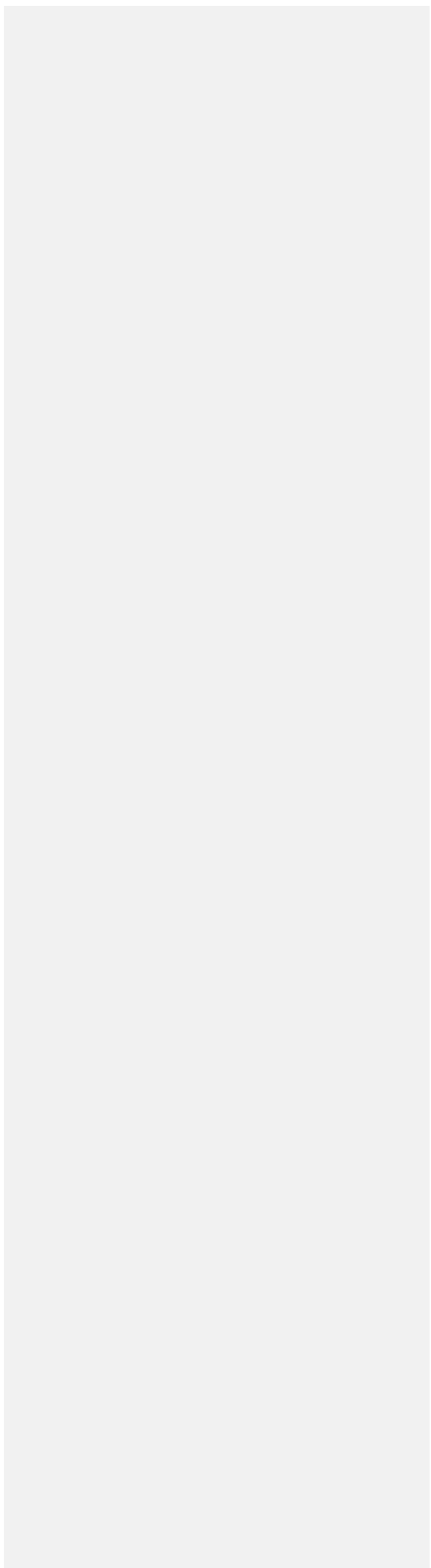
The Town Manager is authorized to enter into purchasing contracts under \$25,000, without the approval of the Board of Selectmen on purchases defined in Section 10(d) of the Town Charter.

The Town Manager is authorized to approve, without specific vote of the Board, those contracts \$25,000 and over which are renewals of contracts, with current vendors, previously approved by the Board.

The Town Manager shall provide a list of such awards to the Board of Selectmen on an annual basis in January.

(Adopted 8/9/99, 6/10/02, 8/16/16)

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Attachment9.b: Selectmen Policiesfinal_Draft3 (2836 : Selectmen Policies)

4. **Community Event Signs on Town Property**

From time to time, community groups request to put signs on Town property to let residents know of upcoming events. Such signs need prior approval from the appropriate Town officials, as described below.

I. Signboards at Fire Stations 2 and 3. The community Fire Station signboards at Route 117 and Route 20 are available for Sudbury Boards & Committees as well as non-profit organizations to publicize upcoming events. They may be reserved for one week. Groups wishing to reserve the signboards must complete a Fire Station Sign Use Application:
<http://sudbury.ma.us/departments/Selectmen/doc9177/SignRentalApplication.pdf>

II. Featherland Park, Concord Road. Up to two A frame type signs may be placed in the designated area for up to two weeks prior to an event by groups sponsoring events related to recreational activities in the Town, or by Town or School (SPS or L-S) booster groups. Permission for placing such signs shall be monitored by the Town of Sudbury Recreation Department.

III. Fire Headquarters, Hudson Road. Use of this site shall be at the discretion of the Sudbury Fire Chief, and shall be limited to Sudbury town boards or staff, or nonprofits wishing to publicize upcoming community events.

IV. Police Station, Boston Post Road. Use of this site shall be at the discretion of the Sudbury Police Chief, and shall be limited to Sudbury town boards or staff, or nonprofits wishing to publicize upcoming community events.

Any signs placed on Town property which does not meet these requirements may be removed by the Town and thrown away.

<https://sudbury.ma.us/selectmen/safe-community-policy-may-7-2018/>

Town of Sudbury Board of Selectmen

Safe Community Policy

Adopted May 7, 2018

No town employee shall target, alienate, persecute or discriminate against any individual, including victims or witnesses or informants of domestic violence or any other crime, based on their age, citizenship, disability, ethnicity, gender, gender identity, immigration status, race, religion or sexual orientation. All people in Sudbury should feel safe reporting domestic violence or any other crime.

The Town Manager shall implement and educate town employees, residents and visitors regarding this policy. The Board of Selectmen upholds and reasserts its belief in basic human rights and the dignity of every human being. Nothing in this policy is intended to violate any federal laws or any laws of the Commonwealth.

Minutes Policy

Adopted April 5, 2010

<https://sudbury.ma.us/boardofselectmen/boardofselectmen-2010-04-05-minutes/>

It was on motion unanimously

VOTED: To approve two new Board of Selectmen policies: 1) the posting of all regular and executive session meetings of the Board of Selectmen on the Town website and 2) the approval of executive session minutes provides for subsequent review of said minutes at a meeting of the Board within 90 days of the one-year anniversary of the approval of the minutes to determine whether the purpose of the executive session still exists.

Board of Selectmen
Ballot Question Policy
Adopted February 7, 2017

Chapter 180 of the Acts of 1996 requires the Sudbury Board of Selectmen to provide registered voters the following information for any ballot question submitted solely to Town voters (other than a ballot pursuant to M.G.L. ch.53, §18A): (1) the full text of such question; (2) a fair and concise summary of such question; and (3) arguments for and against such question. See Attachment.

Further requirements include the following:

- The required information is to be sent to the voters at least 7 days before such an election.
- The Board of Selectmen, or when designated, Town Counsel, shall seek written arguments from the principal proponents and opponents of each question.
- The Board of Selectmen shall designate a date for receipt for such arguments and shall provide notice of such 14 days before the date arguments are to be received.
- The Board of Selectmen shall determine those best able to present the arguments for and against each question.
- If no argument is received within the time allowed, Town Counsel shall prepare such argument.
- No argument shall contain more than 250 words.

The requirements of this law will be implemented as follows for any ballot questions to be submitted for an Annual Town Election or a Special Town Election.

- Notice of proposed ballot questions and a request for written arguments for and against the questions will be posted on the Town website at least or 46 days before the election **plus additional days as needed to allow Board of Selectmen meetings for actions listed below.**
- The Board of Selectmen will determine those persons best able to present the arguments for and against each question in an open meeting. In the absence of submission, Town Counsel will prepare the argument.
- Written arguments for and against ballot questions will be reviewed by Town Counsel for legal compliance. Neither Town Counsel nor the Board of Selectmen will review or edit the written arguments for substance, opinion, or accuracy.

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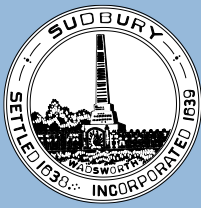
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<u>Days before election</u>	<u>Action</u>	<u>Purpose</u>
<u>46 + days for BOS meetings</u>	<u>Notice of proposed ballot questions and request for written arguments</u>	
<u>39 + days for BOS meetings</u>	<u>BOS decides authors for pro and con arguments</u>	<u>To allow 14 days before due to Town Counsel</u>
<u>35+ days for BOS meetings</u>	<u>Wording of final ballot questions to Town Clerk</u>	<u>To comply with state ballot law</u>
<u>25 + days for BOS meetings</u>	<u>Written arguments submitted to Town Counsel</u>	<u>To allow 7 days for Town Counsel review and submission to BOS</u>
<u>18 + days for BOS meetings</u>	<u>BOS approves final warrant</u>	
<u>18 days</u>	<u>Delivery to printer</u>	<u>To allow printer 7 days before mailing date</u>
<u>11 days</u>	<u>Delivery to Post Office</u>	<u>To allow 4 days for mail</u>
<u>7 days</u>	<u>Posting and receipt of warrant</u>	

Approved by the Board of Selectmen February 7, 2017.

DRAFT



SUDBURY BOARD OF SELECTMEN
Tuesday, July 10, 2018

MISCELLANEOUS (UNTIMED)
10: Liaison Assignments 2018-2019

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Discussion on Selectmen's liaison assignments and committee membership for 2018-2019.

Recommendations/Suggested Motion/Vote: Discussion on Selectmen's liaison assignments and committee membership for 2018-2019.

Background Information:
current list attached

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Melissa Murphy-Rodrigues	Pending
Jonathan Silverstein	Pending
Robert C. Haarde	Pending
Board of Selectmen	Pending

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**SUDBURY BOARD OF SELECTMEN
LIAISON ASSIGNMENTS
2017 – 2018**

<i>Chairman Haarde</i>	<i>Vice-Chairman Simon</i>	<i>Selectman Brown</i>	<i>Selectman Carty</i>	<i>Selectman Iuliano</i>
Park & Recreation Commission	Board of Health	Conservation Commission	Lincoln Board of Selectmen	Commission on Disability
Town Manager/Town Departments	Capital Improvement Advisory Committee	Design Review Board	Cultural Council	Sudbury Public Schools
Board of Appeals/Earth Removal Board	Historic Districts Commission	Ponds & Waterways Committee	Sudbury Water District	Lincoln-Sudbury Reg. High School
Memorial Day Committee	Permanent Building Committee	Finance Committee	Council on Aging	Sudbury Housing Authority
Lincoln-Sudbury Reg. High School	Conservation Commission		Planning Board	Finance Committee
Town Historian	Historical Commission		Sudbury Public Schools	
	Park & Recreation Commission		Agricultural Commission	
	Council on Aging		Goodnow Library Trustees	
	Energy and Sustainability Committee		Capital Improvement Advisory Committee	

MEMBER OF:

Military Support Network	Military Support Network	Fairbank Community Center Task Force	Strategic Financial Planning for Capital Funding	Sudbury Housing Trust
CERT	Vocational Education Guidance Committee	MAGIC		Budget Strategies Task Force
9/11 Memorial Garden Oversight Committee		Budget Strategies Task Force		
		Strategic Financial Planning for Capital Funding		
		Community Preservation Committee		
		Sudbury Centre Improvement Advisory Committee		

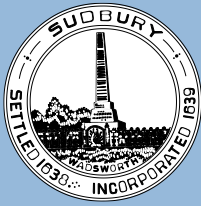
Melissa Murphy-Rodriguez, Esq.

*Melissa Murphy-Rodriguez, Esq.
Town Manager*

6/27/2017

Attachment 10.a: LIAISON LIST 2017-18_rev (2830 : Liaison Assignments 2018-2019)

<u>Assignment</u>	<u>18-19</u>	<u>17-18</u>	<u>16-17</u>	<u>15-16</u>	<u>14-15</u>
Finance		SI	CW	BH	CW
Finance		PB	PB	CW	PB
Lincoln BOS		DC	SI	PB	CW
PBC		LS	SI	SI/CW	LO
Town Manager		BH	SI	PB	CW
Agricultural		DC	LS	LS	PB
CIAC		LS/DC	LS/CW	LS/CW	PB/LS
Disability		SI	SI	SI	PB
Conservation		PB/LS	LS/PB	PB/LS	PB/LS
Design Review		PB	PB	PB	PB
Planning Board		DC	CW	CW	PB/LO
Ponds and Waterways		PB	PB	PB	PB
Historical		LS	BH	BH	BH
LS		BH/SI	BH	SI/BH	BH
Memorial Day		BH	BH	BH	BH
Park and Rec		BH/LS	BH/LS	BH	BH/LS
SPS		DC/SI	SI	BH/LS	BH
COA		LS/DC	LS	LS/CW	LS
Water District		DC	SI	SI	LO
Cultural		DC	SI	SI	LO
ZBA		BH	SI	SI	LO
SHA		SI	SI	SI	LO
Historian		BH	BH	BH	BH
Library		DC	LS	LS	LS
Energy		LS	LS	LS	LS
BOH		LS	LS	LS	LS
Housing Trust		SI	SI	SI	LO
9/11 memorial		BH	CW	CW	CW
Capital Funding		PB/DC	CW	SI	LO/ CW
Sudbury Centre		PB	CW	CW	LO
BSTF		SI	CW	CW	
BSTF		PB	PB		
Fairbanks		PB	PB	BH/LS	BH/LS
MAGIC		PB	PB	PB	
CPC		PB	PB	PB	PB
Military Support		BH/LS	BH/LS	BH/LS	BH/LS
CERT		BH	BH	BH	
Vocational		LS	LS	PB/PB	



SUDBURY BOARD OF SELECTMEN
Tuesday, July 10, 2018

MISCELLANEOUS (UNTIMED)

11: Fall Town Meeting

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Discussion on Fall Town Meeting

Recommendations/Suggested Motion/Vote:

Background Information:

Financial impact expected:

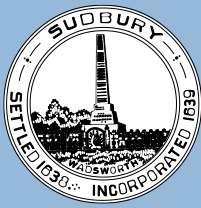
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Melissa Murphy-Rodrigues	Pending
Jonathan Silverstein	Pending
Robert C. Haarde	Pending
Board of Selectmen	Pending

07/10/2018 6:45 PM



SUDBURY BOARD OF SELECTMEN
Tuesday, July 10, 2018

MISCELLANEOUS (UNTIMED)

12: Appointment(s) to ZBA

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Vote to approve the appointment of Frank Riepe, 54 New Bridge Road, as a full member of the Zoning Board of Appeals (ZBA) for a term ending 5/31/23. Also vote to appoint Jeffrey Klofft as an alternate member of the ZBA and the Earth Removal Board, for a term ending 5/31/19.

Recommendations/Suggested Motion/Vote: Vote to approve the appointment of Frank Riepe, 54 New Bridge Road, as a full member of the Zoning Board of Appeals (ZBA) for a term ending 5/31/23. Also vote to appoint Jeffrey Klofft as an alternate member of the ZBA and the Earth Removal Board, for a term ending 5/31/19.

Background Information:
attached memo from ZBA chair

Financial impact expected:n/a

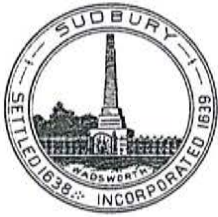
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Melissa Murphy-Rodrigues	Pending
Jonathan Silverstein	Pending
Robert C. Haarde	Pending
Board of Selectmen	Pending

07/10/2018 6:45 PM



Town of Sudbury

Board of Appeals

appeals@sudbury.ma.us

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

Flynn Building
278 Old Sudbury Rd
Sudbury, MA 01776
978-639-3389
Fax: 978-443-0756

July 2, 2018

Mr. Robert Haarde, Chairman
Board of Selectmen
Flynn Building
278 Old Sudbury Road
Sudbury, MA 01776

Dear Chairman Haarde,

I am writing to recommend to the Board of Selectmen the appointment of Mr. Frank Riepe as a full member of the Zoning Board of Appeals (ZBA) for a five year term. As an accomplished architect, Mr. Riepe is a member of the A.I.A., providing him with a breadth of experience pertinent to the ZBA's mission with the Town's zoning matters.

I would also like to recommend to the Board of Selectmen the appointment of Mr. Jeffrey Kofft from alternate member of the ZBA, and member of the Earth Removal Board. Mr. Klofft has served on the ZBA for nearly two decades as a full member and has provided a breadth of knowledge with projects ranging from 40Bs to special permits for complex commercial developments. We are pleased he still wants to serve on the Board, even if less frequently.

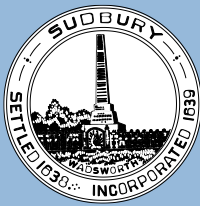
Additionally, alternate member Mr. Jonathan Patch resigned on June 26, 2018 from the ZBA. However, he would like to remain on the Earth Removal Board. This role is typically reserved for alternative members. The ZBA would like to leave it to the Board of Selectmen's discretion whether or not to allow this.

Please feel free to contact me if you have any questions about the three candidates, I can be reached at 978/460-1575

Sincerely,

John Riordan
Chairman

Attachment 12.a: ZBA letter (2864 : Appointment(s) to ZBA)



SUDBURY BOARD OF SELECTMEN

Tuesday, July 10, 2018

MISCELLANEOUS (UNTIMED)

13: Jonathan Patch appt ERB

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Vote to accept the resignation of Jonathan Patch as a full member of the ZBA effective 6/26/18. Also, discuss whether to approve the appointment of Jonathan Patch to the Earth Removal Board at his request. Since Mr. Patch is not an associate member, this appointment is at the Board's discretion. If approved this appointment expires 5/31/19.

Recommendations/Suggested Motion/Vote: Vote to accept the resignation of Jonathan Patch as a full member of the ZBA effective 6/26/18. Also, discuss whether to approve the appointment of Jonathan Patch to the Earth Removal Board at his request. Since Mr. Patch is not an associate member, this appointment is at the Board's discretion. If the Board approves, this appointment expires 5/31/19.

Background Information:
attached memo from ZBA chair

Financial impact expected:

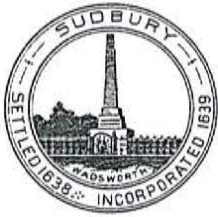
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Melissa Murphy-Rodrigues	Pending
Jonathan Silverstein	Pending
Robert C. Haarde	Pending
Board of Selectmen	Pending

07/10/2018 6:45 PM



Town of Sudbury

Board of Appeals

appeals@sudbury.ma.us

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

Flynn Building
278 Old Sudbury Rd
Sudbury, MA 01776
978-639-3389
Fax: 978-443-0756

July 2, 2018

Mr. Robert Haarde, Chairman
Board of Selectmen
Flynn Building
278 Old Sudbury Road
Sudbury, MA 01776

Dear Chairman Haarde,

I am writing to recommend to the Board of Selectmen the appointment of Mr. Frank Riepe as a full member of the Zoning Board of Appeals (ZBA) for a five year term. As an accomplished architect, Mr. Riepe is a member of the A.I.A., providing him with a breadth of experience pertinent to the ZBA's mission with the Town's zoning matters.

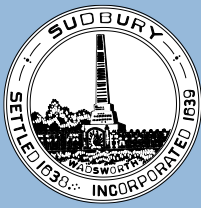
I would also like to recommend to the Board of Selectmen the appointment of Mr. Jeffrey Kofft from alternate member of the ZBA, and member of the Earth Removal Board. Mr. Klofft has served on the ZBA for nearly two decades as a full member and has provided a breadth of knowledge with projects ranging from 40Bs to special permits for complex commercial developments. We are pleased he still wants to serve on the Board, even if less frequently.

Additionally, alternate member Mr. Jonathan Patch resigned on June 26, 2018 from the ZBA. However, he would like to remain on the Earth Removal Board. This role is typically reserved for alternative members. The ZBA would like to leave it to the Board of Selectmen's discretion whether or not to allow this.

Please feel free to contact me if you have any questions about the three candidates, I can be reached at 978/460-1575

Sincerely,

John Riordan
Chairman



SUDBURY BOARD OF SELECTMEN
Tuesday, July 10, 2018

MISCELLANEOUS (UNTIMED)

14: CSX Rail Trail Acquisition

REQUESTOR SECTION

Date of request:

Requestor: Town Manager Rodrigues

Formal Title: Discussion and potential vote on next steps regarding the CSX Rail Trail acquisition.

Recommendations/Suggested Motion/Vote: Discussion and potential vote on next steps regarding the CSX Rail Trail acquisition.

Background Information:

Financial impact expected:

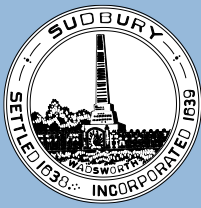
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Melissa Murphy-Rodrigues	Pending
Jonathan Silverstein	Pending
Robert C. Haarde	Pending
Board of Selectmen	Pending

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SUDBURY BOARD OF SELECTMEN
Tuesday, July 10, 2018

MISCELLANEOUS (UNTIMED)

15: Citizen's Comments

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Citizen's Comments (cont.)

Recommendations/Suggested Motion/Vote: Citizen's Comments (cont.)

Background Information:

Financial impact expected:

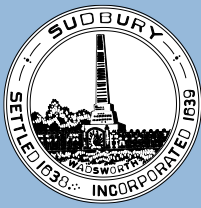
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Melissa Murphy-Rodrigues	Pending
Jonathan Silverstein	Pending
Robert C. Haarde	Pending
Board of Selectmen	Pending

07/10/2018 6:45 PM



SUDBURY BOARD OF SELECTMEN
Tuesday, July 10, 2018

MISCELLANEOUS (UNTIMED)

16: Upcoming agenda items

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Discuss upcoming agenda items.

Recommendations/Suggested Motion/Vote: Discuss upcoming agenda items.

Background Information:

Financial impact expected:

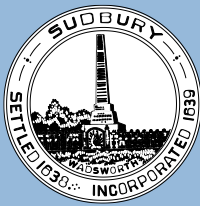
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Melissa Murphy-Rodrigues	Pending
Jonathan Silverstein	Pending
Robert C. Haarde	Pending
Board of Selectmen	Pending

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SUDBURY BOARD OF SELECTMEN

Tuesday, July 10, 2018

CONSENT CALENDAR ITEM

17: Appts to Ponds & Waterways Committee

REQUESTOR SECTION

Date of request:

Requestor: Diane Muffitt, PWC Chair

Formal Title: Vote to approve the appointments of Marjorie Keane, 66 Beechwood Ave, and Miriam Chandler, 27 Crystal Lake Dr., to the Ponds & Waterways Committee for terms ending 5/31/21, as recommended by Diane Muffitt, chair.

Recommendations/Suggested Motion/Vote: Vote to approve the appointments of Marjorie Keane, 66 Beechwood Ave, and Miriam Chandler, 27 Crystal Lake Dr., to the Ponds & Waterways Committee for terms ending 5/31/21, as recommended by Diane Muffitt, chair.

Background Information:
attached applications

Financial impact expected:none

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Melissa Murphy-Rodrigues	Pending
Jonathan Silverstein	Pending
Robert C. Haarde	Pending
Board of Selectmen	Pending

07/10/2018 6:45 PM

Golden, Patricia

From: muffitt@bandnotes.info
Sent: Friday, May 18, 2018 5:33 PM
To: Selectmen; Rodrigues, Melissa
Cc: Ponds and Waterways Committee; Ursula Lyons
Subject: Thank you and request for approval of two applicants for PWC

First of all, a belated thank you for meeting with Mary, Frank and myself and for your willingness to change our membership requirements to be 5 people with no requirements from other boards. That will help enormously to get us back on track.

Meanwhile, we have had two applicants for positions on the PWC; Marge Keene & Miriam Chandler. Both expressed their interest several months ago, but we couldn't move forward; thankfully, they stuck with it! We believe that they will be a good addition to our committee and recommend that you approve their applications for membership in the Ponds & Waterways Committee.

I have agreed to be acting-chairperson for the PWC in order to get us moving again. Please let me know what will be the next steps in order to bring Marge and Miriam onto the committee and what you need from me.

Thanks for your support.
Diane Muffitt, for the PWC

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StearnsMillPond.blogspot.com

Attachment 17.a: PWC appts_memo (2866 : Appts to Ponds & Waterways Committee)

TOWN OF SUDBURY
APPLICATION FOR APPOINTMENT

BOARD OF SELECTMEN
278 OLD SUDBURY ROAD
SUDBURY, MA 01776

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

Board or Committee Name: Ponds and Waterways

Name: Marjorie J. Keene

Address: 66 Beechwood Ave. Email Address: [REDACTED]

Home phone: [REDACTED] Work or Cell phone: [REDACTED]

Years lived in Sudbury: 47

Brief resume of background and pertinent experience:

I have spent a great deal of time kayaking on rivers and lakes in New England. I realize the importance of stewardship.

Municipal experience (if applicable):

Educational background: Bachelor of Science in Education

Reason for your interest in serving: - I have enjoyed the Lakes, Rivers and would enjoy participating on this Committee.

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

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

No

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

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

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

Signature Marjorie J. Keene Date 5/08/2018

TOWN OF SUDBURY
APPLICATION FOR APPOINTMENT

BOARD OF SELECTMEN
278 OLD SUDBURY ROAD
SUDBURY, MA 01776

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

Board or Committee Name: Ponds and Waterways Committee

Name: Miriam Chandler

Address: 27 Crystal Lake Dr., Sudbury, MA

Email Address: [REDACTED]

Home phone: [REDACTED]

Work or Cell phone: [REDACTED]

Years lived in Sudbury: 35

Brief resume of background and pertinent experience:

We moved within the Pine Lakes neighborhood 14 years ago in order to live directly on Crystal Lake. The move renewed my interest in native plants and led me to earn a Certificate in Native Plant Studies from The New England Wildflower Society. I have continued to take classes there and have become a Plant Conservation Volunteer and a Horticultural Volunteer.

Municipal experience (if applicable):

I am a retired kindergarten teacher if that counts.

Educational background:

BS in Plant Science (UNH), Masters in Early Childhood Education (Lesley College), Certificate in Native Plant Studies (New England Wildflower Society)

Reason for your interest in serving:

I care deeply about the natural environment and wish to take on a more active role in protecting our ponds and waterways for future generations. In particular I am concerned about fertilizer, pesticide and road salt runoff.

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

I am flexible.

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

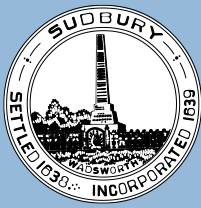
No

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

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

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

Signature Miriam Chandler Date 5-7-18



SUDBURY BOARD OF SELECTMEN
Tuesday, July 10, 2018

CONSENT CALENDAR ITEM

18: Minutes approval

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Vote to approve the regular session minutes of 6/5/18.

Recommendations/Suggested Motion/Vote: Vote to approve the regular session minutes of 6/5/18.

Background Information:
attached draft

Financial impact expected:n/a

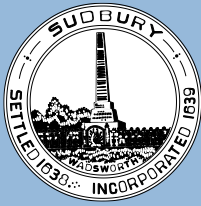
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Melissa Murphy-Rodrigues	Pending
Jonathan Silverstein	Pending
Robert C. Haarde	Pending
Board of Selectmen	Pending

07/10/2018 6:45 PM



SUDBURY BOARD OF SELECTMEN
Tuesday, July 10, 2018

CONSENT CALENDAR ITEM
19: Eagle Scout Recognition troop 63

REQUESTOR SECTION

Date of request:

Requestor: Kate Marchand, Boy Scout troop 63

Formal Title: Vote to enter into the Town record and congratulate Daniel Paul Griffith, Liam Karl Huston, and Daniel Avishai Stutman, of Boy Scout Troop 63 for having achieved the high honor of Eagle Scout.

Recommendations/Suggested Motion/Vote: Vote to enter into the Town record and congratulate Daniel Paul Griffith, Liam Karl Huston, and Daniel Avishai Stutman, of Boy Scout Troop 63 for having achieved the high honor of Eagle Scout.

Background Information:
attached request

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Melissa Murphy-Rodrigues	Pending
Jonathan Silverstein	Pending
Robert C. Haarde	Pending
Board of Selectmen	Pending

07/10/2018 6:45 PM

Golden, Patricia

From: Rodrigues, Melissa
Sent: Thursday, July 05, 2018 2:59 PM
To: Board of Selectmen
Subject: Fwd: Troop 63, Court of Honor, 8/

Sent from my iPhone

Begin forwarded message:

From: Kate Marchand <katemarchand@hotmail.com>
Date: July 5, 2018 at 1:53:59 PM EDT
To: "Rodrigues, Melissa" <RodriguesM@sudbury.ma.us>, Town Manager
 <TownManager@sudbury.ma.us>
Subject: Re: Troop 63, Court of Honor, 8/5/18

Dear Melissa:

On behalf of the Scouts, Leaders and Committee of Troop 63 Sudbury, Massachusetts, it is my pleasure to announce that:

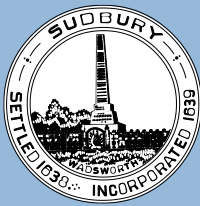
**Daniel Paul Griffith, Liam Karl Huston and
 Daniel Avishai Stutman
 have achieved the rank of Eagle Scout
 and will be recognized at a Court of Honor
 on August 5, 2018 at 4PM.**

Daniel Griffith's project was the organization and cleaning of the exterior of Buddy Dog Humane Society in Sudbury, MA. The largest portion of this work was organizing the animal crates and bins piled outside of the building. Liam Huston's project involved the construction of a wooden kiosk in the Revolutionary War Cemetery in Sudbury, MA, Town Center. The kiosk displays a map of the cemetery separated into five segments which helps visitors to the cemetery to locate the desired gravestone more easily. Daniel Stutman's project was to inform seniors about the risks of the internet and to help them to be more prepared. Seniors are frequently scammed on-line.

Would you be willing to send these worthy Eagle Scouts individual letters of greeting, along with any other items you wish to be presented to them during the Court of Honor? All letters and certificates received for them will be read and displayed for the guests and then presented to them.

You are cordially invited to attend the Eagle Court of Honor which will be assembled to celebrate their achievement. The Eagle Court of Honor will be held at St. Elizabeth's Episcopal Church at 1 Morse Road, Sudbury, MA. on Sunday, August 5, 2018 at 4:00 pm.

Please address letters to the Eagle Scouts listed above and send them in care of the address below. Thank you for helping us to acknowledge these very worthy Scouts.



SUDBURY BOARD OF SELECTMEN

Tuesday, July 10, 2018

MISCELLANEOUS (UNTIMED)

20: Close open session and resume exec session

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: At conclusion of Open Session, vote to resume Exec 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 (Lincoln Lane, Kopelman and Paige, Broadacres Farm), pursuant to General Laws chapter 30A, §21(a)(6).

Recommendations/Suggested Motion/Vote: At conclusion of Open Session, vote to resume Exec 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 (Lincoln Lane, Kopelman and Paige, Broadacres Farm), pursuant to General Laws chapter 30A, §21(a)(6).

Background Information:

Financial impact expected:

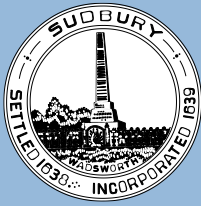
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Melissa Murphy-Rodrigues	Pending
Jonathan Silverstein	Pending
Robert C. Haarde	Pending
Board of Selectmen	Pending

07/10/2018 6:45 PM



SUDBURY BOARD OF SELECTMEN
Tuesday, July 10, 2018

EXECUTIVE SESSION
21: Conclude Exec Session

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Vote to conclude Executive Session and not resume Open Session.

Recommendations/Suggested Motion/Vote: Vote to conclude Executive Session and not resume Open Session.

Background Information:

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Melissa Murphy-Rodrigues	Pending
Jonathan Silverstein	Pending
Robert C. Haarde	Pending
Board of Selectmen	Pending

07/10/2018 6:45 PM