

# SUDBURY BOARD OF SELECTMEN TUESDAY MAY 26, 2020 5:30 PM, TOWN HALL - LOWER LEVEL

Item #	Time	Action	Item
	5:30 PM		CALL TO ORDER
			EXECUTIVE SESSION
1.			Open in Regular Session and immediately vote to enter Executive Session to discuss strategy with respect to potential litigation if an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declares (Eversource), pursuant to General Laws chapter 30A, §21(a)(3).
2.		VOTE	Also to review executive session meeting minutes, pursuant to G.L. c. 30A, § 21(a)(7) "[t]o comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements" ("Purpose 7"), citing to the Open Meeting Law, G.L. c. 30A, §§ 22(f), (g).
3.		VOTE	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
4.			Health Director Bill Murphy and Town Social Worker Bethany Hadvab to provide an update on COVID-19 (15 min).
5.			Discussion on reopening working group. Fire Chief Whalen, Health Director Bill Murphy, and Asst. Town Manager Maryanne Bilodeau to provide update.
6.		VOTE	Interview two applicants for the Historic Districts Commission. Following interview, vote whether to appoint Marlana Voerster, 48 King Philip Road, for a term to expire 1/1/25. Also vote whether to appoint Anuraj Shah, 257 Concord Road, as the Historical Commission designee, for a term to expire 1/1/24.
7.		VOTE	Discussion and vote whether to reappoint the following members of the Sudbury Housing Trust for a two-year term to expire 4/30/2020: Cynthia Howe, 28 Birchwood Avenue, Kelley Cronin, 244 Lincoln

Item #	Time	Action	Item
			Road, and Janie W. Dretler, 286 Goodmans Hill Road.
8.		VOTE	Discussion and vote whether to approve the Town Manager reappointment of Jan Costa, 91 Willard Grant Road, to the Historical Commission for a term to expire 5/31/23.
9.		VOTE	Review Town Meeting articles, possibly take positions on articles, and assign motions and presentations.
10.			Discussion on Board policies
11.		VOTE	Review regular session minutes of 4/28/20, and possibly vote to approve minutes.
12.			Discussion on the Fairbank Community Center/Town Forum.
13.			Citizen's Comments
14.			Upcoming Agenda Items
15.			Discuss topics to be assigned for the Spring 2020 Board of Selectmen Newsletter.
			TIMED ITEMS
16.	8:00 PM	VOTE	Vote to open a joint meeting with Sudbury Housing Authority to vote to appoint Tania Vitvitsky to the SHA Board on a one-year interim basis, effective June 1, 2020, and in accordance with M.G.L. c.41, §11, to coincide with the resignation of Kaffee Kang, current Chairperson, whose term expires 5/31/2021, but who has submitted a letter of resignation, effective May 31, 2020.
17.		VOTE	Vote to close joint meeting with Sudbury Housing Authority and resume Board of Selectmen meeting.
18.	8:30 PM	VOTE	Discussion and possible vote to approve Lincoln-Sudbury Regional High School Excess & Deficiency funds (up to \$337,500 for Stadium Field and up to \$500,000 for unanticipated expenses related to tuition, specialized student services or COVID-19), to request letter of affirmation of apportionment method, and possible discussion about CARES Act applicability to Regional Schools.
19.	9:00 PM	VOTE	Discussion and vote whether to authorize the Town Manager to execute the Regional Housing Services Office (RHSO) IMA 90-day extension to 9/30/20.
			CONSENT CALENDAR
20.		VOTE	Vote to dissolve the Town Manager Search Committee, and send a letter of thanks to all participants for their service to the Town.
21.		VOTE	Vote to adjourn meeting



Tuesday, May 26, 2020

# **EXECUTIVE SESSION**

# 1: Eversource update

## **REQUESTOR SECTION**

Date of request:

Requestor: 30 min

Formal Title: Open in Regular Session and immediately vote to enter Executive Session to discuss strategy with respect to potential litigation if an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declares (Eversource), pursuant to General Laws chapter 30A, §21(a)(3).

Recommendations/Suggested Motion/Vote: Open in Regular Session and immediately vote to enter Executive Session to discuss strategy with respect to potential litigation if an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declares (Eversource), pursuant to General Laws chapter 30A, §21(a)(3).

**Background Information:** 

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting: George Pucci of KP Law, Lori Capone, Conservation Coordinator (?)

Review:

Patty Golden Pending
Maryanne Bilodeau Pending
Jonathan Silverstein Pending
Daniel E Carty Pending



Tuesday, May 26, 2020

## **EXECUTIVE SESSION**

## 2: Exec Session to review minutes

## **REQUESTOR SECTION**

Date of request:

Requested by: Patty Golden

Formal Title: Also to review executive session meeting minutes, pursuant to G.L. c. 30A, § 21(a)(7) "[t]o comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements" ("Purpose 7"), citing to the Open Meeting Law, G.L. c. 30A, §§ 22(f), (g).

Recommendations/Suggested Motion/Vote: Also to review executive session meeting minutes pursuant to G.L. c. 30A, § 21(a)(7) "[t]o comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements" ("Purpose 7"), citing to the Open Meeting Law, G.L. c. 30A, §§ 22(f), (g).

## **Background Information:**

Attached draft executive minutes of 12/04/18 and 1/08/19.

Financial impact expected:

Approximate agenda time requested: 20 minutes

Representative(s) expected to attend meeting:

Review:

Patty Golden Pending
Henry L Hayes Pending
Jonathan Silverstein Pending
Daniel E Carty Pending
Board of Selectmen Pending



Tuesday, May 26, 2020

# **EXECUTIVE SESSION**

**3:** 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
Henry L Hayes Pending
Jonathan Silverstein Pending
Daniel E Carty Pending



Tuesday, May 26, 2020

# MISCELLANEOUS (UNTIMED) 4: COVID-19 update

## **REQUESTOR SECTION**

Date of request:

Requestor: Chairman Carty

Formal Title: Health Director Bill Murphy and Town Social Worker Bethany Hadvab to provide an update on COVID-19 (15 min).

Recommendations/Suggested Motion/Vote: Health Director Bill Murphy and Town Social Worker Bethany Hadvab to provide an update on COVID-19 (15 min).

Background Information:

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden Pending
Henry L Hayes Pending
Jonathan Silverstein Pending
Daniel E Carty Pending



Tuesday, May 26, 2020

# MISCELLANEOUS (UNTIMED)

5: Reopening working group

## **REQUESTOR SECTION**

Date of request:

Requestor: Town Manager Hayes

Formal Title: Discussion on reopening working group. Fire Chief Whalen, Health Director Bill Murphy, and Asst. Town Manager Maryanne Bilodeau to provide update.

Recommendations/Suggested Motion/Vote: Discussion on reopening working group. Fire Chief Whalen, Health Director Bill Murphy, and Asst. Town Manager Maryanne Bilodeau to provide update.

Background Information:

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden Pending
Henry L Hayes Pending
Jonathan Silverstein Pending
Daniel E Carty Pending



Tuesday, May 26, 2020

# MISCELLANEOUS (UNTIMED)

**6: HDC Appointments** 

## **REQUESTOR SECTION**

Date of request:

Requested by: Patty Golden

Formal Title: Interview two applicants for the Historic Districts Commission. Following interview, vote whether to appoint Marlana Voerster, 48 King Philip Road, for a term to expire 1/1/25. Also vote whether to appoint Anuraj Shah, 257 Concord Road, as the Historical Commission designee, for a term to expire 1/1/24.

Recommendations/Suggested Motion/Vote: Interview two applicants for the Historic Districts Commission. Following interview vote whether to appoint Marlana Voerster, 48 King Philip Road, for a term to expire 1/1/25. Also vote whether to appoint Anuraj Shah, 257 Concord Road, as the Historical Commission designee, for a term to expire 1/1/24.

## **Background Information:**

These appointments are replacing Lee Swanson (appt exp Jan 2020) and Linda Hawes (appt exp Jan 2024

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden Pending
Henry L Hayes Pending
Jonathan Silverstein Pending
Daniel E Carty Pending



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

http://www.sudbury.ma.us

May 8, 2020

Mr. Dan Carty Chair, Sudbury Select Board 278 Old Sudbury Road Sudbury, MA 01776

Dear Dan,

I'm writing to let you know that at our meeting last night, the Sudbury Historic District Commission voted 4-0 to recommend Marlana Voerster to become a new member of the board. If appointed, Marlana will fill Lee Swanson's position.

The Commission also voted 4-0 to endorse the Sudbury Historic Commission recommendation for Anu Shaw to become a new member of the board. If appointed, Anu will fill Linda Hawes' position.

The Town owes a huge debt of gratitude to both Linda and Lee. In their capacity as HDC members and in Lee's case, Town Historian as well, both have served for many years to preserve Sudbury's history—too many years, in fact, for any of us to know the exact number. When times are better, we will arrange a tribute to them. I will keep you informed.

Kind regards,

Fred Taylor HDC, chair

6.b

#### COVID-19 Information & Updates

Annual Town Election Rescheduled for Tuesday, June 23, 2020

News Documents Meetings Members FAQs Links

# **Members**

Members								
Name	Position	Address	Term	End Date	Appointed By			
Linda G. Hawes	Member	38 King Philip Road	5	01/01/2024	Selectmen			
Frank W. Riepe	Member	54 New Bridge Road	5	01/01/2021	Selectmen			
William S. Andreas	Member	29 King Philip Rd	5	01/01/2022	Selectmen			
Lee F. Swanson	Member	55 Hudson Rd	5	01/01/2020	Selectmen			
Frederick E. Taylor	Chairman	38 Cider Mill Rd	5	01/01/2023	Selectmen			

**<u> Email this Page</u>** 

Back to Historic Districts Commission

# Historic Districts Commission

Interested in serving on this committee?

<u>Appointment Application</u>

Mission Statement:

The purpose of the Historic Districts
Commission is to preserve and protect
buildings, places and other areas of historic or
architectural significance. The four historic
districts currently in existence - The Town
Center, The Wayside Inn District, the King Philip
District and the George Pitts Tavern District are subject to restrictions and controls under
Chapter 40 of the Acts of 1963 administered by
the Historic Districts Commission.

These specific guidelines include exterior architectural and color features of building, landscaping, stone walls, signs, etc., located within an historic district.

The Historic Districts Commission consists of five members who are appointed by the Board of Selectmen:

- One (1) registered architect (if none available, a person the Selectmen deem qualified)
- Three (3) registered voters living in the a Historic District (if possible)
- One (1) (of two (2) nominees) by the Historical Commission

## Contact

#### Hours

Monday, Wednesday, & Thursday:

AM - 4:00 PM

Tuesday: 8:30 AM - 7:00 PM

Friday: 8:30 AM - 12:30 PM

Email: HistoricDistricts@sudbury.ma.us

**Phone:** (978) 639 - 3389 **Building:** Flynn Building 278 Old Sudbury Road Sudbury, MA01776



## **Related Departments**

Counterpart Committees

- Informational Historic Articles
- Town Historian
- Historical Commission

8:30

# Golden, Patricia

From: cldh7@aol.com

**Sent:** Thursday, April 16, 2020 10:27 PM

To: Board of Selectmen; Schineller, Bill; Bilodeau, Maryanne; Town Manager

**Cc:** Historic Districts Commission; fmrdm1@gmail.com; Duchesneau, Adam; anuraj.d.shah@gmail.com;

**Historical Commission** 

**Subject:** SHC nominee for the Select Board to appoint to the SHDC **Attachments:** Shah HDC Application1.pdf; AnurajShah Resume 041620.pdf

Dear Select Board,

The Sudbury Historical Commission (SHC) at its posted meeting dated April 16, 2020, interviewed Anu Shah based on his application and expressed interest in being considered by the SHC for our nominee to be appointed by the Select Board to the Sudbury Historic District Commission. By a unanimous vote of 7-0, the SHC voted to highly recommend Anu for this appointment based on his qualifications and experience in the field of architecture and his knowledge of historic homes and the fact that he currently resides in a historic district.

Thank you,

Chris Hagger Chair - SHC

07.09

Education	2003	Harvard University Graduate School of Design - Cambridge, MA Master of Architecture
	1998	Williams College – Williamstown, MA Bachelor of Arts with Honors in Studio Art
Professional Experience	01.20- Present	<b>Shelter Design Studio, Inc.</b> – Sudbury, MA – <i>President</i> Designing thoughtful and innovative homes while guiding homeowners through project budgeting, scheduling, and construction. Setting proper expectations to ensure that project goals are met.
	01.19- 12.19	Shepherd PMC – Somerville, MA – <i>Partner</i> Owners representatives in residential design and construction. We shepherd owners, architects, and builders to create homes that inspire. We use our experience to guide and represent owners through all phases of their projects from conceptual planning, budgeting, pre-design, and scheduling, through design, construction, project delivery, and long-term maintenance. We create teams to work in harmony to exceed the owners' goals. We deliver value for owners while ensuring success for consultants and contractors.
	09.14- 01.19	Cutting Edge Homes, Inc. – Ashland, MA – Chief Designer / Chief Operating Officer Introduced systems and processes to a quickly growing design build company. Hired and trained new construction team. Hired a new design team and brought design in house. Increased the quality of design and construction to a very high level while increasing profitability. Responsibilities included managing the overall company operations and strategies; managing the design team and construction management team; high level management across all projects; conceptual design and design detailing across all projects; client, subcontractor, and employee relations; future strategies; sales and marketing support
	09.13- 08.14	Crosby Real Estate – Boston, MA – Real Estate Project Manager  Managed design and construction projects for the private residences of a highly private, high net worth extended family. Responsible for representing the owner through all phases of construction from pre-design through project closeout. Responsibilities included feasibility studies, preliminar budgets, design and design review, engineering review, project budgets and funding reports, cost tracking, client and trust reporting and communication, design and construction team coordination, and contract negotiations and management.
	02.10- 08.13	Gilman Guidelli & Bellow Company – Somerville, MA – <i>Project Manager</i> Managed residential construction projects. Responsible for client and architect communication, subcontractor relations, estimating, purchasing, contracts, subcontracts, project finances, project coordination, project staffing, and project schedules.  Projects:  Bullerjahn Residence addition and complete renovation, Marion, MA – <i>Project Manager</i> Clements-Heselton Residence addition and renovation, Concord, MA – <i>Project Manager</i> Hresko Residence addition and renovation, Brookline, MA – <i>Project Manager</i> Gullickson Residence conservatory addition, Jamaica Plain, MA – <i>Project Manager</i> Responsible for design and construction Tobias Residence addition and renovation, Newton, MA – <i>Project Manager</i> Falk Residence complete reconstruction, Marblehead, MA – <i>Project Manager</i> LEED for Homes Silver
	06.06-	Negroponte-Porter Residence renovation, Cambridge, MA – <i>Project Manager</i> Beir Residence den addition and renovation, Winchester, MA – <i>Project Manager/Supervisor</i> Marc Truant & Associates, Inc. – Cambridge, MA – <i>Project Manager</i> Managed multifected institutional and residential construction projects. Performed pro-

Managed multifaceted institutional and residential construction projects. Performed preconstruction services, bidding, marketing, and business development. Responsible for client

communication, subcontractor relations, purchasing, contracts, subcontracts, project finances, project coordination, and project schedules.

Projects:

04.06

First Baptist Church Reconstruction, Jamaica Plain, MA - Project Manager Collaborated with Owner and Architect to develop budget conscious scope and phasing for the reconstruction of a fire ravaged, historic church. Managed complex phases of construction.

1131 Massachusetts Ave. Hotel Pre-Construction, Cambridge, MA – Project Manager Strano Lab, MIT Building 66, Cambridge, MA – Project Manager Yildiz Lab, MIT Building NW13, Cambridge, MA – Project Manager Gradecak Lab, MIT Building 13, Cambridge, MA – Project Manager 172 Beacon Street Residence, Boston, MA – Project Manager

11.04-**Anmahian Winton Architects** – Cambridge, MA – *Project Designer* 

Designed residential projects. Collaborated with clients and principal to develop and implement scope. Managed and produced presentation materials and documentation through all phases of design and construction. Responsible for client communication and construction administration. Coordinated with engineers, consultants, and contractors. Projects:

Suzman Residence new construction, Austerlitz, NY – Project Designer Maes-Sims Residence renovation, Cambridge, MA – Project Designer Conway Residence new construction, Telluride, CO – Design Development Team

07.02 -Hashim Sarkis Architecture & Urban Design – Cambridge, MA – Project Designer 11.04 Designed residential and institutional projects. Produced presentation materials and documentation through all phases of design and construction. Responsible for client communication and construction administration. Coordinated with engineers, consultants, and contractors. Worked on four-person team to create new office identity and structure. Projects:

> Al-Baqaa' Housing Cooperative, Tyre, Lebanon – Project Designer Boston Society of Architects/AIA 2008 Design Award

Dana House addition and renovation, Cambridge, MA – Project Designer/Manager R. Moawad Foundation: Community Center, Medilaya, Lebanon – Project Designer Competition:

ELEMENTAL: Low-Income Housing, Chile – Design Team Honorable Mention

Summer	Dennis wedner Architect – New York, N Y Basan, CO – Stajj Designer
2001	Assisted with design development, produced construction documents, reviewed shop
2000	drawings, coordinated with engineers, and assisted with construction administration
	and client communication for a major developer. Worked closely with principal on
06.98-	schematic design of several single-family homes. Assisted with the establishment of a
08.99	new office in Basalt, CO.
	Projects:
08.97	Boundary Townhomes: River Valley Ranch, Carbondale, CO
	Westside Homes: River Valley Ranch, Carbondale, CO
	Competition:

Donnis Wadliak Anabitaat Navy Vark NV/Pagalt CO

#### 1999-Personal Work

Designed and produced various works of art and architecture Present Projects:

Airport Ranch: Subsidized Housing, Aspen, CO

Personal Residence, Sudbury, NY Private Residence, Tuftonboro, NH Private Residence, Malden Bridge, NY Private Residence, Slingerlands, NY Dream House in 350 SF, New York, NY House for a Tree, Malden Bridge, NY

Related Experience	11.19- Present	<b>Town of Sudbury</b> – Sudbury, MA – Associate Member Planning Board
	10.19- Present	<b>Town of Sudbury</b> – Sudbury, MA – <i>Member at Large</i> Community Preservation Committee
	02.20- Present	<b>Town of Sudbury</b> – Sudbury, MA – <i>Member</i> Permanent Building Committee
	09.01- 02.03	Harvard University Graduate School of Design – Cambridge, MA – Teaching Assistant "Analysis and Design of Building Structures I" – Professor Martin Bechthold
		"Analysis and Design of Building Structures II" – Professor Martin Bechthold
	09.96- 06.98	Williams College – Williamstown, MA – <i>Teaching Assistant</i> "Sculpture: Cardboard and Wood Plus" – Professor Amy Podmore "Sculpture: Metal and Plaster Plus" – Professor Amy Podmore
Associations	2007- 2010	Associated General Contractors of Massachusetts – Wellesley, MA Young Contractors Council Executive Committee
	2007- 2010	<b>Boston Society of Architects/AIA</b> – Boston, MA Emerging Professionals Network
Skills		Timberline, Microsoft Project, Microsoft Office Suite, Adobe Photoshop, Adobe Illustrator, Adobe Acrobat, AutoCAD (2D and 3D), VectorWorks, FormZ, 3D Studio Max, SketchUp
Honors Awards Publications Exhibitions	2019 2019 2017 2015 2011 2010 2008 2008 2003 2002 2001 2001 2001 1999 1998	NARI CotY Gold Award – Residential Addition \$200,000 and Over – Wellesley Residence NARI CotY Silver Award – Entire Home \$500,000 and Over – Lincoln Residence NARI CotY Silver Award – Entire Home \$500,000 and Over – Newton Residence NARI CotY Gold Award – Residential Kitchen \$150,000 and Over – Brookline Residence Guest Critic: Rhode Island School of Design, Providence, RI Exhibition: <i>Untitled</i> , Solo Show, Phoenix Gallery, New York, NY Award: <i>BSA/AIA Design Award</i> under Hashim Sarkis Architecture & Urban Design Guest Critic: Boston Architectural College, Boston, MA  Guest Critic: Harvard GSD Career Discovery, Cambridge, MA Guest Critic: Harvard GSD Career Discovery, Cambridge, MA Exhibition: <i>Studio Works 2000-2001</i> , Gund Hall Gallery, Harvard GSD, Cambridge, MA Publication: <i>Studio Works 9</i> , Harvard GSD  Publication: "House for a Tree", New York Times: House and Home Jan. 18, 2001 Guest Critic: Williams College, Williamstown, MA Award: <i>Hubbard Hutchinson 1917 Memorial Fellowship</i> for excellence in fine arts
	1998 1998 1997	Award: Berkshire Art Association Fellowship for excellence in fine arts Exhibition: The Senior Show, Williams College Museum of Art, Williamstown, MA Exhibition: Untitled, Solo Show, Spencer Art Gallery, Williams College, Williamstown, MA

# **TOWN OF SUDBURY** APPLICATION FOR APPOINTMENT

**BOARD OF SELECTMEN** 278 OLD SUDBURY ROAD SUDBURY, MA 01776

FAX:

E-MAIL:

(978) 443-0756 selectmen@sudbury.ma.us

Board or Committee Name: Historic Districts Comm	nission
Name: Anuraj Shah	
Address: 257 Concord Rd.	Email Address;
Home phone:	Work or Cell phone:
house in the Town Center Historic District, which I renow challenges of adapting a historic structure for contemporative structure. I also understand to cost burden associated methods for preservation.  Municipal experience (if applicable):  Associate member, Planning Board  At-large member, Community Preservation Committee  Member, Permanent Building Committee  Educational background:  Please see attached resume:  BA with Honors - Williams College  Master of Architecture - Harvard University Graduate School of Desig  Reason for your interest in serving:  The Historic Districts provide a lot of appeal in Sudbury, yet h like to help guide our districts' adaptation to modern life while  Times when you would be available (days, evening:  My schedule is flexible.	In a din architecture and construction. I also live in a historic vated and continue to renovate. I understand the rary use while preserving the architectural significance of ead with historic homes and understand budget oriented in a storic structures are challenging for contemporary life. I would be ensuring that the towns significant architectural history is not lost.
AS (Initial here that you have read, understand	nd and agree to the following statement)
I agree that I will conduct my committee activities i	ance of the committee's mission statement; and further, n a manner which is compliant with all relevant State mited to the Open Meeting Law, Public Records Law, to of Conduct for Town Committees.
	r appointment to the Board or Committee listed above.
Signature Inwyllh	Date 04/16/20

# 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 Comr	nittee Name: Historic Districts Comm	mission
Name: Marlana Voer	ster	
Address: 48 King Ph		Email Address:
Home phone:		Work or Cell phone:
Years lived in Su	dburv: 3.5	
	ackground and pertinent experie	ence:
My professional exp Pertinent to this Con house is in very rou	perience is in sales and marketing, and mmission, 3.5 years ago I purchased a gh condition, and since the sale I have	d I am currently the Director of Global Marketing at Alira Health. a home (built in 1800) in Sudbury's King Philip District. The e been working to renovate it. As part of the renovation, I have ing inspector for needed permissions and permits.
Municipal experie	ence (if applicable):	
While not a municipal bo	dy, I serve as the Marketing and Communication	ons Director for the MetroWest Life Sciences Network (part of the MW Chamber o work with the board to spread awareness and build the MWLSN community.
Educational back	ground:	
Emerson College, E	BFA in Writing, Literature & Publishing	, Boston, MA ost-grad Certificate in Management, Sydney, Australia
Reason for your i	nterest in serving: oice of partnership in the group. Someone who has be	en through extensive renovations to save a structure in peril, understands what homeowners rith them to find a solution that fits their needs while respecting the historical aspects of the
Times when you	would be available (days, evenir	ngs. weekends):
	le evenings after 7pm.	
		business dealings with the Town? If yes, please explain:
No		
MV (Initial	here that you have read, underst	tand and agree to the following statement)
I agree that I will and Local laws ar	conduct my committee activities and regulations, including but not	erance of the committee's mission statement; and further, s in a manner which is compliant with all relevant State limited to the Open Meeting Law, Public Records Law, and of Conduct for Town Committees.
I hereby submit n	ny application for consideration	for appointment to the Board or Committee listed above.
Signature7/	Narlana Voerster	Date 11/19/19



Tuesday, May 26, 2020

# MISCELLANEOUS (UNTIMED)

# 7: Sudbury Housing Trust reappointments

## **REQUESTOR SECTION**

Date of request:

Requested by: Patty Golden

Formal Title: Discussion and vote whether to reappoint the following members of the Sudbury Housing Trust for a two-year term to expire 4/30/2020: Cynthia Howe, 28 Birchwood Avenue, Kelley Cronin, 244 Lincoln Road, and Janie W. Dretler, 286 Goodmans Hill Road.

Recommendations/Suggested Motion/Vote: Discussion and vote whether to reappoint the following members of the Sudbury Housing Trust for a two-year term to expire 4/30/2020: Cynthia Howe, 28 Birchwood Avenue, Kelley Cronin, 244 Lincoln Road, and Janie W. Dretler, 286 Goodmans Hill Road.

## **Background Information:**

Attached list of Housing trust members and memo from Adam Duchesneau, Director of Planning and Community Development.

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden Pending
Henry L Hayes Pending
Jonathan Silverstein Pending
Daniel E Carty Pending

# **Town of Sudbury**

# **Housing Trust**

HousingTrust@sudbury.ma.us

Flynn Building 278 Old Sudbury Road Sudbury, MA 01776 978-639-3387 Fax: 978-639-3314

www.sudbury.ma.us/housingtrust

May 8, 2020

Mr. Daniel E. Carty, Chair Board of Selectmen Flynn Building 278 Old Sudbury Road Sudbury, MA 01776

Re: Cynthia Howe, Kelley Cronin, and Janie Dretler Appointment to Sudbury Housing Trust

Dear Chair Carty,

At their meeting on May 7, 2020, the Sudbury Housing Trust voted unanimously, 4-0, to recommend to the Board of Selectmen appoint Cynthia Howe, Kelley Cronin, and Janie Dretler to the Sudbury Housing Trust.

Therefore, I am writing to recommend the Board of Selectmen appoint Ms. Howe, Ms. Cronin, and Ms. Dretler to the Sudbury Housing Trust, and to request the Board of Selectmen consider this recommendation at an upcoming meeting.

Please do not hesitate to contact me if you have any questions about these candidates. Please advise if you think interviews with the candidates will be necessary. Thank you.

On behalf of the Sudbury Housing Trust,

Adam L. Duchesneau, AICP

Director of Planning & Community Development

cc: Sudbury Housing Trust

8:30

### COVID-19 Information & Updates

Annual Town Election Rescheduled for Tuesday, June 23, 2020

News Documents Meetings Members FAQs Links

# **Members**

Members								
Name	Position	Address	Term	End Date	Appointed By			
Carmine Gentile	Member	33 Surrey Ln	2	04/30/2021	Selectmen			
Kelley Cronin	Member	244 Lincoln Road	2	04/30/2020	Selectmen			
John Riordan	Member	12 Pendleton Rd	2	04/30/2022	Selectmen			
Kaffee Kang	Member	96 Old Garrison Road	2	04/30/2020	Selectmen			
Janie W. Dretler	Member	286 Goodmans Hill Rd	2	04/30/2020	Selectmen			
Cynthia Howe	Chairman	38 Birchwood Ave	2	04/30/2020	Selectmen			

- <u> Email this Page</u>
- **Back to Sudbury Housing Trust**

## **Sudbury Housing Trust**

Interested in serving on this committee?

<u>Appointment Application</u>

The purpose of the Sudbury Housing Trust is to provide for the creation and preservation of affordable housing in the Town of Sudbury for the benefit of low and moderate income households.

The Trust implements the recommendations set forth in the Sudbury Community Housing Plan to the purpose of aiding the Town of Sudbury, private enterprises and non-profit organizations, and other public agencies in the speedy and orderly acquisition, rehabilitation, renovation, construction, financing or refinancing of property within the Town of Sudbury so that such property will be substantially available as residential property for low and moderate income persons and to further provide mechanisms to ensure such use.

## Contact

#### Hours:

Monday, Wednesday, & Thursday:

AM - 4:00 PM

Tuesday: 8:30 AM - 7:00 PM Friday: 8:30 AM - 12:30 PM

**Email:** housingtrust@sudbury.ma.us **Phone:** (978) 639 - 3387

Fax: (978) 443 - 0756 Building: Flynn Building 278 Old Sudbury Road Sudbury, MA01776



# Related Departments

**Counterpart Committees** 

• Community Housing Office

### Recent News

Small Grant Program Information May 10, 2020

Remote Participation for Meetings Under Emergency Order April 7, 2020

<u>Sudbury Housing Inventory Projections for 2020</u> <u>and beyond</u> November 21, 2016

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Tuesday, May 26, 2020

# MISCELLANEOUS (UNTIMED)

# 8: Historical Commission reappointment

## **REQUESTOR SECTION**

Date of request:

Requestor: Commission chair

Formal Title: Discussion and vote whether to approve the Town Manager reappointment of Jan Costa, 91 Willard Grant Road, to the Historical Commission for a term to expire 5/31/23.

Recommendations/Suggested Motion/Vote: Discussion and vote whether to approve the Town Manager reappointment of Jan Costa, 91 Willard Grant Road, to the Historical Commission for a term to expire 5/31/23.

**Background Information:** 

attached memo from Historical Commission chairman

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden Pending
Henry L Hayes Pending
Jonathan Silverstein Pending
Daniel E Carty Pending

#### COVID-19 Information & Updates

Annual Town Election Rescheduled for Tuesday, June 23, 2020

News Documents Meetings Members Links

# **Members**

Members					
Name	Position	Address	Term	End Date	Appointed By
Christopher Hagger	Chairman	233 Nobscot Rd	3	05/31/2021	Town Manager
Diana E. Warren	Member	32 Old Framingham Rd	3	05/31/2021	Town Manager
Diana P. Cebra	Member	20 Metacomet Way	3	05/31/2022	Town Manager
Fred Bautze	Associate	482 Peakham Rd	3	05/31/2022	Town Manager
Jan Costa	Member	91 Willard Grant Rd	3	05/31/2020	Town Manager
Steven Greene	Member	36 Elaine Rd	3	05/31/2023	Town Manager
Marjorie Katz	Member	66 Austin Rd	3	05/31/2022	Town Manager
Taryn Trexler	Member	253 Concord Rd	3	05/31/2022	Town Manager

Email this Page

**Back to Historical Commission** 

# **Historical Commission**



Hosmer House Video Tour click on photo

Interested in serving on this committee?

<u>Appointment Application</u>

The Sudbury Historical Commission, established by a special town meeting vote in 1968 and acting under Section 8D of Chapter 40 of the General Laws of the Commonwealth for the preservation, protection and development of the historical or archaeological assets of the Town, has jurisdiction over all aspects of historic buildings and structures, and properties currently owned by the town, or any such facilities that might be acquired. Currently these include the Hosmer House and Loring Parsonage, along with the Haynes Garrison site on Water Row, Revolutionary War Training Field on Old County Road and the Revolutionary War Cemetery in the center of town.

The Sudbury Historical Commission is also responsible for administering the <u>Demolition Delay Bylaw</u> passed by the Town of Sudbury in 2004 which enables the Sudbury Historical Commission to require a six month delay in demolition of buildings deemed to be of historical significance. It is headquartered at Hosmer House which was given to the Town by Miss Florence Hosmer to honor her father. The building remains exclusively as a memorial to the Hosmer Family and houses a collection of their memorabilia, plus 497 of Miss Hosmer's paintings.

The Historical Commission is made up of 7 members, with special interest and knowledge of historical preservation, who are appointed by the Town Manager, subject to the approval of the Board of Selectmen.

Hosmer House Brochure

### Contact

Email: historical@sudbury.ma.us
Phone: (978) 639 - 3346
Building: Hosmer House
299 Old Sudbury Road
Sudbury, MA01776

# Golden, Patricia

From: cldh7@aol.com

**Sent:** Thursday, April 16, 2020 10:51 PM

**To:** Board of Selectmen; Schineller, Bill; Bilodeau, Maryanne; Town Manager

**Cc:** Duchesneau, Adam; Historical Commission

**Subject:** Reappointment of Jan Costa

Dear Select Board,

The Sudbury Historical Commission (SHC) at its posted meeting dated April 16, 2020, discussed the reappointment of Jan Costa to our Commission. Her current term ends in June 2020. By a unanimous vote of 7-0, the SHC voted to highly recommend Jan for this reappointment based on her past strong support of our Commission's work including in part serving as our representative for the recent Town Wide Planning effort, the Town Manager Search Committee and her role as our Treasurer.

Thank you,

Chris Hagger Chair - SHC



Tuesday, May 26, 2020

# **MISCELLANEOUS (UNTIMED)**

# 9: Town Meeting action

## **REQUESTOR SECTION**

Date of request:

Requested by: Patty Golden

Formal Title: Review Town Meeting articles, possibly take positions on articles, and assign motions and

presentations.

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

**Background Information:** 

Attached list containing articles not yet voted on. This is in Town Meeting warrant format.

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden Pending
Henry L Hayes Pending
Jonathan Silverstein Pending
Daniel E Carty Pending
Board of Selectmen Pending

# Article Title	Sponsor/ Submitted by	Article Presenter	BOS Position	FinCom Position	Report BOS position at ATM	Funding Source	Requested Amount	-	Consent Calendar	
IN MEMORIAM RESOLUTION	Submitted by	Tresenter	1 03161011	1 03101011	at Allvi	Jource	Amount	Vote	Calcilaai	
FINANCE/BUDGET										
1 Hear Reports	BOS			n/a		n/a	n/a	Majority		
2 FY20 Budget Adjustments	BOS			n/a		Free Cash		Majority		
3 FY21 Budget	Town Mgr			2-4		Various	\$105,664,852	Majority		
4 FY21 Capital Budget	Town Mgr			3-2-1		Free Cash	\$672,076			
5 FY21 Transfer Station Enterprise Fund Budget	Town Mgr					Enterprise Receipts	\$429,978	Majority		
6 FY21 Pool Enterprise Fund Budget	Town Mgr					Enterprise Receipts	\$473,559	Majority		
FY21 Recreation Field Maintenance Enterprise 7 Fund Budget	Town Mgr					Enterprise Receipts	\$253,633	Majority		
8 FY20 Snow & Ice Transfer	Town Mgr					Free Cash	\$115,000	Majority		ESTIMAT ED
9 Unpaid Bills	Town Accountant					n/a	n/a	Four-fifths		
10 Chapter 90 Highway Funding	DPW Director		5-0 support			n/a	n/a	Majority	х	
11 Stabilization Fund	BOS			8-0		Free Cash	\$40,496	Majority		
12 Goodnow Library Services Revolving Fund (new)	Library Director		5-0 support			n/a	n/a	Majority	х	
13 FY21 Revolving Fund limits	BOS					n/a	n/a	Majority	Χ?	
14 Capital Stabilization Fund	Town Mgr					Free Cash	\$250,000	Majority		
15 Fund Litigation Costs - Eversource	Town Mgr					Free Cash	\$150,000	Majority		ESTIMAT ED
Post-Employment Health Insurance Trust 16 Funding	Town Mgr					HI Trust Fund	\$211,867			
17 CSX Corridor	BOS					Debt Excl		Two-thirds if borrowed		
Fairbank Community Center Design and 18 Construction Funds	BOS			4-4		Debt Excl	\$28,832,000	Two-thirds if borrowed		
19		V	VITHDRAW	'N	_		_	_		

						Report					
						BOS					
		Sponsor/	Article	BOS	FinCom	position	Funding	Requested	Required	Consent	
#	Article Title	Submitted by	Presenter	Position	Position	at ATM	Source	Amount	Vote	Calendar	
							Overlay; Fr				
							Cash; sale of				ł
	Construction of Housing/Living Addition - Fire						old police		Two-thirds if		ł
20	Station #2	Fire Chief					station	\$4.1M	borrowed		
	CAPITAL ARTICLES										
				5-0	8-0; CIAC 4-						ł
21	Purchase Fire Dept. Ambulance	Fire Chief		support	0		RRA	\$340,000	Majority		
				4-0							
22	Dutton Road Bridge Project - Easements	DPW Director		support					Majority	х	
23		-	V	VITHDRAW	/N					-	
							Free Cash/TS				
24	Front End Loader with Plow	DPW Director		IP	8-0		Ent Fund	\$230,000	Majority		
25	Roadway Drainage Improvements	DPW Director			8-0		Free Cash	\$120,000	Majority		1
26	Old Sudbury Road Culvert Design	DPW Director			8-0		Free Cash	\$100,000	Majority		
27	Multi-purpose Sidewalk Tractor	DPW Director		IP	8-0		Free Cash	\$195,000	Majority		
28	Dump Truck with Plow	DPW Director			2-4		Free Cash	\$110,000	Majority		
	One-Ton Dump Truck with Plow, Spreader and										
29	Wing	DPW Director			2-4		Free Cash	\$140,000	Majority		
	6-Wheel Combo Body Dump Truck with Plow										
30	and Spreader	DPW Director			2-4		Free Cash	\$260,000	Majority		
	·							· · · · · ·			
31	Sudbury Public Schools Surveillance Cameras	SPS Committee			8-0		Free Cash	\$261,023	Majority		
	,						Free Cash/	. , -	, , , , , , , , , , , , , , , , , , ,		
	Sudbury Public Schools Playground						grants/old				l
	Improvement	SPS Committee			8-0		articles	\$333,000	Majority		l
	Sudbury Public Schools Non-resident Tuition			5-0				, ,	, ,,		
33	Fund	SPS Committee			8-0		n/a	n/a	Majority	Х	l
	Authorize BOS to petition for an additional			-			,	, «	.,,,		
	alcohol pouring license for Meadow Walk			4-0							l
34	development	BOS			n/a		n/a	n/a	Majority	х	ĺ
<u> </u>	Acceptance of Provisions of the Massachusetts			22,000.0	, «		, -	11,4	,	,,	
	Veterans' Brave Act M.G.L. Chapter 59, Sect. 5,			5-0							ĺ
35	clause twenty-second H	Board of Assessors			8-0		n/a	Annual RE Tax	Majority	х	l
	diadae twenty second in	Podia 01 733633013	l	Support	<u> </u>	l	11/ u	Allinual IVE Tax	iviajority	<u>'</u>	<u> </u>

						Report BOS					
#	Article Title	Sponsor/ Submitted by	Article Presenter	BOS Position	FinCom Position	position at ATM	Funding Source	Requested Amount	Required Vote	Consent Calendar	
Ħ	Addition of Associate Member to the Historic	Submitted by	riesentei	5-0	Position	at Alivi	Source	Amount	Vote	Calelluai	
36	Districts Commission	HDC		"	n/a		n/a	n/a	Majority	х	
37	Amend Zoning Bylaw, Article IX: Remove Section 4800. Temporary Moratorium on Marijuana Establishments and insert Section 4800. Solar Energy Systems	Planning Board			n/a		n/a	n/a	Two-thirds		
	Amend Zoning Bylaw, Article IX: Insert Section 5600. Inclusion of Affordable Housing	Planning Board			n/a		n/a	n/a	Two-thirds		
	CONSERVATION COMMISSION ARTICLES										
39	Exchange of Real Property - Brimstone lane parcels	ConComm					n/a	n/a	Two-thirds		
40	Transfer Care & Custody of Town-Owned Water Row parcel to Conservation Commission (H11- 401)	ConComm		5-0 support			n/a	n/a	two-thirds		
	Transfer Care & Custody of Town-Owned Water Row parcel to Conservation Commission (H11- 305)	ConComm		5-0 support			n/a	n/a	two-thirds		
	CPC ARTICLES			оприст			,	, c			
42	Community Preservation Fund - Historic Resource Inventory Survey	СРС		5-0 support			CPA Receipts	\$30,000	Majority		
43	Community Preservation Fund - Removal of Invasive Species from King Philip Woods	СРС		5-0 support			CPA Receipts	\$47,000	Majority		
44	Community Preservation Fund - Design of Wayside Inn Road Bridge over Hop Brook	СРС		5-0 support			CPA Receipts	\$125,000	Majority		
45	Community Preservation Fund - Remediation of Water Chesnuts from Hop Brook Pond System	СРС		5-0 support			CPA Receipts	\$180,000	Majority		
46	Community Preservation Fund - Sudbury Housing Authority Acquisition, Creation, Preservation, and support of Affordable Rental	CDC		5-0			CDA Possints	¢250,000	Majority		
46	Housing	CPC		support			CPA Receipts	\$259,000	iviajority		

#	Article Title	Sponsor/ Submitted by	Article Presenter	BOS Position	FinCom Position	Report BOS position at ATM	Funding Source	Requested Amount	Required Vote	Consent Calendar	
	Community Preservation Fund - Regional Housing Services Office (RHSO) membership fee	CPC		5-0 support			CPA Receipts	\$30,000	Majority		
	Community Preservation Fund - Library Historic	G. C		5-0			ci / i iledelpts	<del>, , , , , , , , , , , , , , , , , , , </del>	Majority		
48	Room Conversion	СРС		support			CPA Receipts	\$150,000	Majority		İ
	Community Preservation Fund - Reversion of			5-0							
49	Funds	CPC		support				\$46,333	Majority		
	Community Preservation Fund - General Budget			5-0							İ
$\vdash$	and Appropriations	CPC		support			CPA Receipts	\$2.59M	Majority		<u> </u>
	PETITION ARTICLES										<u> </u>
	Acquire ¼ mile of CSX Corridor (Station Rd to Rt								Two-thirds. If		1
	20)	Simon							borrowed		<b> </b>
52	Expedite completion of BFRT	Simon					n/a	n/a	Majority		<b> </b>
53	Bicycle safety road signs	Porter		3-2 support			n/a	n/a	Majority		
54	Cost/benefit study on burying overhead utility lines	Pathak					n/a	n/a	Majority		
55	Polystyrene reduction	LS students		4-1 support			BOH supports		Majority		
	- //			4-1				, a	.,,		
56	Checkout bag charge	LS students		support			BOH supports	n/a	Majority		1
	Disposable plastic pollution reduction bylaw (straws & stirrers)	LS students		4-1 support			BOH supports	n/a	Majority		

## ARTICLE 11. STABILIZATION FUND

To see if the Town will vote to transfer from Free Cash \$40,496, to be added to the Stabilization Fund established under Article 12, of the October 7, 1982 Special Town Meeting, pursuant to General Laws Chapter 40, Section 5B; or act on anything relative thereto.

Submitted by the Board of Selectmen.

(Majority vote required)

BOARD OF SELECTMEN REPORT: Based on the Board of Selectmen's Budget and Financial Policies, the Town's goal is to maintain in the Stabilization Fund an amount equal to 5% of the total projected general fund operating revenues for the last fiscal year. This Fund protects the Town in case of a severe emergency and is beneficial in supporting the Town's AAA bond ratings, which in turn results in lowering borrowing cost.

## ARTICLE 13. FY21 REVOLVING FUND SPENDING LIMITS (Consent Calendar)

To see if the Town will vote to establish the FY2021 spending limits for the use of revolving funds under

M.G.L. c.44, s.53E ½, by the following departments of the Town in accordance with each fund set forth in Article XXXIII of the Town of Sudbury General Bylaws:

		Maximium
<u>Fund</u>	<u>Department</u>	<u>Amount</u>
Public Health Vaccinations & Tobacco Control	Board of Health	30,000
Plumbing & Gas Inspectional Services	Building Inspector	65,000
Portable Sign Administration & Inspectional		
Services	Building Inspector	10,000
Conservation (Trail Maintenance)	Conservation Commission	15,000
Conservation (Wetlands)	Conservation Commission	50,000
Forestry Activities	Conservation Commission	10,000
Council on Aging Activities	Council on Aging	65,000
Council on Aging Van Transportation		
(MWRTA)	Council on Aging	150,000
Cemetery Revolving Fund	Public Works	20,000
Fire Department Permits	Fire	50,000
Goodnow Library Meeting Rooms	Goodnow Library	10,500
Goodnow Library Services	Goodnow Library	6,000
Recreation Programs	Park and Recreation Commission	650,000
Teen Center	Park and Recreation Commission	10,000
Youth Programs	Park and Recreation Commission	200,000
Bus	Sudbury Public Schools	450,000
Instrumental Music	Sudbury Public Schools	100,000
Cable Television	Town Manager	30,000
Rental Property	Town Manager	40,000
Dog	Town Clerk	75,000
Zoning Board of Appeals	Zoning Board of Appeals	35,000
Solar Energy	Combined Facilities	450,000

; or act on anything relative thereto.

Submitted by the Town Finance Director.

(Majority vote required)

FINANCE DIRECTOR REPORT: As set forth in Article XXXIIII of the Town of Sudbury General Bylaws, this article seeks authorization for Fiscal Year 2021 for revolving funds previously established pursuant to M.G.L. c.44, s.53E1/2. Expenditures from each revolving fund are subject to the limitation established annually by Town Meeting or any increase therein as may be authorized in accordance with G.L. c.44, §53E½.

The maximum amount stated is the same as the FY20 maximum voted for each revolving fund except for

the following: Board of Health Public Health Vaccinations & Tobacco Control increased from \$25,000 to \$30,000; Park and Recreation Commission Recreation Programs increased from \$542,000 to \$650,000; Park and Recreation Commission Teen Center decreased from \$20,000 to \$10,000; Park and Recreation Commission Youth Programs increased from \$170,000 to \$200,000; the new Goodnow Library Services revolving fund established under Art. 12 is set at \$6,000; and the Surplus Vehicle & Equipment category is not operational and is not listed..

## ARTICLE 14. CAPITAL STABILIZATION FUND

To see if the Town will vote to transfer from Free Cash 500,000, or any other sum, to be added to the Capital Stabilization Fund established under Article 13 of the 2019 Annual Town Meeting; or act on anything relative thereto.

Submitted by the Town Manager.

(Majority vote required)

TOWN MANAGER REPORT: This transfer is for the purpose of saving funds for future capital needs.

## ARTICLE 15. FUND LITIGATION COSTS – EVERSOURCE

To see what sum the Town will vote to raise and appropriate, or transfer from available funds, to be expended under the direction of the Town Manager, for the purpose of legal fees, hiring of experts, and all related costs related to litigation of the Eversource/Hudson reliability project; or act on anything relative thereto.

Submitted by the Town Manager.

(Majority vote required)

TOWN MANAGER REPORT: This article will allow the Town to transfer funds to be used to fund the costs of continuing litigation with Eversource. Litigation is ongoing at both the Energy Facility Siting Board and in the Supreme Judicial Court. The proposed project will run a 115kV power transmission line from Sudbury to Hudson. These funds will allow the Town to continue the litigation and any necessary appeals to decisions.

### ARTICLE 16. POST-EMPLOYMENT HEALTH INSURANCE TRUST FUNDING

To see if the town will vote to transfer \$211,867.08 from the Health Claims Trust fund, established by the Town as of January 1, 1994, to be placed in the Post-Employment Health Insurance Liability Fund, the so-called Other Post-Employment Benefits (OPEB) Trust established by the Town of Sudbury pursuant to Chapter 72 of the Acts of 2006; or act on anything relative thereto.

Submitted by the Town Manager.

(Majority vote required)

TOWN MANAGER REPORT: The Health Insurance Trust was set up in 1994 to pay for health insurance claims when the Town was self-insured. Upon joining the State's Group Insurance Commission (GIC) on July 1, 2012, the Town was no longer self-insured; however, the Town needed to leave the Trust intact for at least two years to pay run out claims. The amount requested for transfer is the remaining balance in the Health Insurance Trust and is no longer needed to pay run out claims.

## ARTICLE 17. CSX CORRIDOR

To see if the Town will vote to authorize the Board of Selectmen to acquire, by purchase, gift, eminent domain or otherwise, the fee or lesser interest in all or a part of the land shown as Mile Post QBS 3.38 to QBS 4.63 on a Railroad Map dated 4/21/2015 prepared by CSX

Transportation, Inc., a copy of which is on file with the Town Clerk, consisting of 11.26 acres of land, more or less, for purposes of acquiring, establishing, constructing, operating and maintaining a multi-use rail trail/bicycle path for open space, conservation, and active recreation purposes, general municipal purposes, and for all other purposes for which rail trails are now or hereafter may be used in the Commonwealth, including leasing for purposes consistent with the use of the property, and to authorize the Board of Selectmen to lease the fee or lesser interest in all or a part of such property; and further to raise and appropriate, transfer from available funds, including the Community Preservation Fund, or borrow a sum of money for the acquisition of such property or interest therein and all incidental and related costs, including but not limited to, costs of title investigations, environmental investigations and other due diligence, closing, and attorneys' fees; and, for such purposes, to authorize the Treasurer with the approval of the Board of Selectmen to borrow a sum of money pursuant to G.L. c.44, §7and G.L. c.44B, §11 or any other enabling authority, and issue bonds and notes of the Town therefor; and, in the event that Community Preservation funds are used for purposes of acquisition, to authorize the Board of Selectmen to grant a conservation restriction on all or a portion of said property meeting the requirements of G.L. c.184, §§31-33 as may be required in accordance with G.L. c.44B, §12; and further to authorize the Board of Selectmen to execute all instruments, including deeds, easements, leases, and/or other agreements, upon such terms and conditions as the Selectmen deem appropriate, and to take all other action as may be necessary to effectuate the vote to be taken hereunder, or take any other action relative thereto.

Submitted by the Board of Selectmen.

(Two-thirds vote required, if borrowed)

BOARD OF SELECTMEN REPORT: Article 17 requests an appropriation to fund the acquisition in fee simple of the 1.4 +/- mile CSX rail corridor that runs roughly from Union Avenue at the Chiswick Park entrance south to the Framingham city line, a total land area of approximately 11.26 acres. The parcel is generally 66-feet wide and is adjacent to significant wetlands, conservation lands, and water supply wells. In addition to water resource and conservation land protection, acquisition of the corridor is a priority for continuing the Bruce Freeman Rail Trail south to Route 20 in Sudbury and then to Framingham. Unlike the other rail corridors in Town, where ownership will be retained by government transportation agencies and leases for use have or may be issued, this corridor is available for outright purchase.

The Town began negotiating with CSX twenty years ago, has come close to acquiring the corridor a number of times since then, and now has permission from the Federal oversight entity, the Surface Transportation Board, to negotiate with CSX until December 2020. With new Federal policy in place, the Surface Transportation Board may not grant additional extensions beyond December and the opportunity to acquire the corridor could be lost.

The CSX Rail Corridor Acquisition project has been awarded \$100,000 in a state and federal Recreational Trails Grant funds, which expire if not spent by December, 2020. Additional grant opportunities are being pursued, but are not certain. These grants are reimbursable, so the request is for the full purchase amount, which will be reimbursed to the extent grant funds are received by the Town.

# ARTICLE 18. FAIRBANK COMMUNITY CENTER DESIGN AND CONSTRUCTION FUNDS

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of

\$28,832,000 or any other sum of money to be expended under the direction of the Town Manager, for the design, permitting and construction or renovation of a Community Center and all other appurtenances thereto, including a pool, on the Town-owned land located at 40 Fairbank Road, known as the current site of the Fairbank Community Center and Atkinson Pool, and for all incidental and related expenses, including but not limited to professional, design, engineering and project management services, preparation of plans, specifications and bidding documents, borrowing costs, purchase of equipment, technology, and furniture, as well as site preparation, demolition, landscaping, and relocation services and costs; to determine whether the vote taken hereunder shall be contingent upon the approval by the voters at an election of a Proposition 2 ½ Debt Exclusion in accordance with G.L. c.59, s.21C; and to authorize the Board of Selectmen and Town Manager to execute such other documents and contracts as are needed to effectuate the vote taken hereunder; or act on anything related thereto.

Submitted by the Board of Selectmen borrowed)

(Two-thirds vote required, if

BOARD OF SELECTMEN REPORT: The current Fairbank Community Center is a 40,904 square foot multi-use Town facility. It is the home of the Parks and Recreation Department offices, programming and summer camp space and Atkinson Pool, the Sudbury Public Schools administrative offices and the Sudbury Senior Center offices, programming and kitchen space. The building also houses the School Department IT Department and a portion of the Town IT infrastructure. The facility is also the only Town Emergency Shelter.

The building consists of a 1958 portion that was an elementary school, a 1987 pool addition and 1989 Senior Center addition. The building has a number of physical deficiencies including a leaking roof, antiquated locker rooms and rest rooms, original windows and a failing climate control system. The existing building suffers from a lack of usable programming space and does not meet the needs of the users.

In 2019 the Town Manager formed the Fairbank Working Group comprised of departmental user groups representatives and asked them to work together to come up with a reasonable recommendation for one community center that would meet the needs for all three user groups and to continue to serve as our Emergency Shelter. ICON Architecture was engaged to work with the Group and to formulate a Feasibility Study for a new facility. The proposed new building would be constructed on the south side of existing building adjacent to the existing pool. The pool would remain with repairs. The existing building, except the pool, would be demolished. The proposed new facility would be 42,575 square feet and \$28,832,000 to design, construct and furnish for occupancy.

# ARTICLE 20. CONSTRUCTION OF HOUSING/LIVING ADDITION - FIRE STATION #2, BOSTON POST ROAD

To see if the Town will raise and appropriate, appropriate from available funds, or borrow \$4,103,000, or any other sum, to be expended under the direction of the Town Manager, for the purpose of constructing a new housing / living / officer area adjacent to and to be connected to the existing Fire Station #2 Building, located at 550 Boston Post Road, with the Permanent Building Committee tasked for professional, engineering, architectural, and project management services, preparation of plans, specifications, bid documents, supervision of work and including the purchase of additional equipment, technology, furniture, landscaping, and all expenses connected therewith; and to determine whether the vote taken hereunder shall be

contingent upon the approval by the voters at an election of a Proposition 2 ½ Debt Exclusion in accordance with G.L. c.59, s.21C; and to authorize the Board of Selectmen to accept and/or grant such easements as may be necessary or appropriate to accomplish the foregoing; or act on anything relative thereto.

Submitted by the Fire Chief. borrowed)

(Two-thirds vote required, if

FIRE CHIEF REPORT: The Fire Department is seeking to add a housing, living, office and public space addition to be attached to the current Fire Station #2. The goal of this program is to provide living areas to support four fire personnel, this will allow for the staffing of a Fire Engine Company and an Advanced Life Support Ambulance (ALS) to provide for faster response to emergencies in the southern part of Sudbury.

In the past five years the development of the property's located on the Rt. 20 corridor have been brisk, the construction of Coolidge I and II have provided more than 100 additional age restricted housing units in the most southern section of Rt. 20. The redevelopment by National Development has added 250 non-aged restricted housing, a memory care health facility containing 48 units, an additional 57 units of age-restricted housing units in the Pulte housing units and additional retail commercial space. This one development added 154 emergency responses in 2019.

In the 2019 calendar year the southern section has contributed to 33% more emergency responses than both the North and West sections of the town combined. Providing additional housing at Fire Station 2 will reduce the response time to provide advanced patient care and enhance fire operations.

### ARTICLE 24. FRONT-END LOADER WITH PLOW

To see if the Town will vote to transfer the sum of \$115,000 from Free Cash and the sum of \$115,000 from the Transfer Station Retained Earnings account for the purchase or acquisition of a new front-end loader with plow for the Department of Public Works; or act on anything relative thereto.

Submitted by the Department of Public Works Director

(Majority vote required)

DPW DIRECTOR REPORT: The Department currently uses four (4) front-end loaders, however the oldest one is 15-years old and is beyond its useful life expectancy as a front-line machine. This article requests funds to purchase a new machine, which will be safe, reliable, efficient, and capable of meeting the needs of the department. This equipment will make the plowing operations more efficient, and ultimately provide the staff with the proper equipment to clear the roads and parking lots during the snow and ice season.

## ARTICLE 25: ROADWAY DRAINAGE IMPROVEMENTS

To see if the Town will vote to raise and appropriate, or to transfer from available funds, the sum of \$120,000, or any other sum, for the design, permitting and bidding for improvements to the drain

system throughout Town including replacement of old corrugated metal pipe that has deteriorated over time.

Submitted by the Department of Public Works Director required)

(Majority vote

DPW DIRECTOR REPORT: Approval of this article will provide funds to prepare the required design and engineering documents and relative permitting for the rehabilitation and reconstruction of the drain system throughout Town. Over time old corrugated metal drainage pipe deteriorates underground and loses its structural integrity. This occurs specifically because it is in contact with salt (in the runoff water) which is applied during winter treatment operations. This request is to design and bid drainage improvements including replacement of the deteriorated pipe network and appurtenances. Funds for the construction phase of this project and subsequent resurfacing of the roadway will be requested at a future Town Meeting, presumably FY2022.

## ARTICLE 26. OLD SUDBURY ROAD CULVERT DESIGN

To see if the Town will vote to raise and appropriate, or transfer from available funds, the sum of \$100,000, or any other sum, for the design, permitting and bidding of two culverts on Old Sudbury Road and to authorize the Board of Selectmen to accept and/or grant such easements as may be necessary or appropriate to accomplish the foregoing; or act on anything relative thereto.

Submitted by the Department of Public Works Director.

(Majority vote required)

DPW DIRECTOR REPORT: Approval of this article will provide funds to prepare all the required design and engineering documents and relative permitting of two culverts on Old Sudbury Road. These structures are located along a critical roadway for motorists traveling through Sudbury. These two culverts, located along Old Sudbury Road, need to be replaced to ensure the safe passage of motor vehicles.

## ARTICLE 27. MULTI-PURPOSE SIDEWALK TRACTOR

To see if the Town will vote to raise and appropriate, or to transfer from available funds, the sum of \$195,000, or any other sum, for the purchase or acquisition of a new multi-purpose sidewalk tractor with attachments for the Department of Public works; or act on anything relative thereto.

Submitted by the Department of Public Works Director

(Majority vote required)

DPW DIRECTOR REPORT:. This equipment is used to clear the snow and debris from various walkways throughout Town and supplements the roadside mowing with the boom flail mower. The multi-purpose tractor is exposed to many different environments including damaging branches, stone walls, hidden iron castings and corrosive materials (salt) which cause disintegration of the equipment. As the equipment ages, it requires additional mechanical and body work to keep it operational. These multi-purpose machines are expected to last approximately 7-10 years.

## ARTICLE 28. DUMP TRUCK WITH PLOW

To see if the Town will vote to raise and appropriate, or to transfer from available funds, the sum of \$110,000, or any other sum, for the purchase or acquisition of a new dump truck with plow for the Department of Public Works; act on anything relative thereto.

Submitted by the Department of Public Works Director.

(Majority vote required)

DPW DIRECTOR REPORT: A new dump truck will provide multiple uses throughout all the divisions within the DPW as well as improve efficiencies. It is the goal of the Public Works to focus on standardizing vehicles and specifying vehicles to better suit our multi-disciplinary needs. Dump trucks are one of the most used equipment in the fleet. The Public Works employees use these vehicles to perform their everyday tasks including moving materials and equipment that is carried and towed by these vehicles. These trucks are also paired with larger equipment to perform snow removal.

## ARTICLE 29. ONE-TON DUMP TRUCK WITH PLOW, SPREADER & WING

To see if the Town will vote to raise and appropriate, or to transfer from available funds, the sum of \$140,000, or any other sum, for the purchase or acquisition of a new one-ton dump truck with plow, spreader and wing for the Department of Public Works; act on anything relative thereto.

Submitted by the Department of Public Works Director

(Majority vote required)

DPW DIRECTOR REPORT: The DPW will be employing the use of larger GVW one-ton dump trucks that can be used for the smaller construction projects around town throughout all divisions. This size vehicle will enable the installation of a municipal-grade plow, a side-mounted wing and a small spreader for winter operations. This new dump truck will provide multiple uses throughout all the divisions within the DPW as well as improve efficiencies in snow removal operations. It is the goal of the Public Works to focus on standardizing vehicles and specifying vehicles to better suit our multi-disciplinary needs. Dump trucks are one of the most used equipment in the fleet. The Public Works employees use these vehicles to perform their everyday tasks including moving materials and equipment that is carried and towed by these vehicles. These trucks are also paired with larger equipment to perform snow removal.

## ARTICLE 30. 6-WHEEL COMBO BODY DUMP TRUCK W/ PLOW & SPREADER

To see if the Town will vote to raise and appropriate, or to transfer from available funds, the sum of \$260,000, or any other sum, for the purchase or acquisition of a new 6-wheel combo body dump truck with plow and spreader for the Department of Public Works; or act on anything elative thereto.

Submitted by Department of Public Works Director required)

(Majority vote

DPW DIRECTOR REPORT: The existing truck is at its useful life-expectancy of about 15 years. Due to the caustic nature of the salt and chemical additives used in snow removal operations, the bodies of these vehicles disintegrate much sooner than the total number of hours or miles would typically indicate, in spite of being washed after every treatment event. Being a dedicated spreader, this vehicle is not currently used during the construction season. It is the goal of the Public Works to focus on standardizing vehicles and specifying vehicles to better suit our multi-disciplinary needs. This proposal

is to replace the existing dedicated spreader with a combination body (dump truck and spreader) to be used throughout all seasons. Dump trucks are one of the most used equipment in the fleet. The Public Works employees use these vehicles to perform their everyday tasks including moving materials and equipment that is carried and towed by these vehicles.

#### ARTICLE 31. SUDBURY PUBLIC SCHOOLS SURVEILLANCE CAMERAS

To see if the Town will vote to raise and appropriate, or transfer from available funds, the sum of \$261,023, or any other sum, for the purchase or acquisition and installation of surveillance cameras and associated equipment in the Curtis Middle School, Haynes Elementary School, Loring Elementary School, Nixon Elementary School and Noyes Elementary School, and all incidental and related costs; or act on anything relative thereto.

Submitted by the Sudbury Public Schools School Committee.

(Majority vote required)

SCHOOL COMMITTEE REPORT: This article seeks funding for the purpose of the purchase and installation of surveillance cameras, switches, required licensing, and any necessary supporting hardware in the Curtis Middle School, Haynes Elementary School, Loring Elementary School, Nixon Elementary School and Noyes Elementary School. Interior cameras will improve the safety of the buildings for students and staff while reducing the probability of vandalism and assist in investigations, thus limiting the risk of damage and loss.

#### ART 32. SUDBURY PUBLIC SCHOOLS PLAYGROUND IMPROVEMENT

To see if the Town will vote to raise and appropriate, and/or transfer from available funds and/or accept grants, gifts, and donations, the sum of \$333,000, to be expended under the direction of the School Department for the purpose of construction, reconstruction, or making extraordinary repairs to the Sudbury Public Schools Playgrounds; and all expenses incidental and related thereto including professional and engineering, the preparation of plans, specifications and bidding documents, and supervision of work; or act on anything relative thereto.

Submitted by the Sudbury Public Schools School Committee.

(Majority vote required)

SCHOOL COMMITTEE REPORT: This article seeking funding is presented for the purpose of addressing the playground condition at the Loring Elementary School as part of the process to improve all Sudbury Schools' playgrounds originally initiated by Town Facilities Department with consultation from the Sudbury Public Schools Administration. A citizen's group, PlaySudbury, was formed to assist with design and community involvement working toward modernizing the school playgrounds.

This article seeking the funding and appropriation for playground improvements at the Loring Elementary School is part of a multi-year project goal, which, upon completion, will bring the four (4) elementary school playgrounds into compliance with the American Disabilities Act (ADA) and the Massachusetts Architectural Access Board (MAAB) accessibility requirements. These projects include playground improvements already completed at the Haynes and Noyes Elementary Schools, currently in progress at the Nixon Elementary School and this article will fund improvements at the Loring Elementary School Playground. Fundraising, grants, and in-kind donations have been secured are

currently being pursued by the Town of Sudbury, Sudbury Public Schools, and PlaySudbury in hopes of mitigating the costs of the total playgrounds project.

This article seeks to raise \$71,000 in Town Funding, transfer the remaining 10/16/17 STM Article 12 Haynes Playground project balance, transfer the remaining 5/7/18 ATM Article 25 Noyes Playground project balance, and transfer \$10,000 from the 5/6/19 ATM Article 29 Nixon Playground project funds. Secured grants and fundraising donations will fund the balance of this project.

These playground improvements intend to apply concepts of universal design in order to create not just playgrounds, but multigenerational recreational spaces so that the entire community can utilize and enjoy our school grounds.

As PlaySudbury states, every student deserves equal access to their school playground. Despite being maintained, the Sudbury School playgrounds are outdated. The surfaces are not up to Massachusetts Architectural Access Board (MAAB) standards, and much of the equipment is not ADA compliant and nearing end of equipment's useful life. Due to lack of accessibility, some students are being denied an equal opportunity to participate alongside their peers in outdoor play activities. The multi-year Playground Project seeks to provide a safe, accessible play environment for our children to grow and thrive.

**NOTE**: On 1/17/20, Don Sawyer reported that the remaining funds are Haynes playground, \$47,358 and Noyes playground, \$85,130.

# ARTICLE 37. AMEND ZONING BYLAW, ARTICLE IX: REMOVE SECTION 4800. TEMPORARY MORATORIUM ON MARIJUANA ESTABLISHMENTS AND INSERT NEW SECTION 4800. SOLAR ENERGY SYSTEMS

To see if the Town will vote to amend the Zoning Bylaw, Article IX, by removing Section 4800. Temporary Moratorium on Marijuana Establishments in its entirety and inserting in its place a new Section 4800. Solar Energy Systems with the language as follows:

#### 4800. SOLAR ENERGY SYSTEMS

- **4810. Purpose.** This section is intended to define the parameters for the installation of new Solar Energy Systems by providing standards for the placement, design, construction, operation, monitoring, modification, and removal of such systems that address public safety and minimize undesirable impacts on residential property and neighborhoods, as well as scenic, natural, and historic resources.
- **4820. Applicability.** No Solar Energy System shall be erected or installed except in compliance with the provisions of this section and other applicable sections of the Zoning Bylaw, as well as state and federal law. This section also pertains to physical modifications that materially alter the type, configuration, or size of these installations or related equipment throughout the useful life of the system or where alterations may impact abutters.
- **4830. Roof Mounted Installations.** Solar Energy Systems installed on roofs of buildings or

structures shall conform to the following provisions.

- a. Roof Mounted Solar Energy Systems of any size on single- and two-family dwellings are permitted as of right and are not subject to Site Plan Review under Section 6300.
- b. Roof Mounted Solar Energy Systems of any size on multi-family dwellings and all non-residential buildings are permitted as of right, but shall require Site Plan Review under Section 6300 prior to being erected.
- c. Roof Mounted Solar Energy Systems which require Site Plan Review may, at the discretion of the Planning Board, obtain Minor Site Plan approval under Section 6370.
- d. Roof Mounted Solar Energy Systems shall only be constructed within the footprint of the building upon which they are installed.

**4840. Ground Mounted Installations.** Ground Mounted Solar Energy Systems shall conform to the following provisions.

- a. Ground Mounted Solar Energy Systems shall require Site Plan Review under Section 6300 prior to being erected. Systems which also require a special permit from the Board of Appeals shall require Site Plan Review prior to submitting an application for a special permit.
- b. Ground Mounted Solar Energy Systems may, at the discretion of the Planning Board, obtain Minor Site Plan approval under Section 6370. Systems proposed to be located over parking or other vehicular areas, in lieu of naturally vegetated land, are strongly encouraged to seek this form of Site Plan Review.
- c. All setback, yard, buffer, and screening requirements applicable in the zoning district in which the Ground Mounted Solar Energy System, and all related structures, buildings, and equipment, are located shall apply, except for power feed and distribution lines.
- d. .Ground Mounted Solar Energy Systems proposed to be located in the area between a property's lot frontage and an existing or proposed building shall require a special permit from the Board of Appeals.
- e. All security fences surrounding a Ground Mounted Solar Energy System shall be set back from property lines a distance equal to the setback requirement applicable to buildings within the zoning district in which the system is located.
- f. The visual impact of a Ground Mounted Solar Energy System, including all accessory structures, buildings, equipment, and appurtenances, shall be mitigated. All accessory structures, buildings, equipment, and appurtenances shall be architecturally compatible with each other. Whenever reasonable, structures shall be shielded from view by vegetation and/or joined and clustered to avoid adverse visual impacts. Methods such as the use of landscaping, natural features, and fencing shall be utilized.

- g. Wherever possible, all utility connections, conduits, cables, power lines, transformers, a and inverters shall be placed underground unless specifically permitted otherwise by the Planning Board or required by the State Building Code. Electrical transformers and inverters to enable utility interconnections may be above ground if required by the utility provider.
- h. The clearing of existing vegetation on the subject property shall be limited to what is necessary as deemed by the Planning Board for the construction, operation, and maintenance of a Ground Mounted Solar Energy System or otherwise prescribed by applicable laws, regulations, and bylaws.
- i. The entire square footage for the arrays of a Ground Mounted Solar Energy System shall count toward the area of disturbance and impervious area square footage calculations.
- j. Ground Mounted Solar Energy System owners or operators shall provide a copy of the project summary, electrical schematic, and Site Plan to the local Fire Chief. The owner or operator shall provide an emergency response plan. The emergency response plan is subject to the approval of the Fire Department and Police Department, and shall include at a minimum, explicit instructions on all means of shutting down the Solar Energy System, which shall be clearly marked. The owner or operator shall identify a responsible person for public inquiries throughout the life of the installation.
- k. Applicants for Large Scale Ground Mounted Solar Energy Systems shall provide a form of surety (Decommissioning Security), either through escrow account, bond, letter of credit, or other mechanism acceptable to the Planning Board, to cover the cost of removal of all Solar Energy System facilities in the event the Town must remove the facilities and restore the property, to the extent feasible, to its original condition. The Decommissioning Security shall be in an amount and form determined to be reasonable by the Planning Board, but in no event to exceed more than 150 percent of the estimated cost of removal and compliance with the additional requirements set forth herein. Applicants shall submit a fully inclusive estimate of the costs associated with removal, prepared by a qualified engineer, which estimate may be peer reviewed by a consultant selected by the Planning Board at the applicant's expense. The amount shall include a mechanism for calculating increased removal costs due to inflation over a period of 30 years. The Decommissioning Security shall be provided at completion of construction of the Solar Energy System (Bonding Date) and will be required before any electricity, generated by the Solar Energy System, is exported to the local electrical grid for sale to third parties. From and after the Bonding Date, the amount of Decommissioning Security may be reviewed at the Planning Board's direction every five (5) years. In the event such review indicates the net decommissioning costs have increased since the Bonding Date, then the amount of the Decommissioning Security will be increased consistent with such revised estimate. The revised estimate will be obtained from a reputable, independent contractor selected by the owner of the Solar

Energy System and may be peer reviewed by a consultant chosen by the Planning Board at the owner's expense.

### 4850. Use Regulations for All Solar Energy Systems

- a. Lighting shall not be permitted unless required by the Special Permit/Site Plan Granting Authority or State Building Code. Where used, lighting shall be directed downward and full cut-off fixtures (Dark Sky compliant) shall be used.
- b. The Solar Energy System shall not create a nuisance, which is discernible from other properties by virtue of noise, vibration, smoke, dust, odors, heat, glare and radiation, unsightliness, or other nuisance as determined by the Special Permit/Site Plan Granting Authority.
- c. The Solar Energy System owner or operator shall maintain the system in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, continued compliance with landscaping and screening requirements, and integrity of security measures. The owner or operator shall be responsible for the maintenance of any access roads serving the system to a level acceptable to the local Fire Chief, Police Chief, Emergency Medical Services, and Building Inspector. Any required site plan approval and/or special permit may require surety to secure such ongoing maintenance.

**4860. Discontinuance.** A Solar Energy System shall be deemed to have been discontinued if it has not been in service for a continuous 12-month period without the written consent of the Planning Board. Upon receipt of a Notice of Discontinuance from the Building Inspector, the owner shall have the right to respond to the Notice within 30 days of receipt. The Building Inspector shall withdraw the Notice of Discontinuance and notify the owner the Notice has been withdrawn if the owner provides information that demonstrates to the satisfaction of the Building Inspector the Solar Energy System has not been discontinued. If the Solar Energy System is determined to be discontinued, the owner shall remove the system, including all structures, buildings, equipment, appurtenances, security barriers, and transmission lines, and stabilize or re-vegetate the site as necessary to minimize erosion and sedimentation, at the owner's sole expense, within six months of receipt of the Notice of Discontinuance. Should the owner of the Solar Energy System fail to remove the system and stabilize the site within said time period, the Town shall then have the option to enforce against the Decommissioning Security, and/or may subject the owner to action pursuant to Section 1340. Penalties.

#### 4870. Administration.

a. Where a special permit is required from the Board of Appeals to erect or install a Ground Mounted Solar Energy System, the record owner desiring to erect or install the Solar Energy System shall file with the Board of Appeals an application for a special permit, together with such plans, drawings, specifications, fees, and additional information as required by the Board of Appeals.

- b. The Board of Appeals shall have the authority to waive specific provisions of this section upon a determination the waiver is not inconsistent with the purpose and intent of this section.
- c. The Board of Appeals shall conduct its review, hold a public hearing, and file its decision with the Town Clerk as required by MGL Chapter 40A, Section 9.
- d. Approval Criteria. Before the Board of Appeals may issue a special permit, it shall determine each of the following:
  - (1) The Ground Mounted Solar Energy System conforms to the provisions of this section.
  - (2) The Ground Mounted Solar Energy System will not be detrimental to the neighborhood or the Town.
  - (3) Environmental features of the site and surrounding areas are protected, and the surrounding area will be protected from the proposed use by provision of adequate surface water drainage.
  - (4) The proposed use is in harmony with the general purpose and intent of the Zoning Bylaw.
  - (5) The Ground Mounted Solar Energy System meets the special permit criteria of Section 6220.
- e. Any special permit shall be subject to such conditions and safeguards as the Board of Appeals may prescribe.
- f. In reviewing any application for a special permit, the Board of Appeals shall give due consideration to promoting the public health, safety, convenience, and welfare; shall encourage the most appropriate use of land; and shall permit no building or use that is detrimental or offensive to the adjoining zoning districts and neighboring properties due to the effects of lighting, odors, smoke, noise, sewage, refuse materials, or other visual nuisances.

**4880.** Severability. If any provision of this Bylaw is declared invalid or unenforceable, the other provisions shall not be affected thereby.

; and further by amending Section 7000. Definitions by adding and inserting alphabetically the following definitions associated with the new Section. 4800. Solar Energy Systems as follows:

#### ARTICLE 7000. DEFINITIONS

**Solar Energy System:** A system whose primary purpose is to harvest energy by transforming solar energy into another form of energy, such as electricity, or transferring heat from a collector to another medium using mechanical, electrical, or chemical means.

**Solar Energy System, Ground Mounted:** An active Solar Energy System that is structurally mounted to the ground and is not roof mounted.

**Solar Energy System, Large Scale Ground Mounted:** An active Solar Energy System that occupies more than 1,750 square feet of surface area (equivalent to a rated nameplate capacity of about 10 kW DC or greater), except in the Single Residence "A", Single Residence "C", and Wayside Inn Historic Preservation Residential Zone Districts, where such systems occupy more than 500 square feet of surface area.

**Solar Energy System, Roof Mounted:** An active Solar Energy System that is structurally mounted to the roof of a building or structure.

**Solar Energy System, Small Scale Ground Mounted:** An active Solar Energy System that occupies 1,750 square feet of surface area or less (equivalent to a rated nameplate capacity of about 10 kW DC or less), except in the Single Residence "A", Single Residence "C", and Wayside Inn Historic Preservation Residential Zone Districts, where such systems occupy 500 square feet of surface area or less.

; and further to make the following changes to Section 2230. Table of Principal Use Regulations. Appendix A:

# SECTION 2230, APPENDIX A TABLE OF PRINCIPAL USE REGULATIONS

PRINCIPAL USE	A- RE S	C- RE S	W I	B D	LB D	V B D	I D	LI D	IP	R D
D. INDUSTRIAL										
6. Small Scale Ground Mounted Solar Energy System	$\underset{i}{\mathbf{Y}^{vi}}$	Y <sup>vii</sup>	Y vii	$\mathbf{Y}^{ ext{vi}}_{ ext{i}}$	$\mathbf{Y}^{ ext{vi}}_{ ext{i}}$	Y <sup>vi</sup> i	Y	Y vii	Y vii	Y
7. Large Scale Ground Mounted Solar Energy System	N	N	N	ZB A <sup>vi</sup> i	ZB A <sup>vi</sup> i	ZB A <sup>vi</sup> i	Y	Y	Y	Y

vii. See Section 4800.

; and further that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Zoning Bylaw; or act on anything relative thereto.

Submitted by the Planning Board.

(Two-thirds vote required)

PLANNING BOARD REPORT: This new proposed section would strike, in its entirety, the current Section 4800 in the Zoning Bylaw which speaks to the temporary moratorium on marijuana establishments. The existing text of Section 4800 in the Zoning Bylaw is no longer needed because a town-wide prohibition on all forms of marijuana establishments (aside from medical marijuana treatment centers) has already been implemented. The proposed new Section 4800 would regulate Solar Energy Systems as these types of installations currently have no formal regulation in the Zoning Bylaw.

# ARTICLE 38. AMEND ZONING BYLAW, ARTICLE IX. INSERT SECTION 5600. INCLUSION OF AFFORDABLE HOUSING

To see if the Town will vote to amend the Zoning Bylaw, Article IX, by inserting a new Section 5600. Inclusion of Affordable Housing, as set forth below:

#### 5600. INCLUSION OF AFFORDABLE HOUSING

**5610. Purpose.** The purpose of this Bylaw is to increase the amount of affordable housing in the Town of Sudbury available to and affordable by low- or moderate-income households who might otherwise have difficulty purchasing or renting homes in Sudbury, to ensure affordable housing remains affordable in perpetuity, and that such housing is offered in accordance with the requirements of Massachusetts General Law Chapter 40B and its implementing regulations, the Sudbury Comprehensive Permit Policy, the Sudbury Master Plan, and other ongoing programs within the Town of Sudbury. It is intended that Affordable Dwelling Units authorized under the provisions of this Bylaw be considered as Local Initiative Program (LIP) Dwelling Units in compliance with the requirements for the same as specified by the Commonwealth's Department of Housing and Community Development (DHCD) or successors, and that said units count toward the Town's requirements under Massachusetts General Law Chapter 40B, Sections 20-23, as amended.

#### 5620. Applicability

5621. Beginning with the effective date of this Bylaw, any development or any division of land subject to Massachusetts General Law Chapter 41, Sections 81-K through 81-GG, which will result in the creation of three (3) or more dwelling units shall require a Special Permit from the Planning Board, and shall include as conditions of said permit that:

A. At least ten percent (10%) of the dwelling units in the development, as defined by the development's application (Subdivision, Site Plan, Special Permit, etc.), shall meet the criteria of Affordable Dwelling Units. For developments consisting of at least three (3) and up to four (4) dwelling units, the applicant shall make a payment in accordance with Section 5670 or shall provide an Affordable Dwelling Unit in accordance with Section 5630. For developments consisting of at least five (5) and up to ten (10) dwelling units, a minimum of one (1) Affordable Dwelling Unit shall be included in the development. For developments consisting of eleven (11) to fifteen (15) dwelling units, a minimum of two (2) Affordable Dwelling Units shall be included in the development. For all other developments where ten percent (10%) of the dwelling units

- results in a fractional number, all fractional units of 0.5 or greater shall be rounded up to the nearest whole number to determine the total number of Affordable Dwelling Units required to be included the development.
- B. The ratio of Affordable Dwelling Units to Market Rate Dwelling Units, built in any twelve-month period, shall be at least equivalent to the ratio of Affordable Dwelling Units to Market Rate Dwelling Units defined for the entire development. The development's Regulatory Agreement shall be recorded with the Registry of Deeds prior to the first Certificate of Occupancy.
- C. Resale deed restrictions shall be established, which ensure Affordable Dwelling Units remain Affordable Dwelling Units in perpetuity or for as long a period as is allowed by law.
- 5622. Dwelling units shall be considered part of a single development if located either on a single parcel or contiguous parcels of land which have been in the same ownership at any time subsequent to the date of adoption of Section 5600. It is the intent of this bylaw to avoid segmentation of developments intended to circumvent the affordable housing requirements set forth in this Section.
- 5623. Developments which are permitted under the following regulations shall be exempt from this Section 5600, in its entirety: Massachusetts General Law Chapters 40B or 40R, and from this Zoning Bylaw Section 4700A North Road Residential Overlay District, Section 4700B Melone Smart Growth Overlay District, Section 5100 Cluster Development, Section 5200 Flexible Development, Section 5300 Senior Residential Community, and Section 5400 Incentive Senior Development.
- **5630. Provision of Affordable Dwelling Units**. The requirement to provide Affordable Dwelling Units, as outlined under Section 5621, shall be achieved in any one or combination of methods described below, subject to approval by the Planning Board:
  - A. Affordable Dwelling Units may be constructed on the subject property associated with the Special Permit.
  - B. Subject to the requirements of Section 5621.B., Affordable Dwelling Units may be constructed off of the subject property associated with the Special Permit in another location at 1.5 times the ratio of Affordable Dwelling Units to be constructed on the subject property. The applicant for a development subject to this Bylaw shall prove to the Planning Board the off-site land is buildable and suitable for residential housing, including under the existing Zoning Bylaw. The Planning Board may require the applicant to submit appraisals or conduct a Phase I Environmental Site Assessment documenting there are no hazardous materials on the property as defined by Massachusetts Department of Environmental Protection and/or the United States Environmental Protection Agency, as well as conduct soil testing to ensure wastewater treatment systems can be implemented. If using this provision, the Planning Board and the applicant for a development shall make best efforts to avoid the dense concentration of Affordable Dwelling Units in town and shall attempt to ensure Affordable Dwelling Units are spread evenly throughout the community.
  - C. Subject to the requirements of Section 5621.B., the applicant for a development subject to this Bylaw may choose to convert and preserve existing dwelling units, not previously established as Affordable Dwelling Units. Affordable Dwelling Units proposed under this method shall be comparable to the Market Rate Dwelling Units in the development, be in good repair, have a home inspection report from a licensed inspector submitted to the Planning Board, and it shall be proven all major home systems have a useful life of at least ten (10) years.
  - D. For Affordable Dwelling Unit calculations where fractional Affordable Dwelling Units result below 0.5, the applicant for a development subject to this Bylaw shall pay equivalent fees-in-lieu

- of constructing Affordable Dwelling Units (see Section 5670) or provide an additional Affordable Dwelling Unit.
- E. Other alternatives to providing Affordable Dwelling Units which are not listed in this section will also be considered for approval by the Planning Board.

#### 5640. Provisions Applicable to Affordable Dwelling Units

5641. Permissible types of construction for Affordable Dwelling Units, built as a freestanding unit(s) or in combination with a Market Rate Dwelling Unit(s) within a development, are as follows:

- A. Single-family dwellings;
- B. Two-family dwellings which are designed to be consistent in character with the single-family dwellings in the same development;
- C. Multi-family dwellings which are designed to be consistent in character with the single-family dwellings in the same development. Such multi-family dwellings may be allowed provided:
  - i. No more than one (1) doorway faces the front yard area and further provided that, in terms of exterior appearance, the building is compatible in design and, to the extent practicable, indistinguishable from the single-family dwellings in the same development; and
  - ii. There shall be no more than four (4) dwelling units in any residential building; and
  - iii. The total number of multi-family dwellings shall not exceed 10% of the lots in the development.

5642. Siting of Affordable Dwelling Units. All Affordable Dwelling Units constructed under this Bylaw, except for those as in Section 5630.B., shall be situated within the development so as not to be in less desirable locations than Market Rate Dwelling Units and shall be no less accessible to public amenities, such as open space, than Market Rate Dwelling Units. The Site Plan shall clearly identify lots proposed for Affordable Dwelling Units.

5643. Minimum Design and Construction Standards for Affordable Dwelling Units. Affordable Dwelling Units shall be integrated with Market Rate Dwelling Units and shall be compatible in design, construction quality, and appearance with the Market Rate Dwelling Units.

**5650. Maximum Incomes, Rents, and Selling Prices.** To ensure a development's Affordable Dwelling Units are counted on the Town's Subsidized Housing Inventory, the applicant for a development shall retain a qualified agency or entity to conduct a lottery, and enter into a LIP Regulatory Agreement compliant with the requirements of the Commonwealth's DHCD.

**5660. Maintaining Affordability.** The purchaser of an Affordable Dwelling Unit developed as a result of this Bylaw shall agree to execute a deed rider in a form approved by the Commonwealth's DHCD or its successor. The applicant for a development subject to this Bylaw shall be responsible for coordinating with the Planning and Community Development Department and ensuring all requirements of DHCD to include the Affordable Dwelling Units on the Town's Subsidized Housing Inventory are satisfied.

**5670.** Calculation of Fees-in-Lieu for Fractional Affordable Dwelling Units. The applicant for a development subject to this Bylaw shall pay fees-in-lieu of the construction of fractional Affordable Dwelling Units below 0.5 or provide the Affordable Dwelling Unit in accordance with Section 5630. For the purposes of this Bylaw, the fees-in-lieu of the construction or provision of Affordable Dwelling Units shall be 300% of the Area Median Income (AMI) for a household of four (4) as reported by the most recent information from the United States Department of Housing and Urban Development

(HUD), multiplied by the fractional Affordable Dwelling Unit figure. For purposes of illustration, a 22-unit development shall provide two (2) Affordable Dwelling Units and shall also pay fees-in-lieu equal to 300% of the AMI x 0.2 or, alternatively, provide a total of three (3) Affordable Dwelling Units within the 22-unit development. Fees-in-lieu shall be paid to the Sudbury Housing Trust prior to the issuance of a Certificate of Occupancy for any unit in the development for the support, development, and preservation of affordable housing.

**5680. Severability.** If any provision of this Bylaw is declared invalid or unenforceable, the other provisions shall not be affected thereby;

; and further by amending Section 7000. Definitions by adding and inserting alphabetically the following definitions associated with the new Section 5600. Inclusion of Affordable Housing as follows:

#### ARTICLE 7000. DEFINITIONS

**Area Median Income (AMI):** The most recently published median income for the Boston-Cambridge-Quincy Metropolitan Statistical Area as determined by the United States Department of Housing and Urban Development (HUD) for a four (4)-person household.

**Dwelling Unit, Affordable:** A dwelling unit, the value of which is determined by the Commonwealth's Department of Housing and Community Development (DHCD) to be affordable by a low-income or moderate-income household, and thus to be included in the DHCD's Subsidized Housing Inventory of low-income or moderate-income dwelling units for the purposes of compliance with the provisions of Massachusetts General Law Chapter 40B, Sections 20-23.

**Dwelling Unit, Market Rate:** A dwelling unit which has no rental or ownership restrictions. The entity who owns the dwelling unit is free to attempt to rent or sell the unit at whatever price the local market may fetch.

**Local Initiative Program (LIP):** A state housing initiative administered by the Commonwealth's Department of Housing and Community Development (DHCD) to encourage communities to produce affordable housing for low- and moderate-income households. The program provides technical and other non-financial assistance to cities or towns seeking to increase the supply of housing for households at or below 80% of the Area Median Income (AMI). LIP-approved units are entered into the Subsidized Housing Inventory pursuant to Massachusetts General Law Chapter 40B, Sections 20-23.

**Qualified Affordable Dwelling Unit Purchaser:** A household with an income that qualifies for the requirements under the Commonwealth's Local Initiative Program for median area income as reported from the United States Department of Housing and Urban Development (HUD) and/or the Commonwealth's Department of Housing and Community Development (DHCD;

; and further that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Zoning Bylaw; or act on anything relative thereto.

Submitted by the Planning Board.

(Two-thirds vote required)

#### ARTICLE 39. EXCHANGE OF REAL PROPERTY – BRIMSTONE LANE PARCELS

To see if the Town will vote to transfer the care, custody, management and control of the land off Brimstone Lane consisting of approximately 1,033 square feet, more or less, as shown on a plan of land entitled "Sketch Plan 137 Brimstone Lane Sudbury, MA" dated Oct. 16, 2019, prepared by Sullivan Connors & Associates, a copy of which is on file in the Town Clerk's Office, from the board or commission currently having custody thereof for the purpose for which said property is currently held, to the Board of Selectmen for general municipal purposes and for the purpose of conveyance, and authorize the Board of Selectmen to convey said parcel on such terms and conditions, and for such consideration, as the Board of Selectmen deems appropriate; and further, to authorize the Board of Selectmen to submit a petition to the General Court for a special act authorizing the transfer of said parcel under Article 97 of the Amendments to the Massachusetts Constitution; and further, in order to satisfy the Executive Office of Energy and Environmental Affairs' "no net loss policy," to acquire by gift, purchase, eminent domain, exchange of real property or otherwise, the fee or lesser interest in all or a part of the land and the improvements thereon, the land off Brimstone Lane consisting of approximately 16,006 square feet (0.37 acres) more or less, as shown on said Sketch Plan and being a portion of the parcel shown on Assessor's Map L04-0406, and dedicate such 16,006 square foot parcel of land for conservation and open space purposes, to be held under the care, custody, management and control of the Conservation Commission, pursuant to G.L. c. 40, §8C, with the foregoing dedication of such land to become effective upon the enactment of the Article 97 legislation; and further to authorize the Board of Selectmen to execute all instruments, agreements, deeds, conservation restrictions, easements or other documents, upon such terms and conditions as the Board of Selectmen deems appropriate, and to take all other action necessary to effectuate the vote taken hereunder, or act on anything relative thereto.

Submitted by the Conservation Commission. required)

(Two-thirds vote

CONSERVATION COMMISSION REPORT: The Commission finds that the 16,006 s.f. piece of land being proposed to be transferred to the Conservation Commission contains more conservation value due to its adjacency to Nobscot Conservation Land and contributes more towards the protection of watershed resources of Sudbury, which was the intended purpose of the original gift of 1,033 s.f. of land.

# ARTICLE 51. ACOUIRE ONE-FOURTH MILE OF CSX CORRIDOR (STATION ROAD TO RT. 20

To see if the Town will vote to authorize the Board of Selectmen to acquire, by gift, purchase, eminent domain or otherwise the fee or lesser interest in all or a part of the land comprising the CSX railroad corridor (right-of-way) from Station Road to Route 20, ½ mile, +/-, for rail trail purposes; and as funding therefor to raise and appropriate or transfer from available funds, \$300,000, or any other sum, to be expended under the direction of the Town Manager for the purpose of acquiring the CSX railroad corridor (right-of-way) from Station Road to Route 20, ¼ mile, +/-, to become part of the Bruce Freeman Rail Trail, and further to authorize the Board of Selectmen to execute all instruments, including deeds, easements and other documents or instruments, upon such terms and conditions as the Selectmen deem appropriate, and take all other action as may be necessary to effectuate the vote taken hereunder, or act on anything relative thereto.

Submitted by Petition. required)

(Majority vote

PETITIONERS' REPORT: The purpose of this article is to allow the town to purchase a portion of the CSX rail corridor to become part of the Bruce Freeman Rail Trail.

The path of the Bruce Freeman Rail Trail has two parts. The northern part runs from the Concord/Sudbury line to Station Road, near Union Avenue. It is owned by the State. This part is in the design stage.

The southern part of the Bruce Freeman Rail Trail, from Station Road to the Framingham/Sudbury line, about 1.25 miles, is owned by the CSX Corporation. It is an inactive rail corridor. The Town has sought to purchase the corridor from CSXC. In 2008 Town Meeting voted unanimously to use \$420,000 of Community Preservation Act (CPA) funds to purchase the CSX rail corridor for open space and recreational purposes.

Because of a determination by the Massachusetts Department of Revenue that Community Preservation Act funds could not be used for this purchase, the Town has been unable to buy the CXS corridor. Since then the Town has been looking for alternative funding sources to buy the inactive rail corridor.

One such source of funding to buy the CSX corridor opened up when the Department of Conservation and Recreation announced its Recreational Trails Grant program. Under this program, municipalities could apply for grants for up to \$100,000 for trail acquisition. In February 2018, Sudbury applied for a \$100,000 grant to be used to acquire the northernmost ¼ mile of the CSX corridor, from Station Road to Route 20. In August 2018, the Town was notified that the Department of Conservation and Recreation approved Sudbury's \$100,000 Recreational Trails Grant application.

CSX supported Sudbury's 2018 Recreational Trails grant application and stated that it would consider dividing the sale of its corridor into four sections to be sold, north to south. That is why Sudbury must purchase the northernmost part first. It also makes sense to acquire the northern most ½ mile, as it will bring the BFRT out to Route 20, rather than having it terminate at Station R oad, which is not a main road and could be a difficult access point. MassDOT, which would fund 100% of the construction costs, wants trails to end at main roads.

The \$100,000 Recreational Trails grant Sudbury was awarded in 2018 is a reimbursement grant, meaning the Town will be reimbursed that amount when it meets the terms of the grant proposal. The Town must buy the northernmost ¼ mile of the corridor, then it will receive the \$100,000 grant reimbursement.

Under the terms of the grant, the Town has two years to make the CSX corridor acquisition. The two-year window closes at the end of 2020.

Legislation to overcome the Department of Revenue determination and allow Sudbury to use the \$420,000 in CPA funds to acquire the CSX corridor approved by the Town in 2018 is currently pending in the Legislature. This legislation is moving forward. It received a "favorable" report from the Joint Committee on Municipalities and Regional Governments in December, a key step in advancing the bill, and it should be acted upon later this year. This legislation has received widespread support from many legislators, groups, and residents.

A 'yes' vote on this article would allow the Town to acquire the northernmost ¼ mile of the CSX corridor for the Bruce Freeman Rail Trail, a unique and valuable amenity, long sought and supported by residents, the Select Board and other Town committees. The BFRT will be a safe and natural connection throughout Sudbury, running the full length of the Town, north to south. It will connect Sudbury residents with their schools, parks, athletic fields, houses of worship, Town Center, the

commercial district, and with each other without using a car.

Residents will not have to drive to another town to use their rail trails. Sudbury will have its own - a very special place for residents of all ages and abilities to enjoy the outdoors and nature.

BOARD OF SELECTMEN POSITION. The Board of Selectmen will report at Town Meeting.

# ARTICLE 52. EXPEDITE COMPLETION OF DESIGN OF THE BRUCE FREEMAN RAIL TRAIL

The Bruce Freeman Rail Trail will be a major community asset and pathway for recreation and transportation for all Sudbury residents of all ages and abilities. As a non-motorized vehicle pathway, it will help out children get to school safely and bring us closer to nature. Since 2012 residents have voted for the Bruce Freeman Rail Trail and have appropriated fund for its design. The construction cost, about ten million dollars, (\$10,000,000) will be paid entirely by state and federal funds that have already been allocated. This article is direction to the Town Manager, Town staff, Town Departments, and Town Boards and Commissions, to move as quickly as possible to complete all designs, submit them to the state, and take all other actions needed to bring the Bruce Freeman Rail Trail to Sudbury.

Submitted by Petition. required)

(Majority vote

PETITIONERS' REPORT: Sudbury residents have watched rail trails being designed and built in almost every community that borders Sudbury; including Wayland, Framingham, Hudson, Maynard, Acton, and Concord. Perhaps you have had a chance to use them and see what we are missing.

Residents have voted for the Bruce Freeman Rail Trail (BFRT) at the ballot box and Town Meetings not less than six (6) times. Designing and building the BFRT has been a goal of the Select Board since 2013. Adequate funding for the design has been approved five (5) times.

Residents in neighboring communities that have built rail trails love them. Even those who may have been initially opposed appreciate and use the rail trails.

The BFRT in Sudbury will be particularly beneficial as it will be a safe pathway for children to get to school, recreation and athletic fields, or just to visit friends without needing a ride.

On a warm summer day, the trail will take you past running brooks, through verdant foliage, into forests with old stone walls, and show you water fowl and birds you may not have known inhabited Sudbury. Listen to the quiet. Listen to nature.

On a cool autumn day walk among the splendor of a forest drenched in color. See the leaves as they fall and the trees getting ready for winder. Get away from technology. Stroll safely at your leisure, and not see a car, except maybe at road crossings. Teach your children how to ride bike, or walk with friends, partners, or an aged parent.

Five towns to our north already have the BFRT: Chelmsford (2009), Westford, Carlisle and Acton (2018), and Concord (2019).

So why are we still at least four years away from cutting the ribbon the BFRT here in Sudbury? There

are probably many excuses, but not many good reasons. Some delays may have been unavoidable, but others were not. It is the responsibility of Town staff, from the Town Manager on down, to see to it that Select Board goals are achieved, but more importantly, that the will of the town is carried out. That is their job.

#### ARTICLE 54. COST/BENEFIT STUDY ON BURYING OVERHEAD UTILITY LINES

To see if the Town will vote to request that the Town Manager and Director of Planning & Community Development conduct a cost/benefit study on burying existing overhead utility wires, leveraging historical performance and maintenance data from power companies and under conventional wisdom that a majority of power outages are caused by a small number of power distribution routes/miles; or act on anything relative thereto.

Submitted by Petition.

(Majority vote required)

PETITIONERS' REPORT: **Problem**: Lately, the power outages in our town appear to be increasing in frequency, and longer in duration, when compared to the 90s, for some residents. We had power outages in the past during heavy snow or ice storms, by falling tree limbs or due to roadside accidents involving utility poles. In contrast, today we find ourselves with power outages by the wind under 30MPH. Indeed, they are more disruptive today. These power outages are forcing residents to buy multiple Uninterrupted Power Supplies (UPS) and generators if only to maintain well-charged mobile phones and electronic monitors. Invariably, access for emergency vehicles and public safety is getting blocked for more than 30 minutes, which reduces our disaster preparedness and ability to support our senior citizens.

#### We have three choices:

- 1. Do nothing, and stay the course as decided by utility providers for us,
- 2. Burry all utility cables at a high cost and significant disruption,
- 3. Consider burying select few utility cable-routes which are causing disproportionate outages

The first planning step towards the 3<sup>rd</sup> choice: Burying select few utility cables is one way to reduce power outages. While the new developments are already burying the cables, the older developments, the majority of Sudbury households, have overhead cables for power and telecom cables.

While there is no 3<sup>rd</sup> party objective cost-benefit study for a town like Sudbury (with a mix of roads, easements, and a configuration of existing underground utilities), burying all the cables is generally an expensive proposition. Therefore, a citizen petition is proposed for a vote at the ATM requesting that the Town Manager and Director of Planning & Community Development conduct a cost/benefit study on burying existing overhead utility wires, leveraging historical performance and maintenance data from power companies and under conventional wisdom that a majority of power outages are caused by a small number of power distribution routes/miles.

**Benefits:** If implemented, the burying of cables will –

- reduce power outages,
- help improve town resiliency under disasters and improve road access to our senior citizens,
- make our roadside worth watching, as opposed to watching unsightly clump of cables, dangling wires, butchered & bent trees, unappealing bent- or double- or fractured-poles, and potentially,

provide some long-term cost savings in utility costs for the town and residents.

**Scope, cost & deliverables**: The study, projected over a year, shall require the participation of town staff to the tune of three months of a person's work (or 3 FTE Months). Optionally, the study could use a website (at a projected 3<sup>rd</sup> party cost of \$4K) to collect data and reports. The study is expected to deliver a business case on burying utility cables to help fine-tune our town's long-term utility plans. The majority of the data collection work will be done by our utility companies.

The study intends to determine whether burying a small number of cable routes/miles can achieve significant (50% or more) reduction in power outages - what is typically referred to as identifying low hanging fruits.

BOARD OF SELECTMEN POSITION: The Board of Selectmen will report at Town Meeting.

FINANCE COMMITTEE POSITION: The Finance Committee will report at Town Meeting.



# SUDBURY BOARD OF SELECTMEN Tuesday, May 26, 2020

# **MISCELLANEOUS (UNTIMED)**

# 10: Discussion on Board policies

# **REQUESTOR SECTION**

Date of request:

Requested by: Patty Golden

Formal Title: Discussion on Board policies

Recommendations/Suggested Motion/Vote:

Background Information:

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden Pending
Henry L Hayes Pending
Jonathan Silverstein Pending
Daniel E Carty Pending
Board of Selectmen Pending

#### 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.

- Meetings shall start promptly at 7:00 p.m. on Tuesdays. No new business will be introduced later than 10:00 PM unless the Board votes to continue the meeting. 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 should;
  - a. Provide Selectmen with pertinent explanatory or review material <u>prior to the</u> <u>meeting. Public materials will be posted by the day of the meeting when applicable.</u>
  - 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. Provide comments relative to current events and issues in town.

(Amended 05/10/76, 04/23/84, 10/29/84, 11/08/84, 07/08/96, 05/26,20)

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#### Section 1. Procedural

Code of Conduct of the Board of Selectmen

1

# A member of the Board of Selectmen, in relation to his or her community should: $\P$

Realize that his or her basic function is to make policy, with administration delegated to the Town Manager  $\P$ 

Realize that he or she is one of a team and should abide by, and carry out, all Board decisions.¶
Be well informed concerning the duties of a Board member

on both local and state levels.¶

Remember that he or she represents the entire community at all times.  $\P$ 

Accept the role of a member is a means of unselfish service, not to benefit personally or politically from his or her Board activities.  $\P$ 

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.

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

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.

Recognize and support the administrative chain of command and refuse to act on complaints as an individual outside the administration.

Give the Town Manager full responsibility for discharging his or her disposition and solution.

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.

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

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#### **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.
- 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.
- 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.

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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.
- 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

- The Town Manager shall have direct access to Town Counsel at all times in relation to her/his duties as Town Manager.
- 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

 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)

#### 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 chairs 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.
- 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.

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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)

#### APPOINTMENT POLICY

For positions appointed by the Selectmen and the Town Manager

1. Expiration date for appointments is May 31st, or until his successor is appointed and	Deleted: April 30
qualified, with the exception of the following:	Deleted: th
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. <u>Interviews for potential new appointees.</u>	Deleted: Schedule i
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)	

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Tuesday, May 26, 2020

# **MISCELLANEOUS (UNTIMED)**

# 11: Minutes review/approval

#### **REQUESTOR SECTION**

Date of request:

Requested by: Patty Golden

Formal Title: Review regular session minutes of 4/28/20, and possibly vote to approve minutes.

Recommendations/Suggested Motion/Vote: Review regular session minutes of 4/28/20, and possibly vote

to approve minutes.

Background Information:

attached draft

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden Pending
Henry L Hayes Pending
Jonathan Silverstein Pending
Daniel E Carty Pending



Tuesday, May 26, 2020

# **MISCELLANEOUS (UNTIMED)**

12: Fairbank update

#### **REQUESTOR SECTION**

Date of request:

Requested by: Patty Golden

Formal Title: Discussion on the Fairbank Community Center/Town Forum.

Recommendations/Suggested Motion/Vote: Discussion on the Fairbank Community Center/Town Forum.

Background Information:

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden Pending
Henry L Hayes Pending
Jonathan Silverstein Pending
Daniel E Carty Pending



Tuesday, May 26, 2020

# **MISCELLANEOUS (UNTIMED)**

# 13: Citizen's Comments

# **REQUESTOR SECTION**

Date of request:

Requested by: Patty Golden

Formal Title: Citizen's Comments

Recommendations/Suggested Motion/Vote:

**Background Information:** 

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden Pending
Henry L Hayes Pending
Jonathan Silverstein Pending
Daniel E Carty Pending



Tuesday, May 26, 2020

# **MISCELLANEOUS (UNTIMED)**

# 14: Upcoming Agenda Items

# **REQUESTOR SECTION**

Date of request:

Requested by: Patty Golden

Formal Title: Upcoming Agenda Items

Recommendations/Suggested Motion/Vote:

Background Information:

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden Pending
Henry L Hayes Pending
Jonathan Silverstein Pending
Daniel E Carty Pending

MEETING	DESCRIPTION					
MEETING	DESCRIPTION					
June 9	Financials/revenue update					
	Policies discussion					
	Discussion on updating the Transportation Committee mission statement					
	Town meeting action – continue to review articles, vote on positions					
	Accept resignation of Kaffee Kang from the Sudbury Housing Trust					
	Discussion on Fairbank Town Forum					
Date to be determined	Vote to elect chairman and vice-chairman of the Board of Selectmen (or SelectBoard) after					
Date to be determined	Annual Town Meeting					
	Approve annual Town Manager and Selectmen reappointments					
	Selectmen's Social Media Policy					
	Work Session: Select Board/Town Manager Code of Conduct and other procedural training					
	Invite Commission on Disability Chair to discuss Minuteman High School					
	Eversource Public Hearing re: Grant of Location (date TBD)					
	Approve BOS submission to 2019 Annual Town Report					
	Annual meeting with state legislators (2020)					
	Discussion on liaison assignments and Board membership on town committees (for 2020-					
	2021)					
	Fall Town Forum discussion (July)					
	Update from BOS Policy Subcommittee					
	Town meeting recap – year in review					
	Transportation Committee extension					
	Route 20 empty corner lot – former gas station					
	Update on traffic policy (Chief Nix)					
	Update on crosswalks (Chief Nix/Dan Nason)					
	Citizen Leadership Forum					
	Town-wide traffic assessment and improve traffic flow					
	Temporary Trailer permit - 150 Boston Post Road					
	Wayside Inn Road Bridge					
	Eversource double pole discussion					
	Future planning of Sewataro					
STANDING ITEMS FOR ALL MEETINGS	BOS requests for future agenda items at end of meeting					
	Citizens Comments, continued (if necessary)					
	Fairbank Community Center update (ongoing)					
	Bruce Freeman Rail Trail (BFRT) update (quarterly)					
	COVID-19 update (as of 3/18/20)					



Tuesday, May 26, 2020

# **MISCELLANEOUS (UNTIMED)**

# 15: Spring 2020 Selectmen Newsletter Topic Discussion

# **REQUESTOR SECTION**

Date of request:

Requested by: Patty Golden

Formal Title: Discuss topics to be assigned for the Spring 2020 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
Henry L Hayes Pending
Jonathan Silverstein Pending
Daniel E Carty Pending



Tuesday, May 26, 2020

#### TIMED ITEM

# 16: Joint meeting with Sudbury Housing Authority

#### **REQUESTOR SECTION**

Date of request:

Requestor: Sheila Cusolito, Executive Director. Sudbury Housing Authority

Formal Title: Vote to open a joint meeting with Sudbury Housing Authority to vote to appoint Tania Vitvitsky to the SHA Board on a one-year interim basis, effective June 1, 2020, and in accordance with M.G.L. c.41, §11, to coincide with the resignation of Kaffee Kang, current Chairperson, whose term expires 5/31/2021, but who has submitted a letter of resignation, effective May 31, 2020.

Recommendations/Suggested Motion/Vote: Vote to open a joint meeting with Sudbury Housing Authority to vote to appoint Tania Vitvitsky to the SHA Board on a one-year interim basis, effective June 1, 2020, and in accordance with M.G.L. c.41, §11,

to coincide with the resignation of Kaffee Kang, current Chairperson, whose term expires 5/31/2021, but who has submitted a letter of resignation, effective May 31, 2020.

#### **Background Information:**

Currently, in towns such as Sudbury, housing authority boards are comprised of five commissioners: four elected by Sudbury residents and one appointed by the Governor. Chapter 235 of the Acts of 2014 requires that all housing authorities running state programs include a tenant board member, which, for Sudbury and other towns, means one elected position will be replaced by a resident of the housing authority. Although the mechanism of seating the tenant board member remains a work in progress, it will likely be defined as an appointment by the local Board of Selectmen.

It is expected that by this time next year, the Department of Housing and Community Development will have completed the specifications for the tenant board member appointment. In anticipation of that, the SHA requests that current SHA resident Tania Vitvitsky be appointed to complete the remainder of Ms. Kang's term. Ms. Vitvitsky has attended the SHA's regular board meetings since 2018 and has the support of the SHA Board of Commissioners to serve as the Board's tenant member when the appointment process is in place.

Financial impact expected:n/a

Approximate agenda time requested: 10 minutes

Representative(s) expected to attend meeting: Kaffee Kang, Amy Lepak, Sherri Cline, Steve Swanger, Terry Layden, Tania Vitvitsky

Review:

Patty Golden Pending

Henry L Hayes Pending
Jonathan Silverstein Pending
Daniel E Carty Pending
Board of Selectmen Pending

05/26/2020 5:30 PM

Part I ADMINISTRATION OF THE GOVERNMENT

**Title VII** CITIES, TOWNS AND DISTRICTS

Chapter 41 OFFICERS AND EMPLOYEES OF CITIES, TOWNS AND

**DISTRICTS** 

Section 11 APPOINTMENT TO FILL VACANCY IN TOWN OFFICE

Section 11. As used in this section, the term "vacancy" includes a failure to elect. If a vacancy occurs in any town office, other than the office of selectman, town clerk, treasurer, collector of taxes or auditor, the selectmen shall in writing appoint a person to fill such vacancy. If there is a vacancy in a board consisting of two or more members, except a board whose members have been elected by proportional representation under chapter fifty-four A, the remaining members shall give written notice thereof, within one month of said vacancy, to the selectmen, who, with the remaining member or members of such board, shall, after one week's notice, fill such vacancy by roll call vote. The selectmen shall fill such vacancy if such board fails to give said notice within the time herein specified. A majority of the votes of the officers entitled to vote shall be necessary to such election. The person so appointed

another is qualified.

or elected shall be a registered voter of the town and shall perform

the duties of the office until the next annual meeting or until

Attachment16.a: MGL C41 S11 (3778: Joint meeting with Sudbury Housing Authority)

April 23, 2020

Ms. Sheila Cusolito Executive Director Sudbury Housing Authority 55 Hudson Road Sudbury, MA 01776

Dear Sheila:

With this letter, I am submitting my resignation from the Board of Commissioners of the Sudbury Housing Authority, effective May 31, 2020. It has been an honor to serve a local agency with such an important mission. As I move on to other things, be assured that I will continue to support the SHA in any way I can. Please do not hesitate to call upon me to help.

Respectfully,

Kaffee Kang

cc: Beth Klein, Town Clerk



Tuesday, May 26, 2020

## MISCELLANEOUS (UNTIMED)

# 17: Close joint meeting with Sudbury Housing Authority

#### **REQUESTOR SECTION**

Date of request:

Requested by: Patty Golden

Formal Title: Vote to close joint meeting with Sudbury Housing Authority and resume Board of

Selectmen meeting.

Recommendations/Suggested Motion/Vote: Vote to close joint meeting with Sudbury Housing Authority

and resume Board of Selectmen meeting.

**Background Information:** 

Financial impact expected:none

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden Pending
Henry L Hayes Pending
Jonathan Silverstein Pending
Daniel E Carty Pending
Board of Selectmen Pending

Board of Selectmen Pending 05/26/2020 5:30 PM



Tuesday, May 26, 2020

### MISCELLANEOUS (UNTIMED)

# 18: LS Excess & Deficiency funds

#### **REQUESTOR SECTION**

Date of request:

Requestor: Bella Wong, LSRHS Superintendent/Principal

Formal Title: Discussion and possible vote to approve Lincoln-Sudbury Regional High School Excess & Deficiency funds (up to \$337,500 for Stadium Field and up to \$500,000 for unanticipated expenses related to tuition, specialized student services or COVID-19), to request letter of affirmation of apportionment method, and possible discussion about CARES Act applicability to Regional Schools.

Recommendations/Suggested Motion/Vote: 1. Vote to request letter of affirmation of apportionment method. A sample letter response is also provided.

- 2. Vote to approve use of E & D up to \$337,500 to replace the Stadium Field.
- 3. Vote to approve use of E & D up to \$500,000 for unanticipated expenses related to tuition, specialized student services or COVID-19.

#### **Background Information:**

attached documents provided by LS.

With respect to the CARES Act, we will apply for the funds that are available for LS for use in FY21. We have been told to estimate receiving 80% of what we received for Title I. This amount is equal to \$28,956. Per the new Title I rules per Secretary Devos, 10% of this amount must be reserved for use by private schools in the local area.

Financial impact expected:

Approximate agenda time requested: 30 minutes

Representative(s) expected to attend meeting:

Review:

Patty Golden Pending
Henry L Hayes Pending
Jonathan Silverstein Pending
Daniel E Carty Pending
Board of Selectmen Pending

05/26/2020 5:30 PM

#### LINCOLN SUDBURY REGIONAL SCHOOL DISTRICT

390 Lincoln Road Sudbury, Massachusetts 01776-1409

BELLA T. WONG SUPERINTENDENT/PRINCIPAL



CONTACT:
BELLA\_WONG@LSRHS.NET\*
978-443-9961 - EXT.2373
FAX 978-443-8824

May 7, 2020

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

RE: Request for a letter to affirm the Alternative Assessment Method used for the Lincoln-Sudbury FY2021 Budget: 3 year Average Apportionment Enrollment Ratio

On April 23, 2020 the Massachusetts Department of Elementary and Secondary Education circulated Guidelines on the FY2021 Regional School District Interim or 1/12th Budget Process (see attached).

M.G.L. C. 71, §16B and 603 CMR 41.05 allow the Commissioner of Elementary and Secondary Education to set a 1/12th Budget for a regional school district if a local budget is not approved by July 1. The current schedule for Town Meeting in Sudbury and Lincoln would indicate that an LSRHS FY2021 approved budget by both towns will not be possible prior to July 1.

As such, in order to meet the guidelines set by the Commissioner and because the allocation of assessments beyond the Required Minimum Contribution, by Lincoln and Sudbury utilize the alternative assessment method, LSRHS will need to provide..."letters of support for using the alternative assessment method for the FY2021 budget from every member's select board..".

Upon submission of the required documentation, the Commissioner will set a budget in an amount not less than 1/12th of the total budget approved for the district in FY2020. The Commissioner may, at his discretion, consider other factors in setting the 1/12th budget.

The result of this action operationally will be that LSRHS will have a monthly allocation of funds, set at FY2020 levels, to operate in the months until both Town Meetings have voted an FY2021 budget.

The purpose of this Memo is to request a letter of support from the Sudbury Board of Selectmen to follow this process to utilize the 3 Year Rolling Average Apportionment Enrollment Ratio for the FY2021 Lincoln-Sudbury Budget.

Bella Wong, Superintendent/Principal Lincoln-Sudbury Regional High School 390 Lincoln Rd. Sudbury, MA. 01776

Superintendent/Principal Wong,

Please be advised that the Sudbury Board of Selectmen affirm the Alternative Assessment Method used for the Lincoln-Sudbury FY2021 Budget: 3 year Average Apportionment Enrollment Ratio.

This action is consistent with the Guidelines on the FY2021 Regional School District Interim or 1/12 Budget Process issued on April 23, 2020 by the Massachusetts Department of Elementary and Secondary Education per M.G.L. C. 71, §16B and CMR 41.05 to allow the Commissioner to set a 1/12 Budget for a regional school district.

Sincerely,

# LINGOLN SUDBURY REGIONAL SCHOOL DISTRICT 390 Lincoln Road Sudbury, Massachusetts 01776-1409

BELLAT. WONG SUPERINTENDENT/PRINCIPAL



CONTACT: BELLA\_WONGOLSRHS.NET 978-443-8961 - EXT 2373 FAX 978-443-8824

May 6, 2020

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

Re: Appropriation of excess and deficiency funds

On May 5, 2020, the Lincoln Sudbury Regional School Committee voted unanimously, upon confirmation of certification of FY 2019 Excess and Deficiency funds, to appropriate \$337,500 to be transferred to a Capital Fund for the purpose of resurfacing (replacement) of the L-S Stadium Field.

This action will result in an amendment (increase) to the FY 2021 Lincoln Sudbury Regional School District approved budget. Under CMR 41.05 (5), the treasurer must submit the proposed amendment to the members of the regional school district within seven (7) days of the school committee vote for local appropriating authority approval. If the Town of Sudbury takes no further action after 45 days from the date of the vote, the action of the school committee will be deemed approved. Conversely, the Town of Sudbury may confirm approval through Town Meeting. Regardless of the timing the Lincoln Sudbury Regional School Committee will not take action on this appropriation unless both towns (Lincoln and Sudbury) have positively endorsed the appropriation. This action will not change the assessment already established with the Town of Sudbury.

Respectfully submitted,

Her F. Makenen

Kevin Mahoney District Treasurer

cc: Lincoln Sudbury Regional School Committee Bella Wong, Superintendent/Principal

Peter Rowe, Interim Director of Finance and Operations

Henry Hayes, Town Manager

#### LINCOLN SUDBURY REGIONAL SCHOOL DISTRICT

390 LINCOLN ROAD

SUDBURY, MASSACHUSETTS 01776-1409

BELLA T. WONG SUPERINTENDENT/PRINCIPAL



Contact: Bella\_wong@lbrhs.net 978-443-9961 - ext 2373 Fax 978-443-8824

May 6, 2020

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

Re: Appropriation of excess and deficiency funds

On May 5, 2020, the Lincoln Sudbury Regional School Committee voted unanimously, upon confirmation of certification of FY 2019 Excess and Deficiency funds, to appropriate up to \$500,000 to be used for the following limited purposes: to cover unanticipated expenses related to tuition and/or specialized student services, and/or COVID-19.

This action will result in an amendment (increase) to the FY 2021 Lincoln Sudbury Regional School District approved budget. Under CMR 41.05 (5), the treasurer must submit the proposed amendment to the members of the regional school district within seven (7) days of the school committee vote for local appropriating authority approval: If the Town of Sudbury takes no further action after 45 days from the date of the vote, the action of the school committee will be deemed approved. Conversely, the Town of Sudbury may confirm approval through Town Meeting. Regardless of the timing the Lincoln Sudbury Regional School Committee will not take action on this appropriation unless both towns (Lincoln and Sudbury) have positively endorsed the appropriation. This action will not change the assessment already established with the Town of Sudbury.

Respectfully submitted,

Revent Chang

Kevin Mahoney District Treasurer

cc: Lincoln Sudbury Regional School Committee
Bella Wong, Superintendent/Principal
Peter Rowe, Interim Director of Finance and Operations
Henry Hayes, Town Manager



Tuesday, May 26, 2020

## MISCELLANEOUS (UNTIMED)

# 19: Regional Housing Services Office (RHSO) extension

#### **REQUESTOR SECTION**

Date of request:

Requestor: Liz Rust of RHSO

Formal Title: Discussion and vote whether to authorize the Town Manager to execute the Regional Housing Services Office (RHSO) IMA 90-day extension to 9/30/20.

Recommendations/Suggested Motion/Vote: Discussion and vote whether to authorize the Town Manager to execute the Regional Housing Services Office (RHSO) IMA 90-day extension to 9/30/20.

**Background Information:** 

Attached IMA amendment. This is for 9:00 PM.

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden Pending
Henry L Hayes Pending
Jonathan Silverstein Pending
Daniel E Carty Pending

Board of Selectmen Pending 05/26/2020 5:30 PM

#### **AMENDMENT**

The agreements by and between the Towns of Acton, Bedford, Concord, Lexington, Sudbury, Wayland and Weston, dated June 1, 2017 and amended July 1, 2018 and July 1, 2019, and the Town of Concord and Lincoln (the "Municipalities"), dated August 28, 2019 (the "Agreements"), to share services of a Regional Housing Services Office provided by the Town of Concord, which are incorporated herein by reference, is hereby amended, effective July 1, 2020, as described below.

WHEREAS, there now exists in the Commonwealth of Massachusetts a state of emergency due to the outbreak of the novel coronavirus ("COVID-19");

WHEREAS, the Municipalities desire to extend the Agreements to September 30, 2020;

WHEREAS, the Municipalities desire to make payments toward the Fiscal Year 21 ("FY21") year in advance of the new term of the Agreements in accordance with Exhibit B.

NOW,

• Section 1. Term. This Section is amended by deleting "after a term of three years on June 30, 2020" and adding "on September 30, 2020" so the entire section reads:

<u>Term.</u> The term of this Agreement shall commence on July 1, 2017 and shall expire on September 30, 2020 unless earlier terminated as set forth herein. Any municipality may withdraw from the Agreement as defined below. The Agreement may be renewed for additional three-year terms as voted by each municipality through its respective Board of Selectmen by January 1 of the year of the expiring term.

• Exhibit B. Fee Structure. This Exhibit is deleted and replaced in its entirety with the Membership Fee Schedule Chart for FY21, attached hereto as Exhibit B.

[SIGNATURE PAGES FOLLOW EXHIBIT B]

#### Exhibit B

### Membership Fee Schedule Chart for FY21

The participating municipalities will proportionally share the total cost of operating the Regional Housing Services Office. The proportional share is determined based on the percentage of hours planned to support each municipality for core services as represented in the fee schedule.

FY21 Membership Fee Schedule									
	Hours	% of hrs	FY21 Total Fee	FY21 Q1, Amendment	Q2, Q3, Q4 Remaining FY21				
Acton	384	11%	\$29,950.00	\$7,487.50	\$22,462.50				
Bedford	384	11%	\$29,950.00	\$7,487.50	\$22,462.50				
Concord	615	17%	\$47,967.00	\$11,991.75	\$35,975.25				
Lexington	384	11%	\$29,950.00	\$7,487.50	\$22,462.50				
Lincoln	192	5%	\$14,975.00	\$3,743.75	\$11,231.25				
Maynard*	140	4%	\$10,920.00	\$2,730.00	\$8,190.00				
Sudbury	935	26%	\$72,925.00	\$18,231.25	\$54,693.75				
Wayland	165	5%	\$12,870.00	\$3,217.50	\$9,652.50				
Weston	370	10%	\$28,858.00	\$7,214.50	\$21,643.50				
Total	3,569	100%	\$278,365.00	\$69,591.25	\$208,773.75				

This fee structure does not include payment for additional hours in excess of the allotted hours or for additional supplemental services which will be proposed and invoiced outside of this agreement.

\* FY21 Budget includes Maynard as a new community

TOWN OF ACTON

By its Town Manager

\_\_\_\_\_

TOWN OF BEDFORD

By its Town Manager

\_\_\_\_

TOWN OF CONCORD

By its Town Manager

\_\_\_\_\_

TOWN OF LEXINGTON

By its Town Manager

TOWN OF LINCOLN

By its Town Administrator

\_\_\_\_\_

**TOWN OF SUDBURY** 

By its Town Manager

\_\_\_\_\_

TOWN OF WAYLAND

By its Town Administrator

\_\_\_\_\_

TOWN OF WESTON

By its Town Manager

\_\_\_\_



Tuesday, May 26, 2020

#### **CONSENT CALENDAR ITEM**

20: Dissolve TM Search Committee

#### **REQUESTOR SECTION**

Date of request:

Requested by: Patty Golden

Formal Title: Vote to dissolve the Town Manager Search Committee, and send a letter of thanks to all participants for their service to the Town.

Recommendations/Suggested Motion/Vote: Vote to dissolve the Town Manager Search Committee, and send a letter of thanks to all participants for their service to the Town.

Background Information:

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden Pending
Henry L Hayes Pending
Jonathan Silverstein Pending
Daniel E Carty Pending

Board of Selectmen Pending 05/26/2020 5:30 PM

Selectmen's Meeting on Tuesday, May 26

COVID-19 Information & Updates

Annual Town Election Rescheduled for Tuesday, June 23, 2020

News Documents Meetings Members FAQs Links

# **Members**

Members							
Name	Position	Address	Term	End Date	Appointed By		
Susan L. Berry	Member	4 Dawson Dr	1	05/30/2020	Town Manager		
Taryn Trexler	Member	253 Concord Rd	1	05/30/2020	Town Manager		
Carmine Gentile	Member	33 Surrey Ln	1	05/30/2020	Town Manager		
Stephen Garvin	Member	26 Bowditch Rd	1	05/30/2020	Town Manager		
John Beeler	Member	57 Wagonwheel Rd	1	05/30/2020	Town Manager		
Jan Costa	Member	91 Willard Grant Rd	1	05/30/2020	Town Manager		
John Hincks	Member	83 Belcher Dr	1	05/30/2020	Town Manager		
Kevin J. Matthews	Member	137 Haynes Rd	1	05/30/2020	Town Manager		
Scott Smigler	Member	125 Plympton Rd	1	05/30/2020	Town Manager		
Silvia M. Nerssessian	Member	555 Dutton Rd	1	05/30/2020	Town Manager		
Martha Welsh	Member	60 Winsor Rd	1	05/30/2020	Town Manager		
Candace Miller	Member	46 Poplar St	1	05/30/2020	Town Manager		

- Email this Page
- **G** Back to Town Manager Screening Committee

# Town Manager Screening Committee

Interested in the Town Manager Position?

Job Description and Community Profile

The Town Manager Screening Committee is responsible for presenting the names of 3-5 individuals, who shall be considered finalists, to the Board of Selectmen for consideration as appointment as the Town Manager of Sudbury.

The Screening Committee shall work collaboratively with the Town's recruitment consultant in executing their responsibilities.

<u>Click here</u> to download the complete committee mission statement.

# Timeline



# **Related Departments**

**Counterpart Committees** 

- <u>Town Manager</u>
- Board of Selectmen

#### Contact

#### Email:

townmanagersearch@sudbury.ma.us

**Phone:** (978) 639 - 3381 **Fax:** (978) 443 - 0756



# Tuesday, May 26, 2020

# **MISCELLANEOUS (UNTIMED)**

21: Vote to adjourn meeting

#### **REQUESTOR SECTION**

Date of request:

Requestor: Dan Carty

Formal Title: Vote to adjourn meeting

Recommendations/Suggested Motion/Vote:

**Background Information:** 

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden Pending
Henry L Hayes Pending
Jonathan Silverstein Pending
Daniel E Carty Pending

Board of Selectmen Pending 05/26/2020 5:30 PM