

SUDBURY SELECT BOARD
THURSDAY MARCH 24, 2022
6:15 PM, ZOOM

Item #	Time	Action	Item
	6:15 PM		CALL TO ORDER
EXECUTIVE SESSION			
1.		<i>VOTE</i>	Vote to immediately enter Executive Session pursuant to Exemption 3 (G.L. c. 30A, §21(a)(3)) - Discussion and vote on whether to enter executive session to discuss requesting a declaratory order with the Federal Surface Transportation Board regarding the legal status of the Mass Central Rail right of way and possible litigation next steps.
2.		<i>VOTE</i>	Continue executive session to review, approve, and possibly release 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.		<i>VOTE</i>	Vote to close executive session and resume open session.
			Opening remarks by Chair
			Reports from Town Manager
			Reports from Select Board
			Citizen's comments on items not on agenda
MISCELLANEOUS			
4.			American Rescue Plan Act (ARPA) public Listening Session; Select Board discussion on ARPA submissions/decision process. (~90 min.)
5.		<i>VOTE</i>	Discussion and possible vote regarding Sewataro/Liberty Ledge Property Manager/Camp Operator Agreement Negotiation Update. (~40 min.)
6.		<i>VOTE</i>	Discussion and possible votes on 2022 Annual Town Meeting items: logistics, order and consent calendar; positions on articles; Select Board reports, review draft Annual Town Meeting warrant. Final warrant version to be approved no later than the 4/5/22 meeting. (~30 min.)
CONSENT CALENDAR			

These agenda items are those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law. Some items may be taken out of order or not be taken up at all. The Chair will strive to honor timed items as best as possible, however, the estimated timing may occasionally be inaccurate.

Item #	Time	Action	Item
7.		<i>VOTE</i>	Vote to accept a COVID-19 test kits grant from the MetroWest Foundation in the amount of \$50,000.

These agenda items are those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law. Some items may be taken out of order or not be taken up at all. The Chair will strive to honor timed items as best as possible, however, the estimated timing may occasionally be inaccurate.

**SUDBURY SELECT BOARD**

Thursday, March 24, 2022

EXECUTIVE SESSION**1: Executive Session re: STB****REQUESTOR SECTION**

Date of request:

Requested by: Leila S. Frank

Formal Title: Vote to immediately enter Executive Session pursuant to Exemption 3 (G.L. c. 30A, §21(a)(3)) - Discussion and vote on whether to enter executive session to discuss requesting a declaratory order with the Federal Surface Transportation Board regarding the legal status of the Mass Central Rail right of way and possible litigation next steps.

Recommendations/Suggested Motion/Vote: Vote to immediately enter Executive Session pursuant to Exemption 3 (G.L. c. 30A, §21(a)(3)) - Discussion and vote on whether to enter executive session to discuss requesting a declaratory order with the Federal Surface Transportation Board regarding the legal status of the Mass Central Rail right of way and possible litigation next steps.

Background Information:

Attached documents

Requested by Member Bill Schineller

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Henry L Hayes	Pending
Town Counsel	Pending
Jennifer Roberts	Pending
Select Board	Pending

03/24/2022 6:15 PM

**SUDBURY SELECT BOARD**

Thursday, March 24, 2022

EXECUTIVE SESSION**2: Executive session to review/release minutes****REQUESTOR SECTION**

Date of request:

Requested by: Patty Golden

Formal Title: Continue executive session to review, approve, and possibly release 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: Continue executive session to review, approve, and possibly release 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:

3/1/22 executive session draft minutes attached

Financial impact expected:

Approximate agenda time requested: 15 minutes

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Henry L Hayes	Pending
Town Counsel	Pending
Jennifer Roberts	Pending
Select Board	Pending

03/24/2022 6:15 PM

**SUDBURY SELECT BOARD**

Thursday, March 24, 2022

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:

Background Information:

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Henry L Hayes	Pending
Town Counsel	Pending
Jennifer Roberts	Pending
Select Board	Pending

03/24/2022 6:15 PM

**SUDBURY SELECT BOARD**

Thursday, March 24, 2022

MISCELLANEOUS (UNTIMED)**4: American Rescue Plan Act (ARPA) public listening session****REQUESTOR SECTION**

Date of request:

Requestor: Chair Roberts

Formal Title: American Rescue Plan Act (ARPA) public Listening Session; Select Board discussion on ARPA submissions/decision process. (~90 min.)

Recommendations/Suggested Motion/Vote: American Rescue Plan Act (ARPA) funds and public Listening Session; Select Board discussion on ARPA submissions/decision process. (~90 min.)

Background Information:
attached flyer and press release

Financial impact expected:

Approximate agenda time requested: 60 minutes

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Henry L Hayes	Pending
Town Counsel	Pending
Jennifer Roberts	Pending
Select Board	Pending

03/24/2022 6:15 PM

LISTENING SESSION

The American Rescue Plan Act



ARPA Listening Session

The Listening Session is an opportunity for the community to provide input to the Select Board as to how Sudbury could allocate its share of ARPA funding.

Proposed Project Info:

- What it is
- Why it is needed
- Cost
- One-time or ongoing cost
- Funding source (after ARPA)

email to ARPA@sudbury.ma.us

Select Board Funding Categories

- Public Health
- Economic Insecurities due to COVID-19 (e.g. food, housing, income)
- Inequities Exacerbated due to COVID-19
- Education Impacts due to COVID-19
- Long-term Infrastructure
- Other

Thursday
March 24
7 PM – 9 PM

Watch on **SudburyTV**
Participate on **Zoom**

Zoom Link

[https://us02web.
zoom.us/j/85761138554](https://us02web.zoom.us/j/85761138554)

Meeting ID

857 6113 8554

Dial-In Number

978-639-3366 or
470-250-9358

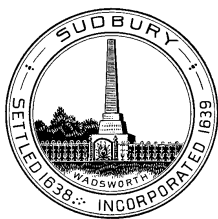
3/24/2022 @ 7 PM

4 minutes per speaker.

All hands raised by
8:30 PM will be
responded to.

For More Information:

<https://sudbury.ma.us/ARPA>



Town of Sudbury

Office of Select Board

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

selectboard@sudbury.ma.us

Sudbury Select Board Release \$2,041,000 of ARPA Funds and Announce Listening Session

Sudbury ARPA Listening Session to be held on Thursday, March 24, 2022 from 7PM – 9PM via Zoom.

Sudbury, MA – March 21, 2022 - On January 18, 2022, the Sudbury Select Board voted to approve certain projects for American Rescue Plan Act (ARPA) fund usage. Overall, the Town was allocated \$5,875,013.78 in federal ARPA funds. Leading up to that evening, citizens were asked their perspectives about potential uses of the funds. The Town utilized FlashVote, submissions via email, and solicitation from the staff to gather input. The full list of requests can be found at [ARPA – Compiled Request Listing](#).

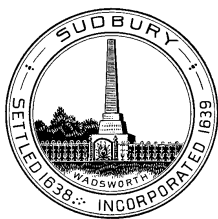
The Select Board has released \$2,041,000 of the available ARPA funds to address time sensitive matters as of January 18.

The approved items included:

Proposed Project	Cost Estimate
ARPA Consultant (Powers & Sullivan) <i>voted January 4, 2022</i>	\$40,000
Additional Social Worker Services	\$170,000
Basic needs gift cards (Jail Diversion Prog, Senior Center, Social Work Dept)	\$20,000
Mental Health Counselor	\$166,000
At-Home COVID-19 Testing Kits (for residents who cannot afford/access testing)	\$50,000
SPS: Summer academic program	\$620,000
SPS: Social and Emotional Learning	\$420,000
LSRHS: Ventilation system upgrades	\$100,000
Fairbank Community Center: Water line replacement	\$400,000
Fire: Equipment - stretcher, stair chair and CPR machine	\$55,000
	\$2,041,000 Total

For more details, please see [Time Sensitive Items Memo](#) and “2022 Jan 18 outcomes” tab of [ARPA – Compiled Request Listing](#) spreadsheet document.

The Select Board has also decided to hold a Listening Session on Thursday, March 24 from 7-9PM via Zoom to hear more from the community, businesses and professional staff. Participants may join via Zoom at <https://us02web.zoom.us/j/85761138554>, call in at 978-639-3366 with Meeting ID# 857 6113 8554 or watch live on SudburyTV. During the event, those that use the ‘raise hand’ function before 8:30 PM will be called upon to



Town of Sudbury

Office of Select Board

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

selectboard@sudbury.ma.us

provide comments up to 4 minutes in duration. Information may be sought in advance via email to ARPA@sudbury.ma.us.

In preparation for the Listening Session, the Select Board requests that people share:

- What the topic/project is
- Why it is needed
- Cost
- One-time vs. ongoing cost?
- Plan for when the funding source is no longer available

The Select Board agreed to review projects against the following criteria, which directly relates to the original purpose of the ARPA Funds guidance:

- Public Health
- Economic Insecurities due to Covid-19 (e.g. food, housing, income)
- Inequities Exacerbated due to Covid-10
- Education Impacts due to Covid-19
- Long-term Infrastructure
- Other*

*"Other" means additional project types will also be considered.

Thank you for your thoughtful consideration and preparation for the ARPA Listening Session. The Select Board looks forward to gaining additional perspectives from the community. More information about The American Rescue Plan Act of 2021 and the March 24 Listening Session can be found at <https://Sudbury.ma.us/arpa>.

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**SUDBURY SELECT BOARD**

Thursday, March 24, 2022

MISCELLANEOUS (UNTIMED)**5: Sewataro/Liberty Ledge Property Manager Agreement****REQUESTOR SECTION**

Date of request:

Requestor: Chair Roberts

Formal Title: Discussion and possible vote regarding Sewataro/Liberty Ledge Property Manager/Camp Operator Agreement Negotiation Update. (~40 min.)

Recommendations/Suggested Motion/Vote: Discussion and possible vote regarding Sewataro/Liberty Ledge Property Manager/Camp Operator Agreement Negotiation Update. (~40 min.)

Background Information:

Financial impact expected:

Approximate agenda time requested: 45 minutes

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Henry L Hayes	Pending
Town Counsel	Pending
Jennifer Roberts	Pending
Select Board	Pending

03/24/2022 6:15 PM

Town of Sudbury
Camp Sewataro - Actual Debt
December 14, 2021

DEBT ISSUANCE - SEWATARO (ACTUAL)

Fiscal Year	Principal	Interest	Total	Outstanding Principal	Interest Rate
2021	-	-	-	11,065,000.00	-
2022	560,000.00	227,201.43	787,201.43	10,505,000.00	2.05%
2023	560,000.00	217,362.00	777,362.00	9,945,000.00	2.07%
2024	560,000.00	200,363.00	760,363.00	9,385,000.00	2.01%
2025	560,000.00	183,362.00	743,362.00	8,825,000.00	1.95%
2026	560,000.00	171,763.00	731,763.00	8,265,000.00	1.95%
2027	560,000.00	160,162.00	720,162.00	7,705,000.00	1.94%
2028	555,000.00	148,563.00	703,563.00	7,150,000.00	1.93%
2029	550,000.00	137,062.00	687,062.00	6,600,000.00	1.92%
2030	550,000.00	125,763.00	675,763.00	6,050,000.00	1.91%
2031	550,000.00	114,912.00	664,912.00	5,500,000.00	1.90%
2032	550,000.00	104,063.00	654,063.00	4,950,000.00	1.89%
2033	550,000.00	95,590.00	645,590.00	4,400,000.00	1.93%
2034	550,000.00	86,582.00	636,582.00	3,850,000.00	1.97%
2035	550,000.00	77,017.00	627,017.00	3,300,000.00	2.00%
2036	550,000.00	66,918.00	616,918.00	2,750,000.00	2.03%
2037	550,000.00	56,260.00	606,260.00	2,200,000.00	2.05%
2038	550,000.00	45,335.00	595,335.00	1,650,000.00	2.06%
2039	550,000.00	34,410.00	584,410.00	1,100,000.00	2.09%
2040	550,000.00	23,218.00	573,218.00	550,000.00	2.11%
2041	550,000.00	11,742.00	561,742.00	-	2.13%
Total	11,065,000.00	2,287,648.43	13,352,648.43	-	

Proposed Contract Adjustments for Camp Sewataro Operator Agreement Contract Renewal

03/24/2022

Charlie Russo, Select Board member

Category	Current State	Recommended Future State	Reason for Change
Minimum payment	\$120k, with 3% annual increase, per Exhibit 4 in original contract	\$200k, with 3% annual increase, as per Exhibit 4 in original contract	<ul style="list-style-type: none"> • 67% increase in base annual fee • Brings base payment up to match property tax payments of ~\$200k from before Town owned land
Term length	3 year	5 year	<ul style="list-style-type: none"> • 5-year extension is consistent with stated expected renewal length in the original contract • No alternative exists today without significant costs to the Town • Any alternative plan from a land use consultant is probably 3 years away from delivery based on sequencing of proposed plans; would need 1 year of Town prep, would then lead into TM • Relevant Town resources focused on Fairbanks
Revenue share	<ul style="list-style-type: none"> • 20% of first \$500,000 net revenue • 25% of next \$500,000 • 33% of \$1MM+ net revenue 	<ul style="list-style-type: none"> • 25% of first \$1MM net revenue* • 33% of \$1MM+ net revenue 	<p>Better revenue share for Town</p> <p>*Contingent on Planning Board approval of camper # from 650 to 700. Select Board would support this change.</p>
Number of campers	650	700	<ul style="list-style-type: none"> • Requires Planning Board approval • Adds 15 CITs (Sudbury hiring preference) • Adds 5 youngest (part-time=greater local interest) • Adds 30 regular campers • Preference to Sudbury residents in all categories, explicit or implicit, = local benefit

Public access (general)	Restricted to the front section of the property during camp season	Consider if summer access to basketball and tennis courts is feasible without jeopardizing safety, possibly in conjunction with P&R and/or SPD?	Camp operator open to ways to expand public access without risking camp or town property; would likely need Town support to accomplish this
Public access / ADA access improvements	None	To be implemented this calendar year as proposed in the Access Enhancements Proposal, with input from COD.	<ul style="list-style-type: none"> • Improves public accessibility • Expense will likely decrease revenue share
Full Staff Accounting	“consultants” from other camps do work on behalf of Sewataro, not paid out of Sewataro	Maximum of \$70k cost of consultants to Sewataro brought onto Sewataro books	<ul style="list-style-type: none"> • Has some potential to decrease revenue share • Provides tax benefits to Camp Operator
Water Quality Enhancements	Minimal chlorination	Camp adds at its expense water quality improvements per NOI	<ul style="list-style-type: none"> • Improved public and environmental health • Potential reduction of revenue share
Public Events	2 events: 1 Independence Day, 1 Fall Event	2 events: 1 Spring/Summer Event, 1 Fall Event Coordination with Town/P&R to avoid conflict remains in place	Better match between Operator resources and public engagement (Independence Day difficult to staff, not as much public interest as another date for the event)
Public Swimming	None	To be considered in calendar year 2023. To be completed without additional indemnification risk to Town.	Improve public amenities in a practical timeframe, considering access infrastructure and updated water quality testing
Intellectual Property	Camp Everwood has first right of refusal	Camp Everwood guaranteed IP rights at fair market value should the Town decide to cease camp operations	<ul style="list-style-type: none"> • Provides value to camp operator for its investments • Depending on value of IP, may legally require a public bid process

Illustration of financial implications of current and new/adjusted terms:

source = Scott Brody

In a typical year, under current conditions and contract terms, the camp operator would pay base rent of 120k per year. Assuming camp revenue and expenses rise at an even rate, in a typical year under current terms, the camp would have net revenue of 800k. The town would be entitled to 20% of the first 500k, or 100k in profit share, plus 25% of the next 300k or an additional 75k of profit share. Under those terms, the town's profit share would total 175k, and when combined with the rent of 120k, the town would receive a total of **\$295k** per year, with upward adjustments in the base rent of 3% per annum. This is based upon the current, pre-negotiated renewal terms.

If the discussed changes are adopted (not including the impact of additional swimming, which could slightly reduce net profit equally under both scenarios), the following is the anticipated outcome:

1. Base rent to the town increases from 120k to 200k.
2. Net revenue would increase by approx. 100k to 900k from additional tuition revenue after inclusion of additional expenses.
3. Town's share of net revenue would be at an even 25%, or 225,000.
4. Town would receive a total of **\$425,000 per year**, representing **an increase of approximately \$130k per year** over current arrangement. The town would also continue to benefit from the 50 full season camper spaces set aside for scholarships for Sudbury residents, representing up to 200 two-week camp experiences, as well as all of the operating, insurance and other expenses paid by the operator for the benefit of the citizens of Sudbury.

Historic Revenues:

2020	Base Annual Fee	\$120,000	
	Revenue Share	0	
	Total 2020 Revenue to Town	\$120,000	
2021	Base Annual Fee	\$120,000	120,000
	Revenue Share (including 534k in PPP)	\$338,940	(without PPP): 176,866
	Total 2021 Revenue to Town	\$458,940	(without PPP): \$296,866

Additional Costs paid by Sewataro:

Source = Scott Brody

Insurance for Town Use	33,000.00	
Trademark	3,900.00	
Pond & Pools Maintenance	20,000.00	
Building & Grounds	200,000.00	
50% of Utilities (Electricity Water Heat)	31,000.00	
Town Events	21,600.00	
Town Liaison	23,000.00	
Grounds Keeper(s)	80,000.00	
Total Annual Expenses Benefitting Town of Sudbury		\$412,500.00

	2023	2024	2025	2026	2027
Projected Income	3,931,400.00	4,127,970.00	4,334,368.50	4,551,086.93	4,778,641.27
Projected Expenses					
Activities/Camper Expenses	111,668.69	117,252.14	123,114.74	129,270.47	135,733.99
Office	328,241.08	344,653.14	361,885.79	379,980.09	398,979.10
Payroll & Benefits	1,766,701.21	1,820,464.99	1,875,879.80	1,932,997.11	1,991,869.99
Professional Fees & Services	99,222.24	100,683.35	102,217.52	103,828.39	105,519.81
Repairs & Maintenance	278,542.39	292,469.51	307,092.98	322,447.64	338,570.01
Town Events	14,133.66	14,840.34	15,582.35	16,361.47	17,179.55
Transportation	256,154.12	268,961.83	282,409.92	296,530.42	311,356.94
Utilities	78,701.74	82,636.83	86,768.67	91,107.10	95,662.46
Vehicles	11,226.74	11,788.07	12,377.48	12,996.35	13,646.17
Base Rent to Town	200,000.00	206,000.00	212,180.00	218,545.40	225,101.76
Capital Projects	40,000.00	40,000.00	40,000.00	40,000.00	40,000.00
ADA Compliance	15,700.00	16,485.00	17,309.25	18,174.71	19,083.45
Town Swim	87,000.00	30,000.00	31,500.00	33,075.00	34,728.75
Total Expenses	3,287,291.87	3,346,235.20	3,468,318.50	3,595,314.15	3,727,431.98
Net Operating Income	644,108.13	781,734.80	866,050.00	955,772.78	1,051,209.29
Income for Town Calculation	\$644,108.13	\$781,734.80	\$866,050.00	\$955,772.78	\$1,051,209.29
Revenue Share					
25% of 1,000,000	\$161,027.03	\$195,433.71	\$216,512.50	\$238,943.19	\$250,000.00
33% of amount over 1,000,000	\$0.00	\$0.00	\$0.00	\$0.00	\$16,899.07
Base Rent to Town	\$200,000.00	\$206,000.00	\$212,180.00	\$218,545.40	\$225,101.76
Total to Town	\$361,027.03	\$401,433.71	\$428,692.50	\$457,488.59	\$492,000.83



Henry L. Hayes, Jr.
Town Manager

TOWN OF SUDBURY
Office of the Town Manager
www.sudbury.ma.us

278 Old Sudbury Road
Sudbury, Massachusetts 01776
Tel: (978) 639-3381
Fax: 978-443-0756
Email: townmanager@sudbury.ma.us

March 23, 2022

Select Board
Town of Sudbury
Massachusetts

Dear Honorable Select Board Members:

Please see the attached Camp Sewataro E.Coli report, samples taken 3-7-22. Our team has reviewed the results, their comments are below:

- Conservation Agent: I have no comments relative to this recent water testing result.
- Health Director: Their second E.Coli report was favorable. Warmer weather tests from here on in will be critical.

This information will be placed on the Town [website](#).

Sincerely,

Henry L. Hayes, Jr.
Town Manager

Attachment 1: 239863-Camp Sewataro-Ecoli-3-7-22.pdf



239863-Camp
Sewataro-Ecoli-3-7-22

Attachment5.d: SB Info - Sewataro E.Coli result from 2022 Mar 7 (5148 : Sewataro/Liberty Ledge Property Manager Agreement)

31A Willow Road, Ayer MA 01432

Website: <http://www.NashobaAnalytical.com>

Use this number with all correspondence

Client:

Camp Sewataro, Inc.

One Liberty Ledge

Sudbury, MA 01776


ReportDate: 3/8/2022

Certificate of Analysis**One Liberty Ledge, Sudbury, MA**

Parameter	Method	Result	MRL	Date of Analysis	Analyst
1- Fishing Pond					
<i>Sampled: 3/7/2022 12:08:00 PM by Ramon</i>					
E. coli, MPN/100ml	ENZ. SUB. SM9223	<1	1	3/7/2022 1:15:00 PM	M-MA1118
3- In the Pond					
<i>Sampled: 3/7/2022 12:08:00 PM by Ramon</i>					
E. coli, MPN/100ml	ENZ. SUB. SM9223	4	1	3/7/2022 1:15:00 PM	M-MA1118
4- Out the Pond					
<i>Sampled: 3/7/2022 12:08:00 PM by Ramon</i>					
E. coli, MPN/100ml	ENZ. SUB. SM9223	<1	1	3/7/2022 1:15:00 PM	M-MA1118
2- Swimming Pond					
<i>Sampled: 3/7/2022 12:08:00 PM by Ramon</i>					
E. coli, MPN/100ml	ENZ. SUB. SM9223	<1	1	3/7/2022 1:15:00 PM	M-MA1118

MRL=Minimum Reporting Level, ND = None Detected (<MRL)

Analysis performed according to 310CMR42.00

Massachusetts Certified
Laboratory #M-MA1118

David L. Knowlton
Laboratory Director

Page 1 of 1

**SUDBURY SELECT BOARD**

Thursday, March 24, 2022

MISCELLANEOUS (UNTIMED)**6: 2022 Annual Town Meeting action****REQUESTOR SECTION**

Date of request:

Requestor: Chair Roberts

Formal Title: Discussion and possible votes on 2022 Annual Town Meeting items: logistics, order and consent calendar; positions on articles; Select Board reports, review draft Annual Town Meeting warrant. Final warrant version to be approved no later than the 4/5/22 meeting. (~30 min.)

Recommendations/Suggested Motion/Vote: Discussion and possible votes on 2022 Annual Town Meeting items: logistics, order and consent calendar; positions on articles; Select Board reports, review draft Annual Town Meeting warrant. Final warrant version to be approved no later than the 4/5/22 meeting. (~30 min.)

Background Information:

Financial impact expected:

Approximate agenda time requested: 30 minutes

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Henry L Hayes	Pending
Town Counsel	Pending
Jennifer Roberts	Pending
Select Board	Pending

03/24/2022 6:15 PM

ATM 2022 ARTICLES

6.a

#	Article Title	Sponsor/ Submitted by	Article Presenter	SB Position	FinCom Position	CIAC Position	Report SB position at ATM	Funding Source	Requested Amount	Required Vote	Consent Calendar
	IN MEMORIAM RESOLUTION		Schineller								
	FINANCE/BUDGET										
1	Hear Reports	Select Board	Citizen	5-0						Majority	
2	FY22 Budget Adjustments	Select Board	Town Manager	Rpt at ATM					Will Report at ATM	Majority	
3	FY23 Budget	Town Manager		5-0	8-0			Tax Levy	\$109,966,439	Majority	
4	FY23 Capital Budget	Town Manager		5-0	8-0			Tax Levy	\$1,036,274	Majority	
5	FY23 Transfer Station Enterprise Fund Budget	Town Manager		5-0	9-0			Enterprise Fund	\$317,675	Majority	
6	FY23 Pool Enterprise Fund Budget	Town Manager		5-0	9-0			Enterprise Fund	\$503,353	Majority	
7	FY23 Recreation Field Maintenance Enterprise Fund Budget	Town Manager		5-0	9-0			Enterprise Fund	\$235,885	Majority	
8	FY22 Snow & Ice Transfer	Town Manager		Rpt at ATM					Will Report at ATM	Majority	
9	Unpaid Bills	Town Accountant		Rpt at ATM					Will Report at ATM	Four-fifths	
10	Chapter 90 Highway Funding	DPW Director		5-0	9-0			State		Majority	Y
11	Stabilization Fund	Select Board	Carty	5-0	9-0			Free Cash	\$40,409	Majority	Y
12	FY23 Revolving Fund Spending Limits	Finance Director		5-0	9-0			Spending Limit		Majority	Y
13	Capital Stabilization Fund	Town Manager		5-0	8-0			Free Cash	\$500,000	Majority	
	MISCELLANEOUS										
14	GO Sudbury! Taxi and Uber Transportation Programs for FY23	Select Board	Carty	Rpt at ATM	9-0			Free Cash	\$100,000	Majority	?
15	Funding of Operations for Passive Recreation Requirements of the Sewataro/Liberty Ledge Property.	Select Board	Town Manager					Free Cash	\$155,000	Majority	
16	Funding of a Land Use Consultant for the Sewataro/Liberty Ledge Property	Select Board	Russo					Free Cash	\$100,000	Majority	
17	24 Hudson Road - Release of Easement	Select Board	Town Manager	5-0						Two-thirds	Y
18	Transfer of Tax Possession Parcel to the Park & Recreation Commission	Select Board	Suedmeyer	5-0							?

Attachment 6.a: ATM ARTICLES UPDATE - 3-23-22 (5173 : 2022 Annual Town Meeting action)

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NS-not support; S-support; IP-Indefinitely Postpone; RTM-Report at Town Meeting

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ATM 2022 ARTICLES

6.a

#	Article Title	Sponsor/ Submitted by	Article Presenter	SB Position	FinCom Position	CIAC Position	Report SB position at ATM	Funding Source	Requested Amount	Required Vote	Consent Calendar
19	Bruce Freeman Rail Trail Phase 2D - Acquisition of Land	Select Board	Suedmeyer	3-2				Free Cash	\$15,000		
20	Bruce Freeman Rail Trail Phase 2D - Grant of Easements	Select Board	Suedmeyer	5-0						Two-thirds	?
21	Street Acceptance - Huckleberry Lane	Select Board	Town Manager	5-0	n/a					Two-thirds	?
22	Fairbank Community Center Audio-Visual Equipment Funding	Select Board	Roberts			4-0		Free Cash	\$300,000	Majority	
23	Fairbank Community Center Furniture, Fixtures, Equipment Funding (FF&E)	Select Board	Dretler			4-0		Free Cash	\$200,000	Majority	
24	Additional Funding: Construction of Fire Station No. 2 Housing/Living/Office Area.	Fire Chief		5-0	7-1	5-0-1		Free Cash	\$950,000		
25	Amend General Bylaws - Enable Electronic Voting at Town Meeting	Town Clerk		5-0	n/a						
26	Sudbury Public Schools HVAC Repairs and Replacements	SPS School Committee		5-0	8-0	6-0		Free Cash	\$455,000	Majority	
27	Noyes Elementary School - Classroom Sinks Replacement	SPS School Committee		5-0	8-0	6-0		Free Cash	\$130,000	Majority	
28	Lincoln-Sudbury Regional High School Chain Link Fence Replacement	LS School Committee		5-0	8-0-1	5-0-1		Free Cash	\$139,443	Majority	Y
29	Amend the Process for Creating New Local Historic Districts	Historic Districts Commission									?
30	Amend Zoning Bylaw, Article IX: Insert Section 2328. Fences	Planning Board		5-0						Two-thirds	?
31	Amend General Bylaws, Article V (F) Stormwater Management	Planning Board		5-0						Two-thirds	?
32	ADA Transition Plan Recommendation	Combined Facilities Director			2-4-3	4-0		Free Cash	\$200,000	Majority	
33	Filtration Systems for Atkinson Pool	Combined Facilities Director		4-1	7-2	6-0		Free Cash	\$160,000	Majority	
34	On-call Architectural & Engineering "House Doctor" Services	Combined Facilities Director			1-8	4-0 no position		Free Cash	\$100,000	Majority	

Attachment 6.a: ATM ARTICLES UPDATE - 3-23-22 (5173 : 2022 Annual Town Meeting action)

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ATM 2022 ARTICLES

6.a

#	Article Title	Sponsor/ Submitted by	Article Presenter	SB Position	FinCom Position	CIAC Position	Report SB position at ATM	Funding Source	Requested Amount	Required Vote	Consent Calendar
35	Authorization to Proceed with DPW Facility Solar Project	Combined Facilities Director		5-0							
36	Backhoe Loader	Public Works Director		5-0	9-0	6-0		Free Cash	\$150,000	Majority	Y
37	6-Wheel Combo Body Dump Truck w/Plow	Public Works Director		5-0	9-0	6-0		Free Cash	\$285,000	Majority	Y
38	Skid Steer	Public Works Director		5-0	9-0	6-0		Free Cash	\$130,000	Majority	Y
39	WITHDRAWN			Withdra wn 5-0							
40	WITHDRAWN			Withdra wn 5-0							
41	Roadside Mower	Public Works Director		5-0	9-0	6-0		Free Cash	\$140,000	Majority	Y
42	Townwide Drainage and Roadway Reconstruction.	Public Works Director			8-0	4-0		In-Levy Debt	\$3,500,000	Two-thirds if Barrowed	
43	WITHDRAWN			Withdra wn 5-0							
44	WITHDRAWN			Withdra wn 5-0							
45	Old Framingham Road/Nobscot Road Walkway Extension Project - Easements	Public Works Director		5-0						Two-thirds	?
46	Old Framingham Road/Nobscot Road Walkway Extension Project	Public Works Director		4-1	5-2-1	3-0-1		Free Cash	\$700,000	Majority	
	CPC ARTICLES										
47	Community Preservation Act Fund - Bruce Freeman Rail Trail Design and Construction North of Mass Central Rail Trail	CPC				tabled		CPC	\$500,000	Majority	?
48	Community Preservation Act Fund - Bruce Freeman Rail Trail Design and Construction South of Mass Central Rail Trail	CPC		3-2		4-0 to support \$175,000 North of Rt20		CPC	\$300,000	Majority	?

Attachment 6.a: ATM ARTICLES UPDATE - 3-23-22 (5173 : 2022 Annual Town Meeting action)

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ATM 2022 ARTICLES

6.a

#	Article Title	Sponsor/ Submitted by	Article Presenter	SB Position	FinCom Position	CIAC Position	Report SB position at ATM	Funding Source	Requested Amount	Required Vote	Consent Calendar
49	Community Preservation Act Fund - Historic Districts Commission Design Guidelines	CPC			4-5			CPC	\$50,000	Majority	?
50	Community Preservation Act Fund - Libby-Dickson Conservation Restriction Monitoring	CPC		5-0	9-0			CPC	\$9,454	Majority	Y
51	Community Preservation Act Fund - Open Space & Recreation Plan and Athletic Fields Needs Assessment & Master Plan	CPC		5-0				CPC	\$100,000	Majority	?
52	Community Preservation Act Fund - Regional Housing Services Office (RHSO) Membership Fee	CPC		5-0	9-0			CPC	\$30,000	Majority	Y
53	Community Preservation Act Fund - Sudbury Housing Authority Acquisition, Creation, Preservation, and Support of Affordable Rental Housing	CPC		5-0	9-0			CPC	\$276,600	Majority	Y
54	Community Preservation Act Fund - Town Clock Restoration	CPC		5-0	7-2			CPC	\$16,000	Majority	Y
55	Community Preservation Act Fund - Return of Unspent Funds	CPC		5-0	9-0			CPC	\$68,875.75	Majority	Y
56	Community Preservation Act Fund - General Budget and Appropriations	CPC		5-0	9-0			CPC	\$2,766,000	Majority	Y
PETITION ARTICLES											
57	Hire Land Use Consultant for Liberty Ledge/Sewataro Property	Len Simon						Free Cash	\$200,000	Majority	
58	Creation of Sustainability Director position	Alex Vai		3-2	1-7			Free Cash	\$130,000	Majority	

Attachment 6.a: ATM ARTICLES UPDATE - 3-23-22 (5173 : 2022 Annual Town Meeting action)

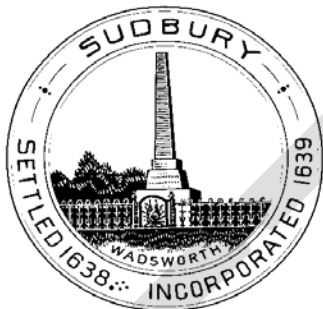
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PART I

TOWN OF SUDBURY ANNUAL
TOWN MEETING WARRANT

Commonwealth of Massachusetts Middlesex, ss.

To the Constable of the Town of Sudbury:

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the Town of Sudbury, qualified to vote in Town affairs to meet at the Lincoln-Sudbury Regional High School Auditorium, 390 Lincoln Road, in said Town on Monday, May 2, 2022, at 7:30 p.m., then and there to act on the following articles:

ARTICLE 1. HEAR REPORTS

To see if the Town will vote to hear, consider and accept the reports of the Town Boards, Commissions, Officers and Committees as printed in the 2021 Town Report or as otherwise presented; or act on anything relative thereto.

Submitted by the Select Board.

(Majority vote required)

SELECT BOARD POSITION: The Select Board supports this article.

ARTICLE 2. FY22 BUDGET ADJUSTMENTS

To see if the Town will vote to amend the votes taken under Article 3, FY22 Budget, of the 2021 Annual Town Meeting, by adding to or deleting from line items thereunder, by transfer between or among accounts or by transfer from available funds; or act on anything relative thereto.

Submitted by the Select Board.

(Majority vote required)

SELECT BOARD REPORT: This article will allow flexibility to review all accounts within the FY22 Operating Budget to make adjustments at the Annual Town Meeting as necessary.

SELECT BOARD POSITION: The Select Board will report at Town Meeting.

FINANCE COMMITTEE REPORT:

ARTICLE 3. FY23 BUDGET

To see if the Town will vote to raise and appropriate, or appropriate from available funds, the following sums, or any other sum or sums, for any or all Town expenses and purposes, including debt and interest, and to provide for a Reserve Fund, all for the Fiscal Year July 1, 2022 through June 30, 2023, inclusive, in accordance with the following schedule, which is incorporated herein by reference:

		FY23
EXPENDITURES		Recommended
300:	Education - Sudbury Public Schools (SPS)	41,849,664
300:	Education - LS Regional High School (LS) ¹	27,869,764
300:	Education - Vocational	550,000
Total: Schools		70,269,428
100:	General Government	3,397,735
200:	Public Safety ⁴	9,603,953
400:	Public Works	5,937,489
500:	Human Services	978,861
600:	Culture & Recreation	1,569,499
Total: Town Departments		21,487,537
800:	Reserve Fund	300,000
800:	Town-Wide Operating and Transfers	189,459
700:	Town Debt Service	2,240,185
900:	Employee Benefits (Town and SPS) ²	14,829,830
1000:	OPEB Trust Contribution (Town and SPS) ³	650,000
TOTAL OPERATING BUDGET:		109,966,439
(not including Capital or Enterprise Funds)		

¹ Includes \$335,565 for OPEB and \$492,300 for Debt Service.

² Includes \$6,541,263 for Town and \$8,288,567 for SPS.

³ Includes \$209,679 for Town and \$440,321 for SPS.

⁴ Appropriation is partially funded by \$660,000 of ambulance receipts.

; or act on anything relative thereto.

Submitted by the Town Manager.

(Majority vote required)

TOWN MANAGER REPORT: See detailed budget information, including details on each of these items in the Finance Section of the Warrant.

SELECT BOARD POSITION: The Select Board supports this article.

FINANCE COMMITTEE REPORT: The Finance Committee recommends approval of the FY23 Budget.

ARTICLE 4. FY23 CAPITAL BUDGET

To see if the Town will vote to raise and appropriate, or appropriate from available funds, the following sums, or any other sum or sums, or authorize lease purchase agreements of up to five years, for the purchase or acquisition of capital items including but not limited to capital equipment, construction, engineering, design, renovation to buildings, equipping of vehicles, and all incidental and related expenses for projects:

	FY23 Recommended
Operating Capital Budget	
Sudbury Public Schools	350,000
LS Regional High School	113,429
Information Systems	50,000
Town Clerk & Registrars	22,845
Police	45,000
Fire	110,000
Public Works	180,000
Parks and Grounds	85,000
Combined Facilities	80,000
Total Operating Capital Budget	1,036,274

; or act on anything relative thereto.

Submitted by the Town Manager.

(Majority vote required)

TOWN MANAGER REPORT: See detailed budget information, including details on each of these items in the Finance Section of the Warrant.

SELECT BOARD POSITION: The Select Board supports this article.

FINANCE COMMITTEE REPORT: The Finance Committee recommends approval of the FY23 Capital Budget.

ARTICLE 5. FY23 TRANSFER STATION ENTERPRISE FUND BUDGET

To see if the Town will vote to raise and appropriate, or appropriate from available funds, the following sums set forth in the FY23 budget of the Transfer Station Enterprise, to be included in the tax levy and offset by the funds of the enterprise:

	FY21 Actual	FY22 Appropriated	FY23 Requested
TRANSFER STATION ENTERPRISE FUND			
Direct Costs	243,615	291,303	300,124
Indirect Costs ¹	17,163	17,800	17,551
Total Expenditures	260,778	309,103	317,675
Enterprise Receipts	261,551	309,103	317,675
Total Revenues	261,551	309,103	317,675

¹ Paid for by Enterprise Revenue Transfer to Unclassified Benefits (General Fund)

; or act on anything relative thereto.

Submitted by the Town Manager.

(Majority vote required)

TOWN MANAGER REPORT: See detailed information in the Finance Section of the Warrant.

SELECT BOARD POSITION: The Select Board supports this article.

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

ARTICLE 6. FY23 POOL ENTERPRISE FUND BUDGET

To see if the Town will vote to raise and appropriate, or appropriate from available funds, the following sums set forth in the FY23 budget of the Atkinson Pool Enterprise, to be included in the tax levy and offset by the funds of the enterprise:

	FY21 Actual	FY22 Appropriated	FY23 Requested
POOL ENTERPRISE FUND			
Direct Costs	259,686	438,753	462,620
Indirect Costs ¹	36,828	25,383	40,733
Total Expenditures	296,514	464,136	503,353
Enterprise Receipts	539,201	464,136	400,000
Transfers In	150,000	-	-
Retained Earnings Used	-	-	103,353
Total Revenues	689,201	464,136	503,353

¹ Paid for by Enterprise Revenue Transfer to Unclassified Benefits (General Fund)

; or act on anything relative thereto.

Submitted by the Town Manager.

(Majority vote required)

TOWN MANAGER REPORT: See detailed information in the Finance Section of the Warrant.

SELECT BOARD POSITION: The Select Board supports this article.

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

ARTICLE 7. FY23 RECREATION FIELD MAINTENANCE ENTERPRISE FUND BUDGET

To see if the Town will vote to raise and appropriate, or appropriate from available funds, the following sums set forth in the FY23 budget of the Recreation Field Maintenance Enterprise, to be included in the tax levy and offset by the funds of the enterprise:

	FY21 Actual	FY22 Appropriated	FY23 Requested
FIELD MAINTENANCE ENTERPRISE FUND			
Direct Costs ¹	163,287	205,403	209,796
Indirect Costs ²	24,269	25,383	26,089
Total Expenditures	187,556	230,786	235,885
Enterprise Receipts	217,257	230,786	235,885
Transfers In	50,000	-	-
Total Revenues	267,257	230,786	235,885

¹ Direct costs include \$10,500 of capital expenditures.

² Paid for by Enterprise Revenue Transfer to Unclassified Benefits (General Fund)

; or act on anything relative thereto.

Submitted by the Town Manager.

(Majority vote required)

TOWN MANAGER REPORT: See detailed information in the Finance Section of the Warrant.

SELECT BOARD POSITION: The Select Board supports this article.

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

ARTICLE 8. SNOW AND ICE TRANSFER

To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum or sums of money, to be expended under the direction of the Town Manager, for the purpose of funding the Fiscal Year 22 Snow and Ice deficit; or act on anything relative thereto.

Submitted by the Town Manager.

(Majority vote required)

TOWN MANAGER REPORT: Due to the nature of this year's winter, the Town was required to deficit spend in the DPW snow and ice accounts. This article will fund that deficit.

SELECT BOARD POSITION: The Select Board will report at Town Meeting.

FINANCE COMMITTEE REPORT:

ARTICLE 9. UNPAID BILLS

To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum or sums of money for the payment of certain unpaid bills incurred in previous fiscal years which may be legally unenforceable due to the insufficiency of the appropriation in the years in which such bills were incurred; or act on anything relative thereto.

Submitted by the Town Accountant.

(Four-fifths vote required)

TOWN ACCOUNTANT REPORT: Invoices that are submitted for payment after the accounts are closed at the end of a fiscal year or payables for which there are insufficient funds (and were not submitted for a Reserve Fund Transfer) can only be paid by a vote of the Town Meeting, a Special Act of the Legislature, or a court judgment.

SELECT BOARD POSITION. The Select Board will report at Town Meeting.

FINANCE COMMITTEE REPORT:

ARTICLE 10. CHAPTER 90 HIGHWAY FUNDING

(Consent Calendar)

To see if the Town will vote to authorize the Town Manager to accept and to enter into a contract for the expenditure of any funds allotted or to be allotted by the Commonwealth for the construction, reconstruction and maintenance projects of Town ways pursuant to Chapter 90 funding; and to authorize the Treasurer to borrow such amounts in anticipation of reimbursement by the Commonwealth; or act on anything relative thereto.

Submitted by the Director of Public Works.

(Majority vote required)

DIRECTOR OF PUBLIC WORKS REPORT: Each year the Legislature allocates funds to cities and towns for the improvement of their infrastructure, to be expended under the Chapter 90 guidelines. The current plans are to continue the implementation of our pavement management program.

SELECT BOARD POSITION: The Select Board supports this article.

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

ARTICLE 11. FY23 STABILIZATION FUND*(Consent Calendar)*

To see if the Town will vote to transfer from Free Cash the sum of \$40,409, or any other sum or sums, 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 Select Board.

(Majority vote required)

SELECT BOARD REPORT: Based on the Select Board'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 costs.

SELECT BOARD POSITION: The Select Board supports this article.

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

Attachment6.b: Warrant Document - 3-24-22 (5173 : 2022 Annual Town Meeting action)

ARTICLE 12. FY23 REVOLVING FUND SPENDING LIMITS (Consent Calendar)

To see if the Town will vote to establish the FY23 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 as set forth in Article XXXIII of the Town of Sudbury General Bylaws:

<u>Fund</u>	<u>Department</u>	<u>Maximum Amount</u>
Public Health Vaccinations & Tobacco Control	Board of Health	40,000
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	175,000
Cemetery Revolving Fund	Public Works	20,000
Fire Department Permits	Fire	70,000
Goodnow Library Meeting Rooms	Goodnow Library	10,500
Goodnow Library Services	Goodnow Library	10,000
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	550,000

; or act on anything relative thereto.

Submitted by the Town Finance Director.

(Majority vote required)

FINANCE DIRECTOR REPORT: As set forth in Article XXXIII of the Town of Sudbury General Bylaws, this article seeks authorization for Fiscal Year 2023 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 FY22 maximum voted for each revolving fund except for the following: Fire Department Permits increased from \$50,000 to \$70,000; the Goodnow Library Services fund increased from \$6,000 to \$10,000; and the Solar Energy fund increased from \$450,000 to \$550,000.

SELECT BOARD POSITION: The Select Board supports this article.

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

ARTICLE 13. 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 2018 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.

BOARD OF SELECTMEN POSITION: The Select Board supports this article.

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

ARTICLE 14. FUNDING OF GO SUDBURY! TAXI AND UBER TRANSPORTATION PROGRAMS FOR FY2023

To see if the Town will vote to raise and appropriate, or to transfer from available funds, the sum of \$100,000, or any other sum or sums, for the purposes of the continued operations of the Go Sudbury! Taxi and Uber Transportation Programs, including all incidental and related expenses; or act on anything relative thereto.

Submitted by the Select Board

(Majority vote required)

SELECT BOARD REPORT: The Go Sudbury! Taxi program started in 2020 and Go Sudbury! Uber in 2021 and has been funded with grants and mitigation fund appropriations. Through the end of 2021 the program has provided over two thousand rides to Sudbury's financially vulnerable, residents with a disability, those aged 50+, essential workers, and military veterans to and from healthcare and social service appointments, shopping, community resources, and places of employment. Approval of this article will provide funds to continue the operation of the Go Sudbury! Taxi and Uber Transportation programs into and through fiscal year 2023.

SELECT BOARD POSITION: The Select Board will report at Town Meeting.

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

ARTICLE 15. FUNDING OF OPERATIONS FOR PASSIVE RECREATION REQUIREMENTS OF THE SEWATARO/LIBERTY LEDGE PROPERTY

To see if the Town will vote to raise and appropriate, or to transfer from available funds, the sum of \$155,000, to be expended under the direction of the Town Manager, for the purpose of sustaining for the purpose of passive recreation, the Sewataro/Liberty Ledge property.

Submitted by the Select Board.

(Majority vote required)

SELECT BOARD REPORT: The purpose of these fund would be needed in the event that the decision is made that the Town would not extend the current Agreement with the Camp Operator/Manager **for/of?** The Sewataro/Liberty Ledge property.

SELECT BOARD POSITION:

FINANCE COMMITTEE REPORT:

ARTICLE 16. FUNDING OF A LAND USE CONSULTANT FOR THE SEWATARO/LIBERTY LEDGE PROPERTY

To see if the Town will vote to raise and appropriate, or to transfer from available funds, \$100,000, or any other sum, from Free Cash or other available funds, to be expended under the direction of the Director of Planning and Community Development, for the purpose of hiring an independent land use consultant to study, evaluate, and expand the options for the short-term and long-term uses for the Sewataro/Liberty Ledge property.

Submitted by the Select Board.

(Majority vote required)

SELECT BOARD REPORT: The independent land use consultant's evaluation and report shall include, but not be limited to, new and prior information regarding the financial operating costs and revenues attributed to the site, the identification of the range of all potential uses for the site, the identification of uses that could increase the number and/or diversity of users of the site, the identification of potential uses in addition to a private camp (either off-season or concurrent with the camp season), the capital costs and potential funding sources for those alternative or additional uses on a one-time or phased basis, costs for increased Town responsibility of the site, and all options that are available to maximize use of the entire site. The consultant shall prepare a written report of their findings and conclusions for the Town to use in its future decisions regarding the use of the Sewataro/Liberty Ledge property for the benefit of Town residents.

SELECT BOARD POSITION:

FINANCE COMMITTEE REPORT:

ARTICLE 17. 24 HUDSON ROAD – RELEASE OF EASEMENT

To see if the Town will vote to authorize the Select Board to terminate and extinguish any and all rights the Town has in that certain 50 foot wide right-of-way shown on a Plan of Land dated June 21, 2000, recorded in the Middlesex South Registry of Deeds as Plan Number 894 of 2000, and in Book 31702, Page 521, as reserved in a Quitclaim Deed recorded in said Registry in Book 31702, Page 525, and as granted in a Quitclaim Deed to the Town recorded in said Registry in Book 77156, Page 472, or take any other action relative thereto.

Submitted by the Select Board.

(Majority vote required)

SELECT BOARD REPORT: This Article authorizes the Select Board to terminate and extinguish an easement allowing the Town access over property at 24 Hudson Road. The easement was acquired by the Town in March, 2021, as part of the land swap in which the Town acquired the so-called “Town Center Land” in exchange for the conveyance of the so-called “Melone Property” off North Road. Following the request of the current owner of 24 Hudson Road to terminate the easement, the Select Board determined that the easement is not necessary for Town purposes as it has sufficient access to Town-owned land from other parcels it presently owns.

SELECT BOARD POSITION: The Select Board supports this article.

FINANCE COMMITTEE REPORT:

ARTICLE 18. TRANSFER OF TAX POSSESSION PARCEL TO THE PARK AND RECREATION COMMISSION

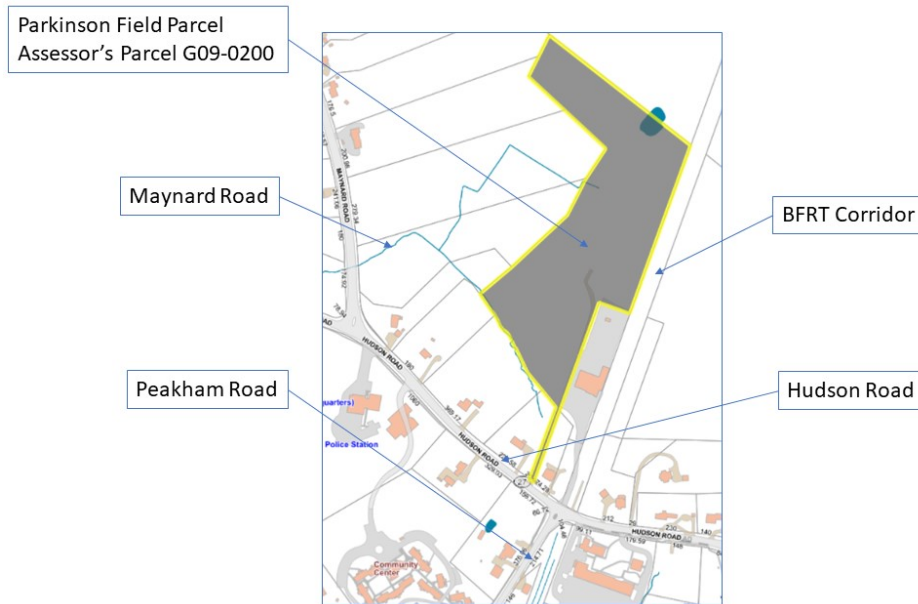
To see if the Town will vote to transfer from the Town Treasurer to the Park and Recreation Commission, certain real property shown as Parcel 1 and Parcel 2 being Lots 2 and 2A off Hudson Road in the Town of Sudbury and shown on the plan entitled “Topographic Plan of Land in Sudbury, Massachusetts Showing Tax Possession Parcel No. 167 Known as “The Parkinson Land”” prepared by the Town of Sudbury Engineering Department, dated July 30, 1999, on file with the Town Clerk, and as further described in the Instrument of Taking issued by the Town of Sudbury Collector of Taxes, dated September 14, 1970, recorded in the Middlesex South Registry of Deeds in Book 11889 Page 393 as ordered in the Land Court Final Decree in Tax Lien Case No. 51535 Town of Sudbury vs. Florence H. Parkinson, recorded in the Middlesex South Registry of Deeds in Book 13189 Page 604; or act on anything relative thereto.

Submitted by the Select Board.

(Two-thirds vote required)

SELECT BOARD REPORT: The Parkinson Land off Hudson Road, Assessor’s Parcel G09-0200, was acquired by tax title foreclosure in 1970 and has been used and is currently used by the Park and Recreation Commission. When a Town acquires real property by tax title foreclosure, it is held under the custody and control of the Town Treasurer until Town Meeting votes to transfer it to another Board or Commission for another purpose. There is no record of a Town Meeting vote transferring custody from the Treasurer, so this article formalizes the transfer to the Park and Recreation Commission, consistent with its current use and management. The plan of land is available for review with the Town Clerk.

Locus Map: Parkinson Land off Hudson Road, Assessor’s Parcel G09-0200



SELECT BOARD POSITION: The Select Board supports this article.

FINANCE COMMITTEE REPORT:

ARTICLE 19. BRUCE FREEMAN RAIL TRAIL PHASE 2D –ACQUISTION OF LAND

To see if the Town will vote to authorize the Select Board to acquire by gift, purchase, eminent domain or otherwise, fee, leasehold, easement, license or other interests in real property, in, on, over, across, under and along all or any portion of the land, premises, easements, or right-of-way in Sudbury shown on the plan entitled “Massachusetts Department of Transportation Highway Division Plan and Profile of Bruce Freeman Rail Trail in the Town of Sudbury Middlesex County Final Right of Way Submission” dated January 18, 2022 prepared by Fuss & O’Neill and on file with the Town Clerk, as it may be amended, for purposes of establishing, constructing, operating, improving, and maintaining an improved multi-use trail for non-motorized transportation, open space and active recreation purposes, including access thereto, and for all other purposes for which rail trails are used in the Commonwealth, on such terms and conditions as the Select Board deems to be in the best interest of the Town; and further, to see if the Town will vote to raise and appropriate, or transfer from available funds, or borrow a sum of money therefor, including all costs and expenses related thereto, and/or accept gifts for these purposes; and further, to authorize the Select Board to take such actions and execute such documents and agreements as are necessary to effectuate the purpose of this article, or take any other action relative thereto.

Submitted by the Select Board.

(Two- thirds vote if funding required)

SELECT BOARD REPORT: This Article authorizes the Select Board to acquire a legal interest in the former

railroad right-of-way and necessary easement areas to allow design and construction of the Bruce Freeman Rail Trail on the former railroad corridor between the Concord town line and the Massachusetts Bay Transportation Authority (MBTA) corridor near Union Avenue and Station Road. The anticipated easement areas are described in the table below. Plans are available for review with the Town Clerk and on the project webpage. Once constructed, the rail trail will be available for walking, running, biking, wheelchairs and other forms of non-motorized active and passive recreation.

Bruce Freeman Rail Trail Land Acquisition of Temporary Easements - Parcel Summary

Address	Owner	Parcel No (ROW Plan)	Town Assessor's Parcel ID	Temporary Easement Area (square feet)
0 Union Ave.	Chiswick Park LLC & Paris Trust LLC	TE-1	K08-0073	4802
Union Ave.	Mass Bay Transportation Authority	TE-2	K08-5100	3886
Union Ave.	Laura B McCarthy & All the Trustees of the CAS Trust	TE-3	K08-0055	213
623 Peakham Road	Linda Louise Muri	TE-4	H09-0056	112
29 Hudson Road	29 Hudson Road LLC	TE-5	H09-0002	1491
Hudson Road	American Premier Underwriters, Inc., for Penn Central Transportation Co.	TE-6	G09-0012	85
Haynes Road	Stephen & Joan Verrill	TE-8	E10-0700	1382

SELECT BOARD POSITION: The Select Board supports this article.

FINANCE COMMITTEE REPORT:

ARTICLE 20. BRUCE FREEMAN RAIL TRAIL PHASE 2D – GRANT OF EASEMENTS

To see if the Town will vote to transfer from the board, commission, or officer currently having care, custody, management and control of portions of the following described property for the purpose for which the property is currently held to the Select Board for the purposes of establishing, constructing, operating, improving, and maintaining an improved multi-use trail for non-motorized transportation, open space and active recreation purposes, including access thereto, and for all other purposes for which rail trails are used in the Commonwealth, on such terms and conditions as the Select Board deems to be in the best interest of the Town, including granting and accepting temporary or permanent easements over portions thereof, namely that certain

Town property commonly known as “Broadacres Farm”, “Davis Field”, “Davis Farm”, and “Parkinson Field”

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as shown on the plan entitled “Massachusetts Department of Transportation Highway Division Plan and Profile of Bruce Freeman Rail Trail in the Town of Sudbury Middlesex County Final Right of Way Submission” dated January 18, 2022 prepared by Fuss & O’Neill and on file with the Town Clerk, as it may be amended, in connection with the establishment of an improved multi-use rail trail for non-motorized transportation, open space, and active recreational purposes, including access thereto, and for all other purposes for which rail trails are now or hereafter may be used in the Commonwealth, on such terms and conditions as the Select Board deems to be in the best interest of the Town; and further to authorize the Select Board to take such actions and execute such documents and agreements as are necessary to effectuate the purpose of this article, or take any other action relative thereto.

Submitted by the Select Board.

(Majority vote required)

SELECT BOARD REPORT: This Article authorizes the Select Board to acquire easements over town-owned land for the proposed use as a multi-use rail trail and associated accommodations for the Bruce Freeman Rail Trail to be constructed on the former railroad corridor between the Concord town line and the Massachusetts Bay Transportation Authority (MBTA) corridor near Union Avenue and Station Road. Impacts to town-owned lands associated with the proposed project are consistent with the permitted use of the land and/or have been determined to be de minimis. The anticipated easements are described in the table below. Plans are available for review with the Town Clerk and on the project webpage.

Address	Owner	Parcel No (ROW Plan)	Town Assessor’s Parcel ID	Temporary Easement Area (square feet)	Permanent Easement Area (square feet)
Morse Road	Town of Sudbury Conservation Commission - Broadacres Farm	TWLR-1	F09-0002	12138	
Morse Road	Town of Sudbury Park and Recreation Commission - Broadacres Farm	PE-1	F09-0004		34572
Morse Road	Town of Sudbury Park and Recreation Commission - Broadacres Farm	TE-7	F09-0004	4458	
	Town of Sudbury	BP-1	G09-0200		8834

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	Treasurer (subject of Article 20)- Parkinson Field				
Hudson Road	Town of Sudbury Treasurer (subject of Article 20)- Parkinson Field	TE-9	G09-0200	6074	
Hudson Road	Town of Sudbury Treasurer (subject of Article 20)- Parkinson Field	TE-10	G09-0200	3179	
North Road	Town of Sudbury Conservation Commission - Davis Farm	BP-2	D10-0018		2543
195 North Road	Town of Sudbury Park and Recreation Commission – Davis Field	BP-3	C10-0500		15087
195 North Road	Town of Sudbury Park and Recreation Commission – Davis Field	TE-11	C10-0500	1256	

SELECT BOARD POSITION: The Select Board supports this article.

FINANCE COMMITTEE REPORT:

ARTICLE 21. STREET ACCEPTANCE – HUCKLEBERRY LANE

To see if the Town will vote to accept the layout of the following as a public way:

Huckleberry Lane from Old Lancaster Road to dead end, a distance of 453 feet +/-

as laid out by the Select Board in accordance with the descriptions and plan entitled "Acceptance Plan of Huckleberry Lane in Sudbury, MA" prepared for Eligius Homes Company by Thomas Land Surveyors and Engineering Consultants, Inc., dated September 17, 2014 and twice revised on December 12, 2016 and March 16, 2017, on file in the Town Clerk's Office; and to authorize the Select Board to acquire by purchase, by gift, or by eminent domain, an easement or fee simple, over the way shown on said plan and any associated drainage, utility, or other easements for all purposes for which public ways are used in the Town of Sudbury; and to raise and appropriate or transfer from available funds a sum or sums of money therefor and all expenses in connection therewith; or act on anything relative thereto.

Submitted by the Select Board.

(Two-thirds vote required)

SELECT BOARD REPORT: This article is the result of the recommendations of the Department of Public Works as to roads which meet legal requirements for acceptance. Prior to Town Meeting, the Select Board will have held a public meeting and will have received a recommendation from the Planning Board relative to approval of the layout of this road. The Select Board will then report at Town Meeting. If Town Meeting votes to accept the layout of Huckleberry Lane as a public way, all future maintenance and repair of the roadway will be performed by the Town.

Attachment6.b: Warrant Document - 3-24-22 (5173 : 2022 Annual Town Meeting action)

SELECT BOARD POSITION: The Select Board supports this article.

ARTICLE 22. FAIRBANK COMMUNITY CENTER AUDIO-VISUAL EQUIPMENT FUNDING

To see if the Town will vote to raise and appropriate, or to transfer from available funds, the sum of \$300,000, or any other sum or sums, to be expended under the direction of the Town Manager, for the purpose of purchasing any one or more of the furniture, fixtures, and equipment categories for the Fairbank Community Center project to address needs and budget challenges, or act on anything relative thereto.

Submitted by the Select Board.

(Majority vote required)

SELECT BOARD REPORT: This request is submitted to meet the user group and professional staff needs for enhanced audio-visual equipment to address new methods of delivery of Fairbank Community Center services that rely more heavily on audio-visual technology, developed in response to the pandemic and not foreseen in the feasibility study phase of the project. The associated purchases will enhance the level of service to the patrons of the Fairbank Community Center. These will be valuable tools now as well as in a post-pandemic world.

SELECT BOARD POSITION:

FINANCE COMMITTEE REPORT:

ARTICLE 23. FAIRBANK COMMUNITY CENTER FURNITURE, FIXTURES EQUIPMENT FUNDING (FF&E)

To see if the Town will vote to raise and appropriate, or to transfer from available funds, the sum of \$200,000, or any other sum or sums, to be expended under the direction of the Town Manager, for the purpose of purchasing any one or more of the furniture, fixtures, and equipment categories for the Fairbank Community Center project to address needs and budget challenges, or act on anything relative thereto.

Submitted by the Select Board.

(Majority vote required)

SELECT BOARD REPORT: The challenges associated with the global pandemic, and its impact on the material costs and labor forces have caused an increase cost in some of the items associated with the Fairbank Community Center project. This request is submitted to meet the needs of the project including, but not limited to commercial kitchen equipment and kitchen wares to address requirements for emergency shelter operation. The associated purchases will enhance the level of service to the patrons of the Fairbank Community Center and Town emergency shelter.

SELECT BOARD POSITION:

FINANCE COMMITTEE REPORT:

**ARTICLE 24. ADDITIONAL FUNDING: CONSTRUCTION OF FIRE STATION NO. 2
HOUSING/LIVING/OFFICE AREA**

To see if the Town will vote to raise and appropriate, transfer from available funds, a sum or sums of money to be added to the appropriation under Article 16 of the 2021 Annual Town Meeting, to be expended under the direction of the Town Manager, for the purpose of constructing a new housing/living/office area adjacent to and connected to the existing Fire Station #2 Building, located at 550 Boston Post Road, with the Permanent Building Committee tasked with oversight of 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, and landscaping; or act on anything relative thereto.

Submitted by the Fire Chief.

(Majority vote required)

FIRE CHIEF'S REPORT: The Fire Department is seeking additional funding to meet a budgetary shortfall for the construction of a new addition to Fire Station No.2, located at 550 Boston Post Road. The 2021 Town Meeting appropriated \$4,300,00 for the design and construction of a housing, living, office and public space addition to be attached to the current Fire Station No. 2. The goal of the project is to provide living areas to support four mixed gender fire personnel at the Station that would 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 seven years the development of the properties 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 165 emergency responses in 2021.

In the 2021 calendar year the southern section contributed to 47% of the emergency responses, compared to the North at 23% and West at 20%. Providing additional housing at Fire Station No. 2 will reduce the response time to provide advanced patient care and enhance fire operations.

The schematic design of the new addition and the required associated renovations to the existing Fire Station No. 2 structure was originally conceived to be a steel-frame and masonry structure, with a pitched roof. The schematic design includes four bunk rooms, watch office, kitchen, exercise room and administrative office. The required renovations to the existing Station No. 2 structure include a connection structure to the new addition and new sprinkler and fire alarm systems. The Schematic Design cost estimate for the proposed construction was completed in October, 2021. The Schematic Design construction cost estimate was \$4,271,684 as compared to the February 2021 construction cost estimate of \$3,135,000. The total project cost at the end of Schematic Design was \$5,776,853.

The design for the addition was reviewed and revised during the Final Design phase to include numerous cost-reduction items including substitution of steel frame with wood frame, replacement of slope roof with flat roof and utilization of a more cost-efficient HVAC system. The most current construction cost estimate was completed in January 2022, incorporating the approved cost-reduction items. The January 2022 Design Development (Final Design) construction cost estimate was \$3,768,354 with a total estimated project cost of \$5,223,189, creating an estimated project construction budgetary shortfall of \$923,189.

The budgetary shortfall is primarily due to recent industry trends regarding inflation and supply chain disruption resulting from the COVID pandemic. The past year has featured unprecedented inflation in the construction industry affecting every major commodity in the construction trades - steel, wood, roofing products, glass, copper, and aluminum - as well as microchip shortages affecting computerized HVAC equipment and lighting controls. In recent bid results, a continuing trend of this price inflation across most trades, with roofing and concrete overages being the most recent spike, has been seen.

Recent roofing bids have come in 40% above their estimate, one of the reasons given was that manufacturers will only guarantee pricing on the ship date of their material, not at the purchase order stage. The labor shortages in factories, reductions in delivery personnel and escalating fuel costs continue to be a significant problem, with 5-10% increases being seen across many trades. In addition, one of the largest gypsum producers in the country has circulated a letter noting recent price increases in gypsum and related products that will impact bids over the coming year. With lump sum bid pricing, contractors are forced to account for additional risk for these market uncertainties which are reflected in higher bid prices.

Although the project design has been extensively reviewed and actions taken through value engineering initiatives to maintain the original project budget, the most recent construction cost estimate, as based on recent construction trends, has determined that the original project goal cannot be met within the original appropriation of \$4,300,000.

As the original need for the Fire Station No. 2 addition, as approved by the 2021 Town Meeting, still exists and has even increased due to the ever-increasing number of required emergency responses in South Sudbury, the Fire Department is seeking additional funding to allow for the construction of the proposed Fire Station No. 2 addition.

SELECT BOARD POSITION: The Select Board supports this article.

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

ARTICLE 25. AMEND GENERAL BYLAWS – ENABLE ELECTRONIC VOTING AT TOWN MEETING

To see if the Town will vote to amend the Town of Sudbury General Bylaws to address the use of electronic voting technology for the counting of votes at Town Meeting by inserting, in Article II, Government of Town Meeting, a new section 19, as follows:

19 (a) Voting.

When a question is put, the sense of the meeting shall be determined by a vote held using voice votes, raised hands, a placard, an electronic voting system or other voting indicia; the preference would be to use an electronic voting system if the same is available, for action on main motions, and any motion requiring more than a majority vote. For purposes of this by-law, the term, “electronic voting technology” shall mean any electronic voting system approved by the Town Clerk and the Town Moderator which allows for the counting of votes using a wireless or mobile device, including hand-held clickers, mobile phone application, or the like, as it may be decided from time to time.

b) Counting – Electronic Voting

If the count is taken using electronic voting technology, the Moderator shall declare the vote, and provide an opportunity for any voter to notify the Town Moderator that they believe their vote was recorded in error; if so, the Moderator shall direct that the record be corrected by the Town Clerk. If seven or more voters doubt the

vote, the Town Moderator may request another vote using the handheld technology, or otherwise set the manner of voting. If Town Meeting approves a motion for reconsideration, the motion at issue immediately prior to the vote will be back before the voters, and the electronic voting system shall be used to record and tabulate the votes taken on the main motion.

c) Counting – Other Methods

If such electronic voting equipment is unavailable, the Town Moderator shall notify the Town Meeting as to what manner of voting will be used, and, unless 20 people stand in opposition, such method shall be implemented. If 20 voters do stand, then the Moderator's recommendation is pending before the meeting, subject to amendment like any other motion. If the Moderator is unable to decide the vote or if the declaration by the Moderator is immediately questioned by 10 or more voters rising in their places, the Moderator shall then direct that a count be taken, whether by counting raised hands, raised placards or other indicia of vote, or by secret ballot or otherwise, as determined by the Moderator in the Moderator's sole discretion.

Submitted by the Town Clerk.

(Majority vote required)

TOWN CLERK'S REPORT: The Town is requesting funds to purchase an electronic voting system for use at Town Meeting. If the purchase is approved then the Moderator would need to get the permission of the Hall to change the method of voting at each Town Meeting. This bylaw would allow the Moderator to use electronic voting for all future Town Meetings and set forth a mechanism by which voters could object to a vote.

SELECT BOARD POSITION: The Select Board supports this article.

ARTICLE 26. SCHOOLS HVAC REPAIRS AND REPLACEMENTS

To see if the Town will vote to raise and appropriate, or transfer from available funds, \$455,000 to be expended under the direction of the Sudbury Public School Department for the purpose of the repair and replacement of individual heating, ventilation and air conditioning items in several schools; and all expenses incidental and related thereto; or take and action relative thereto.

Submitted by the Sudbury Public Schools School Committee.

(Majority vote required)

SUDBURY PUBLIC SCHOOLS SCHOOL COMMITTEE REPORT: This project will repair and/or replace individual heating, ventilation and air conditioning items in several schools. These items are critical to maintaining minimum required levels of air flow, air exchange and heat that must be maintained in occupied buildings.

The District has continually addressed needed HVAC and heat issues in schools. This effort has been heavily relied upon as building systems have been required to operate during the pandemic period in good working order with extended schedules.

The items below are a combined request and continuation of the ongoing repair and maintenance of this critical building infrastructure. Operational budgets cannot support the level of effort required to repair and replace this equipment as required. It is more cost effective and efficient to combine these projects.

- Noyes 31 classroom window air conditioning units with associated window and electrical work \$180,000
- Curtis HRU-2 Unit Replacement \$95,000
- Curtis RTU-5 Unit Replacement \$75,000

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- Nixon Boiler #3 Heat Exchanger Replacement \$30,000
- Noyes Main Heating/Circulation Pump Replacement \$25,000
- Curtis Room 148 Univent Replacement \$50,000

SELECT BOARD POSITION: The Select Board supports this article.

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

ARTICLE 27. NOYES ELEMENTARY SCHOOL CLASSROOM SINKS REPLACEMENT

To see if the Town will vote to raise and appropriate, or transfer from available funds, \$130,000 to be expended under the direction of the Sudbury Public School Department for the purpose of replacing the existing classroom sinks at the Peter Noyes Elementary School, and all expenses incidental and related thereto; or take any action relative thereto.

Submitted by the Sudbury Public Schools School Committee. (Majority vote required)

SUDBURY PUBLIC SCHOOLS SCHOOL COMMITTEE REPORT: This project will replace the existing original 1970 sinks and sink basis in 31 Noyes Elementary School classrooms. The existing sink bases were constructed from wood and have deteriorated and are not repairable, have absorbed moisture and are unable to be properly cleaned and sanitized.

The existing classroom sinks and bases will be replaced with wall mounted accessible stainless steel sinks that are able to be properly cleaned and maintained. The existing sink bases are no longer a programmatic need, and any contents within the existing basins will be stored in separate existing storage.

The existing sinks do not meet current ADA requirements and were identified in the recent Town Wide ADA Self Evaluation and Transition Plan as Priority 1 Program Access Barriers. The new classroom sink installations will meet current ADA requirements.

SELECT BOARD POSITION: The Select Board supports this article.

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

ARTICLE 28. LINCOLN-SUDBURY REGIONAL HIGH SCHOOL CHAIN LINK FENCE REPLACEMENT

To see if the Town will vote to raise and appropriate, or transfer from available funds, the Town's 87.59% share of \$139,443 for the total estimated project of \$159,200, whereby, the Regional School District has requested the town of Lincoln for its 12.41% share of \$19,757 as a Capital Request, for the purpose of replacing the Chain Link Fence on the property of Lincoln-Sudbury Regional High School, and to determine whether said sum shall be raised by borrowing or otherwise, or to act on anything relative thereto.

Submitted by the Lincoln-Sudbury School Committee. (Majority vote required)

LINCOLN-SUDBURY SCHOOL COMMITTEE REPORT: Purpose: The original fence was installed in 2004, the year the new building was commissioned and has been maintained along the way but has exceeded expected useful life of 15 years. The fields are used by LS students for wellness programs, after school athletics as well as community members using the fields for weekend activities. The chain link fence that provides a safety perimeter for the fields is currently in poor condition due to inclement weather wear and tear, and is in desperate need of replacement. The timeline for replacement would ideally take place in the summer of 2022 for minimal disruption. The project will require a project management organization to facilitate landscape architecture oversight. All procurement requirements will be followed for the process and coordinated by the management group.

Replacing the chain link fence will provide a safe environment for the playing fields utilized by Community sports teams and Lincoln-Sudbury Regional School District athletes.

Cost: The total project cost is estimated at \$159,200 with Sudbury's share of 87.59% totaling \$139,443 for the Sudbury request. LS is requesting Lincoln's share of 12.41% totaling \$19,757 that has been approved by Lincoln the past two years as an accepted capital project.

This is the third year of funding requests for the project through the CAPCOM process.

SELECT BOARD POSITION: The Select Board supports this article.

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

ARTICLE 29. AMEND THE PROCESS FOR CREATING NEW LOCAL HISTORIC DISTRICTS

To see if the Town will vote to authorize the Select Board to petition the General Court to adopt legislation amending Section 12 of Chapter 40 of the Acts and Resolves of 1963, "An Act Establishing a Historic District Commission for the Town of Sudbury and Defining its Powers and Duties, Establishing a Historic District Therein, and Providing for Historic District Zoning," to revise the language in Section 12 so that the Historic Districts Commission is required to make an investigation and file a report of any proposal to enlarge or reduce, or create a historic district; hold a public hearing on the report; and submit its recommendations on the report to the Select Board.

Submitted by the Historic Districts Commission.

(Majority vote required)

HISTORIC DISTRICTS COMMISSION REPORT: As it exists, Section 12 of Chapter 40 permits consideration of the enlargement or reduction of historic districts, or the creation of new historic districts, with little scrutiny. The role of the Planning Board is minor, and there is no role played by the Historic Districts Commission, the Select Board, or Sudbury residents to vet proposals for change. The members of Historic Districts Commission believe this article, if approved, would provide important and necessary input and oversight from the parties most directly impacted by such proposals and to make known their judgments regarding them.

ACTS, 1963 – CHAP. 40

SECTION 12. *Changes in Historic District.*—The district established by section two may be enlarged or reduced and new districts may be created by a two-thirds vote at any regular or special town meeting called for

the purpose. Prior to any such action, the planning board of the town shall hold a public hearing, duly advertised, thereon and shall report its recommendations to the town.

Proposed Amendment to Section 12 of Chapter 40 of the Acts and Resolves of 1963

Section 12. Changes in Historic District. -- The districts established by Section Two may be enlarged or reduced and new districts may be created by a two-thirds vote at any regular or special town meeting called for the purpose subject to the following provisions.

- 1) Prior to the establishment of any historic district the Historic Districts Commission shall make an investigation and prepare a report on the historical and architectural significance of the buildings, structures or sites to be included in the proposed historic district or districts. The report shall be completed within 90 days of the proposal being submitted to the town and upon completion copies of the report shall be transmitted to the planning board for its consideration and recommendations. The report shall list all the properties to be included in the new or revised district and include references to any existing surveys of the historical and architectural significance of each parcel in the proposed district.
- 2) Within 60 days of the transmission of the report, the Historic Districts Commission shall hold a public hearing on the report after due notice is given at least fourteen days prior to the date thereof, which shall include a written notice mailed postage prepaid, to the owners as they appear on the most recent real estate tax list of the board of assessors of all properties to be included in such district.
- 3) Within 30 days after the public hearing, the Historic Districts Commission shall submit a final report with its recommendations to the Select Board and, should the Historic Districts Commission recommend to enlarge or reduce any historic district or create a new historic district, a map of the proposed district(s), and a draft of the revised bylaw, for its inclusion in the next town meeting.

SELECT BOARD POSITION:

FINANCE COMMITTEE REPORT:

ARTICLE 30. AMEND ZONING BYLAW, ARTICLE IX: INSERT SECTION 2328. FENCES

To see if the Town will vote to amend the Zoning Bylaw, Article IX, by inserting Section 2328. Fences, and amending Section 7000. Definitions by adding a definition associated with the new Section 2328. Fences, as follows:

2328. Fences.

- a. Fences in the Single Residence A, Single Residence C, Wayside Inn Historic Preservation, and Open Space Zoning Districts; the Mixed-Use, North Road Residential, and Melone Smart Growth Overlay Districts; and any other zoning districts not listed in Sections 2328.b. and 2328.c., shall be no greater than six (6) feet in height. Fences greater than six (6) feet in height but no greater than eight (8) feet in height shall require a Special Permit from the Zoning Board of Appeals.
- b. Fences in the Business, Limited Business, and Village Business Zoning Districts greater than eight (8) feet in height shall require a Special Permit from the Zoning Board of Appeals.
- c. Fences in the Industrial, Limited Industrial, Industrial Park, and Research Zoning Districts greater than ten (10) feet in height shall require a Special Permit from the Zoning Board of Appeals.

- d. Fences within 20 feet of the edge of pavement of a roadway shall not exceed three (3) feet in height in all zoning districts unless a Special Permit is obtained from the Zoning Board of Appeals. Within said 20 foot distance, the Building Inspector may further restrict or deny the erection of a fence when its height, added to a rise, embankment, wall, or ridge, would obstruct a clear view and/or sight distance up and down the street from any proximate street, driveway, intersection, walkway, or bicycle path.
- e. Fence height shall be measured from the finished grade level at the fence to the top horizontal element of the fence.
- f. The foregoing restrictions on fence heights shall apply to fences erected to contain a recreational facility, such as baseball/softball backstops, spectator bleachers, tennis courts, archery ranges, swimming pools, and similar installations, unless a Special Permit is obtained from the Zoning Board of Appeals.
- g. All lot perimeter fences shall be setback from property lines a reasonable distance to allow for their construction and maintenance without trespass onto a neighbor's property, unless a fence is co-owned by all parties involved. These "party fences" may be erected along property lines as mutually agreed upon.
- h. Fences which use chain link or similar materials are prohibited between the front lot line(s) and the front of a proposed or existing dwelling unit in all residential zoning districts. Construction fencing is only permissible during temporary construction activities.
- i. Fences constructed with razor wire, barbed wire, electric current, and/or charge of electricity are only allowed with a Special Permit from the Zoning Board of Appeals, except for commercial agriculture uses as defined under MGL Chapter 40A, Section 3.
- j. All fences shall be maintained in a safe, structurally sound manner, in all locations.
- k. The restrictions governing fences in this section shall be equally applicable to freestanding walls built after the date this section came into effect.
- l. Pre-existing fences erected prior to the date this section came into effect are permitted to be maintained but not expanded or altered, unless a Special Permit is obtained from the Zoning Board of Appeals.

7000. DEFINITIONS

Fence: A barrier made primarily of wood, wire, metal, vinyl, or other durable material erected so as to serve as an enclosure or against unobstructed passage from one side to another.

; 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 for the Zoning Bylaw would regulate the height, locations, and certain styles of fences throughout the community. Sight lines, privacy, visibility, and security measures are considered and balanced throughout the proposed bylaw. The only current regulation of fences in Sudbury comes through the state's Building Code which simply requires a Building Permit for fences over a certain height. This proposed new bylaw would ensure the fabric and harmony of existing residential neighborhoods will be maintained, while at the same time, it would still allow residents to erect reasonable

fences for privacy and security purposes. In the business and industrial zoning districts throughout town, these proposed regulations allow for taller fences but still ensure they will not reduce visibility near driveways, intersections, walkways, streets, or bicycle paths. Exceptions in certain circumstances can also be pursued with only the need to obtain a Special Permit from the Zoning Board of Appeals in many instances. The proposed bylaw should help reduce any sight line issues, especially at intersections and driveways, which can create hazardous situations for drivers, cyclists, and pedestrians.

SELECT BOARD POSITION: The Select Board supports this article.

FINANCE COMMITTEE REPORT:

ARTICLE 31. AMEND GENERAL BYLAWS, ARTICLE V(F) STORMWATER MANAGEMENT

To see if the Town will vote to amend the Town of Sudbury Bylaws, Article V(F) (Stormwater Management Bylaw), by deleting the strikethrough text and inserting the underlined text, all as set forth below:

SECTION 2. DEFINITIONS

The following definitions shall apply in the interpretation and implementation of this Bylaw. Additional definitions may be adopted by separate regulation:

IMPERVIOUS SURFACE: Any material or structure on, above or below the ground that prevents water from infiltrating through the underlying soil. Impervious surface is defined to include, without limitation: paved surfaces (parking lots, sidewalks, driveways); roof tops; swimming pools; patios; and gravel, pervious concrete, pervious pavement, pervious pavers, and compacted dirt surfaces. ~~and paved, gravel and compacted dirt surfaced roads.~~

MASSACHUSETTS SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) GENERAL PERMIT: The latest version, as may be amended from time to time, of the United States Environmental Protection Agency (EPA) National Pollutant Discharge Elimination System (NPDES) General Permits for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems (MS4) in Massachusetts (as modified), Authorization to Discharge Under the NPDES in compliance with the provisions of the Clean Water Act (CWA), as amended (33 U.S.C. §1251 et seq.), and the Massachusetts Clean Waters Act, as amended (M.G.L. Chap.21 §§ 26-53).

SECTION 4. ADMINISTRATION

C. Stormwater Management Standards and Handbook and the Massachusetts Small Municipal Separate Storm Sewer Systems General Permit

The Planning Board will utilize the policy, criteria and information including specifications and standards of the most recent edition of the Massachusetts Stormwater Management Standards and Handbook and the Massachusetts Small Municipal Separate Storm Sewer Systems General Permit for execution of the provisions of this Bylaw. Unless otherwise specified in the Town of Sudbury Stormwater Regulations, stormwater management practices that are designed, constructed, and maintained in accordance with these design and sizing criteria will be presumed to be protective of Massachusetts water quality standards.

F. Appeals of Action by the Planning Board or its Reviewing Agent

A decision of the Planning Board or its Reviewing Agent made under this Bylaw shall be reviewable by the Board of Appeals, said appeal shall be made in writing no later than 20 days from any written decision of the Planning Board or its Reviewing Agent. ~~shall be final. Further relief of a decision by the Planning Board or its Reviewing Agent made under this Bylaw shall be reviewable in the Superior Court in an action filed within 60 days thereof, in accordance with M.G.L. Ch 249 § 4.~~

Submitted by the Planning Board.

(Majority vote required)

PLANNING BOARD REPORT: This article seeks to refine the provisions of the Stormwater Management Bylaw adopted at the 2009 Annual Town Meeting and amended at the 2012 Annual Town Meeting. The proposed modifications fall into three categories: 1) change in definitions to add the definition for the MS4 General Permit and revise the definition for Impervious Surface, 2) change in the discussion of standards to add compliance with the MS4 General Permit, which is required as part of said General Permit issued to the Town by MassDEP/ EPA, and 3) a change to the appeal process and shortening the duration of the appeal period. The changes do not change the intent of the Bylaw, but are meant to clarify provisions based on past experiences in permitting and to ensure the Bylaw complies with permit requirements.

SELECT BOARD POSITION: The Select Board supports this article.

FINANCE COMMITTEE REPORT:

**ARTICLE 32. AMERICANS WITH DISABILITIES ACT TRANSITION PLAN
RECOMMENDATIONS**

To see if the Town will vote to raise and appropriate, or transfer from available funds, \$200,000 to be expended under the direction of the Combined Facilities Director for the purpose of addressing recommendations identified in the Town Wide Americans with Disabilities Act Self Evaluation and Transition Plan; or take any action relative thereto.

Submitted by the Combined Facilities Director.

(Majority vote required)

COMBINED FACILITIES DIRECTOR REPORT: In 2021 as part of the on-going effort to assess the current level of Americans with Disabilities Act (ADA) compliance in programs, services and activities and Town-owned facilities The Institute for Human Centered Design was contracted to prepare an ADA Self Evaluation and Transition Plan on the Town's behalf to identify deficiencies, compile a prioritized list of recommendations for corrective actions and provide associated costs. The Self Evaluation found many key facilities are generally usable by people with disabilities but are not in full compliance with current accessibility requirements. This article would provide funding to begin addressing identified recommendations in schools, Town buildings and public spaces.

SELECT BOARD POSITION:

FINANCE COMMITTEE REPORT: The Finance Committee does not recommend approval of this article.

ARTICLE 33. FILTRATION SYSTEMS FOR ATKINSON POOL

To see if the Town will vote to raise and appropriate, or transfer from available funds, \$160,000 to be expended under the direction of the Combined Facilities Director for the purpose of replacing the existing Atkinson Pool water filtration system at the Fairbank Community Center, including but not limited to renovation to the building; or take any action relative thereto.

Submitted by the Combined Facilities Director.

(Majority vote required)

COMBINED FACILITIES DIRECTOR REPORT: This project will replace the existing sand filtration systems at the Atkinson Pool. The sand filtration systems have exceeded their useful life and are in need of replacement. The lap pool and dive well pool filtration systems are critical components in maintaining the pools in proper, healthy working order. Pool cleanliness must be maintained at all times for the pools to remain in operation. The existing pool filtration systems use conventional sand filters and metered chlorination injection to clean and treat the water in each pool. Some of these systems are over 30 years old and require repeated costly maintenance with parts becoming more expensive and difficult to source. The work is not contained in the new Fairbank Community Center project scope. Per health regulations to remain in operation there must be a specified number of complete turnovers of properly filtered and treated pool water per day. Critical contaminant levels are monitored and managed through the filtration system. Failure to maintain health regulation levels would result in pool closure.

SELECT BOARD POSITION: The Select Board supports this article.

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

ARTICLE 34. ON-CALL ARCHITECTURAL & ENGINEERING "HOUSE DOCTOR" SERVICES

To see if the Town will vote to raise and appropriate, or transfer from available funds, \$100,000 for the purpose of contracting on-call architectural and engineering "House Doctor" services for municipal building and facility projects, to be performed on an as-needed and task order basis as determined by the direction of the Combined Facilities Director.

Submitted by the Combined Facilities Director.

(Majority vote required)

FACILITIES DIRECTOR REPORT: The Town anticipates a number of future building and/or facility projects requiring architectural and/or engineering services. In an effort to mitigate risk and provide predictability during the planning, design and construction of these projects, the Town is seeking the services of an architectural and/or engineering firm that can provide specialty services on an as-needed basis to support the delivery of these projects. Projects are expected to vary in size and scale, but generally will have a construction cost range of approximately \$10,000 to \$500,000, per project. For some projects, the services required may only be a feasibility or other study. Types of projects and services under consideration are for facility repairs, upgrades, renovations and additions at various school and municipal buildings including but not limited to sustainability and accessibility measures.

The anticipated contract will provide for performance of services for projects identified by the Town within the three-year period while the time for performance of services may extend beyond that three-year period.

SELECT BOARD POSITION:

FINANCE COMMITTEE REPORT: The Finance Committee does not recommend approval of this article.

**ARTICLE 35: AUTHORIZATION TO PROCEED WITH THE DPW FACILITY
SOLAR PROJECT**

To see if the Town will vote to transfer the care, custody, management and control of a portion of the DPW facility property located at 275 Old Lancaster Road and identified as Assessor Parcel ID number H0-0049 to the Select Board for such Department of Public Works facility purposes and also for the purpose of leasing the same to a solar energy electricity production entity for the installation of a solar energy facility or facilities, and to authorize the Select Board to enter into a lease or leases for such portion for a term of at least 20 years from the date of commencement of commercial operations of the solar energy facility or facilities and such additional term as the Select Board shall deem appropriate, all on such terms and conditions, and for such consideration, as the Select Board deems appropriate including a power purchase agreement for electricity and/or solar energy credits; and to authorize the Select Board to grant such access, utility, and other easements in, on, and under said property as may be necessary or convenient to construct, operate, and maintain such solar energy facility or facilities; to authorize the Select Board to take all actions necessary in connection therewith; and, to authorize the Select Board, pursuant to the provisions of Massachusetts General Laws Chapter 59, Section 5, or any other enabling authority, to enter into an agreement for payment in lieu of taxes (PILOT Agreement) on account of such facility or facilities for a term of 20 years and such additional term as the Select Board shall deem appropriate, upon such terms and conditions as the Select Board shall deem to be in the best interest of the Town and further, to authorize the Select Board to take such actions as may be necessary to implement such agreements; or act on anything relative thereto.

Submitted by the Combined Facilities Director.

(Majority vote required)

COMBINED FACILITIES DIRECTOR REPORT: In October of 2021 the Select Board to authorize the Town Manager to sign Letter of Intent to express the desire to enter into a Power Purchase Agreement (PPA) and Lease Agreement or grant of Easement ("Site Control") for electricity to be produced by a solar power electric generating project on the roof of the Department of Public Works Building at 275 Old Lancaster Road. Subject to the conditions in this Letter the Town and Select agreed to undertake good faith negotiations to enter into a PPA, and Site Control Agreement. Should the Town wish to execute a PPA following the due diligence phase, a lease of the roof to Select would be required as a condition of the PPA. The PPA would also specify a payment in lieu of taxes that would require agreement as well. This article would allow the Town to enter into the said lease and payment in lieu of taxes agreement.

SELECT BOARD POSITION: The Select Board supports this article.

FINANCE COMMITTEE REPORT:

ARTICLE 36: BACKHOE LOADER*(Consent Calendar)*

To see if the Town will vote to raise and appropriate, or to transfer from available funds, the sum of \$150,000, or any other sum, for the purchase or acquisition of a new vehicle for public works; or act on anything relative thereto.

Submitted by the Public Works Director.

(Majority vote required)

PUBLIC WORKS DIRECTOR REPORT: Approval of this article will provide funds to purchase a new Backhoe Loader to replace an older model. The existing unit is at its useful life expectancy of 12 years. This article requests funds to purchase a new machine, which will be safe, reliable, efficient, and capable of meeting the needs of the department. The Public Works employees use these vehicles to perform everyday tasks including excavation, construction and moving materials

SELECT BOARD POSITION: The Select Board supports this article.

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

ARTICLE 37: 6-WHEEL COMBO BODY DUMP TRUCK W/ PLOW*(Consent Calendar)*

To see if the Town will vote to raise and appropriate, or to transfer from available funds, the sum of \$285,000, or any other sum, for the purchase or acquisition of a new vehicle for public works; or act on anything relative thereto.

Submitted by the Public Works Director

(Majority vote required)

PUBLIC WORKS DIRECTOR REPORT: Approval of this article will provide funds to purchase a new 6-Wheel Combo Body Dump Truck with plow to replace an older model. The existing truck is at its useful life-expectancy of about 15 years. 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.

SELECT BOARD POSITION: The Select Board supports this article.

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

ARTICLE 38: SKID STEER*(Consent Calendar)*

To see if the Town will vote to raise and appropriate, or to transfer from available funds, the sum of \$130,000, or any other sum, for the purchase or acquisition of a new vehicle and appurtenances for public works; or act on anything relative thereto.

Submitted by the Public Works Director

(Majority vote required)

PUBLIC WORKS DIRECTOR REPORT: Approval of this article will provide funds to purchase a new Skid Steer to replace an older model. The existing unit is at its useful life expectancy of 12 years. This article

requests funds to purchase a new machine, which will be safe, reliable, efficient, and capable of meeting the needs of the department. The Public Works employees use these vehicles to perform everyday tasks including constructions and moving materials during roadway and walkway projects.

SELECT BOARD POSITION: The Select Board supports this article.

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

ARTICLE 39. WITHDRAWN

ARTICLE 40. WITHDRAWN

ARTICLE 41. ROADSIDE MOWER *(Consent Calendar)*

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 new equipment for public works; or act on anything relative thereto.

Submitted by the Public Works Director (Majority vote required)

PUBLIC WORKS DIRECTOR REPORT: Approval of this article will provide funds to purchase a new Roadside Mower attachment to replace an older tractor with boom flail mower. The existing unit is at its useful life expectancy of 12 years. This equipment will be used by the Trees & Cemetery Division for Townwide roadside vegetation management which is crucial for the safety of motorists and pedestrians to eliminate obstructed sight lines.

SELECT BOARD POSITION: The Select Board supports this article.

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

ARTICLE 42. TOWNWIDE DRAINAGE AND ROADWAY RECONSTRUCTION

To see if the Town will vote to raise and appropriate, or transfer from available funds, or borrow the sum of \$3,500,000, or any other sum, for the reconstruction of the drainage system throughout Town; or act on anything relative thereto.

Submitted by the Public Works Director (Two-thirds vote required, if borrowed)

PUBLIC WORKS DIRECTOR REPORT: Approval of this article will provide funds to reconstruct the drainage system throughout Town, particularly in Goodman's Hill Road and Pratt's Mill Road, including replacement of old corrugated metal pipe that deteriorates over time, catch basins and manholes where required. Reconstruction will include full repaving of the roadway upon completion.

SELECT BOARD POSITION:

FINANCE COMMITTEE REPORT:

ARTICLE 43. WITHDRAWN**ARTICLE 44. WITHDRAWN****ARTICLE 45. OLD FRAMINGHAM ROAD/NOBSCOT ROAD WALKWAY EXTENSION PROJECT – EASEMENTS**

To see if the Town will vote to authorize the Select Board to acquire, by purchase, gift, eminent domain or otherwise, permanent and temporary easements in certain parcels of land adjacent to and/or contiguous with and/or opposite to 78 Old Framingham Road and 120 Nobscot Road as depicted on the plan of land entitled “Plan of Property Surveyed for Town of Sudbury Old Framingham Road Sudbury, Massachusetts” dated January 12, 2022, prepared by Jarvis Land Survey, Inc., a copy of which is on file with the Town Clerk, as said plan may be amended, for public way purposes, including without limitation, drainage, walkway, utility, slope, grading, roadway relocation and construction of improvements and structures and other related purposes, to enable the Town to undertake the Old Framingham Road walkway extension project, and further, to raise and appropriate, transfer from available funds, borrow or otherwise provide a sum of money for the purpose of providing for such acquisitions and all costs and expenses associated therewith; or take any action relative thereto.

Submitted by the Department of Public Works Director.

(Majority vote required)

DIRECTOR OF PUBLIC WORKS REPORT: Article 45 of the 2022 Annual Town Meeting seeks funding for the Old Framingham Road walkway extension project. Old Framingham Road is located on the Sudbury/Framingham town line. Townhomes and a condominium community, both with 55+ age requirements, are located along the roadway. An existing walkway next to these complexes terminates 600 feet short of Nobscot Road. Pedestrians share this section of roadway with commuter traffic creating potential hazards. Extension of the walkway will remove pedestrians from the roadway creating a safer pedestrian experience. Easements from property owners adjacent to and/or contiguous with and/or opposite Old Framingham Road and Nobscot Road are required for the walkway extension project.

SELECT BOARD POSITION: The Select Board supports this article.

FINANCE COMMITTEE RECOMMENDATION:

INSERT PLAN

**ARTICLE 46: OLD FRAMINGHAM ROAD / NOBSCOT ROAD WALKWAY
EXTENSION PROJECT**

To see if the Town will vote to raise and appropriate, or to transfer from available funds, the sum of \$700,000, or any other sum, for the construction of walkway construction project along Old Framingham Road including without limitation, drainage, walkway, utility, slope, grading, roadway relocation and construction of improvements and structures and other related purposes; or take any other action relative thereto.

Submitted by the Public Works Director

(Majority vote required)

PUBLIC WORKS DIRECTOR REPORT: Approval of this article will provide funds to construct a walkway to connect the existing walk on Old Framingham Road (which currently ends roughly at house #60) to Nobscot Road, including without limitation, drainage, walkway, utility, slope, grading, roadway relocation and construction of improvements and structures and other related purposes.

The current alignment of the roadway in the vicinity of the existing culvert needs to be shifted easterly to accommodate the new walkway construction along with required easements and related work.

SELECT BOARD POSITION: The Select Board supports this article.

FINANCE COMMITTEE REPORT:

**ARTICLE 47. COMMUNITY PRESERVATION ACT FUND – BRUCE FREEMAN RAIL
TRAIL DESIGN AND CONSTRUCTION NORTH OF MASS CENTRAL
RAIL TRAIL**

To see if the Town will vote to appropriate a sum or sums of money not to exceed \$500,000 from the Open Space and Recreation category of Community Preservation Act Funds, funded from General Reserve Funds,

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for the section of the Bruce Freeman Rail Trail, known as Phase 2D, north of the Mass Central Rail Trail for elements of the final design and construction phase, or act on anything relative thereto.

Submitted by the Community Preservation Committee.

(Majority vote required)

COMMUNITY PRESERVATION COMMITTEE REPORT: The Bruce Freeman Rail Trail (BFRT), Phase 2D, will be a 4.4 mile multiuse path running north-south along a former rail corridor in Sudbury. The BFRT will connect to the Trail in communities to the north and proposed extensions to the south. Town Meeting has funded the BFRT Design through 100% Trail Design with Community Preservation Act and general funds. Project construction is funded through state and federal funds to start in 2022. This proposal requests Community Preservation Act funds for elements which may include, but are not limited to, construction details that may not be covered by the Massachusetts Department of Transportation (MassDOT) such as rest area structures and interpretive signs, utility connections, graphic design and installation of interpretive signs, design and construction of art installations and rest area amenities, design for recreational facilities to tie into the surrounding area, and construction oversight by the Town's consultant. Additional information will be provided at Town Meeting.

SELECT BOARD POSITION:

FINANCE COMMITTEE REPORT:

ARTICLE 48. COMMUNITY PRESERVATION ACT FUND - BRUCE FREEMAN RAIL TRAIL DESIGN AND CONSTRUCTION SOUTH OF MASS CENTRAL RAIL TRAIL

To see if the Town will vote to appropriate a sum or sums of money not to exceed \$300,000 from the Open Space and Recreation category of Community Preservation Act Funds, funded from FY23 revenue, for the purpose of advancing the design and construction of the Bruce Freeman Rail Trail extension south of the intersection with the Mass Central Rail Trail, or act on anything relative thereto.

Submitted by the Community Preservation Committee.

(Majority vote required)

COMMUNITY PRESERVATION COMMITTEE REPORT: The Town of Sudbury seeks Community Preservation Act funds to advance the design and construction of the Bruce Freeman Rail Trail (BFRT) south of the intersection with the Mass Central Rail Trail. The construction of the BFRT north of this intersection, known as Phase 2D, is scheduled to start in the Fall of 2022. The Town reached a monumental milestone in 2020 with the acquisition of the 1.4-mile-long CSX corridor (proposed as BFRT Phase 3A). The Town proposes to build on the success of the corridor acquisition, collect necessary corridor data, evaluate its design options, and advance the trail extension of the BFRT. The request is for funding a \$300,000 project which will be used to advance the design and/or construction of the BFRT to the newly acquired southern (former CSX) corridor. The funds will be used for topographic survey, wetlands delineation, alternatives analysis, and concept development for the expansion of the rail trail to the newly acquired corridor, as well as additional design for the first quarter mile section to connect the BFRT to Route 20/Boston Post Road. The project involves hiring a consultant to perform data collection, feasibility study, alternatives analysis, and conceptual planning and cost estimate development to create baseline information and contribute to the design phase of the rail trail project. The selected consultant would then advance the design of the quarter mile trail section to Route 20/Boston Post Road. Public engagement will be facilitated to solicit input on the concept that will be advanced. The Town will also seek additional funds through grants to support this work, so if part of the initial

project development and design funding is secured through other means, the Community Preservation Act funds may also be used to advance the construction phase of the first quarter mile section.

SELECT BOARD POSITION: The Select Board supports this article.

FINANCE COMMITTEE REPORT:

ARTICLE 49. COMMUNITY PRESERVATION ACT FUND – HISTORIC DISTRICTS COMMISSION DESIGN GUIDELINES

To see if the Town will vote to appropriate a sum or sums of money not to exceed \$50,000 from the Historic Resources category of Community Preservation Act Funds, funded from Historic Resources Reserves, for the purpose of creating comprehensive and professionally-developed Design Guidelines for the Local Historic Districts, or act on anything relative thereto.

Submitted by the Community Preservation Committee.

(Majority vote required)

COMMUNITY PRESERVATION COMMITTEE REPORT: In 1963, Sudbury became one of the first towns in the Commonwealth to establish Local Historic Districts with the intent to preserve the architectural integrity of Sudbury's historically significant properties. Overseen by the Historic Districts Commission, the town currently has five local historic districts – the Town Center Historic District, Wayside Inn Districts I and II, the King Philip District, and the George Pitts Tavern District – encompassing over 350 individual properties dating from the 18th century to the present day. This particular funding request is for the creation of comprehensive and professionally-developed Design Guidelines for the Local Historic Districts.

Following the provisions set forth under Chapter 40 of the Acts of 1963 (amended 2005), the Historic Districts Commission reviews all proposed alterations to structures located within the districts that are visible from the public way. Examples of alterations subject to review include, but are not limited to: changes to paint color, replacement windows and doors, the addition or removal of shutters, maintenance upgrades such as new roofs and gutters, new technologies such as solar panels, building additions, signage, stone walls, fencing, demolition of existing structures, and new construction of any kind. Projects must be reviewed and receive approval from the Historic Districts Commission in the form of a Certificate of Appropriateness before any work can begin.

Design Guidelines are a key preservation tool used by the Historic Districts Commission in its review of a project for Certificate approval. Consisting of written and graphic information in a printed format, they are used by the Historic Districts Commission and applicants alike in the review process. Sudbury's current Historic District Commission General and Specific Guidelines would benefit from additional descriptive details clarifying best preservation and restoration practices, and more concise guidance and direction on how to incorporate renovations, new building technologies, and new construction in a historically appropriate and sensitive manner.

The Historic Districts Commission recognizes the need for an updated and enhanced set of guidelines to not only assist property owners within the districts, but to also provide consistent guidance for future Commission members. When used in conjunction with local bylaws, they help encourage appropriate design that respects district character by applicants and fosters predictability in Historic Districts Commission actions. These guidelines will help serve as the basis for the review process and provide a stronger and more concise foundation for decision making. The Design Guidelines may be used by the Historic Districts Commission, and as a resource for residents and business owners within the boundaries of the historic districts, other Town

entities, and as a resource for any property owner looking to undertake historically appropriate and sensitive renovations to their home or business.

SELECT BOARD POSITION:

FINANCE COMMITTEE REPORT: The Finance Committee does not recommend approval of this article.

**ARTICLE 50. COMMUNITY PRESERVATION ACT FUND – LIBBY-DICKSON
CONSERVATION RESTRICTION MONITORING**

To see if the Town will vote to appropriate a sum or sums of money not to exceed \$9,454 from the Open Space and Recreation category of Community Preservation Act Funds, funded from FY23 revenue, for the purpose of paying for a third party to conduct monitoring activities for the Town-owned Libby and Dickson properties to monitor compliance with the terms of the Conservation Restriction on the land, or act on anything relative thereto.

Submitted by the Community Preservation Committee.

(Majority vote required)

COMMUNITY PRESERVATION COMMITTEE REPORT: In 2003, the Town of Sudbury purchased the Dickson property on Water Row, which sits between the Town of Sudbury Conservation Area known as King Philip Woods, and the Sudbury Historical Commission's Haynes Garrison site. It was one of Sudbury's first Community Preservation Act purchases and, although required by the Community Preservation Act statute, the Town was not in the habit of placing Conservation Restrictions on land acquired with Community Preservation Act funds at the time. Two years later, Town Meeting approved the purchase of a much larger nearby property from the Libby family. These two properties (Dickson and Libby), 25.9 acres in total, together made terrific additions to the block of conservation land off Route 27 anchored by King Philips' Woods.

When the Town was awarded a Local Acquisitions for Natural Diversity (LAND) grant for the purchase of Pantry Brook Farm in 2012, the state conditioned the award on having Conservation Restrictions put on all Community Preservation Act lands, and the Town agreed to follow through on that obligation by asking Sudbury Valley Trustees to hold the Conservation Restriction on the Libby and Dickson properties. This Conservation Restriction was executed in 2021.

As part of any Conservation Restriction, certain activities are permitted and prohibited on each piece of land. These activities need to be monitored and the boundary of a property under a Conservation Restriction needs to be walked each year to ensure the Town or abutters have not encroached onto the protected land. Typically, when Sudbury Valley Trustees is involved with land acquisitions and/or Conservation Restriction acceptances, they conduct fund raising to cover their legal and monitoring costs. As holders of the Conservation Restriction, Sudbury Valley Trustees will be required to monitor these properties for compliance at least annually in perpetuity and this funding will assist in covering some of the associated costs.

SELECT BOARD POSITION: The Select Board supports this article.

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

ARTICLE 51. COMMUNITY PRESERVATION ACT FUND – OPEN SPACE & RECREATION PLAN AND ATHLETIC FIELDS NEEDS ASSESSMENT & MASTER PLAN

To see if the Town will vote to appropriate a sum or sums of money not to exceed \$100,000 from the Open Space and Recreation category of Community Preservation Act Funds, funded from FY23 revenue, for the purpose of updating the Town's Open Space & Recreation Plan and the Athletic Fields Needs Assessment & Master Plan; or act on anything relative thereto.

Submitted by the Community Preservation Committee.

(Majority vote required)

COMMUNITY PRESERVATION COMMITTEE REPORT: Open Space & Recreation Plans allow a municipality to maintain and enhance all the benefits of open space that together make up much of the character of the community and protect the "green infrastructure" of the community. Planning this "green infrastructure" of water supply, land, working farms and forests, viable wildlife habitats, parks, recreation areas, trails, and greenways is as important to the economic future of a community as planning for schools, roads, water, and wastewater infrastructure. The Town's Open Space & Recreation Plan expired in 2013 and the need for an updated version of this planning document is critical. It is woefully out of date and is also needed to make the Town eligible to apply for certain grants. The prior plan is also significantly lacking in recreational information. Development of a robust Open Space & Recreation Plan will help guide the Town for future acquisitions to be pro-active instead of reactive when lands/opportunities become available. The Open Space & Recreation Plan will include an ADA assessment and recommendations. The timeline for completion should be approximately one year.

The original Athletic Fields Needs Assessment & Master Plan was a fields use survey. It was essentially a supply and demand analysis for field use and users, completed in 2012. The Needs Assessment described the current state of the athletic fields, and provided an assessment of unmet needs, demand from users, and expected future demand. In updating this document, the Town would also want to know about the trends of field users in general and what that would indicate for the Town's future athletic field needs.

As the Master Plan indicates, the Broadacres Farm property, Davis Field, and Feeley Fields are the biggest known issues. There are also other recreational properties around the community that are undeveloped. The hope is that this new planning initiative and product will help the Town, and the Park & Recreation Commission in particular, dive into these issues more deeply. The Broadacres Farm property has an opportunity to serve many constituents and the planning process to update the Athletic Fields Needs Assessment & Master Plan would help to make the best use of this important property.

SELECT BOARD POSITION: The Select Board supports this article.

FINANCE COMMITTEE REPORT:

ARTICLE 52. COMMUNITY PRESERVATION ACT FUND – REGIONAL HOUSING SERVICES OFFICE (RHSO) MEMBERSHIP FEE

To see if the Town will vote to appropriate a sum or sums of money not to exceed \$30,000 from the Community Housing category of Community Preservation Act Funds, funded from FY23 revenue, for the purpose of supporting and creating community housing by funding of the Town's portion of the FY23 Regional Housing Services Office (RHSO) membership fee; or act on anything relative thereto.

Submitted by the Community Preservation Committee.

(Majority vote required)

COMMUNITY PRESERVATION COMMITTEE REPORT: In recent years, Sudbury has made great strides towards satisfying the requirements of the State's Comprehensive Permit Act (Chapter 40B). This Act requires cities and towns to provide certification that the number of dwelling units in the municipality which qualify as "affordable" by statute, meets or exceeds ten percent (10%) of the municipality's total number of dwelling units. Falling short of that number, as Sudbury has until recently, allows developers to both site and design partially affordable developments with extreme limitations on the Town's zoning and development requirements and design oversights. There are a great number of administrative requirements to monitor and certify this approved inventory and to maintain those certifications going forward.

Since 2011, the Town has contracted with the Regional Housing Services Office (RHSO), to provide services to the Town including affordable housing inventory monitoring; supervising lotteries to determine who qualifies for affordable housing; monitoring the Incentive Senior Developments at Frost Farm and Grouse Hill to ensure compliance with eligibility requirements; monitoring all deed restricted properties; providing valuations for deed restricted properties to the Town Assessor; reviewing compliance with Regulatory Agreements and certification to Department of Housing and Community Development (DHCD) for Local Initiative Program (LIP) rental units; maintaining the affordable housing inventory and providing estimates for 2030 SHI projections; and other administrative work, including annual action plans, 5 year consolidated plans, fair housing reports and programs, and related housing questions which arise during the year. This Article requests funding to continue to contract with the RHSO for these services.

SELECT BOARD POSITION: The Select Board supports this article.

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

ARTICLE 53. COMMUNITY PRESERVATION ACT FUND – SUDBURY HOUSING AUTHORITY ACQUISITION, CREATION, PRESERVATION, AND SUPPORT OF AFFORDABLE RENTAL HOUSING

To see if the Town will vote to appropriate a sum or sums of money not to exceed \$276,600 from the Community Housing category of Community Preservation Act Funds, funded from FY23 revenue, for the purpose of funding the Sudbury Housing Authority's acquisition, creation, preservation, and support of affordable rental housing, or act on anything relative thereto.

Submitted by the Community Preservation Committee.

(Majority vote required)

COMMUNITY PRESERVATION COMMITTEE REPORT: This article requests an appropriation to the Sudbury Housing Authority (SHA) using the ten percent (10%) of estimated annual revenue the Community Preservation Act requires to be annually set aside or expended for community housing purposes. The SHA is a quasi-governmental entity overseen by the state Department of Housing and Community Development (DHCD) under 760 CMR. While locally controlled, and created by Town Meeting in 1971 under MGL Chapter 121B, Section 3, it is not legally a part of Sudbury's Town government. The SHA, as the original and substantial creator of affordable rental housing in Sudbury, has received Sudbury Community Preservation Act funding in past years.

The SHA owns, maintains, and manages scattered-site, single-family and duplex rental houses, and 64 rental apartments at Musketahquid Village in Sudbury Center for those over 60 and disabled people. The SHA

intends to use the funds, in combination with Community Preservation Act funds previously appropriated by Town Meeting and other funding sources as necessary, to create additional units of rental housing for families or individuals, particularly focused on those in the Housing and Urban Development (HUD)-defined extremely low- or very low-income range. The SHA primarily houses families and individuals who do not and will not qualify for affordable homeownership or the types of housing created by the various Chapter 40B developments in town. The SHA is singular in its exclusive commitment to the Town, combined with its interest in both expanding and managing rental opportunities for those with incomes at the lowest extreme of the income limit. The SHA prides itself in covering all of its operational costs through the rents it collects. As housing and development costs continue to rise, significant financial resources are required to maximize the SHA's flexibility to respond to those most in need of affordable housing.

SELECT BOARD POSITION: The Select Board supports this article.

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

ARTICLE 54. COMMUNITY PRESERVATION ACT FUND – TOWN CLOCK RESTORATION

To see if the Town will vote to appropriate a sum or sums of money not to exceed \$16,000 from the Historic Resources category of Community Preservation Act Funds, funded from Historic Resources Reserves, for the purpose of restoring and rehabilitating the Town of Sudbury Clock faces on the First Parish Church at 327 Concord Road; or act on anything relative thereto.

Submitted by the Community Preservation Committee. (Majority vote required)

COMMUNITY PRESERVATION COMMITTEE REPORT: The Town of Sudbury Clock is owned by the Town of Sudbury and located in the clock/bell tower of the First Parish Church at 327 Concord Road. The clock itself is an historically significant E. Howard #2 Flatbed Striker Tower Clock and was a gift to the Town by Sudbury school children in 1873.

This funding would support the restoration of the weathered and deteriorated clock faces, and to preserve this unique and irreplaceable historic Town Center element in the proper technique and appropriate workmanship. The work required includes: rental of a 60 foot lift for clock dial access; removing the tabs, numerals, and hands from three dials; repairing individual dials using dutchmen repair or epoxy; caulking dial board seams and painting with two coats of oil based black paint; fabricating replacement hands and tabs from mahogany; applying two layers of 23k gold leaf to hands, tabs, and numerals; and reinstalling tabs, hands, and numerals to dials with all associated labor and materials.

The Town is fortunate to have individuals at the First Parish Church who watch over the clock. The Facilities Department has coordinated and funded all routine preventative maintenance, and any required special service and repair, and will continue to do so. This work is performed by an extremely specialized service company. The individual that works on the Town Clock specializes in historic clock service, repair, and restoration. Only authentic parts are used and, if not available, are custom manufactured.

SELECT BOARD POSITION: The Select Board supports this article.

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

ARTICLE 55. COMMUNITY PRESERVATION ACT FUND – RETURN OF UNSPENT FUNDS

To see if the Town will vote to return the unused funds from appropriations voted at prior Town Meetings, for projects that have been completed and for which no liabilities remain outstanding or unpaid, into the Community Preservation Act general account as follows:

2015 ATM, Article 50 Town Center Landscaping to be returned to the category of Unrestricted Reserves; and	\$2,213.44
2015 ATM, Article 50 Town Center Landscaping to be returned to the category of Historic Resources Reserves; and	\$2,213.44
2016 ATM, Article 40 Town Center Landscaping to be returned to the category of Unrestricted Reserves; and	\$7,198.00
2016 ATM, Article 40 Town Center Landscaping to be returned to the category of Historic Resources Reserves; and	\$7,198.00
2017 ATM, Article 29 Featherland Park Court Reconstruction to be returned to the category of Unrestricted Reserves; and	\$27,480.52
2019 ATM, Article 30 Featherland Park Multisport Court Reconstruction, Phase 2 to be returned to the category of Unrestricted Reserves; and	\$7,574.85
2020 ATM, Article 42 Historic Resource Inventory Survey to be returned to the category of Historic Resources Reserves	\$14,997.50
	=====
Total:	\$68,875.75;

or act on anything relative thereto.

Submitted by the Community Preservation Committee.

(Majority vote required)

COMMUNITY PRESERVATION COMMITTEE REPORT: All projects are completed at this time or will not proceed further. In order to return the funds to the Community Preservation Act general account, an affirmative vote of Town Meeting on this article is necessary.

SELECT BOARD POSITION: The Select Board supports this article.

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

ARTICLE 56. COMMUNITY PRESERVATION ACT FUND – GENERAL BUDGET AND APPROPRIATIONS

To see if the Town will vote to appropriate a sum or sums of money from Community Preservation Act Funds, as recommended by the Community Preservation Committee, for the FY23 Community Preservation Act budget, including the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for FY23, amounts for payment of debt service on the Community Preservation Act projects previously appropriated by Town Meeting, and as may be needed to comply with General Laws Chapter 44B, Section 6 to reserve for future appropriation, amounts for open space, including land for recreational use, historic resources, and community housing; or act on anything relative thereto.

Submitted by the Community Preservation Committee.

(Majority vote required)

COMMUNITY PRESERVATION COMMITTEE REPORT: This article sets forth the entire FY2023 Community Preservation Act budget, including appropriations and reservations as required in connection with the administration of the Community Preservation Act funds. The estimated annual revenue for FY2023 is \$2,766,000. The article appropriates funds for FY2023 debt service obligations totaling \$1,017,893. These obligations arise from prior Town Meeting approval for the bonding of six projects:

- 1) Purchase of the Dickson property utilizing the Open Space and Recreation category (\$27,378) and Historic Resources category (\$18,252);
- 2) Purchase of land and development rights as well as construction of a sports field on the Cutting property utilizing the Open Space category (\$162,442) and Recreation category (\$20,078);
- 3) Purchase of the Libby property utilizing the Open Space and Recreation category (\$126,800);
- 4) Purchase of development rights on the Nobscot Boy Scout Reservation Phases I and II utilizing the Open Space and Recreation category (\$403,275)
- 5) Purchase of development rights on Pantry Brook Farm utilizing the Open Space and Recreation category (\$187,043); and
- 6) Purchase of the Johnson Farm Property utilizing the Open Space and Recreation category (\$72,625).

The article also appropriates funds for administrative and operational expenses of the Community Preservation Committee in the amount of \$138,300. The administrative fund can be used by the Community Preservation Committee to pay for technical staffing and expertise, consulting services (e.g. land surveys and engineering), property appraisals, legal advertisements, publication fees, and other administrative expenses. By statute, the Community Preservation Committee may budget up to five percent (5%) of its annual budget for these administrative and operational expenses, or \$138,300 based upon the projected FY2023 revenue of \$2,766,000. Any funds remaining in the administrative account at the fiscal year's end revert to the Community Preservation Act Fund Balance, and need to be re-appropriated for administrative use in subsequent years. The Community Preservation Committee believes having access to administrative funds is critically important as it allows the Committee to conduct business on a time-sensitive basis, a vital component of the Community Preservation Act.

The Community Preservation Act requires 10% of the estimated annual income be allocated to current projects or reserved for future expenditures in each of the three core categories: Community Housing, Historic Resources, and Open Space and Recreation. The actual amount reserved each year depends upon whether or not Town Meeting has appropriated money totaling less than 10%, or not appropriated any money at all in any of these three core categories. If there is a balance of unspent Community Preservation Act funds from that fiscal year after such reservations and after Town Meeting has voted the Community Preservation Act articles, it is budgeted in the unrestricted reserve account for future Community Preservation Act projects in all three categories.

SELECT BOARD POSITION: The Select Board supports this article.

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

ARTICLE 57. HIRE LAND USE CONSULTANT FOR LIBERTY LEDGE/SEWATARO PROPERTY (Citizen Petition Article)

To see if the Town will vote to raise and appropriate, or to transfer from available funds, \$200,000, or any other sum, to be expended under the direction of the Director of Planning and Community Development for the purpose of hiring an independent land use consultant to study, evaluate and expand the options for the short-term and long-term uses for the Liberty Ledge property with the address 1 Liberty Ledge and consisting of approximately 44.32 a. of land inclusive of "Camp Sewataro" acquired by the Town pursuant to a vote under Article 25 of the 2019 Annual Town Meeting. The consultant's evaluation and report shall include new and prior information regarding the financial operating costs, the identification of environmental and health issues, the capital investments required, and any restrictions with respect to access and use of the property including ADA or other compliance requirements, for each alternative. The consultant shall prepare a written report of his/her findings and conclusions for the Town to use for its decisions regarding the use of the Liberty Ledge property for the benefit of the Town's population.

Submitted by Petition.

(Majority vote required)

PETITIONERS' REPORT: When the Town was presented with an opportunity to purchase the /Liberty Ledge/Sewataro property in 2019 three concerns were raised.

First, there was no plan about how to use the 44.32-acre property. Second, there was no time to do a land use study. Third, there were no funds earmarked to maintain the property to prevent it from falling into disrepair. For these reasons the Finance Committee, the Park and Recreation Commission, the Capital Investment Advisory Committee and the Land Acquisition Review Committee voted not to support the purchase.

The primary objective was to acquire the Liberty Ledge/Sewataro property to keep it as open space and other municipal uses. This objective was supported by Town Meeting on May 6, 2019.

The Select Board's solution to having the property maintained, and prevent it from falling into disrepair, was to enter into a short-term contract with a day camp operator who could run a day camp using the Camp Sewataro site and have the responsibility of maintaining the property.

This agreement limits Sudbury residents, who approved the purchase of the property for more than \$11,000,000, from using many of the facilities, and the majority of the property, from late May through September, the warm months of the year. Per the agreement, all swimming facilities, in their entirety, are completely off limits all the time. The agreement calls for lease and profit sharing payments from the operator. There is a substantial deficit between the revenues collected and the debt service (interest and principal) required to paid by the town.

The agreement was intended to be a temporary solution until a study could be done to evaluate and consider the options for the long-term use of the property. Upon completion of the study a decision on the long-term use would be made by Sudbury residents. The Select Board felt that a three-year agreement with a camp operator would be enough time to complete the land use study and plan for the implementation of its recommendations.

Because of the complex features of 44.23 acres of Liberty Ledge/Sewataro property, including four houses, a swimming/boating pond, a fishing pond, multiple open-air structures, a bomb shelter, athletic fields, parking areas, lack of permanent sanitary facilities, lack of ADA compliance, and the presence of four shallow swimming pools used to teach swimming, the land use study would take time and require the expertise of an independent land use consultant with broad based experience in developing a site like the liberty Ledge/Sewataro property. During the initial two years of the camp operator contract, the Select Board never authorized or allocated money to do the study.

Meanwhile, beneath the ground there is a hidden problem; underwater streams that fed the headwaters of Pantry Brook and are used to fill and maintain the swimming and fishing ponds. The town has been alerted that there are hygienic and environmental issues with the swimming and fishing ponds due to the underground streams. Modifications may be needed to comply with state law regarding the swimming pond and the fishing pond. As of the writing of this article it is unclear if the problems can be fixed, what such fixes will entail, how long they will take, and what the costs will be.

It is clear that the options for residents' use of Liberty Ledge/Sewataro will require intensive study and analysis. In essence, Liberty Ledge/Sewataro will need its own mini-Master Plan.

Not until the Select Board's January 10, 2022 meeting did the Select Board consider a warrant article to do a study to determine the potential uses for Liberty Ledge/Sewataro property.

This article authorizes the Town to hire an independent land use consultant to study and determine options for the use of the property that will provide the greatest benefit to the entire Town's population.

This study will include evaluation of the environmental issues, the land use issues, the capital investment cost issues, the operating costs issues, maintenance issues, real estate tax issues, the ADA issues, the issues surrounding scheduling and availability for the Town's population to use the property, the potential for revenue for the Town, as well as any other issues that should be included to evaluate the potential long-term uses of the property for the benefit of the Town's population.

In addition to the identification of the best use options for the property by the Town, a further objective of the study is to answer questions on subjects for which there was inadequate information in 2019, and answer questions that have arisen recently.

Before the Town enters into any long-term arrangement for Liberty Ledge/Sewataro, a full due diligence review of the options for the use of the property should be done by an independent land use consultant.

The complete results of the study will be made available to residents for their use in making an informed decision about the long-term use of the Liberty Ledge/Sewataro property. Town forums and discussions will be convened to answer questions and assist in the decision-making process. The consultants who conduct the study will be invited to participate in the forums and discussions.

The final determination of how Liberty Ledge/ Sewataro should be used should be placed before the residents in the form of a ballot question. That way, all residents would have an equal say in the outcome.

Liberty Ledge/Sewataro can become the durable jewel residents sought when they voted to purchase the land. The land use study proposed in this article is the tool needed to understand what is possible, and breathe life into this vision. Your support is vital to its success.

BOARD OF SELECTMEN POSITION:

FINANCE COMMITTEE REPORT:

ARTICLE 58. CREATION OF SUSTAINABILITY DIRECTOR POSITION

(Citizen Petition Article)

To see if the Town will vote to authorize the creation of the position of Sustainability Director to serve under the direction of the Town Manager, and further, to raise and appropriate, or transfer from available sums, the sum of \$130,000, or any other sum or sums to be expended under the direction of the Town Manager for the purpose of funding salary, benefits, and overhead for said position for FY23 with such funding thereafter to be included within the Town budget, and further vote to approve the following Resolution:

WHEREAS, cascading environmental harms, severe health impacts, and property destruction are already happening in many places around the world due to the current average global warming of more than 1°C relative to a pre-industrial baseline (World Meteorological Organization, 2020);

WHEREAS, restoring a safe and stable climate will require deep greenhouse gas emissions reductions through rapid, unprecedented transitions in all aspects of society, as described in the Intergovernmental Panel on Climate Change's (IPCC) *Sixth Assessment Report, Climate Change 2021*;

WHEREAS, progress toward this future is already underway in Massachusetts, a national leader on climate initiatives, including through the recently passed 2021 *Next-Generation Roadmap for Massachusetts Climate Policy*;

WHEREAS, Sudbury officials have recognized the threat and signed on to climate resilience, mitigation, and sustainability goals and actions in Sudbury's 2021 Master Plan, 2020 Hazard Mitigation Plan, and 2019 Municipal Vulnerability Preparedness Report;

WHEREAS, the Sudbury Select Board has recently voted to include "Sustainability and Climate Change Initiatives" among their top 5 goals;

WHEREAS, Sudbury has already undertaken important steps on climate resiliency and is well-positioned to join the growing number of Massachusetts communities leading the way on the critical transition away from fossil fuels;

WHEREAS, there remains a need and opportunity for Sudbury to accelerate its efforts in addressing the urgent challenges posed by climate change, including by refining goals, facilitating the sharing of reliable information, and establishing ways to assess and communicate community-wide progress;

WHEREAS, the scope and complexity of this work will require the leadership of an experienced, professional, and dedicated Sustainability Director;

WHEREAS, based on the experience of other towns, we can expect the work of a Sustainability Director to produce cost savings, potential additional revenues, and other tangible benefits to Sudbury.

BE IT THEREFORE RESOLVED that the citizens of Sudbury:

Declare that a climate emergency significantly threatens the safety and wellbeing of our town, its residents, the natural world, and our fellow people around the world;

AND declare that mobilizing urgently in response is a moral imperative and also an opportunity to build a more just and ecologically sustainable economy;

2022 Town of Sudbury ATM Warrant

AND call on Town government and staff, as well as all Sudbury civic groups, businesses, and residents to commit to a climate mobilization effort to reduce community-wide greenhouse gas emissions as quickly as possible, but in no case slower than the state benchmarks of 50% reduction by 2030, 75% reduction by 2040, and net zero by 2050 (relative to 1990 baseline levels), as enacted by the Massachusetts General Court and signed into law by Governor Baker;

AND request the Sudbury Select Board to charge and fully support the Sudbury Town Manager or other Town Staff, as their agents:

- 1) to invite all Sudbury stakeholders to a meeting to be held within 90 days of the adoption of this resolution to educate them about the risks posed by the climate emergency and the process the Town of Sudbury is planning to address it;
- 2) to immediately create and take steps to fill an ongoing, director-level staff position of Sustainability Director that will continue until such time as the Town Meeting votes to end this position, with the responsibility to direct and coordinate Town sustainability actions including, but not limited to resiliency, mitigation and adaptation actions called for in the 2021 Sudbury Master Plan, the 2020 Hazard Mitigation Plan, and the 2019 Municipal Vulnerability Preparedness Report;
- 3) to convene an advisory team led by the Sustainability Director and consisting of municipal representatives and a diverse group of residents, to research and develop, by the following Annual Town Meeting, a Climate Mobilization Action Plan (CMAP) for the Town of Sudbury, that at a minimum includes:
 - a. an estimate of present community-wide greenhouse gas emissions from the Town of Sudbury broken down by sector (e.g., electricity, transportation, heating, etc.),
 - b. an estimate of community-wide 1990 baseline greenhouse gas emissions for the Town of Sudbury,
 - c. a method for estimating benefits and costs of potential changes and actions relative to the 'business as usual' case,
 - d. a menu of strategies, tactics, and policies for the residents, businesses, and municipal government of Sudbury to reduce their share of greenhouse gas emissions and sequester greenhouse gasses,
 - e. plans for community outreach, engagement, and education to facilitate implementation and,
 - f. plans to ensure that the costs of the required mobilization do not unfairly burden those who are economically or socially disadvantaged and that the realized benefits of a more just and sustainable future accrue to all;
- 4) to provide an annual status report to the Town Meeting on progress towards meeting community-wide greenhouse gas reduction goals

;or act on anything related thereto.

Submitted by Petition.

(Majority vote required)

PETITIONERS' REPORT: Sudbury has repeatedly recognized a need to urgently improve our climate resiliency and reduce our greenhouse gas emissions, as seen in the most recent Master Plan, Hazard Mitigation Plan, Municipal Vulnerability Preparedness (MVP) Report, and Select Board Goals. This article would concretely accelerate progress towards these goals by authorizing and investing in the creation of the position of Sustainability Director for Sudbury. The position would work with staff and boards across town government to promote appropriate consideration of sustainability and climate change issues, and engage with residents and businesses to ensure they realize the financial and other benefits of sustainable choices. Sustainability Directors in peer towns have often had a substantial net positive impact on town

finances, including through improved capacity to take advantage of relevant state and federal funding, and by implementing energy efficiency and renewable energy projects.

Additionally, this article would pass a resolution declaring that a climate emergency threatens the long-term safety and well-being of Sudbury and its residents. The resolution calls for further actions including the preparation of a comprehensive Climate Mobilization Action Plan 1) to help residents and businesses objectively evaluate and implement potential climate actions, 2) to regularly assess the Town's progress against state emission reduction benchmarks, and 3) to ensure that the benefits of a more just and sustainable future accrue to all and that the costs to achieve this do not unfairly burden the economically or socially disadvantaged.

SELECT BOARD POSITION: The Select Board supports this article.

FINANCE COMMITTEE REPORT: The Finance Committee does not recommend approval of this article.

TOWN COUNSEL OPINIONS

It is the opinion of Town Counsel that, if the Zoning Bylaw amendment proposed in the following article in the Warrant for the 2022 Annual Town Meeting is properly moved, seconded and adopted by a two-thirds vote in favor of the motion, the proposed changes will become valid amendments to the Sudbury Zoning Bylaw:

Article 30. Amend Zoning Bylaw, Article IX, Insert Section 2328, Fences

It is the opinion of Town Counsel that, if the Bylaw amendment proposed in the following article in the Warrant for the 2022 Annual Town Meeting are properly moved, seconded and adopted by a majority vote in favor of the motion, the proposed changes will become valid amendments to the Sudbury Bylaw:

Article 25. Amend General Bylaws, Article II, Government of Town Meeting, Insert Section 19, Electronic Voting

Article 31. Amend General Bylaws, Article V(F) Stormwater Management, Amend Text of Section 2, Definitions and Amend Text of Section 4, paragraphs C. and F. Administration

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

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

Given under our hands this 5th day of April, 2022.

SELECT BOARD OF SUDBURY:

Jennifer S. Roberts

Janie W. Dretler

Daniel E. Carty

Charles G. Russo

William J. Schineller

Attachment6.b: Warrant Document - 3-24-22 (5173 : 2022 Annual Town Meeting action)

Sudbury, MA 01776

PAID

Select Board

U. S. POSTAGE

Permit No. 4
Sudbury, MA 01776
ECRWSS

Postal Patron
Sudbury
Massachusetts 01776

Attachment6.b: Warrant Document - 3-24-22 (5173 : 2022 Annual Town Meeting action)

**SUDBURY SELECT BOARD**

Thursday, March 24, 2022

CONSENT CALENDAR ITEM**7: Grant acceptance - Board of Health****REQUESTOR SECTION**

Date of request:

Requestor: Bill Murphy, Health Director

Formal Title: Vote to accept a COVID-19 test kits grant from the MetroWest Foundation in the amount of \$50,000.

Recommendations/Suggested Motion/Vote: Vote to accept a COVID-19 test kits grant from the MetroWest Foundation in the amount of \$50,000.

Background Information:

See attached document provided by Bill Murphy, Health Director.

Financial impact expected:

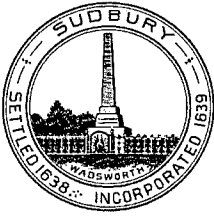
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Henry L Hayes	Pending
Town Counsel	Pending
Jennifer Roberts	Pending
Select Board	Pending

03/24/2022 6:15 PM



Town of Sudbury

Board of Health

DPW Office Building
275 Old Lancaster Road
Sudbury, MA 01776
978 440-5479

MEMO

3/21/2022

To: Select Board

From: Bill Murphy, Health Director *BM*

Re: Acceptance of a MetroWest Foundation Grant

The Sudbury Board of Health was awarded a grant in the amount of \$50,000 from the MetroWest Health Foundation for the purchase COVID test kits to be distributed in the Sudbury community primarily to low income and households in need.

Please accept this grant at your next available Select Board meeting.