

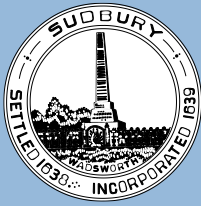
SUDBURY SELECT BOARD  
TUESDAY SEPTEMBER 12, 2023  
7:00 PM, ZOOM

Item #	Time	Action	Item
	7:00 PM		CALL TO ORDER
			Opening remarks by Chair
			Reports from Town Manager
			Reports from Select Board
			Public comments
<b>CONSENT CALENDAR</b>			
1.		<i>VOTE</i>	Vote to accept the following expenditure limits for the Town Trust Funds for Fiscal Year 2024: Goodnow Library \$25,000; Rhodes Memorial \$600; Lydia Raymond \$100; Forrest Bradshaw \$100; Cheri-Anne Cavanaugh \$1,000; Raymond Scholarship \$1,000; Discretionary \$4,500; Sept. 11 Memorial \$2,000; Perpetual Care \$70,000, for a total of \$104,300, as requested by Dennis Keohane, Finance Director.
2.		<i>VOTE</i>	Vote to grant a special permit to Lisa Hanson, St. Anselm Conference of the Society of St. Vincent de Paul, to hold a “Walk for the Poor” on Sunday, September 24, 2023, from 12:00 p.m. through approximately 2:00 p.m., subject to Police Department safety requirements, proof of insurance coverage and the assurance that any litter will be removed at the race’s conclusion.
3.		<i>VOTE</i>	Vote to Grant a Special Permit to SMILE Mass, to Hold the “Gobble Wobble for SMILE MASS” on Saturday, November 18 2023, from 10:00 A.M. through approximately 12:00 P.M., subject to Police Department safety requirements, Proof of Insurance Coverage and the assurance that any litter will be removed at the race’s conclusion.
4.		<i>VOTE</i>	Vote to grant a special permit to Sudbury Historical Society to hold the “Sudbury Historical Society Road Race” on Friday, November 10, 2023, from 10:00 A.M. through approximately 12:00 P.M., subject to Police Department safety requirements, proof of insurance coverage and the assurance that any litter will be removed at the race’s conclusion.
5.		<i>VOTE / SIGN</i>	Vote to accept the Maintenance Agreement and Covenant for Wayside Inn Road (Assessor’s Map L01-0002, L02-0003, and L02-0013), as requested by Planning & Community Development

*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. The Chair reserves the right to accept public comment on any item and may establish time limits.*

<b>Item #</b>	<b>Time</b>	<b>Action</b>	<b>Item</b>
			Department.
6.		<i>VOTE</i>	Vote to appoint Dani Marini-King, Sustainability Coordinator, as a non-voting member to the Transportation Committee
<b>MISCELLANEOUS</b>			
7.		<i>VOTE</i>	Meet with Interim Town Accountant Laurie Dell'Olio and approve this proposed appointment as Town Accountant.
8.		<i>VOTE</i>	Vote to call Special Town Meeting for Monday, October 23, 2023, 7:00 PM at LSRHS Auditorium. Also discuss Town Meeting articles.
9.			Review and update status of Select Board Goals from 2023 in advance of 2024 Goal Setting meeting.
10.		<i>VOTE</i>	Vote to approve minutes of 4/15/21, and dissolve the Sewataro Assessment and Recommendations Subcommittee, which was established 3/23/21.
11.		<i>VOTE</i>	Review and possibly approve open session minutes of 12/22/15, 1/20/22 (subcommittee), 8/13/23, 8/29/23.
<b>EXECUTIVE SESSION</b>			
12.		<i>VOTE</i>	Vote to close open session, and enter executive session to review, approve and possibly release executive session meeting minutes pursuant to G.L. c. 30A, § 21(a)(7) (Purpose 7), citing to the Open Meeting Law, G.L. c. 30A, §§ 22(f), (g).
13.		<i>VOTE</i>	Vote to close executive session and not resume open session.

*These agenda items are those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law. 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. The Chair reserves the right to accept public comment on any item and may establish time limits.*



SUDBURY SELECT BOARD  
Tuesday, September 12, 2023

**CONSENT CALENDAR ITEM**

**1: Approve FY24 Trust Funds spending limits**

REQUESTOR SECTION

Date of request:

Requestor: Dennis Keohane, Finance Director

Formal Title: Vote to accept the following expenditure limits for the Town Trust Funds for Fiscal Year 2024: Goodnow Library \$25,000; Rhodes Memorial \$600; Lydia Raymond \$100; Forrest Bradshaw \$100; Cheri-Anne Cavanaugh \$1,000; Raymond Scholarship \$1,000; Discretionary \$4,500; Sept. 11 Memorial \$2,000; Perpetual Care \$70,000, for a total of \$104,300, as requested by Dennis Keohane, Finance Director.

Recommendations/Suggested Motion/Vote: Vote to accept the following expenditure limits for the Town Trust Funds for Fiscal Year 2024: Goodnow Library \$25,000; Rhodes Memorial \$600; Lydia Raymond \$100; Forrest Bradshaw \$100; Cheri-Anne Cavanaugh \$1,000; Raymond Scholarship \$1,000; Discretionary \$4,500; Sept. 11 Memorial \$2,000; Perpetual Care \$70,000, for a total of \$104,300, as requested by Dennis Keohane, Finance Director.

Background Information:  
Attached documentation provided by Dennis Keohane

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

09/12/2023 7:00 PM

## MEMORANDUM

TO: Select Board

CC: Andy Sheehan, Town Manager

FROM: Dennis Keohane, Finance Director/Treasurer-Collector

DATE: September 12, 2023

RE: Town Trust Spending Limits for FY24

---

### **Background**

The spending limits being voted on are for a special segment of resources residing outside the Town's general fund treasury. These trusts include various gifts, donations, and grants, which have been established according to the wishes of the donors. Please see "In Sudbury We Trust" for additional information regarding the intent of each individual trust.

The six-member Board of Trustees that oversees these funds includes the five members of the Sudbury Select Board plus the Town Treasurer

Disbursements for the Town Trusts are authorized by the trustees to pay for a variety of expenses throughout the fiscal year, but not to exceed the annual spending limits set by the Select Board. You are being asked tonight to set maximum spending limits for FY24. The limits set by the Select Board may be changed during the year, if necessary, by following the same approval process as being considered by you this evening.

The spending limits that are being requested for FY24 are consistent with prior years and there is sufficient expendable fund balance in all cases to support spending levels for the year.

### **FY23 Financial Activity**

The total fund balance of the Town Trusts was \$1,953,742.23 as of June 30, 2023. During the fiscal year, the Town recognized \$25,592.67 from contributions and \$159,371.84 of investment income and market value increases. There were expenditures of \$111,136.79.

Please see the attached Town Trust Summary for additional financial details.

**Vote Request**

Acting as Co-Trustees, move to accept that Select Board approve the following expenditure limits for the Town Trust Funds for fiscal year 2024:

Trust Fund	Limits Recommended to Board by Treasurer
Goodnow Library	\$ 25,000
Rhodes Memorial	\$ 600
Lydia Raymond	\$ 100
Forrest Bradshaw	\$ 100
Cheri-Anne Cavanaugh	\$ 1,000
Raymond Scholarship	\$ 1,000
Discretionary	\$ 4,500
September 11 <sup>th</sup> Memorial	\$ 2,000
Perpetual Care	\$ 70,000
Total	\$104,300

Attachment 1.a: FY24 Trust Fund Spending Limits (003) (5992 : Approve FY24 Trust Funds spending limits)

**Town of Sudbury  
Town Trust Summary  
as of June 30, 2023**

Fund	Beginning Balance FY22	Contributions FY23	Investment Income FY23	Expenses FY23	Ending Balance FY23
Forrest Bradshaw	1,614.81	-	141.65	-	1,756.46
Goodnow Library	326,251.89	1,217.67	27,121.24	(34,282.31)	320,308.49
Lydia Raymond	2,973.43	-	260.81	-	3,234.24
Rhoades Memorial	10,808.31	-	937.02	(600.00)	11,145.33
<b>Total: Goodnow Library</b>	<b>341,648.44</b>	<b>1,217.67</b>	<b>28,460.72</b>	<b>(34,882.31)</b>	<b>336,444.52</b>
Annie Thorpe	45,062.92	-	3,952.74	-	49,015.66
Cheri-Anne Cavanaugh	21,230.45	-	1,846.80	(840.00)	22,237.25
Discretionary/Charity	67,593.38	-	5,348.55	(4,500.00)	68,441.93
Raymond Mausoleum	7,885.06	-	691.65	-	8,576.71
Raymond Scholarship	17,761.97	-	1,558.02	-	19,319.99
Tercentenary Fund	1,053.91	-	92.40	-	1,146.31
School Fund	5,713.83	-	501.19	-	6,215.02
Sept. 11 Memorial Fund	33,244.48	-	2,866.77	(914.48)	35,196.77
Perpetual Care	1,237,198.12	24,375.00	105,147.89	(70,000.00)	1,296,721.01
Garfield Trust	72,107.82	-	6,325.00	-	78,432.82
Haskell Field Loop Trail	11,627.78	-	1,019.95	-	12,647.73
Boundless Playgrd Maint	17,759.29	-	1,557.78	-	19,317.07
Wood-Davison House	22.11	-	1.93	-	24.04
Harry C Rice	4.95	-	0.45	-	5.40
<b>Total: Other</b>	<b>1,538,266.07</b>	<b>24,375.00</b>	<b>130,911.12</b>	<b>(76,254.48)</b>	<b>1,617,297.71</b>
<b>Total: Town Trust Funds</b>	<b>1,879,914.51</b>	<b>25,592.67</b>	<b>159,371.84</b>	<b>(111,136.79)</b>	<b>1,953,742.23</b>

Attachment 1.a: FY24 Trust Fund Spending Limits (003) (5992 : Approve FY24 Trust Funds spending limits)

**Town of Sudbury - Trust Funds**  
**Three-Year Lookback for Investment Performance**  
**as of June 30, 2023**

Fund	Investment Income FY20	Investment Income FY21	Investment Income FY22	Investment Income FY23
Forrest Bradshaw	92.04	305.19	(202.38)	141.65
Goodnow Library	20,908.40	67,271.35	(40,818.08)	27,121.24
Lydia Raymond	166.87	553.30	(378.15)	260.81
Rhoades Memorial	617.17	2,046.36	(1,390.03)	937.02
<b>Total: Goodnow Library</b>	<b>21,784.48</b>	<b>70,176.20</b>	<b>(42,788.64)</b>	<b>28,460.72</b>
Annie Thorpe	2,450.12	8,123.89	(5,615.29)	3,952.74
Cheri-Anne Cavanaugh	1,203.45	4,030.34	(2,673.82)	1,846.80
Discretionary/Charity	4,127.89	13,268.26	(8,685.36)	5,348.55
Raymond Mausoleum	428.72	1,421.51	(982.56)	691.65
Raymond Scholarship	965.74	3,202.11	(2,213.32)	1,558.02
Tercentenary Fund	57.30	190.00	(131.33)	92.40
School Fund	310.67	1,030.08	(712.00)	501.19
Sept. 11 Memorial Fund	1,929.55	6,356.90	(4,114.62)	2,866.77
Perpetual Care	71,175.05	231,336.64	(154,487.12)	105,147.89
Garfield Trust	3,920.58	12,999.51	(8,985.35)	6,325.00
Haskell Field Loop Trail	632.22	2,096.24	(1,448.94)	1,019.95
Boundless Playgrd Maint	965.59	3,201.62	(2,212.98)	1,557.78
Wood-Davison House	1.20	3.99	(2.76)	1.93
Harry C Rice	0.27	0.89	(0.62)	0.45
<b>Total: Other</b>	<b>88,168.35</b>	<b>287,261.98</b>	<b>(192,266.07)</b>	<b>130,911.12</b>
<b>Total: Town Trust Funds</b>	<b>109,952.83</b>	<b>357,438.18</b>	<b>(235,054.71)</b>	<b>159,371.84</b>
FY20 Investment Return (%)	6.01%			
FY21 Investment Return (%)		18.98%		
FY22 Investment Return (%)			-10.64%	
FY23 Investment Return (%)				8.48%

Attachment 1.a: FY24 Trust Fund Spending Limits (003) (5992 : Approve FY24 Trust Funds spending limits)



## In Sudbury We Trust ...

Citizens of Sudbury have benefited and continue to benefit from the generosity of those who preceded them. Beginning more than 300 years ago, various trust funds have been established according to the wishes of the donors. The total of all such trust funds including reinvested income as of June 30, 2023, was \$1,953,742.23. Persons wishing to contribute to existing trust funds, or establish a new one, should contact Town Counsel's office.

The existing trust funds and their balances at the end of FY23 were:

Discretionary/Charity Fund	68,441.93
Forrest Bradshaw Memorial Fund	1,756.46
Goodnow Library Fund	320,308.49
Lydia Raymond Fund	3,234.24
Rhoades Memorial	11,145.33
Annie L. Thorpe Trust	49,015.66
Cheri-Anne Cavanaugh Fund	22,237.25
George J. Raymond Scholarship Fund	19,319.99
Tercentenary Fund (Yr 2075)	1,146.31
School Fund	6,215.02
Sept 11 Memorial	35,196.77
Perpetual Care Fund	1,296,721.01
Raymond Mausoleum	8,576.71
Wood Davison House	24.04
Harry C. Rice Museum Fund	5.40
Haskell Field Loop Trail Fund	12,647.73
Garfield Trust Fund	78,432.82
Boundless Playground Maintenance Trust Fund	19,317.07

The Trustees of Town Donations oversee the Town Trust Funds. The six-member Board of Trustees includes the members of the Select Board, plus the Town Treasurer. The Trust Funds are continuing to perform on a consistent and monitored level. A three-member Investment Advisory Group consisting of Sudbury residents David Pettit, Daniel Flanagan, and Lee McGowan make recommendations to the Trustees on all investment decisions. Generally, the philosophy of the Investment Advisory Group is to aim for investments that produce a consistent stream of income for the beneficiaries while protecting the principal to the greatest extent possible. Depending on the terms of each trust some funds must be held in perpetuity to safeguard principal balances while the rest may be used at the discretion of the Trustees to cover authorized expenditures.

The following paragraphs provide brief descriptions of the origins and purposes of each of Sudbury's Trust Funds.



### **Discretionary/Charity Fund**

This fund, also sometimes known as the “Donation Fund” or “Ancient Fund”, comprises monies from the following sources:

- Will of Peter Noyes, 1697, and Will of Joshua Haynes, 1757, which together make up the so-called “Ancient Donation”
- Will of Jerusha Howe, 1842
- Will of Elisha Goodnow, 1849
- Will of Samuel D. Hunt, 1873
- Donation of George Goodnow accepted under Article 5 of the November 4, 1884 Town Meeting
- Will of Joanna Gleason, 1896
- M. L. Parmenter Fund, under terms of Will of Harry L. Parmenter, 1936, accepted by the April 21, 1949 Special Town Meeting
- Reinvested fund income and miscellaneous donations accepted from time to time by the Select Board.

Peter Noyes (1697) – Will bequeaths property, income from which “it yearly be at the Dispose of the Minister and ye Select men of ye Town of Sudbury for the use of the poor for ever ...”. The March 1728 Town Meeting authorized sale of property “An the produce of Said Sale be Let out to Interest on Good Security So that the Interest yearly be at the Dispose of the Ministers and Select men of Said Town to the Use of the poor of Said Town of Sudbury for Ever. The Security Given to the Said Selectmen for Said Sale to Run to them and their successors.”

Jerusha Howe (1842) – Will bequeaths \$1,000 “to be kept as a fund forever; and the interest shall be appropriated at the discretion of the Selectmen of said town to supply the industrious poor in the town with fuel.”

Elisha Goodnow (1849) – Will bequeaths \$4,000 “and direct that the sum shall be held by said town forever”; ¼ part of net income in each year “shall be applied from time to time as the same may be needed for the purchase of books for poor children attending the Public Schools of said town.” Remaining income “shall be applied by the inhabitants or officers of said town from time to time in their discretion to and for the relief, assistance and support of the poor, sick and infirm in said town not supported by its almshouse in such manner as the said inhabitants or officers may deem best...”. Town Meetings of 1854 through 1869 authorized the Selectmen alone, or in combination with the School Committee, or the Overseers of the Poor in combination with the School Committee to distribute the interest. After 1870 the funds (book and charity) were not separated by name in the Town Meeting votes and the committee authorized to distribute poor funds or charity funds were sometimes Selectmen, Overseers of Poor, or Assessors, sometimes combined with the School Committee for the funds on books and sometimes not.

Samuel D. Hunt (1873) – Will bequeaths \$1,000, “income to be distributed annually among the industrious poor residing in said town...”.

George Goodnow (1884) – The November 4, 1884, Town Meeting accepted a \$10,000 donation from George Goodnow, “... the income of which he desires to be used by the Selectmen of said Town for the time being to assist such citizens of the town who are not at the time receiving assistance as paupers but who may for any cause be in need of temporary private assistance.”

Joanna Gleason (1896) – Will bequeaths one-half of the remainder and residue of estate to the Town of Sudbury, amounting to \$1,192.27, “the principal ... to be kept safely invested and the income annually distributed by the Selectmen in their discretion among the needy inhabitants ...”.

Martha L. Parmenter (1936) – Will under Harry L. Parmenter bequeaths \$1,000 principal “... the Inhabitants of the town of Sudbury through its proper officer or officers shall hold the said fund in trust; shall invest and reinvest the same and pay over and use the income therefrom, from time to time, as aid to the poor and needy inhabitants of the said town of Sudbury.”

### **Forrest Bradshaw Memorial**

The Bradshaw family designated the Goodnow Library as a recipient of memorial donations in the name of Forrest D. Bradshaw. In March 1987, the Town accepted \$455 in such donations to be used by the library trustees in support of the Bradshaw collections of historical papers relating to Sudbury.

### **Goodnow Library Fund**

John Goodnow’s October 18, 1861, will bequeathed \$20,000 to the Town of Sudbury “for the purpose of purchasing and keeping in order a public library for the benefit of the inhabitants of that town.”

### **Lydia Raymond Fund**

Lydia G. Raymond of Sudbury died January 24, 1960, leaving a will bequeathing \$500 to Goodnow Library. The 1962 Annual Town Meeting accepted this gift, establishing a trust fund, the income of which to be used for “such purposes as the Library Committee may determine.”

### **Rhoades Memorial**

The Trustees of the Goodnow Library received \$3,027.10 on February 13, 1981 at the bequest of Paul Whitney Rhoades, “ ... the income only to be used for the purchase of books relating to landscape architecture, horticulture, gardening and floriculture.”

### **Annie L. Thorpe Trust**

Received \$5,000 on March 22, 1978, in payment of legacy under the Annie L. Thorpe, Jr. Trust of January 5, 1934, as amended for the purpose of “furthering the work of the District Nurse or other health work”.

### **Cheri-Anne Cavanaugh Fund**

The United Methodist Church transferred this fund to the Town in 1995. Cheri-Anne Cavanaugh was a 16-year-old Sudbury resident who died in April 1992. This fund was established by her family and friends to perpetuate her memory and to help the youth of Sudbury. The fund supports teen crisis counseling sessions conducted by participating therapists.

### **George J. Raymond Scholarship Fund**

Lydia G. Raymond established this perpetual \$3,000 trust fund for the promotion of higher education in the Sudbury High School. It was accepted by the Special Town Meeting of May 4, 1925.

### **Tercentenary Fund (Yr 2075)**

When the Bicentennial Committee wrapped up its business in 1976, they donated \$100 to the Town to be invested and reinvested until the year 2075, with the accumulated amount at that time to be used for the celebration of the Nation's 300<sup>th</sup> anniversary.

### **School Fund**

As best can be determined, this fund originated as portions of the monies from two sources: the 1757 will of Joshua Haynes that, with the 1697 will of Peter Noyes, was part of the so-called "Donation Fund" or "Ancient Donation", and the 1849 will of Elisha Goodnow. Joshua Haynes' tombstone in the Old North Cemetery reads in part "He Was Charitable To The Poor And At His Death Gave Many Gifts To Peticuler Persons Besides A Thousand Pound Old Tenor To A Publick School And The Poor of y<sup>e</sup> Town of Sudbury." Elisha Goodnow's will reads in part "I give the Town of Sudbury ... the sum of four thousand dollars; & direct that said sum shall be held by said town forever ... quarter part of the net income thereof in each year shall be applied from time to time as the same may be needed for the purchase of books for poor children attending the Public Schools of said town."

### **Sept 11 Memorial**

The monies in this trust support the protection, maintenance and enhancement of the September 11<sup>th</sup> Memorial Garden in Sudbury. Dedicated on September 11, 2003, the Memorial Garden features flowering plants and trees, three bluestone benches, and a commemorative center stone of Sudbury granite where engraved bronze plaques recount the events of September 11, 2001, and memorialize three Sudbury residents who were lost. Initial donations supporting this memorial were formally placed in the trust on July 13, 2004.

### **Perpetual Care Fund**

One of the oldest and largest funds, these monies are used for the perpetual care of Sudbury's cemeteries. Funds are typically added through donations and each time someone is buried in Town. The proceeds of the sales of lots and plots in a Town cemetery are applied to the improvement and maintenance of the cemetery and for the accumulation of the permanent care and improvement fund.

### **Raymond Mausoleum**

The 1962 Annual Town Meeting voted to accept \$1,000 from the executors of the Will of Lydia G. Raymond, the income from which to be used for the perpetual care, maintenance, preservation and repair of the Raymond Mausoleum.

### **Wood Davison House**

Monies in this trust fund comprise donations originally made to support a project to move the Wood Davison house from its location at 348 Boston Post Road to Town property on Old Sudbury Road between the Flynn Building and the Loring Parsonage. The project was later determined to be unfeasible. In order to use the funds for purposes other than those stipulated, the Town had to agree on a suitable use for the accumulated funds and petition the Probate Court for approval. These funds have been approved for the Sudbury Historical Museum project.

### **Harry C. Rice Museum Fund**

The Board of Selectmen established the Rice Museum Fund in 1979, in accordance with Article VII of the Will of Harry Rice. The will stipulates that this fund, together with any other monies that might be donated to it from other sources, are to be invested and reinvested by Sudbury's Treasurer until such time as the accumulated fund is substantial enough to allow the Town "to build a suitable, fireproof museum building in which can be properly displayed the artifacts, materials and programs which are appropriate to the study of American History, and in particular the history of New England and Sudbury – including American Indian history." The will also stipulates the funds must be solely used for the development of a separate Sudbury Museum. In order to use the funds for purposes other than those stipulated, the Town had to agree on a suitable use for the accumulated funds and petition the Probate Court for approval. These funds have been approved for the Sudbury Historical Museum project.

### **Haskell Field Loop Trail Fund**

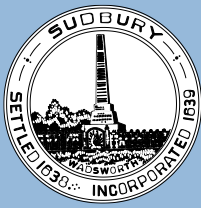
In December 2007, the Town received charitable gifts from an anonymous donor to construct and maintain a loop trail on Town-owned property at Haskell Field. The donor gifted \$6,000 for purpose of establishing and funding this trust for maintaining the loop trail.

### **Garfield Trust Fund**

Bequeathed in 1962 by Thomas Garfield, this fund provides for the permanent care, maintenance, and improvements specifically for Mount Pleasant Cemetery and to supplement the Perpetual Care Fund.

### **Boundless Playground Maintenance Trust Fund**

This fund helps maintain a completely accessible play area that allows anyone with disabilities to be a part of a community area and develop physically, socially, and emotionally



SUDBURY SELECT BOARD  
Tuesday, September 12, 2023

**CONSENT CALENDAR ITEM**

**2: St. Anselm/St. Vincent de Paul Walk 2023**

REQUESTOR SECTION

Date of request:

Requestor: Lisa Hanson, St. Anselm Conference of the Society of St. Vincent de Paul

Formal Title: Vote to grant a special permit to Lisa Hanson, St. Anselm Conference of the Society of St. Vincent de Paul, to hold a “Walk for the Poor” on Sunday, September 24, 2023, from 12:00 p.m. through approximately 2:00 p.m., subject to Police Department safety requirements, proof of insurance coverage and the assurance that any litter will be removed at the race’s conclusion.

Recommendations/Suggested Motion/Vote: Vote to grant a special permit to Lisa Hanson, St. Anselm Conference of the Society of St. Vincent de Paul, to hold a “Walk for the Poor” on Sunday, September 24, 2023, from 12:00 p.m. through approximately 2:00 p.m., subject to Police Department safety requirements, proof of insurance coverage and the assurance that any litter will be removed at the race’s conclusion.

Background Information:  
Please see attached.

Financial impact expected:N/A

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

09/12/2023 7:00 PM



# TOWN OF SUDBURY

Office of Select Board

www.sudbury.ma.us

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

Email: [SBadmin@sudbury.ma.us](mailto:SBadmin@sudbury.ma.us)

## APPLICATION FOR A CHARITABLE WALK/RELAY PERMIT ON A PUBLIC WAY

Written permission to conduct a fundraising walk or relay race in any public street, public sidewalk or public way within the Town must be obtained from the Select Board prior to the event. The Chief of Police will determine the appropriate public safety requirements for this event and the cost of such special duty officers, if any required, will be borne by the applicant. The Town of Sudbury requires a Certificate of Insurance of no less than \$1,000,000, naming the Town as an additional insured. All cleanup from the event will be completed by the applicant within 8 hours after the stated ending time or applicant will be billed for the Towns cost to clean up. Application processing can take up to four weeks as approval from the Police, Building and Park & Recreation departments may be required prior to Select Board approval. Processing begins after all required materials are received, so please plan accordingly.

Organization Name St. Vincent de Paul- St. Anslem

Event Name Walk for the Poor

Organization Address 100 Landham rd Sudbury Ma 01776

Name of contact person in charge Lisa Hanson

Telephone Number(s) of contact \_\_\_\_\_ (cell) \_\_\_\_\_

Email address \_\_\_\_\_

Date of event Sept. 24 2023 Rain Date Oct. 1st 2023

Starting time 12:00 Ending time 2:00 PM

Route of the race/relay and portion of the road requested to be used (please indicate on map and attach to this application) Landham Road

Anticipated number of participants 75

Assembly area (enclose written permission of owner if private property to be used for assembly) \_\_\_\_\_

St. Anselm Church

Organization that proceeds will go to St. Vincent dePaul Society

Any other important information \_\_\_\_\_

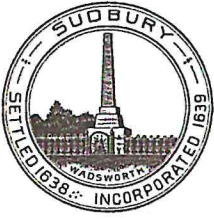
*The undersigned applicant agrees that the applicant and event participants will conform to applicable laws, by-laws and regulations as well as any special requirement that may be made as a condition of the granting of permission pursuant to this application. I/we agree to hold the Town of Sudbury harmless from any and all liability and will defend the Town of Sudbury in connection therewith.*

Signature of Applicant [Handwritten Signature]

Date 8/21/23

Attachment2.a: 2023 Walk for the Poor Application\_SB (5980 : St. Anselm/St. Vincent de Paul Walk 2023)





## TOWN OF SUDBURY

Office of Select Board

[www.sudbury.ma.us](http://www.sudbury.ma.us)

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

Email: [SBadmin@sudbury.ma.us](mailto:SBadmin@sudbury.ma.us)

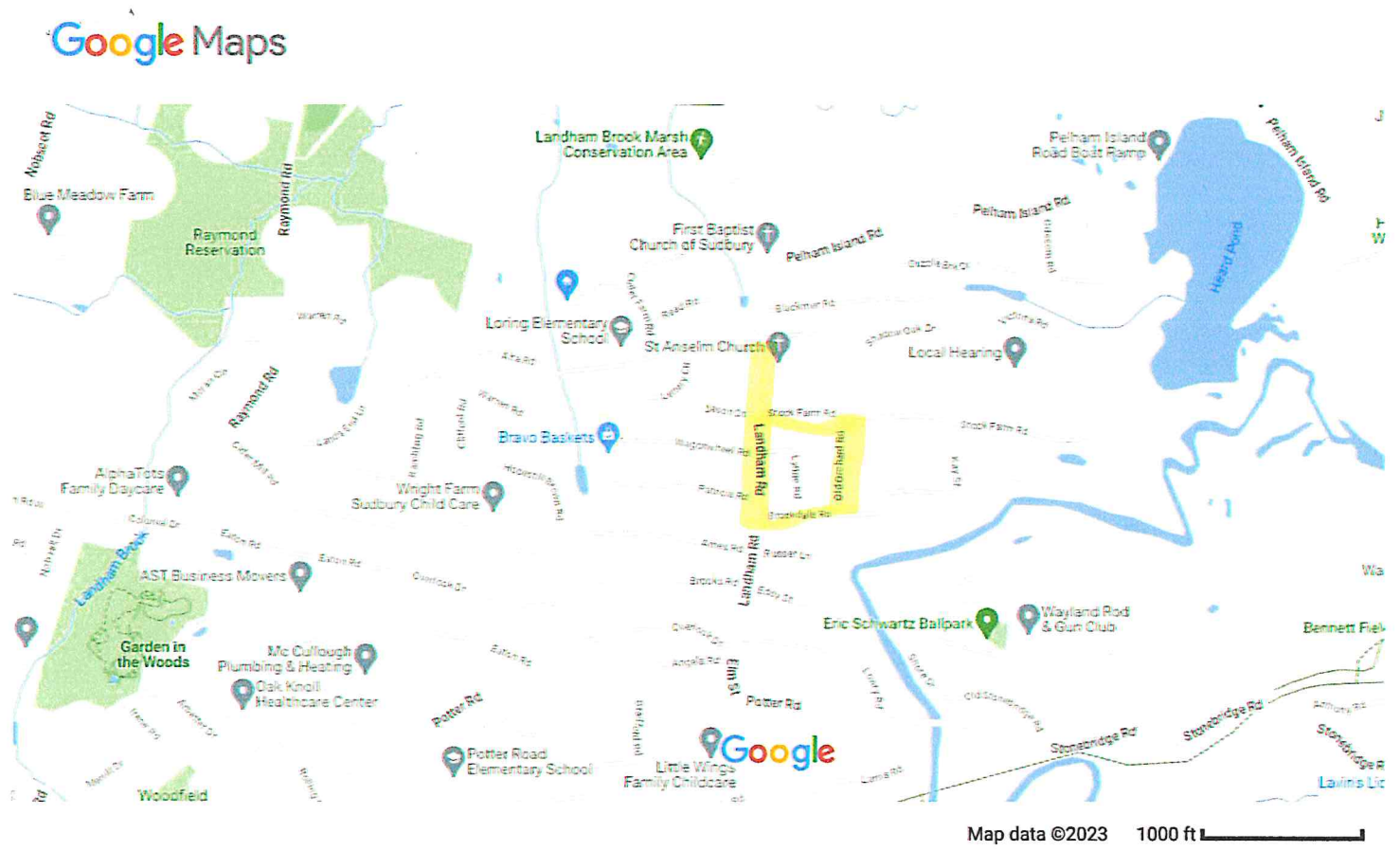
### CONTINUED: APPLICATION FOR A CHARITABLE WALK/RELAY PERMIT...

#### Application Checklist:

- Application Form
- Map of Route
- Evidence of Certificate of Insurance (please see details above)

Please submit completed application and materials to:

Office of Select Board  
278 Old Sudbury Rd.  
Sudbury, MA 01776  
Fax: 978-443-0756  
Email: [SBadmin@sudbury.ma.us](mailto:SBadmin@sudbury.ma.us)



Attachment2.a: 2023 Walk for the Poor Application\_SB (5980 : St. Anselm/St. Vincent de Paul Walk 2023)



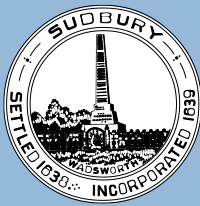
# St. Vincent de Paul (St. Anselm) Walk 2023

Sunday, September 24, 2023

Rain Date – Sunday, October 1, 2023

## Department Feedback

Department	Staff	Date	Comments
Fire Department	Chief Whalen	8/30/23	The Fire Department has no issues with this application.
Highway Department	Bill O'Rourke	9/7/23	The Public Works Department has no issues with this event assuming no personnel, vehicles or equipment are needed from the Department to support the event.
Park & Recreation	Dennis Mannone	8/30/23	Ok with P&R
Police Department	Chief Nix	9/4/23	The Police Department does not have any issues with the yearly event.



SUDBURY SELECT BOARD  
Tuesday, September 12, 2023

**CONSENT CALENDAR ITEM**  
**3: SMILE Mass Gobble Wobble 2023**

REQUESTOR SECTION

Date of request:

Requestor: Susan Brown, SMILE Mass

Formal Title: Vote to Grant a Special Permit to SMILE Mass, to Hold the “Gobble Wobble for SMILE MASS” on Saturday, November 18 2023, from 10:00 A.M. through approximately 12:00 P.M., subject to Police Department safety requirements, Proof of Insurance Coverage and the assurance that any litter will be removed at the race’s conclusion.

Recommendations/Suggested Motion/Vote: Vote to Grant a Special Permit to SMILE Mass, to Hold the “Gobble Wobble for SMILE MASS” on Saturday, November 18, 2023, from 10:00 A.M. through approximately 12:00 P.M., subject to Police Department safety requirements, Proof of Insurance Coverage and the assurance that any litter will be removed at the race’s conclusion.

Background Information:

Financial impact expected:N/A

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

- Select Board Office                      Pending
- Town Manager's Office                  Pending
- Town Counsel                              Pending
- Select Board                                Pending
- Select Board                                Pending

09/12/2023 7:00 PM



# TOWN OF SUDBURY

Office of Select Board

www.sudbury.ma.us

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

Email: [SBadmin@sudbury.ma.us](mailto:SBadmin@sudbury.ma.us)

## APPLICATION FOR A CHARITABLE WALK/RELAY PERMIT ON A PUBLIC WAY

Written permission to conduct a fundraising walk or relay race in any public street, public sidewalk or public way within the Town must be obtained from the Select Board prior to the event. The Chief of Police will determine the appropriate public safety requirements for this event and the cost of such special duty officers, if any required, will be borne by the applicant. The Town of Sudbury requires a Certificate of Insurance of no less than \$1,000,000, naming the Town as an additional insured. All cleanup from the event will be completed by the applicant within 8 hours after the stated ending time or applicant will be billed for the Town's cost to clean up. Application processing can take up to four weeks as approval from the Police, Building and Park & Recreation departments may be required prior to Select Board approval. Processing begins after all required materials are received, so please plan accordingly.

Organization Name SMILE Mass

Event Name Gobble Wobble for SMILE Mass

Organization Address 66 Dudley Road

Name of contact person in charge Lotte Diomedes/Susan Brown

Telephone Number(s) of contact (cell) \_\_\_\_\_

Email address \_\_\_\_\_

Date of event 11/18/2023 Rain Date none

Starting time 8:00am Ending time noon

Route of the race/relay and portion of the road requested to be used (please indicate on map and attach to this application) 1 mile/5K/10K maps attached

Anticipated number of participants 200


Assembly area (enclose written permission of owner if private property to be used for assembly) \_\_\_\_\_

Curtis Middle School cafeteria

Organization that proceeds will go to SMILE Mass

Any other important information this is our 10th anniversary (skipping covid years)

*The undersigned applicant agrees that the applicant and event participants will conform to applicable laws, by-laws and regulations as well as any special requirement that may be made as a condition of the granting of permission pursuant to this application. I/we agree to hold the Town of Sudbury harmless from any and all liability and will defend the Town of Sudbury in connection therewith.*

Signature of Applicant  Date 11/23/23





## TOWN OF SUDBURY

Office of Select Board

[www.sudbury.ma.us](http://www.sudbury.ma.us)

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

Email: [SBadmin@sudbury.ma.us](mailto:SBadmin@sudbury.ma.us)

### CONTINUED: APPLICATION FOR A CHARITABLE WALK/RELAY PERMIT...

#### Application Checklist:

- Application Form
- Map of Route
- Evidence of Certificate of Insurance (please see details above) —

*renews in September. will send over ASAP*

Please submit completed application and materials to:

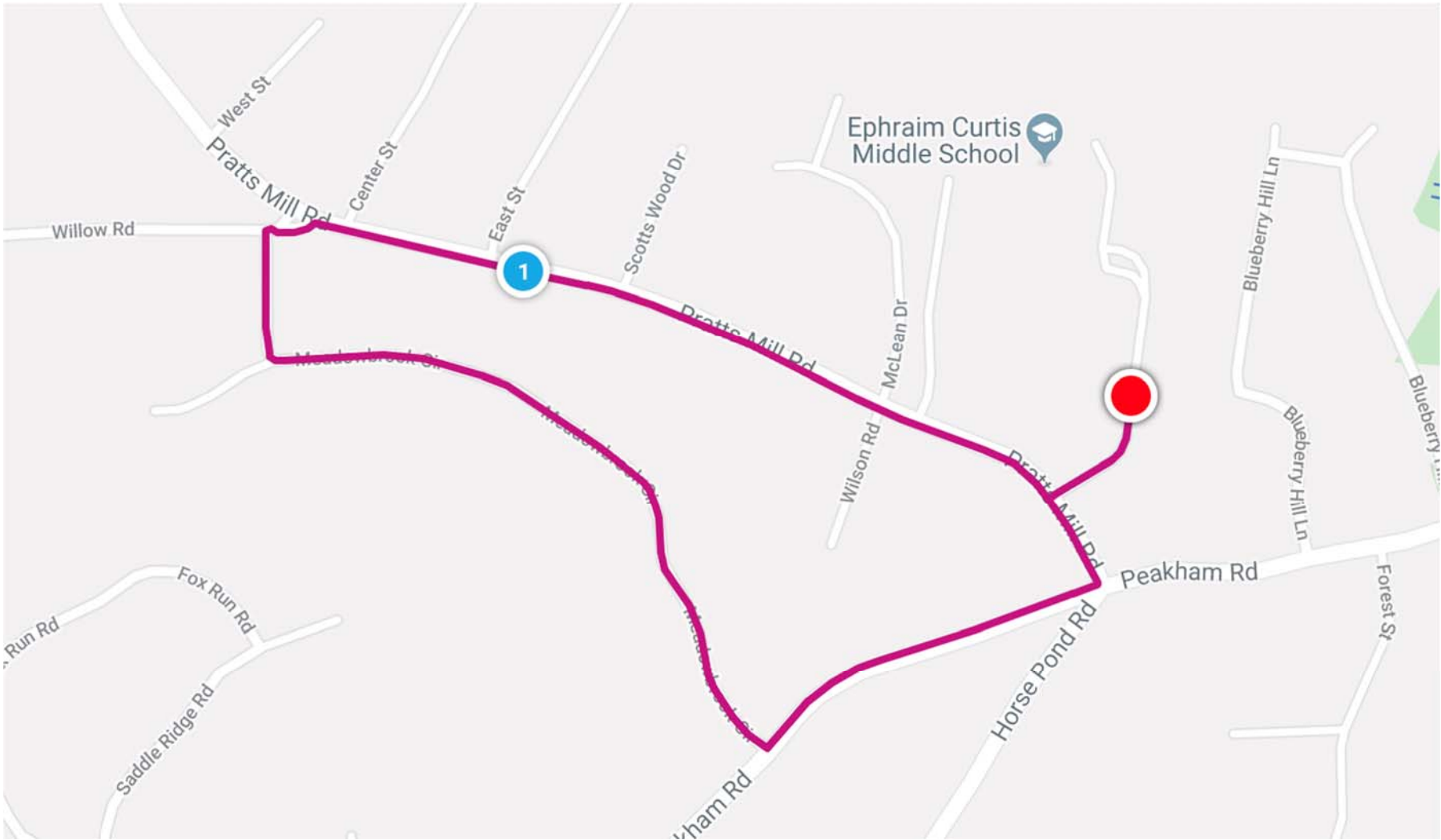
Office of Select Board

278 Old Sudbury Rd.

Sudbury, MA 01776

Fax: 978-443-0756

Email: [SBadmin@sudbury.ma.us](mailto:SBadmin@sudbury.ma.us)

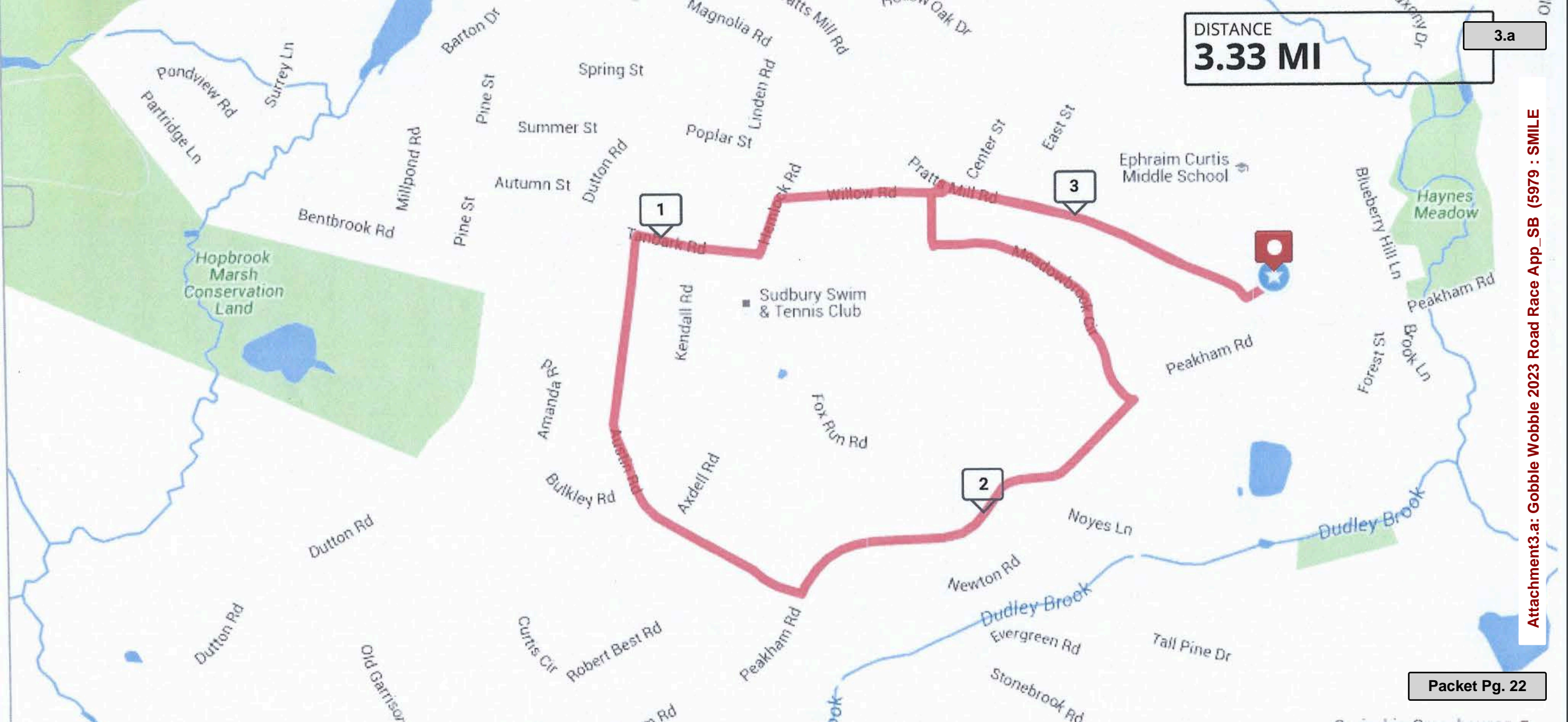


# 1.4 MILE WALK



DISTANCE  
**3.33 MI**

3.a





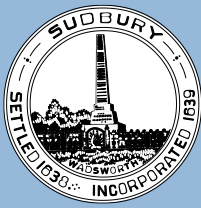
# 2023 SMILE Mass “Gobble Wobble”

Saturday, November 18, 2023

## Department Feedback

Department	Staff	Date	Comments
Fire Department	Chief Whalen	8/24/23	The Fire Department has no issues with this application.
Highway Department	Bill O’Rourke	9/7/23	Suggest confirmation of their insurance certificate at least 1 week prior to event. The Public Works Department has no issues with this event assuming no personnel, vehicles or equipment are needed from the Department to support the event.
Park & Recreation	Dennis Mannone	8/29/23	Should be fine
Police Department	Chief Nix	9/6/23	<p>For the most part, I do not have an issue with the routes but along Peakham Road is problematic in some areas if participants are using the roadway given the corners/narrowness but this can be overcome by utilizing the sidewalk. The sidewalk is on the same side as the proposed route providing the ability to get off of Peakham Road traversing the route in a safe manner. I am good with this route with the understanding participants will be reminded of sidewalk safety.</p> <p><b>Applicant Response</b> 100% we agree and will do this!</p>





SUDBURY SELECT BOARD  
Tuesday, September 12, 2023

**CONSENT CALENDAR ITEM**

**4: Sudbury Historical Society Road Race 2023**

REQUESTOR SECTION

Date of request:

Requestor: Rachael Robinson, Sudbury Historical Society Director

Formal Title: Vote to grant a special permit to Sudbury Historical Society to hold the “Sudbury Historical Society Road Race” on Friday, November 10, 2023, from 10:00 A.M. through approximately 12:00 P.M., subject to Police Department safety requirements, proof of insurance coverage and the assurance that any litter will be removed at the race’s conclusion.

Recommendations/Suggested Motion/Vote: Vote to grant a special permit to Sudbury Historical Society to hold the “Sudbury Historical Society Road Race” on Friday, November 10, 2023, from 10:00 A.M. through approximately 12:00 P.M., subject to Police Department safety requirements, proof of insurance coverage and the assurance that any litter will be removed at the race’s conclusion.

Background Information:  
Application and department feedback attached

Financial impact expected:N/A

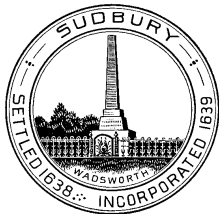
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

- Select Board Office                      Pending
- Town Manager's Office                  Pending
- Town Counsel                              Pending
- Select Board                                Pending
- Select Board                                Pending

09/12/2023 7:00 PM



# TOWN OF SUDBURY

Office of Select Board

[www.sudbury.ma.us](http://www.sudbury.ma.us)

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

Email: [SBadmin@sudbury.ma.us](mailto:SBadmin@sudbury.ma.us)

## APPLICATION FOR A CHARITABLE WALK/RELAY PERMIT ON A PUBLIC WAY

Written permission to conduct a fundraising walk or relay race in any public street, public sidewalk or public way within the Town must be obtained from the Select Board prior to the event. The Chief of Police will determine the appropriate public safety requirements for this event and the cost of such special duty officers, if any required, will be borne by the applicant. The Town of Sudbury requires a Certificate of Insurance of no less than \$1,000,000, naming the Town as an additional insured. All cleanup from the event will be completed by the applicant within 8 hours after the stated ending time or applicant will be billed for the Town's cost to clean up. Application processing can take up to four weeks as approval from the Police, Building and Park & Recreation departments may be required prior to Select Board approval. Processing begins after all required materials are received, so please plan accordingly.

Organization Name \_\_\_\_\_

Event Name \_\_\_\_\_

Organization Address \_\_\_\_\_

Name of contact person in charge \_\_\_\_\_

Telephone Number(s) of contact \_\_\_\_\_ (cell) \_\_\_\_\_

Email address \_\_\_\_\_

Date of event \_\_\_\_\_ Rain Date \_\_\_\_\_

Starting time \_\_\_\_\_ Ending time \_\_\_\_\_

Route of the race/relay and portion of the road requested to be used (please indicate on map and attach to this application) \_\_\_\_\_

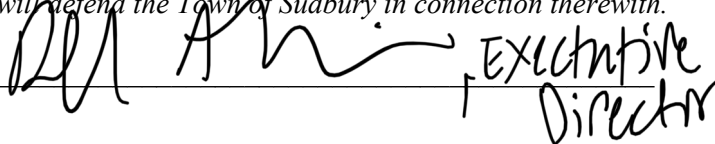
Anticipated number of participants \_\_\_\_\_

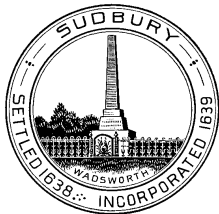
Assembly area (enclose written permission of owner if private property to be used for assembly) \_\_\_\_\_

Organization that proceeds will go to \_\_\_\_\_

Any other important information \_\_\_\_\_

*The undersigned applicant agrees that the applicant and event participants will conform to applicable laws, by-laws and regulations as well as any special requirement that may be made as a condition of the granting of permission pursuant to this application. I/we agree to hold the Town of Sudbury harmless from any and all liability and will defend the Town of Sudbury in connection therewith.*

Signature of Applicant  Executive Director Date 7/27/2022



## TOWN OF SUDBURY

*Office of Select Board*

*www.sudbury.ma.us*

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

Email: [SBadmin@sudbury.ma.us](mailto:SBadmin@sudbury.ma.us)

### CONTINUED: APPLICATION FOR A CHARITABLE WALK/RELAY PERMIT...

#### Application Checklist:

- Application Form
- Map of Route
- Evidence of Certificate of Insurance (please see details above)

Please submit completed application and materials to:

Office of Select Board

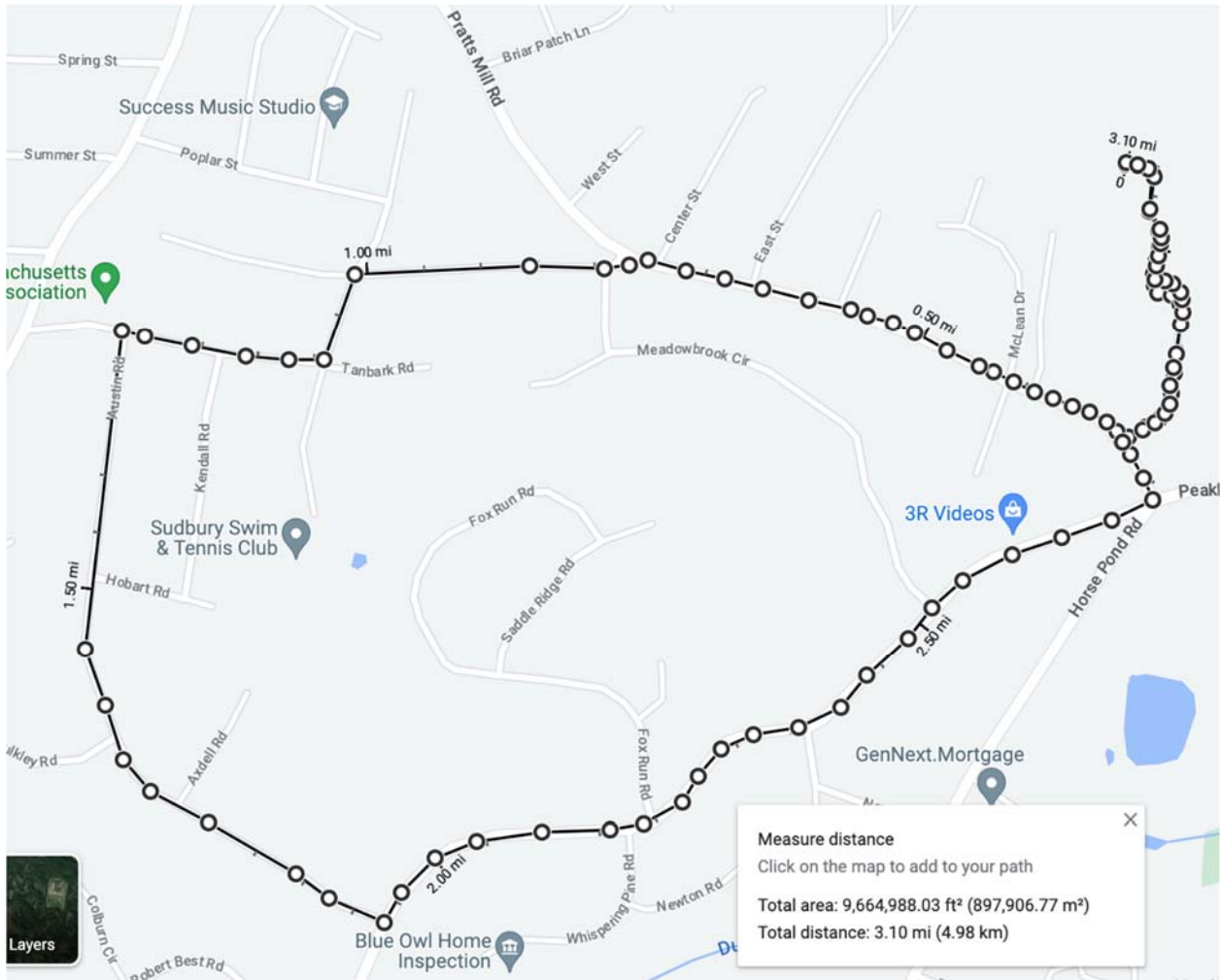
278 Old Sudbury Rd.

Sudbury, MA 01776

Fax: 978-443-0756

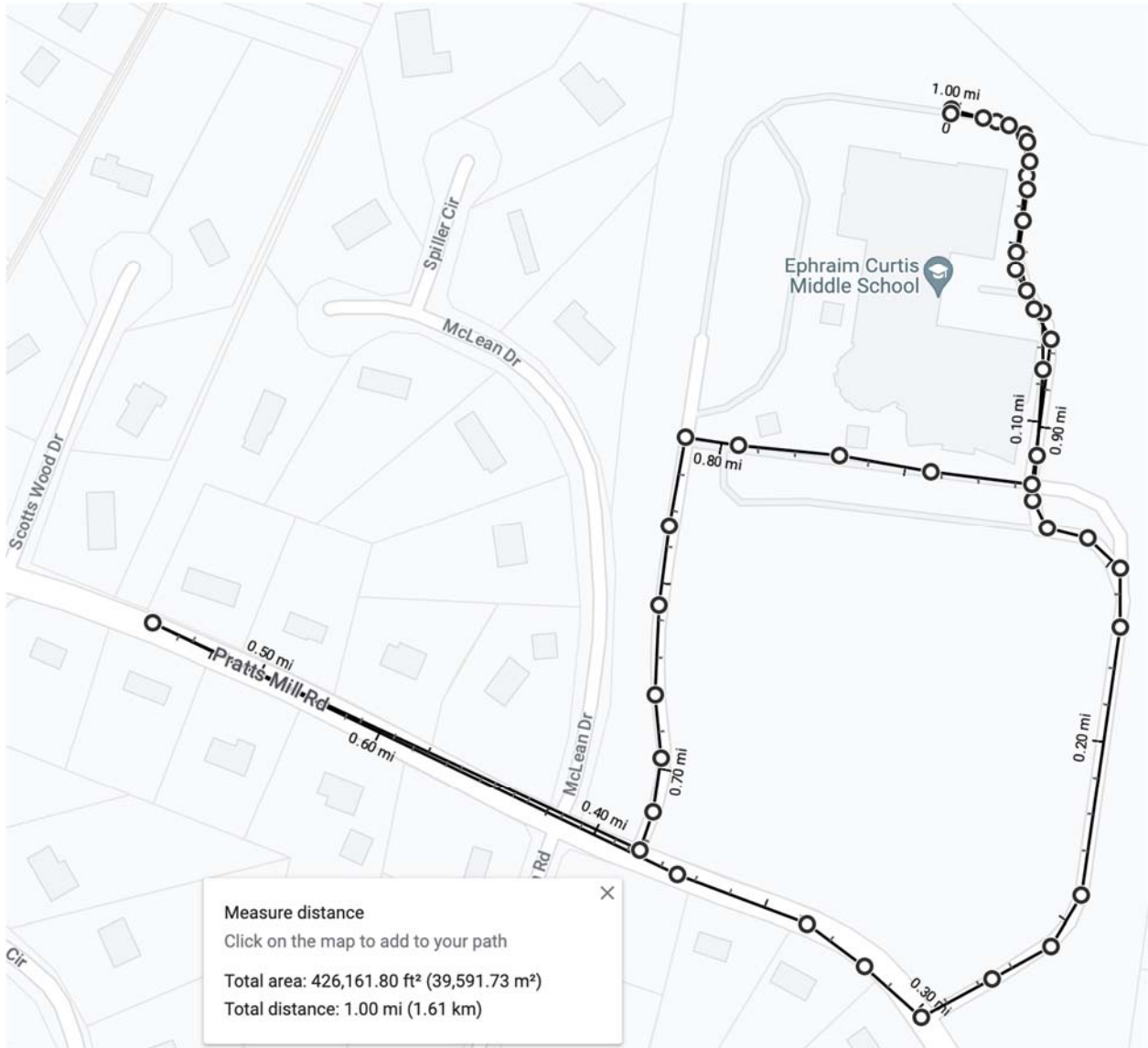
Email: [SBadmin@sudbury.ma.us](mailto:SBadmin@sudbury.ma.us)

# 5K Route



Attachment 4.a: SHS Road Race Application 2023\_SB\_v2 (5974 : Sudbury Historical Society Road Race 2023)

# 1 Mile Route



# Sudbury Historical Society Road Race

Friday, November 10, 2023

## Department Feedback

Department	Staff	Date	Comments
Fire Department	Chief Whalen	9/6/23	The Fire Department has no issues with this change.
Highway Department	Bill O'Rourke	9/7/23	I fully agree with Chief Nix that the proposed route change is better going forward. The Public Works Department has no issues with this event assuming no personnel, vehicles or equipment are needed from the Department to support the event.
Park & Recreation	Dennis Mannone	9/7/23	Should be fine P&R
Police Department	Chief Nix	9/6/23	<p>This route is superior to that of the Haynes and Marlboro route. Peakham is problematic in some areas if participants are using the roadway given the corners/narrowness but this can be overcome by utilizing the sidewalk. The sidewalk is on the same side as the proposed route providing the ability to get off of Peakham Road traversing the route in a safe manner. I am good with this route with the understanding participants will be reminded of sidewalk safety.</p> <p><b>Applicant Response</b> Yes of course, it will be included on the website in the course description, and verbally said at the start of the race.</p>

Attachment 4.b: SHS RR Feedback 2023 (5974 : Sudbury Historical Society Road Race 2023)

**Curtis Middle School**

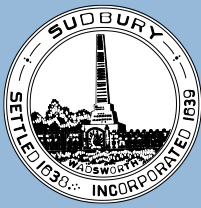
From: Suzanne Lucey

Date: September 6, 2023 at 1:36:45 PM EDT

To: Rachael Robinson

Subject: Re: Use of Curtis MS Parking Lot

We do not have anything scheduled



**CONSENT CALENDAR ITEM**

**5: Vote to accept Covenant 219 Wayside Inn Rd**

REQUESTOR SECTION

Date of request:

Requestor: Planning & Community Development

Formal Title: Vote to accept the Maintenance Agreement and Covenant for Wayside Inn Road (Assessor’s Map L01-0002, L02-0003, and L02-0013), as requested by Planning & Community Development Department.

Recommendations/Suggested Motion/Vote: Vote to accept the Maintenance Agreement and Covenant for Wayside Inn Road (Assessor’s Map L01-0002, L02-0003, and L02-0013), as requested by Planning & Community Development Department.

Background Information:  
attached covenant.  
SB signature page added 9/11.

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

09/12/2023 7:00 PM



## MAINTENANCE AGREEMENT AND COVENANT

This Maintenance Agreement and Covenant and (this "Covenant") is made as of 8/22, 2023 by Elizabeth Rudenberg, Personal Representative of the Estate of H. Gunther Rudenberg (the "Owner") having and address of 259 Foreside Road, Falmouth, ME 04105, and being the owner of Wayside Inn Road, Sudbury, MA 01776, Assessor's Map L01-0002, L02-0003 and L02-0013 (the "Property"), as more particularly described as Lot 9 in that certain deed dated January 1, 1956 recorded with Middlesex South District Registry of Deeds in Book 7807, Page 267, for the benefit of the Town of Sudbury (the "Town"), a Massachusetts municipal corporation, by and through its Town Manager, having an address of 278 Old Sudbury Road, Sudbury, MA 01776.

Whereas, the Owner applied to the Planning and Community Development Department ("Department") for a Stormwater Management Permit (the "Permit") for the Property, and in connection with the Permit, the Town is willing to permit the installation of a driveway, supporting walls and precast box culvert within the public right of way (collectively, the "Improvements") in accordance with the plans entitled "Site Plan H. Gunther Rudenberg Estate Wayside Inn Road, Sudbury, Massachusetts", last revised November 29, 2022 prepared by DGT Associates Surveying & Engineering (the "Plans"); and

Whereas, the Commission's vote to grant the Owner the Permit is contingent upon the Owner agreeing for itself and its successors and assigns after the construction of the Improvements, to maintain (including annual inspections) the Improvements in accordance with the Permit and Plans. Maintenance shall include, without limitation, annual cleaning of the culvert, routine repairs and replacement, as reasonably necessary for the culvert to remain functional so that the drainage system within the right of way shall remain open to store and infiltrate stormwater runoff from the adjacent roadway; and

Whereas, the Owner agrees that upon construction of Improvements, to maintain the Improvements as aforesaid in perpetuity and to grant the Town the right, if the Owner fails to do so, to perform such maintenance and charge and assess the Owner for the cost thereof; and

Now therefore, the Owner hereby makes the following covenants to the Town, on behalf of itself and its successors and assigns:

1. In the event the Owner proceeds with the Improvements and any other work which is the subject of the Permit, the Owner shall be responsible, at its sole cost and expense, for constructing, installing, maintaining, operating, repairing, and replacing the Improvements for the purpose of allowing for the proper and efficient flow of stormwater through the culvert so that the drainage system within the right of way shall remain open to store and infiltrate stormwater runoff from the adjacent roadway in accordance with the Permit and Plans.

2. In the event of a failure by the Owner to comply with the requirements of this Covenant resulting in the failure of the culvert and drainage system to function properly, the Town shall have the right to deliver to the then Owner of the Property a written notice (pursuant to the notice provision below) to remedy said violation specifying the work that is required in order to enable the culvert and drainage system to function properly and providing for a thirty (30) day time period in which to complete such work. If the remedy is of such a nature that the same cannot be reasonably completed within said thirty (30) day period, then the Town shall impose such other, additional timeframe upon the Owner as is reasonable under the circumstances. In the event the remedy is not completed in a manner reasonably satisfactory to the Town within said thirty (30) day period (or such other additional timeframe imposed by the Town), or the Owner shall fail to commence such remedy within the applicable period, or thereafter fail to prosecute the completion of same with diligence and continuity, then the Town may, but shall have no obligation, to remedy the failure described in its notice at the sole cost and expense of the Owner.

3. In connection with any such entry as the Town may elect, the Town shall use reasonable efforts (a) to give prior notice to the Owner of same, except in the case of emergency, and (b) not to unreasonably interfere with the use of the Property, or with access to the Property, except to the extent as may be reasonably required in order to prosecute such remedy. The Town shall promptly restore or replace the driveway and adjacent areas thereunder to the condition it was in prior to undertaking such work, to the extent reasonably possible, also at the sole cost and expense of the Owner.

4. The rights hereby granted to the Town include the right to enforce the obligations of the Owner set forth herein by appropriate legal proceedings and to obtain injunctive and other equitable relief against any violation, including, without limitation, relief requiring repair, maintenance, or replacement of the Improvements (it being agreed that the Town has no adequate remedy at law), and shall be in addition to, and not in limitation of, any other rights and remedies available to the Town. The Town shall have the option to enforce said obligations, but does not have the obligation to do so. The actual expenses incurred by the Town in abating or remedying any violation hereof and in enforcing the duties of the Owner hereunder shall be paid by the Owner within thirty (30) days after delivery of written notice to the Owner by the Town accompanied by reasonable evidence of such expenses, and, if not paid within the time allowed, the Town may recover its costs by means of a municipal lien and/or betterment assessments on the



Property in accordance with M.G.L. c. 80 and/or other applicable law. Any election by the Town as to the manner and timing of its right to enforce these covenants or otherwise exercise its rights hereunder shall not be deemed or construed to be a waiver of such rights.

5. Within twenty (20) days after written request therefor, the Town shall execute and deliver to the then Owner an estoppel certificate stating that to the best of the Town's knowledge as of the date of the certificate whether any default has occurred under this Covenant by the Owner, and if there are known defaults, specifying the nature thereof. Notwithstanding anything contained herein to the contrary, the issuance of an estoppel certificate shall in no event subject the Town to any liability whatsoever, notwithstanding the negligent or otherwise inadvertent failure of the Town to disclose correct and/or relevant information included in any such estoppel certificate, but the Town shall be estopped from claiming or enforcing hereunder any then-existing default not set forth in such certificate, the same, if any, being waived upon the issuance of any such certificate.

6. The Owner, its heirs, successors and assigns, solely during the period of its and their respective ownership of the Property, shall defend, indemnify and hold the Town harmless from any and all claims, damages, losses, costs and liabilities, including, without limitation, reasonable attorneys' fees, relating to the Improvements and/or the Owner's actions taken or the Owner's failure to take action as may be required under this Covenant, excluding in any event from the foregoing indemnity, any matter arising from the negligence or willful misconduct of the Town.

7. The Owner understands, acknowledges and agrees that no permit will issue until such time as this Covenant is recorded with the Middlesex South District Registry of Deeds, and a recorded copy is provided to the Town Director of Planning and Community Development.

Executed under seal as of this 22 day of August, 2023.

PROPERTY OWNER:

*Elizabeth Rudenberg*

Elizabeth Rudenberg, Personal Representative  
Of the Estate of H. Gunther Rudenberg

*Cumberland* <sup>SS.</sup> *MAINE*  
*MIDDLESEX, SS.* <sup>SS.</sup>

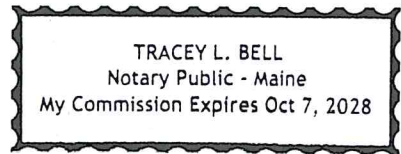
On this 22<sup>nd</sup> day of August, 2023, before me, the undersigned notary public, personally appeared Elizabeth Rudenberg, Personal Representative of the Estate of H. Gunther Rudenberg, who proved to me through satisfactory evidence of identification, which was ME Drives licence and acknowledged to me that she signed it voluntarily for its stated purpose.

*Tracey L Bell*

Notary Public

My Commission expires:

10/07/2028



ACCEPTANCE OF EASEMENT

On this \_\_\_\_ day of September, 2023, the Town of Sudbury, acting by and through its Select Board pursuant to the provisions of G.L. c. 83, §§1 and 3, and any other enabling authority, hereby accepts the foregoing Grant of Easement for drainage purposes and to comply with the obligations of Town as set forth therein.

TOWN OF SUDBURY,  
By Its Select Board

\_\_\_\_\_  
Janie W. Dretler, Chair

\_\_\_\_\_  
Lisa V. Kouchakdjian, Vice Chair

\_\_\_\_\_  
Daniel E. Carty, Member

\_\_\_\_\_  
Jennifer S. Roberts, Member

\_\_\_\_\_  
Charles G. Russo, Member

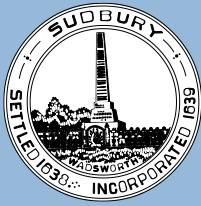
COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss

On this \_\_\_\_\_ day of September, 2023, before me, the undersigned notary public, \_\_\_\_\_, the above-named member of the Select Board for the Town of Sudbury, personally appeared and proved to me through satisfactory evidence of identification, which was personal knowledge, to be the person whose name is signed on the preceding document and acknowledged to me that s/he/they signed it voluntarily for its stated purpose as a member of the Select Board of the Town of Sudbury.

Notary Public  
My Commission Expires:

Attachment 5.a: 219 Wayside Inn Road - Culvert Covenant 230822 (5990 : Vote to accept Covenant 219 Wayside Inn Rd)



SUDBURY SELECT BOARD  
Tuesday, September 12, 2023

**CONSENT CALENDAR ITEM**

**6: Appoint Dani Marini-King to Transportation Committee**

REQUESTOR SECTION

Date of request:

Requestor: Town Manager

Formal Title: Vote to appoint Dani Marini-King, Sustainability Coordinator, as a non-voting member to the Transportation Committee

Recommendations/Suggested Motion/Vote:

Background Information:

Financial impact expected:

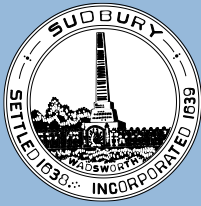
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

09/12/2023 7:00 PM



SUDBURY SELECT BOARD  
Tuesday, September 12, 2023

**MISCELLANEOUS (UNTIMED)**

**7: Town Accountant appointment**

REQUESTOR SECTION

Date of request:

Requestor: Dennis Keohanne, Finanace Director

Formal Title: Meet with Interim Town Accountant Laurie Dell'Olio and approve this proposed appointment as Town Accountant.

Recommendations/Suggested Motion/Vote: Meet with Interim Town Accountant Laurie Dell'Olio and approve this proposed appointment as Town Accountant.

Background Information:

Former Town Accountant retired 12/31/22.  
attached memo from Dennis Keohane

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

09/12/2023 7:00 PM

**LAURIE A. DELL'OLIO**

[REDACTED]

[REDACTED]

[REDACTED]

---

**PROFESSIONAL EXPERIENCE:**

**MELANSON CPA'S, Merrimack, NH**

**MUNICIPAL OUTSOURCE DIVISION, Senior Accountant, December 2019 - present**

- Manage the Municipal Outsource Division
- Provide town accountant services to 8 towns with a 4-support staff.

**TOWN OF LEXINGTON, Lexington, MA**

**Town Accountant, September 2004 - September 2017**

- Responsible for planning, directing, and controlling all financial and accounting policies and procedures for the Town
- Assist in developing the \$190 million-dollar annual town budget
- Prepare annual financial statements for the Town
- Oversee annual financial audits
- Supervise accounting staff and oversee weekly payroll and accounts payable processing

**Staff Accountant, July 2001 - September 2004**

- Process annual and monthly closings
- Reconcile town funds and accounts
- Assisted in the conversion of a new accounting software, MUNIS
- Trained entire staff on new software and continue to troubleshoot all modules which include: general ledger, payroll, benefits, purchasing, accounts payable and budget

**WHDH-TV, INC, Boston, MA**

**Business Manager - News, September 2000 - July 2001**

- Managed the financial affairs of the News Department
- Assisted in preparing an \$18 million-dollar annual budget
- Prepared financial statements and budget variance reports for superiors
- Coordinated travel arrangements for News crews

**ROWE DESIGN GROUP. Architects & Engineers**

**WATERSTREET BUILDERS. Construction & Design, Arlington, MA**

**Business Manager/Property Manager, December 1997 - September 2000**

- Managed all aspects of two small businesses including; accounts payable, accounts receivable, billing, payroll, and employee benefits
- Prepared annual and monthly financial statements for planning and budgeting
- Managed multiple commercial properties and processed all financial data

**EDUCATION:**

Northeastern University, Bachelor of Science, Management



**MEMORANDUM**

TO: Select Board

CC: Andy Sheehan, Town Manager

FROM: Dennis Keohane, Finance Director

DATE: September 6, 2023

RE: Appointment Request for Town Accountant

---

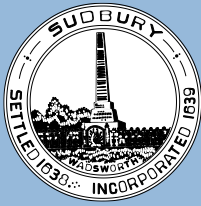
**Vote Request**

To approve the appointment of Laurie A. Dell'Olio as Town Accountant for an indefinite term of office beginning on or about October 1, 2023, as recommended by Finance Director Dennis Keohane.

**For your consideration**

Laurie is a finance professional with twenty-five years of experience, of which approximately 20 have been spent working in municipal accounting. Laurie is currently working as Sudbury's Interim Town Accountant and has previously provided outsourced accounting services for 8 Massachusetts communities as well as serving for 13 years as Lexington's Town Accountant.

She comes to us with a very desirable combination of experience, skills, personality and work ethic. I am very pleased to bring forth her candidacy to the Select Board for consideration.



SUDBURY SELECT BOARD  
Tuesday, September 12, 2023

**MISCELLANEOUS (UNTIMED)**

**8: Discuss Fall Town Meeting Articles and vote date**

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Vote to call Special Town Meeting for Monday, October 23, 2023, 7:00 PM at LSRHS Auditorium. Also discuss Town Meeting articles.

Recommendations/Suggested Motion/Vote:

Background Information:  
attached list of articles and questions from member Russo on Nixon Roof article

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

09/12/2023 7:00 PM

**DRAFT**

**October 23, 2023 Special Town Meeting  
Articles**

9/5/2023

	<b>Description</b>	<b>Sponsor</b>
1	Recodification of Town Bylaws - renumber general bylaws	Town Clerk
2	Recodification of Town Bylaws - general bylaw amendments	Town Clerk
3	Recodification of Town Bylaws - renumber zoning bylaw	Town Clerk
4	Recodification of Town Bylaws - zoning bylaw amendments	Town Clerk
5	Establish Opioids Stabilization Fund, G.L. c. 40, s. 5B	Health Director
6	Funding for Atkinson Pool - Design	Combined Facilities Director
7	Additional Funding for Fairbank Community Center	Town Manager
8	Fund Collective Bargaining Agreement	Town Manager
9	Fund Traffic Signals: Route 117/Powder Mill/Mossman	Select Board
10	Close Melone Stabilization Fund; transfer balance to Capital Stabilization Fund	Select Board
11	Nixon Roof schematic design	Sudbury Public Schools
12	FY2024 Chapter 70 school aid	Sudbury Public Schools
13	FY2024 Supplemental Special Education Tuition Reimbursement	Sudbury Public Schools
14	Resolution in Support of Changing the Massachusetts State Seal and Flag	Citizen Petition

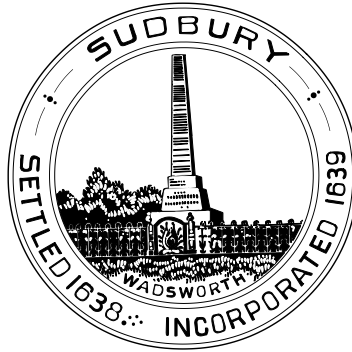
Attachment 8.a: Article Fall 2023 STM.09.05 (5981 : Discuss Fall Town Meeting Articles and vote date)

Questions regarding SPS's proposed Fall 2023 Special Town Meeting warrant article to fund Nixon Elementary School roof replacement schematic design fees:

1. Can SPS provide the engineering study that recommends roof replacements for Nixon & other school roofs? Or, provide whatever basis is available that gives reason to replace the roofs?
2. From a town-wide resource allocation perspective, is there value in waiting until after the upcoming comprehensive [Space Use and Facility Condition Study](#), which includes schools and was approved by Town Meeting, is completed to prioritize capital projects?
3. What are we still paying off for the last Nixon Roof project ([per page 86/100 of last Town Meeting Warrant](#)) which lists \$120,000 balance owed for "Nixon Roof and Other" as of 6/30/2023?
4. Assuming the Nixon roof replacement project moves ahead, what is the expected lifespan of the roof until the next replacement?
5. What is the expected lifespan of Nixon School until its replacement?
6. For the Fairbank Community Center, the community chose against paying for a 30-year roof on a building with a <10-year lifespan and instead ultimately voted to replace an outdated building that did not meet user needs with a modern one. Is there a parallel between Fairbank and any of the proposed school roof replacements?
7. Why are the School Buildings the only capital items with no replacement dates in the SPS Capital Plan? Can these dates be added?  
<https://docs.google.com/spreadsheets/d/1iufa-VAnzdh6-Z6Hskhsd9Tp48acXyVGJNvz2izKv88/edit#gid=1038968746>
8. In Andover, they are in the process of replacing so many schools (2 elementary school, 1 high school) within a short period of time (~6 years) that MSBA has denied funding for some projects (high school application denied 10 years in a row). Nevertheless, student needs compel that Town to move ahead with those school replacement projects. This has led the Town to exceed its debt limit, in part because of the MSBA denials. It sought permission from the State Legislature via Home Rule Petition to be exempt from state-mandated debt limits (5% of total assessed value of property in Town). [This was successful, but now there is concern that the Town's AAA bond rating is in jeopardy due to its large borrowing in a short period of time in excess of the normal limit](#). And because of the many new school building projects such a short time, taxes spiked substantially – several thousand dollars – in just a few years. Given that SPS has requested 4 new school roofs in 5 years totaling >\$10M, what assurances do we have that Sudbury is not traveling down the same path as Andover?
9. Given that LS debt will soon roll off, and in coming years the one-time debt taken on for conservation land purchases will roll off, and that MSBA funding approval often takes several years, should we start considering the replacement of a school building? This could help to space out our capital replacements and smooth out our debt levels at a steady level rather than a fluctuating one.
10. Given future climate projections of [increased air temperature](#), air moisture, and [potential air-borne contagions](#), how many classrooms lack air conditioning and HVAC filtration that meets current standards? Please identify number of classrooms by building.
11. Why does the proposed warrant article call for the design fees to be expended under the direction of the Sudbury Public School Department and not the Permanent Building Committee or Combined Facilities Director?

Charlie Russo

**Town of Sudbury  
Massachusetts**



**OFFICIAL WARRANT**

**SPECIAL TOWN MEETING**

**MONDAY, OCTOBER 23, 2023                      7:00 P.M.**

Lincoln-Sudbury Regional High School Auditorium  
390 Lincoln Road, Sudbury, MA

Attachment8.c: Warrant STM draft 2023-09-11 (5981 : Discuss Fall Town Meeting Articles and vote date)

**FOR ADDITIONAL ARTICLE INFORMATION**

Go to the Town's website at

<https://sudbury.ma.us/townmeeting/2023stm>

and after accessing, click on the [Link](#) for the specific article.

**TOWN OF SUDBURY  
2023 SPECIAL TOWN MEETING WARRANT**

**TABLE OF CONTENTS - Part I**

	<b>Page</b>
<b>ACCESS TO LSRHS and PROVISIONS FOR PARTICULAR ACCOMMODATIONS</b>	
<b>ELECTRONIC VOTING INFORMATION</b>	
<b>SUMMARY OF BASIC TOWN MEETING PROCEDURES .....</b>	<b>i</b>

**ARTICLES:**

1. Codification of General Bylaws; Renumbering
2. Codification of General Bylaws: Additional Changes
3. Codification of Zoning Bylaws: Renumbering
4. Codification of Zoning Bylaws: Revisions
5. Establish Opioids Stabilization Fund.
6. Atkinson Pool Funds
7. Fairbank Community Center – Supplemental Funds
8. Fund Collective Bargaining Agreement – Firefighters
9. Route 117/Mossman/Powder Mill Roads Intersection Improvements
10. Repurpose Melone Stabilization Fund Closeout
11. Nixon Elementary School Roof Schematic Design
12. Funding of State Approved Special Education Out-of-District Tuition Cost Increase
13. Increase to FY2024 Sudbury Public Schools General Fund Appropriation for Additional Chapter 70 State Aid
14. Resolution: Massachusetts Official Seal and Motto

**Attachment8.c: Warrant STM draft 2023-09-11 (5981 : Discuss Fall Town Meeting Articles and vote date)**

## ACCESS TO LINCOLN-SUDBURY REGIONAL HIGH SCHOOL AND PROVISIONS FOR PARTICULAR ACCOMMODATIONS

Note: Please check the Town of Sudbury website for changes or additional information.

The Select Board wishes to accommodate the attendance and participation of persons with disabilities at Town Meeting. As such, we urge those who may require particular accommodations to read the following carefully.

**Parking:** “HP” parking spaces are provided at two different locations: 1) the main entrance at the upper level (which will require using an elevator to the lower level to check in and to access the auditorium) and 2) the main parking lot to the right (east) of the school. From this location, you may also be dropped off at the entry walkway – a clear path to the entrance doors, leading directly to the check-in tables and the auditorium. Police on duty will provide assistance as needed, or requested.

**Auditorium Balcony:** The balcony can only be accessed from the Main Level. From the lower level of the building, you may use either the stairs or the elevator to gain entrance to the balcony – the upper level of the auditorium. The Moderator has ruled that if there is adequate seating on the main floor, the balcony **will not** be opened.

**Persons with Ambulatory Disabilities:** Spaces for persons who use wheelchairs will be available at the front and at the rear of the auditorium. For those who use assistive devices to ambulate, seating will be reserved at the rear of the hall and may be used if desired.

**Persons who are Blind or have Vision Impairments:** Reserved seating will be available at the front of the auditorium for persons with vision impairments who prefer to be close to the overhead projector. Large print materials will be made available where possible. We encourage those making prepared, formal presentations to have copies of viewgraphs, especially motions, available in large print.

**Persons who are Deaf or have Hearing Impairments:** Closed captioning will be available.

**Restrooms:** Restrooms are located across the hall from the auditorium.



**INSERT ELECTRONIC voting – Town Clerk**

## SUMMARY OF BASIC TOWN MEETING PROCEDURES

### General Rules of Debate and Voting

1. Only registered voters, non-resident appointed or elected representatives of the Town, and Town employees may speak without consent of Town Meeting. The Moderator will not vote, even in the case of where the Moderator's vote would break or create a tie.
2. The proponents of an article make the first motion under the article. A voter must then second the motion. The proponents then make a presentation in support of the motion. The Moderator then recognizes the Select Board and Finance Committee for reports, followed by any other boards that are required to report on the article. After the Town boards have spoken, Town Meeting proceeds to general debate on the matter and a vote.
3. Please raise your hand when you wish to speak. After being recognized by the Moderator, please wait for a microphone to be passed to you at your seat. The record of Town Meeting is made on audiotape and your remarks will not be recorded if you do not speak into a microphone. Each and every time you speak, please stand (if you are able) and begin by giving your name and address for the record.
4. Until everyone who wishes to be heard has spoken, no one may speak more than twice on a matter except to correct an error or answer a question. The initial presentation by the proponent(s) of an article is limited to ten minutes, and all other comments are limited to five minutes, unless a majority of those present and voting give consent.
5. All votes are by majority unless otherwise announced. 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.
6. 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.
7. 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.

8. In the event of a non-electronic vote, votes will first be taken by a show of hands while voters are seated. If the Moderator is in doubt, then a standing vote will be taken. If the Moderator is still in doubt, then tellers will count the votes. If a voter disagrees with the Moderator's call of a sitting or standing vote, the voter may challenge the call by immediately standing and saying loudly, "I challenge the vote!" If six additional voters support the challenge, the vote will be counted.

### Motions and Amendments

1. The purpose of an article in the Warrant is to inform the voters of what may come before the meeting and the outside scope of what may be considered. Every matter that is voted on at Town Meeting must come in the form of a motion. It is a motion that puts an article before Town Meeting, and it is the motion, *not the article*, that is actually voted on. Therefore, while speakers may refer to passing, defeating, or otherwise dealing with “the article,” what Town Meeting actually debates and votes on are motions, not articles.
2. A speaker may question whether a certain motion is “within the four corners of the article.” Such a challenge requires the Moderator to determine whether the motion is within a reasonable reading of the article as printed in the Warrant, and therefore should be allowed, or ruled out of order as being beyond the legitimate subject matter of the article.
3. Often, the first or “main” motion under an article will be to “move in the words of the article.” By making this motion, the speaker is adopting the article as his or her motion thereunder. This can only be done if the language of the article is drafted in such a way that it is appropriate for simple adoption as a motion. Whenever the presenter’s motion differs from the wording in the Warrant, the presenter must point out and explain those differences to Town Meeting.
4. All substantive motions, including all main motions and motions to amend a main motion, must be provided to the Moderator, the Town Clerk, and the Technology Administrator in writing before they are made. Please see the guidelines for electronic presentation on the Town website: [www.sudbury.ma.us](http://www.sudbury.ma.us).
5. If you have an amendment, you should e-mail it to the Technology Administrator at [infosystems@sudbury.ma.us](mailto:infosystems@sudbury.ma.us), with a copy to the Moderator at [moderator@sudbury.ma.us](mailto:moderator@sudbury.ma.us), and the Town Clerk at [clerk@sudbury.ma.us](mailto:clerk@sudbury.ma.us). Advance notice to the Technology Administrator, Moderator and Clerk enhances time efficiency at Town Meeting, and the Moderator may be able to suggest language that is both acceptable to you and within the four corners of the article and therefore permissible to proceed to debate and vote. It is also recommended that you discuss your amendment with the presenter of the article as you may be able to convince him or her to include it as part of the main motion and thus avoid having to vote separately on the amendment. The Moderator may reject proposed amendments that fail to adhere to these guidelines.

### **Dismissing Articles, Indefinite Postponement and Withdrawing Motions**

1. It is possible for Town Meeting to decide to take no action on an article. This decision is usually made because new or additional information has come to light after the preparation of the warrant indicating that action on the article is unnecessary, unwise or illegal. In such instances, frequently there will be a motion “to indefinitely postpone” an article. This motion, if adopted, kills the article for all intents and purposes for the Town Meeting. The motion is frequently used when proponents of an article have decided not to proceed with it but want an opportunity to explain to the meeting why they are, in effect, abandoning the article at this time. The motion also may be used by someone who wishes to defeat an article before it can be fully debated on the merits. In such cases, it is important to understand that indefinite postponement can have the same effect as defeat which, in turn, can have significance with respect to some items, notably zoning matters, as to when the matter can again be considered by the Town.
2. If you have made a motion or an amendment, you can move to “withdraw the motion” if you have second thoughts or new information. A motion to withdraw can be made any time during the debate of the motion but cannot be made after the motion has been voted on.

### **Limits on Debate**

1. There is no prescribed limit to debate except common sense. The Moderator can limit debate and can ask speakers to stop if they are straying from the subject, repeating points already made or talking at unnecessary length.
2. Town Meeting itself can also terminate debate. To do so, after being recognized by the Moderator, you may say, “I move the previous question.” This motion is not debatable, and if seconded and voted by a two-thirds majority, debate ends and the motion under discussion will be then put to a vote.
3. The Moderator may defer motions to limit debate when, in his or her reasonable judgment, there are a significant number of voters who have indicated a desire to speak but have not yet been recognized.

### **Points of Order**

1. Once recognized by the Moderator, no speaker may be interrupted in any way except by a “point of order.” A point of order is not a motion, and does not require a second or a vote. It is a question, and on a point of order a voter may raise only three valid concerns:
  - a. Is the speaker entitled to the floor? For example, is the person a non-voter, or spoken for longer than his/her allotted time?

- b. Is the speaker saying something inappropriate, frivolous, irrelevant, or illegal?
  - c. Is there some error in the procedure of the pending action or motion?
2. The Moderator welcomes proper points of order and will make every effort to explain the procedural issues that shape Town Meeting discussions. When exercising this parliamentary privilege, you should stand and state loudly that you wish to make a point of order, and wait for the Moderator to recognize you. No voter should hesitate to rise and bring to the Moderator's attention an issue that constitutes a proper point of order because, when exercised responsibly, it functions as a tactful hint from a voter regarding important points of procedure that the Moderator may have missed.

### **Motions for Reconsideration**

1. Article II, Section 13 of our Bylaw controls. A motion to reconsider an article previously voted on in the same session (i.e. the same night), is proper, and an affirmative vote of 2/3 of the voters present is required for passage. If Town Meeting has adjourned for the evening, a motion to reconsider an article voted on in a previous session requires a unanimous vote, unless written notice of an intention to move for reconsideration, signed by 15 voters, is given to the Town Clerk by noon of the next weekday, in which case, a 2/3 vote would be required to pass a motion to reconsider.
2. In the event a motion to reconsider is properly made and seconded, all discussion must be confined exclusively to the merits or demerits of reconsideration. In general, the only proper reasons to seek reconsideration are that there occurred such a misstatement of fact or law in the preceding debate, or such an error of procedure, that the voters, if aware of such discrepancies, would have voted differently. It is not a proper basis for reconsideration to argue simply that the voters arrived at the wrong result.

### **Adjournment**

1. Adjournment of any evening session will occur on completion of the article under discussion at 10:30 P.M., unless there is a two-thirds vote to do otherwise. The Moderator will ask for a motion to adjourn the Town Meeting to another time to complete the Warrant. A voter can also make a motion to adjourn. The time and place for resuming Town Meeting must be specified in the motion.
2. When all business on the Warrant has been acted on, the Moderator will ask for a motion to dissolve the meeting, which must be seconded and put to a vote.

### **Decorum**

We gather at Town Meeting as friends and neighbors, united by a shared commitment to the civic life and governance of Sudbury. The town meeting form of government is unique to New England, and its continued existence links us directly to the founding of Sudbury more than 375 years ago. It is democracy

in its finest and purest form, and its value lies in townspeople being forced to have discussions and make decisions together, face to face, in real time. Its proper functioning requires that every speaker be treated with courtesy and respect, no matter how strongly one may disagree with his or her point of view. To that end, the Moderator will not allow any clapping, hissing, booing or other audible noise, for or against any speakers, either before, during or after presentations. The Moderator has the power to terminate the right to speak of anyone who makes disrespectful comments, whether directed at a voter, speaker or Town official.



# TOWN OF SUDBURY SPECIAL TOWN MEETING WARRANT

Commonwealth of Massachusetts  
Middlesex, ss.

To the Constable of the Town of Sudbury:

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the Town of Sudbury qualified to vote in Town affairs to meet at the Lincoln-Sudbury Regional High School Auditorium in said Town on Monday, October 23, 2023, at 7:00 o'clock in the evening, then and there to act on the following articles:

## **ARTICLE 1. CODIFICATION OF GENERAL BYLAWS: RENUMBERING**

To see if the Town will vote to renumber and recaption the General Bylaws of the Town by (a) assigning a chapter/article number to each of the General Bylaws; (b) renumbering each section of each bylaw accordingly; (c) inserting chapter, article, section and subsection titles; and (d) updating internal references to reflect the new numbering system, all as set forth in the Final Draft of the Code of the Town of Sudbury, dated June 2023, on file with the Town Clerk; or act on anything relative thereto.

Submitted by the Town Clerk.

(Majority vote required)

**TOWN CLERK REPORT ON ARTICLES 1 THROUGH 4:** All of the articles submitted by the Town Clerk are housekeeping articles. In 2021, the Town retained General Code to professionally codify the Town's General and Zoning Bylaws. General Code has undertaken a complete review of the Town's bylaws to ensure that they do not contain inconsistencies, errors and outdated information. The Town Code will be renumbered and will incorporate gender-neutral language to the Code.

After the bylaw amendments are approved by Town Meeting and by the Attorney General's office, the Code will be available to staff and residents as a fully searchable on-line version of the Code. This new platform will make it easier and quicker to update the Town Code after each Town Meeting.

## **ARTICLE 2. CODIFICATION OF GENERAL BYLAWS: ADDITIONAL CHANGES**

To see if the Town will vote to adopt the following changes to the General Bylaws as set forth in the Final Draft of the Code of the Town of Sudbury, dated June 2023, on file with the Town Clerk:

### **General Revisions:**

References to the Massachusetts General Laws are standardized to the following format: MGL c. \_\_, § \_\_.

Numbers one through nine are written out in text format; 10 and above, fractions, and decimals appear in numeric format.

Spelling and punctuation errors are corrected; "Town" is capitalized when referring to the Town of Sudbury.

Pronouns and nomenclature are revised to become gender neutral: terms such as "he," "him," "his," "she," "her," "he/she," and "his/her" are amended to read "them," "they," or "their"; "spokesman" is amended to read "spokesperson"; the terms "Board of Selectmen," "Selectmen," and "Selectboard" are amended to read "Select Board."

The terms "Town Treasurer," "Treasurer/Collector," and "Tax Collector" are amended to read "Town Treasurer-Collector," where applicable; the term "Highway Surveyor" is amended to read "Department of Public Works"; the term "Board of Appeals" is amended to read "Zoning Board of Appeals"; the term "elderly" is amended to read "older adult."

In Chapter 151, Earth Removal, the term "removal permit" is amended to read "earth removal permit."

**In addition, the following bylaws are specifically repealed:**

Article VIII, Planning Board, as amended January 3, 1946, STM by Arts. 2 and 3; and April 5, 1984, ATM by Art. 15.

Article XXIII, Water Resource Protection Committee (WRPC) Annual Report to the Town of Sudbury.

**Specific Revisions:**

**Ch. 1, General Provisions.**

**Art. I, General Penalty.**

Section 1-1 is amended as indicated: "Every violation of these bylaws not otherwise provided for herein or by the General Laws or Special Laws of the Commonwealth shall be subject to a penalty of ~~\$50~~ \$300."

**Art. III, Bylaw Amendments.**

Section 1-8 is amended as indicated:

The Select Board, upon the submission to ~~them~~ it for insertion in the warrant for any Annual or Special Town Meeting of all articles relating to the adoption of any bylaw or amendment to any bylaw...

**Ch. 5, Boards and Committees.**

**Art. III, Council on Aging.**

Sections 5-11 and 5-12 are amended to change "Commonwealth of Massachusetts Office of Elderly Affairs" to "Commonwealth of Massachusetts Executive Office of Elder Affairs."

Section 5-13 is added to read as follows:

The names, addresses, telephone numbers, or other identifying information about older adults in the possession of the Council shall not be public records, but the use of these records shall comply with MGL c. 19A, § 14 et seq., as a condition of receiving a government contract, program grant or other benefit, or as otherwise required by law.

**Art. IV, Community Preservation Committee.**

Section 5-15A is amended as indicated:

The Community Preservation Committee shall study the needs, possibilities and resources of the Town regarding community preservation, including the consideration of regional projects for community preservation.

Section 5-15B is amended to add the following sentence to the end thereof:

With respect to recreational use, the acquisition of artificial turf for athletic fields shall be prohibited; provided, however, that any project approved by the Town for the acquisition of artificial turf for athletic fields prior to July 1, 2012, shall be a permitted use of community preservation funding.

### **Ch. 20, Equal Opportunity.**

Section 20-4, definition of "discriminatory, discriminate, or discrimination," is amended as indicated: Includes all action which denies or tends to deny equal employment opportunity because of race, color, ~~religion, sex, national origin or age, religious creed, national origin, sex, gender identity, sexual orientation, which shall not include persons whose sexual orientation involves minor children as the sex object, genetic information, pregnancy or a condition related to said pregnancy, including, but not limited to, lactation or the need to express breast milk for a nursing child, ancestry or status as a veteran~~ (as defined by state statutes).

### **Ch. 52, Officers and Employees.**

#### **Art. I, Holding Elective Office.**

Section 52-1 is amended as indicated: "In addition, Charter Commission members are eligible to serve on the Finance Committee ~~and Personnel Board.~~"

### **Ch. 61, Records and Reports.**

Section 61-3 is amended to add the following sentence to the end thereof: "Complete public records request guidelines for the Town of Sudbury are available on the Town website."

### **Ch. 68, Town Meetings.**

#### **Art. II, Procedures.**

Section 68-18 is amended as indicated:

A motion to reconsider a matter after adjournment of the session at which it was acted upon shall require a unanimous vote of those present and voting unless written notice of an intention to move reconsideration of the matter, signed by 15 voters who attended that session, is given to the Town Clerk on or before 12:00 noon of the next weekday (legal holidays excluded) following the session at which the matter for which reconsideration is sought was acted upon.

### **Ch. 72, Town Property.**

Section 72-2A is amended as indicated:

The Select Board ~~are~~ is hereby empowered to sell at public auction all or any of the Town property acquired by virtue of sale for nonpayment of taxes, which sales have been confirmed by the Land Court or the ~~Tax Commissioner~~ Commissioner of the Department of Revenue, and ~~they~~ are it is authorized to give deeds therefor.

Section 72-2B is amended as indicated:

~~At such sale or any adjournment thereof,~~ The Select Board may reject any and all bids at such sale or any adjournment thereof, if, in ~~their~~ its opinion, no bid is made which approximates the fair value of the property.

### **Ch. 105, Advertising.**

#### **Art. II, Outdoor Advertising.**

Sections 105-3 and 105-4 are amended to change "Division of Highways of the Department of Public Works" to "Department of Public Works," and to change "Division" to "Department."

### **Ch. 109, Alarm Systems.**

**Art. I, Burglar Alarm Systems.**

Section 109-1, original definition of "direct connect," is repealed.

Original Sec. V(B)3, Direct Connection to the Police Department, of the General Bylaws is repealed.

Original Sec. V(B)5C, Testing of Equipment, of the General Bylaws is repealed.

Section 109-5C is amended as indicated:

Any user of an alarm system which transmits false alarms shall be assessed a fine of ~~\$20~~ \$35 for a third false alarm occurring within a calendar year, ~~\$35~~ \$50 for a fourth false alarm occurring within a calendar year, and ~~\$50~~ \$100 for a fifth and all subsequent false alarms occurring during a calendar year.

**Art. II, Fire Alarm Systems.**

Section 109-8.

Subsection A(1) is amended as indicated: "Annual fee for churches and nonprofit organizations: ~~\$75~~ shall be determined by vote of the Select Board."

Subsection A(2) is amended as indicated: "Annual fee for all others: ~~\$200~~ shall be determined by vote of the Select Board."

Subsection B(1) is amended as indicated: "Permit fee: ~~\$20~~ shall be determined by vote of the Select Board."

Subsection B(2) is amended as indicated: "Connection fee: ~~\$100~~ shall be determined by vote of the Select Board."

Subsection B(3) is amended as indicated: "Annual fee for churches and nonprofit organizations: ~~\$75~~ shall be determined by vote of the Select Board."

Subsection B(4) is amended as indicated: "Annual fee for all others: ~~\$200~~ shall be determined by vote of the Select Board."

Section 109-9.

Subsection A(1) is amended as indicated: "Permit fee: ~~\$20~~ shall be determined by vote of the Select Board."

Subsection A(2) is amended as indicated: "Connection fee: ~~\$100~~ shall be determined by vote of the Select Board."

Subsection A(3) is amended as indicated: "Annual fee for churches and nonprofit organizations: ~~\$75~~ shall be determined by vote of the Select Board."

Subsection A(4) is amended as indicated: "Annual fee for all others: ~~\$200~~ shall be determined by vote of the Select Board."

**Ch. 117, Animals.****Art. I, Animal Control.**

Section 117-1 is amended as indicated: "No person shall tie or fasten any horse, cattle or team to any of the trees in the public ways of the Town, nor drive into the same any ~~neither~~ nails, spikes, hooks or clasps, nor affix any boards or signs thereto."

Section 117-2 is amended as indicated: "No person shall pasture or tether any animal in any way or street in the Town in such a manner as to obstruct the streets or sidewalks."

**Art. II, Dogs.**

Section 117-6.

The definition of "livestock or fowl," is amended as indicated:

Animals or fowl kept or propagated by the owner for food or as a means of livelihood; also deer, elk, cottontail rabbits and northern hares, pheasants, quail, partridge and other birds and quadrupeds determined by the ~~Department of Fisheries, Wildlife and Environmental Law Enforcement~~ Division of Fisheries and Wildlife to be wild and kept by, or under a permit from, said ~~department~~ Division in proper houses or suitable enclosed yards.

The definition of "personal kennel" is amended, in part, as indicated:

"... dogs temporarily housed at a personal kennel, in conjunction with an animal shelter or rescue registered with the Department of Agricultural Resources, may be sold, traded, bartered or distributed if the transfer is not for profit."

Section 117-7C is amended as indicated:

No Animal Control Officer shall be a licensed animal dealer registered with the United States Department of Agriculture, and no Animal Control Officer, either privately or in the course of carrying out official assignments as an agent for this Town, or ~~shall~~ any other agent of the Town[,] shall give, sell, or turn over any animal which may come into custody to any business or institution licensed or registered as a research facility or animal dealer with the United States Department of Agriculture.

Section 117-11E is amended as indicated: "The fee for a duplicate tag shall be \$~~4~~ determined by the the Town Clerk."

Section 117-12C is amended as indicated: "The provisions of ~~§§ 138 and 138A~~ MGL c. 140, § 138, shall be expressly incorporated herewith and shall henceforth apply under this bylaw."

Section 117-14 is amended as indicated:

All owners or keepers of dogs kept in the Town of Sudbury during the preceding six months and who, on the first day of April of each year, have not licensed said dog or dogs, as prescribed by MGL c. 140, § 137, shall pay a late fee of ~~\$25~~ as determined by the Town Clerk, payable to the Town, in addition to the license fee, for each dog so unlicensed.

Section 117-18 is amended as indicated: "The dog owner shall, immediately and within 24 hours, notify the ~~animal inspector, agent for the Board of Health,~~ Animal Control Officer if the dog bites a person."

Section 117-19B is amended to change "Dog/Animal Control Officer" to "Animal Control Officer."

Section 117-23C is amended as indicated:

If the Select Board determines, after notice to parties interested ~~of~~ and a hearing, the identity of the person who is the owner of any dog which is found to have worried, maimed or killed livestock, fowl, or domesticated animals, thereby causing damages for which their owner may become entitled to compensation from the Dog Fund under this bylaw, they shall serve upon the owner of such dog a notice directing him/her within 24 hours to confine the dog or have it humanely euthanized.

Section 117-26A is amended as indicated: "With the exception of §§ 117-16 and 117-17 (see Subsection B below), and except as otherwise provided in this bylaw, a violation of any other section of this bylaw shall be punishable by a fine or noncriminal penalty of \$50 for each offense."

Section 117-27 is amended as indicated: "If any part, section or provision of the bylaw is found to be invalid, the ~~remains~~ remainder of this bylaw shall not be affected thereby."

#### **Ch. 124, Boating.**

Section 124-4 is added to read: "Violations of this bylaw are subject to a penalty as provided in Chapter 1, Article I, General Penalty."

#### **Ch. 129, Buildings and Building Construction.**

##### **Art. I, Pumping Water from Private Buildings.**

Section 129-1B is amended as indicated: "Second call: ~~\$20~~ fee shall be determined by vote of the Select Board."

Section 129-1C is amended as indicated: "Third and subsequent calls: ~~\$50~~ fee shall be determined by vote of the Select Board."

##### **Art. II, Public Buildings.**

Section 129-2 is amended as indicated:

~~It shall be the duty of the Selectmen to prosecute all parties who may~~ It shall be unlawful to cut, mark, deface, defile or in any manner damage or injure any public building belonging to the Town or any outbuilding connected with said public buildings, or ~~who may~~ to damage or injure any fence enclosing any land belonging to the Town. It shall be the duty of the Select Board to prosecute all parties who violate this section. The penalty for violation of this section shall be as provided in Chapter 1, General Provisions, Article I, General Penalty.

##### **Art. III, Building Code.**

Section 129-3 is amended as indicated:

~~This article is replaced by~~ The State Building Code, which is incorporated herein by reference, adopted under Chapter 802 of the Acts of 1972, including 780 CMR, ~~Appendix 120.AA 115AA,~~ "Stretch Energy Code." ~~and the following sections:~~

Section 129-4 is amended to read as follows: "Fees to be paid shall be set by the Select Board. No fee shall be charged for the issuance of any building permit to the Town or for work upon any building owned by the Town."

#### **Ch. 137, Burning, Open.**

Section 137-2 is amended as indicated: "Violation of this bylaw shall be subject to a penalty of ~~\$25~~ \$100."

#### **Ch. 145, Demolition Delay.**



Section 145-4E is amended, in part, as indicated:

... to the owners of all adjoining property and other property deemed by the SHC to be materially affected, to the Select Board, Planning Board, Zoning Board of Appeals and to such other persons as the SHC shall deem entitled to notice. The Commission shall determine that a building or structure should preferably be preserved only if it finds that the building or structure is an historically significant building or structure which, because of the importance made by such building or structure to the Town's historical and/or architectural resources, ~~it~~ is in the public interest to preserve, rehabilitate or restore (as defined in § 145-2).

Section 145-5 is amended as indicated:

In the event that a Board of Survey is convened under the provisions of MGL c. 143, § 8, with regard to any building or structure identified in § 145-3 of this bylaw, the Building Inspector shall request the Chair~~man~~ of the SHC or their designee to accompany that Board of Survey during its inspection.

## **Ch. 156, Environmental Protection.**

### **Art. I, Plastic Bag Ban.**

Section 156-5B is amended as indicated:

If noncriminal disposition is elected, violators will be subject to fines as established by the Board of Health. ~~then any retail establishment that violates any provision of this bylaw shall be subject to the following penalties:~~

- ~~(1) First offense: written warning.~~
- ~~(2) Second offense: \$50 penalty.~~
- ~~(3) Third and subsequent offense: \$200 penalty.~~

### **Art. II, Sale of Bottled Water.**

Section 156-11C is amended as indicated:

If noncriminal disposition is elected, violators will be subject to fines as established by the Board of Health. ~~then any person that violates any provision of this bylaw shall be subject to the following penalties:~~

- ~~(1) First offense: written warning.~~
- ~~(2) Second offense: \$25 penalty.~~
- ~~(3) Third and subsequent offense: \$50 penalty.~~

### **Art. III, Polystyrene Containers.**

Section 156-18C is amended as indicated:

If noncriminal disposition is elected, violators will be subject to fines as established by the Board of Health. ~~then any food or retail establishment that violates any provision of this bylaw shall be subject to the following penalties:~~

- ~~(1) First offense: written warning.~~
- ~~(2) Second offense: \$50 penalty.~~
- ~~(3) Third and each subsequent offense: \$300 penalty.~~

### **Art. IV, Disposable Plastic Items.**

Section 156-26C is amended as indicated:

If noncriminal disposition is elected, violators will be subject to fines as established by the Board of Health. ~~then any food establishment or retail establishment that violates any provision of this bylaw shall be subject to the following penalties:~~

- ~~(1) First offense: written warning.~~
- ~~(2) Second offense: \$50 penalty.~~
- ~~(3) Third and each subsequent offense: \$300 penalty.~~

**Ch. 170, Fees and Charges.****Art. I, Gasoline Tank Removal.**

Section 170-1 is amended as indicated:

Applications for underground gasoline tank removal or relocation permits under MGL c. 210, § 1, shall be accompanied by a per-tank application fee as follows: determined by vote of the Select Board.

**A. Tank size:**

- (1) ~~One gallon to 500 gallons: \$10 \$50.~~
- (2) ~~501 Five hundred one gallons to 1,000 gallons: \$50 \$100.~~
- (3) ~~Over 1,000 gallons: \$100 \$150.~~

**Art. III, Wiring Permits.**

Section 170-3 is amended as indicated:

The fee to be paid for the issuance of an electrical wiring permit and inspections thereunder shall be as follows: determined by vote of the Select Board.

- A. ~~All units, residential, commercial (or industrial): \$3 per \$100 value of work (rounded up to nearest \$100).~~
- B. ~~Low voltage permit: \$3 per \$100 value (rounded up to nearest \$100).~~
- C. ~~Minimum fee: \$30.~~
- D. ~~Reinspection fee: \$30.~~
- E. ~~Industrial maintenance: \$200 annual fee.~~

**Art. IV, Town Clerk Fees.**

Section 170-5 is amended as indicated: "The ~~schedule of~~ fees to be charged by the Town Clerk in accordance with the authority of MGL c. 262, § 34, shall be those established by the Town Clerk pursuant to MGL c. 40, § 22F."

**Ch. 175, Fire Prevention.****Art. II, Storage of Inflammable Fluids.**

Section 175-4A is amended as indicated: "License: ~~\$100~~ as determined by vote of the Select Board."

Section 175-4B is amended as indicated: "Annual registration: ~~\$25~~ as determined by vote of the Select Board."

**Ch. 199, Licenses and Permits.****Art. I, Denial or Revocation for Failure to Pay Taxes or Fees.**

Section 199-2 is amended as indicated:

The licensing authority may deny, revoke or suspend any license or permit, including renewals and transfers of any party whose name appears on said list furnished to the licensing authority from the Tax Collector or with respect to any activity, event or other matter which is the subject of such license or permit and which activity, event or matter is carried out or exercised or is to be carried out or exercised on or about real estate owned by any party whose name appears on said list furnished to the licensing authority from the Tax Collector...

Section 199-4 is amended as indicated:

The Select Board may waive such denial, suspension or revocation if it finds there is no direct or indirect business interest by the property owner, its officers or stockholders, if any, or members of their immediate family, as defined in ~~section one of Chapter 268~~ MGL c. 268A, § 1, in the business or activity conducted in or on said property.

Section 199-5 is amended as indicated:

This article shall not apply to the following licenses and permits: open burning, MGL c. 48, § 13; ~~Bicycle Permits, section 11 A. of Chapter 85;~~ sales of articles for charitable purposes, MGL c. 101, § 33; children work permits, MGL c. 149, § 69; clubs, associations dispensing food or beverage licenses, MGL c. 140, § 21E; dog licenses, MGL c. 140, § 137; fishing, hunting, trapping licenses, MGL c. 131, § 12; marriage licenses, MGL c. 207, § 28; theatrical events, public exhibition permits, MGL c. 140, § 181; and special permits granted by the Board of Appeals, MGL c. 40A.

**Ch. 221, Peddling and Soliciting.**

Section 221-4A(1) is amended as indicated: "If the application is approved, the Chief shall cause to ~~have~~ a registration card to be issued within three business days."

**Ch. 232, Scenic Roads.**

Section 232-5F is amended as indicated: "Relationship of road design to the standards of the Planning Board's subdivisions regulations and of the Massachusetts ~~D.P.W.~~ Department of Transportation;"

**Ch. 243, Storage Tanks, Underground.**

Section 243-2, definition of "abandoned," is amended, in part, as indicated: "...in the case of aboveground storage of any fluid other than water, where a permit is required from the ~~Commissioner State Fire Marshal or their designee~~ under provisions of MGL c. 148, § 37, it shall mean out of service for a continuous period in excess of 60 months and it has been deemed to be unsafe and a threat to the public safety by the head of the Fire Department and by the ~~Department of Public Safety Division of Inspectional Services~~ Office of Public Safety and Inspections."

Sections 243-2, definition of "code," is amended as indicated: "The Board of Fire Prevention Regulations Governing Tanks and Containers as set forth at 527 CMR ~~9-00~~ 1.00 and following."

Section 243-5E is amended as indicated: "Notwithstanding § 243-5A and B, any underground tank that meets the requirement of 527 CMR ~~9-08(3)(a)~~ 1.00 shall be emptied and removed no later than 30 years following the date of installation."

Section 243-6A is amended as indicated:

In the event of a spill or leak, the owner, operator, or person in control shall comply with the provisions of the Board of Fire Prevention Regulations Massachusetts Comprehensive Fire Safety Code, 527 CMR ~~9-20~~ 1.00, entitled "Response to Leaks," in its entirety.

**Ch. 248, Storm Sewers.**

**Art. I, Illicit Discharges and Connections.**

Section 248-2, definition of "surface water discharge permit," is amended to change "314 CMR 3" to "314 CMR 3.00."

Section 248-8H is amended to correct "40 CFR 35.2005(20)" to "40 CFR 35.2005(b)(20)."

Section 248-13 is amended as indicated:

Residential property owners shall have 180 days from the effective date of the bylaw to comply with its provisions. An extension may be granted, provided good cause is shown for the failure to comply with the bylaw during that period.

**Ch. 256, Streets and Sidewalks.**

**Art. III, Driveways.**

Section 256-5 is amended as indicated:

The Town Engineer shall use the standards contained within the "Highway Design Manual" by the Commonwealth of Massachusetts Department of ~~Public Works~~ Transportation and "A Policy on Geometric Design of Rural Highways" by the American Association of State Highway and Transportation Officials when issuing said access permit.

**Art. V, Public Way Access Permits.**

Section 256-13B(3) is amended as indicated: "Nonresidential: 250 trips per day as defined in the ITE Trip Generation Manual, ~~4th Ed. current edition;~~"

Section 256-14B is amended as indicated: "Evidence of compliance with the Massachusetts Environmental Policy Act by the Executive Office of Energy and Environmental Affairs of the Commonwealth, if determined to be necessary;"

Section 256-15B is amended as indicated: "Where the Board denies said application, it shall state specific findings for the denial of ~~its decision~~ the permit."

Section 256-15C is amended, in part, as indicated:

Where site or access conditions do not allow the proposed access to meet recognized design standards (hereinafter governed by the Rules and Regulations of the Planning Board Governing the Subdivision of Land, and other standards utilized by the Massachusetts ~~Highway~~ Department of Transportation), the Board may vary application of the design standards...

**Ch. 265, Utility Lines and Poles.****Art. II, Removal of Double Poles.**

Section 265-8 is amended as indicated:

In the event of an emergency caused by weather conditions, accidents or acts of God, temporary repairs may be made to damaged poles resulting in a multiple pole, so long as the multiple pole is removed and replaced by a single pole within a reasonable period of time not to exceed ~~60~~ 90 days; provided, however, that for any approved commercial or industrial construction project, the completion of which is expected to take longer than one year, such pole shall be removed within six months of the date of installation of the new pole.

Section 265-9 is amended as indicated:

All future replacement utility pole installations shall be coordinated between all occupants to provide for the transfer of all wires to a new replacement pole so that all old poles or temporary devices are removed within a reasonable period of time not to exceed ~~60~~ 90 days; provided, however, that for any approved commercial or industrial construction project, the completion of which is expected to take longer than one year, such pole shall be removed within six months of the date of installation of the new pole.

**Ch. 283, Wetlands.**

Section 283-4.

Subsection D is amended as indicated:

(1) At the time of the permit application, the applicant shall pay a filing fee ~~according to the following schedule:~~ specified in the regulations of the Commission. These fees shall be made available to and used by the Commission only for the administration and enforcement of the Sudbury Wetlands Administration Bylaw.

(a) ~~Single minor project — i.e., house addition, tennis court, swimming pool, or other accessory residential activity: \$25 per project.~~

- ~~(b) New single family dwelling: \$250.~~  
~~(c) Subdivision road and utilities only: \$500 plus \$2 per foot of road sideline within a resource area.~~  
~~(d) Drainage, detention/retention basins: \$500 plus \$2 per 100 cubic feet of basin within a resource area.~~  
~~(e) Multiple dwelling structure: \$500 plus \$100/unit, all or part of which is within a resource area.~~  
~~(f) Commercial and Industrial Projects: \$500 plus \$0.50 per square foot of disturbance in an undeveloped resource area.~~  
~~(g) Application filed after Enforcement Order: double the above fee.~~  
~~(h) Determination of Applicability: no charge.~~  
~~(i) Remediation of a Contaminated Site or Enhancement of a Degraded Resource (excluding violations): \$25 per project.~~  
 (2) This fee is not refundable. The fee is in addition to that required by the Wetlands Protection Act, MGL c. 131, § 40, and Regulations, 310 CMR 10.00. Town, county, state, and federal projects are exempt from the filing fee. ~~The fee for an application for a modification of a permit will be the excess of the fee for the modified project as calculated above over the fee paid for the original permit but in no instance will it be less than \$25.~~

Subsection F is amended as indicated: "Should an applicant choose to proceed; the Commission shall require the applicant to pay the reasonable costs and expenses borne by the Commission for these consulting services ~~as listed below.~~"

Original Art. XXII, Sec. 4, 10th, 11th, and 12th paragraphs, regarding consultant fees and project costs, is repealed.

Section 283-5A is amended as indicated:

Any person filing a permit application or an RFD with the Commission, ~~except an application for a minor project (such as a house addition, tennis court, swimming pool, or other accessory residential activity)~~ shall within seven days ~~after such person is informed of the date and time of the hearing thereon, prior to the scheduled hearing~~ give written notice, by certified mail (return receipt requested) or hand delivered, to all abutters at their mailing addresses shown on the ~~most recent applicable tax list of the Assessors~~ certified abutters' list obtained from the Assessor's office, including owners of land directly opposite on any public or private street or way, including any in another municipality or across a body of water. The notice to abutters shall have enclosed a copy of the permit application or request, with plans, or shall state where copies may be examined and obtained by abutters. An affidavit of the person providing such notice, with a copy of the notice mailed or delivered, along with proof of mailing, shall be filed with the Commission. When a person requesting a determination is other than the owner, ~~the request~~, the notice of the hearing[,] and the determination itself shall be sent by the Commission to the owner as well as to the person making the request.

Section 283-7A is amended as indicated: "If it issues a permit, the Commission shall impose such conditions as it deems necessary or desirable to protect ~~those values~~ the wetlands values protected by this bylaw, and all activities shall be done in accordance with those conditions."

Section 283-9A, definition of "vernal pool," is amended, in part, as indicated: "... regardless of whether the site has been certified by the Massachusetts Division of ~~Wildlife and Fisheries~~ and Wildlife";

or act on anything relative thereto.

Submitted by the Town Clerk.

(Majority vote required)

**ARTICLE 3. CODIFICATION OF ZONING BYLAW: RENUMBERING**

To see if the Town will vote to renumber and recaption the Zoning Bylaw of the Town by (a) designating the Zoning Bylaw as Chapter 295 of the Code of the Town of Sudbury; (b) inserting article, section and subsection titles; and (c) updating internal references to reflect the new numbering system, all as set forth in the Final Draft of the Code of the Town of Sudbury, dated June 2023, on file with the Town Clerk; or act on anything relative thereto.

Submitted by the Town Clerk.

(Two-thirds vote required.)

**ARTICLE 4. CODIFICATION OF ZONING BYLAW: ADDITIONAL CHANGES**

To see if the Town will vote to adopt the following changes to the Zoning Bylaw as set forth in the Final Draft of the Code of the Town of Sudbury, dated June 2023, on file with the Town Clerk:

**General Revisions:**

References to the Massachusetts General Laws are standardized to the following format: MGL c. \_\_, § \_\_.

Only proper nouns are capitalized. The word "Town" is consistently capitalized when it refers to the Town of Sudbury.

Numbers in the text of the bylaws are cited in a consistent manner, so that: a) numerals one through nine are spelled out as words, and numerals 10 and higher are cited in number form only; and b) so that all monetary amounts, fractions, decimals and percentages are cited in numeric form only.

Errors in spelling and punctuation have been corrected.

Pronouns and nomenclature are revised to become gender neutral: terms such as "he," "him," "his," "she," "her," "he/she," and "his/her" are amended to read "them" or "their"; the terms "Board of Selectmen," "Selectmen," and "Selectboard" are amended to read "Select Board"; the term "Chairman" is amended to read "Chair."

The term "occupancy permit" is amended to read "certificate of occupancy."

The term "Board of Appeals" is amended to read "Zoning Board of Appeals."

The term "Zoning Enforcement Agent" is amended to read "Zoning Enforcement Officer."

The terms "Middlesex County Registry of Deeds," "Middlesex South District Registry of Deeds," and "Middlesex County South District Registry of Deeds" are amended to read "Middlesex South Registry of Deeds."

The terms "elderly," "elderly persons," and "elderly individuals" are amended to read "older adults."



## Specific Revisions:

Section 1310 is amended as indicated:

Buildings, structures or signs may not be erected, structurally altered, moved, or changed in use and land may not be substantially altered or changed in principal use unless such action is in compliance with then-applicable zoning[,] and ~~that~~ all necessary permits have been received under federal, state, or local law. All building permits shall be posted conspicuously on the premises to which ~~it applies~~ they apply during the time of construction.

The second paragraph of original Sec. 2210, regarding the meaning of symbols in the Table of Principal Use Regulations, of the Zoning Bylaw is repealed.

Sections 2326 and 2327 are amended as indicated: "See Appendix B, Table of Dimensional ~~Regulations~~ Requirements."

Section 3113e is amended as indicated: "The reduction in the number of required spaces will not create undue congestion or traffic hazards, and ~~that~~ such relief may be granted without substantial detriment to the neighborhood and without derogating from the intent and purpose of this bylaw."

Section 3147 is amended as indicated: "The access fee per space shall ~~equal \$800~~ be determined by vote of the Planning Board, indexed to change subsequent to 1994, in the Consumer Price Index for all urban consumers as published by the U.S. Bureau of Labor Statistics."

Section 3259Aj is amended as indicated: "A permit for a portable sign shall be issued at the discretion of the Building Inspector for a period not to exceed one year and ~~at a fee of \$250 annually~~ an annual fee to be determined by vote of the Select Board."

Section 3290 is amended as indicated: "In granting such ~~permission~~ special permit, the Zoning Board of Appeals shall specify the size and location of the sign or signs and shall impose such other terms and restrictions as it may deem to be in the public interest."

Section 3294B is amended as indicated: "~~Which~~ Has been destroyed or damaged to the extent that the cost of repair or restoration will exceed 1/3 of the replacement value as of the date of destruction."

Section 4130, under the heading "Floodplain Boundaries," is amended as indicated: "The FIRM and Flood Insurance Study booklet are incorporated herein by reference and are on file with the Town Clerk, Planning Board, Building ~~Official~~ Inspector, Conservation Commission and Engineering Department."

The following sections are amended to update the references to former Section 4221 to read "Section 7110": Sections 4230, 4242a and b, 4243j, 4252b, and 4253h.

Sections 4242p and 4252n are amended as indicated: "Any existing facility with such a drainage system shall be required to either seal the floor drain (in accordance with the state plumbing code, 248 CMR ~~2-00~~ 10.00)."

Section 4261e is amended to change "Treasurer of the Town" to "Treasurer-Collector of the Town."

Section 4270 is amended as indicated: "The special permit granting authority under ~~this bylaw~~ Section 4200 shall be the Planning Board."

Section 4623b is amended as indicated: "The applicant demonstrates that the medical marijuana treatment center will employ adequate security measures to prevent diversion of medical marijuana to minors who are not qualifying patients pursuant to ~~105 CMR 725.004~~ 935 CMR 500 et seq."

Section 4642 is amended as indicated: "The permit holder shall file a copy of any incident report required under ~~105 CMR 725.110(F)~~ 935 CMR 501.110 with the Zoning Enforcement Officer and the Sudbury Police Department within 24 hours of creation by the medical marijuana treatment center."

Section 4720A is amended as indicated:

Except as explicitly provided elsewhere in Section 4700A, the provisions and requirements of other applicable zoning districts, and any rules, regulations, approval processes and/or design or performance standards contained elsewhere in this Zoning Bylaw, shall not apply to any project developed pursuant to Section 4700A[.]; notwithstanding the above, Section 3200 (Signs and Advertising Devices), shall apply.

Section 4700B, Subsection I2b, is amended as indicated:

Upon receipt by the approving authority, applications shall be distributed to the Building Inspector, Fire Chief, Police Chief, Health Department, Conservation ~~Committee~~ Commission, the Town Manager, the Select Board, and the Department of Public Works.

Sections 5151, 5361c, and 5461c are amended to change "Soil Conservation Service" to "Natural Resources Conservation Service."

Section 5332 is amended as indicated: "An SRC shall constitute housing intended for persons of age 55 or over within the meaning of MGL c 151B, § 4, ~~46~~ Subdivision 6, and 42 U.S.C. § 3607(b)(2)(C)."

Section 6132 is amended as indicated: "There must be a substantial hardship to the owner, financial or otherwise, if the provisions of the ~~ordinance or~~ bylaw were to be literally enforced."

Section 6134 is amended as indicated: "Granting the variance must not nullify or substantially derogate from the intent of purpose of the ~~ordinance or~~ bylaw."

Section 7110.

Definition of "sign."

The definition of "fuel pump sign" is amended as indicated: "In accordance with MGL c. 94, § 295c, standard gasoline fuel pump signs on service station fuel pumps bearing thereon in usual size and form the name, type and price of the gasoline."

The definition of "nonconforming sign" is amended as indicated: "Any sign that existed on the effective date of this ~~ordinance~~ bylaw (or amendment thereto) and does not comply with the regulations set forth herein."

Appendix A, Table of Principal Use Regulations, attached to this bylaw is amended as follows:

In entry C28, marijuana establishment, a superscript "8" is added after the type of permitted use in each district.

In the notes following the table, Note 8 is added to read "For medical marijuana treatment centers, see Section 4620.";

‘or act on anything relative thereto.

Submitted by the Town Clerk.

(Two-thirds vote required.)

**ARTICLE 5. ESTABLISH OPIOIDS STABILIZATION FUND**

To see if the Town will vote, pursuant to Chapter 40, Section 5B of the Massachusetts General Laws, to establish a special purpose stabilization fund for money received from judgments or settlements in litigation or claims against opioid manufacturers or distributors (the “Opioid Stabilization Fund”), for the purposes of supplementing and strengthening the resources available to Sudbury individuals and families for substance use disorder prevention, harm reduction, treatment, and recovery, including without limitation: opioid use disorder treatment; supporting and promoting recovery and treatment programs such as through housing, job placement, childcare, and healthcare; at-risk connections and school-based services and training or safe station partnerships; harm reduction programs and treatment; diversion programs for criminal-justice involved persons; support for pregnant and parenting persons and babies with neonatal abstinence syndrome; opioid prevention and misuse education; and/or for the purpose of funding any such programs and projects set out in the Massachusetts State-Subdivision Agreement for Statewide Opioid Settlements and the National Opioid Settlement Agreement; and, further, to see if the Town will vote to accept the provisions of the fourth paragraph of Chapter 40, Section 5B of the Massachusetts General Laws; and, further, to see if the Town will vote to dedicate all or a percentage, which may not be less than 25 percent, of money received from judgments or settlements in litigation or claims against opioid manufacturers or distributors to the special purpose stabilization fund established under this Article, effective for Fiscal Year 2023 beginning on July 1, 2022, and further to dedicate 100% percent of the money received from judgments or settlements in litigation or claims against opioid manufacturers or distributors to said Opioid Stabilization Fund; or act on anything relative thereto.

Submitted by the Health Director

(2/3 Majority vote required)

**HEALTH DIRECTOR REPORT:** This article will create a special purpose stabilization fund to hold all monies received under the various national opioid settlements. Under the terms of the settlements the funds may only be used for supplementing and strengthening the resources available to individuals and families for substance use disorder prevention, harm reduction, treatment, and recovery, including without limitation: opioid use disorder treatment; supporting and promoting recovery and treatment programs such as through housing, job placement, childcare, and healthcare; at-risk connections and school-based services and training or safe station partnerships; harm reduction programs and treatment; diversion programs for criminal-justice involved persons; support for pregnant and parenting persons and babies with neonatal abstinence syndrome; opioid prevention and misuse education; and/or for the purpose of funding any such programs and projects set out in the Massachusetts State-Subdivision Agreement for Statewide Opioid Settlements and the National Opioid Settlement Agreement

**ARTICLE 6. ATKINSON POOL FUNDS**

To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds, the sum of \$100,000 or any other sum or sums, to be expended under the direction of the Combined Facilities Director for the purpose of designing the replacement of the Atkinson Pool dehumidification equipment, including installation of destratification fans, repairs and/or replacement of the roof, structural repairs and supports for the

rooftop dehumidification equipment, creation of a chemical room separate from the boiler room and repairs and/or maintenance of the Atkinson Pool, including incidental and related expenses connected therewith; or act on anything relative thereto.

Submitted by the Combined Facilities Director. (Two-thirds vote required if borrowed)

**COMBINED FACILITIES DIRECTOR REPORT:** This Article will design envelope, structural and mechanical replacements/enhancements to the existing Atkinson Pool. The roof and dehumidification unit has reached its life cycle expectancy. The installation of destratification fans will provide enhanced ventilation within the Natatorium. The pool's deck and pool surround require a full grouting and significant tile repair.

#### **ARTICLE 7. FAIRBANK COMMUNITY CENTER - SUPPLEMENTAL FUNDS**

To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds, the sum of \$900,000 or any other sum or sums, to be expended under the direction of the Town Manager, to supplement the appropriation made under Article 18 of the 2020 Annual Town Meeting for reconstruction of the Fairbank Community Center Design and Construction, demolition of the existing building ;or act on anything relative thereto.

Submitted by the Town Manager. (Two-thirds vote required if borrowed)

**TOWN MANAGER REPORT:** The new Fairbank Community Center is currently expected to open in November, approximately 6 weeks later than the original schedule. This delay is in part a result of delays in the supply chains, which have an impact on the critical path schedule such that work originally planned for the fall will be delayed until spring due to winter conditions. There are costs associated with schedule delays that will be funded through the remaining but dwindling contingency. When the bids came in high and the original contingency funds were used to award the contract, ARPA funds were committed to provide enough contingency to begin construction. Now those funds are not expected to be sufficient to complete the project with the extended schedule. The final phase of the project is the demolition of the existing building and completion of site work on that side of the new building. It is slated to be substantially complete in the spring, too late for any necessary funding at Annual Town Meeting. Should the contingency run out mid-winter, the project will have to stop mid-construction.

#### **ARTICLE 8. FUND COLLECTIVE BARGAINING AGREEMENT - FIREFIGHTERS**

To see what sum or sums the Town will vote to raise and appropriate, or transfer from available funds, to fund the collective bargaining agreement with the Sudbury Permanent Firefighters Association, Local 2023 for the period from July 1, 2021 through June 30, 2024; or act on anything relative thereto.

Submitted by the Town Manager. (Majority vote required.)

**TOWN MANAGER REPORT:** The Town and the Firefighters' union, in August 2023, executed a memorandum of agreement for a new three-year collective bargaining agreement. Ratification of the

agreement is dependent on funding of the financial provisions. This article will fund the financial provisions of the agreement.

**ARTICLE 9. ROUTE 117/MOSSMAN/POWDER MILL ROADS INTERSECTION IMPROVEMENTS**

To see if the Town will vote to appropriate from the Special Stabilization Fund (Melone) the sum of \$800,000 or any other sum or sums to fund improvements and installation of traffic signals at the intersection of Route 117 (North Road) and Mossman Road and Powder Mill Road; or act on anything relative thereto.

Submitted by the Department of Public Works Director ( 2/3 Majority vote required)

**DPW DIRECTOR REPORT:** This article will fund improvements to the intersection of Route 117 (North Road) and Mossman Road and Powder Mill Road. Improvements include signaling the approaches to the intersection and related improvements to enhance safety.

**ARTICLE 10. REPURPOSE MELONE STABILIZATION FUND CLOSEOUT**

To see if the Town will vote to transfer the remaining balance of \$1,100,000 in the special Stabilization Fund (Melone) established under Article 13 of the 2015 Annual Town Meeting, less any appropriation approved under the prior article, to the Capital Stabilization Fund established under Article 13 of the 2019 Annual Town Meeting; or act on anything relative thereto.

Submitted by the Select Board. (2/3 Majority vote required)

**TOWN MANAGER REPORT:** This article will close out the Special Stabilization Fund (Melone) and transfer the balance to the Capital Stabilization Fund. The Melone property was mined for sand for the Town's use. The Melone Stabilization Fund, so called, was created in 2015 to restore or reclaim the property or prepare it for reuse or redevelopment. The Melone property has since been sold and developed. Funds to restore or reclaim the property or prepare it for reuse or redevelopment are no longer needed. The remaining unexpended funds are proposed to be transferred to the Capital Stabilization Fund where they will be used to fund capital improvements. The Massachusetts Department of Revenue, Division of Local Services, in its April 2020 *Town of Sudbury: Review of Capital Improvement Program*, recommended the Town close the Melone Stabilization Fund and transfer the balance of funds to the Capital Stabilization Fund. The Melone Stabilization Fund has a balance of \$1,100,000. This balance will be reduced if the prior article (Route 117 intersection improvements) is approved and funded from the Melone Stabilization Fund.

**ARTICLE 11. NIXON ELEMENTARY SCHOOL ROOF SCHEMATIC DESIGN FEES**

To see if the Town will vote to raise and appropriate, or transfer from available funds, \$248,000 to be expended under the direction of the Sudbury Public School Department for the purpose of funding a schematic design for the replacement of the roof at the Nixon Elementary School; and all expenses incidental and related thereto; or act on anything relative thereto.

Submitted by the Sudbury School Committee.

(Majority vote required)

**SCHOOL COMMITTEE REPORT:** The roof on the Nixon Elementary School building is 30 years old and the District intent is to apply for State funding to offset total project costs of replacing the roof.

The intent of this article is to fund a schematic design required by the Massachusetts School Building Authority (“MSBA”) in order to qualify for MSBA grant program project reimbursements under the MSBA Accelerated Repair Program (“ARP”).

Included in the MSBA grant program process, Sudbury Public Schools must submit a Statement of Interest (“SOI”) in January/February 2024. In accordance with the MSBA process, an SOI should only be filed for a facility where a district has the ability to fund a schematic design within two months of invitation and a total project budget within 12 months of invitation should the district be selected in the MSBA Accelerated Repair Program.

The current project estimate for replacing the roof at the Nixon Elementary School totals \$2,480,000. While the MSBA grant program reimbursement rate is adjusted for a number of factors, the statutory formula starts all districts at a Bases Rate of 31% reimbursement.

**ARTICLE 12. FUNDING OF STATE APPROVED SPECIAL EDUCATION OUT-OF-DISTRICT TUITION COST INCREASE**

To see if the Town will vote to raise and appropriate, and/or transfer from available funds and/or accept grants a sum of money totaling \$184,755, equal to the FY24 state supplemental budget amounts under review for costs associated with the state approved increases for Sudbury Public Schools special education out-of-district tuition; or act on anything relative thereto.

Sponsored by the Sudbury School Committee.

(Majority vote required)

**SCHOOL COMMITTEE REPORT:** The Massachusetts Operation Services Division (“OSD”) authorized a 14% increase in tuition for special education out-of-district placement centers in FY2024, a substantial budget burden to every school district.

The Governor of Massachusetts is seeking to provide relief to school districts in Fiscal Year 2024 for these approved additional costs through the State Supplemental Budget that would provide school districts with current year funding for these additional costs in order to provide school districts the required time necessary to submit circuit breaker reimbursement claims in July 2024 and receive these reimbursement funds in Fiscal Year 2025.

To date, this supplemental budget is in the approval process at the State level.

The purpose of this article is to provide Sudbury Public Schools with the manner to access these funds in FY2024.

**ARTICLE 13. INCREASE TO FY2024 SUDBURY PUBLIC SCHOOLS GENERAL FUND APPROPRIATION FOR ADDITIONAL CHAPTER 70 STATE AID**

Attachment 8.c: Warrant STM draft 2023-09-11 (5981 : Discuss Fall Town Meeting Articles and vote date)



To see if the Town will vote to increase the FY2024 Sudbury Public Schools General Fund appropriation the sum of \$232,380, equal to the increase in FY2024 Chapter 70 funding approved by the Commonwealth of Massachusetts dedicated to local school districts; or act on anything relative thereto.

Submitted by the Sudbury School Committee.

(Majority vote required)

**SCHOOL COMMITTEE REPORT:** This article seeks to increase the FY24 General Fund appropriation for Sudbury Public Schools for the amount of additional state aid funding not previously known at the Annual Town Meeting held in May 2023 and not included in the FY24 General Fund appropriation for Sudbury Public Schools.

On August 9<sup>th</sup>, 2023, Governor Maura Healey signed a \$55.98 billion State budget for Fiscal Year 2024 including \$6.59 billion in Chapter 70 K-12 public education funding, which dedicated an increase of \$604 million beyond Fiscal 2023.

**ARTICLE 14. RESOLUTION: MASSACHUSETTS OFFICIAL SEAL AND MOTTO**

Whereas, the Commonwealth of Massachusetts seal and flag portrays a sword being held over an indigenous man’s head

BE IT RESOLVED that the Town of Sudbury hereby adopts this resolution in support of the work of the Special Commission on the Official Seal and Motto of the Commonwealth, established by a Resolve of the General Court in 2021 and appointed by the Governor to recommend changes to the current flag and seal of Massachusetts, and in support of a new flag and seal for the Commonwealth that may better reflect our aspirations for harmonious and respectful relations between all people who now call Massachusetts home. The Town Clerk shall forward a copy of this resolution to Senator Jamie Eldridge and Representative Carmine Gentile, with the request that they continue their strong advocacy and support for the work of the aforementioned Special Commission and a new flag and seal for the Commonwealth.

Submitted by Sudbury Town Historian Jan Hardenberg.

(Majority vote required)

-----

The Board of Selectmen and the Finance Committee will report on all articles at the Special Town Meeting.

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

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

Attachment8.c: Warrant STM draft 2023-09-11 (5981 : Discuss Fall Town Meeting Articles and vote date)

Given under our hands this \_\_\_\_\_ day of \_\_\_\_\_, two thousand and twenty-three.

SELECT BOARD:

Attachment8.c: Warrant STM draft 2023-09-11 (5981 : Discuss Fall Town Meeting Articles and vote date)

Janie W. Dretler

Lisa V. Kouchakdjian

Daniel E. Carty

Jennifer S. Roberts

Charles G. Russo



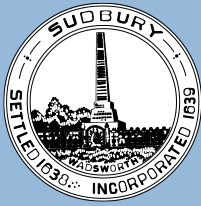


**Board of Selectmen  
Sudbury, MA 01776**

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

**POSTAL PATRON  
SUDBURY  
MASSACHUSETTS 01776**

**Attachment8.c: Warrant STM draft 2023-09-11 (5981 : Discuss Fall Town Meeting Articles and vote date)**



SUDBURY SELECT BOARD  
Tuesday, September 12, 2023

**MISCELLANEOUS (UNTIMED)**

**9: Review 2023 Goals**

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Review and update status of Select Board Goals from 2023 in advance of 2024 Goal Setting meeting.

Recommendations/Suggested Motion/Vote: Review and update status of Select Board Goals from 2023 in advance of 2024 Goal Setting meeting.

Background Information:  
attached 2023 goals

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

09/12/2023 7:00 PM



**TOWN OF SUDBURY**  
**SELECT BOARD MISSION STATEMENT AND VALUES**

**Select Board Mission Statement:**

The Select Board, as the chief policy making body for the Town of Sudbury, Massachusetts, will maximize and ensure the quality of life and well-being of Sudbury residents, today and in the future. To accomplish this, the Select Board shall set strategic direction, appoint certain boards, establish policies, and develop goals that deliver the highest quality municipal services in a fiscally responsible manner to the community that it serves and advance its values. The Select Board relies upon the Town Administration, volunteers, residents, and other stakeholders to implement the policies and initiatives while promoting an atmosphere of mutual respect, collaboration, and inclusion.

**Select Board Values:**

- Protect and enhance the professionalism of the Town’s staff, boards, and committees.
- Foster respectful civic engagement; promote transparency and effective communications.
- Protect and promote a climate of acceptance, equity, inclusion and belonging.
- Encourage responsible long-term capital management and strategic planning to support, maintain, and enhance Town infrastructure and services.
- Protect and enhance educational excellence.
- Ensure equitable access to Sudbury facilities, programs, information, and services.
- Promote and ensure public health and safety within the community.
- Protect and enhance Sudbury’s fiscal health and financial stability.
- Protect and enhance the unique sense of place offered by the Town.
- Encourage and pursue a wide range of housing options that accommodate the diverse needs of individuals across age and socio-economic demographics.
- Promote access to transportation options and advocate for bicycle and pedestrian alternative travel.
- Promote and enhance Sudbury’s environmental resources and sustainability.

---

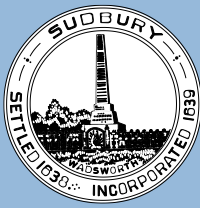
First adopted by the Board of Selectmen May 10, 2000

Amended and reaffirmed by the Board of Selectmen, 5/23/02, 6/1/04, 6/10/05, and 10/25/22

Goal	Primary Category	Lisa Kouchakdjian	Jen Roberts	Dan Carty	Charles Russo	Janie Dretler	Total Score	Rank
Investigation of Vocational Education Access options.	Effective Governance and Communication	5	3	3	2	3	16	1
Determine funding options for construction of Phase 3A-CSX/Rt 20 of the Bruce Freeman Rail Trail.	Open Space, Recreation & Historic Assets		5			5	10	2
Expand (Normalize) and fund a Transportation Option, especially for vulnerable populations.	Transportation, Mobility & Housing		1	4	3		8	3
Sustainability and Climate Change initiatives; including hiring a Sustainability Coordinator and creation of Climate Mobilization Action Plan.	Environmental Health & Wellness	3	4				7	4
Conduct a comprehensive ADA Plan	Transportation, Mobility & Housing	4	2		1		7	4
Revise and update the LS Agreement	Effective Governance and Communication			5			5	
Hiring and onboarding a new Town Manager prior to Annual Town Meeting	Effective Governance and Communication				5		5	
Incorporate Town Manager into the SB's visioning and goal setting process.	Effective Governance and Communication					4	4	
Tracking progress on Capital projects	Effective Governance and Communication				4		4	
Ongoing monitoring of Sewataro agreement to determine compliance. Evaluate future best use of Sewataro in coordination with ADA requirements	Open Space, Recreation & Historic Assets					2	2	
Complete Efficiency Analysis - regionalization/public/private/intermunicipal agreements.	Effective Governance and Communication			2			2	
Conduct space needs assessment for staff.	Town Services and Infrastructure	2					2	
Public Health Initiatives; MRC/CERT, Great Meadows Collaborative, etc	Environmental Health & Wellness			1			1	

Attachment 9.b: SB 2023 Goal Scoring 10-24-22 (5995 : Review 2023 Goals)

Goal	Primary Category	Lisa Kouchakdjian	Jen Roberts	Dan Carty	Charles Russo	Janie Dretler	Total Score	Rank
Promote and Support Master Plan	Effective Governance and Communication	1					1	
Uber/Taxi Rides - Decision	Transportation, Mobility & Housing					1	1	



SUDBURY SELECT BOARD  
Tuesday, September 12, 2023

**MISCELLANEOUS (UNTIMED)**

**10: Dissolve Sewataro Subcommittee**

REQUESTOR SECTION

Date of request:

Requestor: Chair Dretler

Formal Title: Vote to approve minutes of 4/15/21, and dissolve the Sewataro Assessment and Recommendations Subcommittee, which was established 3/23/21.

Recommendations/Suggested Motion/Vote: Vote to approve minutes of 4/15/21, and dissolve the Sewataro Assessment and Recommendations Subcommittee, which was established 3/23/21.

Background Information:  
attached minutes

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

09/12/2023 7:00 PM

SUDBURY SELECT BOARD  
 SEWATARO ASSESSMENT AND RECOMMENDATIONS SUBCOMMITTEE  
 THURSDAY, APRIL 15, 2021

Present: Select Board members Charles Russo, Bill Schineller.

The statutory requirements as to notice having been compiled with, the meeting was convened at approximately 8:15 PM via Zoom telecommunication mode.

Member Russo announced the recording of the meeting and other procedural aspects included in the meeting. Select Board roll call: Russo-present, Schineller-present.

**Discussion**

Member Russo announced the meeting agenda, as posted, which included Subcommittee kick off, Review Sewataro 2021 Select Board Goal, as set Nov. 16, 2020, Review Sewataro subcommittee mission as voted at March 23, 2021 Select Board Meeting, Discuss Goals and Deliverables, Discuss approach, work schedule, and tentative timeline.

Member Schineller noted several members of the public were attending the meeting virtually.

Member Russo shared a table displaying the Sewataro-related goals as set by the full Select Board at its goal setting session in November, organized into short- medium- and long-term goals.

Member Schineller suggested a timeline to meet these goals would be helpful and that an updated understanding of site activities and operations would be useful.

A desire for more information and the potential for a FlashVote survey to gauge resident interest in various uses of the site was discussed.

Resident Mara Huston, Peakham Road, noted that increased usage and summer swimming were among the goals. She noted many groups in Town are using the site, some organizations have participants pay to attend events but do not pay the Town to use the property. Besides equity around fees, she noted public swimming raises many issues and encouraged coordination with Park & Recreation.

Kristen Drummey, Mossman Road, Camp Sewataro Community Liaison, noted that the public use calendar has been added to the Town website. Coordination with Park & Rec has already begun, she said. Ms. Drummey noted that Covid had driven many organizations that ordinarily wouldn't use the Sewataro property to host outdoor events there and expected them to return to their usual hosting spots once Covid ended.

Ms. Drummey recapped some of the Sudbury organizations that had and planned to use the site for events, and described some of the processes to host these events, such as inspections, permitting, and adding bathrooms.

Ms. Drummey clarified that if the Town decided to charge for use of the property, those fees would not be subject to the revenue share agreement, but would go entirely to the Town.

Resident Mara Huston, Peakham Road, noted that with the upcoming construction of the Fairbank Community Center, a comparison of various use fees for facility rentals around Town, including Sewataro, would be valuable.

SUDBURY SELECT BOARD SEWATARO SUBCOMMITTEE  
THURSDAY, APRIL 15, 2021  
PAGE 2

Different groups set different fees, e.g., Library Trustees for the Library, School Committee for Schools, Park and Rec for their facilities, etc. A comparison would be valuable. She expressed the opinion that with the high cost paid to acquire the Sewataro property through debt, some of the cost should be recouped via fees from user groups, balanced against access for residents.

Member Russo recapped the discussion and suggested several updates occur for the next meeting:

- A check in with Park & Rec Director Dennis Mannone, by Charlie.
- Obtain feedback from the Select Board about the monthly Sewataro newsletter from the Camp Operator and possibly add more metrics or detail, by Bill.
- Check with Facilities Director Bill Barletta about the property safeguarding questions, by Bill.
- Check with Town Manager Henry Hayes about the creation of a Usage and User Fees Policy, by Charlie.

Robert Stein, 7 Hudson Drive, encouraged the committee to analyze the financials to obtain revenue as promised from the site. He noted the camp operator has applied for PPP federal funding and the Town should receive its share of that funding. Without those revenues, he suggested the Town sell the property.

A follow up meeting in approximately two weeks was suggested.

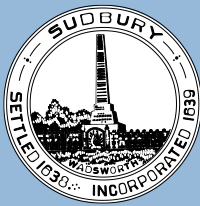
### Adjourn

Member Schineller moved to end the meeting and adjourn.

It was on motion 2-0; Russo-aye, Schineller-aye

VOTED: To adjourn the Select Board Sewataro Subcommittee Meeting.

There being no further business, the meeting adjourned at approximately 9:15 PM.



SUDBURY SELECT BOARD  
Tuesday, September 12, 2023

**MISCELLANEOUS (UNTIMED)**

**11: Review open session minutes**

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Review and possibly approve open session minutes of 12/22/15, 1/20/22 (subcommittee), 8/13/23, 8/29/23.

Recommendations/Suggested Motion/Vote: Review and possibly approve open session minutes of 12/22/15, 1/20/22 (subcommittee), 8/13/23, 8/29/23.

Background Information:

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office                      Pending

Town Manager's Office                  Pending

Town Counsel                              Pending

Select Board                                Pending

Select Board                                Pending

09/12/2023 7:00 PM



SUDBURY BOARD OF SELECTMEN  
TUESDAY, DECEMBER 22, 2015  
8:00 AM, FLYNN BUILDING  
SECOND FLOOR, SILVA ROOM

Present: Chairman Patricia A. Brown, Vice-Chairman Susan N. Iuliano, Selectman Charles C. Woodard, Selectman Robert C. Haarde, Selectman Leonard A. Simon, Town Counsel Barbara Saint Andre, and Town Manager Melissa Murphy-Rodrigues.

Chairman Brown called meeting to order at 8:00 AM in the Thompson Room.

Vote whether to call a Special Town Meeting for Tuesday, February 9, 2016, 7:30 pm, Lincoln-Sudbury Regional High School, for the purpose of voting 1) Whether or not to approve any proposed amendments to the Regional Agreement, and, 2) Whether or not to withdraw from the District, pursuant to the Initial Withdrawal provisions of such proposed amendments. In addition, vote on whether to request that the Minuteman Regional School District name Sudbury as a declarant in the Initial Withdrawal section of such proposed amendments. Also, vote to open the warrant commencing December 23, 2015, and to close the warrant for said Special Town Meeting at 5:00 pm on January 4, 2016.

Motion made by Susan and seconded by Chuck Woodard and Pat Brown.

Len Simon provided the following report. He attended the Minuteman School Committee meeting last night (12/21), and there were three items on the agenda:

1. Vote to approve the revised Regional Agreement. This was voted.
2. Whether or not to vote for a new debt for construction for new school
3. Whether to enter into an IMA (Inter-municipal Agreement) between Minuteman and the Town of Lincoln.

The Selectmen met last Thursday in Weston where there was slight change to revised regional agreement – added Lincoln and Carlisle. This was on page 7 of the revised regional agreement; he will distribute copy. That was the only change.

They also voted for towns in the district within seven days to notify them to address this at their special town meeting.

The other piece of information was that he sent the proposal to other town's BOS's suggesting that they de-couple the fundraising or bonding for the new school from a vote. The reasons for this: (1) unless towns that were going to approve the agreement and stay in district, they wouldn't know how many students would be there and it would be difficult to calculate the capital cost, and (2) there was concern about possible confusion at town meeting by voting for new debt and new regional agreement, and (3) there would only be a delay of 8 weeks between of approval of the regional agreement and if towns wish to have a second town meeting to approve the new debt.

Both votes on the new regional agreement tabled vote on the new debt, and passed unanimously.

The school committee decided to enter into negotiations with Lincoln re: IMA with minuteman and Lincoln.

Pat Brown stated that for purposes of Special Town Meeting, we need language on the regional agreement. Pat also said Jim Kelly asked about placing an item on the Special Town Meeting Warrant regarding selling the old Police Station. We need a sense from the Board on whether or not this is appropriate to suggest to Jim that he get this together for the 2/9/15 STM. All articles must be approved by Town Counsel, and the Warrant closes on January 4<sup>th</sup>. Susan recommends that maybe Jim can do this, and put a placeholder for Annual Town Meeting. Len asked if Jim can provide specifics on this article? We may need to call a special BOS meeting. All in consensus for Jim to prepare that article for us for the 1/5 meeting. Pat asked Melissa to have Jim work on this.

Motion, seconded.

All in favor – aye, for preparing article for Special Town Meeting.

VOTE To reconsider item #1 to open warrant. So moved. Motion to open warrant.

Discussion and potential vote regarding Town Counsel services

Pat referred discussion to Town Counsel, Barbara Saint Andre.

Barbara referred to letter signed by herself and Chris Petrini; January 8 is her last day with Petrini. It's now up to the Board what you want to do. If we go to Kopelman & Paige we'll retain Barbara as Town Counsel; K&P will honor the current contract. Chuck asked Barbara why she is leaving Petrini. She replied that she was offered a really good opportunity; will do more variety of cases; will still represent towns; and her personal schedule has changed. Chuck mentioned that K&P was a second choice last year. Len congratulated Barbara on this move. There are still two more years on the contract – to 2017.

Susan shared that it's in the Town's best interest to continue to work with Barbara. Bob agreed. Len pointed out that K&P oversaw the Selectmen's recount last year, and has high confidence in this firm.

Motion made by Chuck Woodard, and was seconded, to vote to transfer town counsel services to Kopelman & Paige under terms of the contract with Petrini & Associates effective Jan. 11, 2016.

All in favor – aye. Vote was Unanimous

There being no further business the meeting adjourned at 8:25 a.m.

## SUDBURY SELECT BOARD

## LIBERTY LEDGE/SEWATARO CONTRACT NEGOTIATIONS SUBCOMMITTEE

Thursday, January 20, 2022

Present: Select Board members Charles Russo, Jennifer Roberts.

The statutory requirements as to notice having been compiled with, the meeting was convened at approximately 8:06 PM via Zoom telecommunication mode.

Member Roberts announced the recording of the meeting and other procedural aspects included in the meeting. Select Board roll call: Russo-aye, Roberts-aye.

**Discussion**

Member Roberts noted on January 10, 2022 the full Select Board voted to open negotiations of the Liberty Ledge/Sewataro contract with Camp Operator Scott Brody and formed this subcommittee.

Member Roberts noted that by forming a subcommittee, per Open Meeting Law all discussions would need to take place in public session; the discussions would not qualify for executive session. Members Roberts and Russo discussed whether the full Select Board considered this aspect when creating the subcommittee, and whether public meetings were the best forum to discuss and strategize contract negotiations with an outside group. Member Russo noted that per a conversation with Town Counsel, the public sessions could put the Town at a competitive disadvantage in the negotiations. Member Russo identified three pathways: 1. Designating a lead negotiator in the subcommittee; 2. Alternating the lead role; 3. Going back to the full Select Board to note this issue and reconsider the path forward. Member Roberts noted that in all these scenarios, an open aspect would remain, as key discussion points and final approval would be considered by the full board in open session.

Member Roberts noted that the main points of negotiation mentioned in prior full Select Board meeting included term length, management fee, revenue share, and public access. Members Roberts and Russo discussed guidelines around what negotiations are part of re-negotiating the existing contract versus changes that would require an entirely new RFP process.

Members Roberts and Russo reviewed the existing contract and discussed the role of the Town Manager in negotiating contracts. After some additional discussion around potential negotiating frameworks, the consensus was to return to the full Select Board to determine whether a subcommittee subject to Open Meeting Law public session requirements was the preferred negotiations format.

**Adjourn**

Member Russo moved to end the meeting and adjourn.

It was on motion 2-0; Russo-aye, Roberts-aye.

VOTED: To adjourn the Select Board Liberty Ledge/Sewataro Negotiations Subcommittee Meeting.

There being no further business, the meeting adjourned at approximately 8:40 PM.

SUDBURY SELECT BOARD

TUESDAY AUGUST 15, 2023

7:00 PM - ZOOM

(Meeting can be viewed at [www.sudburytv.org](http://www.sudburytv.org))

Present: Chair Janie Dretler, Vice-Chair Lisa Kouchakdjian, Select Board Member Daniel Carty, Select Board Member Jennifer Roberts, Town Manager Andrew Sheehan

Absent: Board Member Charles Russo

The statutory requirements as to notice having been compiled with, the meeting was convened at 7:00 PM, via Zoom telecommunication mode.

Chair Dretler announced the recording of the meeting and other procedural aspects included in the meeting.

**Call to Order**

Select Board Roll Call: Kouchakdjian-present, Carty-present, Roberts-present, Dretler-present

**Opening Remarks by Chair**

- Catherine Bitter was recently appointed to the LSRHS School Committee
- Many volunteer opportunities within Town boards/committees; details on Town website
- Postpone tonight's agenda #6 – Review liaison policy to the August 29<sup>th</sup> meeting in consideration that a full Select Board will likely be present at that meeting
- Agenda item #8 to be reviewed at this meeting; though without a full Board, would likely not be given further consideration until a full Board is present

**Reports from Town Manager**

- Repaving work on Peakham Road is substantially complete; road line-stripping and lawn seeding to be completed; thanked DPW for efforts on this project and motoring public for their patience.
- Eversource project continues to make good progress including biweekly meetings; currently working at Dutton Road and Hudson line including the bridge over Hop Brook and Peakham Road as well as work south and east of Boston Post Road toward the substation

**Reports from Select Board**

Vice-Chair Kouchakdjian

- Nothing to add at this time

Board Member Roberts

- Attended recent Diversity, Equity and Inclusion Commission (DEIC) meetings; DEIC planning to be present at a Select Board meeting in September

- At the last Energy and Sustainability Committee meeting, Ms. Marini-King updated the Committee regarding a Sustainability Policy as mentioned by the Select Board

#### Board Member Carty

- Sudbury Police Department concluded the final Youth Police Academy session for the summer; which went well
- Sudbury Police Department announced the Citizens Police Academy will meet Wednesday, October 4, 2023 through December 6, 2023 from 6:00 PM to 9:00 PM; additional information on the Police Department Facebook page
- Select Board Office Hours on Wednesday, August 23<sup>rd</sup> at 12:00 Noon. He and Chair Dretler will be hosting the virtual meeting; additional information on the Town website

#### **Public Comments**

No comments

#### **Consent Calendar**

#### **Vote to review/approve/release executive session minutes from 2015-2022. The Board reserves the right to take up this item in Executive Session.**

Board Member Carty recommended the Board review the 2015-2022 Executive Session minutes in tonight's Executive Session. Board Members were in agreement.

#### **Vote to accept the resignation of Stephanie Hunt, 289 Dutton Road, from the Diversity, Equity and Inclusion Commission (DEIC) and send a letter of thanks for her service to the Town**

Vice-Chair Kouchakdjian motioned to accept the resignation of Stephanie Hunt, 289 Dutton Road, from the Diversity, Equity and Inclusion Commission (DEIC) and send a letter of thanks for her service to the Town. Board Member Carty seconded the motion.

It was on motion 4-0; Kouchakdjian-aye, Roberts-aye, Carty-aye, Dretler-aye

VOTED: To accept the resignation of Stephanie Hunt, 289 Dutton Road, from the Diversity, Equity and Inclusion Commission (DEIC) and send a letter of thanks for her service to the Town

#### **Vote to accept the resignation of Thomas Friedlander, 75 Water Row, from the Conservation Commission, and send a letter of thanks for his service to the Town.**

Vice-Chair Kouchakdjian motioned to accept the resignation of Thomas Friedlander, 75 Water Row, from the Conservation Commission, and send a letter of thanks for his service to the Town. Board Member Carty seconded the motion.

It was on motion 4-0; Kouchakdjian-aye, Roberts-aye, Carty-aye, Dretler-aye

VOTED: To accept the resignation of Thomas Friedlander, 75 Water Row, from the Conservation Commission, and send a letter of thanks for his service to the Town

**Vote to accept the resignation of Susan Abrams, 24 Hudson Road, from the Capital Improvement Advisory Committee (CIAC) and send a letter of thanks for her service to the Town**

Vice-Chair Kouchakdjian motioned to accept the resignation of Susan Abrams, 24 Hudson Road, from the Capital Improvement Advisory Committee (CIAC) and send a letter of thanks for her service to the Town. Board Member Carty seconded the motion.

It was on motion 4-0; Kouchakdjian-aye, Roberts-aye, Carty-aye, Dretler-aye

VOTED: To accept the resignation of Susan Abrams, 24 Hudson Road, from the Capital Improvement Advisory Committee (CIAC) and send a letter of thanks for her service to the Town

**Discussion on Town Forum**

Vice-Chair Kouchakdjian reviewed the 2023 Sudbury Town Forum outline titled “Residents Shaping Sudbury’s Future.” She confirmed the Forum is scheduled for Thursday, October 12, 2023 at the Town Hall. Vice-Chair Kouchakdjian stated the purpose of the Forum topic would be to educate the community regarding Town governance and to inspire residents to serve on Town boards/committees. Forum panelists will include Town Manager Andy Sheehan, Resident Kirsten Roopenian, Select Board Office Supervisor/Information Officer Leila Frank, Vice-Chair Kouchakdjian, and ideally one representative from Town boards/commissions and committees to explain their roles and answer questions.

Vice-Chair Kouchakdjian stressed the importance of Q&A sections after each panelist speaks.

**Review Liaison Policy**

Board Members agreed to table Sudbury Liaison Policy review to the August 29 Select Board meeting.

**Vote to hold a 2023 Fall Town Meeting on a date to be determined by the Select Board, and vote to open the Warrant and keep it open until 4:30 PM Tuesday, August 29, 2023.**

Town Manager Sheehan stated an October 23<sup>rd</sup> Fall Town Meeting at LSRHS would be recommended.

Vice-Chair Kouchakdjian motioned to hold a 2023 Fall Town Meeting on a date to be determined, and vote to open the Warrant and keep it open until 4:30 PM Tuesday, August 29, 2023. Board Member Roberts seconded the motion.

It was on motion 4-0; Kouchakdjian-aye, Roberts-aye, Carty-aye, Dretler-aye

VOTED: To hold a 2023 Fall Town on a date to be determined, and vote to open the Warrant and keep it open until 4:30 PM Tuesday, August 29, 2023.

**Discussion of potential Fall Town Meeting Articles**

Board Member Carty suggested that in the spirit of getting more residents involved in local government, the Board should consider supporting a Town Meeting article to modify Article III, Section 9 of Town Bylaw and change present language: “No person shall hold more than one elective office at any one time,” to “No person shall hold more than one elective or appointed office at any one time,” with exception of liaison roles and those grandfathered roles.



Board Members indicated that such modification of Bylaw language might not be best in a time when there are so many vacancies on various Town Boards/Committees/Commissions. Chair Dretler suggested the topic be continued to the next Select Board meeting when all Members would be present.

**Review the Select Board Summer 2023 Newsletter articles and approve for distribution**

Board Members provided several edits.

Vice-Chair Kouchakdjian motioned to approve the Select Board Summer 2023 Newsletter Articles, as edited and to distribute the Summer 2023 Newsletter for distribution. Board Member Carty seconded the motion.

It was on motion 4-0; Kouchakdjian-aye, Roberts-aye, Carty-aye, Dretler-aye

VOTED: To approve the Select Board Summer 2023 Newsletter Articles, as edited and to distribute the Summer 2023 Newsletter for distribution.

Vice-Chair Kouchakdjian left the meeting at 7:55 PM.

**Vote to review and possibly approve the Open Session Minutes of 12/22/15 and 7/11/23**

12/22/15 Minutes

Board Member Carty motioned to approve the minutes of 12/22/15. Board Member Roberts seconded the motion.

It was on motion 3-0; Roberts-aye, Carty-aye, Dretler-aye

VOTED: To approve the minutes of 12/22/15

7/11/23 Minutes

Chair Dretler read in the words of the motion. Board Member Roberts moved in the words of the Chair. Board Member Carty seconded the motion.

It was on motion 3-0; Roberts-aye, Carty-aye, Dretler-aye

VOTED: To approve the minutes of 7/11/23, as edited

**Vote to close open session and vote to continue Executive Session to discuss strategy with respect to collective bargaining (Firefighters) if an open meeting may have a detrimental effect on the bargaining position of the public body and the chair so declares pursuant to General Laws chapter 30a §21(a)(exception 3), and Vote to review, approve and possibly release executive session meeting minutes pursuant to G.L. c. 30A, § 21(a)(7) (Purpose 7), citing to the Open Meeting Law, G.L. c. 30A, §§ 22(f), (g); and to not return to open session**

Board Member Carty motioned to close open session and vote to continue Executive Session to discuss strategy with respect to collective bargaining (Firefighters) if an open meeting may have a detrimental effect on the bargaining position of the public body and the chair so declares pursuant to General Laws chapter 30a §21(a)(exception 3), and Vote to review, approve and possibly release executive session meeting minutes pursuant to G.L. c. 30A, § 21(a)(7) (Purpose 7), citing to the Open Meeting Law, G.L. c. 30A, §§ 22(f), (g); and to not return to open session. Board Member Roberts seconded the motion.

It was on motion 3-0; Roberts-aye, Carty-aye, Dretler-aye



VOTED: To close open session and vote to continue Executive Session to discuss strategy with respect to collective bargaining (Firefighters) if an open meeting may have a detrimental effect on the bargaining position of the public body and the chair so declares pursuant to General Laws chapter 30a 21(a) (exception 3), and Vote to review, approve and possibly release executive session meeting minutes pursuant to G.L. c. 30A, § 21(a)(7) (Purpose 7), citing to the Open Meeting Law, G.L. c. 30A, §§ 22(f), (g); and to not return to open session

There being no further business, open session adjourned at 8:03 PM.

DRAFT

SUDBURY SELECT BOARD  
TUESDAY AUGUST 29, 2023  
LOWER TOWN HALL, 322 CONCORD ROAD  
HYBRID MEETING

7:00 PM

(Meeting can be viewed at [www.sudburytv.org](http://www.sudburytv.org))

Present: Chair Janie Dretler, Vice-Chair Lisa Kouchakdjian, Select Board Member Daniel Carty, Select Board Member Charles Russo, Select Board Member Jennifer Roberts, Town Manager Andrew Sheehan

In-person Hybrid meeting participants included Chair Janie Dretler, Vice-Chair Lisa Kouchakdjian, Board Member Daniel Carty, and Town Manager Andrew Sheehan

The statutory requirements as to notice having been compiled with, the hybrid meeting was convened at 7:10 PM, via Zoom telecommunication mode.

Chair Dretler announced the recording of the meeting and other procedural aspects included in the meeting.

**Call to Order**

Select Board Roll Call: Kouchakdjian-present, Carty-present, Russo-present, Roberts-present, Dretler-present

**Opening Remarks by Chair**

- Sudbury Schools open this week
- September 11th Memorial Ceremony will take place on Monday, September 11, 2023, 8:40 AM at the Memorial Garden
- The Community Preservation Committee will be accepting applications for FY25 until Friday, October 6<sup>th</sup> at 12:30 PM

**Reports from Town Manager**

- Last week the Combined Facilities Director Sandra Duran received notice that the Town was awarded a \$50,000 grant for EV charging stations via the Electric Vehicle Incentive Program
- Starting to work on the FY25 spending plan; budget forms went out recently

**Reports from Select Board**

Vice-Chair Lisa Kouchakdjian had nothing further to add.

Board Member Daniel Carty

- Asked all motorists to exercise patience and drive carefully in consideration of school openings this week

Board Member Charles Russo

- Extended well wishes to all those starting school this week, including students, family and staff

- Extended kudos to the Conservation Commission regarding bow hunting in Town; ConCom handled the topic well
- MA State flag survey information as presented by UMass
- Endorsed the “Wait Until 8<sup>th</sup>” program, to delay providing children with smartphones until the eighth grade
- Thanked Chair Dretler for postponing a policy topic to this meeting

Board Member Jennifer Roberts

- Extended well-wishes to all Sudbury students on their first day of school today and tomorrow
- Housing Production Working Group met on Thursday, August 17<sup>th</sup> at 8:00 AM; she participated in that meeting which addressed the overview and process and plans for a Fall Town Forum to gather public input regarding the Housing Production Plan

### Public Comments

Resident Manish Sharma, 77 Colonial Road, stated he spoke with Board Members at the last Select Board Office Hours session, and addressed employee retirement plans and Town transportation. He mentioned possible grants for SPS and LSRHS. He indicated the Board should provide additional oversight.

**Interview candidates for the Capital Improvement Advisory Committee (CIAC). Following interview, vote whether to appoint Ark Pang, 50 Ridge Hill Road, for a term to expire 05/31/2026 and Richard Winer, 160 Orchard Drive, for a term to expire on 5/31/24.**

Present: CIAC Candidates Ark Pang and Richard Winer

Mr. Pang and Mr. Winer provided summary of their backgrounds.

Vice-Chair Kouchakdjian motioned to appoint Ark Pang to the CIAC for a term to expire 05/31/2026. Board Member Roberts seconded the motion.

It was on motion 5-0; Kouchakdjian-aye, Carty-aye, Russo-aye, Roberts-aye, Dretler-aye

VOTED: To appoint Ark Pang to the CIAC for a term to expire 05/31/2026

Vice-Chair Kouchakdjian motioned to appoint Richard Winer to the CIAC for a term to expire on 5/31/24. Board Member Roberts seconded the motion.

It was on motion 5-0; Kouchakdjian-aye, Carty-aye, Russo-aye, Roberts-aye, Dretler-aye

VOTED: To appoint Richard Winer to the CIAC for a term to expire on 5/31/24

**Vote to appoint Commission on Disability member Elizabeth (Bessie) Struck as representative to the Transportation Committee, for a term expiring 5/31/24.**

Present: Resident Elizabeth Struck

Ms. Struck explained aspects of her related experiences and background.

Vice-Chair Kouchakdjian motioned to appoint Commission on Disability member Elizabeth (Bessie) Struck as representative to the Transportation Committee, for a term expiring 5/31/24. Board Member Roberts seconded the motion.

It was on motion 5-0; Kouchakdjian-aye, Carty-aye, Russo-aye, Roberts-aye, Dretler-aye

VOTED: To appoint Commission on Disability member Elizabeth (Bessie) Struck as representative to the Transportation Committee, for a term expiring 5/31/24

### **Review draft Select Board Minutes Policy**

Board Members reviewed the draft “Minutes Policy” and included edits/additions to the document.

Vice-Chair Kouchakdjian motioned to approve the Select Board Minutes Policy dated August 29, 2023, as edited. Board Member Roberts seconded the motion.

It was on motion 5-0; Kouchakdjian-aye, Russo-aye, Carty-aye, Roberts-aye, Dretler-aye

VOTED: To approve the Select Board Minutes Policy dated August 29, 2023, as edited

### **Review Liaison Policy**

Members reviewed the draft Select Board Liaison and Work Assignments document, and discussed the function of the liaison role.

Vice-Chair Kouchakdjian motioned to approve the liaison policy dated August 29, 2023, as edited. Board Member Carty seconded the motion.

It was on motion 5-0; Kouchakdjian-aye, Carty-aye, Roberts-aye, Russo-aye, Dretler-aye

VOTED: To approve the Liaison Policy dated August 29, 2023, as edited

### **Vote to ratify the vote taken in Executive Session on 8/15/23 with respect to collective bargaining (Firefighters).**

Vice-Chair Kouchakdjian motioned to ratify the Memorandum of Agreement dated August 15, 2023, between the Town of Sudbury and the Sudbury Permanent Firefighters’ Association, Local 2023, International Association of Firefighters, AFL-CIO, and to authorize the Town Manager to execute said Memorandum of Agreement. Board Member Russo seconded the motion.

It was on motion 5-0; Kouchakdjian-aye, Roberts-aye, Russo-aye, Carty-aye, Dretler-aye

VOTED: To ratify the Memorandum of Agreement dated August 15, 2023, between the Town of Sudbury and the Sudbury Permanent Firefighters’ Association, Local 2023, International Association of Firefighters, AFL-CIO, and to authorize the Town Manager to execute said Memorandum of Agreement

### **Vote to accept Fall Town Meeting Articles. Warrant closed at 4:30 PM today, 8/29/23.**

Town Manager Sheehan presented the draft Fall 2023 Special Town Meeting running list of potential Articles:

<u>Description</u>	<u>Sponsor</u>
1. Recodification of Town Bylaws - general bylaws	Town Clerk
2. Recodification of Town Bylaws - general bylaws	Town Clerk
3. Recodification of Town Bylaws - zoning bylaw	Town Clerk
4. Recodification of Town Bylaws - zoning bylaw	Town Clerk
5. Establish Opioids Stabilization Fund, G.L. c. 40, s. 5B	Health Director
6. Funding for Atkinson Pool - Design	Combined Facilities Director
7. Additional Funding for Fairbank Community Center	PBC/Town Manager
8. Fund Collective Bargaining Agreement	Town Manager
9. Town Affairs, c. III, s. 9	Select Board
10. Nixon Roof schematic design	Sudbury Public Schools
11. FY2024 Chapter 70 school aid	Sudbury Public Schools
12. FY2024 Supplemental Special Education Tuition Reimb.	Sudbury Public Schools
13. Resolution in Support of Changing the Massachusetts State Seal and Flag	Citizen Petition

Chair Dretler presented the article proposal made by Board Member Carty at the previous Select Board meeting to limit resident membership on Town boards/commissions/committees to only one such appointment at any given time. Board Member Russo agreed that such proposal should not be included as a potential Town Meeting article.

Board Member Russo recommended that articles regarding transfer of Melone Stabilization Funding be allocated to the installation of traffic signals at Route 117/Powder Mill/Mossman, in consideration that the incidence of vehicle accidents has increased. Town Manager Sheehan confirmed that such transfer of Melone funds was possible. Chair Dretler acknowledged that traffic lights for the mentioned intersections had been previously endorsed by the Board and should be presented at the Special Fall Town Meeting, if possible. Board Members agreed with retaining Route 117 traffic lights and transference of associated Melone Stabilization funding on the draft Fall 2023 Special Town Meeting article list:

<u>Description</u>	<u>Sponsor</u>
Fund Traffic Signals at Route 117/Powder Mill/Mossman	DPW Director
Close Melone Stabilization Fund; transfer balance to Capital Stabilization Fund (DLS, p. 21)	Town Manager

Board Member Carty requested that additional information related to several articles, (primarily the Fairbank Community Center articles) be presented to the Board. He expressed concern about related discussions between the Permanent Building Committee, Combined Facilities Director and Staff. Board Member Roberts commented that Town Manager Sheehan was taking a collaborative/team approach with the PBC; ultimately this matter

involves the work of the PBC and such a discussion in public meeting is necessary. She added that such public discussion might have taken place during a PBC meeting.

Town Manager Sheehan confirmed that additional information and associated funding would be presented at the next Board meeting.

Chair Dretler suggested that Board Members submit additional comments/questions to Town Manager Sheehan.

Vice-Chair Kouchakdjian motioned to accept the Fall 2023 Special Town Meeting Articles as listed, and to strike Article #7 - Town Affairs; include Route 117 Traffic lights; close the Melone Stabilization Fund, and transfer balance to the Capital Stabilization Fund. Board Member Russo seconded the motion.

It was on motion 4-1; Roberts-aye, Russo-aye, Carty-no, Kouchakdjian-aye, Dretler-aye

VOTED: To accept the Fall 2023 Special Town Meeting Articles as listed, and to strike Article #7 - Town Affairs; include Route 117 Traffic lights; close the Melone Stabilization Fund, and transfer balance to the Capital Stabilization Fund

Vice-Chair Kouchakdjian motioned to close the Fall 2023 Special Town Meeting Warrant. Board Member Roberts seconded the motion.

It was on motion 5-0; Roberts-aye, Russo-aye, Carty-aye, Kouchakdjian-aye, Dretler-aye

VOTED: To close the Fall 2023 Special Town Meeting Warrant

**Review and possibly vote to approve open session minutes of 7/25/23**

Vice-Chair Kouchakdjian motioned to approve the open session minutes of 7/25/23, as edited. Board Member Roberts seconded the motion.

It was on motion 5-0; Carty-aye, Kouchakdjian-aye, Roberts-aye, Russo-aye, Dretler-aye

VOTED: To approve the open session minutes of 7/25/23, as edited

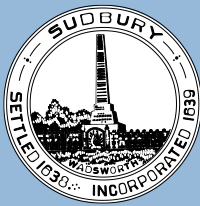
**Vote to close open session, and enter executive session to review, approve and possibly release executive session meeting minutes pursuant to G.L. c. 30A, § 21(a)(7) (Purpose 7), citing to the Open Meeting Law, G.L. c. 30A, §§ 22(f), (g), and not return to open session.**

Vice-Chair Kouchakdjian motioned to close open session, and enter executive session to review, approve and possibly release executive session meeting minutes pursuant to G.L. c. 30A, § 21(a)(7) (Purpose 7), citing to the Open Meeting Law, G.L. c. 30A, §§ 22(f), (g), and not return to open session. Board Member Roberts seconded the motion.

It was on motion 5-0; Carty-aye, Kouchakdjian-aye, Roberts-aye, Russo-aye, Dretler-aye

VOTED: To close open session, and enter executive session to review, approve and possibly release executive session meeting minutes pursuant to G.L. c. 30A, § 21(a)(7) (Purpose 7), citing to the Open Meeting Law, G.L. c. 30A, §§ 22(f), (g), and not return to open session. Board Member Roberts seconded the motion.

There being no further business, the meeting ended at 9:18 PM.



SUDBURY SELECT BOARD  
Tuesday, September 12, 2023

**EXECUTIVE SESSION**

**12: Executive Session to review/approve/release minutes**

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Vote to close open session, and enter executive session to review, approve and possibly release executive session meeting minutes pursuant to G.L. c. 30A, § 21(a)(7) (Purpose 7), citing to the Open Meeting Law, G.L. c. 30A, §§ 22(f), (g).

Recommendations/Suggested Motion/Vote: Vote to close open session, and enter executive session to review, approve and possibly release executive session meeting minutes pursuant to G.L. c. 30A, § 21(a)(7) (Purpose 7), citing to the Open Meeting Law, G.L. c. 30A, §§ 22(f), (g).

Background Information:

Attached drafts of: 5/26/20, 8/8/23, 8/15/23, 8/29/23.

Financial impact expected:

Approximate agenda time requested:

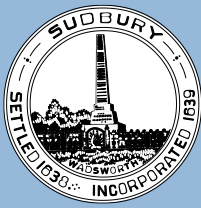
Representative(s) expected to attend meeting:

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

09/12/2023 7:00 PM





SUDBURY SELECT BOARD  
Tuesday, September 12, 2023

**EXECUTIVE SESSION**

**13: Close executive session**

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Vote to close executive session and not resume open session.

Recommendations/Suggested Motion/Vote:

Background Information:

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

09/12/2023 7:00 PM