

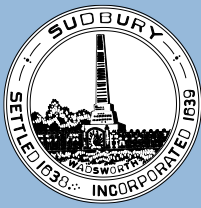
SUDBURY SELECT BOARD
TUESDAY MARCH 12, 2024
7:00 PM, ZOOM

Item #	Time	Action	Item
	7:00 PM		CALL TO ORDER
			Opening remarks by Chair
			Reports from Town Manager
			Reports from Select Board
			Public comments
CONSENT CALENDAR			
1.	7:30 PM	<i>VOTE</i>	Vote to accept the resignation of Nancy Rubenstein, 57 Winsor Road, from the Permanent Building Committee (PBC), and send a letter of thanks for her service to the Town.
2.		<i>VOTE</i>	Approve award by the Town Manager of a contract between the Town and Lapinski Electric, Inc. for Rt 117 Traffic Signal Improvements to be performed pursuant to Contractor's bid (Contract# 2024-117TS-2) dated February 22, 2024, in the amount of \$609,090, and a contract between the Town and TEC, Inc., for contract administration for the above project in the amount of \$66,750, and further, to execute all documents relative to said contract inclusive of amendments, if any.
3.		<i>VOTE</i>	Vote to sign a proclamation to recognize March 22, 2024 as Colby Caravaggio Day in the Town of Sudbury.
MISCELLANEOUS			
4.		<i>VOTE</i>	Interview four candidates for membership to the Sudbury 250 Committee. Following interviews, vote whether to appoint Jan Hardenberg, John Neuhauser, Radha Gargeya and Rachel Robinson to the committee for a term expiring Sept. 30, 2026.
5.			Discussion with Town Moderator, Cate Blake, on vote threshold for Consent Calendar articles and other Town Meeting topics.
6.		<i>VOTE</i>	Discussion regarding 2024 Annual Town Meeting: consent calendar, positions on articles; discussion of Goodnow Library Trustees article; and update from Board Member Roberts on CPC articles.
7.		<i>VOTE</i>	Discussion of proposed Firearms Safety Business Bylaw and all related matters: (1) vote to recommend/not recommend Firearms

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.

Item #	Time	Action	Item
			Safety Business Bylaw; (2) presentation of bylaw to Finance Committee; (3) discussion of Firearms Safety Business Bylaw Town Forum, 3/28/24 at Goodnow Library.
8.			Discussion on Town Manager 360 reviews
9.		<i>VOTE</i>	Request the Select Board to appropriate a sum of \$85,000 of ARPA Funds to be expended under the direction of the Combined Facilities Director for the purpose of the replacement of the Fire Station 3 Roof system, or act on anything relative thereto.
10.		<i>VOTE</i>	Vote to review and possibly approve the open session minutes of 1/23/24 and 1/31/24.
EXECUTIVE SESSION			
11.		<i>VOTE</i>	Vote to enter into Executive Session pursuant to Exemption 3 (M.G.L. c.30A, §21(a)(3)) to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares.
12.		<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, March 12, 2024

CONSENT CALENDAR ITEM

1: PBC resignation

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Vote to accept the resignation of Nancy Rubenstein, 57 Winsor Road, from the Permanent Building Committee (PBC), and send a letter of thanks for her service to the Town.

Recommendations/Suggested Motion/Vote: Vote to accept the resignation of Nancy Rubenstein, 57 Winsor Road, from the Permanent Building Committee (PBC), and send a letter of thanks for her service to the Town.

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

03/12/2024 7:00 PM

Nancy G Rubenstein
57 Winsor Road
Sudbury, MA 01776
Nruby12@gmail.com
508-735-7165

March 4, 2024

Select Board

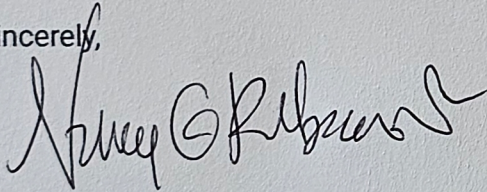
Town of Sudbury
278 Old Sudbury Rd
Sudbury, MA 01776

Dear Select Board members,

Please accept my resignation from serving as a member of the Permanent Building Committee. While I have enjoyed serving in this capacity for many years, I have recently become overwhelmed with caring for unwell family members, and I regret that, at this time, I must step down to take care of them.

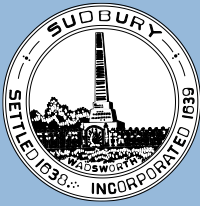
It has truly been my honor to serve the Town of Sudbury in this capacity. I thank you all for entrusting me with this important work.

Sincerely,



Nancy G Rubenstein

Cc: Elaine Jones, PBC co-chair
Craig Blake, PBC co-chair



SUDBURY SELECT BOARD
Tuesday, March 12, 2024

CONSENT CALENDAR ITEM

2: Contract for Lapinski Electric for Rte 117 Traffic Signals

REQUESTOR SECTION

Date of request:

Requestor: Dan Nason, Public Works Director

Formal Title: Approve award by the Town Manager of a contract between the Town and Lapinski Electric, Inc. for Rt 117 Traffic Signal Improvements to be performed pursuant to Contractor’s bid (Contract# 2024-117TS-2) dated February 22, 2024, in the amount of \$609,090, and a contract between the Town and TEC, Inc., for contract administration for the above project in the amount of \$66,750, and further, to execute all documents relative to said contract inclusive of amendments, if any.

Recommendations/Suggested Motion/Vote: Approve award by the Town Manager of a contract between the Town and Lapinski Electric, Inc. for Rt 117 Traffic Signal Improvements to be performed pursuant to Contractor’s bid (Contract# 2024-117TS-2) dated February 22, 2024, in the amount of \$609,090, and a contract between the Town and TEC, Inc., for contract administration for the above project in the amount of \$66,750, and further, to execute all documents relative to said contract inclusive of amendments, if any.

Background Information:

To replace and update traffic/pedestrian signals, walkways, pavement and line striping and associated work at the intersection of North Road (Route 117) and Mossman Road as well as the intersection of North Road (Route 117) and Powder Mill Road. Low bid came in at \$609,090 and construction administration will cost \$66,750.

Financial impact expected:\$675,840 mitigation funds

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

03/12/2024 7:00 PM

Christopher P. Lapinski, President
Lapinski Electric, Inc.
50 W. State Street
Granby, MA 01033

March 7, 2024

Sent via email to: Christopher Lapinski @ cpl@lapinskiinc.com

RE: Route 117 Traffic Signals – Route 117 at Mossman Road and Powder Mill Road
Construction Project – Sudbury, MA (Contract #2024-117TS-2)
NOTICE OF AWARD

Dear Mr. Lapinski,

The Town of Sudbury has considered the Bid submitted by you and received by the Town on February 22, 2024. You are hereby notified that your overall bid in the amount of \$609,090.00 has been accepted.

The contract award is subject to: 1) you furnish the required Contractor Performance Bond, Payment Bond, and Certificate of Insurance; 2) acceptance of all provisions and conditions contained with the Contract Documents & Specifications (Project Manual), prepared by TEC, Inc. and dated January 25, 2024; and 3) other forms required to satisfy State and City employment protocols. The Owner reserves the right to rescind this award in the event that any of these conditions cannot be satisfied.

We request that the Contract Agreement, insurance certificates and bonds be returned to this office no later than ten (10) days from the date of this Notice so that they may be reviewed with Town Counsel and incorporated into the Contract Documents. Once all forms have been received and accepted by the Town of Sudbury, you shall be contacted regarding the scheduling of a pre- construction meeting.

If you should have any questions or require additional information, please feel free to contact Richard Alexander at 978-440-5489.

Sincerely,
The Town of Sudbury

Andrew J. Sheehan
Sudbury Town Manager

Receipt of the above Notice of Award is hereby acknowledged and accepted.

By: _____, Christopher P. Lapinski, President – Lapinski Electric, Inc.
on this the ____ day of March 2024.

Attachment2.a: Sudbury Bid Award Letter (6172 : Contract for Lapinski Electric for Rte 117 Traffic Signals)

**AGREEMENT BETWEEN
TOWN OF SUDBURY AND
TEC, INC.**

THIS AGREEMENT for construction administration services for the traffic signal improvements at the intersection of North Road, Mossman Road, Powder Mill Road in Sudbury, Massachusetts, is made the ____ day March, 2024, by and between TEC, Inc. with a usual place of business at 282 Merrimack Street, 2nd Floor, Lawrence, MA 01843, hereinafter referred to as the "CONTRACTOR"), and the Town of Sudbury, (hereinafter referred to as the "TOWN").

WITNESSETH that the CONTRACTOR and the TOWN, for the consideration hereinafter named, agree as follows:

ARTICLE 1: CONTRACT DOCUMENTS

The Contract Documents consist of the following, and in the event of conflicts or discrepancies among them, they shall be interpreted on the basis of the following priorities:

- 1) Amendment issued, if applicable
- 2) This agreement for procurement between TOWN and CONTRACTOR
- 3) Attachment A – North Road (Route 117) - Mossman Road – Powder Mill Road Traffic Signal Improvements
- 4) Drawings required for the project, if applicable
- 5) Copies of all required certificates of insurance and licenses required under the contract,

EACH OF WHICH IS ATTACHED HERETO. These documents form the entire Agreement between the parties and there are no other agreements between the parties. Any amendment or modification to this Agreement must be in writing and signed by an official with the authority to bind the Town.

ARTICLE 2: SCOPE OF WORK

The CONTRACTOR shall furnish all materials, labor and equipment, and perform all work outlined in Attachment A – North Road (Route 117) - Mossman Road – Powder Mill Traffic Signal Improvements attached and on the Contract Documents, and the CONTRACTOR agrees to do everything required by this Agreement and the Contract Documents.

ARTICLE 3: TERMS OF AGREEMENT

- (a) The work to be performed under this Agreement shall be commenced on the date of this contract and shall be entirely completed by December 30, 2024, unless otherwise extended by mutual agreement.
- (b) The CONTRACTOR shall commence work promptly upon execution of this Agreement and shall prosecute and complete the work regularly, diligently and uninterruptedly at such a rate of progress as will insure completion in a timely manner.
- (c) The CONTRACTOR hereby agrees that if it fails to carry on the work with reasonable speed or stops work altogether without due cause, as determined in each case by the TOWN, the TOWN may terminate this Agreement in accordance with the provisions hereof.

ARTICLE 4: THE CONTRACT SUM

The TOWN shall pay the CONTRACTOR for the performance of this Agreement based upon the amounts set forth in the task categories requested by the Town and listed in Attachment A, the total sum not to exceed \$66,750 unless otherwise agreed by the parties.

ARTICLE 5: PAYMENT

- (a) The TOWN shall make payment as follows:
Payment within thirty days after receipt of an invoice, for work then fully completed and performed.
- (b) With any invoice, the CONTRACTOR shall submit evidence satisfactory to the TOWN that the goods or supplies have been delivered and/or that the work has been completed in accordance with this Agreement, and that all payrolls, material bills and other indebtedness connected with the work have been paid. The billings shall include, if applicable, all charges for consultants, subcontractors, plans, equipment, models, renderings, travel, reproductions, postage and delivery, and all other expenses. There shall not be any markup for overhead, administration or profit for any of the above listed services.
- (c) The acceptance of final payment by the CONTRACTOR shall constitute a waiver of all claims by the CONTRACTOR arising under the Agreement.

ARTICLE 6: TERMINATION

- (a) The TOWN may suspend or terminate this Agreement by providing the CONTRACTOR with ten (10) days written notice for the reasons outlined as follows:
 - 1. Failure of the CONTRACTOR to fulfill in a timely and proper manner its obligations under this Agreement.
 - 2. Violation of any of the provisions of this Agreement by the CONTRACTOR.
 - 3. A determination by the TOWN that the CONTRACTOR has engaged in fraud, waste, mismanagement, misuse of funds, or criminal activity with any funds provided by this Agreement.
- (b) In addition, the TOWN shall have the right to terminate this Agreement if funds are not appropriated or otherwise made available to support the continuation of this Agreement after the first year, if applicable.
- (c) The TOWN shall also have the right to terminate this Agreement without cause, upon ten (10) days written notice to the CONTRACTOR. In the event that the Agreement is terminated pursuant to this subparagraph, the CONTRACTOR shall be reimbursed in accordance with the Agreement for all work performed up to the termination date.
- (d) The CONTRACTOR shall have the right to terminate this Agreement if the TOWN fails to make payment within 30 days after it is due.

ARTICLE 7: NOTICE

All notices required to be given under this Agreement shall be in writing and shall be effective upon receipt by hand delivery or certified mail to:

Town of Sudbury:

Town Manager
278 Old Sudbury Road
Sudbury, MA 01776

Contractor:

TEC, Inc.
Mike Myers, Principal
282 Merrimack Street, 2nd Fl
Lawrence, MA 01843

ARTICLE 8. INSURANCE

- (a) The CONTRACTOR shall, at its own expense, obtain and maintain a commercial and general liability insurance policies protecting the TOWN in connection with any operations included in this Contract, and shall have the TOWN as an additional insured on the policies. Commercial and General liability coverages shall be in the amount of at least \$1,000,000 per occurrence and \$2,000,000 aggregate.
- (b) CONTRACTOR shall carry a professional errors and omissions policy with limits of at least \$1,000,000 per claim and \$2,000,000 aggregate, with a deductible of no more than \$50,000 per claim.
- (c) The CONTRACTOR shall, before commencing performance of this Contract, provide by insurance for the payment of compensation and the furnishing of other benefits in accordance with Mass. Gen. L. Ch. 152, as amended, to all employed under the Contract and shall continue such insurance in full force and effect during the term of the Contract.
- (d) All insurance coverage shall be in force from the time of the Agreement to the date when all work under the Contract is completed and accepted by the TOWN. **Certificates and any and all renewals substantiating that required insurance coverage is in effect shall be filed with the TOWN and, except worker's compensation, insurance shall list the TOWN as additional insured for each policy.** Since this insurance is normally written on a year-to-year basis, the CONTRACTOR shall notify the TOWN should coverage become unavailable or if its policy should change. Any cancellation of insurance, whether by the insurers or the insured, shall not be valid unless written notice thereof is given by the party proposing cancellation to the other party and to the TOWN at least fifteen days prior to the intended effective date thereof, which date should be expressed in said notice.
- (e) The CONTRACTOR shall indemnify and save harmless the TOWN and all of the TOWN'S officers, agents and employees from and against all suits and claims of liability, asserted against the Town by a third party, including costs of defending any action, for or on account of any injuries to persons or damage to property of the TOWN or any person, firm, corporation or association but only to the extent caused by any negligent act or omission, of the

CONTRACTOR, its subcontractors and its and their agents or employees in the performance of the work covered by this Agreement and/or failure to comply with terms and conditions of this Agreement, but only in respect of such injuries or damages sustained during the performance and prior to the completion and acceptance of the work covered by this Agreement. The foregoing provisions are in addition to any other remedies available to the Town, and shall not be deemed to be released, waived or modified in any respect by reason of any surety or insurance provided by the CONTRACTOR under the Contract.

ARTICLE 9: SUBCONTRACTING OF WORK

The CONTRACTOR shall not subcontract any of the work that it is required to perform under this Contract to any corporation, entity or person without the prior written approval of the TOWN.

ARTICLE 10: OWNERSHIP OF DOCUMENTS

Upon completion of the final payment to the CONTRACTOR, the TOWN shall be the owner of all plans, specifications, electronic data and computations created by the CONTRACTOR that relate to this Agreement. The TOWN agrees that the information contained therein was produced specifically for this Agreement and agrees to waive all claims against the CONTRACTOR and hold the CONTRACTOR harmless from any liability of the TOWN'S use of these documents in any future project not directly related to the subject matter of this Agreement.

ARTICLE 11: STANDARD OF CARE

The CONTRACTOR agrees to perform its work under this Contract, which the parties acknowledge consists solely of professional consulting services, in accordance with the degree of skill and care exercised by similarly practicing professionals performing similar services under similar conditions.

ARTICLE 12: GOVERNING LAW

The CONTRACTOR shall perform the work required under this Contract in conformity with requirements and standards of the TOWN and all applicable laws of the Commonwealth of Massachusetts, its political subdivisions, and the Federal Government.

This Agreement and performance thereunder are governed by, and shall be interpreted and enforced in accordance with the laws of the Commonwealth of Massachusetts and shall be subject to all such laws and all other applicable by-laws and administrative rules, regulations and orders.

ARTICLE 13: BINDING AGREEMENT AND ASSIGNMENT OF INTEREST

This Agreement shall be binding upon the TOWN and the CONTRACTOR and the partners, successors, heirs, executors, administrators, assigns and legal representatives of the TOWN and the CONTRACTOR. Neither the TOWN nor the CONTRACTOR shall assign, sublet or transfer any interest in this Agreement without the written consent of each other, and such consent shall not be unreasonably withheld.

ARTICLE 14: CERTIFICATE OF COMPLIANCE WITH MASSACHUSETTS TAX LAWS; NON-COLLUSION CERTIFICATION

The undersigned CONTRACTOR certifies under the pains and penalties of perjury that the CONTRACTOR has complied with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting of child support, and that the services set forth in Attachment A have been proposed and submitted in good faith and without collusion or fraud.

ARTICLE 15: COVID-19

The Contractor acknowledges that some or all of the work or services to be performed under this Agreement may be subject to rules, regulations, and orders of the Commonwealth of Massachusetts, the Sudbury Board of Health and/or other boards or officers of the Town regarding matters of public health and worker and workplace safety, including measures and protocols to address risks posed by the novel coronavirus COVID-19; and the Contractor agrees to comply with all such rules, regulations, and orders.

IN WITNESS WHEREOF the parties hereto have executed copies of this Agreement the day and year first above written. *

*If a Corporation, attach to each signed copy of this Contract an attested copy of the vote of the Corporation on authorizing the said signing and sealing.

TEC, Inc.

Mike Myers, Principal

Dated: _____

TOWN OF SUDBURY

Andrew J. Sheehan, Town Manager

Dated: _____

Attachment2.b: TEC Rt 117 Agreement (6172 : Contract for Lapinski Electric for Rte 117 Traffic Signals)

ATTACHMENT A
SCOPE OF WORK

NORTH ROAD (ROUTE 117) – POWDER MILL ROAD / MOSSMAN ROAD
TRAFFIC SIGNAL IMPROVEMENTS
CONSTRUCTION ADMINISTRATION SERVICES

PROJECT DESCRIPTION

TEC shall provide Construction Administration services for 2024-117TS-2, which includes reconstruction of the intersection of North Road (Route 117) at Powder Mill Road and Mossman Road. The work includes new traffic signal installation, hot mix asphalt mill and overlay, minor drainage system modifications, sidewalk & curb ramp reconstruction, traffic signs, pavement marking application, and other incidental work.

TEC shall perform the following services as outlined below as Task 1 and 2 for the location. Task 1 to be completed at a not to exceed **lump sum fee of \$25,000** and Task 2 to be completed hourly at an **estimated fee of \$39,000 plus \$2,750** in mileage expenses.

Task 1 – Construction Administration (Office) \$25,000.00

The fee for Task 1 has been established based on a 6-month construction contract duration.

- Review Shop Drawings / Respond to Contractor RFI's: TEC will review and approve or otherwise act upon shop drawings, which are submitted per the contract documents. TEC will also issue interpretations and clarifications of the contract documents and in connection with, prepare work directive changes as necessary.
- Project Management and Coordination: This task will include coordination with TEC's resident project representative, the contractor, utility companies, and Town staff throughout construction.
- Project Meetings: TEC's project manager will attend one (1) pre-construction meeting and monthly progress meetings with the contractor and Town staff during the construction period. TEC's resident project representative will be in attendance at all progress meetings as needed under Task 2.
- Review of Contractor Pay Applications: TEC will review contractor invoices to confirm consistency with the work completed to date and approve or otherwise act upon prior to submittal to the Client with recommendation for payment.
- Final Inspection: TEC will perform a walk through with the Client and the contractor to inspect the final construction for substantial completion and prepare a punch list of items to be completed. TEC will also perform fine tuning of the traffic signal in the field. Once the punch list items have been satisfactorily completed and the traffic signals are operating satisfactorily, a letter will be provided by TEC recommending Client acceptance and project closeout.

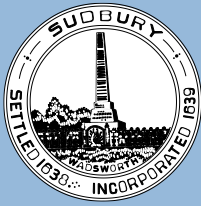
Task 2 – Construction Administration (Field) \$41,750.00

The fee for Task 2 has been estimated based on a period of 3 months requiring part-time field representation (approximately 260 hours). The part-time nature of the administration is related to the Town's expectation of the TEC resident to be completing concurrent oversight of the 2023-117TS-1 intersection (constructed concurrently) location along North Road (Route 117) to the east.

- Construction Inspection (Part-Time): TEC will be present on site to observe construction, as a representative of the Client, to verify conformance with the Contract Documents. During such observation TEC may disapprove of or reject the contractor's work while in progress if it is believed to not be in conformance with the contract Documents. TEC will prepare daily field reports to document weather conditions, equipment, and personnel on-site, all unforeseen conditions, daily execution of work and quantities.
- Expenses: Mileage for TEC's resident project representative to and from the site for field observation is estimated to be approximately \$2,500.00 and is included within the estimated fee above.

Additional services not listed above may be performed at the request of the TOWN and will be considered an amendment to this scope of work. TEC will invoice the Client monthly on a lump sum basis for the services performed under Task 1 and on a time and expense basis for the services performed under Task 2. TEC direct expenses will be marked-up by 10%.

Attachment 2.b: TEC Rt 117 Agreement (6172 : Contract for Lapinski Electric for Rte 117 Traffic Signals)



SUDBURY SELECT BOARD
Tuesday, March 12, 2024

CONSENT CALENDAR ITEM

3: Caravaggio Proclamation

REQUESTOR SECTION

Date of request:

Requestor: SPS Noyes staff

Formal Title: Vote to sign a proclamation to recognize March 22, 2024 as Colby Caravaggio Day in the Town of Sudbury.

Recommendations/Suggested Motion/Vote: Vote to sign a proclamation to recognize March 22, 2024 as Colby Caravaggio Day in the Town of Sudbury.

Background Information:

Financial impact expected:n/a

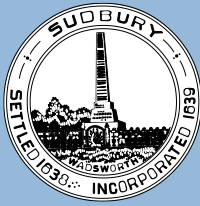
Approximate agenda time requested:

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

03/12/2024 7:00 PM



SUDBURY SELECT BOARD
Tuesday, March 12, 2024

MISCELLANEOUS (UNTIMED)

4: 250 Committee interviews

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Interview four candidates for membership to the Sudbury 250 Committee. Following interviews, vote whether to appoint Jan Hardenberg, John Neuhauser, Radha Gargeya and Rachel Robinson to the committee for a term expiring Sept. 30, 2026.

Recommendations/Suggested Motion/Vote: Interview four candidates for membership to the Sudbury 250 Committee. Following interviews, vote whether to appoint Jan Hardenberg, John Neuhauser, Radha Gargeya and Rachel Robinson to the committee for a term expiring Sept. 30, 2026.

Background Information:
attached applications and mission statement

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

03/12/2024 7:00 PM

**TOWN OF SUDBURY
SUDBURY 250 COMMITTEE**

Approved by the Select Board: December 5, 2023

Mission:

The Sudbury Select Board established the Sudbury 250 Committee to plan for the commemoration of the 250th anniversary of the commencement of the American Revolution. It is anticipated that many of the observances will take place in the early spring through late winter of 2025, although the Committee may plan later events, such as the July 4, 2026 observances.

The Committee will:

1. evaluate and make recommendations on how the Town should manage the commemoration of this historic event.
2. sponsor activities that commemorate and celebrate the place of Sudbury in the history of our nation.
3. ensure that all events are designed to involve and have outreach to all residents of Sudbury.

Duties:

The Committee will coordinate the Town's events with local, regional, state, and federal groups, committees, and agencies in producing the events. As part of its duties, the committee shall:

1. Develop a comprehensive plan for celebrating and promoting the 250th anniversary and other historical events leading to the founding of our country.
2. Work with Town staff to develop and administer programs, funding, and grant applications, and may make a request for funding as part of the Town budget process.
3. Appoint subcommittees, where necessary, to carry out specific tasks.
4. Engage with other 250 committees in Massachusetts to be informed about the ideas and activities that are related to this important commemoration.
5. Identify opportunities for individuals or organizations to participate in celebrations of the anniversary.
6. Ensure that activities represent a commitment to diversity and inclusiveness, sustainability, accessibility and create opportunity for individuals of all abilities to participate.
7. Hold public forums to solicit input, and provide periodic updates to the Select Board which will review progress, no less often than on a quarterly basis.
8. Suggest amendments, if necessary, to the duties and responsibilities of the committee to the Select Board.
9. File an Annual Town report of committee activities and events with the Select Board on/or before December 31, 2024, December 31, 2025, and prior to dissolution of committee.

Membership:

The Sudbury 250 Committee shall be appointed by the Select Board for the period of January 2024 through September 2026. Committee membership will be up to 9 individuals. Representatives may be selected from the following groups:

- Select Board member
- Town Historian
- Sudbury Public Schools/Lincoln-Sudbury Regional High School educator
- Community members with expertise or interest in historical events of Sudbury
- Event planning and/or logistics expertise

- Community leaders with fundraising experience
- Business, Civic, or Community groups including literature, music, and the arts community
- Town Manager or designee (ex-officio)
- Public Safety (ex-officio)

The Committee shall meet as needed, with more frequent meetings expected as the events approach. The Committee shall elect a Chair, Vice-Chair, and Clerk. A quorum shall consist of a majority of the full members. If any full voting member is absent from five (5) consecutive regularly scheduled meetings of the Committee, their position may be deemed to be vacant and the position shall be filled by the Select Board.

The Committee shall be dissolved on September 30, 2026, unless continued by a vote of the Select Board.

Other Considerations

The Committee shall comply with the provisions of the Open Meeting Law (OML), the Public Records Law, the Conflict-of-Interest Law and all other laws and regulations of the Commonwealth, as well as all relevant bylaws and policies of the Town, including the Town's Email Communication for Committee Members Policy.

Voting members may elect a Clerk who will ensure that full minutes and a list of members in attendance are kept of each meeting and promptly submitted to the Committee for approval, filing with the Town Clerk, and posting to the Town's website. Meetings will be open to the public and recorded.

The Commission will keep minutes of all meetings and post minutes and other Commission materials on the Town's website. The Commission will post notice of meetings on the Town's website as well as at the Town Clerk's Office.

TOWN OF SUDBURY
APPLICATION FOR APPOINTMENT

SELECT BOARD
278 OLD SUDBURY ROAD
SUDBURY, MA 01776

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

Board or Committee Name: Sudbury 250 Committee

Name: Jan Hardenbergh

Address: 7 Tippling Rock Road Sudbury MA 01776 United States Email Address: _____ Work or Cell phone: _____

Home phone: _____

Years lived in Sudbury: 40

Brief resume of background and pertinent experience:
I am the current Town Historian and I do my homework.

Municipal experience (if applicable):
OpenSpace 2009, LARC, Town Historian

Educational background:
BA Computer Science

Reason for your interest in serving:
It is important for the inhabitants of Sudbury to understand our history. In addition, I think this is

Times when you would be available (days, evenings, weekends):
I will make time.

Do you or any member of your family have any business dealings with the Town? If yes, please explain:
No.

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

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

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

Signature Jan Hardenbergh Date 2024-01-10

Attachment 4.b: JanHardenbergh250ComApplication.redact (6109 : 250 Committee interviews)

TOWN OF SUDBURY APPLICATION FOR APPOINTMENT

SELECT BOARD
278 OLD SUDBURY ROAD
SUDBURY, MA 01776

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

Board or Committee Name: Sudbury 250 Committee

Name: John Neuhauser

Address: 25 Ward Rd Sudbury, MA Email Address: _____

Home phone: _____ Work or Cell phone: _____

Years lived in Sudbury: 52

Brief resume of background and pertinent experience:

Lifetime Sudbury Resident and lover of history, particularly the American Revolution
25 Member of Sudbury Companies of Militia & Minute (revolutionary re-enacting organization)
Past and present leader of the Sudbury Companies
15 years as head organizer for yearly Revolutionary War historical re-enactment at the Wayside Inn

Municipal experience (if applicable):

Educational background:

MBA, Master of Secondary Education, Bachelors Degree in History (& Environmental Sciences)

Reason for your interest in serving:

I'm passionate about 18th century history and bringing it "to life". Love planning all manner of events.
I feel Sudbury with its oversized role in the events of the Revolutionary War needs to properly celebrate those events and people

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

Evenings and weekends

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

My daughter is a camp counselor at Sudbury Summer (Park & Recreation Dept)

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

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

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

Signature  Date 1/11/24

Attachment 4.c: JohnNeuhauser250ComApplication.redact (6109 : 250 Committee interviews)

TOWN OF SUDBURY APPLICATION FOR APPOINTMENT

SELECT BOARD
278 OLD SUDBURY ROAD
SUDBURY, MA 01776

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

Board or Committee Name: _____

Name: _____

Address: _____ Email Address: _____

Home phone: _____ Work or Cell phone: _____

Years lived in Sudbury: _____

Brief resume of background and pertinent experience:

Municipal experience (if applicable):

Educational background:

Reason for your interest in serving:

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

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

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

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

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

Signature RRG _____ Date _____

Attachment4.d: Application-for-Appointment-RRG.redact (6109 : 250 Committee interviews)

Brief resume and background of pertinent experience:

I am a software engineer. Previously, I taught Computer Science at local universities. I served Sudbury in various capacities over the years. When I was on the Lincoln Sudbury School Committee, I worked with the committee, town officials from Sudbury and Lincoln, MA legislators, and MA officials to advance the first school parking lot solar canopy in Massachusetts at LS. I worked collaboratively to obtain the best net metering for the canopy, and thus the best financial outcome for the town. Given that the Sudbury 250 Committee needs to work across the breadth of the town, other towns, and state and federal groups and agencies, I have the relevant expertise and experience. My municipal experience demonstrates my ability to prioritize diversity, inclusiveness, sustainability, and accessibility, which will be critical to ensuring this initiative engages all.

Municipal Experience (if applicable):

Sudbury Walkway Committee, 1999-2000

Associate Member, Sudbury Housing Authority, 2006-2007

Lincoln Sudbury School Committee, 2007-2019 (Chair, four years; Vice Chair, three years)

Educational background:

B.E. Electronics and Communications Engineering

M. Tech. Electrical Engineering Computer Systems

Ph.D. Computer Science

Reason for your interest in serving:

History not only teaches us about what happened in the past but informs and guides us today. America's story is one of aspiration and achievement with continual hard work to perfect the union for all. We are fortunate to live in a town whose citizens roused themselves to meet the moment for their country and as minutemen played a vital role in the American Revolution. I would love to play a part in telling and celebrating the American story and Sudbury's role in the American story, then and now.

I am attaching an essay that I wrote, before the 2016 national election, about America and public service. It speaks to my passion for our country and illustrates the collaborative, service-centric approach I would bring to the Sudbury 250 Committee.

SUDBURY TOWN CRIER

On American citizenship, politics and politicians

Staff Writer Wicked Local

Published 11:24 a.m. ET March 3, 2017 | Updated 11:24 a.m. ET March 3, 2017

As this unprecedented national election comes to an end, I feel compelled to write about what makes one an American and why politics matter. After being in the U.S. for one sixth of the life of the Republic, I believed the truths about American citizenship and the importance of politics were self-evident. I will share my thoughts about these topics and why we need to reclaim politics for its intended higher purpose. I will also write about the citizen voter, the most important person in a democracy.

I admire the Rule of Law that is innate to most Americans. I respect that the spirit and ideals of the Constitution have been preserved unbroken from generation to generation — a Constitution that guarantees citizenship to all, with no pecking order and no matter where one hails from, one that allows for an orderly transfer of power. I cherish the spark of creativity, kept aglow by a unique blend of individual expression and societal obligation, without the pressure to conform. Even as these reasons led me to become an American, I realize the many pressing new and ongoing problems that need to be addressed. But hope of continual progress is evident from a reading of American history.

On a personal note, I thank the taxpayers of the U.S. and India, and my many teachers in both places for my education.

I wanted to serve the country that has given much to me and my family. There are many ways to serve. I chose politics. As a local politician, here are my thoughts on politics. Politics, at its core, is about assigning public money to public good based on public priorities. The following three combinations are not politics. Private money in pursuit of private good is free enterprise, the engine of economic vitality. Private money allocated for public good is charity, one that is laudably prevalent in US, but public good cannot rely on charity. Public money diverted to private use is corruption, for which many public officials

are successfully prosecuted.

The political questions then are: What is the scope of public good? What belongs and does not belong there? How do we gather public money? What is the proportion of taxes, fees and hoped-for growth? How do we prioritize the public needs? It is politics that enable free societies to debate these questions. There are not just two answers to these questions, one correct and the other incorrect.

A capable politician, who respects the office that he or she is seeking, and who respects the voter, prepares well to answer these questions. Not only should a politician have broad themes to the answers, but ought to explain in detail how those ideas will be realized. Now, politics and politicians are endlessly mocked, sometimes for good reason. Just as we don't devalue physicians because some may be quacks, we ought to give competent politicians a hearing and reject others. We should expect preparation.

Let us remember that it was collaborating politicians who gave us the Constitution, a politician who carefully crafted the Emancipation Proclamation, a politician who steadied the nation at the time of the Great Depression and led us to victory in WW II. So, let us, individually and collectively, do what we can to take politics seriously, and politicians a bit less so, and do away with distractions.

Finally, let us consider the voter, the essential bedrock of a democracy. Because we have a representative democracy, and not all future problems are known, voters also pay attention to the judgement and temperament of candidates. In a democracy, there are no winners or losers amongst candidates. One prevails and others do not. All well-prepared candidates deserve our respect, as they not only inform each other but inform voters as well. It is the voters and democracy itself that are the true winners.

Now there is intense interest in national elections because fundamental questions about the nation are on the ballot. I request all fellow voters is to stay engaged even for your town and state elections, where questions about education and quality of life are considered. So, certainly vote every fourth November, but also vote at every opportunity in local elections.

We as voters grant temporary custody of the office. We can reaffirm or revoke our permission at the next election.

—*Radha Raman Gargeya, Powder Mill Road*

TOWN OF SUDBURY APPLICATION FOR APPOINTMENT

SELECT BOARD
278 OLD SUDBURY ROAD
SUDBURY, MA 01776

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

Board or Committee Name: _____

Name: _____

Address: _____ Email Address: _____

Home phone: _____ Work or Cell phone: _____

Years lived in Sudbury: _____

Brief resume of background and pertinent experience:

Municipal experience (if applicable):

Educational background:

Reason for your interest in serving:

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

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

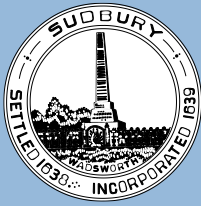
RR (Initial here that you have read, understand and agree to the following statement)

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

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

Signature RM Ali Date 2/6/24

Attachment 4.g: Rachael Robinson 250 Com Application. redact (6109 : 250 Committee interviews)



SUDBURY SELECT BOARD
Tuesday, March 12, 2024

MISCELLANEOUS (UNTIMED)
5: ATM discussion with Town Moderator

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Discussion with Town Moderator, Cate Blake, on vote threshold for Consent Calendar articles and other Town Meeting topics.

Recommendations/Suggested Motion/Vote: Discussion with Town Moderator, Cate Blake, on vote threshold for Consent Calendar articles and other Town Meeting topics.

Background Information:

Financial impact expected:

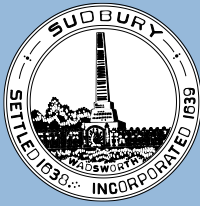
Approximate agenda time requested:

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

03/12/2024 7:00 PM



SUDBURY SELECT BOARD
Tuesday, March 12, 2024

MISCELLANEOUS (UNTIMED)

6: Discussion on 2024 ATM articles

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Discussion regarding 2024 Annual Town Meeting: consent calendar, positions on articles; discussion of Goodnow Library Trustees article; and update from Board Member Roberts on CPC articles.

Recommendations/Suggested Motion/Vote: Discussion regarding 2024 Annual Town Meeting: consent calendar, positions on articles; discussion of Goodnow Library Trustees article; and update from Board Member Roberts on CPC articles.

Background Information:
attached articles spreadsheet and **DRAFT** ATM warrant.

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

03/12/2024 7:00 PM

ATM 2024 ARTICLES

	Article Title	Sponsor/ Submitted by	Article Presenter	SB Position	FinCom Position	CIAC Position	CPC Position	Report SB position at ATM	Funding Source	Requested Amount	Required Vote	Consent Calendar
	IN MEMORIAM RESOLUTION		Craig Blake									
	FINANCE/BUDGET											
1	Hear Reports	Select Board	TBD						-		Majority	
2	FY24 Budget Adjustments	Select Board	Sheehan								Majority	
3	FY25 Budget	Town Manager	Sheehan						Levy		Majority	
4	FY25 Town Manager's Capital Budget	Town Manager	Sheehan						Levy	\$713,697	Majority	
5	FY25 Transfer Station Enterprise Fund Budget	Town Manager	Sheehan						Enterprise		Majority	Y
6	FY25 Pool Enterprise Fund Budget	Town Manager	Sheehan						Enterprise		Majority	Y
7	FY25 Recreation Field Maintenance Enterprise Fund Budget	Town Manager	Sheehan						Enterprise		Majority	Y
8	FY24 Snow & Ice Transfer	Town Manager	Sheehan						Free Cash		Majority	Y
9	Unpaid Bills of Prior Fiscal Years	Town Accountant	Keohane						Free Cash	\$0	Four-fifths	
10	Chapter 90 Highway Funding	DPW Director	Nason						State	-	Majority	Y
11	FY25 Stabilization Fund	Select Board	Carty						Free Cash	\$201,507	Majority	Y
12	FY25 Revolving Fund Spending Limits	Finance Director	Keohane						Fees	-	Majority	Y
13	Capital Stabilization Fund	Town Manager	Sheehan						Free Cash	\$250,000	Majority	Y
14	Revoke Opioid Settlement Stabilization Fund	Board of Health	Sheehan/ Zeng								Two-thirds	
15	Means Tested Senior Tax Exemption Extension	Board of Assessors									Majority	Y
	MISCELLANEOUS											
16	Amend Zoning Bylaw: Firearms Safety Business Use	Select Board	Russo								Two-thirds	
17	Acquisition of MBTA Buildings	Historical Commission	Sheehan/ Hagger								Two-thirds	
18	Swap Body Trucks w/Plow & Various Bodies - 2 of same vehicle	DPW Director	Nason						Free Cash	\$560,000	Majority	Y
19	Pickup Truck with Plow	DPW Director	Nason						Free Cash	\$120,000	Majority	Y
20	Town Wide Culvert and Drainage Reconstruction	DPW Director	Nason						Levy	\$625,000	Two-thirds	
21	DPW Roof Top HVAC Unit Replacements	Facilities Director	Duran						Levy	\$200,000	Majority	Y
22	DPW Salt Shed Vinyl Cover Replacement	Facilities Director	Duran						Levy	\$125,000	Majority	Y
23	Atkinson Pool Renovation	Facilities Director	Duran						Debt	\$2,350,000	Two-thirds	
24	SPS - School Classroom Instructional Equipment Replacement	SPS Committee	Crozier							\$100,000	Majority	Y
25	SPS - Haynes Elementary School Dehumidification HVAC	SPS Committee	Duran						Free Cash	\$150,000	Majority	Y
26	LSRHS Lighting Control Replacement	LS School Committee	Stephens						Free Cash	\$144,585	Majority	Y

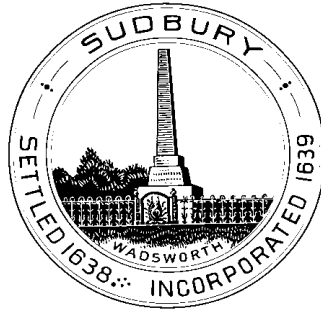
Attachment6.a: 2024 ATM_Articles_draft (6058 : Discussion on 2024 ATM articles)

ATM 2024 ARTICLES

	Article Title	Sponsor/ Submitted by	Article Presenter	SB Position	FinCom Position	CIAC Position	CPC Position	Report SB position at ATM	Funding Source	Requested Amount	Required Vote	Consent Calendar
27	LSRHS Exterior Stairwell Replacement	LS School Committee	Stephens						Free Cash	\$130,965	Majority	Y
28	Amend General Bylaw, Art. XV, Building Permit Fees	Town Manager	Sheehan								Majority	
29	Amend General Bylaws, Art. XXII, Conservation Commission Fees	Town Manager	Sheehan								Majority	
30	Amend Zoning Bylaw: Codification - Additional Changes	Town Clerk	Klein								Two-thirds	
31	Amend Zoning Bylaw: Section 6390A, Site Plan Review Lapse and Appeal Modification	Planning Board									Two-thirds	
32	Amend Zoning Bylaw Article IX: Insert Section 4700C Multi-Family Overlay District (MBTA Zoning)	Planning Board									Two-thirds	
33	Amend Zoning Bylaw Article IX: Insert Section 5600 Inclusion of Affordable Housing	Planning Board									Two-thirds	
CPC ARTICLES												
34	Community Preservation Act Fund - Wayside Inn Road Bridge Reconstruction	CPC								\$400,000	Majority	Y
35	Community Preservation Act Fund - Bruce Freeman Rail Trail Phase 3	CPC								\$600,000	Majority	Y
36	Community Preservation Act Fund - Sudbury Housing Authority Allocation	CPC								\$450,000	Majority	Y
37	Community Preservation Act Fund - Sudbury Housing Trust Allocation	CPC								\$380,000	Majority	Y
38	Community Preservation Act Fund - Remediation of Water Chestnuts from Hop Brook Pond System	CPC								\$56,221	Majority	Y
39	Community Preservation Act Fund - Parkinson Field Driveway Design	CPC								\$100,000	Majority	Y
40	Community Preservation Act Fund - Community Garden	CPC								\$40,000	Majority	Y
41	Community Preservation Act Fund - Regional Housing Services Office (RHSSO) Membership Fee	CPC								\$33,000	Majority	Y
42	Community Preservation Act Fund - Return of Unspent Funds	CPC								\$28,051.00	Majority	Y
43	Community Preservation Act Fund - General Budget and Appropriations	CPC								\$4,750,193	Majority	Y
PETITION ARTICLE												
44	Amend General Bylaws, Chapter 20, by Adding "Disability"	Citizens Petition	Kay Bell								Majority	

Attachment6.a: 2024 ATM_Articles_draft (6058 : Discussion on 2024 ATM articles)

PART I

TOWN OF SUDBURY ANNUAL
TOWN MEETING WARRANT

Commonwealth of Massachusetts Middlesex, ss.

To the Constable of the Town of Sudbury:

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the Town of Sudbury, qualified to vote in Town affairs to meet at the Lincoln-Sudbury Regional High School Auditorium, 390 Lincoln Road, in said Town on Monday, May 6, 2024, at 7:30 p.m., then and there to act on the following articles:

ARTICLE 1. HEAR REPORTS

To see if the Town will vote to hear, consider and accept the reports of the Town Boards, Commissions, Officers and Committees as printed in the 2023 Town Report or as otherwise presented; or act on anything relative thereto.

Submitted by the Select Board.

(Majority vote required)

SELECT BOARD POSITION:

ARTICLE 2. FY24 BUDGET ADJUSTMENTS

To see if the Town will vote to amend the votes taken under Article 3, FY24 Budget, of the 2023 Annual Town Meeting, by adding to or deleting from line items thereunder, by transfer between or among accounts or by transfer from available funds; or act on anything relative thereto.

Submitted by the Select Board.

(Majority vote required)

SELECT BOARD REPORT: This article will allow flexibility to review all accounts within the FY24 Operating Budget to make adjustments at the Annual Town Meeting as necessary.

SELECT BOARD POSITION:

FINANCE COMMITTEE REPORT:

ARTICLE 3. FY25 BUDGET

To see if the Town will vote to raise and appropriate, or appropriate from available funds, the following sums, or any other sum or sums, for any or all Town expenses and purposes, including debt and interest, and to provide for a Reserve Fund, all for the Fiscal Year July 1, 2024 through June 30, 2025, inclusive, in accordance with the following schedule, which is incorporated herein by reference:

EXPENDITURES	FY25 Recommended
300: Education - Sudbury Public Schools (SPS)	45,785,871
300: Education - LS Regional High School (LS) ¹	29,497,481
300: Education - Vocational	450,000
Total: Schools	75,733,352
100: General Government	3,817,526
200: Public Safety ⁴	10,399,288
400: Public Works ⁵	6,370,754
500: Human Services	1,031,179
600: Culture & Recreation	1,716,739
Total: Town Departments	23,335,486
800: Reserve Fund	300,000
800: Town-Wide Operating and Transfers	201,305
700: Town Debt Service	4,897,465
900: Employee Benefits (Town and SPS) ²	16,487,414
1000: OPEB Trust Contribution (Town and SPS) ³	650,000
TOTAL OPERATING BUDGET:	121,605,022
(not including Capital or Enterprise Funds)	

¹ Includes \$334,492 for OPEB and \$451,371 for Debt Service.
² Includes \$7,144,239 for Town and \$9,343,175 for SPS.
³ Includes \$213,434 for Town and \$436,566 for SPS.
⁴ Appropriation is partially funded by \$780,000 of ambulance receipts.
⁵ Appropriation is partially funded by \$44,494 of solar revolving fund receipts.

; or act on anything relative thereto.

Submitted by the Town Manager. (Majority vote required)

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

SELECT BOARD POSITION:

FINANCE COMMITTEE REPORT:

Attachment 6.b: Warrant draft SB mtg 3-12-24 rev (6058 : Discussion on 2024 ATM articles)

ARTICLE 4. FY25 CAPITAL BUDGET

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

	FY25 Recommended
Operating Capital Budget	
Sudbury Public Schools	275,000
LS Regional High School	71,197
Fire	69,500
Public Works	115,000
Combined Facilities	183,000
Total Operating Capital Budget	713,697

; or act on anything relative thereto.

Submitted by the Town Manager.

(Majority vote required)

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

SELECT BOARD POSITION:

FINANCE COMMITTEE REPORT:

Attachment6.b: Warrant draft SB mtg 3-12-24 rev (6058 : Discussion on 2024 ATM articles)

ARTICLE 5. FY25 TRANSFER STATION ENTERPRISE FUND BUDGET (Consent Calendar)

To see if the Town will vote to raise and appropriate, or appropriate from available funds, the following sums set forth in the FY25 budget of the Transfer Station Enterprise, to be included in the tax levy and offset by the funds of the enterprise:

	FY23 Actual	FY24 Appropriated	FY25 Requested
TRANSFER STATION ENTERPRISE FUND			
Direct Costs	247,325	310,648	312,318
Indirect Costs ¹	17,551	17,551	17,551
Total Expenditures	264,876	328,199	329,869
Enterprise Receipts	216,689	328,199	329,869
Total Revenues	216,689	328,199	329,869

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

; or act on anything relative thereto.

Submitted by the Town Manager.

(Majority vote required)

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

SELECT BOARD POSITION:

FINANCE COMMITTEE REPORT:

Attachment 6.b: Warrant draft SB mtg 3-12-24 rev (6058 : Discussion on 2024 ATM articles)

ARTICLE 6. FY25 POOL ENTERPRISE FUND BUDGET

(Consent Calendar)

To see if the Town will vote to raise and appropriate, or appropriate from available funds, the following sums set forth in the FY25 budget of the Atkinson Pool Enterprise, to be included in the tax levy and offset by the funds of the enterprise:

	FY23	FY24	FY25
	Actual	Appropriated	Requested
POOL ENTERPRISE FUND			
Direct Costs	277,189	482,280	492,783
Indirect Costs ¹	40,733	45,000	45,000
Total Expenditures	317,922	527,280	537,783
Enterprise Receipts	403,328	527,280	407,783
Retained Earnings Used	-	-	130,000
Total Revenues	403,328	527,280	537,783

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

; or act on anything relative thereto.

Submitted by the Town Manager.

(Majority vote required)

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

SELECT BOARD POSITION:

FINANCE COMMITTEE REPORT:

Attachment6.b: Warrant draft SB mtg 3-12-24 rev (6058 : Discussion on 2024 ATM articles)

ARTICLE 7. FY25 RECREATION FIELD MAINTENANCE ENTERPRISE FUND
BUDGET *(Consent Calendar)*

To see if the Town will vote to raise and appropriate, or appropriate from available funds, the following sums set forth in the FY25 budget of the Recreation Field Maintenance Enterprise, to be included in the tax levy and offset by the funds of the enterprise:

	FY23	FY24	FY25
	Actual	Appropriated	Requested
FIELD MAINTENANCE ENTERPRISE FUND			
Direct Costs ¹	214,250	213,514	215,663
Indirect Costs ²	26,089	28,000	28,000
Total Expenditures	240,339	241,514	243,663
Enterprise Receipts	216,689	241,514	243,663
Total Revenues	216,689	241,514	243,663

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

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

; or act on anything relative thereto.

Submitted by the Town Manager. (Majority vote required)

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

SELECT BOARD POSITION:

FINANCE COMMITTEE REPORT:

ARTICLE 8. SNOW AND ICE TRANSFER *(Consent Calendar)*

To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum or sums of money, to be expended under the direction of the Town Manager, for the purpose of funding the Fiscal Year 24 Snow and Ice deficit; or act on anything relative thereto.

Submitted by the Town Manager. (Majority vote required)

TOWN MANAGER REPORT: This article will fund any deficit in the snow and ice account required due to the nature of this year’s winter.

SELECT BOARD POSITION:

FINANCE COMMITTEE REPORT:

Attachment6.b: Warrant draft SB mtg 3-12-24 rev (6058 : Discussion on 2024 ATM articles)

ARTICLE 9. UNPAID BILLS

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

Submitted by the Town Accountant.

(Four-fifths vote required)

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

SELECT BOARD POSITION.

FINANCE COMMITTEE REPORT:

ARTICLE 10. CHAPTER 90 HIGHWAY FUNDING

(Consent Calendar)

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

Submitted by the Director of Public Works.

(Majority vote required)

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

SELECT BOARD POSITION:

FINANCE COMMITTEE REPORT:

ARTICLE 11. FY25 STABILIZATION FUND

(Consent Calendar)

To see if the Town will vote to raise and appropriate or transfer from available funds, the sum of \$201,507, or any other sum or sums, to be added to the Stabilization Fund established under Article 12, of the October 7, 1982 Special Town Meeting, pursuant to General Laws Chapter 40, Section 5B; or act on anything relative thereto.

Submitted by the Select Board.

(Majority vote required)

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

SELECT BOARD POSITION:

FINANCE COMMITTEE REPORT:

ARTICLE 12. FY25 REVOLVING FUND SPENDING LIMITS (Consent Calendar)

To see if the Town will vote to establish the FY25 spending limits for the use of revolving funds under M.G.L. c.44, s.53E ½, by the following departments of the Town, in accordance with each fund as set forth in Article XXXIII of the Town of Sudbury General Bylaws:

<u>Fund</u>	<u>Department</u>	<u>Maximum Amount</u>
Public Health Vaccinations & Tobacco Control	Board of Health	50,000
Plumbing & Gas Inspectional Services	Building Inspector	65,000
Portable Sign Administration & Inspectional Services	Building Inspector	10,000
Conservation (Trail Maintenance)	Conservation Commission	15,000
Conservation (Wetlands)	Conservation Commission	50,000
Forestry Activities	Conservation Commission	10,000
Council on Aging Activities	Council on Aging	65,000
Council on Aging Van Transportation (MWRTA)	Council on Aging	175,000
Cemetery Revolving Fund	Public Works	30,000
Fire Department Permits	Fire	70,000
Goodnow Library Meeting Rooms	Goodnow Library	10,500
Goodnow Library Services	Goodnow Library	25,000
Recreation Programs	Park and Recreation Commission	570,000
Teen Center	Park and Recreation Commission	15,000
Youth Programs	Park and Recreation Commission	150,000
Bus	Sudbury Public Schools	600,000
Instrumental Music	Sudbury Public Schools	100,000
Cable Television	Town Manager	30,000
Rental Property	Town Manager	50,000
Dog	Town Clerk	75,000
Zoning Board of Appeals	Zoning Board of Appeals	50,000
Solar Energy	Combined Facilities	1,000,000

; or act on anything relative thereto.

Submitted by the Town Finance Director.

(Majority vote required)

FINANCE DIRECTOR REPORT: As set forth in Article XXXIII of the Town of Sudbury General Bylaws, this article seeks authorization for Fiscal Year 2025 for revolving funds previously established pursuant to M.G. L. c.44, s.53E ½. Expenditures from each revolving fund are subject to the limitation established annually by Town Meeting or any increase therein as may be authorized in accordance with M.G.L. c.44, s. 53E ½. The maximum amount stated is the same as the FY24 maximum voted for each revolving fund except for the following: the Board of Health Public Health Vaccinations & Tobacco Control Fund increased from \$30,000 to \$50,000; the Public Works Cemetery Revolving Fund increased from \$20,000 to \$30,000; the Goodnow Library Meeting

Rooms decreased from \$20,000 to \$10,500; the Park and Recreation Commission Recreation Programs decreased from \$650,000 to \$570,000; the Park and Recreation Commission Teen Center increased from \$10,000 to \$15,000; the Park and Recreation Commission Youth Programs decreased from \$200,000 to \$150,000 and the Sudbury Public Schools Bus account increased from \$450,000 to \$600,000.

SELECT BOARD POSITION:

FINANCE COMMITTEE REPORT:

ARTICLE 13. CAPITAL STABILIZATION FUND (Consent Calendar)

To see if the Town will vote to raise and appropriate or transfer from available funds, the sum of \$250,000, or any other sum, to be added to the Capital Stabilization Fund established under Article 13 of the 2018 Annual Town Meeting; or act on anything relative thereto.

Submitted by the Town Manager. (Majority vote required)

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

BOARD OF SELECTMEN POSITION:

FINANCE COMMITTEE REPORT:

ARTICLE 14. REVOKE OPIOID SETTLEMENT STABILIZATION FUND

To see if the Town will vote to revoke the dedication of funds to the Opioid Settlement Stabilization Fund pursuant to G.L. c. 44, s. 53, Clause 4 as voted by Article 5 of the October 23, 2023 Special Town Meeting and to create a special revenue fund and place all past and future statewide opioid settlement receipts received or to be received by the Town into said special revenue fund, as allowed by Chapter 77 of the Acts of 2023; or act on anything relative thereto.

Submitted by the Board of Health. (Two-thirds vote required)

BOARD OF HEALTH REPORT: On December 4, 2023, Governor Healey signed Chapter 77 of the Acts of 2023, Section 9 of which provides, in part, for the following exception to the general rule that all receipts, including opioid settlement receipts, are to be recorded as general fund revenue per G.L. c. 44, § 53. This allows for municipalities that have received or will receive funds in Fiscal Year 2024, or thereafter, pursuant to settlement agreements entered into by the Commonwealth with opioid

distributors and opioid-makers for prevention, harm reduction, treatment, and recovery, may place said funds into a special revenue fund. The proceeds can then be expended, without further appropriation, at the direction of the chief executive officer only for the purpose identified in said settlement agreements.

This article will revoke the Opioids Stabilization Fund, moving opioid settlement monies in a special revenue fund. 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. Opioid settlement expenditures are reported by the Town to the State and are annually published on the Municipal Opioid Abatement Funds Data Dashboard in a fiscal year expenditure report.

Attachment 6.b: Warrant draft SB mtg 3-12-24 rev (6058 : Discussion on 2024 ATM articles)

SELECT BOARD POSITION:

FINANCE COMMITTEE REPORT:

ARTICLE 15. MEANS TESTED SENIOR TAX EXEMPTION EXTENSION

(Consent Calendar)

To see if the Town will vote to extend for FY25, FY26, and FY27 the application of Chapter 169 of the Acts of 2012 entitled, "An act authorizing the town of Sudbury to establish a means tested senior citizen property tax exemption" as amended by Chapter 10 of the Acts of 2016, or act on anything relative thereto.

Submitted by the Board of Assessors.

(Majority vote required)

BOARD OF ASSESSORS REPORT: Chapter 10 of the Acts of 2016 allows for a continuation of the means tested senior citizen property tax exemption (the "Exemption Program"), provided Town Meeting approves the program continuation every 3 years. The program is due for continuation for the next 3 fiscal years. A majority vote at an Annual or Special Town Meeting is required for passage. The Exemption Program reduces real property taxes for certain low to moderate-income seniors through a redistribution of the property tax burden within the residential class. Therefore, there is a residential tax rate increase associated with the implementation of the Program (any exemption is shifted to the non-qualifying residential real property owners in Town). The exemption does not impact the Commercial, Industrial or Personal Property classes.

In FY 2014, 118 applications for the exemption were approved with an average benefit of \$2,450. In FY 2014, the average single-family tax increase attributable to the program was \$45.

In FY 2015, 124 applications for the exemption were approved with an average benefit of \$2,664. In FY 2015, the average single-family tax increase attributable to the program was \$60.

In FY 2016, 103 applications for the exemption were approved with an average benefit of \$3,288. In FY 2016, the average single-family tax increase attributable to the program was \$61.

In FY 2017, 111 applications for the exemption were approved with an average benefit of \$3,282. In FY 2017, the average single-family tax increase attributable to the program was \$63.

In FY 2018, 113 applications for the exemption were approved with an average benefit of \$3,664. In FY 2018, the average single-family tax increase attributable to the program was \$73.

In FY 2019, 112 applications for the exemption were approved with an average benefit of \$3,735. In FY 2019, the average single-family tax increase attributable to the program was \$67.

In FY 2020, 106 applications for the exemption were approved with an average benefit of \$3,999. In FY 2020, the average single-family tax increase attributable to the program was \$76.

In FY 2021, 101 applications for the exemption were approved with an average benefit of \$4,247. In FY 2021, the average single-family tax increase attributable to the program was \$75.

In FY 2022, 95 applications for the exemption were approved with an average benefit of \$4,201. In FY 2022, the average single-family tax increase attributable to the program was \$65.

In FY 2023, 82 applications for the exemption were approved with an average benefit of \$4,040. In FY 2023, the average single-family tax increase attributable to the program was \$57.

In FY 2024, 85 applications for the exemption were approved with an average benefit of \$4,249. In FY 2024, the average single-family tax increase attributable to the program was \$76.

SELECT BOARD POSITION:

FINANCE COMMITTEE REPORT:

ARTICLE 16: AMEND ZONING BYLAW, SECTIONS 2200 AND 7000, FIREARMS SAFETY BUSINESS USE

To see if the Town will vote to amend the Sudbury Zoning Bylaw, Sections 2200 and 7000, as set forth below, by adding the following provisions; or act on anything relative thereto:

2200. PRINCIPAL USE REGULATIONS

A.

Insert in Section 2230, Table of Principal Use Regulations, Part C. Commercial, after “28. Marijuana Establishment” a new use category entitled “29. Firearm Business Use”, as shown in the table below.

PRINCIPAL USE	A-RES	C-RES	WI	BD	LBD	VBD	ID	LID	IP	RD
C. COMMERCIAL										
29. Firearm Business Use	N	N	N	N	N	N	SB	N	N	N

B.

2250. Firearm Business Use.

2251. Purpose: To establish reasonable criteria for the establishment of Firearm Business Uses in the Town of Sudbury to address public safety concerns arising from the operations of such businesses and the potential disruption of peace and quiet enjoyment of the community and to address the location, siting, design, placement, security, safety, monitoring and modifications of Firearm Business Uses within the Town to minimize the adverse impacts on Firearms Business Uses on adjacent properties, residential neighbors, schools and other locations where children congregate, and to protect and promote the quality of the Town’s neighborhoods, commercial and business districts, and the general health, safety, and welfare of the residents of Town.

2252. Compatibility with State and Federal Laws and Regulations: This bylaw is not intended to supersede federal or state laws or regulations except to the extent that any such laws or regulations allow the Town to adopt standards more stringent than other applicable legal requirements. No Firearm Business Use shall operate until the operator of such business has obtained all necessary federal, state, and other required local firearms approvals and licenses.

2253. Applicability: This section shall apply to all Firearm Business Uses. Unless in specific conflict with this section, all other applicable provisions of the Zoning Bylaw shall apply to Firearm Business Uses.

2254. Configuration and Operations – Firearm Business Uses shall be conducted entirely within a Building and shall comply with the following standards:

- a. The hours of operation for a Firearm Business Use shall not adversely impact nearby uses. The hours of operation shall follow all applicable statutory and regulatory requirements and shall be limited to 9:00AM-6:00PM.
- b. There shall not be more than one Firearm Business Use on a Lot.
- c. The Firearm Business Use shall procure and at all times while in operation maintain insurance issued by an insurance company licensed to do business in the Commonwealth, insuring the Firearm Business against liability for damage to property and for injury to, or death of, any person as a result of the theft, sale, lease or transfer, or offering for sale, lease or transfer of a firearm or ammunition, or any other operation of the Firearm Business. The limits of liability shall not be less than \$1,000,000 for each incident of damage to property or incident of injury to death to a person; provided however, that increased limits of liability may be required by the Special Permit Granting Authority upon a finding that the size of the operation warrants greater liability. Notice of termination of any applicable insurance must be given to the Special Permit Granting Authority at least 30 days prior to the effective date of the cancellation.
- d. Firearm Businesses shall submit a security plan to the Sudbury Police Department for review and approval prior to applying for special permit. Review of the plan may require an on-site inspection of the property. The security plan must include, but is not limited to, the following:
 - 1. Names and phone number of all management staff and employees.
 - 2. Firearms Business Uses shall conduct criminal history background checks in compliance with state and federal law. The Firearms Business Use shall submit written certification that no employees have past criminal history of felony record or are otherwise prohibited from firearms licensure under state and federal law.
 - 3. A plan showing exterior ground lighting.
 - 4. Description of security systems and alarms.
 - 5. 24-hour video surveillance system in parking lots, building entrances and exits and transaction or point-of-sale locations.
 - 6. Location of dumpsters shall be locked with screening.
 - 7. Floor plan showing interior layout of operation.
 - 8. Evidence of after-hours storage of all Firearms in locked containers or by otherwise securing the Firearms with tamper-resistant mechanical locks.
- e. The Special Permit Granting Authority shall require that Firearm Business notify the Police Department of any changes to the name or phone numbers of all management staff and keyholders.
- f. The Firearms Business Use shall be equipped with, and the operation of such Firearm Business Use shall maintain in working order at all times, security system to the satisfaction of the Town.
- g. A video surveillance system shall be installed and maintained which shall monitor all parking lot areas, main building entrances and exits, storage areas, and any and all transition areas for sale of merchandise. Recordings shall be maintained for a minimum of three (3) years. A sign no larger than 2 square feet shall be placed in a visible location on the building which notes that video surveillance is in use on the property.
- h. The exterior grounds, including the parking lot and landscape areas, shall be lit in such a manner that all areas are clearly visible at all times during business hours; all lighting shall be compliant with Section 3427f of the Zoning Bylaw and the International Dark Sky Association standards, as amended.
- i. No person under the age of eighteen (18) shall be permitted on the premises of the Firearms Business Use unless they are accompanied by a parent or legal guardian and notice of such limitation shall be posted outside the business.

2255. Storage of Firearms. Firearms shall be secured consistent with state and federal firearms security requirements, including, but not limited to, G.L. c. 140.

2256. Location Requirements. All distances in this section shall be measured in a straight line from the Lot line of the Lot containing the Firearm Business Use to the nearest Lot line of any of the following designated uses:

- a. A Firearm Business Use shall not directly abut any Lot containing a residential use.
- b. A Firearm Business Use shall not be located within 250 feet of the following uses: a public or private K-12 school, child care facility (including family daycare homes, daycare centers, preschools, and/or nursery schools), public park or playground, rail trail, establishment catering to minors or seniors, religious organization, business establishment that sells or serves malt, wine, or spirits for consumption off premises, or an existing Firearm Business Use.
- c. A Firearm Business Use shall not be located within a building containing a dwelling unit.
- d. The Special Permit Granting Authority may reduce the setback requirement between Firearms Business Uses in 2261b, if:
 - (1) The applicant demonstrates the Firearms Business Use would effectively be prohibited within the municipality without such waiver;
 - (2) The reduced setback distance will not create, exacerbate, or otherwise increase any public safety issues;
 - (3) The two Firearms Business Uses are owned independently; and
 - (4) The waiver is not inconsistent with the purposes and intent of this Bylaw.

2257. Special Permit for Firearm Business Use: In addition to the requirements of Section 6200, an application for Special Permit for Firearm Business Use shall include, at a minimum, the following information:

- a. Description of Activities: A narrative providing information about the type and scale of all activities that will take place on the premises.
- b. Lighting Analysis: A lighting plan showing the location of proposed lights on the building and the lot, and a photometric plan showing lighting levels.
- c. Context Map: A map depicting all properties and land uses within a 1,000-foot radius of the lot on which the Firearm Business Use is proposed to be located.
- d. Comprehensive Signage Plan in conformance with the Sign Bylaw.
- e. Report from the Police Chief or Designee: Confirming that the applicant has submitted the plans and information described in 2254 above and that those plans have been approved.
- f. Certificate of Insurance as required by Section 2254.c above.

2258. Special Permit Criteria: In granting a Special Permit for a Firearm Business Use, in addition to the general criteria for granting a Special Permit, the Select Board shall find that the following criteria are met:

- a. The Lot is designed such that it provides convenient, safe, and secure access and egress for clients and employees arriving to and leaving from the lot.
- b. The establishment will have adequate storage, security, and lighting.
- c. Loading, refuse, and service areas are designed to be secure and shielded from abutting uses.
- d. The establishment is designed to minimize any adverse impacts on abutters or pedestrians.
- e. The location and characteristics of the proposed use will not be detrimental to the public health, safety, and welfare of the neighborhood, which may extend into an adjacent municipality, or the Town.
- f. All signage has been reviewed and approved by the Building Commissioner or Design Review Board, as applicable, as to letter size, color, and design per section 3200 to ensure mitigation of impact to the surrounding neighborhood, consistent with applicable Federal and State law.
- g. The establishment has satisfied all of the conditions and requirements in this section.

2259. Limitation and Termination of Special Permit - No more than two Firearm Business Uses are allowed within the Town of Sudbury at any given time. A Special Permit for a Firearm Business Use shall be valid for one year. The owner of a Firearm Business Use shall annually apply to the Special Permit Granting Authority for renewal of the Special Permit, which renewal shall not exceed one (1) year.

A Special Permit for Firearm Business Use, if granted, shall at a minimum be issued in the name of a specific individual and is not transferable upon a sale, transfer, or assignment of the Firearms Business Use. A special permit for a Firearm Business Use may be revoked for violation of the Sudbury Zoning Bylaw or state and federal law, including, but not limited to, G.L. c. 140, ss. 122B, 130, 131N. Upon expiration or cancellation of the policy of insurance as required herein, and if no additional insurance is obtained, the special permit may be revoked. The Special Permit granting authority may hold a public hearing with notice, posting and publication as required by G.L. c. 40A, §11 to consider revoking a Special Permit under this paragraph. A concurring vote of four members of the Select Board shall be necessary to revoke a special permit for a Firearms Business Use.

2260. Severability: The provisions of the Bylaw are severable. To the extent this Bylaw conflicts with G.L. c. 140 or other State laws or regulations currently in effect, the section shall be interpreted to minimize any conflict with State laws or regulations while maximizing the furtherance of the public safety and other public purposes underlying this Bylaw. The invalidity of any Section or provision of this Zoning Bylaw shall not invalidate any other Section or provision hereof.

C. DEFINITIONS

Insert in Article 7000, Definitions, the following new definition:

Ammunition: Cartridges or cartridge cases, primers (igniters), bullets, tear gas cartridges, or propellant powder designed for use in any Firearm.

Firearm: Any device designed or modified to be used as a weapon capable of firing a projectile using an explosive charge as a propellant, including but not limited to guns, pistols, shotguns, rifles.

Firearm Accessory: Any device designed, modified, or adapted to be inserted into or affixed onto any Firearm to enable, alter, or improve the functioning or capabilities of the Firearm or to enable the wearing or carrying about one's person of a Firearm, including, but not limited to bags, siting systems, slings and scabbards, or maintenance kits.

Firearm Business Use: Any retail or wholesale operation involving the purchase or sale, in any amount of Firearms or Ammunition; sale of Firearm Accessories, in any amount; any retail or manufacturing operation involving, in any amount, the repairing, altering, cleaning, polishing, engraving, bluing or performing of any mechanical operation on any Firearm; and sale of conversion devices, in any amount, such as an auto sear, fuel filters or solvent filters, trigger switches and/or similar products that when combined create a firearm.

Submitted by the Select Board.

(Two-thirds vote required)

SELECT BOARD REPORT: The 2023 Annual Town Meeting considered a citizens' petition to ban firearms businesses in all zoning districts. During debate and discussion on the article, the Select Board committed to study the issue and return to a future Town Meeting with a proposal that ensures the safety of the community and its residents. After debate concluded, the Moderator called for a vote and the article was defeated. Over the past year, the Select Board, working with staff and Town Counsel, crafted a zoning bylaw amendment that a majority of the Board supports. The bylaw allows for not more than two firearms businesses to be located in Sudbury and ensures that any such businesses would be separated from sensitive uses. Moreover, the bylaw sets stringent standards that safeguard the community in the event that business opens.

SELECT BOARD POSITION:

ARTICLE 17. ACQUISITION OF MBTA BUILDINGS

To see if the Town will vote to authorize the acquisition, by gift or purchase, the fee interest in certain real property, together with the improvements thereon, known as (1) the "Section Tool House" identified as Assessor's Parcel K09-0067 located off of Boston Post Road, and (2) the "South Sudbury Train Station" identified as Assessor's Parcel K09-0054 located off of Union Avenue, for general municipal purposes, including without limitation, historic preservation purposes, on such terms and conditions as the Select Board deems appropriate, and further, to raise and appropriate, transfer from available funds or borrow a sum of money therefor, including all costs and expenses related thereto; or act on anything relative thereto.

Submitted by the Historical Commission.

(Two-thirds vote required)

HISTORICAL COMMISSION REPORT:

SELECT BOARD POSITION:

FINANCE COMMITTEE REPORT:

ARTICLE 18: SWAP BODY TRUCK W/ PLOW & VARIOUS BODIES *(Consent Calendar)*

To see if the Town will vote to raise and appropriate, or to transfer from available funds, the sum of \$560,000, or any other sum, for the purchase or acquisition of two new vehicles for public works; or act on anything relative thereto.

Submitted by the Public Works Director (Majority vote required)

PUBLIC WORKS DIRECTOR REPORT: Approval of this article will provide funds to purchase two new trucks with plow and various bodies to replace older models. The existing trucks are at their useful life-expectancy of about 15 years. It is the goal of the Public Works to focus on standardizing vehicles and specifying vehicles to better suit our multi-disciplinary needs. This proposal is to replace the existing dedicated spreaders with swap bodies (clump truck, spreader, chip body, etc.) to be used throughout all seasons.

SELECT BOARD POSITION:

FINANCE COMMITTEE REPORT:

ARTICLE 19 PICKUP TRUCK WITH PLOW

To see if the Town will vote to raise and appropriate or transfer from available funds, the sum of \$120,000, or any other sum, for the purchase or acquisition of a new vehicle for public works; or act on anything relative thereto.

Submitted by the Public Works Director. (Majority vote required)

PUBLIC WORKS DIRECTOR REPORT: Approval of this article will provide funds to purchase a new pickup truck with a plow to replace an older model. It is a goal of the Public Works to focus on standardizing vehicles and specifying vehicles to better suit our multi-disciplinary needs. Pick-up trucks are one of the most used equipment in the fleet. The Public Works employees use these vehicles to perform their everyday tasks including moving materials and equipment that is carried and towed by these vehicles. These trucks also accompany larger equipment to perform snow removal

SELECT BOARD POSITION:

FINANCE COMMITTEE REPORT:

ARTICLE 20. TOWN-WIDE CULVERT AND DRAINAGE RECONSTRUCTION

To see if the Town will vote to raise and appropriate, or transfer from available funds, the sum of \$ 625,000, or any other sum, for the Town-wide (various locations) culvert and drain replacement and appurtenances; or act on anything relative thereto.

Submitted by the Public Works Director. (Two-thirds vote required)

PUBLIC WORKS DIRECTOR REPORT: Approval of this article will provide funds to replace culverts and associated drain structures and appurtenances at various locations throughout the Town, including replacement of old corrugated metal pipe that deteriorates over time.

SELECT BOARD POSITION:

FINANCE COMMITTEE REPORT: .

ARTICLE 21. DPW ROOF TOP HVAC UNIT REPLACEMENTS (Consent Calendar)

To see if the Town will vote to raise and appropriate, or transfer from available funds, \$200,000 to be expended under the direction of the Town Manager for the purpose of the replacement of the DPW roof top HVAC units, or act on anything relative thereto.

Submitted by the Combined Facility Director. (Majority vote required)

Combined Facility Director Report: The six (6) HVAC roof top units that are on the DPW roof are 20 years old and as a result of the planned new roof installation, must be removed and reinstalled. Since the units are at their expected useful life, this request is to fund the replacement and electrification of said units. As these units are at the end of their useful life, if not replaced during the roof project, they will result in increased operational/repair costs until such time as they fail and/or are replaced.

SELECT BOARD POSITION:

FINANCE COMMITTEE REPORT:

ARTICLE 22. DPW SALT SHED VINYL COVER REPLACEMENT (Consent Calendar)

To see if the Town will vote to raise and appropriate, or transfer from available funds, \$125,000 to be expended under the direction of the Combined Facility Director for the purpose of the replacement of the DPW Salt Shed Storage Vinyl Cover, or act on anything relative thereto.

Submitted by the Combined Facility Director. (Majority vote required)

Combined Facility Director Report: The vinyl cover on the salt storage facility is 20 years old. It has reached the end of its life expectancy. Replacement of this cover in advance of failure will be accomplished with the funding of this vinyl cover replacement.

SELECT BOARD POSITION:

FINANCE COMMITTEE REPORT:

ARTICLE 23. ATKINSON POOL RENOVATION

To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds, \$2,350,000 to be expended under the direction of the Town Manager for the purpose of replacing the existing roofing system, replacing pool mechanical equipment and associated piping, replacement of the dive pool skimmers and associated piping, tile repair and re-grouting together with all incidental and related costs; or act on anything relative thereto.

Submitted by the Combined Facility Director. (Two-thirds vote required)

COMBINED FACILITY DIRECTOR REPORT: The Atkinson Pool, built in 1987, houses a notarium, pool viewing area, aquatics office, boiler and chemical room. The new Fairbank Community Center has been built and attached to the Atkinson Pool. On the roof of the associated boiler room is a dehumidification unit. The dehumidification unit is responsible to control the humidity and the natatorium interior air quality. The roof and the dehumidification unit have reached the end of their useful life. The boiler room houses the water filtration equipment, the chemicals and associated equipment as well as the boiler equipment. There is insufficient air filtration and the proximity of the chemicals to the boilers creates a corrosive environment and premature failure of the boilers. The pool deck and pool interior tile shows significant deterioration and require isolated tile replacement and full re-grouting. During the construction of the new Fairbank Center it was discovered that the dive pool skimmers are deteriorated and leaking. These skimmers are incased in concrete several feet below the pool deck. Tile repair will be required in this area after the skimmer replacement is completed. This funding request is to replace the roof with a solar ready roof, replace the dehumidification unit, separate the chemical and boiler rooms by creating a separate room with adequate ventilation within the boiler/electrical room footprint, repair and re-grout the tile.

SELECT BOARD POSITION:

FINANCE COMMITTEE REPORT:

ARTICLE 24. SPS SCHOOL CLASSROOM INSTRUCTIONAL EQUIPMENT REPLACEMENT *(Consent Calendar)*

To see if the Town will vote to raise and appropriate, or transfer from available funds, the sum of \$100,000 to be expended under the direction of the Sudbury Public School Department for the replacement of School Classroom Instructional Equipment in the Curtis Middle School, Haynes Elementary School, Loring Elementary School, Nixon Elementary School and Noyes Elementary School including incidental and related expenses associated therewith; or act on anything relative thereto.

Submitted by the Sudbury School Committee.

(Majority vote required)

SCHOOL COMMITTEE REPORT: The article seeks funding for the purpose of purchasing and replacing classroom instructional equipment in twenty (20) total classrooms in all five (5) school buildings. Current equipment is 12-15 years old and have exceeded their useful life.

Sudbury Public Schools positions technology in instructional spaces to support communication and collaboration. The schools provide tools that support student collaboration, differentiation of instruction, and accessibility options for all students.

The District's standard set of classroom instructional equipment includes 1) an interactive display that provides a visual resource for displaying materials to the entire class with touch components allowing students to interact with educational content using a pen or touch; 2) wireless video projection for teacher mobility around the classroom while also permitting students to project directly from their devices; 3) auditory support for classroom instruction ensuring all students can receive instruction with clarity benefiting all students regardless of whether they have an issue with hearing; and, 4) document cameras allowing for immediate presentation of non-digital resources to the classroom.

SELECT BOARD POSITION:

FINANCE COMMITTEE REPORT:

ARTICLE 25. SPS HAYNES ELEMENTARY SCHOOL DEHUMIDIFICATION HVAC*(Consent Calendar)*

To see if the Town will vote to raise and appropriate, or transfer from available funds, the sum of \$150,000 to be expended under the direction of the Sudbury Public School Department for the purpose of the addition, replacement, and/or relocation of HVAC ventilation and air conditioning systems in the Haynes Elementary School including incidental and related expenses associated therewith; or act on anything relative thereto.

Submitted by the Sudbury School Committee.

(Majority vote required)

SCHOOL COMMITTEE REPORT: The Haynes Elementary School has areas of the building that develop condensation on the tile floors and surfaces during humid weather conditions creating a safety risk to students, staff, and the public. This condition is caused by the inability of the current HVAC system to temper (cool) the air as it enters the building. Humidity that is pumped into the building from the exterior then condensates on cool tile surfaces (walls and floors).

The requested funds will be used for the addition, replacement, and/or relocation of HVAC systems that will temper the outside air during high humidity days.

SELECT BOARD POSITION:

FINANCE COMMITTEE REPORT:

ARTICLE 26. LINCOLN-SUDBURY REGIONAL HIGH SCHOOL LIGHTING CONTROL REPLACEMENT

To see if the Town will vote to raise and appropriate, or transfer from available funds, the Town's 87.31% share of \$144,585 for the total estimated construction project of \$165,600, whereby, the Regional School District has requested the Town of Lincoln for its 12.69% share of \$21,015 as a Capital Request, for the purpose of replacing the Lighting Control Analog Panels on the property of Lincoln-Sudbury Regional High School; and to determine whether said sum shall be raised by borrowing or otherwise; or act on anything relative thereto.

Submitted by the LSRHS Committee.

(Two-thirds vote, if borrowed)

LSRHS COMMITTEE REPORT: Purpose: This project is the original interior lighting control panels as part of the new high school construction in 2004. The expected life expectancy was 15 years and the analog panels are no longer supported by manufacturers or repair vendors. Analog systems have become obsolete with digital based boards and panels. Due to supply chain and labor shortage issues only a formal bid will be able to determine the final cost expected. Given the long lead time and process for approval, we would conduct the bid in the spring with a confirmation of approval.

Cost: The estimated cost includes a 5% contingency allocation totaling \$165,000 with Sudbury's share of 87.31% at \$144,585 for the Sudbury request. LS is also requesting Lincoln's share of 12.69% totaling \$21,015 that has been approved by the Lincoln Capital Committee as an accepted capital project.

SELECT BOARD POSITION:

FINANCE COMMITTEE REPORT:

ARTICLE 27. LINCOLN-SUDBURY REGIONAL HIGH SCHOOL EXTERIOR STAIRWELL REPLACEMENT

To see if the Town will vote to raise and appropriate or transfer from available funds, the Town’s 87.31% share of \$130,975 for the total estimated construction project of \$150,000, whereby, the Regional School District has requested the Town of Lincoln for its 12.69% share of \$19,035 as a Capital Request, for the purpose of replacing exterior stairwells on the property of Lincoln-Sudbury Regional High School; and to determine whether said sum shall be raised by borrowing or otherwise; or act on anything relative thereto.

Submitted by the LSRHS Committee. (Two-thirds vote, if borrowed)

LSRHS COMMITTEE REPORT: Purpose: This project is to replace the original building exterior stairwells with the new high school construction in 2004. The expected life expected was 20 years but with extreme winters and ground treatments they are significantly failing. They are considered a safety compliance item as

The safety of students, faculty and members of the public are impacted. The first year of request was denied for construction, however, the architectural study required for a more definitive construction cost was approved and completed in 2023. The results of the architectural study are provided as a detailed example for cost estimate in this’s construction capital request.

The project will provide a safe exterior walkway from building to building and will be updated with more architectural components and materials to reach new life expectancy of stairwells. Accomplishing this construction project will relieve safety concerns for use, especially during seasonal challenges of falling leaves, rain, snow and ice.

Cost: The estimated cost includes a 7% contingency allocation totaling \$150,000 with Sudbury’s share of 87.31% at \$130,965 for the Sudbury request. LS is also requesting Lincoln’s share of 12.69% totaling \$19,035 that has been approved by the Lincoln Capital Committee as an accepted capital project.

SELECT BOARD POSITION:

FINANCE COMMITTEE REPORT:

ARTICLE 28. AMEND ARTICLE XV, BUILDING PERMIT FEES

To see if the Town will vote to amend Article XV, Building Code, Section 1, Building Permit Fees, by amending certain fees charged by the Building Department, as described below; or act on anything relative thereto.

PERMIT TYPE	CURRENT FEE	PROPOSED FEE
<u>Single Family Dwellings,</u>		
New, alterations, additions	\$10/\$1,000 value	\$12/\$1,000 value of work
Minimum Permit Fee	\$40	\$50
 <u>Commercial Buildings and Multi-Family Dwellings</u>		
New, alterations, additions	\$15/\$1,000 value of work	\$15/\$1,000 value of work
Minimum Permit Fee	\$40	\$50

Attachment6.b: Warrant draft SB mtg 3-12-24 rev (6058 : Discussion on 2024 ATM articles)

<u>Sheet Metal Permit Fees</u> Single		
Family Dwellings Commercial	\$10/\$1,000 value of work	\$12/\$1,000 value of work
& Multi Family Minimum	\$15/\$1,000 value of work	\$15/\$1,000 value of work
Permit Fee	\$40	\$5

Plumbing & Gas Permit: Residential, Commercial & Multi-Family

First Fixture (new or renovation)	\$55	\$60
Each additional fixture	\$8	\$12
Replacement Fixture (1 inspection (dishwasher, range, dryer, boiler etc.)	\$30	\$50
Reinspection Fee	\$30	\$50

Electrical Permit Residential & Commercial

	\$3/\$100 value of work	\$3/\$100 value of work
Reinspection Fee	\$30	\$50
Minimum Permit Fee	\$30	\$50
Industrial Maintenance	\$200 (annual)	\$250 (annual)

Other Charges

Lost or Replacement Permit Card	\$0	\$75
Certificate of Inspection per IBC s. 110.7	\$40	\$60

Submitted by the Town Manager.

(Majority vote required)

TOWN MANAGER'S REPORT: Fees are charged to offset the cost of providing services. The cost of providing services changes over time and fees need to be adjusted to keep pace with inflation. Town Meeting last revised Building Permit fees in April 2009. A survey of area communities shows that Sudbury's fees lag its market peers. The proposed adjustment of fees brings Sudbury's fees more in line with peer communities.

SELECT BOARD POSITION:

FINANCE COMMITTEE REPORT:

Attachment 6.b: Warrant draft SB mtg 3-12-24 rev (6058 : Discussion on 2024 ATM articles)

ARTICLE 29. AMEND ARTICLE XXII, CONSERVATION COMMISSION
PERMIT FEES

To see if the Town will vote to amend Article XXII, Wetlands Administration, Section 4. Applications for Permits and Requests for Determination, by amending the fees charged by the Conservation Commission, as described below; or act on anything relative thereto.

Cateorv	Current	Proosed
Category A: Single minor project	\$25	\$100 plus \$0.50 per square foot impact to unaltered Adjacent Upland Resource Area
Category B: New single-family dwelling	\$250	\$300 Plus \$0.75 per square foot impact to unaltered Adjacent Upland Resource Area
Category C: Subdivision-- road and utilities only	\$500 plus \$2 per foot of road sideline within a resource area	No Change Proposed
Category D: Drainage, detention/retention basins	\$500 plus \$2 per 100 cubic feet of basin within a resource area	No Change Proposed
Category E: Multiple Dwelling Structure	\$500 plus \$100/unit, all or part of which is within a resource area	No Change Proposed
Category F: Commercial and Industrial Projects	\$500 plus \$0.50 per square foot of disturbance in an undeveloped resource area	\$1000 plus \$0.75 per square foot of disturbance in an undeveloped resource area
Category G: Application filed after Enforcement	Double the fee	No Change Proposed
Category H: Determination of Applicability	No Fee	\$75
Category I: Remediation of a Contaminated Site or Enhancement of a Degraded Resource	\$25	\$500

Submitted by the Town Manager.

(Majority vote required)

TOWN MANAGER'S REPORT: Fees are charged to offset the cost of providing services. The cost of providing services changes over time and fees need to be adjusted to keep pace with inflation. Town Meeting last revised Wetland Bylaw fees in 1999. A survey of area communities shows that Sudbury's fees lag its market peers. The proposed adjustment of fees brings Sudbury's fees more in line with peer communities.

SELECT BOARD POSITION:

FINANCE COMMITTEE REPORT:

ARTICLE 30. AMEND ZONING BYLAW: CODIFICATION – 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 September 2023, on file with the Town Clerk; or act on anything relative thereto.

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 ten 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 31 13e 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 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 CMR2-: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 725.1 IO(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, M 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, § 295£, 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."

Submitted by the Town Clerk.

(Two-thirds vote required)

TOWN CLERK'S REPORT:

SELECT BOARD POSITION:

FINANCE COMMITTEE REPORT:

ARTICLE 31. AMEND ZONING BYLAW ARTICLE IX; SECTION 6390A, SITE PLAN REVIEW LAPSE AND APPEAL MODIFICATION

To see if the Town will vote to amend the Zoning Bylaw Section 6390A Lapse and Appeal by deleting the sentence "An appeal from a decision of the Planning Board relating to the substantive provisions of the Zoning Bylaw pursuant to section 6300 shall be taken in accordance with the provisions of G.L.c.40A,s.8," and replacing it with "An appeal by any person aggrieved by any decision of the Planning Board relating to the substantive provisions of the Zoning Bylaw pursuant to Section 6300 may appeal that decision per MGL c. 40A, § 17, as amended." or act on anything relative thereto.

Submitted by the Planning Board.

(Two-thirds vote required)

PLANNING BOARD REPORT: The Site Plan Review process is a formal review of commercial development with a significant level of professional work, input from a variety of professionals, Town Officials, and residents on each project. The decisions that are rendered at the close of each public hearing are thorough and often outline numerous conditions developed to protect residents, and enhance development within Sudbury. The language as written the existing Bylaw would direct any appeal of the Planning Board's decision to be reviewed and acted upon by the Zoning Board of Appeals.

This is not a role that was envisioned for the Zoning Board of Appeals in its governing statute and is not a role it serves for any other Board, Committee, or Commission. The Zoning Board of Appeals does hear petitions of those individuals who are aggrieved by the decision of the Building Inspector, an individual, on zoning matters specially.

The proposed language change would treat appeals of Site Plan Review decisions in the same manner as the appeal of Special Permit decisions issued by the Zoning Board of Appeals.

SELECT BOARD POSITION:

FINANCE COMMITTEE REPORT:

ARTICLE 32. AMEND ZONING BYLAW ARTICLE IX: INSERT SECTION 4700C MULTI-FAMILY OVERLAY DISTRICT

To see if the Town will vote to amend the Zoning Bylaw, Article IX, by inserting a new Section 4700C "Multi-Family Overlay District", as set forth in the document entitled "Multi-Family Overlay District" dated 31 January 2024 and on file with the Town Clerk, and to amend the Zoning Map as shown on a plan entitled "Multi-Family Overlay District Map", dated 31 January 2024, and on file with the Town Clerk; or act on anything relative thereto.

Submitted by the Planning Board.

(Two-thirds vote required)

PLANNING BOARD REPORT: This article is put forth by the Planning Board in response to the Legislature's adoption of Section 3A of Chapter 40A of the General Laws, commonly known as MBTA Communities Zoning. This Section of the General Laws requires and community defined in Chapter 161A Section 1 of the General Laws as an "MBTA Community" to adopt a Zoning Bylaw that allows multi-family development at a density of 15 units per acre by-right before the end of the calendar year 2024. If a municipality does not adopt a compliant Zoning District the Commonwealth with prohibit that community from accessing a variety of State funding streams in the form of grants and other financial assistance. Furthermore, the Attorney General has put communities on notice that willful disregard for this requirement may result in her office pursuing legal remedies.

The Bylaw submitted by the Sudbury Planning Board meets this requirement and places the proposed by-right multi-family districts at the location of the existing residential developments at Meadow Walk and Cold Brook Crossing. Although the Commonwealth has required that these Zoning Districts be created, there is no requirement that any new units be approved or constructed for a municipality to be considered compliant.

SELECT BOARD POSITION: .

FINANCE COMMITTEE REPORT:

ARTICLE 33, AMEND ZONING BYLAW ARTICLE IX: SECTION 5600
INCLUSION OF AFFORDABLE HOUSING

To see if the Town will vote to amend the Zoning Bylaw, Article IX, Section 5623 by adding the words "Section 4700C Multi-Family Overlay District", as shown below; or act on anything relative thereto.

Developments which are permitted under the following regulations shall be exempt from this Section 5600, in its entirety: Massachusetts General Law Chapters 40B or 40R, and from this Zoning Bylaw Section 4700A North Road Residential Overlay District, Section 4700B Melone Smart Growth Overlay District, **Section 4700C Multi-Family Overlay District**, Section 5300 Senior Residential Community, and Section 5400 Incentive Senior Development.

Submitted by the Planning Board.

(Two-thirds vote required)

PLANNING BOARD REPORT: The adoption of the section 3A of Chapter 40A of the General Laws limits the ability of municipalities to require affordable housing greater than 10% of the units in a development, which the language of Section 5600 exceeds. The language in Section 4700C includes provisions for 10% of the housing in developments permitted under that Overlay District to meet the Executive Office of Housing and Livable Communities affordability standards in order to comply with the legislation. This amendment would allow Sudbury to remain compliant with the MBTA Communities Zoning standards.

SELECT BOARD POSITION:

FINANCE COMMITTEE REPORT:

ARTICLE 34. COMMUNITY PRESERVATION ACT FUND – WAYSIDE INN ROAD BRIDGE RECONSTRUCTION
(Consent Calendar)

To see if the Town will vote to appropriate a sum or sums of money not to exceed \$400,000, for Historic Resources purposes of the Community Preservation Act from Historic Resources Reserves to reconstruct the Wayside Inn Road Bridge superstructure over the Hop Brook tributary which is located approximately 1,000 feet westerly from the Wayside Inn. The structure is located within the Wayside Inn Historic District. Construction shall include replacement/repair of the parapet walls, portions of the bridge deck, guardrail, pavement, grading, loam, seed and associated work including all incidental and related expenses thereto; or act on anything relative thereto.

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

COMMUNITY PRESERVATION COMMITTEE REPORT: This project will enhance the aesthetics of the Wayside Inn Historic District by reconstructing the portions of the bridge visible from the street and surroundings. The existing span of this structure triggers review by MassDOT under M.G.L. chapter 85 section 35. Therefore, the parapet walls and guardrails need to meet specific design criteria to sustain an impact by a motor vehicle. Structural design will provide the requisite crash rating while restoring the historic appeal to the bridge in the Wayside Inn Historic District. The westbound parapet wall on the Wayside Inn Road Bridge was severely damaged as a result of a motor vehicle accident on July 4, 2019. Immediately following this accident, the Public Works Department installed temporary barriers at the edge of the bridge deck. Additionally, the Public Works Department had the bridge re-inspected by Mass DOT. Results of the inspection concluded that, in its post-accident condition, the "unpinned temporary barriers in place cannot satisfactory address the safety concerns for the site. It is our (MassDOT's) recommendation that temporary barriers and bridge approach transitions that have been crash tested for a test level consistent with the level of service of roadway be installed as soon as possible. The conditions as they exist are considered unsafe and should remediated immediately".

At the Annual Town Meeting in September, 2020, the Town was allocated \$125,000 for the purpose of designing the replacement superstructure over Hop Brook. Since then, Sudbury's DPW has worked with the Historic Districts Commission and the state DOT to design a bridge system that is both safe, aesthetically appealing and historic looking. The proposal is to provide a stone veneer wall anchored to a powder-coated steel guardrail barrier.

SELECT BOARD POSITION:

FINANCE COMMITTEE REPORT:

ARTICLE 35. COMMUNITY PRESERVATION ACT FUND - BRUCE FREEMAN RAIL TRAIL - PHASE 3
(Consent Calendar)

To see if the Town will vote to appropriate a sum or sums of money not to exceed \$600,000 for Open Space and Recreation purposes of the Community Preservation Act from FY25 CPA Estimated Annual Revenues and then from the CPA General Reserve Funds if needed, for the purpose of advancing the design and construction of the Bruce Freeman Rail Trail (BFRT) Phase 3, extending south of the intersection with the Mass Central Rail Trail to Eaton Road West just inside the Framingham city line; or act on anything relative thereto.

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

COMMUNITY PRESERVATION COMMITTEE REPORT: The Town of Sudbury seeks CPA funds to continue advancing the design and construction of the Bruce Freeman Rail Trail (BFRT) Phase 3, extending south of the intersection with the Mass Central Rail Trail to Eaton Road West just inside the Framingham city line.

The Town staff and members of the Rail Trail Advisory Committee are currently working with design engineering consultants, Fuss & O'Neill, to begin the 25% design phase of this final 1.4- mile portion of the BFRT, which is expected to be completed by June 30, 2024 and submitted to Mass DOT for review and comment. After the 25% plan review, the next phase of design will be underway to continue design to the final Plan, Specification and Estimate (PS&E) phase, after which Mass DOT will be responsible to advertise the project for construction.

Fuss & O'Neill completed a "Feasibility Study for the Bruce Freeman Rail Phase 3 Extension" in June 2023, which is available on the Town's website under the Rail Trail Advisory Committee_ page. That study provides an "anticipated construction cost" of \$1,240,000 for Design/Permitting using the recommended alternative for crossing Boston Post Road/Route 20 (an at grade signalized crossing).

This request is for funds that will allow completion of the design/permitting as envisioned. The Town will also seek additional funds through grants or funding awards as the project design is underway.

SELECT BOARD POSITION:

FINANCE COMMITTEE REPORT: .?

**ARTICLE 36. COMMUNITY PRESERVATION ACT FUND –
HOUSING TRUST ALLOCATION**

(Consent Calendar)

To see if the Town will vote to appropriate a sum or sums of money not to exceed \$450,000 from the category of Community Housing of the Community Preservation Act, funded from FY25 Estimated Annual Revenue and then from CPA General Reserve Funds, if needed, for the purpose of the acquisition, creation, preservation and support of community housing as allowed by the Community Preservation Act; or act on anything relative thereto.

Submitted by the Community Preservation Committee.

(Majority vote required)

COMMUNITY PRESERVATION COMMITTEE REPORT: This article requests an appropriation to the Sudbury Housing Authority (SHA) for the acquisition, creation, preservation and support of community housing. The SHA intends to use the funds for the redevelopment of two obsolete single-family homes in its portfolio (21 Great Lake Drive and 8 Oakwood Avenue).

The SHA is a quasi-governmental entity overseen by the state The Executive Office of Housing and Livable Communities (EOHLC) under 760 CMR. While locally controlled, and created by Town Meeting in 1971 under MGL Chapter 121B, Section 3, it is not legally a part of Sudbury's Town government.

21 Great Lake Drive and 8 Oakwood Avenue are single-family homes that SHA owns and operates as state-assisted public rental housing for families. Both of the homes, which are located in the Pine Lake neighborhood, have significant capital needs. 21 Great Lake Drive is currently vacant due to a variety of concerns with the 1960s-era structure, particularly water/moisture damage. It has been challenging for SHA to address these capital needs due to the limited amount of operating and capital funding that it receives from the State.

The SHA has consulted with an architect, an engineer, and an affordable housing development consultant regarding the possibility of demolishing these two older homes and replacing them each with two-bedroom duplex homes that are architecturally compatible with the neighborhood. Each of these experts has provided information that supports the current plans. The current funding from the CPA, in addition to previous CPA allocations to the SHA, would leverage state funding which would also be supplemented by a mortgage to be held by the SHA. Indeed, the SHA has recently been advised that this development qualifies for state funding. SHA will work with the community and the various Town Boards and committees during 2024 with the goal of reaching agreement to proceed to construction in 2025.

SELECT BOARD POSITION:

FINANCE COMMITTEE REPORT:

**ARTICLE 37. COMMUNITY PRESERVATION ACT FUND –
HOUSING TRUST ALLOCATION**

(Consent Calendar)

To see if the Town will vote to appropriate a sum or sums of money not to exceed \$380,000 for Housing purposes of the Community Preservation Act from FY25 CPA Estimated Annual Revenues and then from the CPA General Reserve Funds if needed, for the purpose of the Sudbury Housing Trust supporting community housing through the provision of grants loans, rental assistance, security deposits, interest-rate write downs, or other forms of assistance for the purpose of making housing affordable.

Submitted by the Community Preservation Committee.

(Majority vote required)

COMMUNITY PRESERVATION COMMITTEE REPORT: The Sudbury Housing Trust requests Community Preservation Act (CPA) funding to support the creation new affordable homeownership units of housing.

These funds will augment previously allocated funds to support community housing through the provision of grants loans, rental assistance, security deposits, interest-rate write downs, or other forms of assistance for the purpose of making housing affordable. The Trust has not created any new units since FY16 and looks forward to creating housing opportunities for first-time homeowners in Sudbury.

This CPA funding request would enable the Trust to bring new units of affordable housing to Sudbury's existing inventory. This could be through the Trust's Home Preservation Program which converts existing smaller market homes to affordable homes and provides affordable homeownership opportunities to income eligible households, or other means. The Trust is the main, if not the only, entity whose mission is to create affordable homeownership units in Sudbury. Through this program, the Trust has seen tenants renting from the Sudbury Housing Authority become homeowners. In other instances, owners of deed restricted properties have been able to purchase market rate homes in town. These demonstrate first-hand the benefits of a homeownership program. Sudbury has 37 ownership units in its affordable housing portfolio; a number which has stayed constant since 2016. The seven-year hiatus will end with new affordable units created from the funds requested.

SELECT BOARD POSITION:

FINANCE COMMITTEE REPORT:

**ARTICLE 38. COMMUNITY PRESERVATION ACT FUND - REMEDIATION OF
WATER CHESTNUTS FROM HOP BROOK POND SYSTEM**

(Consent Calendar)

To see if the Town will vote to appropriate a sum or sums of money not to exceed \$56,221 for Open Space and Recreation purposes of the Community Preservation Act from FY25 CPA Estimated Annual Revenue and then from the CPA General Reserve Fund, if needed, as a grant to the Hop Brook Protection Association for the purpose of remediating/removing water chestnuts and other invasive species from the Hop Brook pond system and to authorize the Select Board to enter into a grant agreement on such terms and conditions as it deems appropriate; or act on anything relative thereto.

Submitted by the Community Preservation Committee.

(Majority vote required)

COMMUNITY PRESERVATION COMMITTEE REPORT: Hop Brook is the largest tributary of the Sudbury River and drains more than half of the land area of Sudbury. Dozens of homes, recreational and historical areas, town wells, and Town property are along this waterway and associated ponds. Until the 1970s, Hop Brook was a major recreational and natural asset - with multiple locations for swimming, fishing, ice skating, and canoeing, and supported a diverse ecosystem with many species of birds and fish. Recorded Sudbury history features activities along Hop Brook since the 1700s, including fishing, saw and grain mills, canoeing, and swimming. However, nutrient pollution-primarily from the Marlborough Easterly wastewater treatment plant has caused severe degradation of water quality, and overgrowth of invasive plants and toxic algae. As a result, the Hop Brook waterway and associated ponds have become very unpleasant in the summer, are no longer attractive for recreational use, and require increasingly intensive management to reduce unwanted plants.

The goal of this project is to continue restoring water quality in the Hop Brook watershed, and thus reclaim an important recreational and historical asset for all Sudbury citizens. The Hop Brook Protection Association has collected extensive data on sources and variations in pollutant levels throughout Hop Brook, and have collaborated extensively with scientists at the Organization for the Assabet, Sudbury and Concord Rivers (OARS) to better understand how these pollutants, especially phosphorus, created the current situation. OARS has completed an in- depth evaluation using this data.

SELECT BOARD POSITION:

FINANCE COMMITTEE REPORT:

ARTICLE 39. COMMUNITY PRESERVATION ACT FUND – PARKINSON
FIELD DRIVEWAY DESIGN *(Consent Calendar)*

To see if the Town will vote to appropriate a sum or sums of money not to exceed \$100,000 for Open Space and Recreation purposes of the Community Preservation Act from FY25 CPA Estimated Annual Revenues and then from the CPA General Reserve Funds if needed, for the purpose of advancing the design of the driveway and parking area improvements at Parkinson Field.

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

COMMUNITY PRESERVATION COMMITTEE REPORT: The Town of Sudbury seeks CPA funds to undertake the design, engineering, and permitting of the driveway access for Parkinson's Field located behind TiSales in Sudbury Center.

As construction has begun for the Bruce Freeman Rail Trail, which includes access improvements for trail users immediately adjacent to Parkinson's Field, it became apparent that the existing single-lane driveway from Hudson Road into the fields site needed attention. The driveway access at Hudson Road is overgrown with trees and shrubs, which obscure existing signs and the entrance itself. The driveway is 300-feet long, and is a single lane (which is located within a 20-foot wide right-of-way). This allows only one car at a time to use the driveway since there are no turn-outs available and no sight distance for drivers entering the driveway from Hudson Road. This configuration requires drivers attempting to exit from the site using the existing driveway to back up in the event of oncoming traffic.

These requested funds will be used to hire the appropriate consultants to conduct a survey of the driveway access, determine the extent and type of wetlands (it has been suggested that there are wetlands located to the east of the driveway, not just west of the driveway), work with town staff to determine whether an 18-foot wide, two-lane driveway can be designed and engineered, permitted, and, eventually reconstructed. The Town will also seek additional funds through grants or funding awards as the project design is underway. This request is for funds that will allow completion of the design/permitting as envisioned.

SELECT BOARD POSITION:

FINANCE COMMITTEE REPORT:

ARTICLE 40. COMMUNITY PRESERVATION ACT FUND – COMMUNITY GARDEN (Consent Calendar)

To see if the Town will vote to appropriate a sum or sums of money not to exceed \$40,000 from the category of Open Space and Recreation of the Community Preservation Act, funded from FY25 Estimated Annual Revenue, and then from CPA General Reserve Funds, if needed, for the purpose of the installation of an artesian irrigation well for a reliable water source to support local farming at Lincoln Meadows; or act on anything relative thereto.

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

COMMUNITY PRESERVATION COMMITTEE REPORT: Lincoln Meadows, gifted to the Town in 1965, is a 33-acre parcel located on Lincoln Road directly next to Sudbury Valley Trustees' Round Hill. Lincoln Meadows currently supports a seventy-plot community garden, each plot being roughly 30' x 30'. This garden currently has a hand pump for irrigating crops. The dug well is about 20 to 40 feet deep. This well is highly dependent on precipitation and regularly runs dry, particularly in the heat of summer when crops need to be irrigated the most. The gardeners request every year, whether a reliable artesian well can be installed. They take great pride in the vegetables and flowers that they produce, bringing water in from their homes, when the well runs dry.

The funds sought would be for the installation of the well, electricity and a shed to house the well pump and electronics. A spigot would be installed for gardeners to either fill buckets or connect hoses to water their plots. Funds for electricity and maintenance of the well and shed will be collected as a portion of the community gardener's fees;

SELECT BOARD POSITION:

FINANCE COMMITTEE REPORT:

Attachment 6.b: Warrant draft SB mtg 3-12-24 rev (6058 : Discussion on 2024 ATM articles)

ARTICLE 41. COMMUNITY PRESERVATION ACT FUND – REGIONAL HOUSING SERVICES OFFICE (RHSO) MEMBERSHIP FEE *(Consent Calendar)*

To see if the Town will vote to appropriate a sum or sums of money not to exceed \$33,000 for Community Housing purposes under the Community Preservation Act, funded from FY25 CPA Estimated Annual Revenue and then from the CPA General Reserve Fund, if needed, for the purpose of supporting and creating community housing by funding of the Town’s portion of the FY25 Regional Housing Services Office (RHSO) membership fee; or act on anything relative thereto.

Submitted by the Community Preservation Committee.

(Majority vote required)

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

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

SELECT BOARD POSITION:

FINANCE COMMITTEE REPORT:

ARTICLE 42. COMMUNITY PRESERVATION ACT FUND – RETURN OF UNSPENT FUNDS (Consent Calendar)

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

2020 ATM, Article 45 - Remediation of Water Chestnuts from Hop Brook Pond System to be returned to the category of Open Space and Recreation	\$28,051.12
Total:	\$28,051.12

;or act on anything relative thereto.

Submitted by the Community Preservation Committee. (Majority vote required)
COMMUNITY PRESERVATION COMMITTEE REPORT: This project is completed at this time or will not proceed further. In order to return the funds to the Community Preservation Act general account, an affirmative vote of Town Meeting on this article is necessary.

SELECT BOARD POSITION:

FINANCE COMMITTEE REPORT:

ARTICLE 54. COMMUNITY PRESERVATION ACT FUND – GENERAL BUDGET AND APPROPRIATIONS (Consent Calendar)

To see if the Town will vote to appropriate a sum or sums of money from Community Preservation Act Funds, as recommended by the Community Preservation Committee, for the FY25 Community Preservation Act budget, including the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for FY25, amounts for payment of debt service on the Community Preservation Act projects previously appropriated by Town Meeting, and as may be needed to comply with General Laws Chapter 44B, Section 6 to reserve for future appropriation, amounts for open space, including land for recreational use, historic resources, and community housing; or act on anything relative thereto.

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

COMMUNITY PRESERVATION COMMITTEE REPORT: This article sets forth the entire FY2025 Community Preservation Act budget, including appropriations and reservations as required in connection with the administration of the Community Preservation Act funds. The estimated annual revenue for FY2025 is \$2,925,000. The article appropriates funds for FY2025 debt service obligations totaling \$750,193. These obligations arise from prior Town Meeting approval for the bonding of four projects:

- 1) Purchase of the Libby property utilizing the Open Space and Recreation (\$117,300) category;
- 2) Purchase of development rights on the Nobscot Boy Scout Reservation Phases I and II utilizing the Open Space and Recreation (\$379,275) category;

Attachment6.b: Warrant draft SB mtg 3-12-24 rev (6058 : Discussion on 2024 ATM articles)

- 3) Purchase of development rights on Pantry Brook Farm utilizing the Open Space and Recreation (\$185,993) category; and
- 4) Purchase of the Johnson Farm Property utilizing the Open Space and Recreation (\$67,625) category;

The article also appropriates funds for administrative and operational expenses of the Community Preservation Committee in the amount of \$114,500. The administrative fund can be used by the Community Preservation Committee to pay for technical staffing and expertise, consulting services (e.g. land surveys and engineering), property appraisals, legal advertisements, publication fees, and other administrative expenses. By statute, the Community Preservation Committee may budget up to five percent (5%) of its annual budget for these administrative and operational expenses, or \$146,000 based upon the projected FY2025 revenue of \$2,925,000. Any funds remaining in the administrative account at the fiscal year's end revert to the Community Preservation Act Fund Balance, and need to be re-appropriated for administrative use in subsequent years. The Community Preservation Committee believes having access to administrative funds is critically important as it allows the Committee to conduct business on a time-sensitive basis, a vital component of the Community Preservation Act.

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

SELECT BOARD POSITION:

FINANCE COMMITTEE REPORT:.

**ARTICLE 44. AMEND GENERAL BYLAWS, CHAPTER 20, BY ADDING
"DISABILITY"**

To see if the Town will vote to amend General Bylaws Section 20-4 by adding the word "disability" to the list of conditions in the definition of discriminatory, discriminate, or discrimination.

Submitted by Petition.

(Majority vote required)

PETITIONER'S REPORT: When we commit to anti-discrimination we must not forget people with disabilities. At the October 2023 Special Town Meeting, the Town voted to approve as amended Article 2 CODIFICATION OF GENERAL BYLAWS: ADDITIONAL SPECIFIC CHANGES. Among the changes was the addition of Chapter 20, Equal Opportunity, Section 20-4, definition of "discriminatory, discriminate, or discrimination."

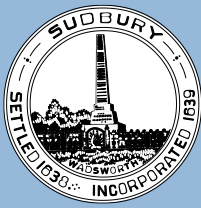
The list of conditions in the definition omitted the term "disability." The Massachusetts Commission Against Discrimination lists 13 protected conditions — the 12 specified in Section 20-4, plus "disability."

The petitioners ask that “disability” be added, as shown underlined below, so that the bylaw reads:
Chapter 20, Equal Opportunity, Section 20-4, definition of "discriminatory, discriminate, or discrimination": Includes all action which denies or tends to deny equal employment opportunity because of race, color, age, disability, 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).

We can remedy an omission and include people with disabilities by voting “yes” on Article 44.

SELECT BOARD POSITION:

FINANCE COMMITTEE REPORT:



SUDBURY SELECT BOARD

Tuesday, March 12, 2024

MISCELLANEOUS (UNTIMED)

7: Firearms Safety Business Bylaw

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Discussion of proposed Firearms Safety Business Bylaw and all related matters: (1) vote to recommend/not recommend Firearms Safety Business Bylaw; (2) presentation of bylaw to Finance Committee; (3) discussion of Firearms Safety Business Bylaw Town Forum, 3/28/24 at Goodnow Library.

Recommendations/Suggested Motion/Vote: Discussion of proposed Firearms Safety Business Bylaw and all related matters: (1) vote to recommend/not recommend Firearms Safety Business Bylaw; (2) presentation of bylaw to Finance Committee; (3) discussion of Firearms Safety Business Bylaw Town Forum, 3/28/24 at Goodnow Library.

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

03/12/2024 7:00 PM

2024 Public Information Session

Sudbury Select Board Firearm Safety Zoning Use Bylaw

Logistics:

- Time/Date: 7 p.m. – 8 p.m. (approximate end) Thursday, March 28, 2024
- Location: In-person at Goodnow Library Community Room and hybrid via Zoom

Attendees:

- Town Manager Andy Sheehan
- Select Board members Janie Dretler, Lisa Kouchakdjian, Dan Carty, Jen Roberts, Charlie Russo
- Town Counsel: Lee Smith, Janelle Austin, Robin Stein (all of KP Law)
- Town Planner Adam Burney
- Police Chief Scott Nix

Outline:

- Sudbury Select Board Firearm Safety Zoning Use Bylaw Presentation, Charlie Russo
 1. The Proposed Bylaw – Overview
 2. What it Is/Is Not
 3. Current State (status quo)
 4. Expert Recommendations
 5. Other Communities
 6. Why Not a Ban?
 7. The Process
 8. The Proposed Bylaw - Recap
- Input on Key Topics from staff
- Open Q&A from the public with Town Staff

Documentation:

- Questions in advance to be submitted via forum@sudbury.ma.us.
- New Project Page to be added to the Town website, including documents that have been included in the Select Board packet over the past year.

- Areas of Interest
- Parcels with Ortho
- Parcels
- Scenic Roads
- Streams Ortho
- Streams CIR
- Lake/Reservoir
- Zoning Districts
 - Business
 - Industrial
 - Industrial Pa
 - Limited Busin
 - Limited Indus
 - Open Space
 - Residential C
 - Residential
 - Research
 - Wayside Inn
 - Village Busin

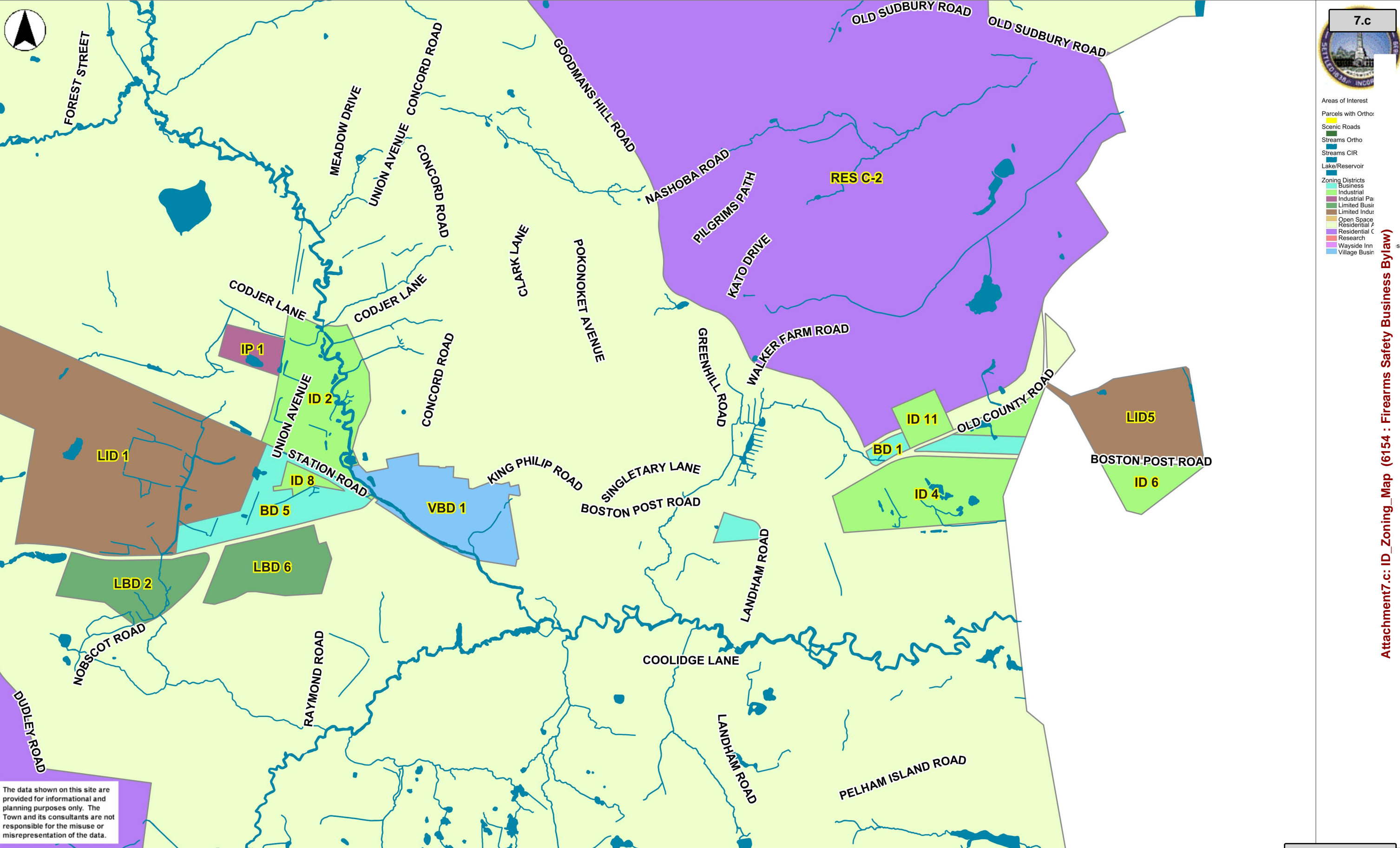
Attachment 7.b: Allowable_Parcels_FBU (6154 : Firearms Safety Business Bylaw)



The data shown on this site are provided for informational and planning purposes only. The Town and its consultants are not responsible for the misuse or misrepresentation of the data.

- Areas of Interest
- Parcels with Ortho
- Scenic Roads
- Streams Ortho
- Streams CIR
- Lake/Reservoir
- Zoning Districts
 - Business
 - Industrial
 - Industrial Pa
 - Limited Busi
 - Limited Indus
 - Open Space
 - Residential A
 - Residential C
 - Research
 - Wayside Inn
 - Village Busin

Attachment 7.c: ID_Zoning_Map (6154 : Firearms Safety Business Bylaw)



The data shown on this site are provided for informational and planning purposes only. The Town and its consultants are not responsible for the misuse or misrepresentation of the data.

TOWN OF SUDBURY WARRANT ARTICLE FORM ARTICLE ___

Instructions:

- 1) The **ORIGINAL, TYPED** article is to be submitted to the Select Board’s Office in final form.
- 2) Articles submitted by Boards and Committees must be signed by a majority accompanied by a copy of the vote signed by its Clerk.
- 3) **WARRANT REPORT**, briefly explaining intent and scope of article must be attached.
- 4) All monied articles must specify dollar amounts requested.
- 5) Article wording must be approved and article signed by Town Counsel before submission.

ARTICLE TITLE: AMEND ZONING BYLAW, SECTIONS 2200 AND 7000, FIREARMS SAFETY BUSINESS USE

To see if the Town will vote to amend the Sudbury Zoning Bylaw, Sections 2200 and 7000, as set forth below, by adding the following provisions; or act on anything relative thereto:

2200. PRINCIPAL USE REGULATIONS

A.

Insert in Section 2230, Table of Principal Use Regulations, Part C. Commercial, after “28. Marijuana Establishment” a new use category entitled “29. Firearm Business Use”, as shown in the table below.

PRINCIPAL USE	A-RES	C-RES	WI	BD	LBD	VBD	ID	LID	IP	RD
C. COMMERCIAL										
29. Firearm Business Use	N	N	N	N	N	N	SB	N	N	N

B.

2250. Firearm Business Use.

2251. Purpose: To establish reasonable criteria for the establishment of Firearm Business Uses in the Town of Sudbury to address public safety concerns arising from the operations of such businesses and the potential disruption of peace and quiet enjoyment of the community and to address the location, siting, design, placement, security, safety, monitoring and modifications of Firearm Business Uses within the Town to minimize the adverse impacts on Firearms Business Uses on adjacent properties, residential neighbors, schools and other locations where children congregate, and to protect and promote the quality of the Town’s neighborhoods, commercial and business districts, and the general health, safety, and welfare of the residents of Town.

2252. Compatibility with State and Federal Laws and Regulations: This bylaw is not intended

to supersede federal or state laws or regulations except to the extent that any such laws or regulations allow the Town to adopt standards more stringent than other applicable legal requirements. No Firearm Business Use shall operate until the operator of such business has obtained all necessary federal, state, and other required local firearms approvals and licenses.

2253. Applicability: This section shall apply to all Firearm Business Uses. Unless in specific conflict with this section, all other applicable provisions of the Zoning Bylaw shall apply to Firearm Business Uses.

2254. Configuration and Operations – Firearm Business Uses shall be conducted entirely within a Building and shall comply with the following standards:

- a. The hours of operation for a Firearm Business Use shall not adversely impact nearby uses. The hours of operation shall follow all applicable statutory and regulatory requirements and shall be limited to 9:00AM-6:00PM.
- b. There shall not be more than one Firearm Business Use on a Lot.
- c. The Firearm Business Use shall procure and at all times while in operation maintain insurance issued by an insurance company licensed to do business in the Commonwealth, insuring the Firearm Business against liability for damage to property and for injury to, or death of, any person as a result of the theft, sale, lease or transfer, or offering for sale, lease or transfer of a firearm or ammunition, or any other operation of the Firearm Business. The limits of liability shall not be less than \$1,000,000 for each incident of damage to property or incident of injury to death to a person; provided however, that increased limits of liability may be required by the Special Permit Granting Authority upon a finding that the size of the operation warrants greater liability. Notice of termination of any applicable insurance must be given to the Special Permit Granting Authority at least 30 days prior to the effective date of the cancellation.
- d. Firearm Businesses shall submit a security plan to the Sudbury Police Department for review and approval prior to applying for special permit. Review of the plan may require an on-site inspection of the property. The security plan must include, but is not limited to, the following:
 1. Names and phone number of all management staff and employees.
 2. Firearms Business Uses shall conduct criminal history background checks in compliance with state and federal law. The Firearms Business Use shall submit written certification that no employees have past criminal history of felony record or are otherwise prohibited from firearms licensure under state and federal law.
 3. A plan showing exterior ground lighting.
 4. Description of security systems and alarms.
 5. 24-hour video surveillance system in parking lots, building entrances and exits and transaction or point-of-sale locations.
 6. Location of dumpsters shall be locked with screening.
 7. Floor plan showing interior layout of operation.
 8. Evidence of after-hours storage of all Firearms in locked containers or by otherwise securing the Firearms with tamper-resistant mechanical locks.
- e. The Special Permit Granting Authority shall require that Firearm Business notify the Police Department of any changes to the name or phone numbers of all management staff and keyholders.

- f. The Firearms Business Use shall be equipped with, and the operation of such Firearm Business Use shall maintain in working order at all times, security system to the satisfaction of the Town.
- g. A video surveillance system shall be installed and maintained which shall monitor all parking lot areas, main building entrances and exits, storage areas, and any and all transition areas for sale of merchandise. Recordings shall be maintained for a minimum of three (3) years. A sign no larger than 2 square feet shall be placed in a visible location on the building which notes that video surveillance is in use on the property.
- h. The exterior grounds, including the parking lot and landscape areas, shall be lit in such a manner that all areas are clearly visible at all times during business hours; all lighting shall be compliant with Section 3427f of the Zoning Bylaw and the International Dark Sky Association standards, as amended.
- i. No person under the age of eighteen (18) shall be permitted on the premises of the Firearms Business Use unless they are accompanied by a parent or legal guardian and notice of such limitation shall be posted outside the business.

2255. Storage of Firearms. Firearms shall be secured consistent with state and federal firearms security requirements, including, but not limited to, G.L. c. 140.

2256. Location Requirements. All distances in this section shall be measured in a straight line from the Lot line of the Lot containing the Firearm Business Use to the nearest Lot line of any of the following designated uses:

- a. A Firearm Business Use shall not directly abut any Lot containing a residential use.
- b. A Firearm Business Use shall not be located within 250 feet of the following uses: a public or private K-12 school, child care facility (including family daycare homes, daycare centers, preschools, and/or nursery schools), public park or playground, rail trail, establishment catering to minors or seniors, religious organization, business establishment that sells or serves malt, wine, or spirits for consumption off premises, or an existing Firearm Business Use.
- c. A Firearm Business Use shall not be located within a building containing a dwelling unit.
- d. The Special Permit Granting Authority may reduce the setback requirement between Firearms Business Uses in 2261b, if:
 - (1) The applicant demonstrates the Firearms Business Use would effectively be prohibited within the municipality without such waiver;
 - (2) The reduced setback distance will not create, exacerbate, or otherwise increase any public safety issues;
 - (3) The two Firearms Business Uses are owned independently; and
 - (4) The waiver is not inconsistent with the purposes and intent of this Bylaw.

2257. Special Permit for Firearm Business Use: In addition to the requirements of Section 6200, an application for Special Permit for Firearm Business Use shall include, at a minimum, the following information:

- a. Description of Activities: A narrative providing information about the type and scale of all activities that will take place on the premises.

- b. Lighting Analysis: A lighting plan showing the location of proposed lights on the building and the lot, and a photometric plan showing lighting levels.
- c. Context Map: A map depicting all properties and land uses within a 1,000-foot radius of the lot on which the Firearm Business Use is proposed to be located.
- d. Comprehensive Signage Plan in conformance with the Sign Bylaw.
- e. Report from the Police Chief or Designee: Confirming that the applicant has submitted the plans and information described in 2254 above and that those plans have been approved.
- f. Certificate of Insurance as required by Section 2254.c above.

2258. Special Permit Criteria: In granting a Special Permit for a Firearm Business Use, in addition to the general criteria for granting a Special Permit, the Select Board shall find that the following criteria are met:

- a. The Lot is designed such that it provides convenient, safe, and secure access and egress for clients and employees arriving to and leaving from the lot.
- b. The establishment will have adequate storage, security, and lighting.
- c. Loading, refuse, and service areas are designed to be secure and shielded from abutting uses.
- d. The establishment is designed to minimize any adverse impacts on abutters or pedestrians.
- e. The location and characteristics of the proposed use will not be detrimental to the public health, safety, and welfare of the neighborhood, which may extend into an adjacent municipality, or the Town.
- f. All signage has been reviewed and approved by the Building Commissioner or Design Review Board, as applicable, as to letter size, color, and design per section 3200 to ensure mitigation of impact to the surrounding neighborhood, consistent with applicable Federal and State law.
- g. The establishment has satisfied all of the conditions and requirements in this section.

2259. Limitation and Termination of Special Permit - No more than two Firearm Business Uses are allowed within the Town of Sudbury at any given time. A Special Permit for a Firearm Business Use shall be valid for one year. The owner of a Firearm Business Use shall annually apply to the Special Permit Granting Authority for renewal of the Special Permit, which renewal shall not exceed one (1) year.

A Special Permit for Firearm Business Use, if granted, shall at a minimum be issued in the name of a specific individual and is not transferable upon a sale, transfer, or assignment of the Firearms Business Use. A special permit for a Firearm Business Use may be revoked for violation of the Sudbury Zoning Bylaw or state and federal law, including, but not limited to,

G.L. c. 140, ss. 122B, 130, 131N. Upon expiration or cancellation of the policy of insurance as required herein, and if no additional insurance is obtained, the special permit may be revoked. The Special Permit granting authority may hold a public hearing with notice, posting and publication as required by G.L. c. 40A, §11 to consider revoking a Special Permit under this paragraph. A concurring vote of four members of the Select Board shall be necessary to revoke a special permit for a Firearms Business Use.

2260. Severability: The provisions of the Bylaw are severable. To the extent this Bylaw conflicts with G.L. c. 140 or other State laws or regulations currently in effect, the section shall be interpreted to minimize any conflict with State laws or regulations while maximizing the furtherance of the public safety and other public purposes underlying this Bylaw. The invalidity of any Section or provision of this Zoning Bylaw shall not invalidate any other Section or provision hereof.

C. DEFINITIONS

Insert in Article 7000, Definitions, the following new definition:

Ammunition: Cartridges or cartridge cases, primers (igniters), bullets, tear gas cartridges, or propellant powder designed for use in any Firearm.

Firearm: Any device designed or modified to be used as a weapon capable of firing a projectile using an explosive charge as a propellant, including but not limited to guns, pistols, shotguns, rifles.

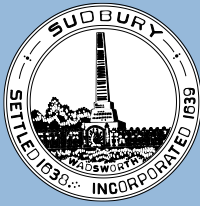
Firearm Accessory: Any device designed, modified, or adapted to be inserted into or affixed onto any Firearm to enable, alter, or improve the functioning or capabilities of the Firearm or to enable the wearing or carrying about one's person of a Firearm, including, but not limited to bags, siting systems, slings and scabbards, or maintenance kits.

Firearm Business Use: Any retail or wholesale operation involving the purchase or sale, in any amount of Firearms or Ammunition; sale of Firearm Accessories, in any amount; any retail or manufacturing operation involving, in any amount, the repairing, altering, cleaning, polishing, engraving, bluing or performing of any mechanical operation on any Firearm; and sale of conversion devices, in any amount, such as an auto sear, fuel filters or solvent filters, trigger switches and/or similar products that when combined create a firearm.

SELECT BOARD REPORT: The 2023 Annual Town Meeting considered a citizens' petition to ban firearms businesses in all zoning districts. During debate and discussion on the article, the Select Board committed to study the issue and return to a future Town Meeting with a proposal that ensures the safety of the community and its residents. After debate concluded, the Moderator called for a vote and the article was defeated. Over the past year, the Select Board, working with staff and Town Counsel, crafted a zoning bylaw amendment that a majority of the Board supports. The bylaw allows for not more than two firearms businesses to be located in Sudbury and ensures that any such businesses would be separated from sensitive uses. Moreover, the bylaw sets stringent standards that safeguard the community in the event that business opens.

By: _____ for the Select Board

Approved by: _____
Town Counsel



SUDBURY SELECT BOARD
Tuesday, March 12, 2024

MISCELLANEOUS (UNTIMED)

8: TM 360 reviews

REQUESTOR SECTION

Date of request:

Requestor: Chair Dretler

Formal Title: Discussion on Town Manager 360 reviews

Recommendations/Suggested Motion/Vote: Discussion on Town Manager 360 reviews

Background Information:
attached timeline and compilation of 360 assessments

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

03/12/2024 7:00 PM

2024 Town Manager Annual Review Timeline

Complete	Steps	Town Manager Annual Review	Date
X	Step 1	Select Board reviews overall Town Manager review process and timeline, including 360 evaluation questions	1/23/24
X	Step 2	360 evaluations sent to Town Manager direct reports. Town Manager 1 yr anniversary is 2/14/2024.	2/13/24
Feb 19-23 SCHOOL VACATION WEEK			
X	Step 3	360 evaluations due from direct reports	3/1/24
	Step 4	360 evaluation responses reviewed by Select Board and Town Manager	3/12/24
	Step 5	Town Manager to send self-evaluation to Select Board	3/20/24
	Step 6	Town Manager to review self-evaluation and goals with Select Board	3/26/24
	Step 7	Select Board to turn in individual Town Manager evaluations	3/27/24
	Step 8	Select Board quantitative data (and qualitative?) combined in one report	3/28/24
	Step 9	Select Board provides evaluation to Town Manager	4/2/24

Attachment 8.a: 2024 Town Manager Annual Review Timeline_Final (6155 : TM 360 reviews)

Response 1

Town of Sudbury - Town Manager 360 Assessment (Annual Evaluation - 2024)

Check the box which most accurately reflects your answer. Please provide comments and if appropriate, an example for each question.

Is this manager effective at solving problems and driving solutions? *

- Yes
- No
- Not applicable

Comment/Example *

Willing to listen and support our initiatives albeit still new to judge long-term.

Does this manager treat others respectfully? *

- Yes
- No
- Not applicable

Comment/Example *

Always treats me and staff respectfully.

Do the actions of this manager provide opportunities for growth and development in others? *

- Yes
- No
- Not applicable

Comment/Example *

Has been supportive of professional growth for staff.

How do you view this manager's growth and development over time? *

Limited opportunity to judge at this point. Look forward to this next year as he should have learned Sudbury to a great extent at this point.

Is this manager able to resolve conflict in an appropriate manner? *

- Yes
- No
- Not applicable

Comment/Example *

What limited issues have been dealt with, he has been supportive of recommended solutions.

Do you receive constructive and helpful feedback from this manager? *

- Yes
- No
- Not applicable

Comment/Example *

I have not received any feedback as of yet other than being supportive.

Do you feel that this manager sets clear direction for the town as a whole that aligns with the town's strategy? *

- Yes
- No
- Not applicable

Comment/Example *

We stay in our lane so I would not be able to answer.

Attachment 8.b: Town Manager 360 Assessments (6155 : TM 360 reviews)

Do you feel this manager sets clear direction for your department? *

- Yes
- No
- Not applicable

Comment/Example *

Aligns with direction provided.

Does this manager always control emotions and behavior, even when faced with high-conflict *
or stressful situations?

- Yes
- No
- Not applicable

Comment/Example *

Very even keeled. Took a bit to learn how to read him given how even keeled he is.

Does this manager demonstrate an understanding of your role and responsibilities? *

- Yes
- No
- Not applicable

Comment/Example *

Very respectful of my role.

Stop/Start/Continue

Please provide comments and if appropriate, an example for each question.

What would you like the manager to stop doing? *

I would like to better understand his own philosophy beyond leaning on those who have been here not that he has had time to acclimate.

What would you like the manager to start doing? *

With a better understanding of Sudbury at this point, I hope he would understand the importance of attracting/retaining superior quality employees.

What would you like the manager to continue doing? *

Continue our respectful relationship in support of personnel. He does not micromanage, trusting our abilities to provide proper service for our residents.

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Google Forms

Response 2

Town of Sudbury - Town Manager 360 Assessment (Annual Evaluation - 2024)

Check the box which most accurately reflects your answer. Please provide comments and if appropriate, an example for each question.

Is this manager effective at solving problems and driving solutions? *

- Yes
- No
- Not applicable

Comment/Example *

I have found Andy to be a "work-the-problem" type of person which I appreciate greatly. He can receive feedback or concerns with equanimity and is collaborative in his approach to finding solutions.

Does this manager treat others respectfully? *

- Yes
- No
- Not applicable

Comment/Example *

Very much so

Do the actions of this manager provide opportunities for growth and development in others? *

- Yes
- No
- Not applicable

Comment/Example *

Hard for me to assess as I have a very specific and unique role that often has us working individually with one another. I haven't seen enough of how Andy works with others to judge.

How do you view this manager's growth and development over time? *

Having only been in my role since July, it's hard to answer this. My impression of Andy is that he is very receptive to feedback and has a growth mindset with his own practice.

Is this manager able to resolve conflict in an appropriate manner? *

- Yes
- No
- Not applicable

Comment/Example *

I answered this for an earlier question

Do you receive constructive and helpful feedback from this manager? *

- Yes
- No
- Not applicable

Comment/Example *

Andy and Brad C. and I meet monthly where we are able to discuss issues pertaining either to one of us or ones that pertain to all of us. That forum allows for honest conversation and constructive feedback, which Andy is very capable at giving. His style is much appreciated.

Do you feel that this manager sets clear direction for the town as a whole that aligns with the town's strategy? *

- Yes
- No
- Not applicable

Comment/Example *

Again hard for me to weigh in substantively given my newness to LS. I was able to be a part of budget discussions and was in a recent meeting for capital projects/budget that Andy ran and it seems he has a good handle on the issues, budgeting process and functions. He also seems to have a good line of communication with the various boards and the heads of the budget centers that are key in the identification of focus areas and pinch points that help to guide vision and direction setting.

Do you feel this manager sets clear direction for your department? *

- Yes
- No
- Not applicable

Comment/Example *

Budget guidance is the main area of experience with Andy and he has been responsive and communicative so that we can develop a budget within guidance parameters.

Does this manager always control emotions and behavior, even when faced with high-conflict * or stressful situations?

- Yes
- No
- Not applicable

Comment/Example *

I haven't had this experience with Andy, other than being in on the capital meeting mentioned before which is definitely stressful. He was calm and collected and honest and, based on my other interactions within this year, I am confident that he has his emotions strongly in check.

Does this manager demonstrate an understanding of your role and responsibilities? *

- Yes
- No
- Not applicable

Comment/Example *

Andy is experienced and understands the role of the Superintendent and my responsibilities.

Stop/Start/Continue

Please provide comments and if appropriate, an example for each question.

What would you like the manager to stop doing? *

N/A

What would you like the manager to start doing? *

N/A

What would you like the manager to continue doing? *

As mentioned before, Andy is open, forthcoming, solution oriented, and calm, which I greatly appreciate.

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Google Forms

Response 3

Town of Sudbury - Town Manager 360 Assessment (Annual Evaluation - 2024)

Check the box which most accurately reflects your answer. Please provide comments and if appropriate, an example for each question.

Is this manager effective at solving problems and driving solutions? *

- Yes
- No
- Not applicable

Comment/Example *

He's very intentional in his actions and isn't afraid to make difficult or unpopular decisions

Does this manager treat others respectfully? *

- Yes
- No
- Not applicable

Comment/Example *

He treats all employees equally with respect

Do the actions of this manager provide opportunities for growth and development in others? *

- Yes
- No
- Not applicable

Comment/Example *

Encourages staff to attend meetings/seminars/training as time permits

How do you view this manager's growth and development over time? *

Andy has three decades of experience. He has worked in many different municipalities and has adapted to Sudbury's needs as necessary. His breadth and depth of knowledge, i.e. municipal finance, is very noticeable and appreciated. We hope he's in Sudbury for many years.

Is this manager able to resolve conflict in an appropriate manner? *

- Yes
- No
- Not applicable

Comment/Example *

He calmly and rationally intentionally solicits feedback from all sides to make a decision

Do you receive constructive and helpful feedback from this manager? *

- Yes
- No
- Not applicable

Comment/Example *

Always willing to offer suggestions to improve processes in our office

Do you feel that this manager sets clear direction for the town as a whole that aligns with the town's strategy? *

- Yes
- No
- Not applicable

Comment/Example *

can't answer this question. What is the town's strategy?

Attachment 8.b: Town Manager 360 Assessments (6155 : TM 360 reviews)

Do you feel this manager sets clear direction for your department? *

- Yes
- No
- Not applicable

Comment/Example *

yes, willing to meet with dept on a regular basis

Does this manager always control emotions and behavior, even when faced with high-conflict *
or stressful situations?

- Yes
- No
- Not applicable

Comment/Example *

Andy keeps his cool very well in difficult situations

Does this manager demonstrate an understanding of your role and responsibilities? *

- Yes
- No
- Not applicable

Comment/Example *

Empathetic to department's workload which has significantly increased, however, staff has not increased in several years.

Stop/Start/Continue

Please provide comments and if appropriate, an example for each question.

What would you like the manager to stop doing? *

can't think of anything

What would you like the manager to start doing? *

more regularly scheduled dept head meetings

What would you like the manager to continue doing? *

Andy's office door is open 90% of the time. He welcomes drop-ins (as time permits) and is very willing to answer and/all questions that come up. His flexibility is appreciated.

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Response 4

Town of Sudbury - Town Manager 360 Assessment (Annual Evaluation - 2024)

Check the box which most accurately reflects your answer. Please provide comments and if appropriate, an example for each question.

Is this manager effective at solving problems and driving solutions? *

- Yes
- No
- Not applicable

Comment/Example *

I haven't worked with Andy directly

Does this manager treat others respectfully? *

- Yes
- No
- Not applicable

Comment/Example *

From what I have seen, he treats others with respect

Do the actions of this manager provide opportunities for growth and development in others? *

Yes

No

Not applicable

Comment/Example *

Haven't worked with Andy

How do you view this manager's growth and development over time? *

Haven't worked with Andy

Is this manager able to resolve conflict in an appropriate manner? *

Yes

No

Not applicable

Comment/Example *

I haven't worked with Andy

Do you receive constructive and helpful feedback from this manager? *

- Yes
- No
- Not applicable

Comment/Example *

not applicable

Do you feel that this manager sets clear direction for the town as a whole that aligns with the town's strategy? *

- Yes
- No
- Not applicable

Comment/Example *

From what I see so far

Do you feel this manager sets clear direction for your department? *

- Yes
- No
- Not applicable

Comment/Example *

not applicable

Does this manager always control emotions and behavior, even when faced with high-conflict *
or stressful situations?

- Yes
- No
- Not applicable

Comment/Example *

I have seen this in action and he is great at controlling his emotions

Does this manager demonstrate an understanding of your role and responsibilities? *

- Yes
- No
- Not applicable

Comment/Example *

He understands my role and how it relates to the town's overall goals

Stop/Start/Continue

Please provide comments and if appropriate, an example for each question.

What would you like the manager to stop doing? *

nothing

What would you like the manager to start doing? *

start being seen more around town hall

What would you like the manager to continue doing? *

continue to do his job well

Response 5

Town of Sudbury - Town Manager 360 Assessment (Annual Evaluation - 2024)

Check the box which most accurately reflects your answer. Please provide comments and if appropriate, an example for each question.

Is this manager effective at solving problems and driving solutions? *

- Yes
- No
- Not applicable

Comment/Example *

Andy has brought in new ideas and processes from his years of experience.

Does this manager treat others respectfully? *

- Yes
- No
- Not applicable

Comment/Example *

yes from what I can see.

Do the actions of this manager provide opportunities for growth and development in others? *

- Yes
- No
- Not applicable

Comment/Example *

It's still early but from what I can see he has been doing that..

How do you view this manager's growth and development over time? *

He has brought in new methods of doing things while taking into consideration the Sudbury Town Charter and By-laws. I think this will be an ongoing process.

Is this manager able to resolve conflict in an appropriate manner? *

- Yes
- No
- Not applicable

Comment/Example *

From what I can see he has.

Do you receive constructive and helpful feedback from this manager? *

- Yes
- No
- Not applicable

Comment/Example *

We have good discussion and debate about different things. He listens and then determines the best way to proceed.

Do you feel that this manager sets clear direction for the town as a whole that aligns with the town's strategy? *

- Yes
- No
- Not applicable

Comment/Example *

I believe he has tried to do that in his first year while still learning how things are done in Sudbury. All communities are different and change doesn't happen overnight.

Do you feel this manager sets clear direction for your department? *

- Yes
- No
- Not applicable

Comment/Example *

I believe so; though many of us have been here for some time and are not new to the field so not much direction is needed.

Does this manager always control emotions and behavior, even when faced with high-conflict * or stressful situations?

- Yes
- No
- Not applicable

Comment/Example *

From what I can see yes; though it can be difficult with some of the residents and when there is pushback when he goes outside of the Sudbury "Norm".

Does this manager demonstrate an understanding of your role and responsibilities? *

- Yes
- No
- Not applicable

Comment/Example *

yes. Andy has many years in this field.

Stop/Start/Continue

Please provide comments and if appropriate, an example for each question.

What would you like the manager to stop doing? *

That's a good question. Hmm I don't have anything specific, but if there is anything on my mind I don't hesitate to mention it to him.

What would you like the manager to start doing? *

Same as question above. If I see something I mention it and keep reminders on my calendar . He has been with us just one year so there has been a learning curve but as things arise he addresses it.

What would you like the manager to continue doing? *

What he is doing now and to continue to ask for suggestions that might help in learning how things are done in Sudbury.

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Response 6

Town of Sudbury - Town Manager 360 Assessment (Annual Evaluation - 2024)

Check the box which most accurately reflects your answer. Please provide comments and if appropriate, an example for each question.

Is this manager effective at solving problems and driving solutions? *

- Yes
- No
- Not applicable

Comment/Example *

Has offered solutions when asked

Does this manager treat others respectfully? *

- Yes
- No
- Not applicable

Comment/Example *

Has always been respectful to me and others I know

Do the actions of this manager provide opportunities for growth and development in others? *

- Yes
- No
- Not applicable

Comment/Example *

Has provided growth opportunities for my staff

How do you view this manager's growth and development over time? *

He seems to have familiarized himself Sudbury's needs and issues

Is this manager able to resolve conflict in an appropriate manner? *

- Yes
- No
- Not applicable

Comment/Example *

I have not had a conflict he needed to resolve

Do you receive constructive and helpful feedback from this manager? *

- Yes
- No
- Not applicable

Comment/Example *

He has offered advice when asked for it

Do you feel that this manager sets clear direction for the town as a whole that aligns with the town's strategy? *

- Yes
- No
- Not applicable

Comment/Example *

He seems to have a good grasp of the Town's needs and difficulties facing us

Do you feel this manager sets clear direction for your department? *

- Yes
- No
- Not applicable

Comment/Example *

He has helped facilitate changes I have requested

Does this manager always control emotions and behavior, even when faced with high-conflict *
or stressful situations?

- Yes
- No
- Not applicable

Comment/Example *

I have not had a high conflict or stressful situation with him

Does this manager demonstrate an understanding of your role and responsibilities? *

- Yes
- No
- Not applicable

Comment/Example *

we have had discussions regarding this

Stop/Start/Continue

Please provide comments and if appropriate, an example for each question.

What would you like the manager to stop doing? *

I don't feel he needs to stop doing anything

What would you like the manager to start doing? *

Have accounting add accruals on the pay stubs

What would you like the manager to continue doing? *

continue to ask if we need something more to help the Department function

Response 7

Town of Sudbury - Town Manager 360 Assessment (Annual Evaluation - 2024)

Check the box which most accurately reflects your answer. Please provide comments and if appropriate, an example for each question.

Is this manager effective at solving problems and driving solutions? *

- Yes
- No
- Not applicable

Comment/Example *

Town Manager Sheehan never comes to the table unprepared. He embarks on diligent research, connects with interested parties and stakeholders. Along with his positive attitude, prior municipal experience and wealth of knowledge, he has gained the trust and respect of the community as well as boards, committees and staff.

Does this manager treat others respectfully? *

- Yes
- No
- Not applicable

Comment/Example *

Town Manager Sheehan meets, greets and treats all with respect and patience. His good nature sets the bar for the department heads he manages.

Do the actions of this manager provide opportunities for growth and development in others? *

- Yes
- No
- Not applicable

Comment/Example *

In the year since Town Manager Sheehan began employment in Sudbury he has encouraged and empowered staff to perform at their best. He conducts in person department head meeting with direct discussions about needs, goals and development. He advocates for employee development.

How do you view this manager's growth and development over time? *

Seems like Town Manager Sheehan has been in Sudbury longer than a year. He did not require much learning curve time. He quickly connected with the Town's building projects, (Fairbank Community Center, and Fire Station).

Is this manager able to resolve conflict in an appropriate manner? *

- Yes
- No
- Not applicable

Comment/Example *

Conflict resolution is rarely an easy task. Town Manager Sheehan responds promptly, and appropriately to issues of conflict. He communicates with the interested parties thoughtfully, effectively and clearly. He works towards a resolution while maintaining the best interests of the Town of Sudbury.

Do you receive constructive and helpful feedback from this manager? *

- Yes
- No
- Not applicable

Comment/Example *

Town Manager Sheehan has shared recommendations on specific topics. The feedback was welcome and helpful.

Do you feel that this manager sets clear direction for the town as a whole that aligns with the town's strategy? *

- Yes
- No
- Not applicable

Comment/Example *

In addition to the direction provided by the Select Board, Town Manager Sheehan promotes community input and engagement. An example of this would be the monthly Town Manager Office hours. He is also committed to explore and vet future revenue sources and opportunities for the Town. Open and direct communication has been demonstrated by this manager time and again.

Do you feel this manager sets clear direction for your department? *

- Yes
- No
- Not applicable

Comment/Example *

Town Manager Sheehan's management style is supportive and he is available to assist departments as necessary to ensure that the resources are in place to successfully complete goals, commitments and obligations. He does not micromanage. He does encourage a team approach.

Attachment 8.b: Town Manager 360 Assessments (6155 : TM 360 reviews)

Does this manager always control emotions and behavior, even when faced with high-conflict * or stressful situations?

- Yes
- No
- Not applicable

Comment/Example *

Town Manager Sheehan consistently maintains composure and professionalism. He displays self confidence and a thoughtful and respectful demeanor, regardless of the matter at hand.

Does this manager demonstrate an understanding of your role and responsibilities? *

- Yes
- No
- Not applicable

Comment/Example *

Town Manager Sheehan has a clear understanding of my role as department head, along with the responsibilities that lie within each department. He communicates in a clear and concise manner, and discusses department specific issues knowledgeably and informatively.

Stop/Start/Continue

Please provide comments and if appropriate, an example for each question.

What would you like the manager to stop doing? *

I cannot think of anything I would like Town Manager Sheehan to stop doing.

An observation I have is that Town Manager Sheehan's typical workday is a long one. The day starts early and ends late. Town Manager Sheehan demonstrates a strong work ethic. It is clear he greatly values his role as Sudbury's Town Manager.

What would you like the manager to start doing? *

Work towards developing a detailed policy for responsibilities associated with all contract types (large and small scale).

What would you like the manager to continue doing? *

Continue his collaborative and responsive approach when connecting with staff and residents.

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Response 8

Town of Sudbury - Town Manager 360 Assessment (Annual Evaluation - 2024)

Check the box which most accurately reflects your answer. Please provide comments and if appropriate, an example for each question.

Is this manager effective at solving problems and driving solutions? *

- Yes
- No
- Not applicable

Comment/Example *

Andy allows each department to resolve their own issues but is available to assist when asked.

Does this manager treat others respectfully? *

- Yes
- No
- Not applicable

Comment/Example *

Andy is always very respectful in his interactions with others.

Do the actions of this manager provide opportunities for growth and development in others? *

- Yes
- No
- Not applicable

Comment/Example *

Andy encourages us to seek opportunities for growth and development.

How do you view this manager's growth and development over time? *

Andy has made an effort to learn the organization. There is not much interaction with him to comment on how this has improved over the last year.

Is this manager able to resolve conflict in an appropriate manner? *

- Yes
- No
- Not applicable

Comment/Example *

I have no direct knowledge of this.

Do you receive constructive and helpful feedback from this manager? *

- Yes
- No
- Not applicable

Comment/Example *

There is not much interaction with Andy to obtain feedback.

Do you feel that this manager sets clear direction for the town as a whole that aligns with the town's strategy? *

- Yes
- No
- Not applicable

Comment/Example *

I believe Andy is still learning the Town and has not set any clear direction for future initiatives that weren't already in motion.

Do you feel this manager sets clear direction for your department? *

- Yes
- No
- Not applicable

Comment/Example *

Andy is very hands off and only gets involved when asked. As Andy gets out from under water, his style of management will allow for him to become more involved in the operations of each individual department.

Does this manager always control emotions and behavior, even when faced with high-conflict * or stressful situations?

- Yes
- No
- Not applicable

Comment/Example *

I would assume so but I have no direct knowledge of this.

Does this manager demonstrate an understanding of your role and responsibilities? *

- Yes
- No
- Not applicable

Comment/Example *

Having worked in the trenches, Andy has a very good understanding of the roles and responsibilities of each department.

Stop/Start/Continue

Please provide comments and if appropriate, an example for each question.

What would you like the manager to stop doing? *

Nothing

What would you like the manager to start doing? *

Unify the various Town entities in one direction forward.

What would you like the manager to continue doing? *

Continue learning the uniqueness of Sudbury to better serve the Town staff and the public.

Attachment 8.b: Town Manager 360 Assessments (6155 : TM 360 reviews)

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Response 9

Town of Sudbury - Town Manager 360 Assessment (Annual Evaluation - 2024)

Check the box which most accurately reflects your answer. Please provide comments and if appropriate, an example for each question.

Is this manager effective at solving problems and driving solutions? *

- Yes
- No
- Not applicable

Comment/Example *

I don't have an example where I have engaged with this.

Does this manager treat others respectfully? *

- Yes
- No
- Not applicable

Comment/Example *

Andy is very responsive and makes time to see you if you need him.

Do the actions of this manager provide opportunities for growth and development in others? *

- Yes
- No
- Not applicable

Comment/Example *

He is interested in hearing what my department is doing and provides opportunities for self-improvement and professional development.

How do you view this manager's growth and development over time? *

I have not engaged with his development. With all new jobs, it takes time to get a solid footing; he has established this within his first year. Development would be in the next few years.

Is this manager able to resolve conflict in an appropriate manner? *

- Yes
- No
- Not applicable

Comment/Example *

Have not engaged with this issue.

Do you receive constructive and helpful feedback from this manager? *

- Yes
- No
- Not applicable

Comment/Example *

Have not engaged with this.

Do you feel that this manager sets clear direction for the town as a whole that aligns with the town's strategy? *

- Yes
- No
- Not applicable

Comment/Example *

This is year one, he is establishing the direction.

Attachment 8.b: Town Manager 360 Assessments (6155 : TM 360 reviews)

Do you feel this manager sets clear direction for your department? *

- Yes
- No
- Not applicable

Comment/Example *

Yes.

Does this manager always control emotions and behavior, even when faced with high-conflict * or stressful situations?

- Yes
- No
- Not applicable

Comment/Example *

I have not engaged with this situation.

Does this manager demonstrate an understanding of your role and responsibilities? *

- Yes
- No
- Not applicable

Comment/Example *

Yes.
.....

Stop/Start/Continue

Please provide comments and if appropriate, an example for each question.

What would you like the manager to stop doing? *

N/A
.....

What would you like the manager to start doing? *

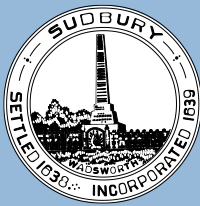
Collaborative efforts/meetings among the departments ie. major capital projects or programs in Town to cut down on email exchanges and rushed delivery of services, and improve organization.
.....

What would you like the manager to continue doing? *

Andy is excellent with checking in and allowing each department to represent their expertise on the subject matter. He is great with handling difficult cases that may arise and mitigating problems before they grow into bigger headaches.

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SUDBURY SELECT BOARD

Tuesday, March 12, 2024

MISCELLANEOUS (UNTIMED)

9: ARPA discussion

REQUESTOR SECTION

Date of request:

Requestor: Sandra Duran, Combined Facilities Director

Formal Title: Request the Select Board to appropriate a sum of \$85,000 of ARPA Funds to be expended under the direction of the Combined Facilities Director for the purpose of the replacement of the Fire Station 3 Roof system, or act on anything relative thereto.

Recommendations/Suggested Motion/Vote: Request the Select Board to appropriate a sum of \$85,000 of ARPA Funds to be expended under the direction of the Combined Facilities Director for the purpose of the replacement of the Fire Station 3 Roof system, or act on anything relative thereto.

Background Information:

The February 2021 Russo Barr Roof Condition Survey recommended replacement of this roof in 2016. Funds allocated in Town Manager Capital Budget ATM 22/4 for \$80,000 are insufficient to replace the roof on Fire Station 3. Solect, (formerly Russo Barr), provided a full design and cost estimate of \$138,317.00. The project was bid and the lowest responsible bidder's cost is \$138,000.

Funds are requested to remove the two roof assemblies currently on the roof and replace the roof with a new EPDM roof that meets current energy codes and provide \$27,000 in contingency funds. Additionally, roof will be "solar ready" should the town pursue a future solar array on this roof. Continued deferment of this replacement item risks system failure under adverse weather conditions. This request is to ensure that we can address the urgent replacement of this roofing system.

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

03/12/2024 7:00 PM

Town of Sudbury ARPA Funds

Mar. 1, '23, Rev. Jan. 10, '24, Feb. 22, '24, Mar. 7, '24

Total Allotment:	5,875,013.78
Distributions Received as of 12/13/2022:	5,875,013.78
Final Distribution*	-

* Final Distribution received 9/29/22

Select Board Allocations (as of 2/1/2024):				Leftover
Project	Allocation	Expenditures	Unexpended	
ARPA Consultant (Powers & Sullivan) voted \$40,000 on Jan. 4, 2022; Jan 2023 not needed	-	-	-	40,000 not needed
Additional Social Worker Services	170,000.00	34,475.35	135,524.65	
Basic needs gift cards (Jail Diversion Prog., Senior Center, Social Work Dept)	20,000.00	19,585.95	414.05	
Mental Health Counselor	166,000.00	-	166,000.00	
Health - Nursing Services	50,000.00	20,161.20	29,838.80	
SPS: Summer academic program	520,000.00	445,743.96	74,256.04	
SPS: Social and Emotional Learning	420,000.00	309,053.20	110,946.80	
LSRHS: Ventilation system upgrades	100,000.00	67,619.00	32,381.00	
Fairbank Community Center: Water line replacement	131,431.18	131,431.18	-	2/28/2023 reallocated to FB contingency
Fire: Equipment	31,205.44	31,205.44	-	
Fairbank Community Center construction funding to provide contingency funds/other funding in light of higher project bidding results	1,868,568.82	1,868,568.82	-	
HOPE Sudbury Community Resource Fund	75,000.00	75,000.00	-	
Police - Medical Equipment	9,500.00	-	9,500.00	
Health - Sudbury Community Food Pantry COVID-19 mitigation	100,000.00	100,000.00	-	
Fire Station #2 living/office addition increased project costs	766,500.00	-	716,500.00	\$233,500 Reallocated to Pool Dive Well; \$50,000 allocated to FD#2 improvements to existing bldg
Health - Funds to hire a consultant/trainers to assist with development of the DEI Commission's mission and action steps.	15,000.00	-	15,000.00	
Housing - COVID Small Grant Program for deferred maintenance due to COVID loss of income, available to homeowners and small landlords (\$75k):	75,000.00	61,685.68	13,314.32	
Housing - Sudbury Rent Relief Program	-	-	-	Sudbury Rent Relief Program

Attachment9.a: ARPA Status Update 2024-03-07 AJS (6161 : ARPA discussion)

Police - Body Camera/Cruiser Camera Program	150,000.00	148,116.55	1,883.45
Consultant - Economic Development Consultant	35,000.00	-	35,000.00
Info Systems - Website - scan of all documents	35,000.00	-	35,000.00
Info Systems - Website - skilled web developer	40,000.00	13,400.00	26,600.00
Fire - Opioid impacts offset	12,500.00	-	12,500.00
Housing - Tenant rental assistance program for residents impacted by COVID (\$125k):	200,000.00	199,999.97	0.03
Park & Rec - 2021 Ford Transit Passenger Van	225,000.00	-	225,000.00
Hybrid Meeting Equipment	78,000.00	78,000.00	-
FB Community Center AV Design \$	\$13,460.00	-	13,460.00
Atkinson Pool Dive Well Repair	\$276,000.00	-	276,000.00
Community Transit Grant Match	\$17,000.00	-	17,000.00
FD#2: improvements to existing bldg	\$50,000.00		\$50,000.00
Total Allocated Projects (as of 2/1/2024)	5,650,165.44	3,604,046.30	1,996,119.14

\$233,500 from Fire St 2; \$42,500 from Unallocated

Unallocated (as of 2/1/24) 224,848.34

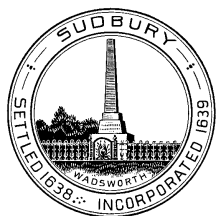
Allocated as of 2/27/2024 5,650,165.44

Expenditures as of 2/27/2024 3,604,046.30

Unexpended as of 2/27/2024 2,046,119.14

Additional ARPA Requests - February 2024	
SPS classroom technology	100,000
Fire Sta. #3: additional roof funds	85,000
Fairbank scissor lift	36,500
250th anniversary celebrations	25,000
Employee/Volunteer Appreciation	10,000
Community Building. (Pride Day, Earth Day, Holiday Village, etc.)	10,000
Total	266,500

Attachment9.a: ARPA Status Update 2024-03-07 AJS (6161 : ARPA discussion)



Town of Sudbury

Facilities Department

275 Old Lancaster Road
Sudbury, MA 01776
978-440-5466; Fax 978-440-5404
facilities@sudbury.ma.us

Sandra R. Duran, Combined Facilities Director

March 7, 2024

To: Andrew Sheehan, Town Manager
From: Sandra R. Duran, Combined Facility Director
RE: Fire Station 3 Roof – Request for supplemental Funds - ARPA

Dear Andy,

I write to you today to request the use of \$85,000 in ARPA Funds to supplement Town Manger Capital Budget ATM 22/4 of \$80,000 for the purpose of replacing the Fire Station 3 Roof.

The current roof system is composed of a low-sloped adhered EPDM roof system that was installed in a “go-over” configuration above an asphalt built up roofing system. The existing referenced roof system is in poor condition and warrants the removal and replacement to address deterioration of the roof system. During the current design process, Socotec observed numerous roof defects (water ponding, delamination, failed seams) throughout along with numerous roofing repairs (repairs are not providing a long-term solution for preventing leaks).

The February 2021 Russo Barr Roof Condition Survey recommended replacement of this roof in 2016. Funds allocated in Town Manager Capital Budget ATM 22/4 for \$80,000 are insufficient to replace the roof on Fire Station 3. Socotec, (formerly Russo Barr), provided a full design and cost estimate of \$138,317.00. The project was bid and the lowest responsible bidder’s cost is \$138,000.

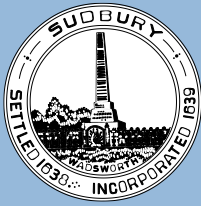
Funds are requested to remove the two roof assemblies currently on the roof and replace the roof with a new EPDM roof that meets current energy codes and provides \$27,000.00 in contingency funds. Additionally, the roof will be "solar ready" should the town pursue a future solar array on this roof. Continued deferment of this replacement item risks system failure under adverse weather conditions. This request is to ensure that we can address the urgent replacement of this roofing system.

Please let me know if you have any questions.

Thank you for your consideration.

Sandra R. Duran

Attachment9.b: Letter to Town Manager requesting ARPA Funds for Fire Station 3 Roof 3.7.2024-signed (6161 : ARPA discussion)



SUDBURY SELECT BOARD
Tuesday, March 12, 2024

MISCELLANEOUS (UNTIMED)

10: Minutes review and approval

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Vote to review and possibly approve the open session minutes of 1/23/24 and 1/31/24.

Recommendations/Suggested Motion/Vote: Vote to review and possibly approve the open session minutes of 1/23/24 and 1/31/24.

Background Information:
drafts attached

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

03/12/2024 7:00 PM

SUDBURY SELECT BOARD

TUESDAY JANUARY 23, 2024

7:00 PM

Hybrid Meeting

Town Hall, 322 Concord Road

(Meeting can be viewed at www.sudburytv.org)

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

The statutory requirements as to notice having been compiled with, the meeting was convened at 7:04 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

- Substance abuse presentation to be held at LSRHS tomorrow evening (1/24/24) at 7:30 PM
- Real estate property taxes due February 1, 2024
- Attended the annual MA Municipal Association (MMA) Conference, which was interesting, particularly the session regarding business districts
- Governor Healey filed the Municipal Empowerment Act bill, worthy of review by Select Board Members

Town Managers Report

- In consideration of recent weather events, the north end of Concord Road has undergone several road closures, due to culvert overflow; DPW has made improvements hoping the road will remain open going forward

Select Board Reports

Board Member Russo

- Echoed comments made regarding the very interesting MMA Conference

Board Member Carty

Had no additional comments

Board Member Roberts

- Noted the MMA Conference was well-attended and enlightening
- Confirmed she had spoken with coastal community representatives at the MMA conference who shared stories about recent weather events

Vice-Chair Kouchakdjian

- Agreed that the MMA Conference was great and was very inspiring
- Recently became a member of the WEMO (Women's Elected Municipal Officials) Committee, and will provide related updates to the Committee.

Public comments

Resident Len Simon, 40 Meadowbrook Circle, requested that his four-page memo submitted to the Board regarding the gun shop topic be included in tonight's agenda documents. Mr. Simon stated that at the September, 2023 Select Board meeting, Town Manager Sheehan emphasized the importance of resident input. Mr. Simon spoke of unadvertised Select Board topic communications between Board Members Russo and Roberts.

Consent Calendar

1. Vote to approve award of contract by the Town Manager upon receipt of a favorable and acceptable bid for cleaning services at the Fairbank Community Center.

2. Vote whether to grant a Special Permit to the Sudbury Companies of Minute and Militia, to hold the annual Parade to Commemorate Patriot's Day on Friday April 19, 2024, from 5:30 A.M. through approximately 12:30 P.M., subject to Police Department safety requirements, Proof of Insurance Coverage and the assurance that any litter will be removed at the parade's conclusion.

3. Vote to accept a \$3,000 donation from a former Sudbury resident to the Contributions and Donations account toward perpetual care of Town Cemeteries.

4. Vote to approve award of contract by the Town Manager, pursuant to approval of Article 27 of the 2023 Annual Town Meeting, to Alpha Facilities Solution, LLC, for the provision of services relative to the municipal building space inventory study and management for facilities with the Town of Sudbury in the amount of \$238,018; and to act on anything relative thereto.

5. Vote to accept a federal grant in the amount of \$26,500 awarded by the Food and Drug Administration (FDA) to the Sudbury Health Department for the purpose of meeting the 9 voluntary FDA Retail Program Standards, as requested by Vivian Zeng, Health Director.

Board Members agreed to review Consent Calendar items #1 and #4 later in the meeting.

Vice-Chair Kouchakdjian motioned to approve Consent Calendar items #2, #3 and #5 as presented. Board Member Russo seconded the motion.

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

VOTED: To approve Consent Calendar items #2, #3 and #5 as presented

Discussion on Camp Sewataro financials with Scott Brody, Director

Present: Scott Brody

Mr. Brody presented Camp Sewataro, LLC Financial Statements, dated September 30, 2023; and highlighted various related topics including:

- Advertising Costs – Increased advertising reflected change in website.
- Transportation Costs – Pass-through charge. Flat rate per bus.
- ADA Improvement Costs – Particularly at Liberty Lodge; ramp construction and pond and pool ADA access planning to begin work in the spring.
- Additional ADA Improvement Plan – Accessible parking and shelter, facility by facility; accessibility to tree house also.
- Plans for Public Use – public swim this summer
- Plans for the Future – added access for camp and residents, consider ways to grow revenue base such as offering programs that the Town might not offer.

Vice-Chair Kouchakdjian asked about accessible parking at Liberty Lodge. Mr. Brody provided details about the completed parking project with signage.

Board Member Roberts asked if the plan was to increase the public swimming program. Mr. Brody answered in the affirmative.

Board Member Russo agreed there was more room for resident swimming and favored a balanced approach and testing various resident swim possibilities.

Chair Dretler requested an independent audit be done during the upcoming year in consideration that the Camp has been in operation for five years. Town Manager Sheehan stated it would be best to complete the audit sooner than later. Mr. Brody agreed to such an audit.

Board Member Carty stated he would want to know the price of such an independent audit before voting to approve it.

Board Member Russo motioned to approve an independent financial audit for Camp Sewataro, with the stipulation that the cost of such audit be presented to the Select Board. Board Member Roberts seconded the motion.

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

VOTED: To approve an independent financial audit for Camp Sewataro, with the stipulation that the cost of such audit be presented to the Select Board

Update on status and next steps on the proposed firearms business use zoning bylaw

Present: Town Counsel Lee Smith, KP Law

Town Manager Sheehan confirmed that Attorney Smith and two other KP Law attorneys reviewed the proposed firearms bylaw. He noted that Chief Nix could also review the draft before next week's Board meeting.

Members discussed specific zoning aspects as related to the proposed firearms bylaw considerations including:

- Hours of operation
- Special Permit to be recognized by the Select Board in one Town district only
- Adherence to 250' setback
- No alcohol sales on or near proposed site
- Storage
- Age restrictions
- BFRT recognized as a sensitive recreational/park area

Town Manager Sheehan suggested submitting a more substantive proposed firearms draft to the Planning Board and to proceed with scheduling a Public Hearing. He noted that per regulations, the Planning Board would be required to conduct a related Public Hearing before presenting a proposed firearms article at Town Meeting.

Vice-Chair Kouchakdjian motioned to conduct a Public Forum on firearms businesses with restrictions, contingent upon additional information from the Planning Board. Board Member Roberts seconded the motion.

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

VOTED: To conduct a Public Forum on firearms businesses with restrictions, contingent upon additional information from the Planning Board

Discussion on potential 2024 Annual Town Meeting articles to be submitted by the Select Board, and also authorize the Town Manager to submit articles on behalf of the Select Board

Chair Dretler read in the words of the motion. Vice-Chair Kouchakdjian moved in the words of the Chair. Board Member Carty seconded the motion.

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

VOTED: To approve the Stabilization Fund Article for 2024 Annual Town Meeting and to authorize the Town Manager to submit articles on behalf of the Select Board.

Discussion and vote whether to use \$17,000 of ARPA funds toward Town match of Community Transit grant

Board Member Carty presented information regarding the awarded transportation grant so that the MWRTA could service the Town via the Catch Connect Transportation program. Board Member Carty suggested using ARPA funds to supply the matching grant funding in the amount of \$17,000. Town Manager Sheehan confirmed that \$17,000 in ARPA funding would be available for this purpose.

Vice-Chair Kouchakdjian motioned to allocate \$17,000 of ARPA funding to match the Community Transit Grant. Board Member Roberts seconded the motion.

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

VOTED: To allocate \$17,000 of ARPA funding to match the Community Transit Grant

Discussion on Town Manager Evaluation Process

Chair Dretler confirmed the proposed Town Manager Evaluation Process was similar to the evaluation and timeline process; she detailed all aspects of the process.

Board Members reviewed the related evaluation and timeline. Town Manager Sheehan agreed with the discussed process.

Vice-Chair Kouchakdjian motioned to approve the Town Manager Evaluation Process and timeline as presented in the Select Board packet. Board Member Russo seconded the motion.

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

VOTED: To approve the Town Manager Evaluation Process and timeline, as presented in the Select Board packet

Chair Dretler read in the words of the motion. Vice-Chair Kouchakdjian moved in the words of the Chair. Board Member Carty seconded the motion.

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

VOTED: To approve the 360 Assessment as outlined in the packet and the evaluation form, as discussed

Discussion on DEI Commission Status and Mission

As Select Board liaison to the DEI Commission, Board Member Roberts explained there had been significant changes. Currently the Commission does not have a Chair and quorums were not often presented at Commission meetings.

Board Member Roberts recommended a DEI specialist provide training/consultation for the Commission and the Select Board. Board Members were in agreement.

After considerable discussion, Board Members concurred that the DEI mission statement should be revised. Board Member Roberts stated she would update the DEI Commission regarding recommendations made by the Board at this meeting.

Chair Dretler suggested revisiting the DEI Commission topic at a future meeting in February.

Discuss topics to be assigned for Winter 2024 - Select Board Newsletter

Board Members indicated preferred Newsletter topics:

- Chair Dretler – Dept. of Public Works
- Vice-Chair Kouchakdjian – Interview with Council on Aging (COA) Director Deb Galloway
- Board Member Russo – Firearms Article Overview

- Board Members Roberts and Carty did not provide a Newsletter topic at this time.

Discussion and vote on submission to 2023 Annual Town Report

Board Members discussed edits to the drafts 2023 Annual Town Report.

Vice-Chair Kouchakdjian motioned to approve the 2023 Annual Town Report, as edited. Board Member Russo seconded the motion.

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

VOTED: To approve the 2023 Annual Town Report, as edited

Acknowledge and discuss Open Meeting Law complaint against Select Board member Charles Russo dated January 17, 2024, filed by resident Leonard Simon; and review and discuss responses to complaint.

Town Manager Sheehan confirmed that Town Counsel Bryan Riley would be responding to the complaint, as filed by resident Len Simon.

Board Members discussed the complaint. Vice-Chair Kouchakdjian stressed that Town Counsel should speak with both parties in consideration of the discussed firearms topic.

Board Member Carty motioned to accept the KP Law response and direct KP Law to forward the response to the Attorney General's Office. Board Member Roberts seconded the motion.

It was on motion 3-2; Kouchakdjian-no, Russo-aye, Carty-aye, Roberts-aye, Dretler-no

VOTED: To accept the KP Law response and direct KP Law to forward the response to the Attorney General's Office

Vote to review and possibly approve open session minutes of 12/19/23

Vice-Chair Kouchakdjian motioned to approve the 12/19/23 minutes, as edited. Board Member Russo seconded the motion.

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

VOTED: To approve the 12/19/23 minutes, as edited

Consent Calendar

1. Vote to approve award of contract by the Town Manager upon receipt of a favorable and acceptable bid for cleaning services at the Fairbank Community Center

Board Member Carty questioned the pricing of the previous bid in comparison to the proposed bid. Town Manager Sheehan provided clarification and stated that additional detail would be provided by the end of the week.

Vice-Chair Kouchakdjian motioned to approve Consent Calendar Item #1. Board Member Russo seconded the motion.

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

VOTED: To approve Consent Calendar Item #1

4. Vote to approve award of contract by the Town Manager, pursuant to approval of Article 27 of the 2023 Annual Town Meeting, to Alpha Facilities Solution, LLC, for the provision of services relative to the municipal building space inventory study and management for facilities with the Town of Sudbury in the amount of \$238,018; and to act on anything relative thereto, assuming Fire Station numbers are correct as discussed.

Board Member Carty inquired about square footage of the new Fire Station, the Fairbank Center and occupancy of the Haynes Meadow property.

Board discussion took place. Town Manager Sheehan responded that the Haynes Meadow property was leased/occupied, and that he would confirm the Fairbank Center and Fire Station specifications.

Vice-Chair Kouchakdjian motioned to approve award of contract by the Town Manager, pursuant to approval of Article 27 of the 2023 Annual Town Meeting, to Alpha Facilities Solution, LLC, for the provision of services relative to the municipal building space inventory study and management for facilities with the Town of Sudbury in the amount of \$238,018; and to act on anything relative thereto, assuming Fire Station numbers are correct as discussed. Board Member Russo seconded the motion.

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

VOTED: To approve award of contract by the Town Manager, pursuant to approval of Article 27 of the 2023 Annual Town Meeting, to Alpha Facilities Solution, LLC, for the provision of services relative to the municipal building space inventory study and management for facilities with the Town of Sudbury in the amount of \$238,018; and to act on anything relative thereto, assuming Fire Station numbers are correct as discussed.

Adjourn

Vice-Chair Kouchakdjian motioned to adjourn the Select Board Meeting. Board Member Russo seconded the motion.

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

VOTED: To adjourn the Select Board Meeting

There being no further business, the meeting ended at 10:28 PM.

SUDBURY SELECT BOARD

WEDNESDAY JANUARY 31, 2024

7:00 PM

(Meeting can be viewed at www.sudburytv.org)

Hybrid Meeting

Police Station Training Room, 75 Hudson Road

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

The statutory requirements as to notice having been compiled with, the meeting was convened at 7:00 PM at the Police Station Training room, and 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

No remarks

Reports from Town Manager

No reports

Reports from Select Board

No reports from Vice-Chair Kouchakdjian, Member Russo, or Member Carty.

Board Member Roberts

- Finance Committee conducted their budget hearing on Monday; robust discussion took place

Public comments

Resident Manish Sharma, 77 Colonial Drive, mentioned that staff at the Peter Noyes School started a GoFundMe account for Noyes School teacher Colby Caravaggio during his cancer treatment. Mr. Sharma stated that he reached out to Representative Carmine Gentile to help with medical treatments expenses via waiver. He encouraged everyone to donate to the GoFundMe.

Resident Len Simon, 40 Meadowbrook Circle, stated no one wants a gun shop in Sudbury and to date no one is requesting such a gun shop in Sudbury. He added that voting for a gun shop bylaw was not the way to achieve that goal.

Mr. Simon stated that Rte. 20 would not be a suitable location for a gun shop. He stressed that once such right is given, it cannot be taken away. He stressed that a community public hearing should take place before any such article is put forth. Mr. Simon asked that his submitted memo be added to the meeting documentation list.

Consent Calendar

#1 - Vote to accept the Declaration of Restrictive Covenant and Grant of Easement regarding Stormwater Management System for the property at 44, 46, 48 Union Avenue and 0 Station Road subject to the Stormwater Management Permit issued for the property.

#2 - Vote to accept award of \$50,000 in Edward J. Byrne Memorial Justice Assistance Grant funding, to be used toward purchase of radio equipment, as requested by Police Chief Scott Nix.

#3 - Vote to authorize Town Manager to acknowledge FTA 2023 Certifications and Assurance form regarding the Community Transit Grant that was recently awarded.

#4 - Vote to accept donation of a piano, valued at \$25,000, to the Senior Center from Friends of Sudbury Senior Citizens.

Board Member Carty asked that Consent Calendar Items 1 and 4 be discussed by the Board later in the meeting.

Vice-Chair Kouchakdjian motioned to approve Consent Calendar Items #2 and #3. Board Member Carty seconded the motion.

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

VOTED: To approve Consent Calendar Items #2 and #3

Vote to ratify action by Town Treasurer to award winning bids for the \$34,780,000 bond issue sold on January 23, 2024

Present: Finance Director Dennis Keohane

Mr. Keohane provided summary regarding awarding the winning bid to Roosevelt and Cross, the low bidder.

Vice-Chair Kouchakdjian motioned to ratify action by Town Treasurer to award winning bids for the \$34,780,000 bond issue sold on January 23, 2024. Board Member Russo seconded the motion.

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

VOTED: To ratify action by Town Treasurer to award winning bids for the \$34,780,000 bond issue sold on January 23, 2024

Update on status and next steps on the proposed firearms business use zoning bylaw

Present: Planning & Community Development Director Adam Burney, Police Chief Scott Nix, Town Counsel Lee Smith, KP Law Counsels Janell Austin and Robin Stein

Chair Dretler stated that related opinion and edited copy of proposed bylaw was submitted by Town Counsel.

Vice-Chair Kouchakdjian motioned to release Town Counsel opinion, dated January 25, 2024. Board Member Roberts seconded the motion.

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

VOTED: To release Town Counsel opinion, dated January 25, 2024

Chair Dretler confirmed that Town Counsel opinion would be posted on the Town website.

Attorney Smith recommended a more general bylaw language, unless legislation should change.

Board Members provided comments to edits presented, and requested assurance that the proposed bylaw language would not contradict any existing Town bylaws/regulations.

Attorney Austin confirmed that she compared actions regarding the 2nd Amendment throughout the state. She mentioned that she was unaware of challenges to the type of proposed bylaw language being recommended by KP Law.

Attorney Stein commented that various types of legal challenges cannot always be foreseen.

Board Member Russo asked Mr. Burney about public education and “by-right” retail use. Mr. Burney responded that the Planning Board reviews the physical space to make determination; space, parking, traffic, stormwater, impervious aspects, landscaping and special permitting/conditioning are the determinants of such decision. He added that Planning would consider the nature of the business and where it is located.

Mr. Burney confirmed that any business selling guns goes through a governmental approval/licensing process.

Board Member Roberts acknowledged that the proposed bylaw would be limited to one district only, and hoped that Attorneys Smith, Stein and Austin would be present at a Town Forum. She addressed several edits suggested by legal Counsel.

Comprehensive discussion regarding related definitions took place, including the added definition for Firearms Business.

Board Member Russo stressed that inclusion of such bylaw would help to maintain public safety and make gun retail sites in Sudbury less appealing for such businesses.

Town Manager Sheehan explained that the Planning Board would schedule a related public forum. Mr. Burney noted that such a forum would likely take place in April and would include the MBTA Communities topic as well. Board Member Russo recommended the Select Board conduct a separate gun safety public forum.

Chair Dretler recommended planning such a Select Board public hearing at the next Select Board meeting and discuss possible dates and location for such a hearing.

Board Member Russo motioned that the Select Board continue the conversation regarding the firearms bylaw article at this time. Board Member Carty seconded the motion.

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

VOTED: To continue the conversation regarding the firearms bylaw article at this time

Vice-Chair Kouchakdjian opined that it was natural that the Board Members would not agree on every topic presented, but civil discourse was essential. She emphasized she was against the bylaw and would continue to represent residents who shared her concern about the proposed bylaw.

Vice-Chair Kouchakdjian stressed that the safest way to protect Sudbury from sale of firearms involved a total ban enforcement. She added there was no requirement to include this bylaw and that a 2nd amendment was not a given.

Chair Dretler acknowledged there were significant additions made to the edited bylaw documentation as presented tonight, and would want more time to analyze such language before planning moved ahead in the process.

Board Member Russo agreed that analyzing such added language was important, and the voters at previous Town Meeting indicated this topic was very important to them.

Board Member Roberts stressed the importance of scheduling public information hearings as soon as possible.

Board Member Carty motioned to put the Firearms Article on the Town Meeting Warrant, as edited, and to allow the Town Manager to take any related action as needed. Board Member Roberts seconded the motion.

It was on motion 3-2; Kouchakdjian-no, Carty-aye, Russo-aye, Roberts-aye, Dretler-no

VOTED: To put the Firearms Article on the Town Meeting Warrant, as edited, and to allow the Town Manager to take any related action as needed

Review of Consent Calendar Items #1 and #4

#1 - Vote to accept the Declaration of Restrictive Covenant and Grant of Easement regarding Stormwater Management System for the property at 44, 46, 48 Union Avenue and 0 Station Road subject to the Stormwater Management Permit issued for the property.

Board Member Carty sought assurance that what was voted at a previous meeting would not conflict with what might be voted this evening. Mr. Burney confirmed that such vote at this time would not be in conflict and this vote would permit Town entry and maintenance if the applicant/owner did not maintain the site.

Vice-Chair Kouchakdjian motioned to accept the Declaration of Restrictive Covenant and Grant of Easement regarding Stormwater Management System for the property at 44, 46, 48 Union Avenue and 0 Station Road subject to the Stormwater Management Permit issued for the property. Board Member Roberts seconded the motion.

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

VOTED: To accept the Declaration of Restrictive Covenant and Grant of Easement regarding Stormwater Management System for the property at 44, 46, 48 Union Avenue and 0 Station Road subject to the Stormwater Management Permit issued for the property

#4 - Vote to accept donation of a piano, valued at \$25,000, to the Senior Center from Friends of Sudbury Senior Citizens

Board Member Russo opined about the Staff discretion regarding location of the piano. Town Manager Sheehan confirmed that Staff did have such discretion.

Vice-Chair Kouchakdjian motioned to accept donation of a piano, valued at \$25,000, to the Senior Center from Friends of Sudbury Senior Citizens. Board Member Roberts seconded the motion.

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

VOTED: To accept donation of a piano, valued at \$25,000, to the Senior Center from Friends of Sudbury Senior Citizens

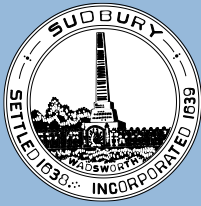
Adjourn

Vice-Chair Kouchakdjian motioned to adjourn the Select Board Meeting. Board Member Carty seconded the motion.

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

VOTED: To adjourn the Select Board Meeting

There being no further business, the meeting ended at 9:07 PM.



SUDBURY SELECT BOARD
Tuesday, March 12, 2024

EXECUTIVE SESSION

11: Exec Session collective bargaining

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Vote to enter into Executive Session pursuant to Exemption 3 (M.G.L. c.30A, §21(a)(3)) to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares.

Recommendations/Suggested Motion/Vote: Vote to enter into Executive Session pursuant to Exemption 3 (M.G.L. c.30A, §21(a)(3)) to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares.

Background Information:
correspondence attached

Financial impact expected:

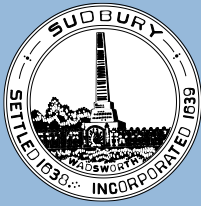
Approximate agenda time requested:

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

03/12/2024 7:00 PM



SUDBURY SELECT BOARD
Tuesday, March 12, 2024

EXECUTIVE SESSION

12: Close exec 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

03/12/2024 7:00 PM