

2016 Annual Town Meeting May 2, 3 and 4

IN MEMORIAM RESOLUTION

Moderator declared unanimously resolved that the Town of Sudbury extend its heartfelt sympathy to the families of these persons and recognize their service and dedication to the community: Helga Andrews, George Anelons, Walter Bent, David Bronson, Mildred A. Chandler, Joanna Crawford, Maurice "Doc" Fitzgerald, Barbara Frizzell, Frances Louise Galligan, Jeanne Godfrey, Spencer R. Goldstein, Ruth Green, Peter B. Lembo, Dorcas Ruth Lemoine, William Maloney, Roy E. Mathews Jr., Paul J. Marzilli, Edward R. McAllister, Joan E. Meenan, Irene P. McCarthy, Teresa W. Newton, Joseph Nugent, Jr., Elizabeth "Eileen" Paradis, Charles R. Quinn, Dorothy Roberts, Donald Somers, Norman Swicker, Marjorie A. Stiles, Jean T. Stone, Richard Carleton Venne and N. Jane West Young.

Article 1. HEAR REPORTS

Moderator declared unanimously voted to accept the reports of the Town boards, commissions, officers and committees as printed in the 2015 Town Report or as otherwise presented, subject to the correction of errors, if any, where found.

Article 2. FY16 BUDGET ADJUSTMENTS

Moderator declared indefinitely postponed.

Article 3. STABILIZATION FUND

Moderator declared voted by well more than two-thirds to transfer \$280,190 from Free Cash, to the Stabilization Fund established under Article 12 of the October 7, 1982 Special Town Meeting.

Article 4. FY17 BUDGET LIMITING

Moderator declared voted that the amount appropriated under the FY17 budget not exceed the sum of \$ 91,043,226.

Article 4. FY17 BUDGET

Moderator declared voted by well more than a majority that the Town appropriate the sums of money set forth in the column "FY17 Recommended" for FY17 as shown below.

said sums to be raised by transfer of \$225,000 from Free Cash and the remainder to be raised by taxation except that the following items to be raised and designated, by transfer from available fund balances and interfund transfers; from Ambulance Reserve for Appropriation Acct. to (200) Public Safety, \$641,912; the sum of \$6,156,384 set forth as Sudbury Public Schools Employee Benefits to be immediately transferred and added to item 900: Town Employee Benefits, so that the Employee Benefits total will be \$10,935,429, to be expended under the Town Manager; the sum of \$194,328 set forth as Sudbury Public Schools OPEB Normal Cost to be immediately transferred and added to item 1000: (SPS/Town) OPEB Normal Cost, so that the OPEB Normal Cost total will be \$314,094; and to authorize the Town Manager to transfer \$1,117,907 of the funds from item 900 Employee Benefits and \$314,094 from item 1000: (SPS/Town) OPEB Normal Cost to the OPEB Trust established to meet expenses for post employment health and life insurance benefits for eligible retirees and to expend such funds for that purpose; and to authorize the purchase of equipment funded under this budget by entering into lease purchase agreements; and to authorize multi-year contracts in excess of three years either by renewal, extension, or purchase options in accordance with the provisions of M.G.L. c.30B § 12 upon determination by the Chief Procurement Officer to be the most advantageous option.

		FY17
EXPENDITURES		Recommended
300: Sudbury Public Schools: Net		34,682,619
300: SPS Employee Benefits (1)		6,156,384
1000: SPS OPEB Normal Cost (2)		194,328
	Sub-total SPS Net	41,033,331
300: LS Operating Assessment: Net		22,083,916
300: LS OPEB Normal Cost Assessment		203,563
300: LS Operating Debt Service Assessment		591,655
	Sub-total LS Assessments Net	22,879,134
300: Minuteman Regional Assessment		728,141
	Total: Schools	64,640,606
100: General Government		2,825,426
200: Public Safety (3)		7,332,129
400: Public Works		5,213,559
500: Human Services		713,912
600: Culture & Recreation		1,282,232
900: Employee Benefits		4,779,045
900: Other & Transfers		508,126
1000: OPEB Normal Cost (2)		119,766
	Total: Town Departments	22,774,195
700: Town Debt Service		3,628,425
TOTAL: OPERATING BUDGET		91,043,226
<i>(not including Capital or Enterprise Funds)</i>		

1 To be transferred to 900: Town Employee benefits

2 To be transferred to 1000: SPS/Town Normal Cost for OPEB

3 Ambulance reserve funds to be transferred to 200: Public Safety (direct revenue offset)

Article 5. FY17 TRANSFER STATION ENTERPRISE FUND BUDGET

Moderator declared unanimously voted to appropriate the sum of \$276,032 for the Transfer Station Enterprise Fund for FY17; and further to authorize use of an additional \$16,700 of Enterprise Fund receipts for indirect costs; such sums to be raised from \$286,996 in receipts of the Enterprise and use of retained earnings of \$5,736 of the Enterprise.

Article 6. FY17 POOL ENTERPRISE FUND BUDGET

Moderator declared passed by well more than a majority to appropriate the sum of \$574,279 for the Pool Enterprise Fund for FY17; such sum to be raised from \$574,279 in receipts of the Enterprise.

Article 7. FY17 RECREATION FIELD MAINTENANCE ENTERPRISE FUND BUDGET

Moderator declared unanimously voted to appropriate the sum of \$214,183 for the Recreation Field Maintenance Enterprise Fund for FY17; and to authorize use of an additional \$22,575 of Enterprise Fund receipts for indirect costs; such sums to be raised from \$190,000 in receipts of the Enterprise and use of retained earnings of \$46,758 of the Enterprise.

Article 8. UNPAID BILLS

Moderator declared unanimously voted to indefinitely postpone.

Article 9. CHAPTER 90 HIGHWAY FUNDING

Moderator declared unanimously voted 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.

Article 10. TOWN/SCHOOL REVOLVING FUNDS

Moderator declared unanimously voted to authorize for FY17 the use of revolving funds under M.G.L. c.44, s.53E ½, by the following Departments of the Town in accordance with the description for each fund placed on file with the Board of Selectmen, said funds to be maintained as separate accounts set forth as follows:

<u>Fund</u>	<u>Department</u>	<u>Maximum Amount</u>
Public Health Vaccinations	Board of Health	\$ 10,000
Plumbing & Gas Inspectional Services	Building Inspector	\$ 50,000
Portable Sign Administration & Inspectional Services	Building Inspector	\$ 10,000
Conservation (Trail Maintenance)	Conservation Commission	\$ 7,500
Conservation (Wetlands)	Conservation Commission	\$ 35,000
Council on Aging Activities	Council on Aging	\$ 50,000
Council on Aging Van Transportation (MWRTA)	Council on Aging	\$ 135,000
Cemetery Revolving Fund	DPW Director	\$ 20,000
Fire Department Permits	Fire Chief	\$ 45,000
Goodnow Library Meeting Rooms	Goodnow Library	\$ 10,500
Recreation Programs	Park and Recreation Commission	\$ 542,000
Teen Center	Park and Recreation Commission	\$ 20,000
Youth Programs	Park and Recreation Commission	\$ 170,000
Bus	Sudbury Schools	\$ 450,000
Instrumental Music	Sudbury Schools	\$ 100,000
Cable Television	Town Manager	\$ 30,000
Rental Property	Town Manager	\$ 40,000
Dog	Treasurer/Collector	\$ 70,000
Zoning Board of Appeals	Zoning Board of Appeals	\$ 25,000

and to confirm that said funds have been established in accordance with M.G.L. c.44 s. 53E ½.

Article 11. ESTABLISH SOLAR ENERGY SAVINGS REVOLVING FUND

Moderator declared voted by well more than a majority to establish and authorize for Fiscal Year 2017, the use of a revolving fund by the Facilities Director for paying town electrical costs, and to fund energy saving initiatives by the Energy Committee; to be funded by receipts from the solar field at the landfill; said fund to be maintained as a separate account, in accordance with MGL, Chapter 44, Section 53E1/2; the amount to be expended therefrom shall not exceed the amount of \$330,000.

Article 12. Article 14. DPW ROLLING STOCK STABILIZATION FUND - REPURPOSING

Moderator declared unanimously voted to amend the purpose of the special stabilization account established by vote under Article 24 of the May 6, 2014 Annual Town Meeting to read as follows: “for the purpose of replacing or adding to town or school rolling stock equipment, including toward the purchase, lease or debt service payments for items classified as such.”

Article 13. FY17 CAPITAL BUDGET

Moderator declared unanimously voted to appropriate the sum of \$404,000 for the purchase or acquisition of capital items including but not limited to capital equipment, construction, engineering and design, including but not limited to renovation to buildings; said sum to be raised by taxation; and to authorize the Town Manager to allocate funds as needed between the underlying departments as shown in the following chart:

FY17 Operating Capital Article by Department excluding operating leases and capital exclusions:

DPW Highway	\$ 81,000
Facilities/SPS	\$102,000
Facilities/Town	\$125,000
Fire	\$ 96,000

TOTAL

\$404,000

Article 14A. PURCHASE OF FIRE DEPARTMENT AMBULANCE

Moderator declared voted by well more than a majority to raise and appropriate the sum of \$265,000 for the purpose of purchasing and equipping a Fire Department ambulance; said appropriation to be contingent upon the approval of a Proposition 2 ½ Capital Expenditure Exclusion in accordance with G.L. c.59, §21C(i½).

Article 14B. PURCHASE OF FIRE DEPARTMENT LADDER TRUCK

Moderator declared voted by well more than 2/3 to appropriate the sum of \$875,000 for the purpose of purchasing and equipping a Fire Department ladder truck including the payment of all costs incidental and related thereto; and to meet said appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$875,000 under General Laws chapter 44, section 7 or any other enabling authority, and that the Board of Selectmen is to take any action necessary to carry out this project; provided, however, that this vote shall not take effect until the town votes to approve a Proposition 2 ½ Debt Exclusion in accordance with G.L. c.59, §21C(k).

Article 15. DPW ROLLING STOCK REPLACEMENT

Moderator declared voted by well more than a majority to raise and appropriate the sum of \$492,500 for purchase of rolling stock, vehicle and/or equipment for the Department of Public Works; said appropriation to be contingent upon the approval of a Proposition 2 ½ Capital Expenditure Exclusion in accordance with G.L. c.59, §21C(i½).

Article 16. SCHOOL ROOFTOP HVAC UNIT REPLACEMENT

Moderator declared voted by well more than a majority to raise and appropriate the sum of \$75,000 to be expended under the direction of the Facilities Director for the purpose of purchasing a School rooftop HVAC unit, including the payment of all costs incidental or related thereto; said appropriation to be contingent upon the approval of a Proposition 2 ½ Capital Expenditure Exclusion in accordance with G.L. c.59, §21C(i½).

Article 17. TOWN AND SCHOOLS PARKING LOTS AND SIDEWALKS IMPROVEMENT

Moderator declared voted by well more than a majority to raise and appropriate the sum of \$84,000 to be expended under the direction of the Facilities Director for the purpose of constructing, reconstructing, or making extraordinary repairs to the Sudbury Public Schools' and Town's driveways, parking lots and sidewalks, including payment of all costs incidental or related thereto; said appropriation to be contingent upon the approval of a Proposition 2 ½ Capital Expenditure Exclusion in accordance with G.L. c.59, §21C(i½).

Article 18. NIXON SCHOOL CROSSWALK TRAFFIC SIGNAL

Moderator declared voted by well more than a majority to raise and appropriate the sum of \$25,000 to be expended under the direction of the Facilities Director for the purpose of constructing, reconstructing, or making extraordinary repairs to the crosswalk at the Nixon School, including installing a crosswalk traffic signal at the intersection of Concord Road, Morse Road, and the driveway entrance to the Nixon School, including the payment of all costs incidental or related thereto; said appropriation to be contingent upon the approval of a Proposition 2 ½ Capital Expenditure Exclusion in accordance with G.L. c.59, §21C(i½).

Article 19. TOWN AND SCHOOL SECURITY AND ACCESS CONTROLS

Moderator declared voted by well more than a majority to raise and appropriate the sum of \$195,000 to be expended under the direction of the Facilities Director for the purpose of constructing, reconstructing, or making extraordinary repairs to the Sudbury Town Buildings for the purpose of building safety, security and access controls including the payment of all costs incidental or related thereto; said appropriation to be contingent upon the approval of a Proposition 2 ½ Capital Expenditure Exclusion in accordance with G.L. c.59, §21C(i½).

Article 20. SECURITY SYSTEM UPGRADE (CCTV SYSTEM) – LINCOLN-SUDBURY REGIONAL HIGH SCHOOL

Moderator declared voted by well more than a majority to raise and appropriate the sum of \$122,320 to be expended under the direction of the Lincoln-Sudbury School Committee for the purpose of constructing, reconstructing, or

making extraordinary repairs to the Lincoln-Sudbury Regional District for the purpose of building and personal safety and security; said appropriation to be contingent upon the approval of a Proposition 2 ½ Capital Expenditure Exclusion in accordance with G.L. c.59, §21C(i½).

Article 21. SCHOOL’S MAINTENANCE GARAGE

Moderator declared voted by well more than a majority to indefinitely postpone.

Article 22. DPW COLD STORAGE GARAGE ADDITION

Moderator declared voted by well more than a majority to raise and appropriate the sum of \$220,000 for the purpose of constructing an addition on the existing DPW garage on Town-owned land located at 275 Old Lancaster Road, including site development, and all expenses connected therewith, including professional, engineering and architectural services and preparation of plans, specifications, and bidding documents, supervision of work and relocation; said appropriation to be contingent upon the approval of a Proposition 2 ½ Capital Expenditure Exclusion in accordance with G.L. c.59, §21C(i½).

Article 23. DPW UNDERGROUND FUEL STORAGE REPLACEMENT

Moderator declared voted by more than a majority to raise and appropriate the sum of \$250,000 for the purpose of constructing, reconstructing, or making extraordinary repairs to the Underground Fuel Storage system at the DPW Facility located at 275 Old Lancaster Road and all other appurtenances thereto and all expenses therewith including preparation of plans, specifications and bidding; said appropriation to be contingent upon the approval of a Proposition 2 ½ Capital Expenditure Exclusion in accordance with G.L. c.59, §21C(i½).

Article 24. WALKWAY ENGINEERING, DESIGN AND CONSTRUCTION

Moderator declared voted by more than a majority to raise and appropriate the sum of \$100,000 to be expended under the direction of the Director of Public Works for the purpose of engineering, design and construction of new walkways within the Town including the payment of all costs incidental or related thereto; said sum to be raised by taxation and contingent upon the approval of a Proposition 2 ½ Capital Expenditure Exclusion in accordance with G.L. c.59, §21C(i½).

Article 25. FEATHERLAND TENNIS COURTS

Moderator declared voted by more than a majority to raise and appropriate the sum of \$175,000 for the purpose of reconstructing, resurfacing, expanding or making extraordinary repairs to the tennis courts at Featherland Park, including the payment of all costs incidental or related thereto; said appropriation to be contingent upon the approval of a Proposition 2 ½ Capital Expenditure Exclusion in accordance with G.L. c.59, §21C(i½).

Article 26. STREET ACCEPTANCES

Moderator declared voted by more than a majority to accept the layout of the following ways:

Trevor Way from Horse Pond Road to a dead end, a distance of 415 ft. + -

Arboretum Way from Maynard Road to a dead end, a distance of 1,025 ft. + -

Tall Pine Drive from Horse Pond Road to a dead end, a distance of 1,093 ft. + -

as laid out by the Board of Selectmen in accordance with the descriptions and plans on file in the Town Clerk’s Office; to authorize the Board of Selectmen to acquire by purchase, by gift or by eminent domain, an easement or fee simple, over the ways shown on said plans and any associated drainage, utility or other easements.

Article 27. AMEND TOWN BYLAWS, ART. III.11 TOWN FORUM

Moderator declared voted by more than a majority to amend Article III, Section 11 of the Town of Sudbury Bylaws, Town Forum, as follows (new wording is shown underlined, and wording to be deleted is bracketed);

SECTION 11. The Town will conduct a Town Forum on an annual (minimum requirement) basis. The Forum will be an open, public meeting for Town residents. The Town Forum will provide a planned, scheduled opportunity for constructive engagement between the Town and residents. The Town participants panel [will] may include, [but not be limited to] all department heads, committee chairpersons and Trust chairpersons. The Board of Selectmen will

encourage broad participation for Town officials in the Town Forum. One member of the Town panel will act as moderator. The moderator will facilitate and manage questions from Town residents to the appropriate panel member for response. [2½ hours will be scheduled for each Forum. Forums may be adjourned earlier by majority vote of the participating residents.]

Article 28. WITHDRAWN

Article 29. WITHDRAWN

Article 30. WITHDRAWN

Article 31. AMEND TOWN BYLAWS, ART. I, TOWN MEETINGS

Moderator declared voted by more than a majority to amend Town Bylaws, Art. I, by adding a new Section 3 as follows:

Section 3. A Town Meeting shall be held on the third Monday in October at such place as the Selectmen shall determine. The Selectmen, after a Public Hearing, may delay the start of the October Town Meeting for up to 7 days provided that they act no later than the last day in September preceding. All sessions of the meeting shall begin at 7:30 P.M., and, unless otherwise voted by two-thirds of those present and voting, shall be adjourned to 7:30 P.M. of the next Monday, Tuesday, or Wednesday, whichever comes first (legal holidays excluded), upon completion of the article under discussion at 10:30 P.M.; except that any such meeting shall be adjourned before that time if a quorum shall be declared to have been lost, or at 8:30 P.M. if a quorum has not been assembled by then;

and to renumber the remaining two sections as Section 4 and Section 5.

Article 32. WITHDRAWN

Article 33. FAIRBANK COMMUNITY CENTER DESIGN

Moderator declared voted by more than a majority to indefinitely postpone.

Article 34. WITHDRAWN

Article 35. WITHDRAWN

Article 36. AMEND ZONING BYLAW, ART. IX, SECTION 7000 – DEFINITION OF DOG KENNEL

Moderator declared voted by more than a majority to indefinitely postpone.

Article 37. AMEND ARTICLE IX, THE ZONING BYLAW, SECTION 4345, WIRELESS SERVICES OVERLAY DISTRICT USES AVAILABLE AS OF RIGHT

Moderator declared voted by well more than 2/3 to amend Article IX (the Zoning Bylaw), as follows:

Amend Section 4345, Uses Available as of Right, by adding the word “Minor” in front of the words “Site Plan”, and changing “section 6300” to “section 6370”, so that section reads:

4345. Changes in the capacity or operation of a wireless service facility which has previously received a special permit under this Bylaw, limited to an increase or decrease in the number of antennae, cells, panels, equipment buildings or cabinet or the number of service providers (co-locators), shall be permitted, subject to Minor Site Plan review under section 6370 of the Zoning Bylaw and authorization from the lessor of the property.

Article 38. COMMUNITY PRESERVATION FUND – SUDBURY HOUSING TRUST ALLOCATION

Moderator declared voted by more than a majority to appropriate \$202,600 from Community Preservation Act Fiscal

Year 2017 revenues, as recommended by the Community Preservation Committee, for the purpose of providing funds to the Sudbury Housing Trust in support of its efforts to provide for the preservation and creation of affordable housing.

Article 39. COMMUNITY PRESERVATION FUND – GOODNOW LIBRARY ARCHIVES

Moderator declared unanimously voted to appropriate the sum of \$40,000 from Community Preservation Act Fiscal Year 2017 revenues for historic resources purposes, as recommended by the Community Preservation Committee, for the purpose of funding a new electronic platform for the Goodnow Library Historic Archives.

Article 40. COMMUNITY PRESERVATION FUND – TOWN CENTER LANDSCAPING

Moderator declared voted by more than a majority to appropriate the sum of \$100,000 from Community Preservation Act Fiscal Year 2017 revenues with \$50,000 of said appropriation for historic resources purpose, and \$50,000 of said appropriation for open space purposes, as recommended by the Community Preservation Committee, for the purpose of funding landscaping and historic restoration components of the Town Center Improvement project.

Article 41. COMMUNITY PRESERVATION FUND – SUDBURY HISTORY CENTER AND MUSEUM AT THE LORING PARSONAGE

Moderator declared voted by more than a majority to appropriate the sum of \$177,732, as recommended by the Community Preservation Committee, from Community Preservation Act Fiscal Year 2017 revenues, and the sum of \$222,268 from the fund balance Reserved for Historic Resources for Community Preservation Act, for the purpose of funding the construction phase of the repurposing of the Loring Parsonage into a History Center and Museum.

Article 42. COMMUNITY PRESERVATION FUND – BRUCE FREEMAN RAIL TRAIL PARTIAL 75% DESIGN

Moderator declared voted by more than a majority to appropriate the sum of \$150,000 from Community Preservation Act Fiscal Year 2017 revenues for recreation purposes, as recommended by the Community Preservation Committee, for the purpose of beginning the 75% design plan for the Bruce Freeman Rail Trail in Sudbury to MassDOT standards.

Article 43. COMMUNITY PRESERVATION FUND – GENERAL BUDGET AND APPROPRIATIONS

Moderator declared unanimously voted to appropriate the sums as recommended by the Community Preservation Committee, in the following Community Preservation budget for Fiscal Year 2017 from Community Preservation Act Fiscal Year 2017 revenues:

\$ 90,000	Administrative and Operating Cost
\$1,266,198	Debt Service

Article 44. TOWN WALKWAYS

Moderator declared voted by more than a majority to suggest that the town consider surveying town road Right of Ways (RoWs) to determine where walkways may be designed and built without the need for easements of private property(s).

Article 45. SPECIAL ACT – CREATE REMOTE VOTING SYSTEM FOR TOWN MEETING FOR DISABLED CITIZENS

Moderator declared voted by more than a majority to authorize the Board of Selectmen to petition the General Court for a Special Act providing the Town of Sudbury the ability to create a remote voting system to accommodate those with a temporary or permanent disability preventing them from physically attending town meeting; provided that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court; and provided further that the Board of Selectmen be authorized to approve amendments which shall be within the scope of the general public objective of the petition.

Residents registered to vote on or before the deadline set by statute for any given Annual or Special Town Meeting shall be eligible to vote remotely provided that they have notified the Town Clerk of their disability in writing and requested that they be allowed to vote remotely by telephone (supplying the phone number which they will use to vote) no later than the deadline date for registering to vote for said Town Meeting. The aforesaid notification shall include a statement from a physician or nurse practitioner, licensed to practice in the Commonwealth, stating that the voter is temporarily or permanently physically disabled and unable (without hardship) to attend Town Meeting for a stated period, which period includes the date/s of the prospective Town Meeting. The notification may be communicated to the Town Clerk by email from the physician or nurse practitioner.

The disabled voter shall communicate his or her vote by telephone to the Town Moderator or Assistant Moderator from a phone number previously filed with the Town Clerk and identifiable by the Town Moderator or Assistant Moderator at the time of voting. The voter shall dial a number provided to her/him by the Town Clerk, identify herself/himself to the Town Moderator or Assistant Moderator stating his/her name and street address (in the same manner that voters normally check in at Town Meeting and receive their colored cards to employ in voting from the floor). Voters calling from a telephone, the number of which is blocked or otherwise not discerned by the Town Clerk will not be able to vote. Voters calling from a phone number different than that previously provided to the Town Clerk (at the time of notification of disability and request for remote voting) shall not be allowed to vote (in order to prevent fraud).