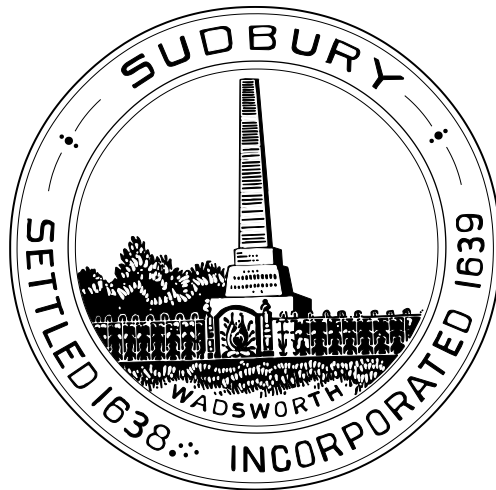


# PROCEEDINGS

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**ANNUAL LSRHS District Election – March 26, 2018**  
**ANNUAL TOWN MEETING – May 7, & 8, 2018**  
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**STATE PRIMARY ELECTION – September 4, 2018**  
**RECOUNT OF REPRESENTATIVE IN CONGRESS 3<sup>rd</sup>**  
**DISTRICT STATE PRIMARY Pct. 1 – September 14, 2018**  
**STATE ELECTION – November 6, 2018**  
**SPECIAL TOWN MEETING – October 15, 2018**  
**SPECIAL TOWN MEETING – December 11, 2018**



## TOWN OF SUDBURY MASSACHUSETTS 2018

A TRUE ATTEST COPY:

*Rosemary B. Harwell*

TOWN CLERK

<p style="text-align:center"><b>TOWN OF SUDBURY</b> <b>2018 ANNUAL TOWN PROCEEDINGS</b></p>
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## Sudbury Annual Town Election

March 26, 2018

The Annual Town Election was held at two locations. Precincts 1, 2 & 5 voted at the Fairbank Community Center, 40 Fairbank Road, and Precincts 3 & 4 voted at the Town Hall, 322 Concord Road. The polls were open from 7:00 AM to 8:00 PM. There were 2,524 votes cast, representing 20% of the town's 12,548 registered voters.

### MODERATOR (1) FOR THREE YEARS

Candidate Name	Precinct 1	Precinct 2	Precinct 3	Precinct 4	Precinct 5	Total
ELIZABETH T. QUIRK 20 SCOTTS WOOD DRIVE	310	434	382	338	347	1811
BLANK	126	144	148	135	147	700
WRITE-IN	1	4	3	3	2	13
<b>Totals for Office</b>	<b>437</b>	<b>582</b>	<b>533</b>	<b>476</b>	<b>496</b>	<b>2524</b>

### BOARD OF SELECTMEN (2) FOR THREE YEARS

Candidate Name	Precinct 1	Precinct 2	Precinct 3	Precinct 4	Precinct 5	Total
DANIEL E. CARTY 15 STONEBROOK ROAD (CANDIDATE FOR RE-ELECTION)	283	418	380	266	292	1639
JANIE WILSON DRETTLER 286 GOODMAN'S HILL ROAD	233	237	257	307	278	1312
WILLIAM JOSEPH SCHINELLER 37 JARMAN ROAD	208	361	256	203	224	1252
BLANK	144	145	171	172	196	828
WRITE-IN	6	3	2	4	2	17
<b>Totals for Office</b>	<b>874</b>	<b>1164</b>	<b>1066</b>	<b>952</b>	<b>992</b>	<b>5048</b>

### BOARD OF ASSESSORS (1) FOR THREE YEARS

Candidate Name	Precinct 1	Precinct 2	Precinct 3	Precinct 4	Precinct 5	Total
JOSHUA M. FOX 80 BRIMSTONE LANE (CANDIDATE FOR RE-ELECTION)	305	405	371	322	334	1737
BLANK	131	173	160	151	162	777
WRITE-IN	1	4	2	3	0	10
<b>Totals for Office</b>	<b>437</b>	<b>582</b>	<b>533</b>	<b>476</b>	<b>496</b>	<b>2524</b>

**GOODNOW LIBRARY TRUSTEE (2) FOR THREE YEARS**

<b>Candidate Name</b>	<b>Precinct 1</b>	<b>Precinct 2</b>	<b>Precinct 3</b>	<b>Precinct 4</b>	<b>Precinct 5</b>	<b>Total</b>
LILY A. GORDON 60 DUTTON ROAD <i>(CANDIDATE FOR RE-ELECTION)</i>	304	416	361	318	339	<b>1738</b>
MARIE D. ROYEA 42 BLACKSMITH DRIVE <i>(CANDIDATE FOR RE-ELECTION)</i>	302	389	349	314	310	<b>1664</b>
BLANK	266	356	355	320	342	<b>1639</b>
WRITE-IN	2	3	1	0	1	<b>7</b>
<b>Totals for Office</b>	<b>874</b>	<b>1164</b>	<b>1066</b>	<b>952</b>	<b>992</b>	<b>5048</b>

**BOARD OF HEALTH (1) FOR THREE YEARS**

<b>Candidate Name</b>	<b>Precinct 1</b>	<b>Precinct 2</b>	<b>Precinct 3</b>	<b>Precinct 4</b>	<b>Precinct 5</b>	<b>Total</b>
LINDA HUET-CLAYTON 8 PINE RIDGE ROAD <i>(CANDIDATE FOR RE-ELECTION)</i>	287	405	342	312	320	<b>1666</b>
BLANK	149	174	191	164	176	<b>854</b>
WRITE-IN	1	3	0	0	0	<b>4</b>
<b>Totals for Office</b>	<b>437</b>	<b>582</b>	<b>533</b>	<b>476</b>	<b>496</b>	<b>2524</b>

**SUDBURY HOUSING AUTHORITY (1) FOR FIVE YEARS**

<b>Candidate Name</b>	<b>Precinct 1</b>	<b>Precinct 2</b>	<b>Precinct 3</b>	<b>Precinct 4</b>	<b>Precinct 5</b>	<b>Total</b>
THERESA M. LAYDEN 655 BOSTON POST ROAD 3311	274	394	335	305	310	<b>1618</b>
BLANK	162	186	197	170	185	<b>900</b>
WRITE-IN	1	2	1	1	1	<b>6</b>
<b>Totals for Office</b>	<b>437</b>	<b>582</b>	<b>533</b>	<b>476</b>	<b>496</b>	<b>2524</b>

**PARK & RECREATION COMMISSIONER (2) FOR THREE YEARS**

<b>Candidate Name</b>	<b>Precinct 1</b>	<b>Precinct 2</b>	<b>Precinct 3</b>	<b>Precinct 4</b>	<b>Precinct 5</b>	<b>Total</b>
ROBERT C. BEAGAN 25 PINE STREET <i>(CANDIDATE FOR RE-ELECTION)</i>	275	393	335	295	296	<b>1594</b>
JAMES J. MAROTTA 231 GOODMAN'S HILL ROAD <i>(CANDIDATE FOR RE-ELECTION)</i>	274	380	316	293	292	<b>1555</b>
BLANK	324	386	415	362	403	<b>1890</b>
WRITE-IN	1	5	0	2	1	<b>9</b>
<b>Totals for Office</b>	<b>874</b>	<b>1164</b>	<b>1066</b>	<b>952</b>	<b>992</b>	<b>5048</b>

**PLANNING BOARD (2) FOR THREE YEARS**

<b>Candidate Name</b>	<b>Precinct 1</b>	<b>Precinct 2</b>	<b>Precinct 3</b>	<b>Precinct 4</b>	<b>Precinct 5</b>	<b>Total</b>
STEPHEN R. GARVIN 26 BOWDITCH ROAD <i>(CANDIDATE FOR RE-ELECTION)</i>	277	383	334	283	291	<b>1568</b>
NANCY ELLEN KILCOYNE 35 HICKORY ROAD	270	374	328	277	279	<b>1528</b>
BLANK	325	405	404	389	421	<b>1944</b>
WRITE-IN	2	2	0	3	1	<b>8</b>
<b>Totals for Office</b>	<b>874</b>	<b>1164</b>	<b>1066</b>	<b>952</b>	<b>992</b>	<b>5048</b>

**PLANNING BOARD (1) FOR ONE YEAR**

<b>Candidate Name</b>	<b>Precinct 1</b>	<b>Precinct 2</b>	<b>Precinct 3</b>	<b>Precinct 4</b>	<b>Precinct 5</b>	<b>Total</b>
CHARLES G. KARUSTIS 5 CANDLEWOOD CIRCLE	275	390	331	304	299	<b>1599</b>
BLANK	160	185	202	171	196	<b>914</b>
WRITE-IN	2	7	0	1	1	<b>11</b>
<b>Totals for Office</b>	<b>437</b>	<b>582</b>	<b>533</b>	<b>476</b>	<b>496</b>	<b>2524</b>

**SUDBURY SCHOOL COMMITTEE (2) FOR THREE YEARS**

<b>Candidate Name</b>	<b>Precinct 1</b>	<b>Precinct 2</b>	<b>Precinct 3</b>	<b>Precinct 4</b>	<b>Precinct 5</b>	<b>Total</b>
LISA V. KOUCHAKDJIAN 30 MEADOWBROOK CIRCLE <i>(CANDIDATE FOR RE-ELECTION)</i>	278	329	251	254	286	<b>1398</b>
JENNIFER JOY JACKSON 11 EASY STREET	118	220	250	151	148	<b>887</b>
SILVIA M. NERSSESIAN 555 DUTTON ROAD	315	348	319	308	314	<b>1604</b>
BLANK	136	224	220	215	208	<b>1003</b>
WRITE-IN	27	43	26	24	36	<b>156</b>
<b>Totals for Office</b>	<b>874</b>	<b>1164</b>	<b>1066</b>	<b>952</b>	<b>992</b>	<b>5048</b>



**LINCOLN-SUDBURY REGIONAL DISTRICT SCHOOL COMMITTEE (2) FOR THREE YEARS**

<b>Candidate Name</b>	<b>Precinct 1</b>	<b>Precinct 2</b>	<b>Precinct 3</b>	<b>Precinct 4</b>	<b>Precinct 5</b>	<b>Total</b>
BLANK	278	460	467	385	417	<b>2007</b>
WRITE-IN	3	5	1	1	3	<b>13</b>
CAROLE MARIE KASPER 140 CONCORD ROAD, LINCOLN	228	280	249	255	237	<b>1249</b>
CARA EILEEN ENDYKE-DORAN 28 BEECHWOOD AVENUE (WRITE-IN CANDIDATE)	28	100	36	29	43	<b>236</b>
SIOBHAN CONDO HULLINGER 55 WASHINGTON DRIVE (WRITE-IN CANDIDATE)	127	161	169	102	118	<b>677</b>
ELLEN WINER JOACHIM 6 CRAIGLANE (WRITE-IN CANDIDATE)	210	158	144	180	174	<b>866</b>
<b>Totals for Office</b>	<b>874</b>	<b>1164</b>	<b>1066</b>	<b>952</b>	<b>992</b>	<b>5048</b>

**A TRUE COPY, ATTEST:**

*Rosemary B Harvell*

**ROSEMARY B. HARVELL  
TOWN CLERK**

Lincoln-Sudbury Regional High School  
390 Lincoln Road  
Sudbury, MA 01776



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ANNUAL REGIONAL DISTRICT ELECTION

The Regional District Election was held in conjunction with the elections in Lincoln and Sudbury on Monday, March 26, 2018 and certifications of the results were received from Susan F. Brooks, Town Clerk of Lincoln and Rosemary B. Harvell, Town Clerk of Sudbury, as follows:

For a 3-year term – 2 members:

	Lincoln	Sudbury	Total
Carole Marie Kasper	899	1249	2148
Blanks	321	2007	2328
Write-In			
Cara Eileen Endyke-Doran	2	236	238
Siobhan Condo Hullinger	16	677	693
Ellen Winer Joachim	712	866	1578
Other Write-In	2	13	15

Respectfully submitted,

A handwritten signature in blue ink that reads "Donna K. Cakert".

Donna K. Cakert  
Lincoln-Sudbury Regional High School District Clerk

March 28, 2018

## Special Town Election

June 12, 2018

The Special Town Election was held at two locations. Precincts 1, 1A, 2 & 5 voted at the Fairbank Community Center, 40 Fairbank Road, and Precincts 3 & 4 voted at the Town Hall, 322 Concord Road. The polls were open from 7:00 AM to 8:00 PM. There were 1,153 votes cast, representing 9.2% of the town's 12,593 registered voters.

### BALLOT QUESTION 1

Shall the Town of Sudbury be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to purchase and equip rolling stock, vehicles, and equipment for the Department of Public Works, including all incidental and related expenses?

	Precinct 1	Precinct 2	Precinct 3	Precinct 4	Precinct 5	Totals
Yes	96	130	118	99	100	543
No	101	131	125	98	155	610
Blanks	0	0	0	0	0	0
<b>Totals</b>	<b>197</b>	<b>261</b>	<b>243</b>	<b>197</b>	<b>255</b>	<b>1153</b>

### BALLOT QUESTION 2

Shall the Town of Sudbury be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to construct, reconstruct, or make extraordinary repairs to replace the underground fuel storage and management systems at the DPW Facility located at 275 Old Lancaster Road, including all incidental and related expenses?

	Precinct 1	Precinct 2	Precinct 3	Precinct 4	Precinct 5	Totals
Yes	107	149	130	109	116	611
No	90	112	113	88	139	542
Blanks	0	0	0	0	0	0
<b>Totals</b>	<b>197</b>	<b>261</b>	<b>243</b>	<b>197</b>	<b>255</b>	<b>1153</b>

### BALLOT QUESTION 3

Shall the Town of Sudbury be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to repair the Stearns Mill Pond Dam in order to stabilize the dam and correct the safety deficiencies identified by the State, including design, permit and engineering fees therefor, and to fund the design and construction to replace the Dutton Road bridge downstream of the dam and over Hop Brook, including all incidental and related expenses?

	Precinct 1	Precinct 2	Precinct 3	Precinct 4	Precinct 5	Totals
Yes	111	162	132	127	137	669
No	85	99	110	70	118	482
Blanks	1	0	1	0	0	2
<b>Totals</b>	<b>197</b>	<b>261</b>	<b>243</b>	<b>197</b>	<b>255</b>	<b>1153</b>

A true copy, Attest:



Rosemary B. Harvell  
Town Clerk

# STATE PRIMARY ELECTION

Tuesday, September 4, 2018

The State Primary Election was held at two locations. Precincts 1, 1A, 2 & 5 voted at the Fairbank Community Center, 40 Fairbank Road, and Precincts 3 & 4 voted at the the Town Hall, 322 Concord Road. The polls were open from 7:00 AM to 8:00 PM. There were 2,724 votes cast, representing 21% of the town's 12,736 registered voters.

## SENATOR IN CONGRESS

Candidate Name	Precinct 1	Precinct 1A	Precinct 2	Precinct 3	Precinct 4	Precinct 5	Total
<b>DEMOCRAT</b>							
ELIZABETH A. WARREN 24 LINNEAN ST., CAMBRIDGE	325	66	338	352	393	328	1802
BLANKS	29	6	24	22	35	23	139
WRITE-INS	4	2	2	5	4	3	20
<b>Totals</b>	<b>358</b>	<b>74</b>	<b>364</b>	<b>379</b>	<b>432</b>	<b>354</b>	<b>1961</b>

## REPUBLICAN

GEOFF DIEHL 10 VILLAGE WAY, WHITMAN	54	24	76	102	70	85	411
JOHN KINGSTON 16 CHESTNUT ST., WINCHESTER	18	3	27	38	23	31	140
BETH JOYCE LINDSTROM 161 WHARTON ROW, GROTON	24	11	20	37	36	17	145
BLANKS	7	3	11	17	16	7	61
WRITE-INS	0	0	0	0	0	0	0
<b>Totals</b>	<b>103</b>	<b>41</b>	<b>134</b>	<b>194</b>	<b>145</b>	<b>140</b>	<b>757</b>

## LIBERTARIAN

BLANKS	1	0	2	1	1	1	6
WRITE-INS	0	0	0	0	0	0	0
<b>Totals</b>	<b>1</b>	<b>0</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>6</b>

## GOVERNOR

Candidate Name	Precinct 1	Precinct 1A	Precinct 2	Precinct 3	Precinct 4	Precinct 5	Total
<b>DEMOCRAT</b>							
JAY M. GONZALEZ 62 PUTNAM ST., NEEDHAM	209	54	189	247	255	188	1142
BOB MASSIE 140 SYCAMORE ST., SOMERVILLE	78	9	107	70	108	105	477
BLANKS	67	11	66	60	66	55	325
WRITE-INS	4	0	2	2	3	6	17
<b>Totals</b>	<b>358</b>	<b>74</b>	<b>364</b>	<b>379</b>	<b>432</b>	<b>354</b>	<b>1961</b>

## REPUBLICAN

CHARLES D. BAKER 49 MONUMENT AVE., SWAMPSCOTT	79	30	104	128	109	88	538
SCOTT D. LIVELY 453 STATE ST., SPRINGFIELD	23	10	25	64	36	49	207
BLANKS	1	1	4	2	0	3	11
WRITE-INS	0	0	1	0	0	0	1
<b>Totals</b>	<b>103</b>	<b>41</b>	<b>134</b>	<b>194</b>	<b>145</b>	<b>140</b>	<b>757</b>

**LIBERTARIAN**

BLANKS	1	0	2	1	1	1	6
WRITE-INS	0	0	0	0	0	0	0
<b>Totals</b>	<b>1</b>	<b>0</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>6</b>

**LIEUTENANT GOVERNOR**

Candidate Name	Precinct 1	Precinct 1A	Precinct 2	Precinct 3	Precinct 4	Precinct 5	Total
<b>DEMOCRAT</b>							
QUENTIN PALFREY 683 BOSTON POST RD.,	177	41	171	187	223	175	974
JIMMY TINGLE 27 LAWRENCE ST., CAMBRIDGE	102	23	119	130	129	120	623
BLANKS	79	10	73	62	79	59	362
WRITE-INS	0	0	1	0	1	0	2
<b>Totals</b>	<b>358</b>	<b>74</b>	<b>364</b>	<b>379</b>	<b>432</b>	<b>354</b>	<b>1961</b>

**REPUBLICAN**

KARYN E. POLITO 2 TALASSIT CIR., SHREWSBURY	82	28	99	140	103	94	546
BLANKS	21	12	34	54	42	45	208
WRITE-INS	0	1	1	0	0	1	3
<b>Totals</b>	<b>103</b>	<b>41</b>	<b>134</b>	<b>194</b>	<b>145</b>	<b>140</b>	<b>757</b>

**LIBERTARIAN**

BLANKS	1	0	2	1	1	1	6
WRITE-INS	0	0	0	0	0	0	0
<b>Totals</b>	<b>1</b>	<b>0</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>6</b>

**ATTORNEY GENERAL**

Candidate Name	Precinct 1	Precinct 1A	Precinct 2	Precinct 3	Precinct 4	Precinct 5	Total
<b>DEMOCRAT</b>							
MAURA HEALEY 40 WINTHROP ST., BOSTON	322	68	330	344	397	316	1777
BLANKS	36	6	34	32	35	37	180
WRITE-INS	0	0	0	3	0	1	4
<b>Totals</b>	<b>358</b>	<b>74</b>	<b>364</b>	<b>379</b>	<b>432</b>	<b>354</b>	<b>1961</b>

**REPUBLICAN**

JAMES R. MCMAHON, III 14 CANAL VIEW RD., BOURNE	53	12	52	76	63	62	318
DANIEL L. SHORES 2706 HOCKLEY DR., HINGHAM	19	17	42	69	30	51	228
BLANKS	31	12	39	49	52	27	210
WRITE-INS	0	0	1	0	0	0	1
<b>Totals</b>	<b>103</b>	<b>41</b>	<b>134</b>	<b>194</b>	<b>145</b>	<b>140</b>	<b>757</b>

**LIBERTARIAN**

BLANKS	1	0	2	1	1	1	6
WRITE-INS	0	0	0	0	0	0	0
<b>Totals</b>	<b>1</b>	<b>0</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>6</b>

**SECRETARY OF STATE**

Candidate Name	Precinct 1	Precinct 1A	Precinct 2	Precinct 3	Precinct 4	Precinct 5	Total
<b>DEMOCRAT</b>							
WILLIAM FRANCIS GALVIN 46 LAKE ST., BOSTON	236	54	214	240	259	216	1219
JOSH ZAKIM 177 COMMONWEALTH AVE., BOSTON	107	20	130	127	158	128	670
BLANKS	15	0	20	12	15	10	72
WRITE-INS	0	0	0	0	0	0	0
<b>Totals</b>	<b>358</b>	<b>74</b>	<b>364</b>	<b>379</b>	<b>432</b>	<b>354</b>	<b>1961</b>

**REPUBLICAN**

ANTHONY M. AMORE 182 NORFOLK ST., SWAMPSCOTT	62	22	81	127	89	91	472
BLANKS	41	18	52	67	56	48	282
WRITE-INS	0	1	1	0	0	1	3
<b>Totals</b>	<b>103</b>	<b>41</b>	<b>134</b>	<b>194</b>	<b>145</b>	<b>140</b>	<b>757</b>

**LIBERTARIAN**

BLANKS	1	0	2	1	1	1	6
WRITE-INS	0	0	0	0	0	0	0
<b>Totals - LIBERTARIAN</b>	<b>1</b>	<b>0</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>6</b>

**TREASURER**

Candidate Name	Precinct 1	Precinct 1A	Precinct 2	Precinct 3	Precinct 4	Precinct 5	Total
<b>DEMOCRAT</b>							
DEBORAH B. GOLDBERG <sup>37</sup> HYSLOP RD., BROOKLINE	280	64	294	321	355	283	1597
BLANKS	78	10	70	56	77	68	359
WRITE-INS	0	0	0	2	0	3	5
<b>Totals</b>	<b>358</b>	<b>74</b>	<b>364</b>	<b>379</b>	<b>432</b>	<b>354</b>	<b>1961</b>

**REPUBLICAN**

KEIKO M. ORRALL 120 CROOKED LN., LAKEVILLE	62	18	79	122	86	89	456
BLANKS	41	22	54	72	59	51	299
WRITE-INS	0	1	1	0	0	0	2
<b>Totals</b>	<b>103</b>	<b>41</b>	<b>134</b>	<b>194</b>	<b>145</b>	<b>140</b>	<b>757</b>

**LIBERTARIAN**

BLANKS	1	0	2	1	1	1	6
WRITE-INS	0	0	0	0	0	0	0
<b>Totals</b>	<b>1</b>	<b>0</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>6</b>

**AUDITOR**

Candidate Name	Precinct 1	Precinct 1A	Precinct 2	Precinct 3	Precinct 4	Precinct 5	Total
<b>DEMOCRAT</b>							
SUZANNE M. BUMP 16 HOE SHOP ST., EASTON	273	61	294	306	341	279	1554
BLANKS	85	13	70	71	91	74	404
WRITE-INS	0	0	0	2	0	1	3
<b>Totals</b>	<b>358</b>	<b>74</b>	<b>364</b>	<b>379</b>	<b>432</b>	<b>354</b>	<b>1961</b>

**REPUBLICAN**

HELEN BRADY 1630 MONUMENT STY., CONCORD	65	20	78	124	84	89	<b>460</b>
BLANKS	38	20	54	70	61	50	<b>293</b>
WRITE-INS	0	1	2	0	0	1	<b>4</b>
<b>Totals</b>	<b>103</b>	<b>41</b>	<b>134</b>	<b>194</b>	<b>145</b>	<b>140</b>	<b>757</b>

**LIBERTARIAN**

DANIEL FISHMAN 36 COLGATE RD., BEVERLY	1	0	2	1	1	1	<b>6</b>
BLANKS	0	0	0	0	0	0	<b>0</b>
WRITE-INS	0	0	0	0	0	0	<b>0</b>
<b>Totals</b>	<b>1</b>	<b>0</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>6</b>

**REPRESENTATIVE IN CONGRESS - THIRD DISTRICT**

Candidate Name	Precinct 1	Precinct 1A	Precinct 2	Precinct 3	Precinct 4	Precinct 5	Total
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**DEMOCRAT**

JEFFERY D. BALLINGER 27 ALDEN RD, ANDOVER	3						<b>3</b>
ALEXANDRA E. CHANDLER 180 LAWRENCE ST., HAVERHILL	14						<b>14</b>
BEEJ DAS 71 JACKSOON ST., LOWELL	0						<b>0</b>
RUFUS GIFFORD 142 CAMBRIDGE TPKE., CONCORD	98						<b>98</b>
LEONARD H. GOLDER 67 OLD BOLTON RD., STOW	6						<b>6</b>
DANIEL ARRIGG KOH 311 LOWELL ST., ANDOVER	79						<b>79</b>
BARBARA A. L'ITALIEN HARPER CIR., ANDOVER	5 65						<b>65</b>
BOPHA MALONE 195 CARLISLE RD., BEDFORD	1						<b>1</b>
JUIANA B. MATIAS 74 FARLEY ST., LAWRENCE	12						<b>12</b>
LORI LOUREIRO TRAHAN WEETAMOO WAY, WESTFORD	9 74						<b>74</b>
BLANKS	6						<b>6</b>
WRITE-INS	0						<b>0</b>
<b>Totals</b>	<b>358</b>						<b>358</b>

**REPUBLICAN**

RICK GREEN 22 VILLAGE RD, PEPPERELL	66						<b>66</b>
BLANKS	37						<b>37</b>
WRITE-INS	0						<b>0</b>
<b>Totals</b>	<b>103</b>						<b>103</b>

**LIBERTARIAN**

BLANKS	1						<b>1</b>
WRITE-INS	0						<b>0</b>
<b>Totals</b>	<b>1</b>						<b>1</b>

**REPRESENTATIVE IN CONGRESS - FIFTH DISTRICT**

Candidate Name	Precinct 1	Precinct 1A	Precinct 2	Precinct 3	Precinct 4	Precinct 5	Total
<b>DEMOCRAT</b>							
KATHERINE M. CLARK 64 PROSPECT ST., MELROSE		67	313	334	375	308	1397
BLANKS		7	50	44	57	45	203
WRITE-INS		0	1	1	0	1	3
<b>Totals</b>		<b>74</b>	<b>364</b>	<b>379</b>	<b>432</b>	<b>354</b>	<b>1603</b>

**REPUBLICAN**

JOHN HUGO 20 WALNUT ST., WOBURN		10	40	64	38	59	211
LOUIS KUCHNIR 15 FOXHILL DR., SOUTHBOROUGH		18	58	75	57	54	262
BLANKS		13	34	55	49	27	178
WRITE-INS		0	2	0	1	0	3
<b>Totals</b>		<b>41</b>	<b>134</b>	<b>194</b>	<b>145</b>	<b>140</b>	<b>654</b>

**LIBERTARIAN**

BLANKS		0	2	1	1	1	5
WRITE-INS		0	0	0	0	0	0
<b>Totals</b>		<b>0</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>5</b>

**COUNCILLOR - THIRD DISTRICT**

Candidate Name	Precinct 1	Precinct 1A	Precinct 2	Precinct 3	Precinct 4	Precinct 5	Total
<b>DEMOCRAT</b>							
MARILYN M. PETITTO DEVANEY WESTMINSTER AVE., WATERTOWN	98 174	37	162	187	207	182	949
NICK CARTER 51 FISHER AVE., NEWTON	111	23	126	118	145	106	629
BLANKS	73	14	76	71	80	66	380
WRITE-INS	0	0	0	3	0	0	3
<b>Totals</b>	<b>358</b>	<b>74</b>	<b>364</b>	<b>379</b>	<b>432</b>	<b>354</b>	<b>1961</b>

**LIBERTARIAN**

BLANKS	1	0	2	1	1	1	6
WRITE-INS	0	0	0	0	0	0	0
<b>Totals</b>	<b>1</b>	<b>0</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>6</b>

**REPUBLICAN**

AARON A. HUTCHINS (Write-In) 91 Brigham St., Northborough	2	1	9	5	1	10	28
BLANKS	101	39	109	188	144	127	708
WRITE-INS	0	1	16	1	0	3	21
<b>Totals</b>	<b>103</b>	<b>41</b>	<b>134</b>	<b>194</b>	<b>145</b>	<b>140</b>	<b>757</b>

**SENATOR IN GENERAL COURT - THIRD MIDDLESEX DISTRICT**

Candidate Name	Precinct 1	Precinct 1A	Precinct 2	Precinct 3	Precinct 4	Precinct 5	Total
<b>DEMOCRAT</b>							
MICHAEL J. BARRETT 7 AUGUSTUS RD., LEXINGTON	277	65			344	275	961
BLANKS	80	9			87	79	255
WRITE-INS	1	0			1	0	2
<b>Totals</b>	<b>358</b>	<b>74</b>			<b>432</b>	<b>354</b>	<b>1218</b>



**REPUBLICAN**

BLANKS	103	40		145	139		427
WRITE-INS	0	1		0	1		2
<b>Totals</b>	<b>103</b>	<b>41</b>		<b>145</b>	<b>140</b>		<b>429</b>

**LIBERTARIAN**

BLANKS	1	0		1	1		3
WRITE-INS	0	0		0	0		0
<b>Totals</b>	<b>1</b>	<b>0</b>		<b>1</b>	<b>1</b>		<b>3</b>

**SENATOR IN GENERAL COURT - MIDDLESEX & WORCESTER DISTRICT**

Candidate Name	Precinct 1	Precinct 1A	Precinct 2	Precinct 3	Precinct 4	Precinct 5	Total
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**DEMOCRAT**

JAMES B. ELDRIDGE 267 ARLINGTON ST., ACTON			315	323			638
BLANKS			48	55			103
WRITE-INS			1	1			2
<b>Totals</b>			<b>364</b>	<b>379</b>			<b>743</b>

**REPUBLICAN**

MARGARET W. BUSSE 64 WASHINGTON DR., ACTON			80	127			207
BLANKS			52	67			119
WRITE-INS			2	0			2
<b>Totals</b>			<b>134</b>	<b>194</b>			<b>328</b>

**LIBERTARIAN**

BLANKS			2	1			3
WRITE-INS			0	0			0
<b>Totals</b>			<b>2</b>	<b>1</b>			<b>3</b>

**REPRESENTATIVE IN GENERAL COURT - THIRTEENTH MIDDLESEX DISTRICT**

Candidate Name	Precinct 1	Precinct 1A	Precinct 2	Precinct 3	Precinct 4	Precinct 5	Total
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**DEMOCRAT**

CARMINE LAWRENCE GENTILE 33 SURREY LN., SUDBURY	294	68	316	327	356	297	1658
BLANKS	64	6	48	52	76	57	303
WRITE-INS	0	0	0	0	0	0	0
<b>Totals</b>	<b>358</b>	<b>74</b>	<b>364</b>	<b>379</b>	<b>432</b>	<b>354</b>	<b>1961</b>

**REPUBLICAN**

BLANKS	102	41	130	193	145	138	749
WRITE-INS	1	0	4	1	0	2	8
<b>Totals</b>	<b>103</b>	<b>41</b>	<b>134</b>	<b>194</b>	<b>145</b>	<b>140</b>	<b>757</b>

**LIBERTARIAN**

BLANKS	1	0	2	1	1	1	6
WRITE-INS	0	0	0	0	0	0	0
<b>Totals</b>	<b>1</b>	<b>0</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>6</b>

**DISTRICT ATTORNEY - NORTHERN DISTRICT**

Candidate Name	Precinct 1	Precinct 1A	Precinct 2	Precinct 3	Precinct 4	Precinct 5	Total
<b>DEMOCRAT</b>							
MARIAN T. RYAN 8 BRADFORD RD., BELMONT	156	44	172	180	205	164	921
DONNA PATALANO 12 NORWOOD ST., WINCHESTER	152	22	146	151	166	148	785
BLANKS	50	8	46	48	60	42	254
WRITE-INS	0	0	0	0	1	0	1
<b>Totals</b>	<b>358</b>	<b>74</b>	<b>364</b>	<b>379</b>	<b>432</b>	<b>354</b>	<b>1961</b>

**REPUBLICAN**

BLANKS	103	41	132	192	145	139	752
WRITE-INS	0	0	2	2	0	1	5
<b>Totals</b>	<b>103</b>	<b>41</b>	<b>134</b>	<b>194</b>	<b>145</b>	<b>140</b>	<b>757</b>

**LIBERTARIAN**

BLANKS	1	0	2	1	1	1	6
WRITE-INS	0	0	0	0	0	0	0
<b>Totals - LIBERTARIAN</b>	<b>1</b>	<b>0</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>6</b>

**CLERK OF COURTS - MIDDLESEX COUNTY**

Candidate Name	Precinct 1	Precinct 1A	Precinct 2	Precinct 3	Precinct 4	Precinct 5	Total
<b>DEMOCRAT</b>							
MICHAEL A. SULLIVAN 42 HURON AVE., CAMBRIDGE	268	59	287	298	325	271	1508
BLANKS	90	15	77	81	107	83	453
WRITE-INS	0	0	0	0	0	0	0
<b>Totals</b>	<b>358</b>	<b>74</b>	<b>364</b>	<b>379</b>	<b>432</b>	<b>354</b>	<b>1961</b>

**REPUBLICAN**

BLANKS	103	41	130	193	145	139	751
WRITE-INS	0	0	4	1	0	1	6
<b>Totals - REPUBLICAN</b>	<b>103</b>	<b>41</b>	<b>134</b>	<b>194</b>	<b>145</b>	<b>140</b>	<b>757</b>

**LIBERTARIAN**

BLANKS	1	0	2	1	1	1	6
WRITE-INS	0	0	0	0	0	0	0
<b>Totals - LIBERTARIAN</b>	<b>1</b>	<b>0</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>6</b>

**REGISTER OF DEEDS - MIDDLESEX SOUTHERN DISTRICT**

Candidate Name	Precinct 1	Precinct 1A	Precinct 2	Precinct 3	Precinct 4	Precinct 5	Total
<b>DEMOCRAT</b>							
MARIA C. CURTATONE 37 MUNROE ST., SOMERVILLE	268	58	283	298	326	269	1502
BLANKS	89	16	81	81	106	85	458
WRITE-INS	1	0	0	0	0	0	1
<b>Totals</b>	<b>358</b>	<b>74</b>	<b>364</b>	<b>379</b>	<b>432</b>	<b>354</b>	<b>1961</b>

**REPUBLICAN**

BLANKS	103	41	133	193	145	139	<b>754</b>
WRITE-INS	0	0	1	1	0	1	<b>3</b>
<b>Totals</b>	<b>103</b>	<b>41</b>	<b>134</b>	<b>194</b>	<b>145</b>	<b>140</b>	<b>757</b>

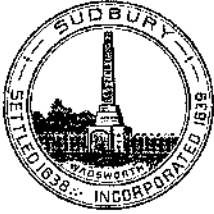
**LIBERTARIAN**

BLANKS	1	0	2	1	1	1	<b>6</b>
WRITE-INS	0	0	0	0	0	0	<b>0</b>
<b>Totals</b>	<b>1</b>	<b>0</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>6</b>

**A true copy, Attest:**



**Rosemary B. Harvell**  
**Town Clerk**



# Town of Sudbury

Board of Registrars of Voters

Town Hall  
322 Concord Road  
Sudbury, MA 01776-1843  
978-639-3351  
Fax: 978-443-0264

[registrars@sudbury.ma.us](mailto:registrars@sudbury.ma.us)

## Board of Registrars of Voters Meeting Friday, September 14, 2018

Recount of Representative in Congress 3<sup>rd</sup> District  
September 4, 2018 State Primary Election  
Precinct 1

Precinct 1

Representative in Congress-Third-District

<i>Democratic Candidates</i>	TOTAL
BLANKS	6
JEFFREY D. BALLINGER	3
ALEXANDRA E. CHANDLER	14
BEEJ DAS	0
RUFUS GIFFORD	98
LEONARD H. GOLDER	6
DANIEL ARRIGG KOH	79
BARBARA A. LITALIEN	65
BOPHA MALONE	1
JUANA B. MATIAS	12
LORI LOUREIRO TRAHAN	74
WRITE-INS	0
<b>TOTAL</b>	<b>358</b>

### Certification of Recounted Votes

*Dorothy Ann Bisson*  
*Jatavum C. Precourt*  
*John McKeown*  
*Rosemary O'Harell*

Board of Registrars of Voters  
Town of Sudbury

## State Election

Tuesday, November 6, 2018

The Election was held at two locations. Precincts 1, 1A, 2 & 5 voted at the Fairbank Community Center, 40 Fairbank Road, and Precincts 3 & 4 voted at the Town Hall, 322 Concord Road. The polls were open from 7:00 AM to 8:00 PM. There were 9646 votes cast, representing 74.37% of the town's 12,967 registered voters.

### ***SENATOR IN CONGRESS***

<b>Candidate Name</b>	<b>Precinct 1</b>	<b>Precinct 1A</b>	<b>Precinct 2</b>	<b>Precinct 3</b>	<b>Precinct 4</b>	<b>Precinct 5</b>	<b>Total</b>
<b>DEMOCRATIC</b>							
ELIZABETH A. WARREN <small>24 LINNAEAN ST., CAMBRIDGE</small>	935	318	1247	1283	1344	1214	<b>6341</b>
<b>REPUBLICAN</b>							
GEOFF DIEHL <small>VILLAGE WAY, WHITMAN</small>	<sup>10</sup> 438	171	515	641	540	583	<b>2888</b>
<b>INDEPENDENT</b>							
SHIVA AYYADURAI <small>SNAKE HILL RD., BELMONT</small>	<sup>69</sup> 55	9	40	60	73	50	<b>287</b>
BLANKS	20	9	17	24	23	15	<b>108</b>
WRITE INS	5	1	4	3	6	3	<b>22</b>
<b>Totals</b>	<b>1453</b>	<b>508</b>	<b>1823</b>	<b>2011</b>	<b>1986</b>	<b>1865</b>	<b>9646</b>

### ***GOVERNOR AND LIEUTENANT GOVERNOR***

<b>Candidate Name</b>	<b>Precinct 1</b>	<b>Precinct 1A</b>	<b>Precinct 2</b>	<b>Precinct 3</b>	<b>Precinct 4</b>	<b>Precinct 5</b>	<b>Total</b>
<b>REPUBLICAN</b>							
BAKER AND POLITO	1020	368	1168	1413	1328	1239	<b>6536</b>
<b>DEMOCRATIC</b>							
GONZALEZ AND PALFREY	398	135	625	550	625	590	<b>2923</b>
BLANKS	30	5	28	43	30	32	<b>168</b>
WRITE INS	5	0	2	5	3	4	<b>19</b>
<b>Totals</b>	<b>1453</b>	<b>508</b>	<b>1823</b>	<b>2011</b>	<b>1986</b>	<b>1865</b>	<b>9646</b>

### ***ATTORNEY GENERAL***

<b>Candidate Name</b>	<b>Precinct 1</b>	<b>Precinct 1A</b>	<b>Precinct 2</b>	<b>Precinct 3</b>	<b>Precinct 4</b>	<b>Precinct 5</b>	<b>Total</b>
<b>DEMOCRATIC</b>							
MAURA HEALEY <small>WINTHROP ST., BOSTON</small>	<sup>40</sup> 1081	366	1367	1440	1505	1370	<b>7129</b>
<b>REPUBLICAN</b>							
JAMES R. MCMAHON, III <small>14 CANAL VIEW RD., BOURNE</small>	342	133	424	535	436	461	<b>2331</b>
BLANKS	30	8	31	36	42	34	<b>181</b>
WRITE INS	0	1	1	0	3	0	<b>5</b>
<b>Totals for Office</b>	<b>1453</b>	<b>508</b>	<b>1823</b>	<b>2011</b>	<b>1986</b>	<b>1865</b>	<b>9646</b>

**SECRETARY OF STATE**

<b>Candidate Name</b>	<b>Precinct 1</b>	<b>Precinct 1A</b>	<b>Precinct 2</b>	<b>Precinct 3</b>	<b>Precinct 4</b>	<b>Precinct 5</b>	<b>Total</b>
<b>DEMOCRATIC</b>							
WILLIAM FRANCIS GALVIN 46 LAKE ST., BOSTON (CANDIDATE FOR RE-ELECTION)	1049	360	1315	1399	1459	1344	<b>6926</b>
<b>REPUBLICAN</b>							
ANTHONY M. AMORE NORFOLK AVE., SWAMPSCOTT	<sup>182</sup> 311	123	394	483	395	408	<b>2114</b>
<b>GREEN-RAINBOW</b>							
JUAN G. SANCHEZ, JR. HIGH ST., HOLYOKE	<sup>362</sup> 37	11	49	54	54	44	<b>249</b>
BLANKS	51	14	64	72	77	68	<b>346</b>
WRITE INS	5	0	1	3	1	1	<b>11</b>
<b>Totals for Office</b>	<b>1453</b>	<b>508</b>	<b>1823</b>	<b>2011</b>	<b>1986</b>	<b>1865</b>	<b>9646</b>

**TREASURER**

<b>Candidate Name</b>	<b>Precinct 1</b>	<b>Precinct 1A</b>	<b>Precinct 2</b>	<b>Precinct 3</b>	<b>Precinct 4</b>	<b>Precinct 5</b>	<b>Total</b>
<b>DEMOCRATIC</b>							
DEBORAH B. GOLDBERG 37 HYSLOP RD., BROOKLINE	1006	328	1260	1329	1405	1266	<b>6594</b>
<b>REPUBLICAN</b>							
KEIKO M. ORRALL CROOKED LN., LAKEVILLE	<sup>120</sup> 335	128	437	541	450	460	<b>2351</b>
<b>GREEN-RAINBOW</b>							
JAMIE M. GUERIN PLEASANT ST., NORTHAMPTON	<sup>386</sup> 31	14	43	42	37	41	<b>208</b>
BLANKS	81	38	83	98	94	97	<b>491</b>
WRITE INS	0	0	0	1	0	1	<b>2</b>
<b>Totals for Office</b>	<b>1453</b>	<b>508</b>	<b>1823</b>	<b>2011</b>	<b>1986</b>	<b>1865</b>	<b>9646</b>

**AUDITOR**

<b>Candidate Name</b>	<b>Precinct 1</b>	<b>Precinct 1A</b>	<b>Precinct 2</b>	<b>Precinct 3</b>	<b>Precinct 4</b>	<b>Precinct 5</b>	<b>Total</b>
<b>DEMOCRATIC</b>							
SUZANNE M. BUMP HOE SHOP ST., EASTON	<sup>6</sup> 886	288	1144	1186	1229	1129	<b>5862</b>
<b>REPUBLICAN</b>							
HELEN BRADY MONUMENT ST., CONCORD	<sup>1630</sup> 415	151	471	581	510	505	<b>2633</b>
<b>LIBERTARIAN</b>							
DANIEL FISHMAN COLGATE RD., BEVERLY	<sup>36</sup> 44	23	63	93	93	78	<b>394</b>
<b>GREEN-RAINBOW</b>							
EDWARD J. STAMAS LAUREL PARK, NORTHAMPTON	<sup>42</sup> 23	9	35	30	36	37	<b>170</b>
BLANKS	85	37	108	121	118	114	<b>583</b>
WRITE INS	0	0	2	0	0	2	<b>4</b>
<b>Totals for Office</b>	<b>1453</b>	<b>508</b>	<b>1823</b>	<b>2011</b>	<b>1986</b>	<b>1865</b>	<b>9646</b>

**REPRESENTATIVE IN CONGRESS - THIRD DISTRICT**

Candidate Name	Precinct 1	Precinct 1A	Precinct 2	Precinct 3	Precinct 4	Precinct 5	Total
<b>REPUBLICAN</b>							
RICK GREEN VILLAGE RD., PEPPERELL	22	357					357
<b>DEMOCRATIC</b>							
LORI LOUREIRO TRAHAN 9 WEETAMOO WAY, WESTFORD		946					946
<b>INDEPENDENT</b>							
MICHAEL P. MULLEN CONCORD ST., MAYNARD	20	108					108
BLANKS		42					42
WRITE INS		0					0
<b>Totals for Office</b>		<b>1453</b>					<b>1453</b>

**REPRESENTATIVE IN CONGRESS - FIFTH DISTRICT**

Candidate Name	Precinct 1	Precinct 1A	Precinct 2	Precinct 3	Precinct 4	Precinct 5	Total
<b>DEMOCRATIC</b>							
KATHERINE M. CLARK PROSPECT ST., MELROSE (CANDIDATE FOR RE-ELECTION)	64	347	1330	1366	1442	1293	5778
<b>REPUBLICAN</b>							
JOHN HUGO 20 WALNUT ST., WOBURN		143	448	583	482	505	2161
BLANKS		17	44	61	60	67	249
WRITE INS		1	1	1	2	0	5
<b>Totals for Office</b>		<b>508</b>	<b>1823</b>	<b>2011</b>	<b>1986</b>	<b>1865</b>	<b>8193</b>

**COUNCILLOR - THIRD DISTRICT**

Candidate Name	Precinct 1	Precinct 1A	Precinct 2	Precinct 3	Precinct 4	Precinct 5	Total
<b>DEMOCRATIC</b>							
MARILYN M. PETITTO DEVANEY 98 WESTMINSTER AVE., WATERTOWN (CANDIDATE FOR RE-ELECTION)	1080	370	1368	1431	1491	1371	7111
BLANKS	352	132	433	554	467	472	2410
WRITE INS	21	6	22	26	28	22	125
<b>Totals for Office</b>	<b>1453</b>	<b>508</b>	<b>1823</b>	<b>2011</b>	<b>1986</b>	<b>1865</b>	<b>9646</b>

**SENATOR IN GENERAL COURT - MIDDLESEX AND WORCESTER DISTRICT**

Candidate Name	Precinct 1	Precinct 1A	Precinct 2	Precinct 3	Precinct 4	Precinct 5	Total
<b>DEMOCRATIC</b>							
JAMES B. ELDRIDGE ARLINGTON ST., ACTON (CANDIDATE FOR RE-ELECTION)	267		1241	1266			2507
<b>REPUBLICAN</b>							
MARGARET W. BUSSE WASHINGTON DR., ACTON	64		500	632			1132
<b>COOPERATIVE GREEN ECONOMY</b>							
TERRA FRIEDRICH WRIGHT TER., ACTON	2		27	25			52
BLANKS			53	88			141
WRITE INS			2	0			2
<b>Totals for Office</b>			<b>1823</b>	<b>2011</b>			<b>3834</b>

**SENATOR IN GENERAL COURT - THIRD MIDDLESEX DISTRICT**

Candidate Name	Precinct 1	Precinct 1A	Precinct 2	Precinct 3	Precinct 4	Precinct 5	Total
<b>DEMOCRATIC</b>							
MICHAEL J. BARRETT <small>AUGUSTUS RD., LEXINGTON (CANDIDATE FOR RE-ELECTION)</small>	7 1098	369			1518	1396	4381
BLANKS	336	132			445	452	1365
WRITE INS	19	7			23	17	66
<b>Totals for Office</b>	<b>1453</b>	<b>508</b>			<b>1986</b>	<b>1865</b>	<b>5812</b>

**REPRESENTATIVE IN GENERAL COURT - THIRTEENTH MIDDLESEX DISTRICT**

Candidate Name	Precinct 1	Precinct 1A	Precinct 2	Precinct 3	Precinct 4	Precinct 5	Total
<b>DEMOCRATIC</b>							
CARMINE LAWRENCE GENTILE <small>33 SURREY LN., SUDBURY (CANDIDATE FOR RE-ELECTION)</small>	1107	380	1439	1500	1514	1414	7354
BLANKS	331	124	363	497	450	435	2200
WRITE INS	15	4	21	14	22	16	92
<b>Totals for Office</b>	<b>1453</b>	<b>508</b>	<b>1823</b>	<b>2011</b>	<b>1986</b>	<b>1865</b>	<b>9646</b>

**DISTRICT ATTORNEY - NORTHERN DISTRICT**

Candidate Name	Precinct 1	Precinct 1A	Precinct 2	Precinct 3	Precinct 4	Precinct 5	Total
<b>DEMOCRATIC</b>							
MARIAN T. RYAN <small>BRADFORD RD., BELMONT (CANDIDATE FOR RE-ELECTION)</small>	8 1081	369	1378	1461	1503	1386	7178
BLANKS	357	132	425	533	462	464	2373
WRITE INS	15	7	20	17	21	15	95
<b>Totals for Office</b>	<b>1453</b>	<b>508</b>	<b>1823</b>	<b>2011</b>	<b>1986</b>	<b>1865</b>	<b>9646</b>

**CLERK OF COURTS - MIDDLESEX COUNTY**

Candidate Name	Precinct 1	Precinct 1A	Precinct 2	Precinct 3	Precinct 4	Precinct 5	Total
<b>DEMOCRATIC</b>							
MICHAEL A. SULLIVAN <small>42 HURON AVE., CAMBRIDGE (CANDIDATE FOR RE-ELECTION)</small>	1090	366	1375	1454	1485	1378	7148
BLANKS	350	134	430	541	481	470	2406
WRITE INS	13	8	18	16	20	17	92
<b>Totals for Office</b>	<b>1453</b>	<b>508</b>	<b>1823</b>	<b>2011</b>	<b>1986</b>	<b>1865</b>	<b>9646</b>

**REGISTER OF DEEDS - MIDDLESEX SOUTHERN DISTRICT**

Candidate Name	Precinct 1	Precinct 1A	Precinct 2	Precinct 3	Precinct 4	Precinct 5	Total
<b>DEMOCRATIC</b>							
MARIA C. CURTATONE <small>37 MUNROE ST., SOMERVILLE (CANDIDATE FOR RE-ELECTION)</small>	1088	365	1375	1442	1480	1375	7125
BLANKS	352	136	427	551	487	474	2427
WRITE INS	13	7	21	18	19	16	94
<b>Totals for Office</b>	<b>1453</b>	<b>508</b>	<b>1823</b>	<b>2011</b>	<b>1986</b>	<b>1865</b>	<b>9646</b>



### BALLOT QUESTION 1

Would limit how many patients could be assigned to each registered nurse in Massachusetts hospitals and certain other care facilities.

	Precinct 1	Precinct 1A	Precinct 2	Precinct 3	Precinct 4	Precinct 5	Totals
Yes	295	93	421	370	421	438	2038
No	1093	392	1318	1536	1448	1354	7141
Blanks	65	23	84	105	117	73	467
<b>Totals</b>	<b>1453</b>	<b>508</b>	<b>1823</b>	<b>2011</b>	<b>1986</b>	<b>1865</b>	<b>9646</b>

### BALLOT QUESTION 2

Would create a citizens commission to consider and recommend potential amendments to the United States Constitution to establish that corporations do not have the same Constitutional rights as human beings and that campaign contributions and expenditures may be regulated.

	Precinct 1	Precinct 1A	Precinct 2	Precinct 3	Precinct 4	Precinct 5	Totals
Yes	1072	351	1375	1448	1489	1350	7085
No	352	145	406	512	430	460	2305
Blanks	29	12	42	51	67	55	256
<b>Totals</b>	<b>1453</b>	<b>508</b>	<b>1823</b>	<b>2011</b>	<b>1986</b>	<b>1865</b>	<b>9646</b>

### BALLOT QUESTION 3

Adds gender identity to the list of prohibited grounds for discrimination in places of public accommodation, resort, or amusement.

	Precinct 1	Precinct 1A	Precinct 2	Precinct 3	Precinct 4	Precinct 5	Totals
Yes	1134	384	1367	1471	1532	1399	7287
No	303	121	415	506	414	431	2190
Blanks	16	3	41	34	40	35	169
<b>Totals</b>	<b>1453</b>	<b>508</b>	<b>1823</b>	<b>2011</b>	<b>1986</b>	<b>1865</b>	<b>9646</b>

### BALLOT QUESTION 4

Shall the Town of Sudbury be allowed to exempt from the provisions of proposition two and one-half, so called, the amounts required to pay for the bonds issued in order to design a new and/or renovated Community Center and all other appurtenances thereto, to be constructed on Town-owned land on the current site of the Fairbank Community Center and Atkinson Pool, 40 Fairbank Road, including professional, engineering services and project management services, as well as preparation of plans, specifications and bidding documents, an all other incidental and related expenses?

	Precinct 1	Precinct 1A	Precinct 2	Precinct 3	Precinct 4	Precinct 5	Totals
Yes	652	214	831	862	859	850	4268
No	716	257	857	991	971	881	4673
Blanks	85	37	135	158	156	134	705
<b>Totals</b>	<b>1453</b>	<b>508</b>	<b>1823</b>	<b>2011</b>	<b>1986</b>	<b>1865</b>	<b>9646</b>

### BALLOT QUESTION 5

Shall the Town of Sudbury be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bonds issued in order to purchase, upon such terms as the Board of Selectmen determine, the fee or other interest in the property located at 82 Morse Road, including but not limited to a conservation restriction, and all incidental and related expenses?

	Precinct 1	Precinct 1A	Precinct 2	Precinct 3	Precinct 4	Precinct 5	Totals
Yes	909	319	1121	1172	1321	1172	6014
No	470	162	588	710	555	584	3069
Blanks	74	27	114	129	110	109	563
<b>Totals</b>	<b>1453</b>	<b>508</b>	<b>1823</b>	<b>2011</b>	<b>1986</b>	<b>1865</b>	<b>9646</b>

A TRUE COPY, ATTEST:

*Rosemary B. Harvell*

ROSEMARY B. HARVELL  
TOWN CLERK

## SUDBURY ANNUAL TOWN MEETING

May 7, 2018

Pursuant to a Warrant issued by the Board of Selectmen and a quorum being present, Beth Quirk, the Moderator, called the meeting to order at 7:34 p.m., at the Lincoln-Sudbury Regional High School Auditorium. Ms. Quirk introduced Accent Acapella, singing group at Lincoln-Sudbury Regional High School, who sang the National Anthem. Lincoln-Sudbury Regional High School student, Nancy Greely led the Pledge of Allegiance.

The Moderator stated tonight's Meeting was being closed captioned, as it has in the past.

The Moderator has examined and found in order the Call of the Meeting and the Officer's Return of Service and has confirmed the timely delivery of the Warrant to residents. She announced the certified Free Cash, according to Town Accountant Christine Nihan, is \$1,783,257.00 for the 2018 May Town Meeting.

Upon a motion, which was seconded, it was VOTED UNANIMOUSLY to dispense with the Reading of the Call of the Meeting, and the Officer's Return of Service Notice and the reading of the individual Articles of the Warrant.

The Moderator asked for a motion, which was made and seconded, for the Hall's approval to appoint David Pendleton as Assistant Town Moderator for the May 2018 Town Meeting, which was VOTED UNANIMOUSLY.

The Moderator introduced various Town Officials, Town staff members and the Finance Committee members who were present in the Hall.

The Moderator reviewed the fire exits, and noted extra warrants and handouts were available for distribution. The Moderator thanked the Boy Scouts from Troop 63, Colton Simon, Andrew Mosey, Nolen Schlessman, Casey Trumpta, and led by Peter Fishman; and Boy Scouts from Troop 61: Ryan Warzinsky, and led by Jonathan Goseth; who were acting as runners with warrants, and helping with microphones tonight. The Moderator also thanked the staff and crew of SudburyTV; Lynn Puorro, Terry Lockhart, Cliff McGann, Matt Cranson, Vicky Fox, Frank Walls, and Judy Faust; who were taping this Meeting.

The moderator announced that Saturday, May 19<sup>th</sup> the Town will be having a "Community Green-Up," which includes the annual road-side cleanup, an opportunity to pick-up rain barrels, in addition to the repair café. She mentioned the on-line, Livable Sudbury Survey; and all Sudbury residents 18 years and older are encouraged to participate; with a link to the survey on the Town website under Livable Communities.

The Moderator recognized State Representative Carmine Gentile, to present several proclamations, honoring individuals for their service to Sudbury. Representative Gentile read aloud and presented a State Senate proclamation to Selectman Susan Iuliano, for her service as a very popular Selectman. He also read a State House citation for Lucy St. George, for her service to the Sudbury Public Schools. Mr. Gentile recognized Anne Wilson, for her many years as Sudbury School Superintendent. State Representative

**Gentile recognized Gerald Court for his service on the Lincoln Sudbury School Committee. He also read aloud and presented a State House citation to Jim Kelly for his dedication and many years as Service Director for the Town.**

**Selectman Susan Iuliano was recognized to read the resolution in memory of those citizens who have served the Town and passed away during the past year.**

*Whereas: The Town of Sudbury has enjoyed the blessing of those in the community who gave of their time and talent to enrich the quality of life in our Town; and*

*Whereas: This past year has seen several of its citizens and employees who have rendered public service and civic duty pass from among us;*

*Now, therefore, be it resolved:*

*That the Town of Sudbury extends its heartfelt sympathy to the families of these persons and recognizes their service and dedication to the community:*

**MARGARET (DIMODICA) ANGELOSANTO (1930-2018)**

**Sudbury Resident: 1958-2018**

**Election Worker: 2003-2018**

**AGNES BROOKS (1936-2017)**

**Sudbury Resident: 1957-2017**

**SPS Secretary: 1974-1994**

**SALLY JO (RANCIER) CAIRA (1940-2017)**

**Sudbury Resident: 1964-2017**

**Fairbank School Recess/Lunch Aide**

**Green Landscaping at the Dump (GLAD): 2007-2011**

**JUDITH COPE (1940-2017)**

**Sudbury Resident: 1940-2017**

**Board of Selectmen: 1988-1994**

**Conservation Committee: 1976-1981**

**Wetlands Subcommittee (to Conservation): 1978**

**Inclusionary Zoning Study Committee: 1990-1992**

**Metrowest Growth Management Committee: 1992-1993**

**Middlesex County Advisory Board Designee: 1988-1993**

**Operational Review Board for Septage Disposal Committee: 1976-1983**

**Planning Board: 1987-1988**

**Route 20 Task Force: 1987**

**Sudbury VNA Representative: 1991-1992**

**MARY ELIZABETH KELLEY CORR (1927-2017)**

**Sudbury Resident: 1960-1994**

**SPS Employee: 1976-1982**

**ELLEN SOWLES CRON (1927-2017)**

**Sudbury Resident: 1961-2017**

**Assessor's Office: 1968-1973**

**Earth Decade Committee**

**Goodnow Library**

**Sudbury Historic Commission**

**MARSHALL DEUTSCH (1921-2017)**

**Election Worker: 1990-1991**

**MARGARET R. FREDRICKSON (1938-2018)**

**Sudbury Resident: 1962-2018**

**Cable TV Committee: 1990-2008**

**Election Worker: 1987-2001**

**Strategic Planning Committee: 1996-2001**

**ROBERT D. HALL (1929-2018)**

**Sudbury Resident: 1966-2018**

**Rail Trail Conversion Advisory Committee: 2004-2015**

**FAY HAMILTON (1922-2017)**

**Haynes School Librarian**

**Dog Leash Study Committee: 1963-1964**

**Election Work: 1968-1998**

**DON HUTCHINSON (1929-2016)**

**Sudbury Resident: 1976-2016**

**Election Worker: 2012-2016**

**Finance Committee: 2001-2003**

**JOSEPHINE KIESEWETTER (1929-2017)**

**Election Worker: 2000-2002**

**NEIL J. MCGILVRAY (1944-2016)**

**Sudbury Resident: 1996-2003**

**Police Patrolman: 1983-2001**

**VIRGINIA NATALE (1938-2017)**

**SPS Payroll & Transportation Manager: 1997-2008**

**ALBERT PALMER (1931-2017)**

**LSRHS Mathematics Teacher: 1964-1993**

**BARBARA L. PONTECORVO (1933-2017)**  
SPS Staff: 1967-1992  
Sudbury-Wayland Earth Decade Committee: Founder  
(now Sustainable Sudbury)

**BRENTON CLARK TAYLOR (1940-2017)**  
Sudbury Resident: 1978-2017  
Sudbury Water District Treasurer: 2011-2017

**LAWRENCE W. TIGHE (1924-2017)**  
Sudbury Resident: 1946-2016  
SPS Committee: 1952-1966  
Steering Committee: 1955-1957

**MARGUERITE M. URGOTIS (1924-2018)**  
Sudbury Resident: 1949-2001  
Council on Aging: 1997-2003  
LSRHS Registrar: 1967-1990

*And be it further resolved:*

*That the Town of Sudbury, in Town Meeting assembled, record for posterity in the minutes of this meeting its recognition and appreciation for their contributions to our community.*

#### **ARTICLE 1 - HEAR REPORTS**

The Moderator stated that, for many years, there has been a tradition at the Annual Town Meeting to honor a citizen who has performed valuable service for the Town by asking him or her to make the motion under Article 1 of the Warrant. This year, the honor is bestowed upon retired Fire Chief Bill Miles.

The Moderator stated that because Chief Miles is no longer a Sudbury resident, she would need a vote from the Hall to allow him to speak. Unanimously voted upon.

Chief Miles moved in the following words:

*Move to accept the reports of the Town boards, commissions, officers and committees as printed in the 2017 Town Report or as otherwise presented, subject to the correction of errors, if any, where found.*

Submitted by the Board of Selectmen

(Majority vote required)

The motion received a second.

**BOARD OF SELECTMEN: Supported the motion.**

The Moderator declared that the motion under Article 1 was VOTED UNANIMOUSLY.

The Moderator asked how many in the Hall are here for the first time. She welcomed the new members and said that she was happy to see some new faces. She went on to review procedures for the Annual Town Meeting; saying that every matter that is voted on at Town Meeting, must come with a motion, and the Warrant Articles themselves, are not self-starting, but a motion may be made to “move in the words of the Article,” unless a presenter moves in the words of the Article, exactly as it is printed in the Warrant, He or she must explain to the Hall, the changes in the motion, and how it defers in the words that appear in the Warrant. She added that all motions of substance, including main motions, and motions to amend; must be delivered to her, to the Town Clerk, and to Mr. Thompson, the technology administrator; in writing, before they are made. Please also bear in mind that you can only make a motion to amend when you are first recognized, and not in the midst of, or at the end of, your remarks. In order to be fair to everyone, I will not entertain any motions to amend that do not strictly adhere to these parameters. If you wish to speak during discussions, please raise your card. Only registered voters of Sudbury, non-resident Sudbury employees, or elected State officials, may speak without leave of the Hall. She provided instructions regarding the microphone, and identification when speaking, and added that a scout will deliver a microphone to speakers. She further informed that according to the bylaws, presenters of Articles, may speak for a maximum of ten minutes, and all other speakers for a maximum of five minutes; unless additional time is granted by the Hall. The Moderator said that she asked Patty Golden to monitor the time of all the speakers, and that Ms. Golden would provide a signal when time is up.

The Moderator explained the more flexible time allotted to cost centers presentations, but added that succinctness is very much appreciated by the Hall. She detailed the instructions to be followed for motions, questions, and voting, stated that she would not respond to people who simply call out, or call the question, and stated that to move the question, you must be recognized by the moderator, and immediately make your motion. She stated that she had the right to rule that a motion to move the question, is out of order; if she believed the motion was unfairly, or prematurely limiting the voter’s rights to hear answers to questions, or to better understand the motion or amendment. She continued to describe some notes on voting each Article on the Warrant, and described the quorum of votes necessary for an Article to pass; usually it’s a simple majority, but specific types of actions – such as those relating to zoning amendments, or the incurrence of debt, require a 2/3 vote. Still others, require a 4/5 vote of the Hall . She added that sometimes, for a variety of reasons, the required quantum of a vote as set forth in the Warrant, which may be different than the actual vote required. The Moderator stated that after consultation with Town Counsel, she would remind the Hall of the requisite quantum before each vote, and then ask all present to signify their votes in favor or against a motion by raising the cards. She stated that she would next count the vote, and announce the result.

She added that if a vote is to close for her to call, she would call for a counted vote; given the substantial amount of time it takes to do a count in this manner, and asked that such a procedure not be requested, unless miscalculation is certain. She stressed that a healthy respect for both sides of an argument, is essential for acting in the best interest of

**the Town. She added that she would not allow clapping, hissing or booing or other audible noise, for or against any speakers, either before, during or after presentations, and emphasized that it was within her powers as Moderator, to terminate the right to speak of anyone who makes disrespectful comments; whether directed at a voter, a speaker, or a Town official.**

**The Moderator recognized Bob Haarde, Chairman of the Board of Selectmen, for the State of the Town Address.**

**Mr. Haarde stated that the 2018 Fiscal year for the Town of Sudbury was very memorable and Sudbury declared the first state of emergency in the Town of Sudbury in recent memory. He stated that Sudbury Public Safety, DPW and other Town employees, contractors and volunteers responded to the challenge. We opened our emergency shelter at the Fairbank Center and served hundreds of residents who came in for warmth, electricity, food, some residents got work done, and some stayed overnight until they could return home. Mr. Haarde commended Sudbury's social worker, public safety personnel and medically trained volunteers; who were busy conducting wellness visits for residents. He mentioned that the Town Manager worked around the clock during this period, coordinating with State Emergency Teams to clear town roads and address the dangerous electrical lines, in addition to managing the emergency shelter and all the town's resources, and associated clean-up services post-storm emergency.**

**Mr. Haarde announced that the Town has paid all bills for fiscal 2018, and has \$1.7M in unrestricted available funds, over \$4M in our emergency stabilization fund, and have proposed a non-override budget for Fiscal 2019. He detailed that the Town has proposed a non-override operating budget for 9 of the last 10 years and has an average \$3.4M per year in capital investments over the last 10 years for an average of over 4% of our operating budget. He thanked the taxpayers and the financial management of Sudbury, for again achieving an AAA bond rating.**

**Mr. Haarde stated that the Town has begun the significant task of updating policies, some of which, had not been updated since the 1970s, and have now been awarded grants for the green communities, the community compact, the cross town connect, the senior needs assessment, livable communities and the Loring Parsonage. He added that the Sudbury shuttle started transporting residents from Marlborough to the Wayland border.**

**Mr. Haarde spoke of the progress at Meadow Walk, the former Raytheon site; and stated that Whole Foods is now open, with Mooyah Burger, Peet's Coffee, Oak Barrel Tavern, as well as other businesses scheduled to open soon. He was pleased to announce that some of the first residents had moved in to the Avalon development, this past weekend. It was with great pride, that Chairman Haarde maintained that Meadow Walk and the Avalon Development will continue to be a great amenity for the Town, and a growing source of tax revenue, as well as, a source of negotiated mitigated funding.**

**The achievement of attaining the 10% affordable housing standard, was applauded by Mr. Haarde, who added that this allows Sudbury to control development in Town, and is a deterrent to 40B developers. Chairman Haarde stated that the Town continues its fight against the Eversource High-voltage line proposal, into our conservation lands and wetlands; and that Sudbury also continues to fight against the Sudbury Station**

development in Sudbury's town center. He asserted that we are committed to opposing these projects which would change Sudbury and taking a pro-active approach to open space management and smart growth, to prevent this from happening again.

Chairman Haarde thanked all who live and work in Sudbury for a great year.

## **ARTICLE 2 – FY18 BUDGET ADJUSTMENTS**

At the request of the Moderator, Selectman Dan Carty *moved to amend the vote taken under Article 3, FY18 Budget, of the 2017 Annual Town Meeting by transferring \$250,000 from Acct. 900, Employee Benefits, and \$65,000 from Acct. 200 Public Safety to Acct. 400, Public Works; and further by transferring \$35,000 from Acct. 200 Public Safety to Acct. 100, General Government.*

Submitted by the Board of Selectmen

The motion received a second.

**FINANCE COMMITTEE:** Finance Committee Chair Bryan Semple, stated that the Committee unanimously supported Article 2.

**BOARD OF SELECTMEN:** Selectman Dan Carty stated that the Board of Selectmen unanimously supported Article 2.

The Moderator recognized Town Manager Rodrigues for a presentation. Town Manager Rodrigues stated that this is a housekeeping article and that adjustments reflect transfers being made in this year's operating budget to help the Town deal with unexpected or unusual expenses. She itemized the transfer amounts from: Benefits - \$250,000; Public Safety - \$100,000; transferring to: General Government - \$35,000; and Public Works - \$315,000.

The transfers are going to the Legal Department for \$35,000 and into the Snow and Ice account, for \$315,000.

The Moderator stated that the motion for Article 2 **PASSED UNANIMOUSLY.**

The Moderator added a few brief procedural notes, saying that there would now be a "limiting motion," from the Finance Committee that proposes an appropriation not to exceed the amount required to fund the proposed budget. She added that the "limiting motion," if passed, will then establish the upper limit of the budget. A vote in favor of the "limiting motion," does not mean that Town Meeting has approved the particular distributions, as set forth in the warrant, but rather, establishes only the upper limit of the Town's budget appropriation for FY19. Once we dispose of the "limiting motion," the Finance Committee will make a main motion on the budget. She added that at that time, she would read line by line, the items in the main motion. Absent the motion to establish the "limiting motion", a voter can only make a motion to amend to reduce a line item, or to increase one item, and decrease another – so that the total amount appropriated, does not exceed the amount established by the "limiting motion" In other words, it will be out of order to make a motion to increase a line item, if that increase would cause the main



budget figure to exceed the amount set by the “limiting motion” without first moving for consideration of the “limiting motion.”

The Moderator recognized Bryan Semple, Chairman of the Finance Committee for the Budget Limiting Motion.

At the request of the Moderator, Finance Committee Chairman Bryan Semple *moved as Limiting Motion, that the amount appropriated under FY19 Budget not exceed the sum of \$98,516,637.00.*

The motion was seconded.

**FINANCE COMMITTEE:** Unanimously supported the Limiting Motion.

**BOARD OF SELECTMEN:** Unanimously supported the Limiting Motion.

Sudbury Finance Committee Chairman, Bryan Semple presented a report on the State of the Town Finances.

Mr. Semple provided a background narrative regarding the Finance Committee. He also encouraged everyone in the Hall to review the Warrant, and stressed that much helpful information is included. He outlined that there would be several types of Articles presented; those in the Operating Budget, which is close to \$100 million dollars, primarily for Sudbury schools; and the Capital Budget, which includes free cash and debt exclusions. He detailed CPA items; money spent from 3% CPA and state-matching funding, and Financial Administration, such as stabilization funds.

He emphasized that the Finance Committee unanimously recommends the passing of Article 3, a \$98,516,637 budget, which reflects a maximum non-override amount, and is about a \$3.7 million increase over FY18 taxes, which equals an approximate \$262 tax increase for the average home; valued at \$762,000; about a 2.1% increase in overall increased tax bill, and not the full 2.5% increase, due to some debt being retired. Mr. Semple maintained that Town salaries and COLA are driving the increase, and that 30% of the budget is driven by the collective bargaining agreements that the Town signs with various unions.

Mr. Semple presented several general themes and topics, stating that Fincom was concerned about contract settlements that can lead to overrides, or cuts in services; and that Fincom would be reviewing such settlements, in order to provide recommendation in the FY20 and FY21 budgets. He pointed out that OPEB (other post-employment benefits) play a large role in the Town budget; but added that there was a \$400,000 new growth amount, which the Town cannot necessarily depend on in the years going forward. Mr. Semple summarized the Town budget, with minor changes in services to Park and Recreation, IT, Board of Health, Veterans Affairs, and Town Clerk.

Mr. Semple stated that the Sudbury Public School budget reflects a 3.6% increase, and cautioned that the School Department has some unsettled contracts, and added that the School Dept. has the ability to move funding, within the budget. The Chair stated that the Lincoln Sudbury Regional High School presents a 4.53% increase in budget, with added STEM spending; adding that there were issues with the parking lot enterprise fund

and funding of a full-time employee; and that the FINCOM will be examining how these funds are used.

In looking forward, Mr. Semple stated that when looking at the three-year forecast; the next two years will have similar cost structuring increases. He stated that he would be presenting again with a Capital and CPA presentation, later this evening.

The Moderator asked voters to consider a motion, requiring a majority vote, to expand the time for each cost center to present its budget from five minutes to eight minutes. The motion was made, seconded, and the Moderator declared that the motion for expanded time **PASSED BY WELL MORE THAN A MAJORITY.**

The Moderator stated that three cost centers would make a budget presentation at this time: Town Manager Rodrigues for the Town; Superintendent Ann Wilson for the SPS, and Superintendent Bella Wong for LSRHS.

The Moderator introduced Town Manager Rodrigues to present the Town budget.

Ms. Rodrigues said that she was proud to submit a budget that meets the specifications for receiving the distinguished budget award. She added that the budget is a transparent, easy to read budget document that includes the budget, as well as, much information about the Town. She stated that there are four or five types of revenues involved; real estate taxes/personal property, funds received from the state, local receipts; such as excise tax/ambulance receipts. Ms. Rodrigues said that there was a 3.7% increase in the budget, but new growth was approximately \$1 million and historically is \$600,000, considering the Meadow Brook development.

Ms. Rodrigues presented a FY19 budget breakdown, by department, including the School Department, as well as, the Town debt service and operating capital. When referring to the graph, she stated that the majority of funding goes to employee benefits, 34% representing both SPS, and the other benefits. She added that the Town portion is \$5,358,834, and the school portion is \$60,972,372, reflecting an approximate 4.5% increase.

Ms. Rodrigues provided further detail on the budget, stating that there are no additional employees in this budget and that all budgets include already bargained for increases, as well as, step increases, if applicable. She included that the majority of the budgets are level funded, with some budgets seeing small, critical changes. Ms. Rodrigues continued with elaboration:

Legal Department with a \$17,000 increase, due to increased contract and increased hours for labor counsel.

Assessor's Department with \$2,000 increase for Patriot Properties.

IT with a \$23,000 increase, for software.

Town Clerk with \$20,500 increase due to a state election and implementation of early voting.

Trees and Cemeteries increase of \$3,000 due to tree contract.

**Parks and Grounds increase of \$20,000 to aerate and slice seed the fields twice per year.**

**Board of Health increase of \$21,000 due to increase for contracted services to implement the bottle and bag bill.**

**Council on Aging increase of \$4,000 for general expense to bring in line with the FY17 actual, after budget cut last year, and services are now restored.**

**Veterans Affairs increase of \$20,000 to increase veterans' benefits, which meets current level of need. Reserve transfer this year in order to meet need, and are reimbursed 75% by the state.**

**Goodnow Library increase of \$13,485 contractual increase for automation with Minuteman Network, plus an increase of \$8,000 for books and materials. Ms. Rodrigues added that in order to be eligible for state aid, and reach certification, books and materials must be 15% of the budget.**

**OPEB increase of \$70,000 with an eleven-year plan in place.**

**The Moderator introduced SPS Superintendent Anne Wilson to present the SPS budget.**

**Ms. Wilson presented the vision of Sudbury Public School as providing excellence in education, focusing on academic, as well as, social and emotional growth for all students. She detailed that SPS goals and visions, as approved by the SPS School Committee, engage in strategic processes to encompass the educational goals that promote social, emotional, and physical wellness; implementing innovative research-based curriculum and educational practices which aims to challenge all learners according to their individual levels. She went on to say that the plan also includes operational goals, encompassing employing, developing and supporting high-quality personnel and maintain fiscally responsible budgets that reflect the vision and goals.**

**Ms. Wilson maintained that the budget drivers include enrollment and staffing, special education in-district and out of district programming, to include specialized transportation and general education transportation. She detailed that challenges for the FY19 budget included the continued impact from staff cuts, despite an override, which was appreciated, as it aided in preventing further staff and resource cuts. She added that collective bargaining is still in progress and the transition to a new superintendent are considerable factors as well.**

**A projected ten-year enrollment graph was displayed, and Ms. Wilson referred to the graph, which indicated that projected enrollment for the ten year time period, would be fairly flat, with minor decreases over the next few years, and an increase in FY 23. She commented that approximately one half of the SPS professional staff, are at the top of the pay grade. She then referred to the graph depicting SPS expenses. Ms. Wilson stated that 83.5% covered salary and benefits, and 16 ½% accounted for a variety of other costs.**

**In summary, Ms. Wilson asserted that the SPS operating budget displayed that the bottom line is in keeping with the Town Manager's recommended 3.6% overall increase, and expenses increased by 13 ½ %; totaling \$909,197,000. Ms. Wilson reported that there**

are no new initiatives or programs in the budget, but that did not mean that SPS would not continue implementing the standards of curriculum. Ms. Wilson said that she was honored to have worked with the Town of Sudbury and its students for the last seven years.

The Moderator introduced LSRHS Superintendent Bella Wong, to present the LSRHS Budget.

Ms. Wong asserted that every LS budget represents the core values and goals for school improvement. She went on to define those goals/core values as: the fostering of cooperative and caring relationships, respecting human differences, pursuing academic excellence and cultivating community. She stressed that the focus is on cultivating community this year, as that concept supports the capacity to recruit and retain qualified faculty and staff, and stresses that the everything that is done in the classroom fosters new growth and determines what happens to students' post-graduate period.

The FY19 budget overview was highlighted by Ms. Wong, who noted that the budget incorporates a new teacher compensation agreement, maintains current education program, partially restores instructional capital budget, which was reduced in FY18, reallocates and increases FTE in accordance with class size, addresses and satisfies Lincoln budget guidance, addresses and satisfies Sudbury budget guidance.

Ms. Wong detailed the COLA aspect of the FY19 Budget, stating that the teachers agreed to split their COLA with a midyear increase for the next three years. She detailed that \$35,000 would be funding a .58 FTE to staff science, math and technology. She also mentioned that the federal grants are level funded, and state grants reflect the Governor's Budget released in January 2018. Ms. Wong stated that LS would be receiving reduced state circuit breaker reimbursement, and there would be a 10% increase in health insurance, a 6.8% increase for non-MTRS pension funding, a 5% increase in regular education transportation, partial restoration of funding for instructional capital (\$25,000), and 2% increase to expenses (across the board), increase contribution to fund OPEB accrued liability (\$24,402), and no adjustments to current student fee structure.

Projected enrollment over the next five years was addressed by Ms. Wong, who stated that the enrollment would be fairly level, and stated that LS received slightly more students than projected for the current year, and next year will receive 1,535 students, when compared to the 1,529 enrolled this year.

Ms. Wong reiterated the recommended FY18 budget at \$30,764,174 and the FY19 budget at \$32,105,742 (both including appropriated amount and OPEB funding) demonstrating a difference of \$1,341,572. She noted that \$250,000 is coming from the E&D fund, leaving some \$850,000 in that fund.

In summary Ms. Wong reviewed the Assessment and Apportionment ratios for both Sudbury and Lincoln, with the net estimated appropriation for Sudbury being \$24,762,715, and the estimated appropriation for Lincoln at \$3,684,359.

The Moderator asked if anyone had additional comments regarding the Limiting Motion. There were no comments in the Hall.

The Moderator declared that the Limiting Motion for Article 3 – that the amount appropriated under the Fiscal Year 2019 Budget, not exceed the sum of \$98,516,637 PASSED BY WELL MORE THAN A MAJORITY.

**Article 3 – FY19 BUDGET**

The Moderator recognized Chairman of the Finance Committee, Bryan Semple, who made the following motion:

*Move to appropriate the sums of money set forth in the column “FY19 Recommended” for Fiscal Year 2019 as printed in the warrant.*

<b>EXPENDITURES</b>	<b>FY19 Recommended</b>
300: Education - Sudbury Public Schools (SPS)	37,459,173
300: Education - LS Regional High School (LS) <sup>1</sup>	24,762,716
300: Education - Vocational	663,719
<b>Total: Schools</b>	<b>62,885,608</b>
100: General Government	3,087,783
200: Public Safety <sup>4</sup>	8,581,159
400: Public Works	5,292,995
500: Human Services	792,406
600: Culture & Recreation	1,367,678
800: Town-Wide Operating and Transfers	536,963
<b>Total: Town Departments</b>	<b>19,658,984</b>
700: Town Debt Service	3,100,625
900: Employee Benefits (Town and SPS) <sup>2</sup>	12,331,171
1000: OPEB Trust Contribution (Town and SPS) <sup>3</sup>	540,249
<b>TOTAL OPERATING BUDGET:</b>	<b>98,516,637</b>

(not including Capital or Enterprise Funds)

<sup>1</sup> Includes \$333,114 for OPEB and \$564,892 for Debt Service.

<sup>2</sup> Includes \$5,358,834 for Town and \$6,972,337 for SPS.

<sup>3</sup> Includes \$205,943 for Town and \$334,306 for SPS.

<sup>4</sup> Appropriation is partially funded by \$660,000 of ambulance receipts.

*said sums 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 Account to 200: Public Safety, \$660,000; and to authorize the Town Manager to transfer \$1,282,986 of the funds from item 900: Employee Benefits (Town and SPS) and \$540,249 from item 1000: OPEB Trust Contribution (Town and SPS) 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 multi-year contracts in excess of three years either by renewal, extension, or purchase options in accordance with the provisions of Massachusetts General Laws chapter 30B section 12 upon determination by the Chief Procurement Officer to be the most advantageous option.*

The Moderator read each line item in the budget and asked for any questions, there were none.

The Moderator stated that a majority was required and that the **motion** for Article 3 **PASSED BY WELL MORE THAN A MAJORITY.**

**Article 4 – FY19 Capital Budget**

The moderator recognized Susan Iuliano who made the following motion:

*Move to appropriate the sum of \$821,318 for the purchase or acquisition of capital items including but not limited to capital equipment, construction, engineering, design, and renovation to buildings; with the sum of \$392,996 to be transferred from Free Cash and the sum of \$428,322 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:*

FY19 Operating Capital Budget	
Sudbury Public Schools	\$102,000
LS Regional High School	\$ 97,818
Selectmen/Town Manager	\$100,000
Information Systems	\$ 40,900
Town Clerk & Registrars	\$ 50,000
Police	\$ 25,600
Streets and roads	\$120,000
Parks and Grounds	\$100,000
Combined Facilities	\$140,000
Recreation	<u>\$ 45,000</u>
<b>TOTAL</b>	<b><u>\$821,318</u></b>

The Moderator recognized the Town Manager, Melissa Rodrigues who presented the Capital Budget and listed the projects.

Finance Committee Report given by Bryan Semple who explained that CPA and Free Cash spending does not change tax bill but Capital and Debt Exclusions will increase tax bill. Finance Committee is comfortable with the Free Cash Spending except for Article 28 because it brings free cash below the reserve. He went on to summarize the anticipated future large capital projects and the retirement of current debt.

Finance Committee recommends approval of Article 4.

Board of Selectmen unanimously supports Article 4.

The Moderator stated that a majority was required and that the motion for Article 4 **PASSED BY WELL MORE THAN A MAJORITY.**

#### **ARTICLE 5 -TRANSFER STATION ENTERPRISE FUND BUDGET**

Board of Selectmen Leonard Simon, moved in the words below:

*Move to appropriate the sum of \$310,806 for the Transfer Station Enterprise Fund for FY19, and further to authorize use of an additional \$16,700 of Enterprise Fund receipts for indirect costs; such sums to be raised by \$327,506 in receipts of the Enterprise.*

Submitted by the Board of Selectmen

(Majority vote required)

The motion received a second.

Town Manager Rodrigues stated that the following three Articles are Enterprise Fund Budgets, which is a different way to account for financial activities. She added that it is a budget that is entirely funded by user fees, and not a fee added to taxes, but instead the individual who is utilizing the service, pays for the service. She added that these funds are segregated into a separate fund, with financial statements separate from all other activities. She added that the Transfer Station Enterprise Fund had a slight increase of \$13,000 from last year, and she added that there would be no rate increases this year.

**FINANCE COMMITTEE:** Finance Committee Chair Bryan Semple stated that the Committee recommended approval of the article.

**BOARD OF SELECTMEN:** Unanimously supported the article.

The Moderator stated that a majority vote was required, and that the motion for Article 5 was **VOTED UNANIMOUSLY.**

#### **ARTICLE 6 – FY19 POOL ENTERPRISE FUND BUDGET**

Selectman Patricia Brown moved in the words below:

*Move to appropriate the sum of \$467,220 for the Pool Enterprise Fund for FY19, and further to authorize use of an additional \$36,227 of Enterprise Fund receipts for indirect costs; such sum to be raised from \$503,447 in receipts of the Enterprise.*

Submitted by the Board of Selectmen (Majority vote required)

The motion was seconded.

Town Manager Rodrigues stated that the Pool Enterprise Fund covers all the expenditures to run, operate, and staff the Pool. She added that this budget is decreasing from \$574,434 in FY18, to \$503,447 for FY19, and is also incurred indirect costs of \$36,227; for the first time.

**BOARD OF SELECTMEN:** Selectman Patricia Brown stated that the Board of Selectmen unanimously supported the article.

**FINANCE COMMITTEE:** Finance Committee Chair Bryan Semple, stated that the Committee Recommended approval of the article.

Resident Arthur Huston, 578 Peakham Road, questioned why the costs are decreasing, and requested some explanation as to why this is happening.

Town Manager Rodrigues stated that revenues from the Pool have decreased over the last year, and a position was actually eliminated.

The Moderator stated that a majority vote was required, and that the *motion* for Article 6 was **VOTED UNANIMOUSLY.**

## **ARTICLE 7 – RECREATION FIELD MAINTENANCE ENTERPRISE FUND BUDGET**

Selectman Daniel Carty *moved* in the words below:

*Move to appropriate the sum of \$217,291 for the Recreation Field Maintenance Enterprise Fund for FY19; and to authorize use of an additional \$22,575 of Enterprise Fund receipts for indirect costs; such sums to be raised from \$239,866 in receipts of the Enterprise.*

Submitted by the Board of Selectmen (Majority vote required)

The motion received a second.

Town Manager Rodrigues stated that this budget was also decreasing from \$240,337 to \$239,866, which included half of the employees in the Park & Recreation/Fields Department, and half of the benefits for those employees. She added that everything else in this budget is maintenance. The budget is decreasing because of employee attrition and brought in new employees at a lower rate.

**FINANCE COMMITTEE:** Finance Committee Chair Bryan Semple stated that the Committee recommended approval of the Article.

**BOARD OF SELECTMEN:** Unanimously supported Article 7.



The Moderator stated that a majority vote was required, and that the *motion* for Article 7 was *VOTED UNANIMOUSLY*.

**ARTICLE 8 – SNOW AND ICE TRANSFER FY18**

Board of Selectmen Chair Robert Haarde *moved in the words of the article with the sum of \$230,607 to be transferred from Free Cash to Acct. 400, Snow & Ice.*

The motion was seconded.

Submitted by Town Manager

(Majority required)

Town Manager Rodrigues stated that the Snow and Ice account is the only account that the town can spend into a deficit, and each year the Town budgets approximately \$425,000, adjusting according to the season. She stated that this year the Town incurred some 26 weather events, with some very significant events, with a total budget deficit of \$545,606.88 as of May 1, 2018; including \$192,000 in overtime, \$278,156 in materials, and \$75,044 in contractors. She added that the total spent on snow and ice operations was \$970,356.88. She stated that \$230,607 is to be transferred from Free Cash.

**FINANCE COMMITTEE:** Recommends approval of Article 8.

**BOARD OF SELECTMEN:** Unanimously support Article 8.

Sudbury resident Martha Coe, 14 Churchill Street, asked about figures representing Free Cash for snow and ice was \$255,607 in her notes, as opposed to \$230,607 just presented.

Town Manager Rodrigues replied that the amount being requested is \$230,607, the total amount spent on snow and ice was \$970,356, and were able to fund approximately \$425,000 out of the regular Operating Budget, and funded another portion through Article 2, when the Budget Adjustments were done. So, the only amount being asked for is \$230,607 from Free Cash.

Finance Committee Chair, Mr. Semple added that the cost to the average household is \$37, but there is no impact on the tax bill, because it is Free Cash.

The Moderator stated a majority vote is required, and that the *motion* for Article 8 was *VOTED UNANIMOUSLY*.

**ARTICLE 9 – UNPAID BILLS**

Selectman Susan Iuliano *moved to indefinitely postpone Article 9.*

Submitted by the Town Accountant

(Majority required)

The motion was seconded.

**FINANCE COMMITTEE:** Finance Committee Chair Bryan Semple stated that the Finance Committee supports indefinitely postponing Article 9.

**BOARD OF SELECTMEN:** Board of Selectmen indefinitely supports postponing Article 9. There are no unpaid bills.

Sudbury resident Elaine Barnhart-Goldstein, 40 Indian Ridge Road, commented about the snow removal being more expensive than had been budgeted, and now it is announced that there are no unpaid bills. She asked for further explanation.

Town Manager Rodrigues stated that these are unpaid bills from last fiscal year, not this fiscal year; so that in order for the Town to pay unpaid bills that fall into another fiscal year, permission must be given at Town Meeting. She added that fortunately we do not have any of those bills.

The Moderator stated that a majority vote was required, and that Article 9 was **VOTED TO INDEFINITELY POSTPONE.**

The Moderator stated that the Consent Calendar items are Articles 10 and 11 on the Warrant and asked if anyone in the Hall wished to hold either article for discussion. There were no requests. The Moderator asked for and received a motion for the consent calendar.

The motion received a second.

**ARTICLE 10 – CHAPTER 90 HIGHWAY FUNDING**

*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)

**ARTICLE 11 – FY19 REVOLVING FUNDS SPENDING LIMITS**

*To see if the Town will vote to establish the FY2019 spending limits for the use of revolving funds under M.G.L. c.44, s.53E ½, by the following departments of the Town in accordance with each fund set forth in Article XXXIII of the Town of Sudbury General Bylaws or act in any manner related thereto.*

Submitted by the Town Finance Director (Majority vote required)

<u>Fund</u>	<u>Department</u>	<u>Amount</u>
Public Health Vaccinations	Board of Health	15,000.00
Plumbing & Gas Inspectional Services	Building Inspector	65,000.00
Portable Sign Administration & Inspectional Services	Building Inspector	10,000.00
Conservation (Trail Maintenance)	Conservation Commission	15,000.00
Conservation (Wetlands)	Conservation Commission	50,000.00
Forestry Activities	Conservation Commission	10,000.00
Council on Aging Activities	Council on Aging	50,000.00
Council on Aging Van Transportation (MWRTA)	Council on Aging	135,000.00
Cemetery Revolving Fund	Public Works	20,000.00
Fire Department Permits	Fire	50,000.00
Goodnow Library Meeting Rooms	Goodnow Library	10,500.00
Recreation Programs	Park and Recreation Commission	542,000.00
Teen Center	Park and Recreation Commission	20,000.00
Youth Programs	Park and Recreation Commission	170,000.00
Bus	Sudbury Public Schools	450,000.00
Instrumental Music	Sudbury Public Schools	100,000.00
Cable Television	Town Manager	30,000.00
Rental Property	Town Manager	40,000.00
Dog	Town Clerk	70,000.00
Zoning Board of Appeals	Zoning Board of Appeals	25,000.00
Solar Energy	Combined Facilities	330,000.00

Submitted by the Town Finance Director.

(Majority vote required)

The Moderator stated that a majority was required, and that the motions for Article 10 and Article 11 were VOTED UNANIMOUSLY.

**ARTICLE 12 – FUND LITIGATION COSTS – EVERSOURCE**

Selectman Robert Haarde *moved* in the words below:

*Move in the words of the Article with the sum of \$115,000 to be transferred from Free Cash.*

The motion received a second.

Submitted by the Board of Selectmen

(Majority required)

Town Manager Rodrigues stated that as of April, the Town has spent \$769,000 in litigation costs related to Eversource. She went on to say that this included siting board process and aspects of the Land Court case with the MBTA. The current status encompasses waiting for decision in the siting board case, and active litigation with the

**MBTA.** She stressed that the Town is requesting \$115,000 from Free Cash to continue to fund the costs of litigation with Eversource, including any necessary appeals to the Supreme Judicial Court. As background information, Ms. Rodrigues explained that last April, Eversource filed a petition with the Energy Facilities Siting Board to install a power line in Sudbury. This filing included a preferred project, underground along the MBTA right of way; a noticed variation, aboveground along the MBTA right of way; and a geographically diverse alternative, with underground street option. The Town filed to intervene at the siting board and put on a full case, with briefs submitted in March, and now awaiting a decision.

**FINANCE COMMITTEE:** Chairman of the Finance Committee Bryan Semple stated that the Finance Committee recommends approval of Article 12 in a vote of 7-0. He added that there is no impact on the tax bill, because this is coming from Free Cash.

**BOARD OF SELECTMEN:** Chairman of the Finance Committee Robert Haarde stated that the Board of Selectmen support this Article by a vote of 3-0, with two abstentions.

Sudbury resident Robert Coe, 14 Churchill Street, asked if it were possible to have an assessment on Article 12 and Article 13, from the Town, or the Selectmen, or Town Counsel, regarding what the Town will end up spending on this litigation, and what the probability of success might be.

Town Manager Rodrigues stated, that as of April, the Town has spent \$769,000 and the last \$115,000 is budgeted to take us through the entire appeal with the Supreme Judicial Court. She said that the SJC appeal would take place, if a negative decision is received. She stated that a decision is likely during the summer, and the total amount for the budget at this point to the end of the case is \$769,000, plus the \$115,000.

Chairman Haarde added that the money being requested tonight, gets the Town through the appeals process; which reflects coming to the end of the process. He added, that if the Town prevails at the siting board, Eversource is very likely to appeal, so litigating that prospective appeal is recommended; and if Eversource prevails at the siting board decision, then it is likely that the Town would appeal.

Sudbury resident Henry Sorett, 58 Longfellow Road stated that an assessment of likely success has not yet been provided.

Town Moderator stated that all legal proceedings are impossible to predict.

Chairman Haarde commented that recently we have seen favorable decisions in New Hampshire and New Jersey that won against the utility companies there, with siting board equivalents. He affirmed that we cannot predict what the court is going to decide, but we have reasons to feel somewhat optimistic.

Sudbury resident Nick Pernice, 255 Peakham Road, said that if the Town did not fund the attorneys, we will definitely lose, wherever we end up.

Sudbury resident Elaine Barnartt-Goldstein, 40 Indian Ridge Road, stated that she was sick of paying the lawyers, and will vote against it.

Sudbury resident William Schineller, 37 Jarman Road, said that he commends the Town for going along with this effort, and added that appeals at SJC is a body that generally looks at the reasonableness of the project, and would view the damage that Eversource plans could cause, and the environment is worth saving.

The Moderator stated that the *motion* for Article 12 *PASSED BY WELL MORE THAN A MAJORITY.*

### ARTICLE 13 – LITIGATION COSTS – SUDBURY STATION PROJECT

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

Submitted by The Board of Selectmen

(Majority required)

Selectman Patricia Brown *moved* in the words of the article with the sum of \$125,000 to be transferred from Free Cash.

The motion was seconded.

Town Manager Rodrigues stated that the Town was involved in the Housing Appeals aspect of Sudbury Station Project, and multiple litigations in Land Court; with the Land Court litigation currently on appeal. She added that the Housing Appeals Committee appeal is just getting started, with hearing to begin in late summer. She detailed that the Sudbury Station case involves a developer who is planning a 40B development in Town Center, which is the land court case. She detailed that the Housing Appeals case is the Town defending itself before the Housing Appeals Commission; where the developer has appealed regarding the Zoning Board of Appeals decision to award 30 units and not the 250 units that were proposed.

Ms. Rodrigues said that to date, the Town has expended \$139,168, and is requesting \$125,000 from Free Cash, to continue the funding of this litigation.

**FINANCE COMMITTEE:** Finance Committee Chairman Bryan Semple stated that the Finance Committee recommends approval of Article 13, 7-0; and the cost to the average taxpayer is \$20, with no tax bill impact because funding is coming from Free Cash.

**BOARD OF SELECTMEN:** Unanimously supported this article.

Sudbury resident David Jacob, 328 Old Lancaster Road, wanted to clarify the fact that the original case was never heard, and was thrown out.

Town Manager Rodrigues responded that the case was dismissed during the summary judgement period, and a negative determination was given, with attorney's fees at approximately \$75,000; and is currently in the Appeals Court to appeal both the negative determination, as well as the attorney's fees. The Attorney's fees have been held in advance, while we wait for the appeal of the Summary Judgement.

Sudbury resident Henry Sorett, 58 Longfellow Road, said that he would like to know the likelihood of success on this matter. He stated that when the court hears a motion for summary judgement, it determines that on the undisputed facts, the adverse party is allowed to prevail, which is a standard for summary judgement. He added that when the court awards attorney's fees, the court determines that the claim was frivolous. Mr. Sorett concluded by saying that he wants to hear more about what the Town is doing, and if a desirable outcome was possible.

Town Manager Rodrigues responded that the Town has many aspects of litigation going on relating to this project. She added that as far as the Land Court case, the case in Appeals Court, the case was argued based on the fact that there was a determination at Town Meeting where a deed was transferred, and Town Meeting presumed that the deed had a restriction on it. That Town Meeting, in good faith, passed the Article, because residents thought there was a restriction. The argument now being made in Land Court, states that the conveyance of that deed should not be upheld as that was not Town Meeting's intent. And that argument is currently being appealed, and as far as likelihood of success is, we cannot comment on that due to discussion of ongoing litigation in public and Town Meeting, could compromise litigation strategy and could put the Town at a disadvantage to have such a public discussion.

Sudbury resident Gregory Hamill, 16 Pine Street, asked what the Free Cash amount was at the beginning of the meeting, and what that amount might become at the end of Town Meeting, regarding Articles that might be passed.

Finance Committee Chairman Bryan Semple replied that the meeting started with \$1.783 million in Free Cash, and if we vote all the Articles in the Town would have \$375,000 remaining, which is less than the Finance Committee threshold, and we would prefer to be at \$477,000. He added that the Cutting Field Article, is an item that the Finance Committee is not in favor of, and that is why. He stressed that the Finance Committee only recommended Articles that they felt comfortable with. He added that there is also a \$5 million Stabilization Fund, which is a rainy day fund, should a major issue arise.

The Moderator stated that a majority vote was required, and that the *motion* for Article 13 *PASSED BY WELL MORE THAN A MAJORITY.*

**ARTICLE 14:** The Moderator stated that Article 14 was WITHDRAWN.

**ARTICLE 15 - MEANS TESTED SENIOR TAX EXEMPTION EXTENSION**

*To see if the Town will vote to extend for FY 2019, FY 2020 and FY 2021 an act passed in the general court in the year 2012 entitled, "An act authorizing the town of Sudbury to establish a means tested senior citizen property tax exemption"; or act on anything relative thereto.*

*Selectman Daniel Carty moved in the words of the Article.*

Submitted by Board of Assessor's

(Majority required)

The motion was seconded.

Mr. Joshua Fox, representing the Board of Assessors, said that the real estate tax exemption reduces real property taxes for certain low to moderate income seniors through a redistribution of the property tax burden, within the residential tax base, and set to expire on June 30, 2018; and if the Town wishes to continue to offer this program, for an additional three-year period, Town Meeting approval is required.

Mr. Fox added that this program is only offered to qualified seniors who are longtime residents of Sudbury, and the maximum exemption that any taxpayer is entitled to receive under this program, in any given year, is 50% of the applicant's residential tax bill. He detailed that the qualifications for the program included: ownership and occupancy of the property, and be at least 65 years of age, if there is a co-owner other than a spouse, the co-owner must be at least 60 years of age, the owner or co-owner must have lived in Sudbury for at least 10 consecutive years, and the assessed value of the home cannot exceed the prior year's average assessed value of a single family home in Sudbury, plus 10%. He added that for FY2018, that average assessed value is \$799,600. He also provided annual income limits, and detailed that applicants cannot own "excessive assets." Mr. Fox provided a financial summary of the program over the past five years.

**FINANCE COMMITTEE:** Finance Committee Chairman Bryan Semple stated that the Finance Committee recommended approval of Article 15, 7-0.

**BOARD OF SELECTMEN:** Unanimously supported Article 15.

The Moderator stated that a majority vote was required, and that the *motion* for Article 15 was *VOTED UNANIMOUSLY*.

#### ARTICLE 16 - AMEND ARTICLE XXV CAPITAL PLANNING

To see if the Town will vote to amend Article XXV, Section 2 of the Town of Sudbury General Bylaws by changing the words: "\$50,000 in a single year or over \$100,000 in multiple years" to read: "\$100,000 in a single year or over \$200,000 in multiple years", so that Section 2 will read as follows:

"SECTION 2. The CIAC shall study proposals from the Sudbury Town Manager, Sudbury Public Schools and the Lincoln Sudbury Regional High School or their representatives which involve major tangible items with a total project cost of more than \$100,000 in a single year or over \$200,000 in multiple years and which would likely require an article at Town Meeting for the project's authorization. The CIAC shall make a report with recommendations to the Finance Committee and the Board of Selectmen on these proposals."; or act on anything relative thereto.

Submitted by the Town Manager

(Majority required)

Board of Selectmen Chairman Robert Haarde *moved* in the words of the Article.

The motion was seconded.

Town Manager Rodrigues stated that the current bylaw required that CIAC shall study proposals from the Sudbury Town Manager, Sudbury Public Schools and the Lincoln Sudbury Regional High School or their representatives, which involve major tangible items with a total project cost of more than \$50,000 in a single year or over \$100,000 in multiple years, which is the Town Manager's Budget voted upon in Article 4; and Town Manager Rodrigues recommended that the amount be increased to a total project cost of more than \$100,000 in a single year, or over \$200,000 in multiple years; which would likely require an article at Town Meeting for the project's authorization. The CIAC shall make a report with recommendations to the Finance Committee and the Board of Selectmen on these proposals.

Ms. Rodrigues said that she was recommending an increase change here, because the next section of the bylaw stated that Town Manager could not put in the operating budget, any project that would be greater than this threshold. She exemplified that currently, if there is a capital project that is \$51,000, and \$51,000 is available in the operating Town Budget, she could not put that item in the budget. She detailed that this change would promote greater efficiency/process streamlining and allow the Town to put moderate general maintenance projects in the budget, rather than be required to be put forward as a separate article. She added that the CIAC would no longer be required to review articles between \$50,000 and \$100,000. Under current bylaw, two projects would be affected in the current year, the pick-up truck and the LS phone system, that cost \$69,000; which are two lower cost projects that required multiple presentations in front of numerous committees, due to the existing bylaw.

**FINANCE COMMITTEE:** Finance Committee Chairman Bryan Semple recommended approval of Article 16, 5-0, and stated that the Finance Committee is very cautious about approving articles that take power away from voters, he believes that this Article would aid in efficiency and would focus on items that matter, versus smaller capital items that do not have such impact.

**BOARD OF SELECTMEN:** Unanimously supported this Article.

Sudbury resident and CIAC Chair, Mark Howrey, 55 Old Coach Road, stated that he did not support this article at this time, and was working on getting capital funding in order.

Sudbury resident Peter Welsh, 60 Winsor Road, questioned the technological capabilities at Curtis School, and the impact on education.

The Moderator stated that a majority vote was required, and that the *motion* for Article 16 PASSED BY WELL MORE THAN A MAJORITY.

### ARTICLE 17 – AMEND BYLAWS ARTICLE I – TOWN MEETINGS, S.3

To see if the Town will vote to amend the Town of Sudbury Bylaws by removing Section 3 of Article I and inserting in its place the following:



**Section 3. A Town Meeting shall be held during the months of September, October or November at such date, time and place as the Selectmen shall determine, unless the following applies. By the end of July, the Board of Selectmen shall discuss in public session, hold a public hearing and vote to determine whether a fall Town Meeting should occur. The public hearing shall be posted in accordance with the Open Meeting Law. The Board of Selectmen shall also solicit input from the Town via email or mail for a period of one week before the public hearing.**

**Submitted by the Board of Selectmen**

**(Majority required)**

**Selectman Susan Iuliano *moved in the words of the article.* The motion was seconded.**

**Town Manager Rodrigues said that we are proposing to amend Article I regarding Town Meetings. She added that on May 17, 2016; a bylaw was passed to allow for an October Town Meeting that would be held on the third Monday in October, and allowed the start of the October Town Meeting up to, and including 7 days earlier, or 7 days later than the third Monday in October. She added that timing has become an issue, mostly due to elections and other events, and the restrictions in timing, makes for a case where Town Meeting can only be held in the third and fourth week of October, which is not ideal when a state election is impending. The proposed change would dictate that Town Meeting could be held during the months of September, October, or November; at such date, time and place as the Selectmen shall determine in a public session, and public hearing; where information and discussion could be included in the weeks before, and determine if a Town Meeting would need to take place or not. If it was determined not to conduct a Town Meeting, the savings would be \$12,000 a year.**

**FINANCE COMMITTEE: Finance Committee Chairman Bryan Semple stated that the Finance Committee takes no position on this Article.**

**BOARD OF SELECTMEN: Unanimously supported this Article.**

**Sudbury resident Robert Coe, 14 Churchill Street, stated that the proposed flexibility in Town Meeting date means, that if a resident was away, it might be difficult to plan for attending Town Meeting. He said that he would rather see a more detailed description with such an article.**

**Town Manager Rodrigues explained that there was a timeline in the Article, which specified that by the end of July, the public session to make the determination about Town Meeting date, would have taken place, and shortly after that public meeting, that determination would be made and announced.**

**Sudbury resident William Schineller, 37 Jarman Road, made comment about the language in the proposed amendment being somewhat unclear.**

**Attorney Jonathan Silverstein, Town Counsel, stated that the current bylaw states that the Town Meeting take place in the Fall, and the intent of this bylaw amendment is to keep in place, the presumption that it will take place, unless the Board determines by the required date, that it would not take place. He concluded that currently, the presumption is that the Town Meeting would take place.**

The Moderator stated that a majority vote was required, and that the *motion* for Article 17 *PASSED BY WELL MORE THAN A MAJORITY.*

**ARTICLE 18 – REPEAL ARTICLE V (SUBSECTION C) SMOKING PROHIBITION**

*To see if the Town will vote to repeal Article V(C) of the General Bylaws, Smoking Prohibition, in its entirety, or act on anything relative thereto.*

Submitted by the Board of Selectmen (Majority required)

Selectman Leonard Simon *moved* in the words of the article.

The Motion was seconded.

Town Manager Rodrigues stated that this Article was a housekeeping article, and in 2017, the Board of Health passed comprehensive smoking regulations after a thoughtful and public process. She added that the best place to regulate smoking in Town, is through the Board of Health; but that this bylaw was very dated and contradicts the regulations passed by the Board of Health and Massachusetts General Law. Ms. Rodrigues cited an example, and then suggested that this bylaw be repealed, and utilize the existing General Law.

**FINANCE COMMITTEE:** Finance Committee Chairman Bryan Semple stated that the Finance Committee took no position on the Article.

**BOARD OF SELECTMEN:** Unanimously supported this Article.

Sudbury resident Robert Coe, 14 Churchill Street, stated that he wondered if it were a total coincidence that a change to the smoking bylaw is proposed just as the new marijuana law is starting to come into effect. He asserted that he would like to see this Article defeated tonight, and maybe be brought up again next year.

The Moderator stated that a majority vote is required, and that the *motion* for Article 18 *PASSED BY WELL MORE THAN A MAJORITY.*

**ARTICLE 19 - AMEND ARTICLE V S.3 REGULATION OF DOGS, S.3-5 – HEARING OFFICER**

To see if the Town will vote to amend the Town of Sudbury Bylaws Article V Public Safety Section 3,

s. 3-5 Hearing Officer by removing

s. 3-5 Hearing Officer. The Board of Selectmen shall act on all matters pertaining to the enforcement of this bylaw and the settling of any disputes between the dog owner, the Town and its residents.

and replacing it with

s. 3-5 Hearing Authority. The Board of Selectmen shall act as the Hearing Authority for all matters pertaining to the enforcement of this bylaw. The Hearing Authority shall investigate or cause the investigation of the complaint.

; or act on anything relative thereto.

Selectman Patricia Brown *moved in the words of the Article.*

The motion was seconded.

Submitted by the Board of Selectmen

(Majority required)

Town Manager Rodrigues stated that the Town bylaw governs all dogs including vaccinations, registration, kennels, nuisance, damage and dangerous dog declarations. She added that within this section is bylaw s. 3-5, which governs the Hearing Officer, and states: “The Board of Selectmen shall act on all matters pertaining to the enforcement of this bylaw and the settling of any disputes between dog owner, the Town, and its residents.”

Ms. Rodrigues said that the proposed change states: “The Hearing Authority shall investigate or cause the investigation of the complaint.” She detailed that this change would allow the Board of Selectmen to delegate the investigation of the complaint to Town staff, typically within the Police Department; and the Board would still be responsible for making all determinations and would still have a public hearing. Ms. Rodrigues said that this amendment would improve efficiency and allow the Town to process complaints about dangerous dogs faster, and stated that State Law allows the Hearing Authority to have the hearing investigated by a third party.

**BOARD OF SELECTMEN: Unanimously supported this Article.**

Sudbury resident Martha Coe, 14 Churchill Street, wanted to know why the Hearing Authority is not the dog officer.

Town Manager Rodrigues stated that the Hearing Authority is the Board of Selectmen, and the dog officer is the person, who typically brings the complaint to the Board, and are witnesses at the hearing. She detailed that information is brought forward about a dog that is declared dangerous, or is a nuisance, and added that the dog officer is an imperative part of the hearing, but is not the Hearing Authority.

The Moderator stated that a majority vote was required, and the *motion* for Article 19 **PASSED BY WELL MORE THAN A MAJORITY.**

**ARTICLE 20 – AMEND ZONING BYLAW, ARTICLE 7000 & SECTION 2230 (APPENDIX A), MARIJUANA**

To see if the Town will vote to amend the Town’s Zoning Bylaw by adding the following new definitions to Article 7000 in alphabetical order:

“Marijuana Cultivator”, an entity licensed by the Commonwealth of Massachusetts to cultivate, process and package marijuana, to deliver marijuana to marijuana

establishments and to transfer marijuana to other marijuana establishments, but not to consumers.

**“Marijuana Establishment”, a marijuana cultivator, independent testing laboratory, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business as defined in General Laws chapter 94G section 1.**

**“Marijuana Product Manufacturer”, an entity licensed by the Commonwealth of Massachusetts to obtain, manufacture, process and package marijuana and marijuana products, to deliver marijuana and marijuana products to marijuana establishments and to transfer marijuana and marijuana products to other marijuana establishments, but not to consumers.**

**“Marijuana Products”, products that have been manufactured and contain marijuana or an extract from marijuana, including, but not limited to concentrated forms of marijuana and products composed of marijuana and other ingredients that are intended for use or consumption, including edible products, beverages, topical products, ointments, oils and tinctures as defined by the Commonwealth of Massachusetts.**

**“Marijuana retailer”, an entity licensed to purchase and deliver marijuana and marijuana products from marijuana establishments and to deliver, sell or otherwise transfer marijuana and marijuana products to marijuana establishments and to consumers.**

And by amending Section 2230 (Appendix A), Table of Principal Use Regulations, by inserting as a principal use under C. Commercial uses, the following use:

28. **“Marijuana Establishment”, and placing an “N” in the column for each district on the Table of Principal Use Regulations.**

; or act on anything relative thereto.

Selectman Daniel Carty *moved in the words of the Article.*

The motion was seconded.

Submitted by the Planning Board

(Two-thirds vote required)

Planning and Community Development Director Meagan Donoghue, and Police Chief Scott Nix presented. Chief Nix stated that he and Ms. Donoghue were not here to endorse recreational marijuana, or shut it down; but rather put the pros and cons forward for the voters to make the decision.

Ms. Donoghue gave a background narrative, stating that on November 2016, Sudbury residents voted “no” to Question 4, to legalize marijuana in the statewide election, with a difference of 227 votes. She went on to say, that statewide, the voters voted to approve the legalization of marijuana. She detailed that at the May 2017 Annual Town Meeting, residents voted to impose a temporary moratorium on marijuana establishments, allowing the Town to properly plan and address zoning needs, and the moratorium is set to

expire June, 2018. She added, that earlier this year, the Planning Board voted to hold a public hearing to discuss the zoning amendment and to ban any recreational or commercial marijuana establishment in Sudbury. The Planning Board voted unanimously to support that article as written, to impose the ban.

Ms. Donoghue detailed that the bylaw amendment would prohibit commercial retail marijuana establishments, including marijuana retailers, marijuana cultivators, marijuana testing facilities, marijuana product manufacturers, and any other type of licensed marijuana-related business. The amendment would change the Table of Principal Use, and noted that medicinal marijuana is subject to different zoning and is allowed in limited areas within the Town of Sudbury bylaw, and does not restrict the personal use, or at-home cultivation of marijuana.

She further detailed that to pass the zoning amendment, there must be a two-thirds vote, and if there is not enough to carry the vote, there are several positive economic impacts; including Town-set licensing fees, and the control of the number of establishments to 20% of retail liquor licenses. Also, as required by the Cannabis Control Commission, the town would have to participate in a Cost Community Agreement run by the state. Within that Cost Community Agreement, the Town could negotiate a community impact fee, which is an optional tax, local tax, which is up to 3% of gross sales, as long as the fee is related to the real costs imposed on the municipality, due to the commercial establishment, or medical marijuana treatment center operating there. She added that these impact fees are valid for five years, and would have to be renegotiated. Ms. Donoghue detailed that the Town could also negotiate an additional optional tax for retail establishments.

Chief Nix stated that if the amendment did not pass tonight, the Town would have no zoning bylaw in place for the marijuana commercial industry, and stated that he had many safety concerns about safety for all. He referred to a recent report by Smart Approach to Marijuana, confirming the related concerns about operating under the influence of drugs, and that accidents that are caused by drugs (including marijuana) are on the increase. He stressed the difficulty related to enforcement as there is no testing for marijuana, and officers are unable to provide testimony in this area. Chief Nix also had concerns regarding marijuana sales to minors; and said young people could feel empowered because sale to adults is legal. Accidental marijuana related poisonings, was a topic that Chief Nix mentioned, and exemplified marijuana brownies; and further highlighted school ramifications involving student suspensions. He mentioned that illegal marijuana growing is increasing, in an effort to avoid taxation; and that the State of Colorado is seeing a 50% increase in illegal marijuana growth operations, as well as an increase in opioid use. Chief Nix stressed that increased crime rate is being linked to marijuana establishment locations. He concluded, that from a safety prospective, there is great concern.

**FINANCE COMMITTEE:** Finance Committee Chair Bryan Semple stated that the Finance Committee took no position on this Article.

**BOARD OF SELECTMEN:** Unanimously supported Article 20.

**PLANNING BOARD:** Planning Board Chair Stephen Garvin stated that the Planning Board unanimously supported Article 20.

Sudbury resident Sue Stine, 53 Stone Road, asked if the vote was for amendment of the bylaws to include definitions, and asked if this a vote to opt out and prohibit any of these establishments.

Chief Nix responded that this is a vote to opt out of allowing any sort of establishments, and creating a bylaw to prevent adult-use facilities, and does not change the medical marijuana bylaw, which is in place.

Sudbury resident Roland Qualm, 564 Peakham Road, stated that he grew up in a country that allowed marijuana, and feels that Sudbury is not ready for the open use of marijuana. He said that when he was in high school, a marijuana retailer was located near the high school, and most of his friends were actually high on marijuana most of the time. He said that the youth did not get very far in life because of it. He stressed that this was a major factor in bringing his family to this country, and having his children attend school here.

The moderator reminded the Hall to refrain from clapping or any other noises.

Sudbury resident Lydia Pastuszek, 15 Griffin Lane, asked the Town to consider the benefits of zoning changes that prevent retail sales, and cultivation of marijuana. She wondered if the Town has considered the benefits of increased business, and retail is changing. She stated that agriculture is alive in Sudbury, and 5% of Sudbury employment is in the agricultural field, and this would help to keep that agriculture growing. She stated that the related safety issues will occur, whether or not, there are marijuana establishments and growers in Sudbury, and added that statistics show that the revenue generated by a marijuana establishment approaches \$2 million per year.

Sudbury resident Rami Alwan, 119 Pantry Road, said he would rather not see a marijuana establishment in Sudbury, but marijuana is here to stay, and if the Town voted to have such establishments, it would come with great associated financial costs, but the Town could charge the 3% in excise tax, to recoup those related expenses. He stressed that it might be advisable to change the approach, and amend the language.

Sudbury resident Henry Sorett, 58 Longfellow Road, said that he has been campaigning for legalization of marijuana for many years, and was pleased that the state now has legalized marijuana, and advocates for legalization in Sudbury. He added that if this amendment passes, it is an inconvenience for residents of Sudbury, who might have to go to other towns to buy, and the amendment will not cut down on the use. He added that one such establishment in Sudbury, would be an asset.

Sudbury resident Glenn Pransky, 102 Barton Drive, stated that he has been a public health researcher for 25 years, and recently chaired a symposium on the effects of marijuana, and examined significant data from Colorado. He stated that the Colorado situation is not good, and over the past 8 years, there has been a 200% increase in child admissions for related acute marijuana poisoning. He stressed that the data showed that neighborhoods around the marijuana establishments, was not favorable. He added that public health data supports that whatever little money might come from marijuana revenue, does not compare to the detrimental impact; and said that he strongly supports this Article.

Sudbury resident James Brownell, 97 Horse Pond Road, said that he had been a lawyer for 35 years and felt that the only thing that the amendment does is preventing revenue from coming into Sudbury, and that the passing of the amendment, is not going to keep marijuana out of Town, nor keep the problems associated with it, away from the Town. He added that there is a big problem with drug overdoses in MA, and Sudbury as well, and that having retail would help prevent students from getting drugs at school. He summarized that pretending that pot does not exist, is not helping the matter.

Sudbury resident William Miniscalco, 126 Hemlock Road, said that he did not understand why a cultivator, who does not sell to individuals, would be prohibited.

Chief Nix replied that there are security concerns with cultivators as well, tracking break-ins, attracting people to that specific area, and if it is voted in favor of tonight; it can always come before Town Meeting at another time.

Ms. Donoghue added that the Town can vote the outright ban now, and then do some further research; and amend the bylaw later on to address what the Town would want at that time.

Town Manager Rodrigues clarified that in order to limit the amount of establishments to 20% of package stores, the Town would not be restricted to one license, and that under the law it would be considered retail usage and would not require a special permit.

Chief Nix added that in Colorado, there are more marijuana retail stores, then there are Starbucks and MacDonal'd's, combined; according to the report mentioned.

Sudbury resident Vycki Mackenzie, 138 Maynard Road, asked if it would be possible to amend this law for cultivation purposes, and felt that medicinal usage is beneficial, and would help the economics of the Town in millions of dollars. She recognized the security concerns, and added that cultivation does not have those same security concerns.

The Moderator stated that a two-thirds vote was required, and that the *motion* for Article 20 *PASSED BY MORE THAN TWO-THIRDS.*

Sudbury resident Mark Howrey, 55 Old Coach Road, asked if it were possible to make a motion of reconsideration.

The Moderator said that a motion for reconsideration would be possible.

Sudbury resident Robert Beagan, 25 Pine Street, questioned procedure.

The Moderator said that if a recount was requested, she would have allowed that, but since the request came after the Town Meeting members concluded that article, and people had already left the Hall, and she said that it would not be fair to go back and take another count. She added that there is a motion to reconsider, which is an option at this point, and if people feel that the sentiment in the Hall is vastly different than it was five minutes ago, in terms of how that vote might go.

Sudbury resident Vykki Mackenzie, 138 Maynard Road, stated that she thought it was unfair that the Moderator moved out of Article 20 so quickly, and therefore, does warrant a reconsideration.

The Moderator stated that if the motion to reconsider passes, then there would have to be a second.

Sudbury resident Vykki Mackenzie, 138 Maynard Road, made a motion to reconsider Article 20.

The motion was seconded.

The Moderator explained the procedures involved with reconsideration of the Article.

Sudbury resident Robert Coe, 14 Churchill Street, asked that if the Hall did reconsider, and someone made a motion to allow cultivation, would she rule on that.

The Moderator responded that she did not make rulings on hypotheticals.

Sudbury resident Chris Morley, 321 Old Lancaster Road, said that he abstained from that vote, and said that it was unfortunate that people left the Hall. He asked if reconsideration could take place on the next night of continued Town Meeting.

Town Counsel, Jonathan Silverstein stated that a bylaw does provide for reconsideration, and provides a different procedure for reconsideration, on a subsequent session of Town Meeting.

Sudbury resident Rami Alwan, 119 Pantry Road, said that this is a procedural question, and now that this has failed.

The Moderator interrupted, saying that nothing has failed and that Article 20 still stands.

Mr. Alwan continued his question, and asked if the Town Meeting could come back to the Fall Town Meeting to amend this further?

The Moderator affirmed that there is a process where amendments can be amended at a future date.

Sudbury resident Henry Sorett stated that there should have been a count, and questioned the Moderator's ruling on that, and apologized for not being quicker on his feet. He continued a narrative concerning the related procedural aspects.

The Moderator said that at this time, we are questioning the reconsideration of Article 20, and the vote for reconsideration has to be two-thirds.

Sudbury resident Bryan Semple, 15 Revere Street asked if members could vote again tomorrow night.

The Moderator stated that there is nothing specifically spelled out in the Town bylaws for that scenario, but under the Manual for Moderators that has been adopted by Sudbury bylaw, there is only one motion to reconsider on any given article.



Sudbury resident Katherine Jacob, 328 Old Lancaster Road, said that it is after 10:30 p.m., and thought that point of order dictated that the cutoff time for making additional motions, or address anything new, has passed.

The Moderator said that technically, at 10:00 p.m., whatever article is under discussion, can be completed without action of the Hall, and in order to start a new article, she would have to ask for permission from the Hall to continue. She stated that the Hall would conclude this motion to reconsider, and see what happens.

Sudbury resident Chris Morley asked if it was possible to withdraw a motion?

The Moderator replied in the affirmative.

Mr. Morley, suggested that people making this motion, withdraw the motion and produce the 15 signatures and then come back tomorrow night to vote.

The Moderator said that was not a point of order, but rather a strategy. The Moderator said that she has received a motion to call the question, which is not debatable and requires a two-thirds vote. She asked the Hall for a vote to reconsider, and added that a two-thirds vote was required to reconsider Article 20.

The moderator stated that two-thirds vote was required, and that the *motion* for reconsideration *FAILED*.

Motion was made to adjourn the meeting, and return on May 8 at 7:30 p.m.

The *motion* was seconded.

The Moderator stated that a majority vote was required, and that the *motion* to adjourn *PASSED BY WELL MORE THAN A MAJORITY*.

The 2018 Annual Town Meeting was adjourned at 10:57 p.m.

## SUDBURY ANNUAL TOWN MEETING

May 8, 2018

A quorum being present, the Town Moderator Beth Quirk, a called the meeting to order at 7:35 p.m. She thanked Boy Scout Troop 63 and troop leader Peter Fishman, for all the help with Town Meeting. She said that present tonight was Jed Howrey, Ryan Grummer, and Dimitri Veloutsos, as runners. She acknowledged scout Acium Abermen, who helped at last night's Town Meeting. The moderator said that there will be three traveling microphones in the Hall tonight, in addition to three standing microphones.

The Moderator recognized Representative Carmen Gentile for a proclamation

Representative Gentile recognized Nancy Marshall, with a citation from the House of Representatives in recognition of her years of service at the Lincoln-Sudbury High School Committee.

The Moderator recognized Board of Selectmen Chairman Robert Haarde.

Chairman Haarde said that he and the Board of Selectmen wanted to recognize and thank Susan Iuliano for her years on the Board.

The Moderator recognized Jeff Barker of the Finance Committee.

Finance Committee member Jeff Barker stated that after Town Meeting, two members of Fincom, Joan Carlton and Jose Garcia-Martin, will be ending their service on the Committee. He stated that Mr. Garcia-Martin had worked on Town committees for thirteen years; nine years serving on CIAC, and four years on the Finance Committee; and that Ms. Carlton had worked on the Finance Committee for nine years, as well as serving on the Capital Funding Committee, and the Budget Strategies Committee.

The Moderator briefly mentioned section one of the Warrant, in regard to Town Meeting Procedures. The Moderator stated that twenty articles were decided upon at Town Meeting last night, with 25 remaining; and that nine had been withdrawn or slated for indefinite postponement.

#### **ARTICLE 21 – DPW ROLLING STOCK REPLACEMENT**

To see if the Town will vote to raise and appropriate, or transfer from available funds, the sum of \$60,000, or any other sum, for the purchase or acquisition of a vehicle for the Department of Public Works; or act on anything relative thereto.

Submitted by the DPW Director

(Majority required)

Chairman of the Board of Selectmen, Chairman Haarde *moved in the words of the article with the sum of \$60,000 to be transferred from Free Cash.*

The motion was seconded.

Director of Department of Public Works (DPW), Daniel Nason said that this article requested \$60,000 for replacement of a pick-up truck with a plow. He stated that this vehicle replaces a 2009 pick-up truck, which is beyond its useful life span. He added that this equipment goes out with every storm, and has over 100,000 miles.

**FINANCE COMMITTEE:** Finance Committee member Jose Garcia-Meitin, said that the Finance Committee recommended approval of Article 21. He added that this article will cost the average taxpayer \$10, and since it is coming from Free Cash, the tax impact would be zero.

**BOARD OF SELECTMEN: Unanimously supported Article 21.**

**CIAC: Unanimously supported Article 21.**

**The Moderator stated that a majority was needed, and that the motion for Article 21 PASSED BY WELL MORE THAN A MAJORITY.**

**ARTICLE 22 – DPW EQUIPMENT**

*Selectmen Iuliano moved to appropriate the sum of \$860,000 for the purchase or acquisition of rolling stock, vehicles, and equipment for the Department of Public Works, including the payment of all costs incidental and related thereto including bond and note issue expense; and to meet said appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$860,000 under General Laws chapter 44, sections 7 or 8, or any other enabling authority, and that the Board of Selectmen is to take any action necessary to carry out this project; and further that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L.c.44, section 20; 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. s 21C.*

**The motion was seconded.**

**Submitted by the DPW Director**

**(Two-thirds vote required)**

**Mr. Nason stated that the Article requested five large pieces of equipment; a dump truck with a plow, a bucket truck, 2 street sweepers and a mini excavator.**

**Mr. Nason explained that the existing dump truck with plow, is aged and unreliable. He added that replacement of this machine, would allow for snow plowing, highway work, tree and cemetery work.**

**In regard to a new bucket truck, Mr. Nason said that the purchase would save the Town some \$50,000 annually. He stated that the Town is currently contracting tree work with a tree service, in the amount of \$80,000 to \$85,000, yearly. He added that in his experience with other communities, there might be more extensive tree work that this new equipment could not handle, and for that, he suggested keeping \$30,000 in reserve for those extensive tree projects for contracted services.**

**Mr. Nason stated that the two street sweepers would be a new initiative for the Highway Division, and that currently the Department spends \$60,000 yearly to contract that service, and the Department only has one street sweeper currently. He further proposed that the Town can perform all street sweeping functions with the utilization of three street sweepers. He detailed that the new Stormwater Regulations increased the**

street sweeping mandate, from once to twice per year, for Sudbury; which would increase the contracted street sweeping expense to \$120,000.

The last item presented to the Hall, was the request for a mini excavator. Mr. Nason stated that this equipment would replace the aged excavator, which has exceeded its 10 year life expectancy, and is unreliable, and is very expensive to repair. He added that operating the existing equipment at the cemetery is very difficult, as the cemetery is growing; and the Department did not want to remove and replace headstones to add new headstones. He detailed that the mini excavator will be far more efficient and will also handle roadway and drain repairs, as well as the ability to work more easily along walkways.

**FINANCE COMMITTEE:** Unanimously supported Article 22, and stated that it would cost the average taxpayer \$150, or approximately \$30 over a five-year bond issue.

**BOARD OF SELECTMEN:** Unanimously supported Article 22.

**CIAC:** Unanimously supported Article 22.

Sudbury resident Robert Coe, 14 Churchill Street, commented that he did not hear what justifies the debt exclusion.

The Moderator said that because this vote includes borrowing, a two-thirds vote was necessary; and said that the *motion* for Article 22 *PASSED BY WELL MORE THAN TWO THIRDS.*

### **ARTICLE 23 – DPW UNDERGROUND FUEL STORAGE AND MANAGEMENT SYSTEM REPLACEMENT**

Selectman Leonard A. Simon *moved to appropriate the sum of \$1,500,000 to be expended under the direction of the Department of Public Works Director for the purpose of constructing/reconstruction or making extraordinary repairs in order to replace the underground fuel storage and management system at the DPW facility located at 275 Old Lancaster Road, and all appurtenances thereto; and all expenses therewith; in putting preparation of plans, specification and bidding documents and borrowing costs including bond and note issue expense, and to meet said appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$1,500,000 under General Laws Chapter 44, section 7 or 8, or any other enabling authority, and that the Board of Selectmen is to take any action necessary to carry out this project. And further that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c.44, section 20; 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 s .21C.*

The motion was seconded.

Submitted by DPW Director

(Two-thirds vote required)

The motion was seconded.

DPW Director, Daniel Nason stated that this request is put forth to replace the current fuel island and dispensing system, which is older than 25 years, and provides 75,000 gallons of fuel annually. He said that the island provides fuel to DPW, Fire, Police, Building, Facilities, BOH, COA, School Department, Housing Authority and Water District.

Mr. Nason stressed that the fuel island is currently experiencing fuel management system failures; the fuel tracking software is out of date, and replacement parts are no longer available. The system failure, has required departments to obtain fuel at private vendor sites twice this winter, at substantial increase in cost, estimated at greater than \$115,000 annually.

Displayed illustrations by Mr. Nason depicted the fact that the fuel island has become a safety hazard, and a Town vehicle had a punctured tire, when driving up to the fuel island curbing, which is in disrepair. Mr. Nason compared the new proposed system to one that was completed in the town of Northborough, and added that the new system provides integrated fuel management tracking software, and integrates software for fleet management (mechanics), as well as providing for increased security for monitoring because the system would now be above ground.

Mr. Nason stated that he has direct experience with constructing such a system, as displayed in Northborough. He then provided two bid results for similar projects, one being somewhat larger than the Sudbury island, and another project was similarly sized. He stressed that the costs are market driven.

**FINANCE COMMITTEE:** Recommended approval of Article 23, with a vote of 6-1, and stated that this article will cost the average taxpayer roughly \$285, or approximately \$28 a year, over the course of ten years.

**BOARD OF SELECTMEN:** Unanimously supported Article 23.

**CIAC:** Unanimously supported Article 23.

Sudbury resident Robert Stein, 7 Thompson Drive, stated that he was not in favor of this article, and added that the Town should not be in the gasoline station business. He added that the cost on a per gallon basis, is substantially more than gas at any other public vendor, and the cost of the project did not include maintenance costs.

Sudbury resident Martha Coe, 13 Churchill Street stated that she was a former highway commissioner and said that she strongly supported the article and exemplified that with fuel oil cost savings, yearly contracts can be installed with predetermined discounted locked-in rates.

The Moderator stated that a two-thirds vote was required, and Article 23 **PASSED BY MORE THAN TWO-THIRDS.**

**ARTICLE 24 – STEARNS MILL POND DAM DESIGN, PERMIT & ENGINEERING FEES AND DUTTON ROAD REPLACEMENT**

Selectman Brown *moved* to appropriate the sum of \$1,850,000 to be expended under the direction of the Department of Public Works Director for the purpose of obtaining design, permit and engineering fees associated with required subsequent repairs to the Stearns Mill Pond Dam in order to stabilize the dam and correct the safety deficiencies identified by the State and to fund the design and construction to replace the Dutton Road bridge downstream of the dam and over Hop Brook with all associated costs relative thereto and borrowing costs including bond and note issue expense; and to meet said appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$1,850,000 under General Laws chapter 44, section 7 or 8, or any other enabling authority, and that the Board of Selectmen is to take any action necessary to carry out this project; and further that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c.44, section 20; 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 s 21C.

The motion was seconded.

Submitted by DPW Director

(Two-thirds vote required)

DPW Director Daniel Nason stated that the request for \$1,850,000, included two projects; the Stearns Mill Pond Dam and the Dutton Road Bridge. Mr. Nason stated that the Stearns Millpond Dam was classified as a significant hazard dam, as rated by DCR-ODS and is in very poor condition. He added that the office of ODS (Office of Dam Safety) issued a NON (Notice of Noncompliance) as a result of an inspection that was performed in May of 2017. He explained that since the inspection, the Town hired a consultant to do both inspections. The Town inspection indicated that there were problems, and found that the dam was extremely dangerous in its current condition. Mr. Nason explained that with the NON notice a timeline exists, and everything must be completed by June 2019. He mentioned that the deadline was not possible, and the company that produces the necessary mechanics has a 6-month lead time; and the proposed infield work would be completed by August or October of 2019. He stated that the Town would inform DCR that planning is beginning for the project, and he felt that would satisfy DCR and they would agree to a somewhat extended deadline. Mr. Nason displayed the severe conditions at Mill Pond Dam via overhead visuals.

Mr. Nason stated that the Dutton Road Bridge, is the connector between Rt. 20 and Hudson Road, and the recent inspection in 2017 showed severe undermining, and the

galvanized portion of the culvert is severely deteriorated at the waterline, with loose stones, gaps, spalling and sagging in the concrete, as presented with visuals.

**FINANCE COMMITTEE:** Finance Committee member Jose Garcia-Meitin stated that the Finance Committee unanimously voted to approve of Article 24. He said that this article would cost the average taxpayer \$420.00, or approximately \$22.00 over a 20-year bond.

**BOARD OF SELECTMEN:** Unanimously supported Article 24.

**CIAC:** Supported Article 24.

Mr. Nason stated that the Dutton Road Bridge is eligible for a \$500,000 grant through the MA DOT Small Bridge Program, and had applied for that grant, with DOT ranking this project as number 2 on their list of projects. He added that the grant would not be available to the Town, until funding is in place.

The Moderator stated that that two thirds vote was needed and that the *motion* for Article 24 *PASSED BY WELL MORE THAN TWO THIRDS.*

#### **ARTICLE 25 – SUDBURY PUBLIC SCHOOLS PLAYGROUND IMPROVEMENT FUNDING**

The Moderator said that the Article was contingent on CPC funds that would be discussed in Article 34, and suggested moving this Article forward. She said that Town Meeting would have to vote on the Article being moved.

The Hall so moved and seconded.

The Moderator stated that a majority vote was needed to present Article 25 Article before Article 34, and that the *motion PASSED BY WELL OVER A MAJORITY.*

#### **ARTICLE 26 – NOYES SCHOOL FIRE ALARM SYSTEM REPLACEMENT**

Board of Selectmen’s Chair Robert *Haarde* *moved* to indefinitely postpone Article 26.

Submitted by Sudbury Public Schools

(Majority Vote Required)

The motion was seconded.

**FINANCE COMMITTEE:** Supported the indefinite postponement of Article 26.

**BOARD OF SELECTMEN:** Unanimously supported postponement of Article 26.

Sudbury resident Greg Hammel, of 16 Pine Street asked if a reason for postponement could be given.

Chairman Haarde stated that Article 26 is being postponed because money was found in the budget, and the request was unnecessary.

The Moderator stated that a majority vote was needed, and that Article 26 WAS VOTED TO INDEFINITELY POSTPONE.

**ARTICLE 27 – REPLACEMENT OF TELEPHONE SYSTEM – LINCOLN-SUDBURY REGIONAL HIGH SCHOOL**

To see if the Town will vote to raise and appropriate, or transfer from available funds, its proportionate share of \$80,000, or any other sum, to be expended under the direction of the Lincoln-Sudbury Regional High School District School Committee for the purpose of constructing, reconstructing, or making extraordinary repairs to the Lincoln-Sudbury Regional High School for the purpose of replacing the telephone system; and to determine whether said sum shall be raised by borrowing or otherwise; and to determine whether such funding will be subject to a Proposition 2 1/2 exclusion; or act on anything relative thereto.

Submitted by LSRHS

(Majority vote required)

Selectman Iuliano moved in the words of the article with the sum of \$69,600 to be transferred from Free Cash.

The motion was seconded.

LSRHS Finance Director Sherry Kersey stated that the high school needed a new phone system and the existing system was installed in 2004, with the original construction of the building. She said that the existing system is analog, with a limited capacity for logging calls and tracing suspicious calls, or the source of origin. She added that this has been on the 5-year capital plan, and the useful life of the phone system was estimated at 15 years. The manufacturer of the existing phone system notified the school that they will no longer be supporting the system, as once the supply of spare parts is gone, there will be no spare parts.

Ms. Kersey explained that the new phone system would be procured using Mass State Bid ITT50. She added that phone system replacement costs included all hardware, software, installation, programming and training, and a five-year warranty would be included on hardware and software updates. She stressed that the current infrastructure can support the new phone system, including cabling, power outlets, etc.

Ms. Kersey concluded that the cost of the new phone system is \$80,000, with the Sudbury share being \$69,560 (86.95%) and the Lincoln share being \$10,440 (13.05%), which the Lincoln Town Meeting approved on March 24, 2018. She added that the installation would be planned for this summer, and stressed that phone service during that installation period, would not be lost.



**FINANCE COMMITTEE:** Finance Committee member Jeff Barker said that the Finance Committee unanimously approved Article 27.

**BOARD OF SELECTMEN:** Unanimously supported Article 27.

**CIAC:** Supported Article 27.

Sudbury resident Henry Sorett, 58 Longfellow Road, asked what the minority position of CIAC was, and why.

CIAC chair answered that one member had abstained because that member was not confident that the new phone system would solve all the long-term issues with the phone system.

Sudbury resident William Schineller, 37 Jarman Road, said that he had not heard about telephone issues at the high school, and wondered if there were actually any issues, as he never had problems getting through to the high school.

Ms. Kersey answered that the issue revolves around the fact that replacement parts are not available, and the phone units themselves are fine, but the server cannot be repaired.

Mr. Schineller asked if any alternatives such as hosted phone systems, had been considered?

Ms. Kersey responded that hosting in the cloud was examined, and the cost was much greater.

The Moderator stated that a majority vote was needed and mentioned that all comments from the Hall must first be directed to her. **The motion for Article 27 PASSED BY WELL MORE THAN A MAJORITY.**

#### **ARTICLE 28 – CUTTING FIELD REFURBISHING AND RESURFACING**

*To see if the Town will vote to raise and appropriate, or transfer from available funds, \$500,000, or any other sum, to be expended under the Direction of the Park and Recreation Director for the purpose of reconstructing, resurfacing, or making extraordinary repairs to the Cutting Field; and to determine whether such funding will be subject to a Proposition 2 ½ exclusion; or act on anything relative thereto.*

Submitted by Park and Recreation

(Majority vote required)

Park and Recreation Commission member, Mark Ensley *moved* in the words of the article with the sum of \$250,000 to be transferred from Free Cash.

The motion was seconded.

Member of the Park and Recreation Commission, Mark Ensley said that the current field is over 12 years old and was a first-generation turf field designed to last about 12 years, and needs to be resurfaced to maintain the integrity of the playing field. He stated that the Commission is asking to have the surface reskinned. He suggested, that rather than ask Town Meeting to vote every other year or two, the Commission requests the Town “to vote to raise and appropriate, or transfer from available funds, \$500,000, or any other sum, to be expended under the Direction of the Park and Recreation Director for the purpose of reconstructing, resurfacing, or making extraordinary repairs to the Cutting Field; and to determine whether such funding will be subject to a Proposition 2 ½ exclusion; or act on anything relative thereto.” He presented two quotes that were received for the reskinning of the field, one with a pad for \$548,000 and one without a pad for \$417,000; and both estimates had contingency fees built in.

Mr. Ensley stated that if the project went out to bid now, it probably would not get done until the Spring of 2019, and the field would then be 14 years old. Mr. Ensley referred to pictures of the field, which at this time border on an unsafe surface. He said that a field can handle approximately 600 uses per year, and the field system is already overburdened by some 40%, with increased user group usage, and additional user requests coming in.

Mr. Ensley stated that going forward, the Commission would take \$250,000 from the field maintenance fund yearly, and transfer that into the field stabilization fund, and \$25,000 per year would go into the turf field with 12 to 15 years of life, and in 12-15 years from now, there should be well over \$300,000, which would cover more than half of the field. He added that the Town Manager agreed that the users should fund half of each of the resurfacings, and the Town would cover the other half.

**FINANCE COMMITTEE:** Finance Committee member Jeff Barker stated that the Finance Committee did not recommend this article. Mr. Barker stated that if this article is funded with Free Cash, it would take the level below the guideline for the amount of Free Cash that has to be maintained. He added, that secondly, there could be mitigation monies available in the Fall that could be used to fund this project. He added that if the mitigation money is not available in the Fall, the Committee would have a better idea about the available free cash in the Fall, and then figure out a way to fund it at that time.

**BOARD OF SELECTMEN:** Supported Article 28.

**CIAC:** Supported Article 28.

Mr. Ensley stated that the Raytheon property gifted the Town two installments of a quarter of a million dollars each, and the first installment is sitting with the Selectmen now, and the Commission is going to apply that towards half of the project, which is why the Committee is asking for only \$250,000 for the second half to fund the turf. He added that there is an additional \$250,000 that the Town would take ownership of, when the last occupancy of retail space at Meadow Walk is signed and finalized.

**Sudbury resident Daniel DePompei, 35 Haynes Road asked if there was any other source of funding other than the Free Cash, and if there were reasons for not using CPC money.**

**Mr. Ensley replied that CPC funds cannot be used for turf fields.**

**Sudbury resident Helen Marie Casey, 85 Pokonoket Avenue, asked if there was a liability concern because of the condition of the turf? Mr. Ensley replied, not currently, but the concern is that the Town is closer to that possibility.**

**Sudbury resident Nathaniel Freeman, 25 Christopher Lane, commented that safe fields are important, and that he was fine with the proposal.**

**Sudbury resident and Park and Recreation Committee member Richard Williamson, 21 Pendleton Road, stated that the Committee felt a need to serve all the kids, and also a number of adult groups in this Town, to provide field space; but has a problem with scheduling playing space. He said that if Cutting Field is off line for any reason, the Committee would have to eliminate playing time for resident kids and adults.**

**Sudbury resident Jill Falvey, 409 Dutton Road, commented that the concern of the Finance Committee was about scheduling and timeline, and not that they did not want to have resurfacing of the field.**

**Jeff Barker, member of the Finance Committee, stated that there is money to do this, but if we voted to spend it now, it takes the Town below the guideline that we try to adhere to, for the minimum amount of Free Cash to be kept on hand. He stated that the Committee felt that postponing was the right thing to do, until the Fall, and then use the two installments to do the work.**

**Town Manager Rodrigues stated that if all of the articles on the Warrant pass, including the Cutting Field, the Town would still have \$375,055 in Free Cash, as well as, 4.5 million dollars in the Town stabilization account.**

**Sudbury resident, Arthur Huston, 578 Peakham Road, said that the liability issue is important, and the Town does not want kids getting injured on the fields. He said that he really did not want the funding to be dependent on the rental of the retail space.**

**Town Manager Rodrigues stated that it's the last occupancy space that triggers the amount of mitigation money from the developer.**

**Sudbury resident and member of CIAC, Jamie Gossels, 11 Spiller Circle, asked if the second installment of the mitigation money was definitely going to Park and Recreation, or could it be earmarked for something else.**

**Town Manager Rodrigues stated that \$250,000 would be going to Park and Recreation and the reconstruction of fields; and at this point, that money has not been earmarked for any project.**

Mr. Easley added that the Commission might not be totally comfortable about spending \$500,000 on a single asset in Town, and would like that second half supporting some other efforts, and invest in other user groups as well.

Sudbury resident and member of the Park and Recreation Commission, Robert Beagan, 25 Pine Street, stated that the fields are overused and the lower Haskell Field was taken offline a couple of years ago, and upper Haskell Field is not in good shape. He said that if the field fails, then all the user groups will have to play somewhere else. He stressed that the fields are not in good shape, and constantly get voted down.

Sudbury resident, Dean Casey, 85 Pokonoket Avenue, asked if the Town approved this article tonight, could the mitigation money be put into Free Cash.

Town Manager Rodrigues stated that would not be possible, as it would just roll into the general fund.

The Moderator stated that a majority vote was needed, and that the motion for Article 28 **PASSED BY MORE THAN A MAJORITY.**

#### **ARTICLE 29 - WITHDRAWN**

#### **ARTICLE 30 – FAIRBANK COMMUNITY CENTER DESIGN FUNDS**

To see if the Town will vote to raise and appropriate, or transfer from available funds the sum of \$1,900,000, or any other sum, to be expended under the direction of the Permanent Building Committee, for professional and engineering services including project management services relative to the design of a new and/or renovated Community Center and all other appurtenances thereto to be constructed on Town-owned land on the current site of the Fairbank Community Center and Atkinson Pool, 40 Fairbank Road, and all expenses therewith including preparation of plans, specifications and bidding documents, and borrowing costs including bond and note issue expense, and to raise this appropriation the Treasurer with the approval of the Selectmen is authorized to borrow under M.G.L. c. 44 s.7; and to determine whether all appropriations hereunder to be contingent upon the approval of a Proposition 2 ½ Debt Exclusion in accordance with M.G.L. c. 59 s. 21C; or act on anything relative thereto.

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

Selectman Brown moved to indefinitely postpone.

The motion was seconded.

**FINANCE COMMITTEE:** Jeff Barker of the Finance Committee said that the Committee supported indefinite postponement.

**BOARD OF SELECTMEN:** Unanimously supported postponement.

Selectman Brown stated that she also served on the Fairbank Task Force, and the Force wanted to move forward with the current design scenario that contractors have provided; however, they did not feel that there has been sufficient time and exposure, to explain to residents what the whole project entails, and so have decided to bring this article forward in the Fall.

The Moderator stated that a majority vote was needed for postponement, and the *motion* for Article 30 was *VOTED TO INDEFINITELY POSTPONE.*

**ARTICLE 31 – ACQUISITION OF BROADACRES FARM**

To see what sum the Town will vote to raise and appropriate, or transfer from available funds or borrow for the purpose of permanently protecting, by purchase by the Town upon such terms as the Board of Selectmen determine or by granting of a conservation restriction to the Town, pursuant to the General Laws Chapter 184 Sections 31-32, all or a portion of the property located at 82 Morse Road, and all expenses in connection therewith; to see whether this sum shall be raised by borrowing or otherwise and determine whether such sum will be subject to a Proposition 2 ½ exclusion or act on anything relative thereto.

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

Vice-Chairman Carty *moved* to indefinitely postpone Article 31.

The motion was seconded.

**FINANCE COMMITTEE:** Unanimously supported indefinite postponement of Article 31.

**BOARD OF SELECTMEN:** Unanimously supported indefinite postponement of Article 31.

Selectman Carty stated that Broadacres Farm is a 61A tax classification, which means that when it goes up for sale, the Town has 120 days to react. He said that the article was put on the Warrant, in anticipation that Broadacres was going up for sale, but that has not happened yet, so the clock has not started.

Sudbury Resident Carolyn Lane, 28 Mossman Road asked if the Town runs a risk if a solid offer came in next week; and then nothing can be done.

Town Manager Rodrigues stated that this is a priority for the Board and the Town, and there has been continued contact with the homeowner and their counsel. She maintained that the risk value was very low because the Board is being very proactive with this matter. She added, that if an offer came in, the Town would have enough time to call a Town Meeting based on the timelines, and the meeting could be called within 120 days, in order to exercise the right of first refusal.

The Moderator stated that a majority vote was needed for indefinite postponement and the motion for Article 31 was VOTED TO INDEFINITELY POSTPONE.

**ARTICLE 32 – MELONE PROPERTY DISPOSITION**

*To see if the Town will vote to transfer to the Board of Selectmen for the purpose of conveying, and authorize the Board of Selectmen to convey the parcel of town-owned land known as the Melone property off North Road, which is currently the site of the Town's gravel pit, on the terms and conditions established by the Board Selectmen, said real estate disposition to be made in compliance with General Law Chapter 30B to the extent applicable, and further to authorize the Board of Selectmen and other Town Officials to take all actions to carry out this Article; or act on anything relative thereto.*

Submitted by the Board of Selectmen

(Majority vote required)

Board of Selectman Chairman Haarde moved to indefinitely postpone Article 32.

The motion was seconded.

**FINANCE COMMITTEE:** Unanimously supported indefinite postponement of Article 32.

**BOARD OF SELECTMEN:** Unanimously supported indefinite postponement of Article 32.

Chairman Haarde explained that this was an article that the Board put on placeholder, and are not prepared to take any action at this time, but will probably take place at a future Town Meeting.

Sudbury Resident, Henry Sorett, 58 Longfellow Road, stated that he agreed with indefinite postponement, but cautioned the Hall that any future article that disposes of this property, should come forward with a specific request, for a specific customer, with specific restrictions. He requested that when any further proposal is brought forward to dispose of this piece of property that the Town be told exactly what the use will be, and what restrictions will be on that use. He said that he did not want to see another big development come to Rte. 117, considering the traffic impact it might have.

Sudbury resident, Martha Coe, 13 Churchill Street, mentioned the Loring School and reminded the Hall, that Town disposition of property, has to go out to bid.

The Moderator stated that a majority vote was needed for postponement, and that it was VOTED TO INDEFINITELY POSTPONE Article 32.

**ARTICLE 33 – WITHDRAWN**

**ARTICLE 25 – SUDBURY PUBLIC SCHOOLS PLAYGROUND IMPROVEMENTS**

Selectman Carty *moved to appropriate a sum of \$165,000 to be transferred from Free Cash for use at the Noyes Elementary School Playground. Said funding to be contingent on approval of Article 34 from the Community Preservation Fund appropriation in the amount of \$250,000.*

Submitted by Sudbury Public Schools and CPC (Majority vote required)

The motion was seconded.

Christine Hogan, Chair of Sudbury Public Schools Committee, stated that this is another step in maintaining safe playgrounds for Sudbury schools. She said that last year the community provided funds for the Haynes playground, and construction will take place over the summer.

Superintendent of Sudbury Public Schools, Anne Wilson stated that Articles 25 and 34 seek to continue the multi-year SPS playground modernization initiative. She said funds are being proposed to have Sudbury playgrounds comply with current safety and accessibility requirements. She gave special thanks to the Town for the funding for the Haynes playground, and added that funding will be sought for the Loring and Nixon Schools, shortly. She went over the timeline for the Noyes Playground, and provided the playground estimates; she also presented additional funding opportunities that have been, and will be, pursued.

Ms. Wilson thanked PlaySudbury for all their contributions and support with SPS playground projects. She added that they have several fund-raising projects planned.

**FINANCE COMMITTEE:** Recommended approval of Article 25.

**BOARD OF SELECTMEN:** Unanimously approved Article 25.

**CIAC:** Unanimously supported Article 25.

Sudbury resident George Behrakis, 23 Candy Hill Lane, asked if there were any imminent safety concerns right now, given that this funding would be going below the threshold of what the Finance Committee recommends.

Dr. Wilson replied that there are absolute safety concerns, and an inspection was done, which identified several areas that are posing safety risks. She added that there are accessibility requirements that have to be met.

Sudbury resident Adrian Sheldon, 48 Mill Pond Road, asked about the design process, and asked if children's opinions were included in the process.

Dr. Wilson answered that students have been involved in the process at Haynes, and would be involved in the other three playgrounds when the construction phase comes into play.

Sudbury resident Nancy Hudgins, 9 Kendall Road, said she had no issue with the project itself, but stated that the cost sounded too expensive, and wanted more information.

Dr. Wilson said that they must comply with the bidding process, and have met all deadlines with the proposals, and would select from there. She added that the costs are dictated by the market.

The Moderator stated that a majority vote was needed, and said that the *motion* for Article 25 *PASSED BY WELL MORE THAN A MAJORITY.*

**ARTICLE 34 – COMMUNITY PRESERVATION FUND – SPS PLAYGROUND MODERNIZATION**

To see if the Town will vote to appropriate an amount not to exceed \$250,000 of Community Preservation Act Funds, as recommended by the Community Preservation Committee, for the purpose of bringing a school playground into compliance with ADA and MAAB accessibility requirements and to develop a new, compliant outdoor area at the Noyes school; or act on anything relative thereto. The appropriation is to be allocated to the Recreation category and funded from FY19 revenue.

Submitted by CPC and SPS

(Majority vote required)

CPC Chairman Sherrill Cline, *moved* to appropriate a sum of \$250,000 from the Community Preservation Act Funds as stated in the article.

The motion was seconded.

Ms. Cline stated that the committee is made up of nine members, and seven are members of other Town boards as well, and two are appointed by the Board of Selectmen. She said that the CPC is charged with presenting articles at the Town Meeting to appropriate the accumulated funds as outlined in the Community Preservation Act, to include: Open Space, Community Housing, Historic Preservation and Recreation. Ms. Cline itemized many projects in Town that have been funded by CPA.

Ms. Cline detailed that the CPA revenues through FY17 have total revenue of \$21,540,310.07, with state matching funds of \$10,978,329.00. She added that every Fall the state announces what the match will be for that year, and sends a check to the Town. As more cities and towns adopt the CPA, the percentage of the match has decreased; however, in FY17, Sudbury received \$392,000 and this FY18 has the match at \$343,000. She advised that residents can lobby state legislators, and said that the committee only recommends appropriations that can be paid from this year's income.

**FINANCE COMMITTEE:** Unanimously recommends support of Article 34, at a cost of approximately \$39.00 for the average household, which represents a zero increase in the tax bill.



**BOARD OF SELECTMEN: Unanimously supports Article 34.**

The Moderator said that a majority vote was needed, and that the *motion* for Article 34 *PASSED BY MORE THAN A MAJORITY.*

**ARTICLE 35 – COMMUNITY PRESERVATION FUND – GRIST MILL POND,  
CARDING MILL POND AND STEARNS MILL POND – INVASIVE WEED REMOVAL**

Sherrill. Cline *moved to appropriate the sum of \$45,000 from the FY19 Community Preservation Act Funds estimated revenues, as recommended by the Community Preservation Committee, for Open Space Purposes, to fund habitat restoration of Grist Mill Pond, Stearns Mill Pond and Carding Mill Pond.*

Submitted by CPC

(Majority vote required)

The motion was seconded.

Hop Brook Protection Association member, Susan Collins said that the Hop Brook Protection Association is a 501 c 3 non-profit organization located in Sudbury (HBPA), and since 2004 has been working in conjunction with US Fish & Wildlife and the Town of Sudbury to remove invasive non-native aquatic weeds from ponds in Sudbury. She added that HBPA started harvesting Carding Mill Pond in 2004, Stearns Mill Pond in 2012, and Grist Mill Pond in 2015. Ms. Collins stated that all three of the ponds contain water chestnut plants, which prior to harvesting, were so completely overrun by weeds, that the water fowl and fish had difficulty.

Ms. Collins said most harvesting is done by a mechanical harvesting machine, which is effective and environmentally friendly, and hand pulling is also used in areas where the machine cannot go. Ms. Collins presented photos that displayed the ponds before harvesting and after harvesting, and said that for a more permanent solution, short of dredging, the ponds will continue to require annual harvesting to control the water chestnut infestation. She stated that HBPA is seeking \$15,000 per year from the CPA fund for the next three years to fund the harvesting project, and said that hiring an outside company to do the harvesting, would cost at least ten times the amount of money.

Ms. Collins mentioned that HBPA is a totally volunteer organization, and the only paid employees are the seasonal interns. She stated that part of the funds requested, cover the cost of the interns, crane service which moves the harvester machine, bonds, insurance and out-of-pocket expenses as fuel and equipment repairs.

**FINANCE COMMITTEE: Recommended approval of Article 35.** Finance Committee member Eric Poch, stated that the cost to the average taxpayer would be an increase of \$6.00 for the average home, with a zero impact on the tax bill.

**BOARD OF SELECTMEN: Unanimously supported Article 35.**

Sudbury resident and President of HBPA Frank Lyons, 157 Wayside Inn Road, stated that in previous years, when Town Meeting allocates the requested funding, HBPA returns monies not spent to the Town.

Sudbury resident Thomas Hollocher, 623 Concord Road, asked if the problem was just the water chestnuts, or did fertilizer also leech into the water.

Ms. Collins responded that part of the problem was also the Easterly Water Treatment Plant in Marlborough, which has been upgraded, but was initially dumping much phosphorous into the system, which traveled through the whole Hop Pond system - is the root of the problem. She added that HBPA was instrumental in getting the Easterly permitting changed. She added that the problem is that the chestnut plants have pods that can be viable for up to 12 years, or more, and requires annual harvesting, or dredge the pond.

The Moderator stated that a majority vote was needed, and that the motion for Article 35 PASSED UNANIMOUSLY.

#### **ARTICLE 36 – COMMUNITY PRESERVATION FUND – WAYSIDE INN REMOVAL OF INVASIVE PLANT SPECIES**

*To see if the Town will vote to appropriate an amount not to exceed \$12,500 of Community Preservation Act funds, as recommended by the Community Preservation Committee, for the purpose providing funds as proposed by the Longfellow’s Wayside Inn Board of Trustees to have invasive vegetation removed in four identified specific areas of concern; or act on anything relative thereto. This appropriation is to be allocated to the Historic category and funded from FY 19 revenue.*

Sherrill Cline moved to appropriate the sum of \$12,500 from Community Preservation Act Funds as stated in the Article.

Submitted by CPC

(Majority vote required)

The motion was seconded.

Ms. Cline stated that the trustees of the Wayside Inn have requested in the sum of \$12,500 for a project that is similar to the HBPA project. She added that there are four specific areas at the Wayside Inn that are being overrun by invasive weeds, with some that are in the waterways that run through the Wayside Inn property, and some that are overrunning the historic rock walls and destabilizing them, and some running along the roadway/pathway running from the barn to Rt. 20. She added that the Wayside Inn has consulted with the Sudbury Conservation Commission, who has provided some guidance. She detailed that the Inn has agreed to contribute \$6,000 of their funds for replanting and restoration of the area, so that the weeds do not re-generate.

**FINANCE COMMITTEE:** Supported Article 36, with a cost of \$1.60 to the average household.

**BOARD OF SELECTMEN:** Unanimously supported Article 36.

The Moderator stated that a majority vote was needed, and that the *motion* for Article 36 *PASSED BY MORE THAN A MAJORITY.*

**ARTICLE 37 – ACQUISITION OF BROADACRES FARM**

To see if the Town will vote to appropriate an amount of Community Preservation Funds, as recommended by the Community Preservation Committee, for the purpose of permanently protecting, by purchase by the Town upon such terms as the Board of Selectmen determine or another conservation organization for conservation purposes, or by granting of a conservation restriction to the Town, pursuant to General Laws chapter 184, sections 31- 32, all or part of approximately 34.5 acres of land located at 82 Morse Road, and all expenses in connection therewith; to see whether this sum shall be raised by borrowing, under General Laws chapter 44, section 7 the Community Preservation Act, or any other enabling authority; and to appropriate a sum sufficient to pay the annual debt service from FY19 Community Preservation Fund Revenue including bond and note issuance expense; and further to authorize the Board of Selectmen to grant a conservation restriction on said parcel if purchased by the Town; or act on anything relative thereto. This appropriation is to be allocated to the Open Space and Recreation categories and funded from unrestricted reserves.

Submitted by CPC

(Two-thirds vote required)

CPC Chair Sherill Cline *moved to indefinitely postpone Article 37, as it is not ready to proceed at this time.*

The *motion* was seconded.

**FINANCE COMMITTEE:** Supported the motion to indefinitely postpone Article 37.

**BOARD OF SELECTMEN:** Unanimously supported the motion to indefinitely postpone Article 37.

The Moderator stated that a majority vote was needed to vote on an indefinite postponement of Article 37, and stated that the *motion* for Article 37, was *VOTED TO INDEFINITELY POSTPONE.*

**ARTICLE 38 – COMMUNITY PRESERVATION FUND – REGIONAL HOUSING SERVICES OFFICE (RHSO) ALLOCATION**

To see if the Town will vote to appropriate an amount not to exceed \$30,000 of Community Preservation Act Funds, as recommended by the Community Preservation Committee, for the purpose of funding the Town’s portion of Sudbury’s Regional Housing Services Office (RHSO) membership fee supporting the Town’s affordable housing activities; or act on anything relative thereto. The appropriation is to be allocated to the Community Housing category and funded from FY19 Revenue.

Submitted by CPC

(Majority vote required)

CPC chair Sherill Cline *moved* to appropriate the sum of \$30,000 from Community Preservation Act Funds as stated in the Article.

The motion was seconded.

Town Manager Rodrigues stated that the request was slated for \$30,000 to fund a portion of the Town of Sudbury’s membership fee to the RHSO, and added that this request meets the CPC Criteria because CPA funds may be spent on the “acquisition, creation, preservation and support of community housing.” She explained that RHSO was composed of a grouping of seven neighboring communities (including Sudbury) collaborating to regionalize housing and administrative efforts and save money by collaborating in this way.

Town Manager Rodrigues stated that the RHSO office is located in Concord and membership fees cover all staffing, and administrative expenses; such as accounting, office support and technology operations. She added that the Sudbury RHSO model funds half, through the Town and CPC, and the other half is funded through the Housing Trust. She detailed that the portion funded by the Town included monitoring inventory, insuring that affordable units, say affordable.

**FINANCE COMMITTEE:** Unanimously supported Article 38, with \$7.00 for each average household.

**BOARD OF SELECTMEN:** Unanimously supported Article 38.

The Moderator stated that a majority vote was needed, and that the *motion* for Article 38 **PASSED UNANIMOUSLY.**

### **ARTICLE 39 – COMMUNITY PRESERVATION FUND – SUDBURY HOUSING TRUST ALLOCATION**

To see if the Town will vote to appropriate an amount not to exceed \$212,500 of Community Preservation Act Funds, 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; or act on anything relative thereto. This appropriation is to be allocated to the Community Housing category and funded from FY19 Revenue.

Submitted by the Community Preservation Committee (Majority vote required)

CPC chair Sherill Cline moved to appropriate a sum of \$212,500 from Community Preservation Act Fund as stated in the Article.

The motion was seconded.

Chair of Sudbury Housing Trust Lydia Pastuszek, stated that the Sudbury Housing Trust was formed in 2006, and has four main activities; the home preservation program, that has acquired eight homes in Sudbury that might have been tear downs, and has been able to make some renovations to them and sell them at a subsidized price to qualifying families, and will continue selling to qualifying families. Ms. Pastuszek stated that the Trust would like to obtain another home as soon as possible. Another program run by the Trust is small scale development, which completed a two-unit Habitat for Humanity project in 2009, and in December 2017 concluded three units on Maynard Road. A small grants program is also run by the Trust, and it provides financial grants for health and safety repairs for income eligible residents, with 60% being senior households. She added that the program has provided 53 grants, with emphasis on health and safety improvements.

Ms. Pastuszek also said that the Trust has completed fund priority projects, including 64 units at the Coolidge at Sudbury, and six units at the Sudbury Housing Authority duplex projects. She stated that the funds being requested at this meeting, would commit local funds to the Coolidge Phase 2 project. She explained that the Trust account has a balance that would be used to acquire another home, as well as, support the Coolidge project. Ms. Pastuszek added that the request for \$212,500 represents approximately the 10% CPA mandated housing allocation, and would provide funds for Coolidge Phase 2 (helping to maintain the mandated 10% affordable housing standard). She added that the funds would also provide for maintaining the existing housing stock and would help to increase housing options for a diverse community; and at the same time, would help maintain the Town's housing goals.

**FINANCE COMMITTEE:** At a cost of approximately \$32 per average home, the Committee supported Article 39, 5-0.

**BOARD OF SELECTMEN:** Supported Article 39.

The Moderator stated that the article required a majority vote, and stated that the motion for Article 39, PASSED BY WELL MORE THAN A MAJORITY.

**ARTICLE 40 – CSX ALTERNATIVE ACQUISITION FUNDING REVERSION FY19**

To see if the Town will vote to return the unused balances from prior article authorization of 2010 Annual Town Meeting Article 36 in the amount of \$210,000 from Recreation and \$210,000 from Open Space into the CPA general account; or act on anything relative thereto.

Submitted by CPC

(Majority vote required)

CPC chair, Sherill Cline *moved to indefinitely postpone Article 40.*

The motion was seconded.

Ms. Cline stated that the issue was whether the \$420,000 that was previously appropriated for the CSX rail line, could be maintained, thus voted to indefinite postponement because there is a movement by state legislatures to pass a law that would allow the Town to acquire the rights to the CSX railway. She added that hopes are that Representative Gentile will be successful in his legislative efforts in the behalf of Sudbury.

Sudbury resident, Daniel DePompei, 35 Haynes Road, said that he was not in favor of postponement of this article, and added that some years ago the Town had an agreement with CSX and the plan was supposed to have been completed within six months. He added, that as it turned out, Sudbury really did not have a legitimate contract, and discovered out a year later that this was not an appropriate use of CPC funds. He asked the Hall if it really made sense to hold on to the funds, based on a questionable promise, which has been promised for a number of years. He concluded that the Town should be going forward with this project, under the current law; which is possible.

The Moderator stated that a majority vote was needed, and the *motion* for Article 40 was voted **BY MORE THAN A MAJORITY TO INDEFINITELY POSTPONE.**

**ARTICLE 41 – COMMUNITY PRESERVATION FUND - REVERSION OF FUNDS  
FY19**

To see if the Town will vote to return the unused balances from prior article authorizations voted at prior Town Meetings, which projects have been completed, or otherwise, into the CPA general account as follows:

2008 ATM, Article 29	Town Window Restoration -	\$32,741.25
2010 ATM, Article 31	Radar Search –	709.34
2011 ATM, Article 30	Historic Projects –	8,730.00
2012 ATM, Article 24	Town Hall Architectural Study -	3,698.19
2012 ATM, Article 26	Historic Projects –	4,375.59
2014 ATM, Article 31	Historic Projects -	<u>137,323.00</u>
		\$183,637.37

to be returned to the category of Historic reserves; and

2017 ATM, Article 32 RHSO – \$447.00  
to be returned to the category of Community Housing reserves; and

2006 ATM, Article 36 Carding Mill Pond Harvesting – \$1,671.59  
2015 ATM, Article 45 Harvesting of three Ponds - 8,216.31  
\$9,887.91

to be returned to the category of Open Space reserves; and

2013 ATM, Article 37 Softball Fields and Field Design- \$1,518.72  
2014 ATM, Article 29 Walkway Construction – 6,828.05  
2015 ATM, Article 47 Walkway Construction – 81,172.68  
\$89,519.45

to be returned to the unrestricted reserves.

=====

Total: \$283,491.73

Submitted by CPC

(Majority vote required)

CPC chair Sherrill Cline moved to return the unused balances from prior article authorizations voted at Prior Town Meeting, which projects have been completed, or otherwise, into the CPA general account as set forth in the article.

The motion was seconded.

Ms. Cline stated that this was one of the two housekeeping articles, and the Committee has provided a list of projects that are requesting reversion of funds between 2014 and now. She detailed that the Committee reviewed projects that were reviewed at prior Town Meetings, and determined that many of those projects have been completed for less monies, than was appropriated, at previous Town Meetings. She mentioned that in the case of the walkways funding, the Court has determined that CPA funding is no longer an acceptable mode of funding. She also noted that if the harvesting of the ponds comes in at less than the Town Meeting approved, the balance will be reverted back to the CPA.

FINANCE COMMITTEE: Recommended approval of Article 41.

BOARD OF SELECTMEN: Unanimously supported Article 41.

The Moderator stated that a majority vote was needed, and that the motion for Article 41 PASSED UNANIMOUSLY.

**ARTICLE 42 – CPC FUND – FY19 GENERAL BUDGET AND APPROPRIATIONS**

CPC chair, Sherill Cline *moved to appropriate the sums as recommended by the Community Preservation Committee, in the following Community Preservation budget for fiscal year 2019 Community Preservation surtaxes:*

\$ 82,500        *Administrative and Operating Cost*

\$1,178,335     *Debt Service*

The motion was seconded.

Ms. Cline stated that this article sets up the FY19 budget, including authorization to pay the debt in the amount stated, and for the projects listed in the Warrant, basically the purchase of property interest in open space, over the last number of years. She added that the article also appropriates funds for administrative budget for the Committee in the amount of \$82,500. She explained that the statute allows the Committee to appropriate up to 5% of the estimated annual income per year, for administrative purposes, which would be a maximum of \$106,250 and Sudbury has consistently budgeted for less than the maximum amount. She stated that these funds can be used for time sensitive expenses, associated with CPC projects, such as property appraisals and other administrative expenses, such as CPC share of legal counsel and staffing expenses.

Ms. Cline reiterated that any funds not used by the end of the year, are returned to the CPC fund balance; and must be re-appropriated every year for administrative funds.

**FINANCE COMMITTEE:** Recommended support of Article 42.

**BOARD OF SELECTMEN:** Unanimously supported Article 42.

The Moderator stated that a majority vote was needed, and that the *motion* for Article 42 **PASSED BY WELL MORE THAN A MAJORITY.**

**ARTICLE 43 – RELEASE OF DEED RESTRICTION (PETITION)**

To see if the Town will vote to authorize the Board of Selectmen to release the restriction placed upon the Land in Sudbury, Middlesex County, Massachusetts shown on the Town of Sudbury Assessors Map F04 as Parcel 0132, located on Pinewood Avenue, Sudbury Massachusetts, consisting of approximately .12 acres and shown as Lots 44 and 45 of Block B on “Plan of Pine Lakes Sudbury Mass”, dated April 1927, prepared by Robert B. Bellamy, Surveyor and recorded with the Middlesex Registry of Deeds, South District, as Plan 37 in Plan Book 394, reserving to itself all easements and restrictions of recorded. Said restriction is contained in the Deed to Charles J. Guthy of 24 Pinewood Avenue, Sudbury, Middlesex County, Massachusetts, conveyed by the Town of Sudbury being dated November 21, 2011, recorded with Middlesex County Registry of Deeds in Book 57930, Page 257. The aforementioned restriction prohibits the construction of any principal dwelling or principal structure on the property.



Submitted by citizen, C. Guthy

(Majority vote required)

Robert Haarde, Chairman of the Board of Selectmen, *moved to indefinitely postpone Article 43.*

The *motion* to indefinitely postpone was seconded.

Town Manager Rodrigues stated that this was a citizen petition, and the citizen asked to withdraw the article.

The Moderator stated that a majority vote was needed, and that Article 43 was **VOTED TO INDEFINITELY POSTPONE.**

#### **ARTICLE 44 – SUDBURY WELCOMING TOWN RESOLUTION (PETITION)**

To see if the Town will vote to adopt:

##### **SUDBURY WELCOMING TOWN RESOLUTION**

**A RESOLUTION** to ensure that Sudbury is a safe and welcoming community for all individuals who visit, work, or live here.

**WHEREAS:** the Town of Sudbury has long valued diversity and the fair and respectful treatment of all.

**WHEREAS:** aligned with our country’s core values, our town government, the Town’s police department, and schools have always welcomed everyone regardless of their ethnicity, religion, race, or sexual preference.

**WHEREAS:** the Sudbury Police Department has established a Policy to protect the rights of undocumented immigrants and ensure their fair and just treatment.

**WHEREAS:** the trust undocumented immigrants have in our law enforcement personnel, town employees, and local medical and domestic violence agencies is paramount to their safety and well being and our Police Department’s ability to prevent and solve crime.

**WHEREAS:** a growing number of immigrants are being deported from our state and country solely because they are undocumented, thereby resulting in fear, broken families, and their return to dangerous places in the world.

**WHEREAS:** in growing numbers, cities and towns in our state and country have expressed their support of immigrants by becoming welcoming or sanctuary communities.

**THEREFORE, BE IT HEREBY RESOLVED:** that Town Meeting expresses its solidarity with other towns and cities in Massachusetts and throughout the country that have chosen to become a welcoming or sanctuary community.

**BE IT FURTHER RESOLVED:** that Town Meeting affirms and supports the following Sudbury Police Department's Policies on the Treatment of Undocumented Immigrants:

- 1. The enforcement of the nation's federal civil immigration laws is the sole responsibility of the federal government, not the Sudbury Police Department. No Sudbury police officer shall be appointed as an agent of any agency that would grant them the powers duly authorized under the federal civil immigration laws.**
- 2. No police officer of Sudbury shall arrest, detain, or continue to detain or prolong an individual's detention based solely on their immigration status unless such detainer or document is accompanied by a court order from a court of competent jurisdiction or duly authorized judicial warrant.**
- 3. No police officer of Sudbury shall inquire about the immigration status of an individual, including but not limited to, a crime victim, a witness, or a person who calls or approaches the police, or any other member of the public with whom the police officer has contact, unless necessary to facilitate a criminal investigation, protect the personal safety of an individual or keep the peace.**
- 4. A person's immigration status shall not affect their ability to file a police report or otherwise benefit from police services from the Town of Sudbury.**
- 5. The Sudbury Police Department will not keep a local index or list of persons suspected of being aliens or deportable aliens.**
- 6. No Sudbury police officer shall voluntarily respond to any ICE notification requests regarding civil immigration violations by providing any federal agent or agency information about an individual's incarceration status, hearing information, length of detention home address, or personal information.**
- 7. The Sudbury Police Department may provide information regarding citizenship or immigration status in accordance with state or federal law, including, but not limited to, 8 U.S.C. § 1373. Nothing in this Policy shall prohibit or restrain any Sudbury law enforcement officer from sending to, or receiving from, any local, state, or federal agency, information regarding citizenship or immigration status, consistent with 8 U.S.C. § 1373 or an order from a court of competent jurisdiction.**
- 8. No police officer of Sudbury or Sudbury Police Department employee shall allow Immigration and Customs Enforcement (ICE) or Customs Border Protection (CBP) agents investigating a civil immigration violation access to municipal facilities or a person in custody for investigative interviews or investigative purposes unless acting**

under a court order from a court of competent jurisdiction, a duly authorized warrant, or other legitimate law enforcement purpose that is not related solely to the enforcement of a civil immigration violation.

9. The Sudbury Police Department will continue to investigate reports of hate crimes, criminal discrimination, and criminal harassment of persons based upon their protected status, including, but not limited to, religion, race, ethnicity or national origin without regard to the person's known or suspected immigration status within the United States.
10. No Sudbury police officer shall participate directly in an ICE tactical operation relative to the enforcement of civil immigration laws. The Sudbury Police Departments role, if any, in such operations is strictly safety related and peacekeeping.
11. Nothing shall prevent an officer or employee from lawfully discharging his or her duties in compliance with and in response to a court order from a court of competent jurisdiction, lawfully issued judicial warrant, judicial subpoena, or judicial detainer or acting when necessary to protect public or personal safety.

**BE IT FURTHER RESOLVED:** that Town Meeting encourages all Town Departments to enact similar policies in regards to the Treatment of Undocumented Immigrants.

**BE IT FURTHER RESOLVED:** that the Town rejects the word "illegal" and "alien" to describe any human being.

**BE IT FURTHER RESOLVED:** that the Town upholds and reasserts its belief in basic human rights and the dignity of every human being.

**BE IT FURTHER RESOLVED:** that the Town Clerk shall forward a copy of this resolution on behalf of the Town of Sudbury to the Massachusetts Congressional delegation, the Governor of Massachusetts, and to the President of the United States.

Submitted by Petition.

(Majority vote required)

**PETITIONERS' REPORT:** Sudbury has long held diversity as a community value. The Town, including its schools and Police Department, has long been committed to upholding and protecting the civil and human rights and the life, safety, and security, of all individuals, regardless of race, sex, sexual preference, religion, ethnicity or national origin. Consistent with this commitment, this proposed resolution, if adopted, will communicate and affirm existing policies, thereby ensuring that all immigrants are able to fully participate in the civic and economic life of our Town. We believe this will lead to a safer community, a better educated citizenry, and improved quality of life for all those who live, work, and visit our Town.

**In light of national discussions and federal practices concerning immigrants, a committed group of Sudbury residents has sought to communicate our “welcoming town” values. We have worked closely with Police Chief Scott Nix and other Town officials to articulate the protections afforded all individuals and to ensure that Police Department practices are formalized and that the formalized policies are consistent with the Police Department’s goals to protect public safety. We appreciate that the Sudbury Police Department is committed to promoting safety and providing proactive community policing services to all who live, work, or visit our community. In furtherance of the adherence to the department’s community policing philosophy, all community members and general stakeholders should know that they are encouraged to seek and obtain police assistance and protection regardless of their specific immigration and/or documentation status without fear of status checks.**

**We urge Sudbury residents to support this resolution, to ensure that Sudbury is a safe and welcoming community for all individuals who live, work, or visit here.**

**Submitted by Sudbury resident, Fred Taylor (Majority vote required)**

**The Moderator commented that for people walking into the Hall at this time, they must find a seat, or votes cannot be counted. The Moderator thanked the Hall for their efficiency, and participation. She emphasized the importance of not letting emotions rule, and requested that all speak thoughtfully and considerately.**

**Sudbury resident, Sandra Lasky of 19 Abbottswood, *moved in the words of the Article, with the following changes: 1. Add: “WHEREAS: bipartisan efforts have failed since the 1990s to fix our broken federal immigration policies.” 2. In the 2<sup>nd</sup> WHEREAS statement, DELETE “have always” after “schools;” ADD “gender identity” after “race;” and REPLACE “preference” with “orientation.” 3. In the last WHEREAS statement and the first resolution, REPLACE: “sanctuary” with “safe.” 4. In the last resolution, INSERT “and” after “delegation” and DELETE “and to the President of the United States.” Ms. Lasky proceeded to read the resolution, with the purposed changes.***

**The motion was seconded.**

**Petitioner, Frederick Taylor, 38 Cider Mill Road, stated that this article was proposed by a group of Sudbury residents concerned about the government’s treatment of undocumented immigrants. He stated that the group has been working on making Sudbury a “welcoming town” for over a year, and added that some members of the group are first generation immigrants, and most are long term residents of Sudbury, who take an active role in Town government, and local organizations. Mr. Taylor said that the group works for immigrant rights and religious groups. He detailed that the resolution is about protecting the rights of undocumented immigrants, supporting police policies, keeping the Town safe, and supporting our immigrant neighbors. He detailed that the towns of Belmont, Acton, Lexington, Concord and Lincoln; have joined the 35 to 40 communities in MA, which have similar resolutions.**

**Mr. Taylor stated that this resolution has been endorsed by the League of Women Voters in Sudbury, The Lincoln-Sudbury Domestic Violence Roundtable, Congregation Bethel, and the Sudbury Democratic Town Committee. He detailed that Chief Nix supports the police policy cited in the Resolution, and takes no stand on the Resolution itself. Mr. Taylor stated that at the center of the Resolution are Sudbury Police policies regarding the treatment of undocumented immigrants, and over a period of three months, they were written by Chief Nix and Town residents. He added that these policies detail responsibilities that belong to the Sudbury Police, and those responsibilities that belong to the Federal Government. He said that there are three policies in particular that concern this Resolution and goals; first Sudbury Police will not detain anyone solely on the basis of a civil immigration order (this policy is in line with a decision made by the MA Supreme Judicial Court). He continued, that Sudbury Police will not ask an individual about their immigration status – which is consistent with immigration law. Thirdly, Mr. Taylor stated that in accordance with a person’s rights to privacy, Sudbury Police will not provide private information about an individual, and these policies will not limit Sudbury Police in pursuing criminals and enforcing the law. He stressed that by regarding Sudbury as a safe community, undocumented immigrants will feel safe to report crime and cooperate with Sudbury Police, when asked to do so. He detailed that research indicates that welcoming communities have lower crime rates and stronger economies. He said that these policies cannot diminish Sudbury’s chances of receiving Department of Justice grants, because only Congress can make any such determinations, as with defense grants, school budgets, and that other Town budgets cannot be affected.**

**Mr. Taylor concluded that approval of this Resolution would send a message to the Mass. Congressional delegation and to the Governor of the Commonwealth. Other safe communities such as Brookline, Somerville and Cambridge, N. Hampton; have done the same. Another purpose of the Resolution is to assert that our federal immigration policies are broken, and need fixing. He stressed that this is not a political issue, and encourage the government to view immigration as a human rights issue, and we are thankful that Sudbury Police treat undocumented immigrants, justly and without prejudice; however the policies themselves, are only part of what makes a Town a community. He emphasized that a vote for this Resolution, will ensure that the mentioned policies will not change and will let all know that Sudbury is a welcoming town.**

**The Director of Sudbury-Lincoln-Wayland Domestic Violence Roundtable, Susan Rushfirth, said that the Roundtable endorses Article 44 and stressed that the need for undocumented people know that Sudbury is a welcoming and safe town. She detailed that since the Presidential Election, there has been a sharp decline in the reporting of sexual assault and domestic violence, particularly in immigrant communities. She added that people might fear deportation, so do not report the activity. She paraphrased that “none of us is safe, until all of us are safe.”**

**FINANCE COMMITTEE: Took no position on Article 44.**

**BOARD OF SELECTMEN: Took no position on Article 44.**

Sudbury resident, Timothy Burge, 65 Hemlock Road, stated that he was troubled by the many contradictions in these policies, and detailed Police policy, and felt the Police could report the status of an undocumented immigrant to INS. He detailed several items in the policies, seemed to be contradictory, and questioned possible litigation for the Town. Mr. Burge asked about Federal grants not received by the Town, and what might have been covered by that grant, and if Chief Nix had concerns regarding the implementation of this Resolution.

Sudbury Police Chief, Scott Nix responded that he would not endorse or support Article 44, as a whole, and stated that was not his position. He pointed out Mr. Taylor's statement that police do not inquire about immigration status, which he asserted; is incorrect. He detailed that Police will not ask about immigration status relative to Civil Immigration only, as our current practices are, and if someone was in medical distress; then one would have to inquire about their immigration status, in order to get them a necessary interpreter. He added that if someone is a victim of a crime, the Police would inquire about their immigration status, so that the Police could help them with a special visa.

Chief Nix answered that in regard to the mentioned grant, he applied for a grant which was an attempt to obtain an additional officer for the Town, and approval for one additional officer was granted for this fiscal year, but the Fire Department was seeking four more firefighters through grant funding, rather than requesting such funding at Town Meeting. He said that the grant was slated at \$150,000, and Town Counsel had to confirm that Sudbury was not a sanctuary city, and subsequent to that, he and Town Manager had received correspondence asking about such town status and added that he and Town Manager did not choose to answer in the affirmative, in regard to outcome of Town Articles, and could not say if the denial of needed funding had anything to do with the inquiries.

Sudbury resident Kristen Roopenian, 45 Harness Lane, had a procedural question about the Resolution being a non-binding resolution. She added that she was not aware that non-binding resolutions carry the ability to have debate, and asked where it stands tonight. She asked who owned the Article, should it pass, and if the Board of Selectmen would assume ownership. Additionally, she wondered where the welcome statement from the Board of Selectmen stood.

The Moderator replied that she is allowing debate because it is the fair thing to do, and is in the spirit of Town Meeting.

Town Counsel, Jonathan Silverstein said that a non-binding resolution is an expression of Town Meeting as a legislative body, but on a matter of policy; it does not bind or compel any Town official to do anything in particular, rather it encourages sentiment, only.

Sudbury resident Gary Bean, 3 Wilshire Road, said that he assumed that Chief Nix did not see contradictions, as suggested by another resident, and stated that Federal Law

restricts immigration information, from the police is not permissible, and added that there is no law about any other information. He stated that the immigration policy in this country has been broken for some time, and everyone has responsibility for that, but what has changed is that the most vulnerable of neighbors, have been “demonized” by those with the most power. He stated that the immigration rules today, are governed by an arbitrary cruelty, which should be no part of the US.

Sudbury resident Tatiana Vitvitsky, 55 Hudson Road, gave the background of her family leaving their homes in the Ukraine, with nothing and stated that immigration reform is needed now. She added that she wants to ensure that Sudbury is a welcoming Town to all.

Sudbury resident Elaine Barnartt-Goldstein, 40 Indian Ridge Road, stated that a Sudbury resident went to Lowell to report, as requested, and was then threatened with deportation for following the law. She added that she would not want to have something like this happen in Sudbury.

Sudbury resident Cindy Ku, 406 Old Lancaster Road, stated that the mentioned visa is only extended to victims of crime, and their immediate family members; but not available to witnesses of crime. She said that as a physician, she has never asked about a patient’s immigration status for language assistance.

Sudbury resident Robert Stein stated that his interpretation of undocumented immigrant is someone who has come into this country illegally, and he was not interested in welcoming lawbreakers into Sudbury. He stressed that he welcomes everyone who comes into this country, legally.

Sudbury resident Jack Kaiser, 66 Willow Road, pleaded that this article be defeated for potential tax implications, as possible Federal funds that the Town might have received, or did not receive, if the Town was contemplating becoming a sanctuary city. He asked if the Selectmen’s Safe Community statement could be read.

Town Manager Rodrigues read the Safe Community Policy, dated May 27, 2018.

After the Safe Community Policy was read by Town Manager Rodrigues, the Moderator asked if the Hall wanted to go on, or end this discussion because of the hour of the night (10:25 p.m.).

Sudbury resident John Riordan, 12 Pendleton Road, stated that he and his group supported the policy by the Selectmen, but that the policy did not address the issue of the role of the Sudbury Police and cooperating with ICE and Civil immigration matters. He said that the related budgetary issues are mute, and even if the Town lost several grants, the budget is healthy; and the type of grants mentioned would not qualify Sudbury.

Sudbury resident Kevin Matthews, 137 Haynes Road, stated that this Article appears to be a way to legislate a national issue on a local level. He added that the perhaps unintended consequences of that effort appear to be wide-open and very Police directed.

He said that he felt that the language of the proposed article was insulting to the Police, and safety.

Sudbury resident Paul Mawn, 11 Munnings Drive stated that many in his family were immigrants, and his father served in the military, as he did, and his son did; and defends the Constitution. He said that this non-binding resolution is partisan political bias, and spits on the Constitution. He asked if this Article jeopardizes any funding for the Police Department in the future.

The Moderator stated that a majority vote was needed, and she called for a counted vote. The Moderator read the counted vote procedure. Counting took place, row by row. The Moderator stated that Article 44 PASSED BY A MAJORITY. (counted vote 177 in favor and 118 opposed)

The Moderator made a motion to continue the meeting.

The motion was seconded and voted.

The Moderator gave a special thanks to Town staff who had worked tirelessly on this Town Meeting, and thanked Melissa Rodrigues and her staff; Patty Golden, Elaine Jones, Mark Thompson, and many others. Town Moderator also thanked the Town Clerk and Town Counsel, who made sure that legal obligations were followed. She also thanked Town legislators for their great care throughout this process. The Moderator stated that Town Clerk has asked that she remind that all recently elected and appointed officials, to take the oath of office from her, at the conclusion of tonight's meeting. The Moderator continued saying, that according to Article 4, section 1 of the Town's bylaws, it is the responsibility of the Moderator to appoint vacant seats on the Finance Committee, before the end of annual Town Meeting. She stated that she had five Finance Committee positions to fill, with Susan Berry and Bryan Semple wishing to continue to serve, and she did re-appoint them to new three-year terms. She thanked Joan Carlton, Jose Garcia-Meitin and Tammie Dufault, for their service to the Town; on this very important Town Committee. She continued with saying that she solicited applicants via posting on the Town website in the Town Crier, One Sudbury Facebook group; and received resumes from a group of highly qualified candidates, and conducted interviews with each.

Town Moderator announced the appointment of Jean Nam, to a three-year term; Lisa Gutch to a two-year term; and Glen Migliozi to a one-year term.

**ARTICLE 45 – RESOLUTION – TRANSPARENCY IN POLITICAL DONATIONS (PETITION)**

To see if the Town will vote

**Resolution Supporting State and Federal Legislation to Provide Greater Transparency in Political Donations and Limit the Influence of Money in Politics**



**WHEREAS, recent changes in funding and disclosure rules for national, state and local political elections have degraded the goals of the democratic process; and**

**WHEREAS, a recent decision by the Massachusetts Office of Campaign and Political Finance (OCPF) now allows an infusion of previously prohibited out-of- state money to influence local and state elections, new legislation is now required to prohibit such funding from circumventing Massachusetts state law; and**

**WHEREAS, in an effort to restore voter confidence in our democracy, a grassroots movement known as "Represent.Us" is working for legislative reforms to reduce the opportunity for corruption within the political system in our country by supporting a legislative reform bill known as the "American Anti-Corruption Act" (the Act); and**

**WHEREAS, the Act targets bribery by preventing lobbyists from donating to politicians and influencing policymaking; ends secret money by mandating full transparency; enables citizens to fund elections; closes the revolving door between Congress and lobbying firms; and enhances the power of the Federal Election Commission; and**

**WHEREAS, this national organization's local chapter, Represent.US Western Mass, sought and promoted an advisory referendum; specifically in the Hampshire/Franklin State Senate District (currently held by Stan Rosenberg) to build support for this initiative; and**

**WHEREAS, on November 4, 2014, the citizens of the above mentioned district were given the opportunity to be heard on this topic through the above advisory referendum where the question received 84 percent aggregate support across the entire district, and**

**NOW, THEREFORE, BE IT RESOLVED by the citizens of the Town of Sudbury, Massachusetts that we support tough new anti-corruption laws to close loopholes in Massachusetts' campaign finance regulations that currently allows unregulated out-of-state money to infiltrate state and local elections; and we support the goals outlined in the American Anti-Corruption Act to remove the corrupting influence of money on our political system. The Act prohibits politicians from taking campaign money from special interest groups including private industries and unions; increases transparency for campaign funding; empowers all voters through a tax rebate voucher to contribute to the candidates they support; prohibits representatives and senior staff from all lobbying activity for five years once they leave office; and places limits on super PACs.**

**BE IT FURTHER RESOLVED that the citizens of the Town of Sudbury implore our elected representatives in Boston, State Senator Michael J. Barrett, State Senator James B. Eldridge and Rep. Carmine Gentile, and in Washington, Senator Edward Markey, Senator Elizabeth Warren and Rep. Katherine Clark (or their successors) to lead this effort to enact these initiatives in Massachusetts and in the U.S. Congress.**

**BE IT FURTHER RESOLVED that the Clerk of the Town of Sudbury is hereby directed to give notice to the above representatives by sending a certified copy of this resolution to each of them.**

The Moderator recognized Mr. John Keklak, who moved in the words of the article a resolution for transparency in political donations.

Sudbury resident John Keklak, 12 West Street, stated that this Article is a “Resolution Supporting State and Federal Legislation to Provide Greater Transparency in Political Donations and Limit the influence of Money in Politics.” He asked for the support of the Hall because elections can be corrupt, and said that there are too many legal loopholes in regard to how political campaigns are financed. He added that we have become a government that only represents people with financial means. He detailed that in 2014, a 20-year study done by Princeton and Northwestern Universities, examined more than 1,779 public polls and how they correlated to bills passed by Congress. Results of that study affirmed the concept that people with money have the political clout. He explained the bribery/extortion cycle originates with lobbyist who, with special interest, influence politicians to pass/reject bills, which ultimately works to the benefit of the lobbyist. He detailed that special interest includes many groups; such as companies, trade associations, unions, and wealthy individuals; and politicians become locked into the described cycle. He detailed that the results being that the politician candidate who raised the most money, wins the election; and the study further depicted, that two-thirds of political donations come from just 0.2% of Americans, and that members of Congress spend 30 to 70% of their time fundraising, rather than governing. He went on to mention the Sunlight Foundation, whose studies indicate that \$5.8 billion is spent on influencing government, and a figure of \$4 trillion reflects taxpayer subsidies and support, based on the 200 most politically active companies in America, who cash in influence and multiply their investments many times over.

Mr. Keklak stressed that the solution to make such corruption illegal is endorsed by the American Anti-Corruption Act who has proposed remedies for ending this type of corruption in government. The act proposes to create a firewall between lobbying and donating but not both. The Act also makes it more difficult for elected officials to become lobbyists, particularly in regard to the industries that they regulate. He continued that the Act also breaks the public funding cycle by providing a framework for realistic publicly funded elections, so that candidates can win without dependence on special interests. He stressed that these proposed remedies require complete transparency and disclosure for everyone, because transparency-related laws are not adhered to, nor enforced, due to partisan politics, and the American Anti-Corruption Act strengthens enforcement. He provided a Massachusetts Corruption Risk Report Card, which scores D+ as given by the Center of Republican Integrity in 2015.

Mr. Keklak said that Article 45 is a non-binding resolution which allows the voters of Sudbury to send a message to our elected representatives in Town Hall, on Beacon Hill and on Capitol Hill, that we want them to represent us and not special interests. He added that this resolution did not call for any specific legislation, but clearly states the position of Sudbury voters as being in favor of tough legislation that fixes the unintended cycle of legal

corruption. He added that more than 25 towns in MA have already sent this message, to return to a form of government that: “of the people, by the people, and for the people.”

**FINANCE COMMITTEE:** Took no position on Article 45.

**BOARD OF SELECTMEN:** Took no position on Article 45.

The Moderator stated that a majority vote was required, and that the *motion* for Article 45 *PASSED BY WELL MORE THAN A MAJORITY.*

The Moderator asked for a motion to dissolve the 2018 Annual Town Meeting.

The motion was seconded.

The Moderator stated that the *motion* to dissolve *PASSED BY WELL MORE THAN A MAJORITY.*

The 2018 Annual Town Meeting was dissolved at 11:21 p.m.

**SUDBURY SPECIAL TOWN MEETING**

**OCTOBER 15, 2018**

Pursuant to a Warrant issued by the Board of Selectmen and a quorum being present, Elizabeth Quirk, the Town Moderator, called the meeting to order at 7:31 p.m., at the Lincoln-Sudbury Regional High School Auditorium. Ms. Quirk introduced former School Committee Member, Lucy St. George; who lead the Hall in The Pledge of Allegiance.

The Moderator stated tonight’s Meeting was being closed captioned, as it has in the past.

The Moderator said that she examined and found in order, the Call of the Meeting and the Officer's Return of Service and confirmed the timely delivery of the Warrant to residents. She announced that the certified Free Cash, according to Town Accountant Christine Nihan, was \$2,012,070.

Upon a motion, which was seconded, it was UNANIMOUSLY VOTED to dispense with the Reading of the Call of the Meeting, and the Officer's Return of Service Notice and the reading of the individual Articles of the Warrant.

The Moderator introduced various Town Officials, Town staff members, Board of Selectmen, Town Counsel, and the Finance Committee members who were present in the Hall.

The Moderator reviewed the location of the fire exits, and noted extra warrants and handouts were available for distribution. The Moderator thanked the Boy Scouts from Troop 63, led by Scout Master John Rotundo; with scouts - Andrew Mosey, Gavin Montero, and Nico Berra. The Moderator also thanked the staff and crew of SudburyTV.

**ARTICLE 1 – MELONE PROPERTY DISPOSITION**

To see if the Town will vote to transfer from the board or officer with custody of the land to the Board of Selectmen for the purpose of conveyance, and authorize the Board of Selectmen to convey some or all of the town-owned land commonly known as the Melone property, located off North Road and currently the site of the Town’s gravel pit, and shown as Assessors’ Map C12, Parcel 0100 and Concord Parcel 3419, on such terms and conditions as may be established by the Board Selectmen, said real estate disposition to be made in compliance with General Law Chapter 30B to the extent applicable, and further to authorize the Board of Selectmen and other Town Officials to execute instruments and take all other actions as may be necessary to effectuate the vote to be taken hereunder; or act on anything relative thereto.

Submitted by the Board of Selectmen

(Three-Fourths vote required)

The Moderator recognized Chairman Robert Haarde, who moved to indefinitely *postpone Article 1.*

**The motion was seconded.**

**Town Manager Rodrigues stated that the Town is requesting that the Town Meeting indefinitely postpone any action on the Melone Property, until a Special Town Meeting, which has been called for December 11, 2018. She added that that Town officials and the developer are working on the presentation of Article 1, to be on Warrant for that meeting.**

**BOARD OF SELECTMEN: Chairman Haarde stated that the Board of Selectmen unanimously supported indefinite postponement of Article 1.**

**FINANCE COMMITTEE: Finance Committee Chair Bryan Semple, stated that the Finance Committee supported indefinite postponement of Article 1, by a vote of 8 to 0.**

**Resident Rami Alwan, 119 Pantry Road, stated that he agreed with indefinite postponement of Article 1, and wanted the officials to come back in December with a more realistic student enrollment number. He also mentioned that Quarry North Development Traffic Study on September 19, Yom Kippur, was not a realistic day for the traffic study.**

**Resident Robert Coe, 14 Churchill Street stated that he did not think that a case for postponement for Article 1 had been made, and further stated that most people present tonight, wanted to hear more about this article, as well as hearing why the article should be postponed.**

**Resident William Stevenson, 135 Greystone Lane, asked how much time the Board, and the developer had, to put the proposal together.**

**Town Manager Rodrigues stated that the RFP was opened on July 2, and awarded on September 11. She explained that the Town then immediately entered into negotiations with the developer, which are ongoing.**

**Resident Raymond Schmidt-Gross, 298 Maynard Road said that he understood that Article 1 had to be postponed because the relevant numbers are not ready yet.**

**The Moderator asked that people who are currently in the overflow room, find seating in the main hall, as the counting of their votes would be very difficult.**

**Resident Allen Katz, 24 Run Brook Circle, said that he was happy that the article was being postponed, and would like to see some comps/appraisals, so that residents could understand the numbers.**

**Town Manager Rodrigues stated that there would be a Town Forum regarding the Melone Property, and it would be held on November 27<sup>th</sup> in this hall at 7:30 p.m.**

**Resident Hank Sorett, 58 Longfellow Road, stated that the current options for the Melone property are not good, and he would like to see another option, so that both Quarry North at the Melone Property and Sudbury Station could be rejected.**

**Jonathan Silverstein, Town Counsel, stated that rejection of both proposals is not possible, as there is a case law that upholds that this suggestion would be a violation of the constitutional rights of the developer.**

Resident Harold Cohen, 150 North Road, said that grocery stores are more than 20 minutes away from the Melone property; and stated that he would want to see a traffic study encompassing more than Rte. 117.

Finance Committee Chairman, Bryan Semple stated that the Finance Committee has not created any statistics regarding the student enrollment costs when the Committee found out that the article was going to be postponed.

Resident Jackie Kilroy, 3 Dakin Road, mentioned the Melone Property and eminent domain taking.

Town Counsel Silverstein responded by referring to the case of Pheasant Ridge, where the court determined that to use the eminent domain authority, to take private land for the purpose of defeating an affordable housing project, under Ch. 40B; was a constitutional violation.

Resident Glenn Merrill-Skoloff, 18 Allen Place, moved to call the question.

The motion was seconded.

The Moderator stated that a two-thirds vote was required and the calling of the question was passed.

The Moderator stated that a majority vote was required to pass indefinite postponement of Article 1 and that the motion for Article 1 was PASSED BY MORE THAN A MAJORITY.

## Article 2 – ACQUISITION OF BROADACRES FARM

Selectmen Leonard Simon *moved to authorize the Board of Selectmen to acquire, by purchase, gift, eminent domain or otherwise the fee or lesser interest in all or a part of the land located at 82 Morse Road (Assessor's Parcels F09-0002 and F09-0004), comprising approximately 33.61 acres, including all easements and rights appurtenant thereto and the buildings and improvements located thereon, and to authorize the Board of Selectmen to lease or license the fee or lesser interest in all or a part of such property consistent with the use of the property and to appropriate the total sum of \$5,540,000.00 for such purposes together with all incidental and related costs, including but not limited to costs of title and environmental investigations, closing costs, and attorneys' fees to be funded as follows: for the acquisition of Parcel F09-0004 or any interest therein, consisting of 9.59 a. +/-, for open space and active recreation purposes to transfer the sum of \$1,880,000.00 from Community Preservation Act funds unrestricted reserves, and to authorize the Board of Selectmen to grant a conservation restriction on all or a portion of said Parcel F09-0004 meeting the requirements of G.L. c.184, §§31-33 as may be required in accordance with G.L. c.44B, §12; for the acquisition of a portion of Parcel F09-0002, consisting of 4.0 a. +/-, located on the northeast side of Morse Road or any interest therein, for general municipal purposes, to authorize the Treasurer with the approval of the Board of Selectmen to borrow the sum of \$1,011,000.00 pursuant to G.L. c.44, §§7, 8, or 20 and G.L. c.44B, §11 or any other enabling authority, and issue bonds and notes of the Town therefor; and for the acquisition of a portion of Parcel F09-0002, consisting*

*of 20.02 a. +/-, located on the southwest side of Morse Road, or any interest therein, to be held under the care, custody and control of the Conservation Commission for open space, conservation and/or agricultural purposes, in accordance with G.L. c.40 Sect. 8C, to authorize the Treasurer with the approval of the Board of Selectmen to borrow the sum of \$2,649,000.00 pursuant to G.L. c.44, §§7, 8, or 20 and G.L. c.44B, §11 or any other enabling authority, and issue bonds and notes of the Town therefor; and further, that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of the issuance of such bonds or notes, may be applied to payment of costs approved by this vote in accordance with G.L. c. 44, s. 20 thereby reducing the amount to be borrowed to pay such costs by a like amount; and further to authorize the Board of Selectmen to execute all instruments, including deeds, leases, licenses, restrictions, and/or other agreements, upon such terms and conditions as the Selectmen deem appropriate, and to take all other action as may be necessary to effectuate the vote to be taken hereunder; and further, to authorize the Board of Selectmen, the Town Manager, and/or the Conservation Commission, as they deem appropriate, to accept on behalf of the Town funds granted under the LAND grant program (G.L. c.132A, Section 11), the PARC grant program (301 CMR 5.0), and/or any other funds, gifts, grants, under any federal and/or other state program, in any way connected with the scope of this acquisition, and to enter into all agreements and execute any and all instruments as may be necessary or appropriate to effectuate the foregoing acquisition; and further, that any appropriation made hereunder shall be subject to and contingent upon an affirmative vote of the Town to exempt the amounts required for the payment of interest and principal on said borrowing from the limitations on taxes imposed by M.G.L. c. 59, Section 21C (Proposition 2½).*

**Submitted by the Board of Selectmen.**

**The motion received a second.**

**The Moderator recognized Town Manager Rodrigues for a presentation.**

**Town Manager Rodrigues began her presentation regarding Broadacres Farm by saying that the farm includes some 33.61 acres of land and is an active horse farm with stables, pastures and riding fields, and is classified as a Chapter 61A property; and abuts Wake Robin Woods Conservation Land (which currently has no public access), Featherland Park, and the proposed Bruce Freeman Rail Trail. She added that the property is identified as a priority parcel and listed as a Critical Concern in the Heritage Landscape Inventory; and the current owner bought the property in the 1950s, and has been operating it since that time. Town Manager Rodrigues detailed that Chapter 61A properties must be used as agricultural or horticulture property, and the prospective owner pay the same tax rate as everyone else, but the land value does not increase in the eyes of the state, due to its use. She stated that the 61A designation, grants the Town the right of first refusal when the owner wants to sell the land, and convert to a non-chapter use while enrolled in the property, and there is a short time allowed for the Town to take action on the purchase. She detailed that this process calls for a Board of Selectmen decision, as well as a Town Meeting for residents vote in order to appropriate the funds for purchase.**

**Town Manager explained that there are three parcels of land comprising Broadacres Farm, for the offered purchase price of \$5.5 million, with approximately \$40,000 additionally for related acquisition cost. She added that the phase process shows that Parcel 1 reflects the immediate purchase, at a cost of \$1,860,000, plus \$20,000 in closing fees, and funded in total by CPC funds. Town Manager Rodrigues outlined that the Town CPA funds are appropriate for Parcel 1 because the use would be for preservation, and kept as open space and recreation (per specification in the deed). She explained that within the next ten years, Parcels 2 & 3 would be triggered for Town purchase; with Parcel 2 being the smallest of the three parcels and could be utilized for any municipal purpose at the cost of \$1,001,000 and \$10,000 in closing fees, and would have a less restricted use (combination of general, municipal, recreation and/or conservation usage); and Parcel 3 being the largest parcel, which would be restricted to open space, passive recreation and/or conservation purposes. She added that the cost of Parcel 3 is \$2,639,000, with \$10,000 in closing costs.**

**Town Manager Rodrigues stressed that Parcel 2 and 3, could be triggered for purchase at the same time or separately; by the owner, the estate, or time. She asserted that the Purchase and Sale Agreement has been signed, and ensures that the total sale price is locked-in. She explained that the total debt is authorized now, but the debt is not borrowed upon until the Town closes on the parcels; with future funding in the mode of 20-year bond/s (in the debt amount of \$3,660,000), and requires a ballot vote on November 6th.**

**Town Manager Rodrigues emphasized that Town purchase of Broadacres Farm, would allow the Town to preserve the land in and around the historic Sudbury town center, thus affording great opportunities for recreation, conservation, and the maintained character of the town. Town Manager Rodrigues stated that the Town commissioned an appraisal, with Parcel one at \$1,860,000; Parcel 2 at \$925,000; and Parcel 3 appraised at \$2,500,000; for a total of \$5,285,000. In summary, Town Manager Rodrigues stated that in negotiations with the owner, the final purchase price was agreed upon at \$5,500,000.**

**FINANCE COMMITTEE: Finance Committee Chair Bryan Semple, stated that the Committee supported Article 2 by a vote of 7 to 1. He added that there was approximately \$4 million in CPA Cash that is in the bank to fund the \$1.9 million, and the Committee is comfortable with that aspect; and added that although there is no tax increase, it still represents about \$200 to \$300 per household that has already been collected. He added that there is a variance, depending on how the CPA Fund has been gathered from the state match, and stated that the state match for 2019 was about 11%. He went on to state that for the \$3.6 portion of the article that is still to be bonded, and that FinCom examined the potential risk, exempling the case that if interest rates were to greatly increase, but that the Committee felt that the risk was small and that deferred debt should be used sparingly and will authorize the debt tonight. Chairman Semple suggested that for each Town Meeting going forward, a reminder is presented that a potential tax obligation will be coming for the \$3.6 million.**

**BOARD OF SELECTMEN: Selectman Simon stated that the Board supported Article 2.**



**CIAC:** Chairman Tom Travers stated that the Committee did not have a meeting after the terms of the purchase were made public, therefore, the CIAC was never able to review the proposal; and take no position on Article 2.

**CONSERVATION COMMISSION:** Conservation Coordinator Debbie Dineen stated that the Conservation Commission met before Town Meeting and voted unanimously with one abstention. Ms. Dineen stated that the purchase of Broadacres Farm is a win-win for the Town as a whole, and not just for Conservation Commission, Park and Recreation, and not just for other future needs of the Town. She added that via the purchase of this property, the Town will be protecting the historical landscape, agricultural heritage, and after some seventy-five years; very little has changed, with the barns still on the site.

Ms. Dineen emphasized that the purchase provides connectivity to other Town-owned parcels Wildlife habitat and movement corridors, and more connections to Town-owned land all the way down to the Sudbury River, and ultimately connects to Federal and State lands. She added that this provides the Town, the ability to increase passive and active recreation for the Town. She informed the hall that the Town went to the site, contracted with Schofield Brothers and performed rather extensive soil testing, which also ensured that the numbers of potential housing by LandVest appraisal, was accurate, and that the Town did its due diligence.

Ms. Dineen stressed that the Town has one opportunity here, to preserve this land and ensure connectivity throughout a large portion of Town, and provide needed access to other Town lands.

**PARK AND RECREATION COMMISSION:** Chairman Robert Beagan, stated that the Commission voted unanimously for Article 2. He stressed that the Town has a desperate need for additional playing fields, and that the Commission would be excited to have this land, particularly in Parcel 1 for baseball, or having a rectangular field there, as well.

**PLANNING BOARD:** Chairman Stephen Garvin, stated that the Planning Board voted unanimously in support of Article 2, as it meets all the goals and objectives of planning.

**LAND ACQUISITION REVIEW COMMITTEE:** LARC Member, Chris Morley stated that the Committee voted unanimously in support of Article 2.

Resident Charles Russo, 30 Juniper Road, and member of the Conservation Commission stated that he recused himself in the matter, and called himself “the head cheerleader of The Friends of Broadacres Group.” He thanked the Town for considering the preservation of this special property and others like it. He mentioned the reasons to keep the property a preserved town land, with passive recreation all year long. He emphasized that the support for the purchase of Broadacres has been unanimous, and affirmed that this is a one-time chance, and waiting will result in purchase price increasing.

Resident Jan Hardenbergh, of 7 Tippling Rock Road, stated that Broadacres Farm is amazing, and has stood for hundreds of years.

Resident Neil Drawas, of 15 Colonial Road stated that he is in favor of the Broadacres purchase, and asked which group in Town would take ownership and assume the responsibility for development planning. Town Manager Rodrigues replied that each of the three parcels will have different care and custody; with the largest parcel #3 being under the care and custody of the Conservation Commission, and Parcel #1, under the care

and custody of the Board of Selectmen and Town Manager, with Parcel #2 under the care and custody of the Board of Selectmen. Mr. Drawas also asked if the operations and maintenance costs have been taken into account or would those be additional costs, beside the purchase of the land. Ms. Rodrigues responded that those would reflect additional costs, which would have to come before Town Meeting for appropriation. She stressed that the costs presented tonight, are only purchase costs. Mr. Drawas then asked if there were any conceptual plans for the usage of each of the three properties. Town Manager Rodrigues replied that there were no plans for parcels 2 and 3 yet, but there has been some preliminary planning for Parcel 1 with Park and Recreation, which looks like a walking path, a baseball diamond, and a play space; may be included. She added that there has been no consultation with engineers at this time, and Park and Recreation has not made any plans, as yet. Mr. Drawas asked if the current owner would be able to use the property. Town Manager Rodrigues affirmed that the current owner will continue to use Parcel #2, and Parcel #3 until those closings, and will not be using Parcel #1 as of November 16, as the Town will own that parcel. Mr. Drawas stated that the intent for Parcel #2 is for barns and horses. Town Manager Rodrigues replied that it would be used that way, as long as the owner continues to use it.

Resident David Hornstein, of 22 Candy Hill Road, stated that he supported the acquisition, but stated that the language around Parcel #2 dictates a municipal use, which sounded broader than open space, which is what he supports. He asked what the limitations might be, and exemplified the construction of a DPW garage there. He asked what the citizen input would be in the disposition of all the Broadacre parcels. He stated that he wanted to ensure that the property does remain open space. Town Manager Rodrigues responded that Parcel 1 and Parcel 3, will have set restrictions; and authorize those restrictions in the motion. Parcel #1 will have an actual deed restriction for Park and Recreation only. She added that Parcel #3 will be restricted to conservation and open space, and Parcel #2 is much broader because there has not been discussion on what the final use would be, and at this time it reflects a combination of general municipal and open space, active and passive recreation and conservation purposes; any government, or public policy-type purpose, at this point. She added, that in order to build anything on any of these parcels, there would need to be Town Meeting appropriation of funds, thus the control of any future building, or vision; is in the control of Town Meeting.

Resident Jim Idelson, of 96 Morse Road, stated that he is an abutter of Parcel #2 and asked for more detail on the anticipated/potential uses of Parcel #2. Town Moderator stated that question was just answered by Town Manager Rodrigues, to the best of her ability. Town Manager Rodrigues stated that the Board has not had a public discussion about the use of Parcel #2, at all; and there are no plans for Parcel #2 at this time.

Resident Sherrill Cline, of 84 Concord Road, stated that she was the Chair of the Community Preservation Committee and reiterated that the committee voted twice in support of using 50% of the Town's cash reserves for the purchase of Parcel #1, which is a wonderful purchase, and satisfies many needs; both environmental and recreational for the Town.

Resident Chris Thompson, of 178 Horse Pond Road, stated that he was not in opposition; but wondered if the Town was purchasing any liabilities for the existing buildings and associated repairs, and asked if there was anything way to fund the acquisition without

debt. Town Manager Rodrigues stated that the appraisal required that the property be kept in like condition, so that the buildings are kept up; and it is anticipated that they will run between farm and horseback riding classes out of the barn, and that Ms. Haynes, the owner, will continue to live in the home and keep these structures in the condition that they are currently. She stated that at this time, there is not another funding source for this amount of money; and if the town saved money, or decided to alter the funding source in the future, we could come back to Town Meeting to authorize funding, differently. Adding that there is no other funding source, which would be available today, but must authorize the whole project, in order to authorize the agreement. She added that if this proposal fails at Town Meeting, all three parcels would fail at the election.

Resident Neal Drawas, of 15 Colonial Road, stated that he had a procedural question, and that was on Parcel #2, he inquired if there might be a way to amend the article, as such, so that Parcel #2 could be used for municipal purposes, so long as it was restricted to Conservation and Recreational usages.

The Moderator stated that this would be a motion that would be amenable to a motion to amend, if you chose to do something like that, and added that the Selectmen detailed that Parcel #2 is the parcel with the house on it, and to limit it to Conservation, might not work. She added that recreational use, would limit any use for housing, in the effect that the Town wanted to use the house for affordable housing. She told Mr. Drawas that it was in his purview to make a motion to amend, which needs to be in writing, in triplicate, now, because those are the rules. The Town Moderator said that the Hall would wait for Mr. Drawas to take that official action now, and deliver one copy to Mr. Thompson, a copy to herself, and a copy to the Town Clerk.

A point of order was raised by Mr. Tyler. The Town Moderator accepted the point of order and told Mr. Drawas that he did not follow the rules that she clearly laid out, and the Hall was now back to discussion of the article. The Town Moderator stated that the point of order was that she accepted a motion to amend after someone had spoken their opinion, and motions to amend need to come at the beginning and then they are to be discussed; therefore, it was out of order, and she ruled it not to be a proper motion.

Resident Jim Gish, of 35 Rolling Lane, stated that given that there appears to be broad support for the article tonight, which means that much is determined by the Town election; and the Town has seen such articles fail at Town Election. He stated that lack of publicity could contribute to that kind of failure, and suggested some kind of public interest campaign following Town Meeting.

A resident of 6 Bostonian Way stated that she has been riding horses at Broadacres for eight years, and thought it would be important to present a personal point of view; and stressed the importance of keeping the land. The Town Moderator asked Ms. Levine if she was a registered voter. Ms. Levine responded that she was not. At that, the Town Moderator informed Ms. Levine that permission was needed for her to comment further. A vote was taken, and all approved the continuance of Ms. Levine's comments. Ms. Levine stressed that the Farm is a very important part of Sudbury.

Resident Donald Oasis, of 325 Willis Road, made a motion to move the question. The Town Moderator stated that she received a motion to call the question.

The motion was seconded.

The Town Moderator stated that the *motion* to call the question *PASSED BY TWO THIRDS.*

The Moderator stated that a two-thirds vote was needed and that the *motion* for Article 2 *PASSED BY WELL MORE THAN TWO-THIRDS.*

### Article 3. FAIRBANK COMMUNITY CENTER DESIGN FUNDS

Selectman Patricia Brown *moved to appropriate the sum of \$1,900,000, to be expended under the direction of the Permanent Building Committee and the Town Manager, toward the design of a new and/or renovated Community Center and all other appurtenances thereto to be constructed on Town-owned land at the current site of the Fairbank Community Center and Atkinson Pool, 40 Fairbank Road, including professional and engineering services and project management services to implement design development, and borrowing costs including bond and note issue expenses, and all other incidental and related expenses; and as funding for such purposes, to authorize the Treasurer with the approval of the Board of Selectmen to borrow said sum pursuant to M.G.L. c. 44 ss.7 or 8 or any other enabling authority; and further that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c.44, section 20; 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, section 21C.*

The motion was seconded.

Submitted by the Board of Selectmen (Two-thirds vote required, if borrowed)

**BOARD OF SELECTMEN REPORT:** The Fairbank Community Center has been a valuable community resource for over twenty-five years. The Center houses Park and Recreation, the Atkinson Pool, the Senior Center and the administration of the Sudbury Public Schools. The building has a number of issues, including; lack of usable space, leaking roof, failing climate control, and other issues as well.

In 2017, the Fairbank Community Center Task Force retained Pros Consulting to conduct an analysis of the building, report on current conditions, and make recommendations for solutions and future building options. Pros Consulting presented three options, and one of those options was selected by the Fairbank Community Center for further review and design. The proposed building is 62,800 square feet and includes a fitness aspect, Park and Recreation, the Atkinson Pool, Senior Center, a track and a full gymnasium. The full project is estimated to cost approximately \$32,000,000. This initial request is for design development only.

Selectman Brown presented related overhead slides stated that the \$1.9 million being requested is for the design funds for a new Fairbank Community Center. Selectman Brown stated that the Fairbank Center is extensively used, and users of the Fairbank Community Center included:

- \*1,600 seniors at the Senior Center, with 24,000 visits**
- \*9,700 participants in 690 Park and Recreation programs**
- \*72,000 uses of the pool**
- \*1,070 summer campers (includes summer preschool)**
- \*75 kids at other summer programs in the Fairbank, or as a rain location**
- \*40 preschool students**
- \*6,381 voters at Presidential election 2016 (1,177 voters at Town Election)**
- \*343 residents (shelter, March 2018)**

Selectman Brown provided a brief history of Fairbank, and stated that the building opened in 1958, as a school, and when considered a surplus was turned over to the Park and Recreation Department, with the Community Center established in 1983; including the 1987 addition of the Atkinson Pool, and the addition of the Senior Center in 1989. She detailed that a roof study of the building was performed in 2012, and the Town Meeting voted not to repair the roof, but voted to explore alternative options, such as expansion to meet the projected needs of the Town, with the formation of the Fairbank Community Task Force. In 2015 the Fairbank Feasibility study was formed, and in 2016 a Fairbank Community Task Force was re-established, with a second Fairbank Feasibility Study presented in 2017; including a three community surveys, and to come forward with recommendations for a new building. She detailed that following concerns regarding the original design plan, the Selectmen reconstituted the Fairbank Community Task Force, once again.

Selectman Brown highlighted the deficiencies at the Fairbank Center today:

- \*Building failures – leaking roof, drainage and slope, windows in poor condition, exterior wall issues and buckling floors.**
- \*Unsuitable and limited space, making for limited programming and crowdedness.**
- \*Absence of a sufficient generator, with not enough power to light showers, or use in emergency situations.**
- \*Maintenance of the existing building is being deferred, while planning for a new building.**

Selectman Brown stated that the Senior Center has only 4750 square feet of space (1.25 sq. ft. per senior, with 3,815 seniors using the Center. She added that space is a critical aspect on every level: storage space, office space, programming space; and stressed that demographic predictions indicate a growing number in the senior population.

Selectman Brown also reviewed the deficiencies for Park and Recreation at the Fairbank Center, including, inaccessible and aged locker rooms, lack of programming space, lack of spectator space at pool meets, and lack of gymnasium space, which limits summer camp

enrollment.

Selectman Brown explained that based on the current issues, proposals were received by two separate consultants; arriving at a proposed new Fairbank Center with 62,800 square feet and composed of: a full-sized gymnasium, walking/running track, pool and diving well, dedicated Senior space, Dedicated Park and Recreation Space, Shared common space, fitness, indoor play space, kitchen area and preschool. Selectman Brown presented the vision of a new Fairbank Center, utilizing two floors, retaining some of the building.

The total estimated project cost was detailed by Selectman Brown, to be approximately \$32,770,340; she added that the estimated cost would be further flushed out during the schematic design process. She added that plans would need to change to reflect budget capacity, as well as the changing needs of the Town.

Selectman Brown compared the recent Existing Fairbank Operational Cost FY'18; with revenues totaling \$1,317,465 and expenditures at \$1,972,858; reflecting a net income loss of \$655,393. She then presented the Pross consultant's Analysis projects with a new building, with revenues at \$2,978,068, Expenditures estimated at \$3,310,609, reflecting an income loss of \$332,541. She reviewed the components of the estimated Pros Financial Analysis; which increases staff from 10 to 18 employees, increases utilities, capital maintenance, services and goods; assumes membership fees to use the Park and Recreation portions of the facility, reflects a 90% cost recovery, decreasing yearly; and puts forth an aggressive revenue plan, doubling programming to make it successful, and introducing a fitness element in order to sell memberships

Selectman Brown explained that Town Manager had alternative ideas about how they would offset costs associated with operating the new facility. The Town Manager's Plan would eliminate the Fitness Center and concessions, so the equipment and staff would not be present, but the space would remain in the building; and some of the operational factors would be reworked; especially memberships, and would reduce staff from 18 to 14, which is 10 more than currently. She added that the programming proposed would be less aggressive and would maintain a 65% cost recovery, similar to where the Town is now. She further detailed that the Town Manager's proposal would project revenues at \$1,508,515, and expenditures at \$2,319,326; with an annual subsidy of approximately \$810,811, which is about \$150,000 more annually than the Town is currently spending, and would likely require an operating override.

Selectman Brown summarized that the vote tonight is only for the preliminary design documents, which includes a \$1.9 million-dollar bond over 30 years, and voter approval is required in addition to Town Meeting approval. She stated that the preliminary design documents include: getting a clear and final determination of needs, preparing sketches based on the needs and design elements (site plan, floor plans, elevations, schematics), preliminary design costs and a better understanding of operational costs and needs. She reiterated that the next step would be the construction and bidding documents. She added that there is still room for discussion about what the Town wants to build at the Fairbanks

**Community Center.**

**FINANCE COMMITTEE:** Bryan Semple, Chairman of the Finance Committee said that the Finance Committee did not support Article 3 by a vote of one in favor, and seven against. He outlined the reasons for the Finance Committee's opposition to Article 3 as being:

**\*Priority of this project vs. other projects in Town at this time.**

**\*Size of the building – the need to solve the senior center issue first and foremost.**

**\*Discomfort with the original needs assessment study**

**\*Validity of survey data**

**\*Critical land purchases and capital projects given priority over this project.**

**\*Town should not be in the health club/related business.**

**\*No solution for SPS offices**

Chairman Semple stressed that nearly all of the Finance Committee does agree with the financials presented by the Town/Town Manager. He emphasized that Sudbury does not want to get into the health club business, and some of the proposed financials include that aspect, and the Sudbury Public Schools would need a facility, whether it would be built or leased.

**BOARD OF SELECTMEN:** Selectman Brown stated that the Board of Selectmen support Article 3, 4 to 1.

**CIAC (Capital Improvement Advisory Committee):** Tom Travers of the CIAC, stated that CIAC voted against this proposal, 6 to 0. He stated that the CIAC felt that the project, as proposed, is too expensive and the Committee was concerned about the sustainability of the business model, in order to pay for the operating cost of the project. He added that the Committee felt that a reasonable budget limit should be established and should fall within the budget range.

**COUNCIL ON AGING:** Jack Ryan, Member of the Council on Aging and a member of the two Task Force Committees. He said that he was here tonight to address the Hall participants that have parents, and the building that the Town has now will not serve those parents well, with all the failures in the current building. He highlighted that people who use the Senior Center enjoy seminars, talks, the arts, the sciences, and enjoy physical activity, and like a place to socialize. He praised the Senior Center Director and said that she is doing a great job in spite of the existing conditions in the building. Mr. Ryan stressed that addition to a failing physical plant, there is lack of sufficient space to provide for seniors.

Mr. Ryan emphasized that there has been no design to determine exactly what could be done. He asked the Hall to simply consider voting for a design, so the Town can see what could be done, and what it would cost.

**PARK AND RECREATION:** Chairman Robert Beagan stated that the Commission voted unanimously in favor of Article 3, and stated that it would have been a good idea to bring current pictures of the inside of the Fairbank Building to present at this Town Meeting. He added that it was common to see tarps thrown over furnishings in the Fairbank building due to the leaking water. He stated that repair of building was not voted on, because it made sense to get a design and estimate first. He agreed with Mr. Ryan, who stated that the only way to go forward is to address the needs that the Town has at Fairbank, and get the design completed.

Resident John DeMaio, 17 Twillingate Lane, stated that hard choices need to be made, and the Town does not have an unlimited amount of funds; and needs to separate needs from wants. He suggested seeking other ways to provide the resources to the Town.

Resident Neil Drawas, 15 Colonial Road asked about the longevity of the existing facility, under the current planning mode, and how long would the Fairbank building last, without any further capital investment.

Town Manager Rodrigues replied that Capital investment has been delayed since the original vote in 2012. She added that if this article did not pass tonight, then the Town will have to come together as early as Thursday at the Capital Meeting to commence discussion regarding what repairs need to be made immediately, and bring some of those repair votes to the next Town Meeting. Mr. Drawas asked if there was an alternative plan, once the building is no longer usable. Town Manager Rodrigues stated that there is no other place in Town currently, to house these two departments.

Resident Helen Shik, 252 Old Lancaster Road stated that this is the Fairbank Community Center, for the entire community and not just a Senior Center. She stated that she learned to swim a couple of years ago at the Fairbank Center pool, and agreed that it was a horrible facility. She noted that the Town just approved \$5 million for land, and horses; but the Town does not know how much it might cost to build fields and facilities. She added that whatever the Fairbank building might cost, she can't imagine that it could be fixed, when presently it is an unfit building for people to be in. She suggested that there might be ways to economize, such as utilization of solar panels, and other incentives that could lower the construction costs.

Resident Ralph Tyler, 1 Deacon Lane, stated that the voters do know what the project is going to cost, and the cost is \$35 million, and the questions is if the community is ready to spend \$35 million, and that is the question. Mr. Tyler stated that he thought that it would be best to defer this decision until the Town Meeting in December perhaps, and if people want to support the Article for community need, then it should be built; but he advised not to take a vote for \$1.9 million and then think people will pay the \$35 million.

Resident Barbara Clifton, 45 Mill Pond Road, stated that she and her husband moved to Sudbury in 1973 and her children attended Fairbank School; and added that the Town has more seniors per capita than do most neighboring Towns, and stay in Town because there are excellent programs at the Sudbury Senior Center at Fairbank. She added that she was in



**favor of the new Fairbank Community Center.**

**Resident William Schineller, 37 Jarman Road gave a thanks to the Fairbank Task Force and the Council on Aging, who have worked hard on this project; and stated that it comes down to tolerance, and was interested to see that the Selectmen voted four to one in favor, so they must feel a need for a new Fairbank Center. He said that he understood the conservatism of the Finance Committee, as well. He said that he came to the Town Meeting this evening, thinking that he was going to be voting no on Article 3, and considered Broadacre was time sensitive so voted for it; and based on the facts about the Fairbank Center and based on the accelerating construction cost, thinks that Fairbank is time sensitive as well, and should be voted for. Mr. Schineller agreed that Fairbank is not just a Senior Center, and that it is a Community Center as well. He said that he would also understand putting this vote off to the next Town Meeting.**

**Resident Karen Mahoney, 3 Intervale Road stated that she agreed that the Town needs to support a new Fairbank Center and perhaps renovate it, and appreciates what points that FinCom made, and the Town should not be running a health club business.**

**Resident Mara Huston, 578 Peakham Road, stated that she sits on the Park and Recreation Commission and said that Fairbank is not in good shape, and would not last much longer. She maintained that the pool is a great asset, and the seniors will use the space when the kids are at school and their parents are at work; and it is an effective multi-generational place. She added that the whole building is not totally ADA compliant; especially in the locker room. She added that there are many programs that Park and Rec want to offer, but cannot because there is not enough space at Fairbank as it is now. She stressed that a new Fairbank will be an asset for the community.**

**Resident Dianne Hoaglin, 73 Hickory Road stated that if the Town votes to accept this plan for the design; can that plan be decreased, or changed after it has been presented. She asked about modification of the plan. Town Manager Rodrigues answered that the plan could change significantly as the Town moves on to the process of design, and added that size, amenities, and cost; could change as the process advances, with plenty of opportunity for public input.**

**Bryan Semple, Finance Committee, questioned that the decrease in price could not go as low as \$15 to \$20 million. Town Manager Rodrigues stated that she did not know at this time if major change could decrease quite that much.**

**Resident Jennifer Pincus, 24 Blueberry Hill Lane stated that the proposed \$1.9 million for design sounded more like an estimate for design development, and wanted to know how much total design cost is expected to be, from conceptual design through construction document; and how that measures for the standard for a percentage of construction cost. Town Manager Rodrigues replied that as a rule of thumb, the Towns thinks that the design and engineering costs is approximately 10% of the total project; and the \$1.9 million being sought today are for design document only, and there would be additional funds that would be appropriated at future Town Meeting for construction document, bidding document, and**

further construction administration; such as site survey, hazardous materials determination, geotechnical engineering, borings, traffic and parking consultant work, and a new cost estimate would have to be done, OPM (Owner's Project Manager) under 30B for a project over \$1 million; which cost approximately \$12,000 per month. She added that more work would be done regarding schematic design, and how to program the building. Town Manager Rodrigues stated that the total cost of those construction documents is \$4 million, including the OPM cost.

Resident Chris Menge, 9 Fern Trail queried that we are voting on \$1.9 million, because he saw that the first overhead slide presented, showed \$10,900,000. Town Moderator put that slide up on the overhead, which displayed the \$1.9 million-dollar sum. Mr. Menge apologized for his mistake.

Resident Raymond Schmidt-Gross stated that people in the Town are seeking slimmer, mega expenditures, and no one disagrees about the need for a senior center and community center, but need to do it at costs that the Town can accept. He said that \$35 million is not within his means. He suggested a renovation or a smaller design.

The Moderator noted that a two-thirds vote was needed and that the *motion* for Article 3 **FAILED**.

#### **ARTICLE 4. DISSOLUTION OF THE COMMITTEE FOR THE PRESERVATION AND MANAGEMENT OF TOWN DOCUMENTS**

To see if the Town will vote to dissolve the Committee for the Preservation and Management of Town Documents, formerly the Committee for the Preservation of Ancient Documents adopted under Article 36 of the October 26, 1956 Special Town Meeting, and last amended under Art.25 of the April 3, 1993 Annual Town Meeting.

Submitted by the Board of Selectmen (Majority vote required)

Selectman Dretler *moved to approve the dissolution of the Committee for the Preservation and Management of Town Documents.*

The motion was seconded.

Sudbury resident William Stevenson, 135 Greystone Lane asked if there were any non-digitized historic documents which would need to be archived before the dissolution of this Committee.

Town Clerk Rosemary Harvell responded by saying that the dissolution of the Committee does not discontinue or pause digitalizing the records, as this is an ongoing project, handled by the Town Clerk's office.

The Moderator noted that a majority vote was needed and that the *motion* for Article 4 **PASSED UNANIMOUSLY**.

**Article 5 – 420 LINCOLN ROAD FUNDING**

To see if the Town will vote to transfer from Lincoln Sudbury Regional High School’s Excess and Deficiency account, its proportionate share of \$350,000 or any other sum, to be expended under the direction of the Lincoln Sudbury School Committee for the purpose of renovating the building at 420 Lincoln Road for educational purposes.

Selectman Carty *moved to indefinitely postpone Article 5.*

The motion was seconded.

Submitted by the Board of Selectmen (Majority vote required)

Town Manager Rodrigues stated that the Article was being postponed because the Board of Selectmen previously allowed the Lincoln-Sudbury School Committee to appropriate these funds; and the appropriation no long needs Town approval.

**FINANCE COMMITTEE REPORT:** Chairman Semple stated that the Committee unanimously supports indefinite postponement.

**BOARD OF SELECTMEN REPORT:** Selectmen Carty stated that the Board unanimously supports indefinite postponement.

The Moderator noted that a majority vote was needed and that the *motion* for Article 5 **PASSED UNANIMOUSLY.**

**Article 6 – ACCEPT GENERAL LAW REGULATING SPEED LIMITS**

To see if the Town will vote to accept the provisions of G.L. c.90, §17C, which allows the Board of Selectmen to establish a speed limit of 25 miles per hour in any thickly settled or business district in the Town that is not a state highway, or take any other action relative thereto.

Submitted by the Chief of Police (Majority vote required)

Board of Selectmen’s Chairman Haarde *moved* in the words of the Article.

The motion was seconded.

Chief of Police, Scott Nix explained how speed limits are derived:

\*Under Chapter 90 section 18, speed limits are established via MassDOT Procedures for Speed Zoning, which includes submittal of a speed study; with the speed limit established at the 85<sup>th</sup> percentile of the speed resulting from the study.

Or:

\*Chapter 90 section 17 establishes statutory speed limits for those not already posted.

Chief Nix pointed out the parts of Town that have posted speed signage under Chapter 90, section 18. He added that these signs would not change, unless the Town wanted to perform another speed study. Chief Nix stated that he often recommended against speed studies because those signs must be posted, and might result speeding limits higher than they were previous to the mandatory speed study. He added that once that 30 mph speed sign is posted, drivers might build a higher tolerance, and exceed the 30-mph speed posting.

Chief Nix detailed the statutory speed limits under Ch. 90, section 17, including: the speed limit highlighted in the Article, which is the 30-mph posting in thickly settled or businesses districts. He went on and displayed the MGL c.90, section one of the law as, “the territory contiguous to any way which is built up with structures devoted to business, or the territory contiguous to any way where dwelling houses are situated at such distances as will average less than two hundred feet between them for a distance of a quarter of a mile or over.” He said that the emphasis with the article is controlled speeds in neighborhoods, side streets, as 30 mph with pedestrians, is not slow. For that reason, Chief Nix stated that the request involves changing the speed in those areas to 25 mph.

Chief Nix stated that adoption of the bylaw allows the Board of Selectmen to reduce the statutory speed limit in thickly settled or business districts from 30 mph to 25 mph. He added that this change can be done town-wide or on a street by street basis, and said that MassDOT recommends town-wide adoption; which Chief Nix agreed with. Chief Nix emphasized that although traffic volume may remain an issue, with reduced statutory speed limit, he hopes to improve safety. He added that the department wants to educate and be proactive, not to be punitive with a citing process. Chief Nix noted that if the Article were to pass, the next steps towards implementation would include the Board of Selectmen voting whether to implement the Article; and to what extent, recommendation for town-wide implementation, and education of motorists via social media, website, news outlets and posting of ingresses when coming into Town.

**FINANCE COMMITTEE:** Chairman Semple stated that the Finance Committee takes no motion on this Article.

**BOARD OF SELECTMEN:** Chairman Haarde stated that the Board of Selectmen unanimously supports the Article.

Sudbury resident, Marie Rock, 26 Whispering Pine Road, stated that Whispering Pine Road, is just off of Peakham Road, and thought that Peakham Road had three different speed signs of 25mph and 35 mph; and she noted that many drivers regard those signs as speed minimums; not speed maximums. She said that she liked to cycle and use the Senior Center, stated that she has been driven off the road by people going 40 mph, in a 25-mph zone. She maintained that she fully supported the Article.

Sudbury resident, Hank Sorett, 58 Longfellow Road, stated that he opposed this Article, and he said that he tried driving 25 mph coming to the Town Meeting; and a line of cars behind him were very impatient. He maintained that people drive reasonably in

Town, for the most part and more cautiously when children are coming out of school; and added that at 10 p.m., a 25-mph speed limit makes no sense. He said that the only segments who would benefit would be the insurance companies and the Town with getting revenue from speeding tickets.

Sudbury resident, Daniel Reich, 28 Normandy Drive, asked what percentage of tickets/warning issued were less than five miles over the speed limit, and how many were five+ miles over the speed limit. He suggested stronger enforcement, rather than changing of the speed limits. Chief Nix replied that most of the citations written are warnings, and said that he has never written a ticket for speeds five mph and under. He stressed that the intent here is not to raise money, but to educate, which is his preference.

Sudbury resident, William Miniscalco, 126 Hemlock Road, stated that if the Town is concerned about pedestrian safety, the better thing to do is to construct sidewalks; in order to keep pedestrians off the road.

Sudbury resident, Steve Stollerman, 10 Codman Drive, asked about people talking and driving while on their cell phones, and wanted to know what was being done in regard to those offenses. Chief Nix responded that these people texting and using cell phones while driving; are being given citations, and are especially monitoring for this on Rte. 20 as it is very easy to detect.

Sudbury resident, John Dowd, 27 Magnolia Road, moved the question.

The motion was seconded.

The Moderator noted that a two-thirds vote was needed to call the question, which **PASSED BY WELL MORE THAN TWO-THIRDS.**

The Moderator noted that a majority vote was needed and that the *motion* for Article 6 **PASSED BY A MAJORITY.**

The Hall requested a recount.

The Moderator called for a repeat of the vote, which **PASSED BY A MAJORITY.**

#### **ARTICLE 7. BRUCE FREEMAN RAIL TRAIL DESIGN FUNDING**

To see if the Town will vote to raise and appropriate, or transfer from available funds, \$650,000, or any other sum, to be expended under the direction of the Town Manager for the purpose of advancing the ongoing design of the 4.4-mile Bruce Freeman Rail Trail to Massachusetts Department of Transportation standards, or act on anything relative thereto.

Submitted by Petition

(Majority vote required)

Selectman Carty *moved in the words of the petition article with the sum of \$650,000 to be transferred from Free Cash, to be expended under the direction of the Town Manager for the*

*purpose of advancing the ongoing design of the 4.4-mile Bruce Freeman Rail Trail to Massachusetts Department of Transportation standards.*

The motion was seconded.

Mr. Simon, 40 Meadowbrook Circle, presented the benefits of promoting the completion of the Bruce Freeman Rail Trail, including: the promotion of health and fitness, accessibility to schools, athletic fields/parks; safety and accessibility for all ages of walkers (with dogs also), runners, cyclists in Town; while maintaining ADA compliance. He added that the Rail Trail would provide better access to shops and restaurants; and would be emergency vehicle assessable.

Mr. Simon stated that the Bruce Freeman Rail Trail has been working in Chelmsford for approximately nine years. By referring to a Bruce Freeman Rail Trail map, Selectman Simon pointed out that the Chelmsford and Westford part of the Trail was completed in 2009; that the Carlisle and Acton section of the Trail was completed in May of 2018, the Concord section is slated for completion in Spring of 2019; and the Sudbury section will be the next section to complete, with design in progress for the last three years. He further informed that construction funding is slated for 2022, and the Town has been given notice of that from the MPO (Metropolitan Planning Organization; with funding of almost 10 million dollars. He emphasized that all will be paid with state and federal funding, and all Town Boards are in favor of going forward with the project.

Mr. Simon outlined the design and construction costs for the Bruce Freeman Rail Trail project, in two part:

#### DESIGN

Sudbury is responsible for cost of design:	\$1,190,000
Spent plus in progress (contracted)	= \$540,000
Balance needed to complete design	= \$650,000*

#### CONSTRUCTION

State and federal funds will pay 100% construction costs

100% Construction funding has been secured: \$9,684,778

Cost of construction to Sudbury: \$0

\*At article submission, \$650,000 was the estimate. The updated estimate is \$658,000. \$8K can come from town budget.

Mr. Simon acknowledged the great efforts of the Planning Department in getting the needed approval from MPO, so that construction funding could be secured from the state and federal governments, as done with the other sections of the Bruce Freeman Rail Trail.

Selectman Simon added that the Town has waited a long time for the Trail, and affirmed that the Town must appropriate funds now, and stated that Town Staff recommends one final contract to complete the design, saving Sudbury time and money.

**FINANCE COMMITTEE:** Chairman Semple stated that this article was a citizen's petition and the Finance Committee does not support the Article; with 1 member in favor, 5 against, and 2 abstaining. He presented the FY19 Free Cash projection, and affirmed that the Finance Committee likes to have 5% of Free Cash funds retained at all times, and added that the Town had \$1,320,478 to spend at this meeting, and if the \$650,000 is allocated at this meeting, then the Town is left with only \$670,000 to fund anything else on Spring Town Meeting. Chairman Semple mentioned that there is some discussion regarding an amendment of funding \$100,000 at this Town Meeting, which would help keep the project funded until Spring Town Meeting; he added that the Committee supported the amendment to the Article.

**BOARD OF SELECTMEN:** Selectman Carty stated that the Board of Selectmen fail to support this Article; with a vote of 2 in favor and 3 opposed.

**CIAC:** Chairman of CIAC, Tom Travers stated that CIAC unanimously supported the Article; 6 to 0.

**PARK AND RECREATION:** Chairman Robert Beagan stated that the Commission unanimously supported the Article, with two members unable to vote because they were abutters to the Rail Trail.

The Moderator introduced Ms. Susan Berry, who was presenting as an individual and not a member of the Finance Committee, to make a motion to amend Article 7; which the Hall will debate.

Resident, Susan Berry, 4 Dawson Drive, moved to amend the motion as follows:

*Move to amend Article 7 and appropriate the sum of \$100,000 to be expended under the direction of the Town Manager exclusively for the purpose of completing the design of the Sudbury portion of the Bruce Freeman Rail Trail (Concord Town line to crossing at MBTA/MCRT east-west tracks located in the vicinity of 37 Union Avenue, Sudbury); such sum to be transferred from Free Cash. Funds are to be expended on a design contract signed prior to Spring 2019 Town Meeting; any unencumbered funds as of that date to be returned to the General Fund.*

The motion was seconded.

Ms. Berry stated that she and Mr. Carty, as an individual, not as Selectmen; worked together on the amendment to Article 7, and would share in the presentation.

Mr. Carty stated that he was presenting the amendment to Article 7, as a citizen, and was also the former vice-chair of the Bruce Freeman Rail Trail Design Task Force. He stated that

there is much support for the Article, but there is concern regarding taking \$650,000 out of Free Cash; adding that the Article can go forward in a more fiscally responsible manner. He went on to example that Sudbury Public Schools are utilizing a time-bound, “smart approach,” to address certain projects; and this amendment advocates that same method. Mr. Carty maintained that if the Town allocates \$100,000 now, with a fixed time-line the project will move forward in a planned manner.

Mr. Carty maintained that the Town does not want to deplete the Free Cash Fund, and it is most important to maintain the AAA bond rating; which will help to fund projects such as Broadacres Farm and Camp Sewataro; in addition to anticipated purchase of firetrucks and sewer systems. He detailed that if \$650,000 is taken out of Free Cash at this meeting, Free Cash would be cut in half when going into Spring Town Meeting. Mr. Carty stated that Selectmen Simon did not mention that the design project includes three phases; 25%, 75%, and 100%. He suggested that the next allocation under the amended article, would reflect additional funding in March or at May Town Meeting; adding that the Town is approximately \$90,000 short of what will be needed for the 75% completion phase.

Mr. Carty detailed that the Sudbury Financial Director, Dennis Keohane, has prepared an itemized 5-year expense plan; displaying many assets to support; with not so much added funding; and the Town relies on Free Cash to cover these necessary expenditures; such as urgent maintenance, risk mitigation, enhancements, new/substantially remodeled facilities, and open space. He detailed that Free Cash expenditures are already totaling \$1,415,000 for FY20, to address the areas of public safety, schools, recreation, and DPW; and asserted that the Town would have to either raise taxes, or postpone until later.

In summation, Mr. Carty stated that the amendment to Article 7, would move the rail trail design forward, without interruption and would address concerns about a substantial depletion of Free Cash, at this point in the year.

Sudbury resident, Ralph Tyler, 1 Deacon Lane, urged for defeat of the amendment, and stated that there may be other ways for the Town to supplement the Free Cash Fund.

Sudbury resident, Robert Schless, 43 Mary Catherine Lane, said that he wanted to hear from Mr. Simon, who has been working so diligently on the Rail Trail project.

Mr. Simon agreed about the necessity to defeat the proposed amendment to Article 7, and the project is already years behind, and that he felt that this amendment was a sure way to kill the progress of the Bruce Freeman Rail Trail. He added that it would not be feasible to complete the remainder of the \$650,000 design funding by May Town Meeting, because RFPs would be implemented, with much additional work for Town staff.

Sudbury resident, Joseph Paster, 48 Phillips Road, stated that he would vote against the amendment; and added that there has been action, committees, Town funding spent on the Rail Trail for the past six years, and the investment of \$650,000 tonight, would provide a return of \$10 million for the Town, with state and federal funding for completion of the Trail.



Sudbury resident, Louis Arnold, 11 Hadley Road, asserted that he has been a Sudbury resident for 45 years; has been advocating for the Rail Trail for the last ten years, and votes to appropriate the \$650,000 tonight. He stated that he and his wife are cyclists and want to bike on the trail, so they can ride on it in their lifetime.

Sudbury resident, Lisa Gutch, 64 Silver Hill Road, stated that she was speaking as a resident and not as a member of the Finance Committee, stating that if a vote is passed in favor of the amendment; the Town may be putting off the completion of the Rail Trail, indefinitely; because other projects may then take precedence over the Rail Trail.

Sudbury resident, Lana Szwarc, 72 Maynard Road, stated that the presented amendment, was an example of stalling.

Sudbury resident, Richard Williamson, 21 Pendleton Road, provided a detailed chronology of his life and the life of the proposed Rail Trail. He stated that he came to Sudbury 41 years ago, and reflected on the slow progression of the Rail Trail since 1988, and hoped that he would be able to use the Trail in his lifetime.

Sudbury resident, Suzanne Cushing, 34 Minebrook Road, moved to call the question to vote on the amendment.

The motion was seconded. Where is vote on motion to call the question?

The Moderator referred to the amendment, noting that a two-thirds vote was needed for this amendment, and that the AMENDMENT FAILED.

Mr. Ralph Tyler motioned to call the question to vote on Article 7.

The motion was seconded.

#### MOTION TO CALL THE QUESTION VOTE?

Sudbury resident, Daniel DePompei, 35 Haynes Road, stated that he was not against the Rail Trail, was an abutter to the proposed Trail, and was a member of the national Trails to Trail Conservancies for 24 years; adding that it was not apparent to him that the \$650,000 would cover the design completion phase as well as mitigation costs for loss of wetland values and functions, as determined by Sudbury's Conservation Commission. He asked Town Manager if the \$650,000 allocation would include the associated costs mentioned.

Town Manager Rodrigues responded that the \$650,000 was for the design only, and did not cover replication/mitigation, or any type of environmental/conservation fixes.

Mr. DePompei detailed that in order to receive state and federal construction funding, the bylaws for wetlands compliance must be followed, and the Selectmen must comply with the MassDOT requirements, adding that 35 years ago, under the home rule charter, Sudbury declared all wetland resources as valuable, desirable community assets. He emphasized that for these reasons, the \$650,000 funding; will not cover the costs involved in mitigation and replication for loss of wetland values and function.

Sudbury resident, Steve Lanzendorf, 43 Hawes Road, stated that Article 7 appeared to be fiscally irresponsible, and that he had concerns that the \$650,000 allocated tonight, would not be the end of funding; and felt that there was merit to the rejection by the Finance Committee, as well as, the Board of Selectmen.

The Moderator noted that a majority vote was needed and that the *motion* for Article 7 *PASSED BY WELL MORE THAN A MAJORITY.*

#### ARTICLE 8. TAX RATES FOR ABOVE-GROUND POLES AND WIRES

To see if the Town will vote to request that the Assessor's Office petition the Department of Revenue to allow the Town to separately classify underground personal property versus above-ground personal property owned by Utility Corporations or Telephone and Telegraph Companies, and enable the Town to adopt an 'above-ground factor' and a 'grandfathered above-ground factor' used to determine the percentages of the local tax levy to be borne by each class of real and personal property, such that the tax rate for above-ground personal property owned by Utility Corporations or Telephone and Telegraph Companies may be greater than or equal to the Commercial tax rate.

Submitted by Petitioner

(Majority vote required)

Selectman Janie Dretler *moved in the words of the article:*

The motion was seconded.

Petitioner, and Sudbury resident, William Schineller, 37 Jarman Road, stated that the purpose of the Article was to discourage new overhead wires, and encourage utilities to put existing wires underground, by accounting separately for overhead and underground infrastructure within a municipality, and enable utilization of tax rates to reflect policy preferences.

Mr. Schineller stated that Eversource and other utility providers have customers throughout New England in an endless and costly cycle, and poles and overhead wires are by far, the most common cause of power and cable outages, especially in consideration of storms. He asserted that utility customers pay the price for an aging infrastructure, and additional charges on bills, in order to string up new lines and repair them repeatedly, when storms continue to knock them down; necessitating repairs that take days/weeks to provide service to customers without power, frozen pipes, night at hotels, missed work and school. In addition to the safety aspect, Mr. Schineller stated that the poles and wires detract from the visual landscape; reducing residential home values, and making business districts less attractive and efficient.

With overhead Boston Globe illustrations from March 2018 storm depicted the devastating pictures from Sudbury displaying the safety aspect with down lines, which affected some 75% of the Town. Mr. Schineller then explained some tax options/levying aspects for the Town.

**FINANCE COMMITTEE:** Chairman Semple stated that the Finance Committee takes no position on the Article.

**BOARD OF SELECTMEN:** Selectman Dretler stated that the Board of Selectmen supported the Article, voting 3 for, one no, and one abstain.

Sudbury resident Raymond Schmidt-Gross, 298 Maynard Road, asked how much research had been done with this aspect, and is the act in force anywhere else.

Mr. Schineller responded that there has not been a deep analysis of this topic, as yet; and believed that this was the beginning of a long process, and advocated that Sudbury could be a pioneer in efforts to change the status quo. He emphasized that this Article was non-binding; and would be a means to start a dialogue.

Sudbury resident Kristen Roopenian, 45 Harness Lane, stated that the Town does require underground wiring for any new subdivision, and asked about any other benefits to the Town.

Mr. Schineller responded that the primary benefits are costs, safety related aspects with frequent outages; lost work, school days, and associated public health concerns.

Sudbury resident Heidi Unger-Dowd asked if such a program had been implemented anywhere else.

Mr. Schineller replied in the negative, and added that he speaks with many other consumer groups, throughout the country, as well as, in Massachusetts; and the common thread (even in gubernatorial debates) is how to change the status quo, with Sudbury being ground zero for this overhead issue.

Sudbury resident Gerald Kimber White, 19 Hunt Road, asked about telephone lines and wireless services in Town.

Mr. Schineller responded that the goal is to get those utility wires overhead as well as telephone; and underground utilization, would make for more resiliency. He detailed that the question of cell towers is a different one, and that classes could be defined so that a tower could be a single vertical point, as opposed to aerial extending.

The Moderator noted that a majority vote was needed, and that the *motion* for Article 8 **PASSED BY A MAJORITY.**

**The Moderator noted that a majority vote was needed to dissolve Town Meeting, and that the motion was PASSED UNANIMOUSLY.**

**The October 15, 2018 Special Town Meeting was dissolved at 11:16 p.m.**

## SUDBURY SPECIAL TOWN MEETING

DECEMBER 11, 2018

Pursuant to a Warrant issued by the Board of Selectmen and a quorum being present, Elizabeth Quirk, the Town Moderator, called the meeting to order at 7:31 p.m., at the Lincoln-Sudbury Regional High School Auditorium. Ms. Quirk introduced the LS Singing group, Accent Acapella, to sing the National Anthem, and Bret Sorbo; leading with The Pledge of Allegiance.

The Moderator said that she examined and found in order, the Call of the Meeting and the Officer's Return of Service; and confirmed the timely delivery of the Warrant to residents. She announced that the certified Free Cash, according to Town Accountant Christine Nihan, was \$1,362,070.

Upon a motion, which was seconded, it was VOTED UNANIMOUSLY to dispense with the Reading of the Call of the Meeting, and the Officer's Return of Service Notice, and the reading of the individual Articles of the Warrant.

The Moderator detailed that due to the great Town Meeting turnout, David Pendleton, Robert Coe and George Connor are being voted to act as assistant moderators in the other Hall areas. Upon a motion, which was seconded, the Moderator declared that it was VOTED UNANIMOUSLY to appoint David Pendleton, Robert Coe and George Connor; as Assistant Town Moderators for the Special December 11, 2018 Town Meeting.

The Moderator introduced various Town Officials and Town staff members, who were present in the Hall. She introduced members of the Police Department; LT. John Perodeau, Sgt. Erin Corey, Patrolmen Timothy DaSilva, Patrolman Zackary Shay, Patrolman Victoria Wagner, Patrolman Patrick Motuzas, Special Officer John Longo, and Special Officer George Taylor.

The Moderator reviewed the location of the fire exits, and mentioned that extra warrants and handouts were available. The Moderator thanked the Boy Scouts from Troop 63, led by Scout Master John Rotondo; with scouts - Andrew Mosey, Casey Tupta, Thomas Eppich, Oliver Veland, Andrew Simon, and from Boy Scout Troop 61, led by Kim Darcy: Scouts: Ryan Orenzky, Sam Orkoff, Zao Ming, and William Maloney. Town Moderator announced that refreshments would be sold by Girl Scouts from Troop 65-254; Elizabeth Huettig, Bree Tuxbury, Adele Stetmen, Nea Drisco, Kaleigh Gothie, Alley Harden; led by their parents – Shirley Huettig, Jan Tuxbury, Corma Stetman, Lynn Drisco and Maddie Gothie.

The Moderator also thanked the staff and volunteers of SudburyTV and the staff at LSRHS for their work.

The Moderator reviewed procedures for the Annual Town Meeting; saying that every matter that is voted on at Town Meeting, must come in the form of a motion, and the Warrant Articles themselves, are not self-starting. She stated that a motion may be made to “move in the words of the Article,” unless a presenter moves in the words of the article, exactly as it is printed in the Warrant; he or she, must explain to the hall, the changes in

the motion, and how it differs from the words that appear on the Warrant. The Moderator added that all motions of substance, including main motions, and motions to amend; must be delivered to her, to the Town Clerk, and to Mr. Thompson, the technology administrator; in writing, before they are made. She explained to the Hall, that any motions to amend; can only be made when someone is first recognized, and not in the midst of, or at the end of remarks given.

Town Moderator Quirk stated that she would not entertain any motions to amend, which do not strictly adhere to these parameters. She added that if anyone wishes to speak during debate, cards must be raised. She stressed that it is more difficult tonight, as she is managing debate in two extra overflow rooms. She added that people in the cafeteria, could only watch what is going on in the Hall, but those folks are invited to speak, but they would have to come into one of the other spaces to do so.

The Town Moderator explained the coordination process, with the assisting moderators, in the other rooms. Town Moderator stressed that only registered voters of Sudbury, non-resident Sudbury employees, or elected State officials, may speak without leave of the hall. She provided instructions regarding the microphone, and identification when speaking, and added that a scout will deliver a microphone to speakers, with standing microphones available in the other rooms. She reminded that those residents wanting to speak, had to provide their names and addresses, for the record. She further informed that according to the bylaws, presenters of articles, may speak for a maximum of ten minutes, and all other speakers; for a maximum of five minutes; unless additional time is granted by the Hall. The Moderator said that she asked Leila Frank to monitor the time of all the speakers.

The Moderator detailed the procedures involved with “calling a question” and voting; emphasizing the quorum necessary for an article to pass. She stated that she would next count the vote, and announce the result; and added that if a vote is too close for her to call, she would call for a counted vote; given the substantial amount of time it takes to do a count in this manner, and asked that such a procedure not be requested, unless miscalculation is certain.

The Town Moderator affirmed that because of the number of votes at this meeting, paper ballots would be utilized, if necessary. She stressed that a healthy respect for both sides of an argument is essential for acting in the best interest of the Town. She added that she would not allow clapping, hissing or booing or other audible noise, for or against any speakers; either before, during, or after presentations. She emphasized that it was within her powers as Moderator to terminate the right to speak of anyone who makes disrespectful comments; whether directed at a voter, a speaker, or a Town official.

The Moderator stated that there had to be a vote in order to change the order of Articles presented.

There was a *motion* to Change the Order of the Articles.

The motion was seconded.

The Moderator received stated votes from each of the four rooms of voters as follows:

Auditorium – Motion passed by well more than four-fifths  
Black box – Motion passed unanimously  
Lecture Hall – Motion passed by well more than four-fifths  
Cafeteria – Motion passed unanimously

The Moderator stated that a four-fifths vote was required, and that the motion **PASSED BY WELL MORE THAN FOUR-FIFTHS.**

The Moderator stated that the intent was to present a motion to consolidate debate, and vote on the motions under Article 1 through 4, and 6. She added that this consolidation amendment, would allow the Hall to fully debate these related motions at one time, as well as, providing a broader discussion regarding the pros and cons of the development project. The Town Moderator maintained that this would not foreclose the making of motions to amend any of the main motions. She asked for a motion to consolidate debate, and to conduct a single vote on the motions under Articles 1 through 4, and 6.

The motion was moved, and seconded.

The Moderator stated that the consolidation of debate would require a majority vote.

Sudbury resident Joyce Fantasia, 15 Willard Grant Road, stated that she wanted to know if the voters would be voting on each article separately; or just voting on the group of articles, with one vote. Town Moderator responded that one vote would be taken for Articles 1 through 4, and 6.

A motion to consolidate debate and conduct a single vote on the motions under Articles 1 through 4, and 6 was made and seconded.

The Moderator stated that a majority vote was needed for this motion.

Auditorium – Motion passed by well more than a majority  
Black box – Motion passed by well more than a majority  
Lecture Hall – Motion passed by well more than a majority  
Cafeteria – Motion passed by well more than a majority

The Moderator stated that the motion for consolidation of Articles 1- 4 with Article 6, **PASSED BY WELL MORE THAN A MAJORITY.**

## **ARTICLE 1 – AMEND ZONING: NORTH ROAD RESIDENTIAL OVERLAY DISTRICT**

Planning Board Chairman Stephen Garvin *moved to amend the Zoning Bylaw, Article IX, by inserting a new Section 4700A, The North Road Residential Overlay District, in the form set forth in the Handout entitled, “4700A. North Road Residential Overlay District”; and further to amend the Zoning Map to add the North Road Residential Overlay District, which shall be coextensive with the existing Research District;*

*and further that the Town Clerk be authorized to make changes to the numbering of this Bylaw only for the purpose of ensuring consistency with the numbering format of the Zoning Bylaw.*

The motion was seconded.

The Moderator explained that ordinarily there would be a presentation after each Article, but with the approved consolidation there will be one presentation after going through each article. Town Moderator Quirk detailed that she would also ask the Town Boards and Committees to present their views on the articles.

**ARTICLE 2 – AMEND ZONING: MELONE SMART GROWTH OVERLAY DISTRICT**

To see if the Town will vote to amend the Zoning Bylaw, Article IX, by inserting a new Section 4700B, The Melone Smart Growth Overlay District, and to amend the Zoning Map as shown on a plan entitled “Melone Smart Growth Overlay District”, dated November 13, 2018; or act on anything relative thereto.

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

Selectman Daniel Carty *moved to indefinitely postpone Article 2.*

The motion was seconded.

**ARTICLE 3 – MASTER PLAN QUARRY NORTH**

Planning Board Chairman Stephen Garvin *moved that the town vote to approve the Master Development Plan submitted by Quarry North Road LLC, for a redevelopment plan proposing up to 2,500 square feet of commercial space and 173 units of market rate housing, including 80 units of age-restricted, active adult housing, and related infrastructure and amenities, within the North Road Residential Overlay District, at the Melone property on Route 117, North Road, as shown on a plan entitled, “Master Development Plan,” prepared for Quarry North Road LLC by Stantec, dated November 30, 2018.*

Submitted by the Planning Board (Two-thirds vote required)

The motion was seconded.

**ARTICLE 4 – DISPOSITION OF THE MELONE PROPERTY**

To see if the Town will vote to transfer from the board or officer with custody of the land to the Board of Selectmen for the purpose of conveyance, and authorize the Board of Selectmen to convey some or all of the town-owned land commonly known as the Melone property, located off North Road and currently the site of the Town’s gravel pit, and shown as Assessors’ Map C12, Parcel 0100 and Concord Parcel 3419, on such terms and conditions as may be established by the Board Selectmen to Quarry North Road LLC, said real estate disposition to be made in compliance with General Law Chapter 30B to the



extent applicable, and further to authorize the Board of Selectmen and other Town Officials to execute instruments and take all other actions as may be necessary to effectuate the vote to be taken hereunder; or act on anything relative thereto.

Submitted by the Board of Selectmen

(Two-thirds vote required)

*Chairman of the Board of Selectmen, Robert Haarde moved in the words of the article, conveying approximately 36.7+/- a. of land in Sudbury and Concord, excluding the approximately 9.9 a. +/- of land previously designated for conservation purposes pursuant to the vote under Article 10 of the April 7, 1998 Annual Town Meeting.*

The motion was seconded.

#### **ARTICLE 6 – ACQUISITION OF TOWN CENTER LAND**

To see if the Town will vote to authorize the Board of Selectmen to acquire, by gift, purchase, eminent domain, exchange of real property or otherwise the fee or lesser interest in all or a part of the land shown as Parcel 1B, Parcel 2A, Parcel 2B, Parcel 3B on a plan of land entitled “Definitive Plan of Peter’s Way Extension – Plan of Land in Sudbury, Massachusetts, Sheet 1 of 1, dated January 24, 2011, revised June 15, 2012, prepared by Sullivan, Connors and associates of Sudbury, Massachusetts, said plan recorded with the Middlesex South Registry of Deeds as Plan 907 of 2012 and an easement for Peter’s Way as shown on said plan for all purposes for which a public way may be used, and an easement between Hudson Road and said Parcel 2A; and the land shown as Parcel 3, consisting of 35,687 square feet, on a Plan of Land in Sudbury, Massachusetts, dated March 21, 1972, said plan recorded with the Middlesex South Registry of Deeds in Book 12188, Page 426; and the land shown as Parcel A, consisting of 21,320.29 square feet on a plan entitled “Plan of Land in Sudbury, Mass. Dated June 21, 2000, said plan recorded with the Middlesex South Registry of Deeds in Book 31702, Page 521; and the land shown as Parcel C on a plan entitled “Definitive Plan of ‘Howe Estates’ subdivision of land in Sudbury, Mass.” dated August 30, 1993, said plan recorded with the Middlesex South Registry of Deeds as Plan No. 321 of 1994 together with an easement providing access thereto, comprising a total of approximately 39.92 +/- acres, including all easements and rights appurtenant thereto and the buildings and improvements thereon, if any, for general municipal purposes; and further to authorize the Board of Selectmen to execute all instruments, including land development, land disposition or other agreements, deeds, easements, and such other documents, upon such terms and conditions as the Selectmen deem appropriate, and take all other action as may be necessary to effectuate the vote taken hereunder, or take any other action relative thereto.

Submitted by the Board of Selectmen

(Two-thirds vote required)

Selectwoman Patricia Brown, *moved in the words of the article.*

The motion was seconded.

The Town Moderator recognized Town Manager, Melissa Murphy Rodrigues; and stated that before Town Manager Rodrigues would make her presentation, a vote would have to be taken to determine if she could go over the 10 minute time allotment, to 30 minutes.

The motion was seconded.

Auditorium – Motion passed by majority

Black box – Motion failed

Lecture Hall – Motion failed

Cafeteria – Motion failed

The Moderator stated that the *motion FAILED*.

Town Manager Rodrigues presented background information and stated that the Melone property is a 46.6-acre parcel located on Route 117, at 10 North Road, of which 16.4 acres of the property are located in the Town of Concord and 9.9 acres are conservation land. Of the 46.6 acres, the Town is proposing to sell the 36.7-acre gravel pit and will retain the 9.9 acres of conservation land. The Town purchased this property in 1992 and operated a gravel operation on the parcel since the 1990s. Estimates from the Department of Public Works indicate that nearly all the gravel has been removed from the parcel.

Town manager Rodrigues displayed the maps depicting the Melone location, parcels, and site plan of conditions. Ms. Rodrigues stated that Sudbury Station is a 40B development proposed for a 39.87-acre parcel of land off Concord Road behind Mount Pleasant Cemetery, and that the proposal is for the construction of 250 rental units, a clubhouse and associated infrastructure. She added that ZBA awarded a comprehensive permit to the Development for 30 units. The Developer appealed this award to the Housing Appeals Committee (HAC) at the state level, and that the town is defending that appeal, and arguing the local concerns should outweigh the need for affordable housing. She further explained that the Town is arguing at HAC that local concerns at this location, outweigh the Town's need for affordable housing. She further stated, that since 2010, only 43 cases have been decided at the HAC; 32 of those cases were won by the developer, and six of those cases involved such local concerns; and the HAC found that the need for affordable housing outweighed local concerns. She stated that five cases were won by a municipality, and none of those cases involved local concerns, and six cases were not determinative. As a notation, Town Manager Rodrigues included that there is a very slim chance of prevailing at the HAC, and that no cases regarding local concerns such as traffic and public safety; have prevailed, since 2010. She presented the initial Quarry North Plan, as proposed by the developer:

**\*333 total units**

225 market rate apartments/townhouses

75 affordable housing rental apartments

24 age restricted for sale market rate townhouses

9 age restricted for sale affordable townhouses

**\*\$1,000,000 cash payment**

**\*Transfer of Sudbury Station land in Town Center**  
Valued by Mass housing at \$2,910,000 in 2015  
Transfer of the land ends the Sudbury Station Litigation

**\*\$100,000 for Water District to fund test wells and preliminary pump testing for locating for future drinking water supply well on Sudbury Station land.**  
Map of Town Center Land

**Town Manager Rodrigues explained that after Town negotiations with Quarry North Developers, the current plan included:**

**\*274 total units**  
101 units under MA General Law Ch. 40R, or under a friendly 40B/LIP process  
26 of these to be affordable units  
All of the 101 will count on the town's subsidized housing inventory pending state approval

**\*173 market rate for sale units/townhouses built under overlay zoning**  
80 of these units to be age restricted

**\*Capped any Concord development at 6 residential units (Need Concord approval)**

**\*\$1,000,000 cash payment**

**\*Transfer of Sudbury Station land in Town Center**  
Valued by Mass Housing at \$2,910,000 in 2015  
Transfer of this land ends the Sudbury Station Litigation

**\*\$100,000 for Water District to fund test wells and preliminary pump testing for locating for future drinking water supply well on Sudbury Station land.**

Town Manager Rodrigues provided further detail on the calculation of subsidized housing inventory, and the unit reduction agreement with Quarry North, explaining the category breakdown by number of bedrooms. She detailed that in addition to the \$1,000,000 cash payment, the developer is agreeing to:

**\*\$1,000,000 to be used for development mitigation (in addition to cash payment)**

**\*\$50,000 for studies (traffic, school capacity, planning)**

**\*\$100,000 toward legal expenses of Sudbury Station HAC case**

**\*\$54,716 waiver of land court fees plus 12% interest**

**\*Landscaping**

Maintain up to a 100-foot landscaping berm along North Road

Create 75-foot building setback from property line adjacent to Northwood

**\*Local preference**

Agreed to a local preference for units in the 40R development

Cost of December 11, 2018 Town Meeting

Transportation management plan with shuttle service to transit and shops

Per capita mitigation payment

**Town Manager Rodrigues stated that a traffic study had been done, and the analysis showed that the impact on the intersections in question. She affirmed that the consultants recommended the following improvements, mitigation and cost estimates; which are independent of the development:**

**\*Route 117/Mossman Rd/Powder Mill Rd \$270,000**

**Pedestrian safety measures like crosswalk lines and stop lines  
Evaluation and installation of traffic signal**

**\*North Road at 144 North Road (Cummings Office Park) \$196,000**

**Create turning lane for access to office park**

**\*Playing field \$230,000**

**Passing lane Eastbound to create a turning lane.**

**Town Manager Rodrigues added that there were significant findings with the traffic lights, which need to be updated - \$200,000; also included consideration of lighting being out of sync on Rte. 117, lights at 9 Acre Corner not functioning properly, further upgrades at Dakin and Rt. 126, installation of a traffic light at Mossman with advanced video technology, and that new technology could include: Miovision, Iteris and Sur trac.**

**Town Manager Rodrigues stated that the Town commissioned a study to review all four elementary schools to determine whether adequate space is available in them for the Quarry North development or the Sudbury Station development. She said that the Town used the actuals at Meadow Walk, to estimate the number of students at Quarry North; and Meadow Walk is now 50% rented. She detailed that the results of this study indicated that 99 students would be from Quarry North, with 72 students in the elementary school, and 25 of those students would be placed at the high school. She added that a similar study using the same matrix was used to determine the number of school aged children at Sudbury Station; and that study resulted in 116 students. She added that the study also reviewed numbers at the Haynes Elementary School; where proposed Quarry North children would attend, and that would increase by 47 students; and total student numbers at Haynes would stay under the district minimum, but kindergarten and second grade there, might require additional classrooms; and that some additional staff at the Haynes School might be needed. She mentioned that the population at the Curtis School had decreased by 67 in the last five years, and this development is projected to increase the student number at Curtis by 23. She informed that the capacity study also looked at the Noyes and Nixon Schools where there would be an increase of 56 more students if the Sudbury Station development were to go through.**

**Town Manager Rodrigues stated that a fiscal analysis was completed, based on the negotiated development, and studies performed during the negotiation period. She detailed that for the Quarry North project, the Town would be conservatively estimating \$2,032,140 in property taxes per year, an excise tax revenue of \$96,000. It was determined that the non-school expenditures would be \$283,061 per year, and determined that the school expenditures \$1,268,553. She summarized that the total excess revenue annually with the Quarry North Development, would be \$576,526.**

**Town Manager provided the same calculation study for the Sudbury Station development, reflecting a total estimated annual deficit of -\$662,982. She provided traffic and public safety detail, stating that both the Police and Fire Chiefs affirmed that Sudbury Station is far inferior in regards to traffic, and public safety concerns. She stated that the Fire Chief has confirmed that capital needs for trucks and buildings exist, regardless of the development.**

**Town Manager Rodrigues stated that the Town committees, commissions and departments; support Quarry North development, rather than the Sudbury Station development.**

**The ten minutes allowed for the presentation by Town Manager Rodrigues ended. Town Manager Rodrigues stated that she, and Chairman Stephen Garvin had additional information on the remaining articles, if the Hall wished to hear them.**

**The Town Moderator asked if the Hall wished to hear more about the articles, to be presented by Town Manager Rodrigues and Planning Board Chairman, Stephen Garvin. Moderator stated that each room voted not to hear additional presentations. On Articles 1-4, and 6 Town Moderator asked for the Board of Selectmen position.**

**BOARD OF SELECTMEN: Unanimously support Article 1, 2, 3, 4, and Article 6.**

**FINANCE COMMITTEE: Supports Articles 1-4, and Article 6; by a vote of 8 to 1. Chairman Semple stated the Finance Committee looked at two areas; one being that FinCom ignored any traffic/safety/school calculations; and secondly; looked specifically at the financial impacts. He added that the Committee looked at the impact to the Town's operating budget; and looked at potential long-term capital expenses to maintain the 40B housing stock within an acceptable limit. He stressed that there was less financial impact to the Town with the Quarry North development, when compared to the Sudbury Station development.**

**PLANNING BOARD: Unanimously supports the zoning amendment presented in the Articles, to establish the North Road Overlay District. Chairman Garvin added that the Master Plan Development will require approval of the Planning Board, and the permitting process is comprehensive - mandating public hearings, in-depth traffic studies, stormwater management planning and related calculations, landscaping plans, and fiscal impact reports. He reiterated that the process did not negate the need for local permits, from the Planning Board, Conservation, and from the Broad of Health. He asserted that it is the opinion of the Planning Board that the zoning changes, facilitate the development and approval of the Master Plan for Quarry North; and serve to meet Town goals for the Melone property. He added that the proposal offers an elegant remedy to an arduous situation with the Sudbury Station project. He stressed that the Planning Board was confident, that as a Town, we have illustrated that the benefits will outweigh the impact; and that this is a unique opportunity for Sudbury. He stated that the Planning Board enthusiastically requested that the voters support all the Articles.**

**Sudbury resident, Joyce Fantasia, 15 Willard Grant Road, said that she has served on a Town Board in the past, and said that she and her family have lived in Sudbury for 40 years, and Rte. 20 has changed dramatically in that time; and not for the better. She said that she believed in affordable housing, but did not want either proposed development in Sudbury – as it would dramatically affect the town, with increased traffic. Ms. Fantasia mentioned that at one point, Rte. 117 was being considered a scenic road, which would have protected it. She urged voters to vote “no” on Article 1, and to fight back.**

**Sudbury resident, Gary Bean, 3 Wilshire Street, said he was trying to figure out what the choices really are, and said that affordable housing is a mandate by the state. He said that it is highly unlikely, that the Town will win the HAC fight. He stated, that in the long run, the Quarry North option is the best; given the circumstances.**

**Sudbury resident, Joe Laferrera, 47 Windmill Drive, said that this is a false choice, and the choice was whether we continue the fight or not; and said that there is reason to continue the litigation matter with HAC. He added that continuing with the fight will take time, and time is leverage, adding that even if the HAC appeal fails, another appeal can be presented; which might encourage continued developer negotiations. Mr. Laferrera stated that the developer really wants the property, and will wait longer, if need be. Mr. Laferrera stated that the development process was done too quickly, and requires more time, as some of the calculations do not add up.**

**Sudbury resident, Steve Lanzendorf, 43 Hawes Road, made a motion to amend Article 6. Town Moderator asked Mr. Lanzendorf if he had the necessary documentation. He affirmed that he did.**

**Sudbury resident, Chris Thompson, 178 Horse Pond Road, said that this is not a vote about affordable housing, it’s about picking what location we chose to have it in. He said that he wanted to hear from Town Counsel, as to what the odds are in the HAC court matter.**

**Town Counsel, Jonathan Silverstein responded by saying that in his assessment; the odds of winning at the HAC were extremely, extremely slim; and the Town should consider not the number of cases filed; but the number of cases decided. He added that the time of settlement is on the eve of trial; and the Town is trying to be one of those 45% of cases. Town Counsel Silverstein asserted that this is the settlement; and there is not likely to be another settlement. He noted that the RFP issued by the Board of Selectmen, and awarded to Quarry North; would no longer be valid if this Town Meeting votes down the settlement, and a new process would have to begin. He asserted that there would not be enough time to start a new process, prior to appeal, and after a case is lost; is not the time to leverage for a better deal, generally. He added, that given the numbers that Mr. Laferrera mentioned, 26% in favor of developers and 5% (less than 20% of the total cases – not cases decided), and trying to convince the HAC whose mission is to promote affordable housing. He stated that such local concerns as historic downtown, or traffic or other local concerns; would not likely hold. He added that if anyone wanted to hear from Judy Barrett, Sudbury’s housing consultant, she would elaborate on this aspect.**

Mr. Thompson asked Mr. Silverstein if this is a decision about which property is the better choice for the development. Mr. Silverstein replied that was his opinion.

The motion to amend was studied by Town Manager Rodrigues, Town Counsel Silverstein, and Town Moderator Quirk. Ms. Quirk said that the motion to amend Article 6 was appropriately presented, and required editing of the language.

Sudbury resident, Ralph Tyler, 1 Deacon Lane, said that he wanted to make a motion to amend one of the other articles. Town Moderator suggested that Mr. Tyler wait. Mr. Tyler suggested that in the interest of time, he would be happy to submit the motion, now. The Town Moderator suggested that he wait, to prevent any confusion. Mr. Tyler agreed to wait.

The Moderator suggested that while the technical adjustments regarding Article 6 were being made, she would take the next comment; and asked the proponent to read his suggested amendment. She suggested that the Hall review Article 6, as written, on the Warrant, and then the proponent would explain his changes.

Steve Lanzendorf moved to amend Article 6 as follows:  
*Move to strike the following language: “and further to authorize the Board of Selectmen to execute all instruments, including land development, land disposition or other agreements, deeds easements, and such other documents or instruments, upon such terms and conditions as the Selectmen deem appropriate,” and replace with the language: “grant a conservation restriction in perpetuity on said property for conservation purposes.”*

The motion was seconded.

Town Moderator Quirk stated that no further action will take place on the amendment of this article, until it is presented on the overhead to the Hall; and then Town Counsel will discuss the ramifications of such an amendment, before voting on it. Town Moderator added that the proponent of the article, will present first.

Mr. Lanzendorf, stated that he believed that Article 6, as written, gives the Board of Selectmen extraordinary leeway on what happens to this property, next. He added that the purpose of the amendment is to ensure that, should the Town acquire the Sudbury Center property, it is placed under conservation restriction, so that we are not back here in five years, or sometime in the future, and having the same discussion about another proposed development, on the same property.

Town Counsel Silverstein stated that part of the amendment was based upon a misunderstanding of the language that is proposed to be stricken. He stated, that he thought the understanding of the proponent of this motion, to amend; is the language “to authorize the Board of Selectmen to execute all instruments, including land development, land disposition or other agreements, deeds easements, and such other documents or instruments, upon such terms and conditions as the Selectmen deem appropriate,” relates to proposed future development of the Sudbury Station land, and that is not the case. He

added that the purpose of that language is to allow the Board of Selectmen to execute the agreement with Sudbury Station, by which the Town would acquire that land; and if that existing language is stricken, Town Meeting would be saying that it authorizes the Board of Selectmen to accept the land, but not close; and that would be self-defeating. He stated that any future use of that land, if the Town acquires it, would require further Town Meeting vote, and this language does not give the Board of Selectmen the authority to convey the Sudbury Station land to another developer, or to develop the Sudbury Station land, other than to acquire it. He stressed that the language allowing the Board of Selectmen to enter into a land development and a disposition agreement, relates to selling the Melone property and getting this mentioned Town Center property, in return. He reiterated that striking the language, would prevent the Board of Selectmen from executing a deed to receive the Town Center land, and would prevent the Town from acquiring the property.

Town Moderator asked if there were any other comments regarding amending Article 6, as proposed.

Sudbury resident, Elizabeth McCarthy, 215 Hudson Road, stated that she wanted to adjust what Mr. Lanzendorf proposed, and said that the conservation restriction be applied to the agricultural part of the land. Town Moderator interrupted by saying that if another amendment is being proposed, then it must be submitted in writing in triplicate, and could not amend another proposed amendment; but could be taken up next, after the vote is taken on the current motion to amend. Town Moderator reiterated that Ms. McCarthy could submit an amendment to the article, but it would have to follow the prescribed process, and would be handled as a separate motion to amend.

Sudbury resident Robert Beagan, 25 Pine Street, motioned for a call for a vote. The motion was seconded.

Sudbury resident, Henry Sorett, 58 Longfellow Road, asked if Town Counsel would tell the Hall how the article could be amended, accomplish the conservation restriction, and not conflict with the closing, in anyway.

Sudbury resident, Maria Hollander, 3 Meadowbrook Circle, said that she did not believe that the motion was seconded. Town Moderator stated that the motion was seconded.

Mr. Henry Sorett, said that he understood the intent of the amendment, in wanting to avoid another major development being suggested for the Sudbury Center site, later; and wanted the land to stay open for all time. He added that he wished that the restriction had been put on the Melone property, some time ago. Mr. Sorett asked if Counsel could advise the Hall on how to amend the article, and create a conservation restriction for all time, and not mess up the closing, in doing so.

Town Counsel Silverstein responded in the affirmative and stated that there would be a way to do that. He cautioned that if Town Meeting votes to acquire the Sudbury Station land, only for conservation proposes, then, later, if the Town, wants to use part of



that land for cemetery purposes, or for recreation purposes; it would not be possible, according to state legislature. He added that if the intent, is to simply take the Town Center land, and limit it to an all-time conservation only, then the way to achieve that; is to simply add words “for conservation purposes,” after the word “acquire” in the first line of the article.

Sudbury resident, William Stevenson, 135 Greystone Lane, said this issue exemplifies what Sudbury is going through right now; and said that there is another dimension to this issue; which is being missed. He added that the real issue is the planning that is done by the Town, and the kind of future that residents here want; and not about Melone and Town Center land.

Town Moderator stated that the Hall would vote on the *motion* to amend Article 6. The Moderator then called for the Election workers.

The Moderator noted that a majority vote was needed. The Moderator declared that the *motion* to amend *FAILED*.

Sudbury resident, Matthew Lazowski, 6 Hollow Oak Drive, stated that he was in the transportation and parking industry for many years, and mentioned that he had not reviewed the traffic study that was done. He maintained that Rte. 117 is busy, and will become atrocious with the Quarry North development; and asserted that professionally speaking, and additional study should be done. He added that the Town has been put in this position because the Town did not do proper work to meet those requirements. He strongly recommended voting “no”, since the proper studies had not been done, and stressed that \$100,000 for well testing; and wanted to know if the estimated cost of the well testing might not be enough.

Sudbury resident, Jennifer Pincus, 25 Blueberry Hill Lane, stated that there is some kind of restriction on the Sudbury Station property; that the state was supposed to approve, and did not, and thought that the determination runs out in five years. Ms. Pincus asked if Town officials could provide more detail.

Debbie Dineen, Conservation Coordinator, stated that the agricultural field (behind Codman Drive) has an agricultural preservation restriction; and that in order to be a restriction in perpetuity; it must be approved, as such, by the State Department of Agriculture. She detailed that for whatever reason, the state never signed off on the perpetuity conservation restriction, which made it a 30-year conservation restriction. She added that the 30-year conservation restriction expires in approximately five years, and then can become developable land, and another 40B developer could potentially acquire the land, which reflects another 20+ acres, or include a phase 2 to the proposed Sudbury Station development.

Sudbury resident, Mr. Faucher, 12 Trillium Way, stated that he was confused and asked what a vote in favor of all the articles, would actually mean.

**Town Manager Rodrigues summarized that it means that the Melone property development would go forward with Quarry North, and that Sudbury Station litigation, would end and the Sudbury Station project, would not go forward; and the Town would get the Sudbury Center land under Article 6.**

**Sudbury resident, Arthur Huston, 578 Peakham Road, stated that after hearing comments from Town officials, it is a choice between two different developments. He said that affordable housing has come up every year, and said that the Town has made a good faith effort in securing the 10% affordable housing percentage. He added that he moved to Sudbury 25 years ago, when he felt the Town was very much like New Hampshire, where he grew up. He stated that he was convinced that the Quarry North choice was the preferred choice.**

**Sudbury resident, Robert Kornblum, 22 Virginia Ridge Road, said that he had not heard many comments about safety issues related to Quarry North, and he had concerns about safety issues around Rte. 117 and he has young children.**

**Sudbury resident, Holly Ferris, 655 Boston Post Road, stated that Sudbury is in this position now because Sudbury has lacked the political will, to build affordable housing, on the Town's own terms. She asked the Board of Selectmen if Quarry North is built, it will only have 26 affordable units; and if Sudbury Station is built, it would have 63 units for affordable housing, and asked what are the Board's plans in order to make up for the 37 units, and what are the plans to produce more affordable housing. She detailed that she lives in low income housing currently, and is a single mom; and was here to stand up for low income people.**

**Chairman Haarde, of the Board of Selectman, responded that building affordable housing has been a goal and objective of the Town, as well as the Board of Selectmen. He stressed that when he joined the Board nine years ago, his first action was to vote for 200 low income units, and that project was not approved. He stressed that the Town has built hundreds of units to date; with Avalon, Coolidge, Landham Crossing, and added that there will be more units with either Quarry North, or Sudbury Station. He said that a big change that is being made, is inclusionary zoning. He explained that under an inclusionary zoning plan, for every unit of housing that gets built, enough funding is set aside for a corresponding affordable housing unit to be built. He asserted that this inclusionary zoning, helps to maintain the required level of affordable housing.**

**Town Moderator stated that she would take two more comments.**

**Sudbury resident, Nancy Meyer, 23 Checkerberry Circle, stated that she was very concerned about the results of the drought of 2016, and as a result of those droughts, well #2 was put back online to meet the deficit. She detailed that well #2 was contaminated by Sperry Rand; and is beginning to recover, according to Geo Insight. She went on to say, that if the Town puts some 270 septic systems over and above the well, there will be a contaminated well, once more. She detailed that the town of Sudbury almost had to connect to the Framingham water supply in 2016. She said that she tried to obtain what**

the cost of such a connection would be, but has not been able to get that information. She asked how much that would cost, if the Town loses well #2.

Town Moderator recognized Bob Sheldon, of the Water District, to address that concern. Mr. Sheldon responded that it was well #5, not well #2, and is south of North Road; and has been taken out of primary use because of iron and manganese, and not the TCE that had been in there previously. He detailed that there is treatment, and an analysis has been performed, and a hydraulic model will determine if there is sufficient water being pumped.

Mr. Sheldon said that there is sufficient flow there, even without well #5 online. He added that the Water District wants to preserve well #5; and said that he shares the concern about impacts from a wastewater treatment plant. He explained that to get MA DEP approval, a thorough study will have to take place, with the same requirements, as Meadow Walk.

Sudbury resident, Harold Cohen, 150 North Road, stated that percentages in court mean nothing – and said that the Town must keep fighting. He suggested that our current president won against all odds, and said for the Hall to vote “no” to keep the Town, and not make it a city.

The Town Moderator announced that the election workers would come forward and then the doors would be closed, in order to commence with voting. She further delineated that pending motions regarding Articles 1 through 4, and 6; had to pass by a two-thirds vote.

Assistant Moderator Pendleton stated that he had to recount the votes in the black box area. Assistant Moderator Coe stated that a two-thirds vote was met in the lecture hall. Assistant Moderator Connor stated that the voted had passed by two-thirds in the cafeteria. Moderator Pendleton stated that the 2/3 was not met in the black box.

Assistant Moderator Connor stated that someone has asked for a count in the cafeteria. Town Moderator Quirk stated that these are very important issues, and a paper ballot count would have to be taken, and provided direction. She detailed that the ballots would be counted by the Town Accountant and the Finance Director.

Town Clerk Rosemary Harvell, provided additional voting instruction in the auditorium, adding that if anyone in the hall could not come to the front of the auditorium to vote, someone would bring the ballot to them, when their row was called.

Town Clerk Harvell emphasized that if someone needed to leave the room, they could not re-enter the room, until the voting process was completed.

Town Moderator announced that before Article 5 could be presented, a vote would be needed in order to conduct Town Meeting business after the 10:30 p.m. hour. She added that the tallying of ballots had to be completed, before that process could begin.

When the tallying of ballots was completed, Town Moderator Quirk asked for a motion to continue the meeting, as it was now past 10:30 p.m. The motion was made and seconded.

Town Moderator Quirk stated that the motion to continue with the Special Town Meeting, a majority vote was needed and that the *motion* to continue with the meeting **PASSED BY WELL MORE THAN A MAJORITY** in each of the four locations of town meeting.

Town Moderator stated that the consolidated voting needed a two-thirds vote to pass, and that Articles 1 – 4, and 6 and **PASSED BY WELL MORE THAN TWO-THIRDS.**

The Town Moderator detailed that the consolidated motion passed by 71.89% in favor, and 28% against; and that 1,697 ballots. There were (Yes– 1220, No – 477).

The Town Moderator extended her appreciation to Madam Town Manager’s staff, Town Clerk and her staff; and all other individuals who assisted in this process. She gave thanks to the citizens of Sudbury, who presented themselves in stellar fashion at this meeting. The Town Moderator exclaimed that she was proud to be a resident of Sudbury.

#### **ARTICLE 5 – REPURPOSE OF MELONE STABILIZATION FUND**

To see if the Town will vote to amend the purpose of the special Stabilization Fund established under Article 13 of the 2015 Annual Town Meeting to read as follows “for the purpose of preparation and construction of the properties at Broadacres Farm located on Morse Road and the Town Center property for future municipal, recreational, open space and conservation uses”; and to appropriate \$350,000 from said Stabilization Fund to be expended under the direction of the Town Manager for the purpose of preparing the first parcel acquired at Broadacres Farm for recreational and open space purposes; or act on anything relative thereto.

Submitted by the Board of Selectmen

(Two-thirds vote required)

Selectman Leonard Simon *moved in the words of the article.*

The motion was seconded.

Town Manager Rodrigues stated that a stabilization fund represents a reserve for appropriated monies for future need. She added that the fund can be created for a specific purpose or project, and can be changed to meet a new savings objective – a type of savings account for the Town, and can also ensure that the Town has funds on hand; in the event of an emergency.

It was explained by Town Manager Rodrigues, that in 2015, per state recommendation, Town Meeting created a stabilization account and transferred \$1,100,000 from free cash to fund it. She detailed that the funding was from the sale of gravel, at Melone. She went on to detail that the purpose of the account was to restore the property’s surface for future use, or sale. Town Manager Rodrigues emphasized that the Melone property is now being sold “as is,” so this funding is no longer required.

Town Manager Rodrigues stated that this fund discussion often came up in recent negotiations with the Quarry North developers, who suggested that the fund be used for

mitigation associated with the development. She stressed that the Town does not want to use this money to fund its own mitigation, and wants the funding to come from the developers. Town Manager Rodrigues said that the importance of transferring and repurposing the funds tonight, for different Town projects, is strongly recommended.

Town Manager Rodrigues asserted that the Town is now asking that Town Meeting voters to repurpose this account, to allow it to be used for either Broadacre or Town Center; and to appropriate \$350,000 to be used on the parcel recently acquired at Broadacre Farm for the purposes of recreation; and the remaining \$750,000; to fund either the Town Center land, or Broadacre. She explained that this initial funding would allow the Town, through Park and Recreation, to engineer a design, and begin site work on the parcel approved at October Town Meeting.

Town Manager Rodrigues maintained that a two-thirds vote would be required, and stated that the stabilization fund account recreated, could be changed at a later Town Meeting, if desired.

**BOARD OF SELECTMEN:** Unanimously supported the article.

**FINANCE COMMITTEE:** Did not support the article, on a vote of 0 to 9. FinCom Chairman Bryan Semple, stated that the Town has capital needs, and urgent capital need, may be presented at Spring Town Meeting.

Sudbury resident and Chairman of Park and Recreation Commission, Robert Beagan, of 25 Pine Street, stated that he understood the position that FinCom took, but Park and Recreation voted unanimously 5 to 0 in support of the article; because there is a serious need for fields.

Sudbury resident and Chairman of CIAC, Thomas Travers, of 45 Old Framingham Road, affirmed that the bylaws state that CIAC approve/opine to FinCom and the Board of Selectmen, any capital project over \$100,000; and this aspect has appeared to be circumvented. He suggested a “no” vote on the motion, and stated that he had no issues with repurposing the stabilization fund, but said that the \$350,000 required proper review.

Sudbury resident, and Park and Recreation member Dick Williamson, 273 Lincoln Road, stated that he had attended many Melone meetings over the last 20 years, and the theme of Melone serving as mixed-use has always come up. He affirmed that the Quarry North proposal does not include any space for recreational fields, or the like, and the Town has a continuing need. He maintained that it would be appropriate that the Melone stabilization fund be used for recreation at the Melone site.

Sudbury resident, Joseph Laferrera, 47 Windmill Drive, said that he has strong interest in recreation and Sudbury fields, and the use of Broadacre to help with those uses; would be appropriate. He stated that he was concerned about the general re-characterization of the Melone Stabilization Fund, because a substantial amount of it should be retained for uses in, and around Quarry North; including Rte. 117. He added that there may be other related needs and requirements, going forward with the development. He suggested a “no” vote on Article 5 now, and at May Town Meeting, vote for some funding for Broadacre, and leave the funds in place for now.

Sudbury resident, Christopher Thompson, 173 Horse Pond Road, expressed his understanding of proposed Town funding for Broadacres Farm, and detailed that he would prefer that the \$1 million+ funding be used to pay for parcel #2; reduce the bond amount, and buy more of the Broadacre land; before going forward with improvements. He summarized that he would recommend a “no” vote and recommended that the Town examine what CIAC might determine in their review, remembering that FinCom is against the passing of Article 5.

Sudbury resident and Chairman of CPC Sherrill Cline, 84 Concord Road, recommended that Article 6 be defeated as it limits the use for funding of specific projects, in her opinion. She stated that the Town is currently in the process of completing a new Master Plan, and wanted to understand the broader needs of Sudbury, before monies are spent. Ms. Cline mentioned that she could not imagine how it would cost \$350,000, to layout plans for playing fields.

Sudbury resident, Henry Sorett, 58 Longfellow Road, stated that he settled in Sudbury some 40 years ago, and wanted to live in a town that maintained the historical/rural character of the area. He advocated for dedicating the Broadacre land entirely for preservation of open space for conservation purposes. He stated that Sudbury has already been overdeveloped and said that Article 5 should be defeated.

The Town Moderator stated that the motion did not receive the two-thirds vote that was required and the motion for Article 5 FAILED.

Motion was accepted and seconded to adjourn the special town meeting.

The Moderator stated that the vote was UNANIMOUS.

The December 11, 2019 Special Town Meeting dissolved at 11:16 p.m.



