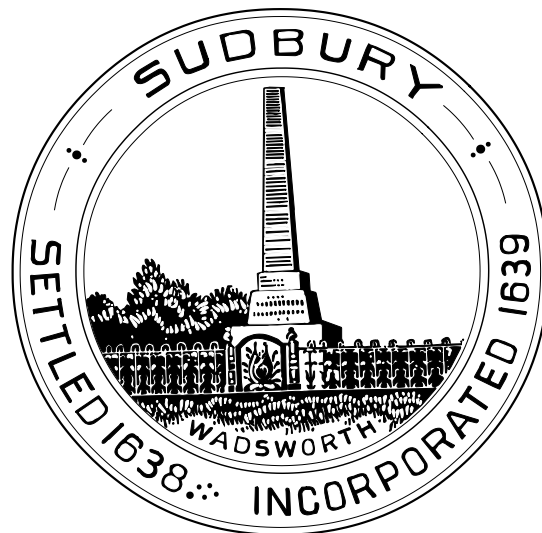


# PROCEEDINGS

**ANNUAL TOWN ELECTION - MARCH 28, 2022**  
**ANNUAL TOWN MEETING – MAY 2,3,4, 2022**  
**STATE PRIMARY-SEPTEMBER 6, 2022**  
**STATE ELECTION- NOVEMBER 8, 2022**



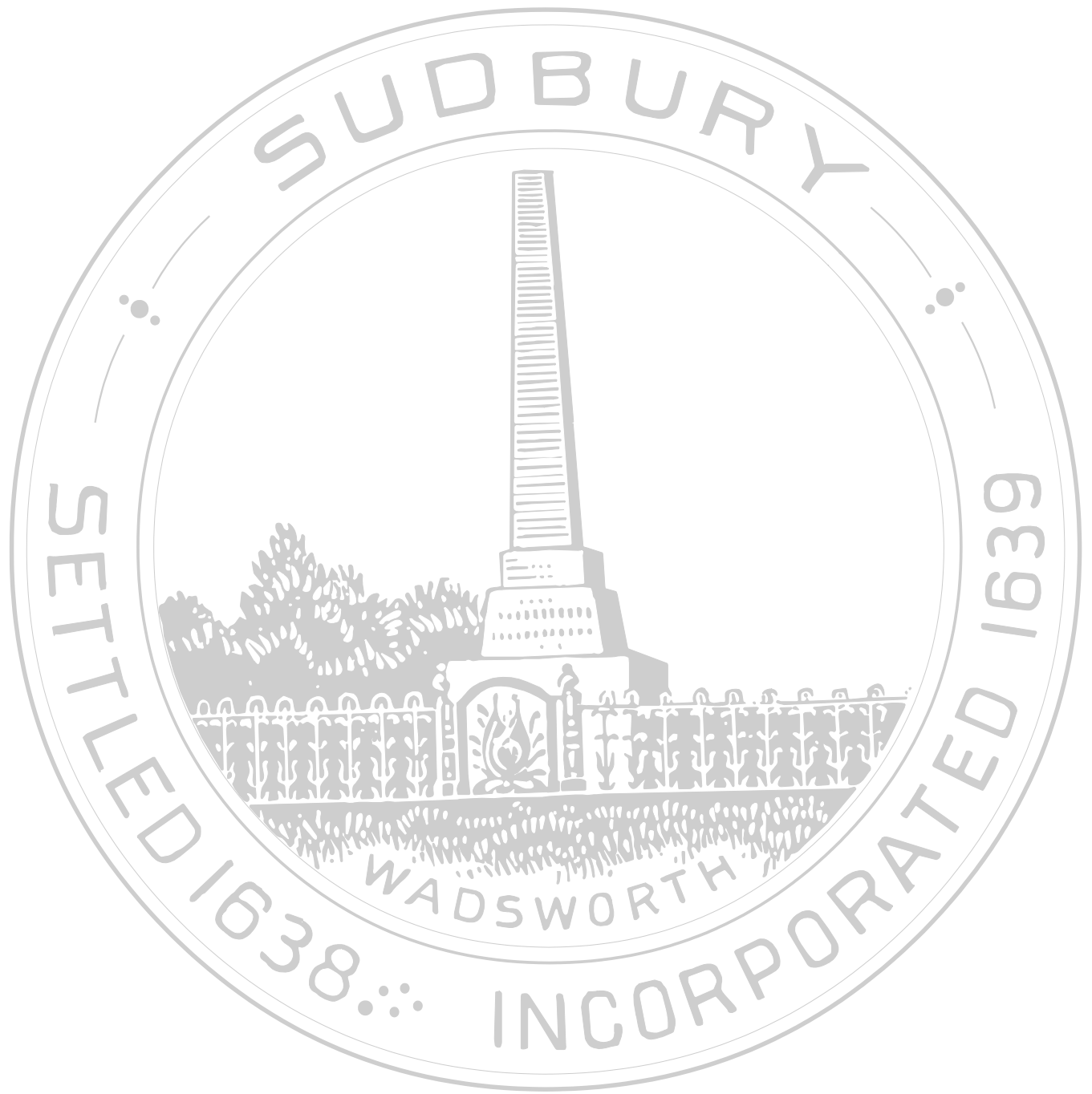
## TOWN OF SUDBURY MASSACHUSETTS 2022

A TRUE ATTEST COPY:

*Beth R. Klein*

TOWN CLERK





**TOWN OF SUDBURY  
2022 ANNUAL TOWN PROCEEDINGS**

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## SUDBURY ANNUAL TOWN MEETING

MAY 2, 3 AND 4, 2022

Pursuant to a Warrant issued by the Select Board and a quorum being present, Catherine Blake, Moderator, at the Lincoln-Sudbury Regional High School, called the meeting to order at 7:30 PM. Ms. Blake introduced Accent A Capella, a singing group from Lincoln -Sudbury Regional High School, who led in the singing of the National Anthem and the Pledge of Allegiance.

The Moderator confirmed she had 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 that the certified Free Cash, according to Assistant Town Accountant Robin Porcella, is \$6,584,093 for the 2022 Annual Town Meeting.

Upon a *motion*, which was seconded, it was VOTED BY MORE THAN A MAJORITY 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.

### MODERATORS

The Moderator asked for a motion, which was made and seconded, for the Hall's approval to appoint Sudbury resident Mike Ferrari and Nell Forgacs Assistant Town Moderator for the May 2022 Annual Town Meeting, which required a majority vote, and was VOTED BY MORE THEN A MAJORITY.

The Moderator extended thanks to those who have kept our Town running during these challenging times. And in particular, acknowledged their flexibility and resilience with the planning and execution of this, our first indoor Town Meeting since 2019.

The Moderator introduced the Select Board, Finance Committee members, Town Officials, and Town staff members. Special thanks to Sudbury TV.

The Moderator thanked the BSA Sudbury Scout Troop 6063 for their assistance in managing the microphones (Sami Hauptman, Shain Hauptman, Gabriel Parra, Oliver Viehland, Charlie Muller and Oakley Dorkin, and for their work in collecting non-perishable items in support of the Sudbury Care Pantry (Casey Tupta, Eben Perry, Sam Varner, Jack Clarke, Devin Sugioka) with the support of parent Dee Tupta. The Moderator acknowledged the following troops for their work in selling refreshments to support the World Central Kitchen's (Chefs for Ukraine) : The Sudbury Girl Scouts Troops 62882 ( Taylor Alterio) and Sudbury Girl Scout Cadettes 62503 ( Taylor Garner and Anya Kuster), Juniors Troop 67543 (Dylan Alterio), Alison Tupta from Troop 824532, and Browne Troop 84131 (Vega Kuster, Samelia Perez, Ishika Muralidharan).

Select Board Member William Schineller 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:*

*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:*

*JOHN BEELER (1934-2022)*

*Sudbury Resident: 2004-2022*

*Council on Aging Chair: 2007-2021*

*Fairbank Study Committee: 2016-2018*

*Town Manager Search Screening Committee: 2019-2020*

*WILLIAM C. BRADLEY (1938-2021)*

*Sudbury Resident: 1975-2021*

*IT Department volunteer*

*JOSEPH E. BROWN (1921-2021)*

*Sudbury Resident: 1960-2021*

*Election Officer: 1962-1966; 1990-2007*

*Finance Committee: 1961-1962*

*Historical Commission: 1968-1974*

*Industrial Development Committee: 1967-2000*

*LSRHS School Committee: 1962-1965*

*Memorial Day Committee: 1971*

*Public Celebrations Committee: 1963-1971*

*Regional Vocational School District Planning Committee: 1967-1971*

*Route 290 Trans Corridor Committee: 1970-1972*

*MARY CORLEY (1942-2021)*

*Sudbury Resident: 1970-2021*

*Election Officer: 2002-2021*

*Board of Appeals, Building Dept., Planning Office: 1983-2008*

*DR. CHESTER K. DELANI (1940-2022)*

*Sudbury Resident: 1970-2021*

*Haynes Elementary School Principal*



**MARGUERITE M. FARRELL (1931-2021)**  
**Sudbury Resident: 1957-2015**  
**Election Worker: 2002-2013**  
**Lincoln-Sudbury Employees' Federal Credit Union Employee**

**CATHERINE T. FINELLI (1928-2022)**  
**Sudbury Resident: 1955-2022**  
**LSRHS Business Office**

**JEAN M. KANE (1929-2021)**  
**Sudbury Resident: 1965-1988**  
**LSRHS Administrative Office: 1971-1987**

**ARLENE KASTLER (1931-2021)**  
**Sudbury Resident: 1960-1995**  
**Ephraim Curtis Middle School Teacher: 1968-1988**

**NEIL KAUFMAN (1936-2021)**  
**Sudbury Resident: 1969-2021**  
**Sudbury Republican Town Committee: 2008-2021**

**LORRAINE M. KNAPP (1938-2022)**  
**Sudbury Resident: 1966-2022**  
**Goodnow Library Assistant, Technician,**  
**Office Coordinator: 1977- 2001**

**EDWARD E. KREITSEK (1921-2021)**  
**Sudbury Resident: 1954-2014**  
**Board of Appeals Associate: 1956-1958**  
**Board of Appeals: 1958-1962**  
**Design Review Board: 1986-1988**  
**Inflammable Storage Bylaw Committee: 1981**  
**Permanent Building Committee: 1957-1962**  
**Route 20 Study Committee: 1970-1973**  
**Route 20 Task Force: 1986-1987**  
**Route 290 Trans Corridor Committee: 1970-1972**  
**Board of Selectmen: 1962-1965**  
**SPHNA Member: 1964-1965**

**MICHAEL E. MELNICK (1940-2021)**  
**Sudbury Resident: 1971-2021**  
**Design Selection Committee: 1987**  
**Energy & Sustainability Green Ribbon Committee: 2009-2013**  
**Permanent Building Committee: 1978-2021**  
**Police Station Blue Ribbon Committee: 2007-2008**  
**Town Hall Blue Ribbon Committee: 2015-2016**

**DYLAN REMLEY (1969-2021)**  
**Sudbury Resident: 2009-2021**  
**Planning Board Associate: 2014-2016**

**BARBARA ROCKWELL (1929-2021)**  
**SPS First Grade Teacher**  
**GRETNA SCHUBERT (1941-2021)**  
**Sudbury Resident: 1988-2004, 2014-2021**  
**DPW Office Supervisor: 1998-2014**

*LEE FORD SWANSON (1938-2022)*  
*Sudbury Resident: 1986, 1993–2002, 2006–2022*  
*Election Worker: 2001-2002*  
*Historic Districts Commission: 2007–2020*  
*Master Plan Steering Committee: 2019 -2021*  
*Preservation and Mgmt. of Town Documents Committee: 1994-2012*  
*Sudbury Celebrates 375 Committee: 2012-2014*  
*Town Historian: 2012-2018*

*GRAHAM R. TAYLOR, JR. (1925-2021)*  
*Sudbury Resident: 1971-2021*  
*LSRHS Ski Team Head Coach: 1982 -2017*

*MARY LOU THOMPSON*  
*Sudbury Resident: 1976-2021*  
*SPS Teacher Loring and Noyes Schools*

*VIRGINIA WALES*  
*Sudbury Resident: 1964 -2020*  
*Goodnow Library volunteer: 1991-2000*

*SANDRA WILENSKY*  
*Sudbury Resident: 1998- 2022*  
*SPS Teacher Loring School, 1st Grade*

**STATE REPRESENTATIVE CARMINE GENTILE – PRESENTATION OF CITATIONS**

**Representative Carmine Gentile presented Town Citations to William Schineller as Select Board Member, Beth Whitlock and Alan Gordon of the Goodnow Library, Dr. Patricia Tabloski of the Council on Aging, Charles Karustis of the Planning Board, Margaret Yi Helen of the Sudbury School Committee, and Richard Williamson of the Park & Recreation Commission.**

**CONSENT CALENDAR ITEMS**

**The Moderator stated that in order to expedite Town Meeting and save valuable time, Sudbury utilizes the Consent Calendar, and this year it contains 15 Articles (10, 11, 12, 17, 28, 36, 37, 38, 41, 50, 52, 53, 54, 55, and 56). As stated in the Warrant, it's the first order of business at the beginning of the annual Town Meeting, which means it is taken out of order. A 4/5th vote is required. The Moderator explained that any article may be withheld from the Consent Calendar by a majority vote of the Hall.**

**The Moderator asked for a motion from the Hall.**

*Move that the Consent Calendar, being Articles 10, 11, 12, 17, 28, 36, 37, 38, 41, 50, 52, 53, 54, 55, and 56, be moved as set forth in the list on Page iii of the warrant booklet for the Monday, May 2, 2022 Annual Town Meeting.*

The motion received a second.

The Moderator declared that the motion PASSED BY MORE THAN A FOUR-FIFTH VOTE.

The Moderator proceeded with the roll call of the following Consent Calendar asking article by article if there were any questions or holds:

**ARTICLE 10 - CHAPTER 90 HIGHWAY FUNDING (Consent Calendar)**

*Move to authorize the Town Manager to accept and to enter into a contract for the expenditure of any funds allotted or to be allotted by the Commonwealth for the construction, reconstruction and maintenance projects of Town ways pursuant to Chapter 90 funding; and to authorize the Treasurer to borrow such amounts in anticipation of reimbursement by the Commonwealth.*

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

*Move to transfer from Free Cash the sum of \$40,409 to be added to the Stabilization Fund established under Article 12, of the October 7, 1982 Special Town Meeting, pursuant to General Laws Chapter 40, Section 5B.*

**ARTICLE 12 - FY23 REVOLVING FUND SPENDING LIMITS (Consent Calendar)**

*Move to establish the FY22 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.*

**ARTICLE 17 - 24 HUDSON ROAD – RELEASE OF EASEMENT (Consent Calendar)**

*Move to establish the FY22 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.*

**ARTICLE 28 - LINCOLN-SUDBURY REGIONAL HIGH SCHOOL CHAIN LINK FENCE REPLACEMENT (Consent Calendar)**

*Move to transfer from Free Cash, the Town's 87.59% share of \$139,443 for the total estimated project of \$159,200, for the purpose of replacing the Chain Link Fence on the property of Lincoln-Sudbury Regional High School.*

**ARTICLE 36 - BACKHOE LOADER (Consent Calendar)**

*Move that the sum of \$150,000 be transferred from Free Cash, for the purchase or acquisition and equipping of a new backhoe loader vehicle for public works uses.*

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

*Move that the sum of \$285,000 to be transferred from Free Cash, for the purchase or acquisition and equipping of a new 6-wheel so-called combo body dump truck vehicle with a plow and spreader for public works uses.*

**ARTICLE 38 - SKID STEER (Consent Calendar)**

*Move that the sum of \$130,000 be transferred from Free Cash, for the purchase or acquisition and equipping of a new so-called skid steer vehicle and appurtenances to the vehicle for public works uses.*

**ARTICLE 41 - ROADSIDE MOWER (Consent Calendar)**

*Move that the sum of \$140,000 to be transferred from Free Cash, for the purchase or acquisition and equipping of a new roadside mower and appurtenant equipment for public works uses.*

**ARTICLE 50 - COMMUNITY PRESERVATION ACT FUND – LIBBY-DICKSON CONSERVATION RESTRICTION MONITORING (Consent Calendar)**

*Move to transfer a sum not to exceed \$9,454 from the Open Space and Recreation category of Community Preservation Act Funds, funded from FY23 revenue, for the purpose of paying for a third party to conduct monitoring activities for the Town-owned Libby and Dickson properties to monitor compliance with the terms of the Conservation Restriction on the land.*

**ARTICLE 52 - COMMUNITY PRESERVATION ACT FUND – REGIONAL HOUSING SERVICES OFFICE (RHSO) MEMBERSHIP FEE (Consent Calendar)**

*Move to transfer a sum not to exceed \$9,454 from the Open Space and Recreation category of Community Preservation Act Funds, funded from FY23 revenue, for the purpose of paying for a third party to conduct monitoring activities for the Town-owned Libby and Dickson properties to monitor compliance with the terms of the Conservation Restriction on the land.*

**ARTICLE 53. COMMUNITY PRESERVATION ACT FUND – SUDBURY HOUSING AUTHORITY (Consent Calendar)**

*Move to appropriate a sum or sums of money not to exceed \$276,600 from the Community Housing category of Community Preservation Act Funds, funded from FY23 revenue, for the purpose of funding the Sudbury Housing Authority's acquisition, creation, preservation, and support of affordable rental housing.*

**ARTICLE 54. COMMUNITY PRESERVATION ACT FUND – TOWN CLOCK RESTORATION (Consent Calendar)**

*Move to appropriate a sum of money not to exceed \$16,000 from the Historic Resources category of Community Preservation Act Funds, funded from Historic Resources Reserves, for the purpose of restoring and rehabilitating the Town of Sudbury Clock faces on the First Parish Church at 327 Concord Road including incidental and related expenses associated therewith.*

**ARTICLE 55. COMMUNITY PRESERVATION ACT FUND – RETURN OF UNSPENT FUNDS (Consent Calendar)**

*Move to return the unused balances from prior article authorizations voted at prior Town Meetings, which projects have been completed and for which no liabilities remain outstanding or unpaid, into the Community Preservation Act general account as follows:*

2015 ATM, Article 50 Town Center Landscaping to be returned to the category of Unrestricted Reserves; and	\$2,213.44
2015 ATM, Article 50 Town Center Landscaping to be returned to the category of Historic Resources Reserves; and	\$2,213.44
2016 ATM, Article 40 Town Center Landscaping to be returned to the category of Unrestricted Reserves; and	\$7,198.00
2016 ATM, Article 40 Town Center Landscaping to be returned to the category of Historic Resources Reserves; and	\$7,198.00
2017 ATM, Article 29 Featherland Park Court Reconstruction to be returned to the category of Unrestricted Reserves; and	\$27,480.52
2019 ATM, Article 30 Featherland Park Multisport Court Reconstruction, Phase 2 to be returned to the category of Unrestricted Reserves; and	\$7,574.85
2020 ATM, Article 42 Historic Resource Inventory Survey to be returned to the category of Historic Resources Reserves	\$15,002.50
	<hr/>
	Total: \$68,880.75

**ARTICLE 56. COMMUNITY PRESERVATION FUND – GENERAL BUDGET AND APPROPRIATIONS (Consent Calendar)**

*Move to appropriate the sums recommended by the CPC in the following community Preservation Act budget for FY2023 Community Preservation surtaxes:*

\$ 138,300 Administrative and Operating Cost  
\$1,017,893 Debt Service

**There was no discussion on the Consent Calendar articles.**

**The Moderator confirmed a majority vote was required, and the motion to approve the Consent Calendar articles, as printed in the Warrant was seconded and PASSED BY WELL MORE THAN A MAJORITY.**

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 Robert May. Former Council on Aging Member (2009-2021), Master Planning Steering Committee (2019-2021).

Mr. May said before reading Article 1 please allow me to deviate for a minute. I have been given this honor as a reflection of my volunteerism within the Town over several years. I'm proud and humbled by this recognition but feel this honor and recognition must be shared with all of the volunteers, past, present and future. The volunteers, who are we in the Town? Those on the board before you and the committees and trust which our website says there are 50. Not 50 volunteers but 50 organizations. Those delivering medical transport, meals home repairs and those helping in schools and the library and those providing stewardship overview of the Town's processes. All of these have given their time and talents, tirelessly to continue the tradition of Sudbury to provide many services to all of our citizens deliver a strong sense of stewardship and foster greater outcomes for the Town. In recognition of the citizen volunteer, I ask you to join me in a short round of applause for all of them. The Hall applauded.

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

Mr. May moved in the words of the motion:

*Move to accept the reports of the Town boards, commissions, officers and committees as printed in the 2021 Town Report or as otherwise presented, subject to the correction of errors, if any, where found.*

Submitted by the Select Board

(Majority vote required)

The motion was seconded.

**SELECT BOARD:** Supported the motion.

The Moderator confirmed a majority vote was needed; the motion under Article 1 **PASSED UNANIMOUSLY.**

The Moderator reviewed procedures for the Annual Town Meeting. Ms. Blake explained that every matter that is voted on at Town Meeting must come in the form of a motion. 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 differs from the words that appear in the Warrant. All motions of substance, including main motions and motions to amend, must be delivered to the Moderator, the Town Clerk, Beth Klein, and to Mark Thompson, the Technology Administrator, in writing, before they are made. A motion to amend can only be made

when the mover is first recognized, and not in the midst or at the end of their remarks. Only registered voters of Sudbury, non-resident Sudbury employees, or elected state officials; may speak without permission of the Hall. Every time they address the Hall they must begin by slowly and clearly stating their name and address so that the Town Clerk can make an accurate record of these proceedings. All remarks and questions should be addressed to the Moderator and not to anyone else in the room. All questions must be addressed to the Moderator. 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 explained that in recognition of the fact that the cost centers' presentations are unduly limited by the 10-minute rule, she would use a more flexible approach, and would suggest an appropriate motion when Article 3 is called. She hoped that all presenters and speakers understand that succinctness will be very much appreciated by the Hall. She further explained other procedures that would be followed. Any motion to "move the question" or "call the question" will be taken up as any other motion made from the floor. A motion to "move the question" is a request to end all debate and to move directly to a vote on the motion. To move the question, the speaker must be recognized by the Moderator and immediately make their motion. The Moderator has the right to rule that a motion to move the question is out of order. Ms. Blake explained that the Article in the warrant describes the quantum of votes necessary for a motion under that Article to pass. Sometimes, for a variety of possible reasons, the required quantum of a vote as set forth in the Warrant may be different from the actual vote required. She said 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 their cards. The Moderator will then count the vote and announce the result. If a vote is too close to call, the Moderator will call for a counted vote.

The Moderator reminded the Hall that every speaker today should be treated with courtesy and respect, no matter how strongly someone may disagree with his or her point of view. Ms. Blake stated that she will not allow any clapping, hissing, booing or other audible noise, for or against any speakers; either before, during or after presentations. It is within her powers as Moderator to terminate the right to speak of anyone who makes disrespectful comments, whether directed at a voter, speaker, or Town official.

The Moderator recognized the Select Board Chair Jennifer Roberts, to present the State of the Town Address.

#### Summary of State of the Town Address- May 2022

The 2022 State of the Town Address given by Select Board Chair Jennifer Roberts, centered on the theme of resilience. Ms. Roberts began by defining resilience as the ability to recover from crises, citing the COVID-19 pandemic as a major test of Sudbury's resilience. She acknowledged the community's challenges, including illness, loss, and the difficulties of balancing work and family during the pandemic. However, she praised the town's response, highlighting how town employees continued to provide essential services

electronically, public safety departments remained on the front lines, and various town programs adapted to the changing circumstances. Financial stability and climate change initiatives were also emphasized, as well as gratitude to town staff, boards, businesses, and volunteers for their dedication. The completion of the Town Master Plan was seen as a roadmap for Sudbury's future growth, reflecting the community's commitment to resilience and unity.

In the midst of challenges, Ms. Roberts underscored how Sudbury remained strong and adaptable. Jennifer Roberts conveyed her hope for continued progress, unity, and the return to a "modified normal." Sudbury's commitment to democracy and community support were highlighted, with the meeting serving as a testament to the town's ability to navigate difficult times while moving forward with key projects and initiatives. Overall, the Address reflected a community that had weathered adversity with resilience and looked ahead to a brighter future.

Full presentations for all articles are available on the Town Meeting webpage on the Town website.

## ARTICLE 2 – FY22 BUDGET ADJUSTMENT

Select Board Chair Jennifer Roberts *moved* in the following words:

*Move to indefinitely postpone Article 2.*

Submitted by the Select Board

(Majority Vote Required)

The *motion* was seconded.

**SELECT BOARD:** Supports Article 2

**FINANCE COMMITTEE:** Supports Article 2

The Moderator stated a majority vote was required; the *motion* for Article 2 **PASSED UNANIMOUSLY.**

The Moderator explained the rules related to the votes for the budget articles, noting the vote on the Limiting Motion will establish the upper limit for the FY23 budget. She explained that, once the Body disposes of the limiting motion, the Finance Committee will make a main motion on the budget. At that time, she read line-by-line the items in the main motion. Absent a motion to reconsider 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 is not offset by a decrease in another line item.



**ARTICLE 3 – FY23 BUDGET -LIMITING MOTION**

Sudbury Finance Committee Co-Chair Eric Poch *moved* in the words of the motion below:

*Move that the amount appropriated under the Fiscal Year 2023 budget not exceed the sum of \$109,966,439.*

Submitted by the Select Board

(Majority Vote required)

The *motion* was seconded.

**SELECT BOARD: Supported the Limiting Motion**

The Moderator confirmed a majority vote was required; the limiting *motion* **PASSED BY MORE THAN A MAJORITY.**

Sudbury Finance Committee Co-Chair Eric Poch provided the Finance Committee State of Town Finances:

*The mission of the Sudbury Finance Committee is to make concise decision and other financial-related Warrant Article processes, to review and consider any matter that may have a long and fiscal impact on the Town and gathers relevant information for evaluation debate a formulation of recommendation. It's composed of a nine-member volunteer committee and our commission is to make objective and concise recommendations on the annual Town budget and the other finance related articles.*

**FINANCE COMMITTEE: Recommended approval of Article 3 by a vote of 8-0.**

The Moderator asked for a motion to authorize the three cost centers to speak for five minutes each. The *motion* was seconded and **PASSED UNANIMOUSLY.**

The Moderator recognized Town Manager Hayes.

Town Manager Henry Hayes presented the FY23 Town Budget report.

Sudbury Public School Superintendent Brad Crozier presented the proposed Sudbury Public Schools FY23 Budget report.

Lincoln-Sudbury Regional High School Superintendent Bella Wong presented the proposed FY23 Lincoln-Sudbury Regional High School Budget report.

**Article 3 Main Motion FY 23 Budget**

Co-Chair of the Finance Committee Eric Poch *moved*:

*Move that the Town appropriate the sums of money set forth in the column “FY23 Recommended” for Fiscal Year 2023 as printed in the Warrant. Said sums to be raised by taxation, except that the following items be raised and designated, by transfer from available fund balances and interfund transfers: to transfer from Ambulance Reserve for Appropriation Account to Item 200: Public Safety, \$660,000; to authorize the Town Manager to transfer, within the FY23 budget, \$1,431,156 from item 900: Employee Benefits (Town and SPS) and \$650,000 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.*

Submitted by the Town Manager

(Majority Vote required)

The *motion* was seconded.

**SELECT BOARD:** Supports

**FINANCE COMMITTEE:** Supports

The Moderator read each item within the FY23 Budget Report.

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

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

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

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

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

**Resident Pat Brown, 34 Whispering Pine Road, moved to Amend Article 3 by increasing Lincoln-Sudbury Regional High School by \$550,000 and decreasing the Education-Vocational line item 300 by \$550,000.**

**The motion to Amend was seconded.**

**Ms. Brown stated that the Lincoln-Sudbury Regional Agreement indicates the Lincoln Sudbury Regional High School would be responsible for vocational education; thus it seems wrong that they would be asked to undertake that responsibility without giving them the funding to discharge it.**

**LSRHS Superintendent Bella Wong responded she is not prepared to discuss this and that such amendment would be premature, until the Lincoln-Sudbury Regional Agreement underwent further discussion.**

The Moderator stated that a Motion to Amend required a majority vote and held that the Amendment to Article 3 **FAILED**.

The Moderator stated that the main motion under Article 3 required a majority vote, and held that the Main Motion under Article 3 **PASSED UNANIMOUSLY**.

#### **ARTICLE 4 – FY23 CAPITAL BUDGET**

Select Board Chair Jennifer Roberts, **moved** in the words below:

*Move to appropriate the sum of \$1,036,274 to be raised by taxation for the purchase or acquisition of capital items including, but not limited to capital equipment, construction, engineering, design, and renovation to buildings, including equipping of vehicles and all incidental and related expense for projects; and to authorize the Town Manager to allocate funds as needed between the underlying departments as shown in the following chart:*

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

Submitted by the Town Manager

(Majority Vote required)

The **motion** was seconded.

Town Manager Henry Hayes explained in detailed what was in the Capital Budget.

Finance Committee Co-Chair Eric Poch presented the Finance Committee's report on the FY23 Capital budget.

**FINANCE COMMITTEE: Supports Article 4**

**SELECT BOARD: Supports Article 4.**

Resident Dan Martin, 86 Brookdale Road, questioned the purchase of two \$85,000 trucks with plows, because the current trucks had not reached their life expectancy.

Town Manager Hayes responded that spacing of vehicle purchases would avoid many vehicles having to be replaced at one time. He noted that this revolving DPW plan had been supported by the Select Board and the Finance Committee.

The Moderator confirmed a majority vote was required; Article 4 PASSED UNANIMOUSLY.

**ARTICLE 5 – FY23 TRANSFER STATION ENTERPRISE FUND BUDGET**

Select Board Chair, Jennifer Roberts, moved in the words below:

*Move to appropriate the sum of \$300,124 for the Transfer Station Enterprise Fund for FY23, and further to authorize use of an additional \$17,551 for indirect costs; such sums to be raised from \$317,675 in FY23 receipts of the Enterprise, as set forth in the Article.*

	FY21 Actual	FY 22 Appropriated	FY23 Requested
<b>TRANSFER STATION ENTERPRISE FUND</b>			
Direct Costs	243,615	291,303	300,124
Indirect Costs <sup>1</sup>	17,163	17,800	17,551
Total Expenditures	260,778	309,103	317,675
Enterprise Receipts	261,551	309,103	317,675
Total Revenues	261,551	309,103	317,675

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

Submitted by the Town Manager

(Majority vote required)

The motion received a second.

Town Manager Hayes discussed the Enterprise Fund, noting that it applied to Articles 6 and 7, as well. Mr. Hayes stated that Enterprise funds gives the community the flexibility to account separately for all financial activities associated with a broad range. It establishes a separate account of mechanism for municipal services for which a fee is required. The expenses are segregated in a fund with financial statements separate from all other activities. Article 5 transfer station enterprise fund slide shows the requested amount

for the enterprise fund based on total revenues anticipated which is \$317,675. The associated expenses are for the employees as well as their associated benefits and then there's the maintenance and the associated hauling and recycling and those types of activities for the transfer station.

**FINANCE COMMITTEE:** Supported Article 5.

**SELECT BOARD:** Supported Article 5.

The Moderator confirmed a majority vote was required; Article 5 **PASSED UNANIMOUSLY**

**ARTICLE 6 – FY23 POOL ENTERPRISE FUND BUDGET**

Select Board Chair, Jennifer Roberts, *moved* in the words below:

*Move to appropriate the sum of \$462,620 for the Pool Enterprise Fund for FY23, and further to authorize use of an additional \$40,733 for indirect costs; said sums to be raised from \$400,000 in FY23 receipts of the Enterprise Fund, and \$103,353 from retained earnings, as set forth in the Article.*

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

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

**Submitted by the Select Board**

**(Majority Vote required)**

The *motion* received a second.

Town Manager Hayes presented the FY23 Pool Enterprise Fund Budget PowerPoint report.

**FINANCE COMMITTEE:** Supports Article 6 by 7-2

**SELECT BOARD: Supports Article 6**

The Moderator confirmed a majority vote was required; Article 6 **PASSED NEARLY UNANIMOUSLY**

**ARTICLE 7- FY23 RECREATION FIELD MAINTENANCE ENTERPRISE FUND BUDGET**

Select Board Chair Jennifer Roberts, moved in the words below:

*Move to appropriate the sum of \$209,796 for the Recreation Field Maintenance Enterprise Fund for FY23, and further to authorize use of an additional \$26,089 for indirect costs; said sums to be raised from \$235,885 in FY23 receipts of the Enterprise, as set forth in the Article.*

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

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

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

**Submitted by the Select Board**

**(Majority Vote required)**

The motion received a second.

**FINANCE COMMITTEE: Supports Article 7**

**SELECT BOARD: Supports Article 7**

**Town Manager Hayes spoke in support of the Article.**

The Moderator confirmed a majority vote was required; and declared that Article 7 **PASSED WITH MORE THAN A MAJORITY.**

**ARTICLE 8 – FY22 SNOW & ICE TRANSFER**

Select Board Chair, Jennifer Roberts, *moved* in the words below:

*Move in the words of the Article with the sum of \$240,641.50 to be transferred from Free Cash and and expended under the direction of the Town Manager, for the purpose of funding the Fiscal Year 22 Snow and Ice deficit.*

Submitted by the Select Board

(Majority Vote required)

The *motion* received a second.

Town Manager Hayes presented the “FY23 Snow and Ice Transfer” report.

FINANCE COMMITTEE: Supports Article 8

SELECT BOARD: Supports Article 8

The Moderator confirmed a majority vote was required, and declared that Article 8 **PASSED UNANIMOUSLY.**

**ARTICLE 9 – UNPAID BILLS**

Select Board Chair, Jennifer Roberts, *moved* in the words below:

*Moved to indefinitely postpone.*

Submitted by the Town Accountant

(Majority vote required)

The *motion* received a second.

Assistant Town Accountant Robin Porcella stated there were no unpaid bills.

FINANCE COMMITTEE: Supports Article 9

SELECT BOARD: Supports Article 9

The Moderator confirmed a majority vote was required; the *motion* to indefinitely postpone Article 9 **PASSED UNANIMOUSLY.**

**ARTICLE 13 – Capital Stabilization Fund**

Select Board Chair Jennifer Roberts, *moved* in the words below:



*Move to transfer from Free Cash the sum of \$500,000, to be added to the Capital Stabilization Fund established under Article 13 of the 2018 Annual Town Meeting.*

Submitted by the Town Manager

(Majority vote required)

The *motion* was seconded.

Town Manager Hayes presented the “Capital Stabilization Fund report and stated that the account is used basically as a savings opportunity. The current balance is 550,100.

**FINANCE COMMITTEE: Supports Article 13**

**SELECT BOARD: Supports Article 13**

The Moderator confirmed a majority vote was required; and declared that Article 13 **PASSED UNANIMOUSLY.**

**ARTICLE 14 – FUNDING OF GO SADBURY! TAXI AND UBER TRANSPORTATION PROGRAMS FOR FY2023**

Select Board Chair Jennifer Roberts, *moved* in the words below:

*To transfer from Free Cash the sum of \$100,000, for the purposes of the continued operations of the GO Sudbury! Taxi and Uber Transportation Programs, including all incidental and related expenses.*

Submitted by the Select Board

(Majority vote required)

The *motion* was seconded.

Select Board Member and Chair of the Sudbury Transportation Committee Dan Carty, presented “Funding of Go Sudbury! Taxi and Uber Transportation Programs for FY23” PowerPoint report. Mr. Carty summarized the success of the program. It's given folks rides for healthcare. From analyzing this data, there is a heavy concentration for dialysis treatments and therapy treatment. People are going shopping and to pharmacies, and to Town Meeting. Also, to the food bank and senior center and places of employment. Between May 2021 and January of 2022, the program paid for 400 Taxi rides and over a thousand Uber rides.

**SELECT BOARD: Supports Article 14**

**FINANCE COMMITTEE: Supports the Article**

Resident and Chair of the Sudbury Commission of Disability (COD) Kay Bell, 348 Old Lancaster Road, stated that the COD voted unanimously 8-0, in

favor of Article 14. She indicated that related data would demonstrate the need for passage of this Article.

Resident Linda Faust, 189 Boston Post Road, stated she was visually and hearing impaired, and has benefited greatly from the Go Sudbury! Programs. She stated many would benefit by the continuation of the Go Sudbury! programs.

The Moderator confirmed a majority vote was required; Article 14 **PASSED BY MORE THAN A MAJORITY.**

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

Select Board Chair Jennifer Roberts, *moved* in the words below:

*Moved to indefinitely postpone Article 15.*

Submitted by the Select Board

(Majority vote required)

The *motion* was seconded.

**SELECT BOARD: Supports Article 15**

**FINANCE COMMITTEE: Supports the Article**

The Moderator confirmed a majority vote was required and held that the *motion* to postpone Article 15 **PASSED UNANIMOUSLY.**

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

Select Board Chair Jennifer Roberts, *moved* in the words below:

*Moved in the words of the article with the sum of \$200,000 to be transferred from Free Cash. to be expended under the direction of the Director of Planning and Community Development, for the purpose of hiring an independent land use consultant to study, evaluate, and expand the options for the short-term and long-term uses for the Sewataro/Liberty Ledge property*

Submitted by the Select Board

(Majority vote required)

The *motion* was seconded.

**FINANCE COMMITTEE: Does not support Article 16 by a vote of 5-2;**

**SELECT BOARD: Supports Article 16**

Select Board member, Russo spoke in favor of the article. He stated that the Article asked for \$200,000 to hire an independent land consultant to study and evaluate the full range of options for the short -term and long-term uses for the Sewataro Liberty Ledge Property. He explained why the cost increased \$100,000 to \$200,000. The reason is because the two hundred thousand amount more closely aligns with the estimate, we received from the planning consultant that was solicited by the Director of Community and Planning development.

Resident Raymond Schmidt-Gross, 298 Maynard Road, stated that the Sewataro project was an erroneous/vanity-driven project and proponents maintained that the project would pay for itself. He indicated that the land should be sold.

Resident Kathy Jacob, 328 Old Lancaster Road, asked where the proposed \$400,000 funding figure came from. Board Member Russo responded there was a second similar Article proposed (Article 57), also requesting \$200,000. He detailed that if both articles passed, the total finding figure would reflect \$400,000.

Resident Kevin Portelli, 188 Willis Road, asked if the related funding was coming from Free Cash. Board Member Russo confirmed the requested amount would be coming from Free Cash.

Resident and Chair of the Sudbury Planning Board Stephen Garvin, 26 Bowditch Road, introduced the Director of Planning and Community Development Adam Duchesneau, who spoke on behalf of the Planning Board and shared their position regarding the Article.

Director of Planning and Community Development Adam Duchesneau stated that the Planning Board and the Master Plan Implementation Committee unanimously do not support Article 16, and felt it was appropriate to first complete the outdated “Open Space and Recreation Plan,” and the “Athletic Fields and Assessment Master Plan,” before undertaking a land use consulting plan for the Sewataro/Liberty Ledge property. He added that the scope of any such Sewataro/Liberty Ledge consulting project should be narrower. Mr. Duchesneau confirmed that at their meeting of April 22, 2022; the Planning Board and the Master Plan Implementation Committee voted unanimously not to support Article 16.

Resident and member of the Park & Recreation Commission Richard Williamson, 22 Farmstead Lane, stated the Park & Recreation Commission maintains that the Sewataro purchase was done hastily, and the Commission would appreciate further consulting research be undertaken regarding Article 16.

**Resident and Select Board Member Bill Schineller, 37 Jarman Road, stated as a citizen, his position aligns with that of the Planning Board. He indicated that the best use for the Sewataro property is to remain as a successful camp, and negotiation results led by Charles Russo, lead to a five-year term extension. Select Board Member Schineller acknowledged that the Camp is open on week-ends and evenings for residents, as well as, advancement of ADA improvements. Board Member Schineller presented the benefits for extension of the Camp, with revenue share as well. He stressed that both Articles 16 and 57 should not be voted upon at this Town Meeting.**

**Resident Key Bell, 348 Old Lancaster Road, speaking as the Chair of COD, stated that COD voted in favor of Article 16 because the Sewataro land is available for use now, and possibilities/potential uses can be developed for all to enjoy.**

**Resident Jordan Wachs, 22 King Phillip Road, suggested that stake-holder accounting methods be considered in the consultation study.**

**Resident Henry Sorett, 58 Longfellow Road, supported Article 16 and provided narrative regarding the purchase of the Sewataro property. He stressed aspects regarding lost Town revenue/debt service, which are subsidizing the camp operator. Mr. Sorett added that most people using the Camp are not Sudbury residents.**

**Ms. Roberts speaking as an individual, noted that a majority of the Select Board is seeking to fulfill an agreement made at the 2019 Town Meeting when the Sewataro property was acquired. She added that the agreement reflected use of the property as a camp, in the short-term, but there also should be a longer-term use analysis, taking place and that is what this article is for.**

**Resident Syrie Fried, 330 North Road, asked if the two articles are seeking to establish the same goal. Select Board Member Russo responded that ultimately there was no difference between the two articles, and the next step would be with Staff in order to draft an RFP (Request for Proposal).**

**Resident and Petitioner for Article 57, Len Simon, 40 Meadowbrook Circle, stated that if Article 16 passes, Article 57 will be withdrawn. He congratulated Select Board Member Russo for coming forward with Article 16, and adjusting it appropriately. Mr. Simon detailed that the petitioner's article was brought forward to provide due diligence, which was not provided at the time of the Camp Sewataro purchase. He confirmed that at the time of purchase, there was no plan in place for the use of the property.**

**Mr. Simon stressed that no one has asked the residents how they want the Liberty Ledge property to be used. He stressed that passage of either Sewataro article, would provide residents with that opportunity. Mr. Simon commented that much work needs to be done at the property.**

**Resident Kevin Matthews, 137 Haynes Road, stated that the people driving the citizen's petition – Article 57, are the same people who opposed Sewataro. Mr. Matthews**

maintained that if these articles are approved, the Sewataro site would be developed and the openness of Sewataro will be gone.

Resident Kirsten Roopenian, 45 Harness Lane, stated that in 2019 she was opposed to the Town's purchase of Camp Sewataro; and now feels the Town must make the highest and best use of the property, working with what the Town has there. She stressed that Sewataro is a community asset which requires a more formalized plan.

The Moderator confirmed a majority vote was required; and declared that Article 16 FAILED.

### ARTICLE 18 – TRANSFER OF TAX POSSESSION PARCEL TO THE PARK & RECREATION COMMISSION

Select Board Chair Jennifer Roberts, moved in the words below:

*Move to transfer from the Town Treasurer for tax title purposes, to the Park and Recreation Commission, for active recreation purposes and general municipal purposes, certain real property shown as Parcel 1 being Lots 2 and 2A off Hudson Road in the Town of Sudbury and shown on the plan entitled "Topographic Plan of Land in Sudbury, Massachusetts Showing Tax Possession Parcel No. 167 Known as "The Parkinson Land" prepared by the Town of Sudbury Engineering Department, dated July 30, 1999, on file with the Town Clerk, and as further described in the Instrument of Taking issued by the Town of Sudbury Collector of Taxes, dated September 14, 1970, recorded in the Middlesex South Registry of Deeds in Book 11889 Page 393 as ordered in the Land Court Final Decree in Tax Lien Case No. 51535 Town of Sudbury vs. Florence H. Parkinson, recorded in the Middlesex South Registry of Deeds in Book 13189 Page 604.*

Submitted by the Select Board

(Two-Thirds vote required)

The motion was seconded.

FINANCE COMMITTEE: No position on Article 18

SELECT BOARD: Supports Article 18

Environmental Planner Beth Suedmeyer made the presentation. She noted the intent of the Article was mainly for housekeeping purposes at Parkinson Field. This parcel known as the "Parkinson Land" is located off of Hudson Road, and entitled by tax foreclosure in 1970 and normally when a tax- title- taking occurs the parcel becomes under the custody and control of the treasurer's office and normally Town Meeting will vote to the intended use and the care custody of the Park & Recreation Commission in Town for that parcel. This vote never happened historically since that 1970 tax taking and thus we're trying to clean up the report this evening by transferring the tax parcel to the Park &

Recreation Commission who maintains the parcel. This article formalizes the transfer to the Park & Recreation Commission.

The Moderator confirmed a two-thirds vote was required; and declared that Article 18 PASSED UNANIMOUSLY.

The Moderator noted that it was 10:39pm and moved to adjourn the meeting until May 3<sup>rd</sup> at 7:30pm. The motion was seconded and PASSED UNANIMOUSLY.

# SUDBURY ANNUAL TOWN MEETING

May 3, 2022

Pursuant to a Warrant issued by the Select Board and a quorum being present, the inhabitants of the Town of Sudbury qualified to vote in Town affairs reconvened in the Lincoln-Sudbury Regional High School (L-SRHS) Auditorium on Tuesday, May 3, 2022, for the second session of the Annual Town Meeting. Catherine Blake, the Moderator, called the meeting to order at 7:30 p.m.

## ARTICLE 19. BRUCE FREEMAN RAIL TRAIL PHASE 2D -ACQUISITION OF LAND

Select Board Chair Jennifer Roberts, moved in the words below with the deletion of the words “eminent domain”.

*Move to authorize the Select Board to acquire by gift, purchase, or otherwise, fee, leasehold, easement, license or other interests in real property, in, on, over, across, under and along all or any portion of the land, premises, easements, or right-of-way in Sudbury shown on the plan entitled "Massachusetts Department of Transportation Highway Division Plan and Profile of Bruce Freeman Rail Trail in the Town of Sudbury Middlesex County Final Right of Way Submission" dated January 18, 2022 prepared by Fuss & O'Neill and on file with the Town Clerk, as it may be amended, for purposes of establishing, constructing, operating, improving, and maintaining an improved multi-use trail for non-- motorized transportation, open space and active recreation purposes, including access thereto, and for all other purposes for which rail trails are used in the Commonwealth, on such terms and conditions as the Select Board deems to be in the best interest of the Town; and further, that the Town transfer \$15,000 from Free Cash including all costs and expenses related thereto, and/or accept gifts for these purposes; and further, to authorize the Select Board to take such actions and execute such documents and agreements as are necessary to effectuate the purpose of this article.*

Submitted by the Select Board.

(Two-thirds vote required)

The *motion* received a second.

FINANCE COMMITTEE: Voted 7-0 in favor

SELECT BOARD: Support the article by 3-2

PLANNING BOARD: Voted unanimously in support of the article.

Beth Suedmeyer, Environmental Planner for Sudbury, explained the purpose of Articles 19 and 20. She stated that she is first presenting Article 19 Bruce Freeman Rail Trail. This is the first of two Articles related to right-of-way processes associated with

phase 2D of the Bruce Freeman Rail Trail. These Articles are required in order for the project to advance through the construction phase. The Town has invested a tremendous amount of time, energy and funding to the design of Bruce Freeman Rail Trail and we are is close to the finish line. The Town is wrapping up the design and the right-of-way process. The environmental permitting has come a long way over the last several months. She said that the Town is close to the completion of the design in anticipation of moving to construction in over a year and that they need the Town Meeting votes in order to do that.

**Motion to Amend:** Robert Abrams, 187 Nobscot Road, **moved** to amend the article as follows:

*Motion to amend Article 19 as printed in the warrant by deleting the “comma” after the word “gift” in the first line and replacing that comma with the word “or”, and by deleting the words, “eminent domain or otherwise” so that the revised portion of the first sentence reads, “...gift or purchase, fee, leasehold...”*

The **motion** was seconded.

Mr. Abrams spoke to his amendment.

Lee Smith, Town Counsel responded that after discussion with the Select Board, they decided to remove the words “eminent domain” from the article. He did not see the need to also remove “or otherwise”. In his opinion if the word otherwise was left in and that in itself does not provide sufficient authority from Town Meeting to acquire property by eminent domain.

**Vote on Motion to Amend:** The Moderator stated that a majority vote was needed and that the Motion to Amend **FAILED**.

Sudbury Resident David Jacob, 328 Old Lancaster Road, asked if the purchase could not happen if the the words “Eminent Domain” are removed. Ms. Suedmeyer responded that this would not affect the ability to complete the rail trail project.

Resident Richard Williamson, 22 Armistead Lane, stated that after 37 years he was looking forward to the completion of the Bruce Freeman Rail Trail.

Resident Charles Morton, 35 Jillian’s Way, asked if the 12 million that was coming from state grants to complete the rail trail would go to some other Town if Sudbury did not take it. Ms. Suedmeyer stated that was correct.

Resident Rebecca Cutting, 381 Maynard Road asked what the lifespan of the temporary easements was. Ms. Suedmeyer responded that it would be for 4 years.

The Moderator stated that a two- thirds vote was needed and declared that Article 19 was **VOTED BY WELL MORE THAN TWO-THIRDS**.



**ARTICLE 20. BRUCE FREEMAN RAIL TRAIL PHASE 2D -Grant of Easements**

Select Board Chair Jennifer Roberts, moved in the words below:

*Move that the parcels shown on the plan entitled “Massachusetts Department of Transportation Highway Division Plan and Profile of Bruce Freeman Rail Trail in the Town of Sudbury Middlesex County Final Right of Way Submission” dated January 18, 2022 prepared by Fuss & O’Neill and on file with the Town Clerk, as it may be amended, and as described in the Select Board Report on Article 20, be dedicated, consistent with the purposes for which they are presently held, for establishing, constructing, operating, improving, and maintaining an improved multi-use trail for non-motorized transportation, including access thereto, and for all other purposes for which rail trails are used in the Commonwealth.*

Submitted by the Select Board.

(Majority vote required)

The motion received a second.

FINANCE COMMITTEE: Voted in favor 8-0

SELECT BOARD: Supported this article 5-0

BRUCE FREEMAN RAIL TRAIL: Unanimously supports Article 20

Beth Suedmeyer, the environmental planner, explained that this is the list of the Town-owned properties and the particular areas of impact. The first three are associated with the Broad Acres Farm property. The first one is associated with the wetland conservation area associated with wetland impacts that are going to occur within the Rail Trail corridor. The wetland impacts are not on Town- owned property. They are within the Rail Trail corridor and we will mitigate for those impacts by creating wetlands on the Town- owned property in the pasture area of Broad Acres Farm. The next two associated with Broad Acres Farm is on Morse Road. The next two are associated with a parking lot that will be constructed within the recreation parcel adjacent to Sudbury Park. A parking lot was anticipated to be constructed there.

The next Town-owned property is Parkinson Field. This is off of Hudson Road. We are constructing a connector path, basically a sidewalk, that will connect the Rail Trail to the existing parking lot at Parkinson Field. There are both temporary and permanent impacts associated with that.

Finally on North Road there will be minor impacts to Davis Farm conservation area when we widen the sidewalk that is just adjacent to North Road. This will be part of the connector path that goes from the Rail Trail to the parking lot that is at Davis Field. There also are impacts to the Davis Field parking area; the connector path will travel adjacent to the parking lot there so that people can park and travel safely from the parking lot at Davis Field to the junction of the Rail Trail.

Resident Len Simon, 40 Meadowbrook Circle, thanked everyone who helped to bring the Rail Trail to a successful conclusion.

Justin Finnicum, Planning Board member, stated that the Planning Board and Master Plan Implementation Committee voted unanimously to support this Article.

The Moderator stated that a majority vote was needed and that the *motion* for Article 20 was UNANIMOUSLY VOTED.

The Moderator recognized Chair Jennifer Roberts for a *motion*.

*Ms. Roberts moved that the Town vote to take up consideration of Article 47 and Article 48 immediately following the conclusion of Article 20.*

The *motion* received a second.

Ms. Roberts stated that she was authorized by the Select Board to make this motion in an effort to make the meeting more efficient and put like Articles together. Article 47 Bruce Freeman Rail Trail design and construction and Article 48 Bruce Freeman Rail Trail design and construction South of the Mass Central Rail Trail.

The Moderator stated that this is a *motion* that requires a four-fifths vote.

Resident Robert Abrams, 161 Nobscot Road, said that it has been pointed out at this Town Meeting many times over the past several years that if you take an Article out-of order, there will be a mass exodus from the hall after the Bruce Freeman Rail Trail is approved and you will have trouble getting a quorum to complete the Town Meeting.

Eric Poch spoke out against taking the Articles out of order.

The Moderator called for a vote and declared that the *motion* FAILED.

#### ARTICLE 21. STREET ACCEPTANCE – HUCKLEBERRY LANE

Select Board Chair Jennifer Roberts, *moved* in the words below:

*To accept the layout of the following as a public way:  
Huckleberry Lane from Old Lancaster Road to dead end, a distance of 453 feet +/- as laid out by the Select Board in accordance with the descriptions and plan entitled "Acceptance Plan of Huckleberry Lane in Sudbury, MA" prepared for Eligius Homes Company by Thomas Land Surveyors and Engineering Consultants, Inc., dated September 17, 2014 and twice revised on December 12, 2016 and March 16, 2017, on file in the Town Clerk's Office; and to authorize the Select Board to acquire by purchase, by gift, or by eminent*

*domain, an easement or fee simple, over the way shown on said plan and any associated drainage, utility, or other easements for all purposes for which public ways are used in the Town of Sudbury.*

Submitted by the Select Board.

(Majority vote required)

The *motion* received a second.

FINANCE COMMITTEE: No position on this Article

SELECT BOARD: Supports Article 21 by 5-0 in favor

Town Manager, Henry Hayes thanked the front office for all their hard work. He then explained why the acceptance of the street was necessary.

Point of Order: A member of the Hall asked why the warrant says 2/3 vote is required. Town counsel responded that since there is no appropriation then the vote drops to majority.

The Moderator confirmed a majority vote was required and that the *motion* under Article 21 *PASSED BY WELL MORE THAN A MAJORITY.*

**ARTICLE 22. FAIRBANK COMMUNITY CENTER AUDIO-VISUAL EQUIPMENT FUNDING**

Select Board Chair Jennifer Roberts, *moved* in the words below

*Move to transfer from Free Cash, the sum of \$300,000, to be expended under the direction of the Town Manager, for the purchase of audio- visual and related equipment for the Fairbank Community Center project to address needs and associated costs therefor.*

Submitted by the Select Board.

(Majority vote required)

The *motion* received a second.

FINANCE COMMITTEE: Does not support this article 4-4

SELECT BOARD: Supported Article 22, 3-2 in favor

CAPITAL IMPROVEMENT ADVISORY COMMITTEE: Voted in favor

Chair Roberts spoke in favor of the article. She listed the video and audio equipment which would be purchased with the funds, that would be used to satisfy the needs of the Senior Center, Sudbury Public Schools, and Park and Recreation. She

explained there was not sufficient funds from the original disbursement to pay for these items.

The Chair of the Finance Committee said they voted to not support this Article by a vote of 4-4. The Committee felt that there needs to be a standardized method across all cost centers. As we have learned from large multiple projects recently monitoring timelines and cost considerations to avoid significant unanticipated increases or subsequent asks from the Town for additional funding of amenities such as this included in original project proposals needs to be avoided.

Resident and Finance Committee member, Jean Nam, 81 Newbridge Road, stated that the Finance Committee has worked hard over the past 10 years to come up with new financial policies that were recently approved by the Select Board. This Article unfortunately, and the one that follows is in direct violation of these policies.

Resident Kirsten Roopenian, 45 Harness Lane, asked what policy is being violated and what is the result if this Article does not pass. Ms. Roberts responded to the first part of the question and asked if the project manager could respond to the second part.

Christopher Eberle, the project manager was allowed to address the Hall after a vote was taken to allow a non-resident to address the Hall. He explained that in terms of what would happen if we opened without the additional funding is we would have to prioritize what can fit into the project for the budget they have. He stated before, that it was their goal that the Town does not exceed their budget allotment for this project. With the money allocated for furniture, fixtures, and equipment (FF&E) it is money you would need to buy the necessary switches to allow the network to function. It is enough to have Wi-Fi work in the departments. Maybe a television or two. The heavy reuse of the limited resources they already have in the facility and even likely the remote functionality that have been proposed by the users when we developed the Audio Visual (AV) budget we were looking at.

Finance Committee member Susan Berry, 4 Dawson Road, stated that she voted in favor of the Article, because the Town had already voted in favor of the project which included these items and that it was reasonable to use free cash to pay for them.

Resident David Sherman, 42 Raynor Road, stated that he is a moderator for a senior center program that he ran on Zoom and found that this equipment is necessary to support seniors at home and is not a luxury item.

A resident asked if the Town has the resources to support the operating expenses for these systems?

Mr. Eberle responded that they have done analyses to see where the systems would be. The Fairbanks Center is largely an electrified building so it can be offset by photovoltaics. There's been discussions with the energy committee and the recently departed facility manager of the Town about ways in which the photovoltaic could move forward. That would help offset the largest utility bill of the facility.

Resident Linda Faust, 189 Boston Post Road. She wondered if this is the time to have this proposition come up? Are we taking a chance there will be even less funding available? The second thing she wants to emphasize how important the Zoom is along with assistive listening devices for people like herself. She said that she is wearing one now. She also stated that she is all for this but is a little bit confused and wants to know if this something we can address later before the center is built or is this something we should move on now?

Mr. Eberle responded that currently the center is set to open the end of 2023 and looking at the calendar, there is a long lead time to order this equipment and to install it. So it is necessary to make these decisions as early as possible.

Resident Kevin Matthews, 137 Haynes Road, asked if there was enough Free Cash to pay for all these items as well as for the other articles that are using Free Cash? Town Manager Hayes responded that the Free Cash estimate included these two articles.

Finance Director Dennis Keohane said that if all the remaining articles pass there would be \$1,300,000 remaining in Free Cash.

Resident Kathleen Bell, 338 Old Lancaster Road, and as a member of the Commission on Disability, spoke in favor of the Article and said how important AV equipment was to people with disabilities.

The Moderator confirmed a majority vote was required and that the *motion* under Article 22 *PASSED BY WELL MORE THAN A MAJORITY.*

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

Select Board Chair Jennifer Roberts, *moved* in the words below:

*Move to transfer from Free Cash, the sum of \$200,000, to be expended under the direction of the Town Manager, for the purpose of purchasing any one or more of the furniture, fixtures, and equipment categories for the Fairbank Community Center project to address needs and budget challenges.*

Submitted by the Select Board.

(Majority vote required)

The *motion* received a second.

FINANCE COMMITTEE:

Does not support this Article

SELECT BOARD:

Supports this Article-3-2

**CAPITAL IMPROVEMENT ADVISORY COMMITTEE: Supports the Article**  
Select Board member, Janie Dretler, spoke in favor of the article.

The Fincom Chair stated that the Finance Committee did not approve this Article by a vote of 4-4 noting that FF&E was originally included in Article 18 and passed at the 2020 Annual Town Meeting and that this would cause this project to advance before other prioritized projects already included in the capital improvement plan.

Select Board member Daniel Carty stated that for similar reasons he voted against this Article.

Resident Ray Phillips, 40 Whispering Pine Road said that the previous speaker stated that he was projecting a \$700,000 overrun that might be made up during the course of the project and asked for clarification. Mr. Hayes responded to the question.

Resident Kirsten Roopenian, 45 Harness Lane, is concerned if we don't act this evening and we don't make this right, are we going to be coming back to a fall Town Meeting or spring Town Meeting? We all know the costs are going up exponentially.

Chair Roberts responded that these new financial policies were approved after these Articles were formulated.

The Moderator confirmed a majority vote was required and that the motion under Article 23 PASSED BY WELL MORE THAN A MAJORITY.

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

Select Board Chair Jennifer Roberts, moved in the words below:

*Move to transfer from Free Cash, the sum of \$995,000 to be expended under the direction of the Town Manager, for the purpose of designing, constructing and equipping a new housing/living/office area adjacent to and connected to the existing Fire Station #2 Building, located at 550 Boston Post Road, with the Permanent Building Committee tasked with oversight of professional, engineering, architectural, and project management services, preparation of plans, specifications, bid documents, supervision of construction and work and including the purchase of additional equipment, technology, furniture, and landscaping.*

Submitted by the Fire Chief.

(Majority vote required)

The motion received a second.

**FINANCE COMMITTEE: Supports this Article, 7-1 in favor**

**SELECT BOARD:** Supports this Article, 5-0 in favor

**CAPITAL IMPROVEMENT ADVISORY BOARD:** Support the Article

Assistant Fire Chief Tim Choate spoke in favor of the Article.

Mary Ann Bittner, 333 Peakham Road, asked why the building design was changed from a peaked roof to a flat roof?

Craig Blake responded that it is actually a sloped flat roof so precipitation will drain off of it and is less expensive.

The Moderator confirmed a majority vote was required and that the *motion* under Article 24 *PASSED BY WELL MORE THAN A MAJORITY.*

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

Select Board Chair Jennifer Roberts, *moved* in the words of the Article below:

*Moved to amend the Town of Sudbury General Bylaws to allow for the use of electronic voting technology for the counting of votes at Town Meeting by inserting, in Article II, Government of Town Meeting, a new SECTION 19, as follows:*

**SECTION 19 (a) Voting.**

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

**b) Counting -Electronic Voting**

*If the count is taken using electronic voting technology, the Moderator shall declare the vote, and provide an opportunity for any voter to notify the Town Moderator that they believe their vote was recorded in error; if so, the Moderator shall direct that the record be corrected by the Town Clerk. If seven or more voters doubt the vote, the Town Moderator may request another vote using the handheld technology, or otherwise set the manner of voting. If Town Meeting approves a motion for reconsideration, the motion at issue immediately prior to the vote will be back before the voters, and the*

*electronic voting system shall be used to record and tabulate the votes taken on the main motion.*

***c) Counting-Other Methods***

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

Submitted by the Town Clerk.

(Majority vote required)

The motion received a second.

FINANCE COMMITTEE: No position on Article 25

SELECT BOARD: Supported Article 25

Town Clerk Beth Klein explained that this Article seeks to amend the Town of Sudbury general bylaws by expanding the methods of voting at Town Meeting to include electronic voting. The Town bylaws do not specify a method of voting. This has been left up to the Moderator and tradition. In order to change how votes are counted the Moderator would need to get the permission of the Hall at each annual special Town Meeting. This bylaw would allow the Moderator to default to electronic voting for future Town meetings. Electric Voting technology is defined as any electronic voting system which allows for the counting of votes using a wireless or mobile device including hand-held clickers, mobile phone application or the like. This bylaw would also create a mechanism by which voters could object to the method of voting or notify the Moderator that their vote was recorded in error. It will also provide an alternative voting option if electronic voting is not available.

Resident Stacy Murano, 592 North Road asked if this will allow us to vote remotely from home, if it were electronic would you still be required to be present in the auditorium?

Ms. Klein responded that it would not allow for remote voting. Remote voting at open town meeting is not approved by the Secretary of State.

A resident asked about the security of the system.

Ms. Klein responded that the clickers do not use Wi-Fi, they use blue tooth and are secure.

The Moderator confirmed a majority vote was required and that the motion under Article 25 **PASSED BY WELL MORE THAN A MAJORITY.**



**ARTICLE 26. SCHOOLS HVAC REPAIRS AND REPLACEMENTS**

Select Board Chair Jennifer Roberts, *moved* in the words below:

*Move to transfer from Free Cash, \$455,000 to be expended under the direction of the Sudbury Public School Department for the purpose of the repair and replacement of individual heating, ventilation and air conditioning items in several schools, and all expenses incidental and related thereto.*

Submitted by the Sudbury Public Schools Committee (Majority vote Required)

The *motion* received a second.

FINANCE COMMITTEE: Supported Article 26, 8-0 in favor

SELECT BOARD: Supported Article 26, 5-0 in favor

Video Presentation by Facilities director Bill Barletta.

Resident Ray Phillips, 40 Whispering Pine Road, asked if credits from Mass Save could be used to offset the cost of the units' replacements? Brad Crozier responded that he does not know if the rebates can be used.

The Moderator confirmed a majority vote was required and that the *motion* under Article 26 **PASSED UNANIMOUSLY.**

**ARTICLE 27. NOYES ELEMENTARY SCHOOL CLASSROOM SINKS REPLACEMENT**

Select Board Chair Jennifer Roberts, *moved* in the words below

*To transfer from Free Cash, \$130,000 to be expended under the direction of the Sudbury Public School Department for the purpose of replacing the existing classroom sinks at the Peter Noyes Elementary School, and all expenses incidental and related thereto.*

Submitted by the Sudbury Public Schools Committee (Majority vote Required)

The *motion* received a second.

FINANCE COMMITTEE: Supported Article 27, 8-0 in favor.

SELECT BOARD: Supported Article 27, 5-0 in favor

Resident Kay Bell speaking on behalf of the Commission on Disability stated that municipalities are required to conduct an inspection and assessment of all facilities, which is what Mr. Barletta did. The replacement of sinks is on this plan and will improve accessibility for our children.

The Moderator confirmed a majority vote was required and that the *motion* under Article 27 **PASSED UNANIMOUSLY.**

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

Select Board Chair Jennifer Roberts, *moved* in the words below:

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

Submitted by the Historic Districts Commission

(Majority vote Required)

The *motion* received a second.

FINANCE COMMITTEE: No position

SELECT BOARD: Supports the Article

PLANNING BOARD: Supports the Article

The Moderator confirmed a majority vote was required and that the *motion* under Article 29 **PASSED BY WELL MORE THAN A MAJORITY.**

The Moderator asked for a Motion to Adjourn Town meeting until May 4<sup>th</sup> at 7:30pm. The Motion was seconded and the Moderator declared that it passed by **MORE THAN A MAJORITY.**

The meeting adjourned at 10:30pm

# SUDBURY ANNUAL TOWN MEETING

May 4, 2022

Pursuant to a Warrant issued by the Board of Selectmen and a quorum being present, the inhabitants of the Town of Sudbury qualified to vote in Town affairs reconvened in the Lincoln-Sudbury Regional High School (LSRHS) Auditorium on Wednesday, May 4, 2022, for the third and final session of the Annual Town Meeting. Catherine Blake, the Moderator, called the meeting to order at 7:30 p.m.

The Moderator thanked the Girl Scouts for assisting with the microphones. The Moderator noted that there are voters in the Rogers Theater and will be assisted by the assistant moderators. The Moderator discussed with Town Counsel who advised that we can forego with the presentations of each article in order to conclude the meeting tonight. Ms. Blake reminded the Hall that all the presentations are prerecorded and available on Sudbury TV. The Moderator also stated that each speaker will be limited to two minutes instead of five minutes in order to expedite the Meeting.

One resident objected to dispensing with the presentation of Article 58. The Moderator said she would ask if anyone wishes to hear the presentation before the motion.

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

Select Board Chair Jennifer Roberts, moved in the words of the article:

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

*2328. Fences.*

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

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

**7000. DEFINITIONS**

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

*; and further that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Zoning Bylaw.*

Submitted by the Planning Board

(Two-thirds vote required)

The *motion* received a second.

**FINANCE COMMITTEE: No position on Article 30**

**SELECT BOARD: Supports Article 30**

Planning Board Member, Justin Finnicum, made the presentation.

Resident Robert Abrams, 161 Nobscot Road, asked how the Bylaw will impact the Town as a landowner and how it may apply to the Rail Trail construction.

Adam Duchesneau, Planning Director, responded that the Bylaw will apply to the town fences on Town Property and the only fences proposed are along the Bruce Freeman Rail Trail which must comply with the law.

Resident Raymond Brady, 648 Boston Post Road, raised concerns of the height of a 3-foot fence along a section of Route 20, and asked if the bylaw was setting a precedent that fences are going to be 3 feet in height. He urged the defeat of this Article 30 unanimously.

Mr. Duchesneau responded that the Board felt the provisions were adequate and reasonable.

Resident Steve Greene, 360 Elaine Road, felt the Bylaw needs to be reworked. That it was an overreach. He felt that vegetation was the biggest problem to vision.

Resident Jennifer Knott-Pincus, 25 Blueberry Hill Lane, recognized the need for this Bylaw but suggested it should be reworded especially in relation to the 20-foot, 3-foot height issue.

Resident Michael Pincus, 25 Blueberry Hill Lane, asked for clarification on the special permit requirements for fences between 6 and 8 feet in height and higher.

Mr. Duchesneau noted fences over 8 feet would require a variance from the Zoning Board of Appeals to be erected.

Resident Henry Sorett, 58 Longfellow Road, thinks Article 30 and Article 31 are an assault on homeowners' rights to use their land, and the restrictions are not appropriate for single-family home owners outside of the historical district. He urged the defeat of this Article.

Stephen Garvin, Chair of the Planning Board, made the following clarifications: A fence on a common property line must be approved by the homeowner. The goal of the Bylaw is to put in place some controls to protect the citizens of the Town. As a civil engineer when you design anything you must to be able to show, there is a 3-foot distance in height for each way you look left or right depending on the speed limit of the road. This

was put in place to allow and preserve there to be some controls and that there are none currently for the Town to protect its citizens. He also stated that the Planning Board held multiple hearings to get feedback from multiple people in addition to looking at Bylaws from other parts of the country and throughout the state.

Resident Sarah Troiano, 342 Lincoln Road, asked how a residence with a pre-existing fence will meet the new Bylaw guidelines.

Mr. Duchesneau referred to Section L of the proposed Bylaw where in the case of pre-existing fences erected prior to the date of this are permitted to be maintained but not expanded or altered unless a special permit is obtained from the Zoning Board of Appeals. The pre-existing fences will be allowed to be maintained, repaired and replaced as long as they are replaced with the same material.

Resident Siobhan Hullinger, 55 Washington Drive, expressed concerns of the restrictive nature of the proposed Bylaw and asked for it to be defeated, and replaced with a less restrictive version with language more in line with our current Zoning Bylaws.

Mr. Duchesneau explained that the language of the proposed zoning bylaw was developed with input from the Planning Board as well as from the public at the hearings where these conversations took place and also with input from the Town building inspector. The bylaw does not apply to electric fences also known as an invisible fence. It doesn't meet the definition of fence as proposed in the Warrant.

The Moderator noted that the quantum of vote is two-thirds and declared that Article 30, FAILED.

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

Select Board Chair Jennifer Roberts, *moved* in the words of the article.

*Move to amend the Town of Sudbury Bylaws, Article V (F) (Stormwater Management Bylaw), by deleting the ~~strikethrough text~~ and inserting the italicized text, to be inserted numerically or alphabetically as applicable, all as set forth below:*

**SECTION 2. DEFINITIONS**

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

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

**MASSACHUSETTS SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) GENERAL PERMIT:**

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

**SECTION 4. ADMINISTRATION**

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

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

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

*A decision of the Planning Board or its Reviewing Agent made under this Bylaw shall be reviewable by the Zoning Board of Appeals, said appeal shall be made in writing no later than 20 days from any written decision of the Planning Board or its Reviewing Agent. ~~shall be final. Further relief of a decision by the Planning Board or its Reviewing Agent made under this Bylaw shall be reviewable in the Superior Court in an action filed within 60 days thereof, in accordance with M.G.L. Ch 249 § 4.~~ ; and further that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Zoning Bylaw.*

**Submitted by the Planning Board**

**(Majority vote required)**

The *motion* was seconded

**FINANCE COMMITTEE:**

**Has no position on Article 31**

**SELECT BOARD:**

**Supports Article 31**

**Chair of the Planning Board, Stephen Garvin, presented the pre-recorded video. He stated that the Stormwater Bylaws were adopted in 2009 in response to federal and state mandates. Now that it is 2022, they seek minor modifications to the Bylaw to bring it into compliance with the latest version of state and federal requirements. The purpose of the Bylaw is to protect and maintain and enhance public health, safety, and the general welfare of the Town by establishing minimum requirements and procedures to control the adverse effects of soil erosion and sedimentation, construction site runoff, increase post of element and nine-point storage solution associated with development and redevelopment.**

**Resident Gary Knapick, 208 Marlboro Road, does not object to the Bylaw's intent but expressed his concerns about the process and the protection for property owners. Mr. Knapick found the wording perplexing as it actually defines pervious pavers and other modern materials that are designed to enhance drainage and defines them as impervious surfaces and that seems to rob homeowners of an important option that they would have in paving a surface. He said that property owners should be informed there is an appeal process if they disagree with the drainage system proposed.**

**Resident Robert Abrams, 161 Nobscot Road, noted that a similar local Town Bylaw stormwater amendment proposal was presented in the past by The Conservation Commission and was voted down. He thinks this amendment is too restrictive for this town.**

**Resident Henry Sorett, 58 Longfellow Road, concluded the entire Stormwater Bylaw needed to be cut to limit it to large projects like the North Sudbury housing project or the proposed commercial Mercedes dealership for Route 20. It is not appropriate to cause homeowners to have to incur this kind of legal fees just to put in a downspout.**

**Resident Rebecca Cutting, 381 Maynard Road, asked if the wording of the Bylaw in reference to pervious surfaces was a federal requirement. And why did we strike dirt surfaced roads with compacted dirt surfaces which is much broader and could cause problems if somebody was going to do a terrace or put in a shed with a compacted dirt surface.**

**Mr. Garvin responded that the current Bylaw as it stands, states that if it is gravel or paved or anything of that nature, pavers count as pavement. So, changing your driveway from gravel to a paved driveway would not trigger anything. It is all the same under the current Bylaw. The current Bylaw passed in 2004 states that anything that is gravel counts as pavement in the Town of Sudbury.**

**Mr. Garvin further stated that the appeals process remains the same, with an existing waiting period of 60 days. This will help people move their projects along quicker. So, they can do it in 20 days as opposed to 60 days. He also said that their consultants advised the Board that they have to create these bylaws because the US EPA and MS4 will require the removal and the requirement of needing further TSS removal**



beyond the State. The State will change the regulations to meet that goal, and they are trying to make sure that we are already in compliance and ahead of the game.

The Moderator stated that the quantum of vote required for passage of Article 31 is a majority and declared that the Article PASSED BY A MAJORITY.

**ARTICLE 32. AMERICANS WITH DISABILITIES ACT (ADA) TRANSITION PLAN RECOMMENDATIONS**

Select Board Chair Jennifer Roberts, moved in the words of the article,

*Move that the Town vote to transfer from Free Cash the sum of \$200,000 to be expended under the direction of the Combined Facilities Director for the purpose of addressing recommendations identified in the Town Wide Americans with Disabilities Act Self Evaluation and Transition Plan.*

Submitted by the Combined Facilities Director (Majority vote required)

The motion was seconded.

Combined Facilities Director, Bill Barletta’s pre-recorded video was presented. Mr. Barletta explained that in 2021 the Town of Sudbury, as part of the on-going effort to access the current level of Americans with Disabilities Act (ADA) compliance in programs and services and Town owned facilities; the Town contracted The Institute for Human Centered Design to prepare an ADA Self Evaluation and Transition Plan on the Town’s behalf. It identified deficiencies, compiled prioritized list of recommendations for corrective action and provided associated costs. When the Town was turned down for two grants prior to 2021, the Town undertook the funding on its own to help facilitate getting this project moving. The associated costs were identified with a guide and a magnitude of scale to identify how these projects relate to each other in a rough estimate of what it would cost to affect each recommendation. The Self Evaluation and Transition Plan found many key facilities are generally usable by people with disabilities but are not in full compliance with current accessibility requirements.

This article would provide funding to begin addressing identified recommendations in schools, town buildings and public spaces. The transition plan and recommendations total in the millions for every recommendation and the difficulty is in implementing the plan. The most important element of this Article is the funding will serve to establish a collaborative approach that is manageable, understandable, transparent, plans for future work and is able to yield the achievable results.

**SELECT BOARD: Supports**

**FINANCE COMMITTEE: Does not support Article 32. 4-4 vote**

The Finance Committee Chair explained that they would like to see a plan in place prior to allocating any free cash funding.

Chair of the Capital Improvement Advisory Committee (CIAC) Susan Asbedian-Ciaffi supports this initiative but requests more specific details on how the funds will be allocated. And recommended that CIAC be included in the prioritization of ADA items to be addressed.

Kay Bell, Chair of the Commission on Disability, stated that the Department of Justice settlements and the ADA requires that Sudbury addresses the transition plan of July 2021 within three to five years. The transition plan has a database of 1382 line items related to the built environment. The built environment includes everything from our municipal and school buildings to our ballfield's fields, playgrounds, and the Camp Sewataro Liberty Ledge property. The transition plan of July 2021 also includes a substantive report addressing compliance issues related to policies, practices, procedures including effective communication which encompasses, but is not limited to website accessibility. Of the 60 months available, 51 months remain. There is some urgency for tackling this work and Town Manager Hayes has made a verbal commitment to the Commission on Disability to convene a working group immediately after this Town Meeting to launch a collaborative project to look at the whole of the transition plan and to set up priorities and sequencing and strategies for accomplishing full compliance. The Commission on Disability voted unanimously in favor of recommending passage of Article 32. With this funding the Town Manager and the next Combined Facility Director working group will have a budget to apply to the highest priority and first feasible work to get the accessibility compliance ball rolling.

Point of Order was raised by Robert Abrams, 161 Nobscot Road. Mr Abrams questioned the language in the published warrant article stating "*or transfer from available funds*" while the motion uses "*transferred from free cash*". He asked Town Counsel to render an opinion on the difference of the language used.

Town Counsel explained it is the language of the motion that is controlling what Town Meeting is voting upon.

Town Manager, Henry Hayes Jr., stated that the statement made by the COD Chair is accurate regarding his intent to partner with the community in setting priorities. Also, this decision to request these funds for this purpose is not just for compliance, but it is value-based and if we do not have these funds, then we will have to make decisions according to the funds that we do have available, which may delay our yield.

The Moderator stated that a majority vote was required and declared the Article **PASSED BY MORE THAN A MAJORITY.**

**ARTICLE 33. FILTRATION SYSTEMS FOR ATKINSON POOL**

Select Board Chair Jennifer Roberts, moved in the words of the article.

*Move to transfer from Free Cash the sum of \$160,000 to be expended under the direction of the Combined Facilities Director for the purpose of replacing the existing Atkinson Pool water filtration system at the Fairbank Community Center, including but not limited to renovation to the building, and any other incidental and related expenses associated therewith.*

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

The motion was seconded.

SELECT BOARD: Supports Article 33. 4-1

FINANCE COMMITTEE: Supports Article 33. 7-2.

Capital Improvement Advisory Committee (CIAC): Supports Article 33.

Combined Facilities Director, Bill Barletta, presented a pre-recorded video. He stated that the funding is required to replace the existing sand filtration at the Atkinson pool. The filtration systems have exceeded their useful life and are in need of replacement.

The Moderator stated that a majority vote was required and declared the article PASSED BY MORE THAN A MAJORITY.

**ARTICLE 34. ON-CALL ARCHITECTURAL & ENGINEERING “HOUSE DOCTOR” SERVICES**

Select Board Chair Jennifer Roberts, moved in the words of the article

*Move to transfer from Free Cash the sum of \$100,000 for the purpose of contracting for on-call architectural and engineering services for municipal building and facility projects, to be performed on an as-needed and task order basis as determined by the direction of the Combined Facilities Director.*

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

The motion received a second.

SELECT BOARD: Voted 2-3 against Article 34.

FINANCE COMMITTEE: Voted 1-8 against Article 34

**The Finance Committee voted against the Article because the appropriation should be in the operating budget and not a separate request to fund consulting and/or professional fees from Free Cash.**

**Combined Facilities Director, Bill Barletta, stated that the Town anticipates a number of future building and facilities projects regarding architectural and engineering services. In an effort to mitigate risk, it provides predictability during planning and design and to facilitate construction of these projects. The Town is seeking services for an architectural and/or engineering firm that can provide specialty services on an as-needed basis to support the delivery of these projects. It's a \$100,000 contract limit for services. Those services would be drawn on by the Town as needed. Some projects that would require the services are billed repairs, facilities upgrades, building renovations, energy conservation sustainability measures and enacting recommendations to address the accessibility barriers for the recently comparative -- ADA -- feasibility studies -- space need assessments and other surveys or studies. One item in particular under building renovations is a much-needed renovation of the office space of the health department here at the DPW building. That is a relatively large project that is going to require the services of an architect. The architect will need to draw the plans for construction, ensure they are all to code, not only building codes, but accessibility codes and that would come about after a space survey with health department employees and the Health Department Director, survey of the existing building, and again a finished plan that we could then execute by going out to bid.**

**Resident Gary Knapick, 208 Marlboro Road asked if a competitive process would be in place to ensure competitive rates.**

**Henry Hayes, Town Manager, replied that the Town would follow all compliance processes as it relates to the selection process and we will utilize the skills of the next Combined Facilities Director who would be familiar with this type of approach of negotiating rates.**

**Kay Bell, 348 Old Lancaster Road, Chair of the Commission on Disability, voted unanimously to recommend passage of Article 34.**

**Henry Hayes, Town Manager, responded that this is our first request on this particular type of service and noted there was at least one similar Article on the Warrant this year. Without this funding we would have to adjust the current facilities budget to include this service if we fail to secure the additional funding from Free Cash.**

**The Moderator stated that a majority vote was required and declared that the Article FAILS.**

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

Select Board Chair Jennifer Roberts, moved in the words of the article

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

Submitted by the Combined Facilities Director.

(Two-Thirds vote required)

The motion received a second.

**SELECT BOARD:** Supports Article 35. 5-0 in favor.

**FINANCE COMMITTEE:** No position.

**Bill Barletta, Combined Facilities Director’s pre-recorded video was presented. This article does not present any finding or seek any project approval or funding. Historically in October of 2021 Select Board authorized a letter-of-intent for a solar-powered purchase agreement between the Town of Sudbury and Select Energy Development for a potential electricity-producing solar array on the roof of the DPW building. Once that letter-of-intent was signed a due diligence phase began for this project which is still ongoing. The due diligence phase will identify and analyze potential cost savings, roof type, any related implications. The due diligence phase will conclude with the public presentation of options and recommendations of public input. The Energy and Sustainability Committee will present options and recommendations on whether the project is in the best interest of the Town or not.**

**This authorization would allow the Town to proceed with the project should it choose to do so at the conclusion of that due diligence and the Town ultimately decides to proceed. An authorization to proceed is required for this project as a solar power purchase agreement involves a lease of the building roof to Select Energy Development and the agreement also involves a payment in-lieu-of taxes to the Town by Select Energy. Any lease involving Town property or payment to the Town in-lieu-of taxes requires Town approval. This authorization would not allow the project to go forward. It would just allow the project to go forward once the Town chose to do so.**

**If this authorization is not adopted at this time and the Town ultimately chose to proceed with the project, it could not go forward until the same authorization was brought forth and approved at a subsequent Town Meeting.**

**If the Town chooses to proceed without an authorization in place, such a delay may impact the economic viability of the project. If the authorization is in place and the Town ultimately chooses to move forward with the project, we will be able to do so in a more expeditious manner. Once the vetting and due diligence process is concluded, there will be a public presentation and then an ultimate decision to go forward or not.**

**Resident Alex Vai, 5 Wadsworth Road, stated that this Article has been under consideration since 2017 and asked the Hall to support this Article and vote yes.**

**Resident Nathaniel Fridman, 25 Christopher Lane, asked how big the DPW project will be? He also asked if it includes super-charging stations for cars?**

**Henry Hayes, Town Manager, stated that the project would essentially take the entire flat roof and two additional portions of the roof that are not flat.**

**Resident Mark Sevier, 14 Arborwood Road, responded that they did not currently have a plan for adding additional charging stations at the DPW building. There are two there already and the Town is planning to put EV charging-stations at the library as well as at the Flynn Building.**

**The Moderator declared this Article PASSED BY MORE THAN A TWO-THIRDS VOTE.**

**ARTICLE 39. WITHDRAWN**

**ARTICLE 40. WITHDRAWN**

**ARTICLE 42 – TOWNWIDE DRAINAGE AND ROADWAY RECONSTRUCTION**

Select Board Chair Jennifer Roberts, *moved* in the words below:

*Move to appropriate the sum of \$3,400,000 to be expended under the direction of the Town Manager, for the reconstruction of the drainage system throughout the Town including design, engineering, construction, and related professional services, materials, appurtenances, repaving of roadways and incidental or related expenses associated therewith; and that to meet this appropriation, the Town Treasurer, with the approval of the Select Board, be authorized to borrow \$3,400,000 under and pursuant to G.L. c. 44, §§7 or 8, or any other enabling authority, and to issue bonds or notes of the Town therefor.*

Submitted by Dan Nason, Public Works Director

(Two-Thirds vote required)

The *motion* received a second.

FINANCE COMMITTEE: Supports Article 42. 8-0 in favor

SELECT BOARD: Supports Article 42. 4-0-1 in favor

Dan Nason, DPW Director, stated that approval will provide funding to reconstruct the drainage system throughout Town. Mr. Nason originally estimated that the job would cost 3.5 million but after receiving bids back he was able to lower it to 3.4 million.

Capital Improvement Advisory Committee recommends this Article and appreciates the economy of scale that was taken advantage of by bidding these jobs altogether.

There was no discussion.

The Moderator confirmed a two-thirds vote was required and declared that Article 42 **PASSED BY WELL MORE THAN TWO-THIRDS.**

**ARTICLE 43. WITHDRAWN**

**ARTICLE 44. WITHDRAWN**

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

Select Board Chair Jennifer Roberts, *moved* in the words below:

*Move to authorize the Select Board to acquire, by purchase, gift, eminent domain or otherwise, permanent and temporary easements in certain parcels of land adjacent to*

*and/or contiguous with and/or opposite to 78 Old Framingham Road and 120 Nobscot Road as depicted on the plan of land entitled "Plan of Property Surveyed for Town of Sudbury Old Framingham Road Sudbury, Massachusetts" dated January 12, 2022, prepared by Jarvis Land Survey, Inc., a copy of which is on file with the Town Clerk, as said plan may be amended, for public way purposes, including without limitation, drainage, walkway, utility, slope, grading, roadway relocation and construction of improvements and structures and other related purposes, to enable the Town to undertake the Old Framingham Road walkway extension project.*

Submitted by the Public Works Director.

(Majority vote required)

The *motion* received a second.

FINANCE COMMITTEE: No Position.

SELECT BOARD: Supports Article 45. 5-0 in favor

Dan Nason, DPW Director, presented the article. The article seeks funding for the Old Framingham Road walkway extension easements. Extension of the walkway will remove pedestrians from the roadway creating a safer pedestrian experience. Easements from property owners adjacent to and/or contiguous with and/or opposite Old Framingham Road and Nobscot Road are required for the walkway extension project.

Resident Elaine Barnartt-Goldstein, 40 Indian Ridge Road, asked how the easements would be acquired and at what financial cost to the Town.

Dan Nason, DPW Director, said the DPW is working with property owners who are granting the easements and there is no monetary exchange.

Dan DePompei, 35 Haynes Road, wished to confirm there will not be a long discussion given the easements will not be taken by eminent domain.

Lee Smith, Town Counsel, stated the easements are being donated and there is no need for eminent domain acquisition.

Resident, Bryan Gothie, 14 Arrowhead Road, asked for clarification on how the Town decides that this walkway is necessary as opposed to other walkways in Town.

Mr. Nason explained that the DPW has multiple walkway projects that they are working on right now. All of them have certain limitations. In some cases, DPW is unable to get the easement from the property owner and that puts a big roadblock in the project. As we cannot take the easement for the property, we cannot move forward with the project. And other stumbling blocks are water resource concerns that we have to go through permitting or wetlands. This project is going forward because we have none of the mentioned issues and the homeowners are granting the easements.



Resident, Kevin Portelli, 188 Willis Road, asked why eminent domain is included in the article? If it is not applicable.

Lee Smith, Town Counsel, responded that it is his firm's practice to include a broad authorization to seek from Town Meeting to acquire the property in question. It is at the Hall's discretion but does not seem necessary as the easements are being donated.

The Moderator stated that a majority vote was required and declared the Article **PASSED BY MORE THAN A MAJORITY.**

**POINT OF ORDER**

Resident Stacey Munroe, 37 Greystone Lane, raised a point of order. Ms. Munroe stated the intention to indefinitely postpone Article 57 as announced at the beginning of the meeting confused many people, as the language used is not typically binding language. Ms. Munroe asked if the Article was definitively withdrawn and are there any other Articles that are withdrawn.

The Moderator announced that no articles have been withdrawn, but was informed by the proponent of Article 57 that that is his intention. Article 57 is not withdrawn.

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

Select Board Chair Jennifer Roberts, moved in the words below:

*Move to transfer from Free Cash, the sum of \$600,000 for the walkway construction project along Old Framingham Road near Nobscot Road including without limitation, drainage, walkway, utility, slope, grading, roadway relocation and construction of improvements and structures and other related purposes including incidental and related expenses associated therewith.*

Submitted by the Public Works Director (Majority vote required)

The motion received a second.

Dan Nason, DPW Director, presented Article 46. He explained that approval of this Article will provide the funds to construct the walkway that was discussed in the prior Article. This project will run from roughly house number 60 across the street where the existing walkway terminates and it will extend on the easterly side of Old Framingham Road and terminate at the terminus point of the existing walkway on Nobscot Road.

FINANCE COMMITTEE: Supports Article 46. 5-2-1 in favor

SELECT BOARD: Supports Article 46. 4-1 in favor

**CIAC: Supports Article 46**

**Meredith Gerson, 23 Hilltop Road asked if there is an explanation for the large variance in the dollar value between what is proposed and what was on the prior authorization plan.**

**Dan Nason, DPW Director responded that this is a publicly bid project he did not believe that the feasibility study that was performed for the complete streets program took into consideration relining the roadway as well as an order to keep the walkway on the easterly side of the roadway. There were also safety issues.**

**Rebecca Cutting, 381 Maynard Road, asked about the consideration to protect the duck pond and the wetland at the intersection of Old Framingham Road on the west side.**

**Dan Nason, DPW Director, said that there is an existing culvert extending a small portion and they have been through the permitting phase. There will be a slight adjustment of the roadway and did not need a bridge.**

**Kevin Portelli, 188 Willis Road, – noted the warrant said \$700,000.00 but the motion has the cost at \$600,000.**

**Dan Nason, DPW Director said that at the time when the Warrant was developed on this project and a previous project it was his best estimate of the cost of the project. The bids came in lower than what was anticipated.**

**Amy Hunter, 118 Goodman’s Hill Road, asked if there was an opportunity to apply for a grant for this project. Mr. Nason replied that to wait for a grant the project would have to be delayed.**

**The Moderator stated that a majority vote was required and declared the article PASSED BY MORE THAN A MAJORITY.**

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

**Select Board Chair Jennifer Roberts, *moved* in the words below:**

***Moved to appropriate a sum not to exceed \$500,000 from the Open Space and Recreation category of Community Preservation Act Funds, funded from General Reserve Funds, for the section of the Bruce Freeman Rail Trail, known as Phase 2D, north of the Mass Central Rail Trail for elements of the final design and construction phase.***

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

The motion received a second.

**SELECT BOARD:** Supports Article 47. 5-0 in favor

**FINANCE COMMITTEE:** Supports Article 47. 7-1 in favor

Beth Suedmeyer, Environmental Planner, presented the article. Ms. Suedmeyer explained that CPA funding request is related to the north-south Rail Trail that begins at the Town line at West Concord and the southern terminus is just North of the junction with the proposed Mass Central Rail Trail, specifically, the 4.4-mile corridor going North. The design funding to date has been supported by Town Meeting vote and the total is about \$1.2 million. At this late phase of the design, she recognized there are a few design components we would like to complete. These are specifically related to graphic design of interpretive signs and additional hardscape and artistic features along the corridor. The Town will receive over 12 million dollars for the construction of this 4.4-mile corridor from state and federal funding, and there are a few items that Mass DOT and federal Highway will not cover during the construction phase, and those include the construction oversight by the Town design engineers. We have worked very closely with design engineers to develop all of the phases of the design, the most recent consulting firm that we have worked with is O'Neill, and they have led us through the 75 and 100% design phases that were submitted to Mass DOT. The funds associated with this Article will allow them to stay on-board to review the final shop drawing, and final elements associated with the materials that will be used and oversee the construction to ensure that compliance is achieved, and the design really becomes the reality that we desire. Additionally, environmental monitoring is a component of this project, where hiring consultants can help the Town oversee the construction phase of the project, and ensure compliance with the order-of-conditions from Sudbury Conservation Commission and other environmental departments. The construction cost for utility connections are specific to hydration stations. There will be two hydration stations, watering fountains along the corridor and Mass DOT covers the hydration units themselves, but not the water connections to get the water to the fountains. Therefore, we need some funding to connect the water fountains as well as the future potential electric-vehicle charging station, and we would like to install this at the proposed Broadacres parking lot. The state will not cover this cost, but we can install the conduit with Town funding, and then potentially pursue a grant to install the charging station in the future.

Given the circumstances with the construction bid process, the sourcing of materials, and inflation, we want to keep some contingency funds at the disposal of the Town as we advance to the construction phase of the project, and this is an additional element and part of this request.

Resident Lana Szwarc, 72 Maynard Road, stated that the Bruce Freeman Rail Trail Advisory Task Force supports this Article unanimously.

The CIAC decided to table this Article and wait until they had further information on what was going to be funded.

Stephen Garvin, 26 Bowditch Road, said the Planning Board voted unanimously to support Article 47.

Bill Schineller, 37 Jarman Road, asked if the Mass Central Rail Trail does not have safety flashing beacon lights at the Wayland crossing. If the installation of safety lights are not covered by MassDOT, can some of this funding be committed to do so.

Beth Suedmeyer, Environmental Planner, stated that they are installing the push button signals or motion activation signals that operate either way with the push button or motion along the northern section of the Bruce Freeman Rail Trail. The BFRT project will not be impacting any of the rails within the Mass Central Rail Trail corridor which is owned by the MBTA.

Resident Jean Nam, 81 Newbridge Road, asked if there will be money to help abutters who live along the trail. Ms. Suedmeyer responded that are plans for plantings to be used as natural screens and to soften the edge of the trail.

Resident Rebecca Cutting, 381 Maynard Road, asked about a historical feature called a Diamond Junction and wanted to know if it will be affected or moved by the work on the Trail. Ms. Suedmeyer responded that there is no intent to have any disturbance associated with the Diamond Junction area.

The Moderator stated that a majority vote was required and declared the article PASSED BY MORE THAN A MAJORITY.

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

Select Board Chair Jennifer Roberts, moved in the words of the Article below:

*Move to appropriate the sum of \$300,000 from the Open Space and Recreation category of Community Preservation Act Funds, funded from FY23 revenue, for the purpose of advancing and contracting for the design and construction of the Bruce Freeman Rail Trail extension south of the intersection with the Mass Central Rail Trail.*

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

The motion received a second.

**SELECT BOARD:** Supports Article 48. 3-2

**FINANCE COMMITTEE:** Supports Article 48. 8-0

**BFRT ADVISORY TASK FORCE:** Supports Article 48 unanimously.

**Steve Garvin, Chairman of the Planning Board. The Planning Board and Master Plan Implementation Committee voted unanimously to support this Article.**

**Beth Suedmeyer, Environmental Planner presented Article 48. The full presentation and content are available on the Town of Sudbury website.**

**Resident Len Simon, 40 Meadowbrook Circle, acknowledged the contribution and dedications of Beth Suedmeyer over the past five plus years to bring this project forward. The requested funds are for the design between the diamond near Crumble Station and Route 20.**

**Resident Ray Phillips, 40 Whispering Pine Road, said in October of 2018 there was a special Town Meeting. At that time the citizen petition was put forth for \$650,000. The Capital Improvement Advisory Committee stated this was going to be the final amount requested from the Town. Why wasn't the \$800,000-dollar expenditure we are looking at between these two Articles brought to the attention of the Town when we voted on the \$650,000? What assurances do we have that we won't be back at the next Town Meeting for another million dollars?**

**Beth Suedmeyer, Environmental Planner explained that it is the nature of many of these types of construction projects that there will be cost escalations as time passes. The \$300,000 that is the subject of this Article of course was not available for any consideration in 2018 as the acquisition of the CSX corridor did not happen until December 2020. The CSX corridor is the subject of a number of grant requests. We got \$400,000 to acquire the corridor in 2020 and we have a pending grant for \$260,000. It would be a matching grant and a reimbursable grant. It would support the topic of this request and that is why we have in the title of the Article also construction. Should we get the grant award then these funds could potentially be allocated to construction in the first quarter mile. There were a few elements we recognize could really enhance the community by including them in the design. Some of them were not supported by Mass DOT, but it was reviewed through the Bruce Freeman Rail Trail Advisory Task Force and Select Board meetings that we would go ahead and pursue accessories and enhancements that we felt would be complementary to the Rail Trail and also really help in the community. But then there also are cost escalations that happen over time.**

**Charles Russo, 30 Juniper Road, noted that the Framingham Mayor stated the Bruce Freeman Rail Trail is one of his main priorities. We have a model on how to progress by looking at the Town of Concord's design, and the best way to keep our downtown shops open is to give them foot traffic as many people are concerned with shops closing at the Route 20 shops.**

**Daniel DePompei, 35 Haynes Road, questioned if we are moving on the words in the motion, the motion says design and construction of the Bruce Freeman Rail Trail extension South of the intersection with Mass Central Rail Trail or act on anything relative thereto.**

He agrees the discussion itself is stopping at Route 20, but the motion does not. And asked if that limits it to Route 20?

Town Counsel responded to how the Article is worded: By moving in the words of the Article we are voting exactly on what the words in the Article are starting with the word “to see” and ending with the words “or act on anything relative thereto”.

Beth Suedmeyer, Environmental Planner, said we are voting on the entire ¼ mile corridor. The full design that is proposed is only to Route 20, or the 25% design is only to Route 20 but there will be data collected for the full corridor. Expenditures will transpire for survey and wetland delineation. Whenever you hire someone to come out and do the work it makes sense to have full 1.4-mile corridor evaluated so we will have the information that can inform the feasibility studies and eliminate conceptual development.

Daniel DePompei, 35 Haynes Road, asked if we are doing design and planning beyond Route 20?

Beth Suedmeyer, Environmental Planner, noted it is probably the conceptual design South of Route 20.

Daniel DePompei, 35 Haynes Road, stated he believes Town Counsel already answered his question that we are moving in the words of the Article, not in the description or in the way we discussed it. We are not doing what the motion says.

Beth Suedmeyer, Environmental Planner, welcomed the opinion from Town Counsel if the conceptual design meets the terminology in the motion.

Town Counsel stated we are referring to the extension South of the intersection with the Mass Central Rail Trail and that would extend as far.

The Moderator stated that a majority vote was required and declared the Article **PASSED BY MORE THAN A MAJORITY.**

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

Select Board Chair Jennifer Roberts, *moved* in the words below:

*Move to appropriate the sum of \$50,000 from the Historic Resources category of Community Preservation Act Funds, funded from Historic Resources Reserves, for the purpose of contracting for the creating of comprehensive and professionally-developed Design Guidelines for the Local Historic Districts including incidental and related expenses associated therewith.*

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

The *motion* received a second.

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**SELECT BOARD:** Supports Article 49.

**FINANCE COMMITTEE:** Does not recommend approval of Article 49.

Taryn Trexler, Historic District Committee, presented Article 49.  
The full presentation and content are available on the Town of Sudbury Town Meeting website.

Frank Reed, 54 Newbridge Road, said as a retired member of the Historic Districts Commission for 20 years he supports this article.

The Moderator stated that a majority vote was required and declared the article **PASSED BY MORE THAN A MAJORITY.**

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

Select Board Chair Jennifer Roberts, *moved* in the words below:

*Move to appropriate the sum of \$100,000 from the Open Space and Recreation category of Community Preservation Act Funds, funded from FY23 revenue, for the purpose of updating the Town's Open Space & Recreation Plan and the Athletic Fields Needs Assessment & Master Plan including incidental and related expenses associated therewith.*

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

The *motion* received a second.

**SELECT BOARD:** Supports Article 51. 5-0 in favor.

**FINANCE COMMITTEE:** Supports Article 51. 9-0 in favor.

The Moderator stated that a majority vote was required and declared the article **PASSED UNANIMOUSLY.**

**ARTICLE 57. HIRE LAND USE CONSULTANT FOR LIBERTY LEDGE/SEWATARO PROPERTY.**

Leonard Simon moved to Indefinitely Postpone the Article.

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

Submitted by Petition.

(Majority vote required)

The motion to indefinitely postpone Article 57 was seconded.

The Moderator stated that a majority vote was required and declared that the motion to Indefinitely Postpone the Article PASSED BY MORE THEN A MAJORITY.

The Moderator thanked everyone involved in the Town Meeting process and announced the appointment of Eric Poch, Michael Ferrari and Henry Sorett and Le Yi Wang to the Finance Committee.

**ARTICLE 58. CLIMATE EMERGENCY DECLARATION**

(Citizen Petition Article)

Article 58 is a citizen petition and the Moderator recognized the citizens who brought the petition forward.

Alex Vai, 5 Wadsworth Road moved in the words of the Article:

*Move with the sum of \$130,000 to be transferred from Free Cash provided however, that such sum shall be reduced by the sum of any gifts, grants, or other funds received for these purposes and authorized expenditures. For the creation of the position of Sustainability Director to serve under the direction of the Town Manager, or any other sum or sums to be expended under the direction of the Town Manager for the purpose of funding salary, benefits, and overhead for said position for FY23 with such funding thereafter to be included within the Town budget, and further vote to approve the following Resolution:*



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

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

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

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

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

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

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

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

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

*BE IT THEREFORE RESOLVED that the citizens of Sudbury:  
Declare that a climate emergency significantly threatens the safety and wellbeing of our town, its residents, the natural world, and our fellow people around the world;*

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

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

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

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

Submitted by Petition:

(Majority vote required)

The *motion* received a second.

Mr. Vai stated that climate change is here and that it is an emergency waiting to happen that needs urgent action now. The full presentation is available on the Town of Sudbury website.

Shani Dar, 77 Hemlock Road, representing the LSRHS Environmental Club spoke in favor of the Article She said that as members of the next generation their future will be determined by this critical vote. We have the opportunity to make a difference now. Sudbury is not in a bubble. We share the same air and water with our neighboring communities and the world. Our actions are not only brought by us but with all people. Despite being too young to vote they are not too young to understand what is happening and we live through the effects daily such as the drastic changes in weather, i.e. Sudbury water ban which happened during the warmer season and gradually rising temperatures due to the greenhouse gasses in the atmosphere.

Our hopes for our Town and families are meaningless if we continue on a path away from a safe and stable climate. Climate change is happening here and now. This is an emergency that demands urgent action. It is not too late to make a difference and your yes vote on Article 58 is an important step toward ensuring a safe and prosperous future. As Carl Sagan said, “Anything else you are interested in is not going to happen if you can’t breathe the air and drink the water. Don’t sit this one out. Do something. You are by accident of fate alive at an absolutely critical moment in the history of our planet.” Thank you.

**FINANCE COMMITTEE:** Voted against Article 58. 1-7. While they acknowledge the intent of the article, they do not feel that the funding of a Town position is an appropriate use of Free Cash.

**SELECT BOARD:** Supports Article 58 3-2

Mr. Dan Carty presented the Select Board minority report and stated that the hiring of Town personnel is not up the Select Board or this Hall. It is up to the Town Manager.

Lee Smith, Town Counsel, explained that if this Article were to pass \$130,000 would be appropriated and set aside for the use as set forth in the Article for the Sustainability Director position, but again that is an advisory by Town Meeting. It is within the executive branch being the Town Manager and the Select Board to ultimately decide whether to actually fund that position.

Henry Sorett, 58 Longfellow Road, moved to amend Article 58 as follows:

*Moved that Throughout – the term "sustainability director" shall be replaced with "sustainability consultant". The person hired shall not be a supervisor and shall not be eligible to be a member of the supervisory association. In the first paragraph the sustainability consultant shall report to and be supervised by the Conservation Commission.*

*In the first paragraph reduce the sum of \$130,000 to \$100,000, that being the amount of state money being made available to fund this position.*

*Add to the first paragraph: "This shall be a temporary position for FY23 and shall continue beyond that if, and only if, funds other than Town taxpayer funds are available to fund it. The position may also be extended if the next annual town meeting, in a separate article; votes to expend town funds to continue it.*

The *motion* to amend received a second.

Mr. Sorett spoke in favor of his amendment. He supports the efforts to combat climate change. He is concerned about the creation of a permanent bureaucracy at the Director level that will become embedded in the Town financial structure so that if and when the position becomes meaningless, we cannot get rid of it. A Director would immediately be eligible to become part of the supervisory union, which would reduce the Town Manager's supervisory abilities. He does not want to embed this as a permanent part of the Town's bureaucracy.

Town Counsel stated that regardless of whether this is framed as a Sustainability Consultant or Sustainability Director, it remains under the purview of the executive branch being the Town Manager and the Select Board and if the money is appropriated, it is their decision whether to fill it or not.

Mr. Vai does not support the motion to amend. Climate change is a long-term complex problem, and will not be served by hiring a short-term consultant. It is better to have a full-time consultant who can build lasting relationships across the town boards and with residents and most important provide continuity for planning all the way through the implementation. Sudbury needs to be competitive with salary and benefits to obtain a strong candidate. Mr. Vai urged the voters to reject this amendment.

Resident Bill Miniscalco, 126 Hemlock Road, opposes the amendment and stated that climate change is a reality and this is a long-term position with a long-term need.

Resident Shirley Huettig, 54 Wake Robin Road, stated that the article sends a message to the executive branch that we are serious about having someone look into sustainability for the Town. Ms. Huettig asked what happens if the body decides to set aside this money and the executive branch decides not to fund the position of consultant.

Town Manager Hayes explained that any funds not expended will eventually be returned to free cash.

Thomas Yelton, 167 Pratt's Mill Road, stated that there are at least 30 municipalities that have sustainability directors in Massachusetts.

The Moderator stated that a majority vote was required and declared that the Motion to Amend FAILS.

The Moderator returned to the discussion on the main motion of Article 58.

Meredith Gerson, 23 Hilltop Road, stated that while the state legislature may be earmarking funds for such a position it does not mean we will receive the funds. As this Article is funding for one year only, what are the plans with the executive to fund this position going forward?

Mr. Vai is in discussion with the executive branch on the many ways this position can become a self-sustaining position.

Ms. Gerson asked if Mr. Vai received a commitment from the executive branch to fill this position if it passes and to fund this position going forward.

The Town Manager stated that the way that the funding is requested could potentially give the implication of a structural deficit because the funds requested are for \$130,000. However, he has not made a long-term commitment. As far as the concept of self-sustaining, I would be willing to yield to our Finance Director, if willing regarding that, but the funds do not just turn into funds for the budget immediately for any savings.

Mr. Garvin, 26 Bowditch Road, requested the Planning Board position. Adam Duchesneau, Planning Director, stated that at their meeting on April 27, 2022, the Planning Board and Master Plan Implementation Committee voted unanimously to not support this Warrant Article. While they support the general principles of the Warrant Article but at this time also feel there are better means to achieve the specified goals than creating a new full-time position and feels other possible means to achieve the desired outcome of the Warrant Article should be discussed further.

State Representative, Carmine Gentile, 33 Surrey Lane, received a letter from the Select Board requesting that he obtain \$100,000 from the legislature for the position of the Sustainability Director. He obtained the funding in the House budget, and is virtually 100% confident that it will be in the final budget. State Representative Gentile supports this Article and urges its passage.

Mark Sevier, 14 Arborwood Road, stated that the Green Energy Committee voted to approve this Article and I believe the vote was unanimous.

Kurt Deschler, 17 Spring Street, stated I have a question about the climate emergency declaration part of it and whether that has legal significance in any way to declare emergency powers or serve as a discourse or as a process.

Town Counsel responded if adopted, it would stand as a declaration and a resolution of Town Meeting and be limited to that.

Resident Olga Faktorovich, 19 Lakewood Drive, supports the Article because it is needed to begin to address climate change and that it will pay for itself almost immediately.

Jennifer Roberts speaking as an individual, stated that many of you have followed legislation in this area this past year. The Massachusetts next-generation roadmap has set very aggressive carbon emission goals, and communities will be expected to do their parts, and meet plans to meet the carbon reduction goals. Sudbury will be one of those and I think we are in a very fortunate position where we have some seed funding for this role as mentioned previously. There is a fair amount of funding coming toward sustainability and climate change initiatives, so who knows. Perhaps, in year two or three there will be additional seed funding we could pursue and if not, we can have serious conversations about how to fit this into the broader Town budget.

Resident Bill Miniscalco, 126 Hemlock Road, stated that there is money available for positions like this, and if we do not take advantage of these grants it will go to another community.

The Moderator stated that the motion for Article 58 PASSED BY WELL MORE THAN A MAJORITY.

The Moderator moved to dissolve the 2022 Annual Town Meeting, the motion was made and seconded and PASSED UNANIMOUSLY.

The May 2, 2022 Annual Town Meeting was dissolved at 11pm.