PROCEEDINGS

ANNUAL TOWN ELECTION - MARCH 27, 2023
LSRHS DISTRICT ELECTION-MARCH 27, 2023
ANNUAL TOWN MEETING – MAY 1 & 2, 2023
SPECIAL TOWN MEETING -OCTOBER 23, 2023

TOWN OF SUDBURY
MASSACHUSETTS
2023

A TRUE ATTEST COPY:

Beth R. Klein

TOWN CLERK

SUDBURY
SETTLED 1638
INCORPORATED 1639
WADSWORTH

TOWN OF SUDBURY
2023 ANNUAL TOWN PROCEEDINGS

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The Annual Town Election was held at two locations. Precincts 1, 2, 3 & 5 voted at the Fairbank Community Center, 40 Fairbank Road, and Precincts 4 & 6 voted at the the Town Hall, 322 Concord Road. The polls were open from 7:00 AM to 8:00 PM. There were 3353 votes cast, representing 25.57% of the town's 13,112 registered voters. The final tabulation was done at the Town Hall.

SELECT BOARD (1) FOR THREE YEARS

Candidate Name	Precinct 1	Precinct 2	Precinct 3	Precinct 4	Precinct 5	Precinct 6	Total
CHARLES G. RUSSO 30 JUNIPER RD (CANDIDATE FOR RE-ELECTION)	284	301	256	290	270	299	**1700**
RADHA RAMAN GARGEYA 120 POWDER MILL RD	255	253	137	207	198	224	**1274**
WRITE-INS	2	2	2	1	2	0	**9**
BLANKS	56	73	53	57	63	68	**370**
Totals for Office	**597**	**629**	**448**	**555**	**533**	**591**	**3353**

BOARD OF ASSESSORS (1) FOR THREE YEARS

Candidate Name	Precinct 1	Precinct 2	Precinct 3	Precinct 4	Precinct 5	Precinct 6	Total
LIAM JOSEPH VESELY 10 POKONOKET AVE (CANDIDATE FOR RE-ELECTION)	410	431	320	380	344	429	**2314**
WRITE-INS	2	1	0	0	1	0	**4**
BLANKS	185	197	128	175	188	162	**1035**
Totals for Office	**597**	**629**	**448**	**555**	**533**	**591**	**3353**

GOODNOW LIBRARY TRUSTEE (2) FOR THREE YEARS

Candidate Name	Precinct 1	Precinct 2	Precinct 3	Precinct 4	Precinct 5	Precinct 6	Total
INGRID J. MAYYASI 65 POKONOKET RD (CANDIDATE FOR RE-ELECTION)	340	316	237	320	277	365	**1855**
TIMOTHY ALAN ANDERSON 19 RAYNOR RD	212	253	192	202	218	206	**1283**
ELIZABETH M. IWASAKI 24 SURREY LN	299	339	231	270	254	345	**1738**
WRITE-INS	5	1	0	4	1	3	**14**
BLANKS	338	349	236	314	316	263	**1816**
Totals for Office	**1194**	**1258**	**896**	**1110**	**1066**	**1182**	**6706**

BOARD OF HEALTH (1) FOR THREE YEARS

Candidate Name	Precinct 1	Precinct 2	Precinct 3	Precinct 4	Precinct 5	Precinct 6	Total
SUSAN R. SAMA 247 HUDSON RD (CANDIDATE FOR RE-ELECTION)	412	445	330	381	364	423	**2355**
WRITE-INS	3	2	1	1	1	1	**9**
BLANKS	182	182	117	173	168	167	**989**
Totals for Office	**597**	**629**	**448**	**555**	**533**	**591**	**3353**

PARK AND RECREATION COMMISSIONER (1) FOR THREE YEARS

Candidate Name	Precinct 1	Precinct 2	Precinct 3	Precinct 4	Precinct 5	Precinct 6	Total
BENJAMIN CARMEL 24 THORNBERRY LN (CANDIDATE FOR RE-ELECTION)	406	429	309	362	357	414	**2277**

WRITE-INS	2	2	1	2	2	1	**10**
BLANKS	189	198	138	191	174	176	**1066**
Totals for Office	**597**	**629**	**448**	**555**	**533**	**591**	**3353**

PLANNING BOARD (1) FOR THREE YEARS

Candidate Name		Precinct 1	Precinct 2	Precinct 3	Precinct 4	Precinct 5	Precinct 6	Total
JULIE ZELERMYER PERLMAN	4 BLACKSMITH DR	275	279	216	243	221	259	**1493**
JOHN D. RIORDAN	12 PENDLETON RD	149	155	113	151	147	157	**872**
WRITE-INS		4	0	1	1	2	0	**8**
BLANKS		169	195	118	160	163	175	**980**
Totals for Office		**597**	**629**	**448**	**555**	**533**	**591**	**3353**

COMMISSIONER OF HOUSING AUTHORITY (1) FOR FIVE YEARS

Candidate Name		Precinct 1	Precinct 2	Precinct 3	Precinct 4	Precinct 5	Precinct 6	Total
FRANK W. RIEPE	54 NEWBRIDGE RD	392	417	303	360	340	414	**2226**
WRITE-INS		8	3	1	3	1	1	**17**
BLANKS		197	209	144	192	192	176	**1110**
Totals for Office		**597**	**629**	**448**	**555**	**533**	**591**	**3353**

SUDBURY SCHOOL COMMITTEE (2) FOR THREE YEARS

Candidate Name		Precinct 1	Precinct 2	Precinct 3	Precinct 4	Precinct 5	Precinct 6	Total
MANDY SIM	11 MOSSMAN RD (CANDIDATE FOR RE-ELECTION)	427	397	288	346	322	378	**2158**
NICOLE BURNARD	42 GREAT LAKE DR	304	369	272	291	309	347	**1892**
WRITE-INS		5	1	1	0	3	1	**11**
BLANKS		458	491	335	473	432	456	**2645**
Totals for Office		**1194**	**1258**	**896**	**1110**	**1066**	**1182**	**6706**

SUDBURY SCHOOL COMMITTEE (1) FOR ONE YEAR

Candidate Name		Precinct 1	Precinct 2	Precinct 3	Precinct 4	Precinct 5	Precinct 6	Total
SARAH G. TROIANO	342 LINCOLN RD (CANDIDATE FOR RE-ELECTION)	415	431	313	376	365	430	**2330**
WRITE-INS		2	1	0	1	3	1	**8**
BLANKS		180	197	135	178	165	160	**1015**
Totals for Office		**597**	**629**	**448**	**555**	**533**	**591**	**3353**

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

Candidate Name		Precinct 1	Precinct 2	Precinct 3	Precinct 4	Precinct 5	Precinct 6	Total
LUCY MASON MAULSBY	30 TOWER RD, LINCOLN	355	373	275	320	309	361	**1993**
RAVI SIMON	437 COLD BROOK DR, UNIT 0314	352	386	279	325	315	359	**2016**
WRITE-INS		4	4	3	2	2	2	**17**
BLANKS		483	495	339	463	440	460	**2680**
Totals for Office		**1194**	**1258**	**896**	**1110**	**1066**	**1182**	**6706**

BALLOT QUESTION 1

Shall the Town of Sudbury be allowed to assess an additional $745,460 in real estate and personal property taxes for the purposes of funding the operating budget for the Sudbury Public Schools, for the fiscal year beginning July 1, 2023?

Ballot Question 1, Results	Precinct 1	Precinct 2	Precinct 3	Precinct 4	Precinct 5	Precinct 6	Totals
Yes	411	404	261	357	334	389	2156
No	185	210	182	192	196	198	1163
Blanks	1	15	5	6	3	4	34
Totals	**597**	**629**	**448**	**555**	**533**	**591**	**3353**

BALLOT QUESTION 2

Shall the Town of Sudbury be allowed to assess an additional $1,020,000 in real estate and personal property taxes for the purposes of purchasing and equipping one Fire Engine for the fiscal year beginning July 1, 2023?

Ballot Question 2, Results	Precinct 1	Precinct 2	Precinct 3	Precinct 4	Precinct 5	Precinct 6	Totals
Yes	330	327	264	320	276	341	1858
No	257	283	179	231	250	243	1443
Blanks	10	19	5	4	7	7	52
Totals	**597**	**629**	**448**	**555**	**533**	**591**	**3353**

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ANNUAL REGIONAL DISTRICT ELECTION

The Lincoln-Sudbury School Committee Regional District Election was held in conjunction with the elections in Lincoln and in Sudbury on Monday, March 27, 2023. Certifications of the results were received from Valerie Fox, Town Clerk of Lincoln and Beth R. Klein, Town Clerk of Sudbury, as follows:

For a 3-year term – 2 members:

	Lincoln	Sudbury	Total
Lucy Mason Maulsby	919	1993	2912
Ravi Simon	659	2016	2675
Write-in	4	17	21
Blank	828	2680	3508

Respectfully submitted,

Donna K Cakert

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

April 3, 2023

TOWN OF SUDBURY
2023 ANNUAL TOWN PROCEEDINGS

MAY 1 AND 2, 2023

Pursuant to a Warrant issued by the Select Board and a quorum being present, Catharine Blake, Moderator, at the Lincoln-Sudbury Regional High School, called the meeting to order at 7:32 PM. Ms. Blake introduced the members of the LS singing group, Accent A Capella, who led the singing of the National Anthem. The members are Shani Dar, Rebecca Edwards, Lucas Flack, Hogan Flechtner, Harry Ganz, Gabe Helgeson, Jackson Hild, Justin Miller, Isabelle Molina, Max O'Brien, Bea Pestka, Sylvie Quinn, Yasmari Rosa, Jonah Rotondo, Ainsley Sullivan, Hannah Zachariah. Alexa Hultin led 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 confirmed the timely delivery of the Warrant to residents. She announced that the certified Free Cash, according to Finance Director Dennis Keohane, is $4,336,876 for the 2023 Annual Town Meeting.

Upon a *motion*, which received a second, 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. The Moderator explained that voting at Town Meeting would be conducted by electronic voting and explained how it works.

MODERATORS

The Moderator asked for a motion, which was made and received a second, for the Hall's approval to appoint Sudbury resident Nell Forgacs and Katie McCue as Assistant Town Moderators for the May 2023 Annual Town Meeting, which required a majority vote, and was *VOTED BY WELL MORE THAN A MAJORITY*.

The Moderator thanked BSA Sudbury Scout Troops 63 and 65 for their assistance with manning the microphones tonight.

RESOLUTION

Select Board member Charlie Russo 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:

LILLIAN BALCH (1929 - 2022)

Sudbury Resident: 1963-2022

Election Officer: 2004-2008

Sudbury Historical Commission: 1986-1988

DOROTHY A. BURKE (1933 - 2023)

Sudbury Resident: 1984-1996

Assistant Registrar: 1989-1995

Election Officer: 1994-1996

Treasurer's Office Clerk: 1997- 1998

DIANE C. HEISER (1936 - 2022)

Sudbury Resident: 1969-2022

Election Officer: 2010-2013

THOMAS C. HOLLOCHER (1931 - 2022)

Sudbury Resident: 1962-2022

Election Officer: 2003-2022

DEAN B. LANGMUIR (1930 - 2023)

Sudbury Resident: 1964-2019

Conservation Committee Land Management Sub-committee: 1976

Permanent Building Committee: 1978-1990

ANNE B. LAVERY (1932 – 2023)

Sudbury Resident: 1992-2023

Election Officer: 2004-2016

ERIC S. LIND (1938 - 2022)

Sudbury Resident: 1967-2022

Conservation Commission: 1971-1976

YVONNE M. MCANDLESS (1940 – 2022)

Sudbury Resident: 1970-2020

Accounting Clerk: 1997-1999
Asst. Treasurer/Collector: 1999-2004

NEIL B. MINKOFF, M.D. (1971 - 2022)
Sudbury Resident: 2000-2022
Route 20 Sewer Citizen's Advisory Committee: 2011-2014

MURIEL J. NELSON (1935 – 2023)
Sudbury Resident: 1988-2023
Asst. Registrar: 1969-1977
Election Officer: 2007-2023
Highway Dept. Secretary: 1968-1969

ROBERT I. PLACE (1944 - 2022)
Sudbury Police Officer
Sudbury Firefighter: 1965- 1999

FRANCIS G. PUBLICOVER (1926 - 2022)
Sudbury Resident: 1952-2022
Finance Committee: 1969-1970
Horse Pond Rd School Building Committee: 1957-1959
Permanent Building Committee: 1958-1961
Planning Board: 1960-1962
Steering Committee: 1960-1961

MARGUERITE A. SKOG (1947 - 2022)
LSRHS Audio-Visual Dept. Secretary: 1985-1988
LSRHS Transportation Director: 1996-2013
Local Emergency Planning Committee: 2006-2022
SPS Nutrition Director
SPS Transportation Director

DOROTHY M. WRIGHT (1925 - 2022)
Sudbury Resident: 1947–2022
Israel Loring School Crossing Guard: 1970-1972
LSRHS Business Office Asst.: 1973-1977

STATE REPRESENTATIVE CARMINE GENTILE – PRESENTATION OF CITATIONS

Representative Carmine Gentile was recognized to present a citation from the Massachusetts House of Representatives to LSRHS Superintendent Bella Wong, who resigned after 10 years of public service. He also presented a Resolution from the General Court, commending the Commission on Disability of the Town of Sudbury on its 30th anniversary.

CONSENT CALENDAR ITEMS

The Moderator explained that in order to expedite Town Meeting and save valuable time, Sudbury utilizes the Consent Calendar. In order to take any Article out of order, a 4/5th vote is required.

Ms. Blake stated that the motion to take the following articles out of order was seconded and that the motion *PASSED BY MORE THEN FOUR-FIFTHS*.

She further stated that the Consent Calendar consisted of Articles 10, 11, 12, 13, 16, 18, 19, 22, 33, 34, 35, 36, 37, 42, 43, 44, 46, 47, 48, 49, 50, 51, 52, 53, and 54 as set forth in the list on Page iii of the warrant booklet for the Monday, May 1, 2023 Annual Town Meeting. She said that any article may be withheld from the Consent Calendar by a majority vote. Any changes to the articles from the warrant would be explained as she read off each article.

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

Elaine Barnard, 40 Indian Ridge Rd. asked to remove Article 12 from the Consent Calendar. The Moderator asked for a vote to the remove Article 12 and the motion failed. The article remained on the consent calendar.

A resident asked that Article 16 be removed from the consent calendar. The moderator asked for a vote to remove article 16 and held that the motion failed.

A resident asked that Article 18 be removed from the consent calendar, the moderator asked for a vote to remove the article and held that the motion failed.

A resident asked that Article 43 be removed from the consent calendar, the moderator asked for a vote to remove the article and held that the motion failed.

A resident asked that Article 47 be removed from the consent calendar, the moderator asked for a vote to remove the article and held that the motion failed.

A resident asked that Article 51 be removed from the consent calendar, the moderator asked for a vote to remove the article and held that the motion failed.

The Moderator confirmed a majority vote was required. The motion received a second. The *motion* to approve the Consent Calendar articles, as printed in the Warrant with the exception of Article 8, *PASSED BY WELL MORE THAN A MAJORITY.*

Electronic Vote: In Favor 272, Opposed 22

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 to the Town by asking him or her to make the motion under Article 1 of the Warrant. This year, the honor is bestowed upon Marilyn MacLean of 209 Water Row, Sudbury.

Ms. MacLean was a member of the Revolutionary War Bicentennial Committee in 1976; the Cemetery Study Committee from 1976-1977; a member of the Historical Commission from 1982-2000 and 2004-2019; a member of the Strategic Planning Committee from 1998-2002; an election officer from 1999-2000 and 2003-2023; and a member of the Sudbury Celebrates 375 Sudbury Day from 2012-2013.

ARTICLE 1 – HEAR REPORTS

Marilyn MacLean *moved* in the words of the motion.

Move to accept the reports of the Town boards, commissions, officers and committees as printed in the 2022 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* received a second.

SELECT BOARD: Supports the motion.

The Moderator confirmed a majority vote was needed; the *motion* under Article 1 *PASSED BY WELL MORE THAN A MAJORITY.*

The Moderator reviewed procedures for the Annual Town Meeting. Ms. Blake 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. She further 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. She reviewed some basic procedural issues which appear in the Warrant.

The Moderator recognized Select Board Chair Charles Russo to present the State of the Town Address.

STATE OF THE TOWN ADDRESS - May 2023

Mr. Russo's speech as outgoing Select Board Chair celebrates Sudbury's resilience and progress over the past year, highlighting leadership transitions, major projects like the Bruce Freeman and Mass Central Rail Trails, and the new Fairbank Community Center and Fire Station expansion. He praises town staff and volunteers for their dedication, acknowledges strides in sustainability—including hiring a coordinator, expanding EV infrastructure, and developing a Climate Action Plan—and reflects on the town's evolving values through DEI initiatives and historical preservation efforts. Despite lingering effects of the pandemic, Sudbury has returned to vibrant community events and maintained financial stability, laying a strong foundation for a more inclusive, sustainable, and connected future.

The full version of the State of the Town Address and all other presentations are available on the Town Meeting webpage at www.sudbury.ma.us. and on Sudbury TV.

ARTICLE 2 – FY24 BUDGET ADJUSTMENT

Select Board Chair Charlie Russo *moved* in the following words.

Move to indefinitely postpone Article 2.

Submitted by the Select Board (Majority Vote Required)

The *motion* received a second.

SELECT BOARD: Supports the motion

FINANCE COMMITTEE: Supports the motion

The Moderator stated a majority vote was required; the *motion* to indefinitely postpone Article 2 *PASSED.*
Electronic Vote: In Favor 281, Opposed 21

BUDGET MOTIONS

The Moderator explained the rules related to the votes for the budget articles, noting that the vote on the Limiting Motion will establish the upper limit for the FY24 budget. She explained that, once the Body disposes of the limiting motion, the Finance Committee will make a main motion on the budget. The Moderator 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. 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 – FY24 BUDGET -- LIMITING MOTION

Sudbury Finance Committee Co-Chair Michael Joachim *moved* in the words of the motion below:

Move that the amount appropriated under the Fiscal Year 2024 budget not exceed the sum of $115,512,355.

Submitted by the Select Board (Majority Vote required)

The *motion* received a second.

SELECT BOARD: Supports the Limiting Motion

STATE OF THE TOWN FINANCES

Michael Joachim, co-chair of the Finance Committee, opened the presentation by explaining the committee's role in reviewing and recommending the town's budget and financial warrant articles. He emphasized the committee's fiduciary duty to act in the town's best interest through rigorous analysis, discussions with officials, and internal debate. The focus of the evening was Article 3—the operating budget—which the committee recommended approving with an override. He detailed the town's revenue sources, noting that property taxes are the primary contributor, and explained how Proposition 2½ limits tax increases unless an override is approved. The proposed override would raise an additional $746,000 primarily to support the Sudbury Public Schools (SPS).

Mr.Joachim outlined how expenses are distributed across three cost centers: SPS, the town, and Lincoln-Sudbury, with education receiving 71% of total funding. He acknowledged financial pressures such as inflation, unfunded positions, and rising out-of-district education costs. The committee voted 5–2 in favor of the override budget, citing the urgent need for student support post-pandemic and the long-term structural deficit in the SPS budget. Finally, he illustrated the tax impact on an average $950,000 home, showing a $381 increase under the non-override and an additional $114 with the override. The full presentation is available on Sudbury TV.

The Moderator asked for a motion to authorize the three cost centers to speak for five minutes each. The *motion* received a second and PASSED BY WELL MORE THAN A MAJORITY.

Moderator Blake recognized the representatives of each of the cost centers to explain their positions on the budget. Town Manager Andrew Sheehan spoke for the Town; Superintendent Brad Crozier for Sudbury Public Schools; and Superintendent Andrew Stephens for Lincoln-Sudbury Regional High School. The full presentations are available on Sudbury TV.

The Moderator confirmed a majority vote was required; the Limiting *motion PASSED BY WELL MORE THAN A MAJORITY.*
Electronic Vote: In Favor 292, Opposed 51

Article 3 Main Motion FY 24 Override Budget

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

Move that the Town appropriate the sums of money set forth in the column "FY24 Override" for Fiscal Year 2024 as printed in the warrant.

said sums to be raised by taxation, except that the following items to be raised and designated, by transfer from available fund balances and interfund transfers:

to transfer from Ambulance Reserve for Appropriation Account to item 200: Public Safety, $660,000; to transfer from Solar Revolving Account to item 400: Public Works, $68,525;to authorize the Town Manager to transfer, within the FY24 budget, $1,453,049 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;

EXPENDITURES		FY24 Recommended	Override Request	FY24 Override
300:	Education - Sudbury Public Schools (SPS) [6]	43,380,703	745,460	44,126,163
300:	Education - LS Regional High School (LS) [1]	28,936,600	-	28,936,600
300:	Education - Vocational	500,000	-	500,000
	Total: Schools	72,817,303	745,460	73,562,763
100:	General Government	3,598,455	-	3,598,455
200:	Public Safety [4]	9,939,791	-	9,939,791
400:	Public Works [5]	6,111,600	-	6,111,600
500:	Human Services	1,002,310	-	1,002,310
600:	Culture & Recreation	1,639,483	-	1,639,483
	Total: Town Departments	22,291,639	-	22,291,639
800:	Reserve Fund	300,000	-	300,000
800:	Town-Wide Operating and Transfers	195,991	-	195,991
700:	Town Debt Service	2,781,145	-	2,781,145
900:	Employee Benefits (Town and SPS) [2]	15,730,817	-	15,730,817
1000:	OPEB Trust Contribution (Town and SPS) [3]	650,000	-	650,000
TOTAL OPERATING BUDGET:		114,766,895	745,460	115,512,355

(not including Capital or Enterprise Funds)

[1] Includes $334,991 for OPEB and $469,465 for Debt Service.

[2] Includes $6,890,967 for Town and $8,839,849 for SPS.

[3] Includes $213,434 for Town and $436,566 for SPS.

[4] Appropriation is partially funded by $660,000 of ambulance receipts.

[5] Appropriation is partially funded by $68,525 of solar revolving fund receipts.

[6] Appropriation is partially funded by $150,000 of MEDICAID reimbursement receipts.

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* received a second.

SELECT BOARD: Supports Article 3

FINANCE COMMITTEE: Supports Article 3

The Moderator read each item within the FY24 Budget Report. There was no discussion.

The Moderator stated that the main motion under Article 3 required a majority vote, and declared that the motion *PASSED BY WELL MORE THAN A MAJORITY.* Electronic Vote: In Favor 325, Opposed 36

ARTICLE 4 – FY24 CAPITAL BUDGET

Select Board Chair Charlie Russo, *moved* in the words below:

To appropriate the sum of $728,525 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 expenses for projects; with the sum of $728,525 to be raised by taxation; and to authorize the Town Manager to allocate funds as needed between the underlying departments as shown in the following chart:

	FY24 Recommended
Operating Capital Budget	
Sudbury Public Schools	200,000
LS Regional High School	78,025
Information Systems	165,500
Fire	35,000
Public Works	150,000
Combined Facilities	100,000
Total Operating Capital Budget	**728,525**

Submitted by the Town Manager (Majority Vote required)

The *motion* received a second.

Town Manager Andrew Sheehan explained in detail the items in the Capital Budget.

Finance Committee Co-Chair Eric Poch presented the Finance Committee's report on the FY24 Capital budget.

FINANCE COMMITTEE: Supports Article 4 with one abstention

SELECT BOARD: Supports Article 4.

The Moderator confirmed a majority vote was required; Article 4 *PASSED BY WELL MORE THAN A MAJORITY*
Electronic Vote: In Favor 230, Opposed 18

Kay Bell, 348 Old Lancaster Rd, asked the Moderator to give the Hall more notice before closing the vote. She said that some voters may not have a chance to cast their vote. The Moderator agreed to make it clear when the vote window is about to close.

ARTICLE 5 – FY24 TRANSFER STATION ENTERPRISE FUND BUDGET

Select Board Chair, Charlie Russo, *moved* in the words of the article:

Move to appropriate the sum of $310,648 for the Transfer Station Enterprise Fund for FY24, and further to authorize use of an additional $17,551 for indirect costs; such sums to be raised from $328,199 in FY24 receipts of the Enterprise, as set forth in the article.

Submitted by the Town Manager (Majority vote required)

The *motion* received a second.

FINANCE COMMITTEE: Supports Article 5.

SELECT BOARD: Supports Article 5.

The Moderator confirmed a majority vote was required; Article 5 *PASSED .*
Electronic Vote: In Favor 207, Opposed 10

ARTICLE 6 – FY24 POOL ENTERPRISE FUND BUDGET

Select Board Chair, Charlie Russo, *moved* in the words below:

Move to appropriate the sum of $482,280 for the Pool Enterprise Fund for FY24, and further to authorize use of an additional $45,000 for indirect costs; said sums to be raised from $527,280 in FY24 receipts of the Enterprise, as set forth in the article.

Submitted by the Town Manager (Majority Vote required)

The *motion* received a second.

FINANCE COMMITTEE: Supports Article 6

SELECT BOARD: Supports Article 6

Dan Martin, 86 Brookdale Rd, asked why the numbers from Fiscal Year 24 compared to '23 seem similar. Why was it so much lower in Fiscal Year 22? Town Manager Sheehan responded that it was due to the lingering effects of the pandemic.

Elaine Barnatt-Goldstein, 40 Indian Ridge Road, asked when the pool will be closed during the transfer from the old building to the new building? Mr. Sheehan said that the pool will be closed from November 1 through the 6th.

The Moderator confirmed a majority vote was required; and declared that Article 6 *PASSED.*
Electronic Vote: In Favor 202, Opposed 16

ARTICLE 7 – FY24 RECREATION FIELD MAINTENANCE ENTERPRISE FUND BUDGET

Select Board Chair Charlie Russo, *moved* in the words below:

Move to appropriate the sum of $213,514 for the Recreation Field Maintenance Enterprise Fund for FY24, and further to authorize use of an additional $28,000 for indirect costs; said sums to be raised from $241,514 in FY24 receipts of the Enterprise, as set forth in the article.

Submitted by the Town Manager (Majority Vote required)

The *motion* received a second.

FINANCE COMMITTEE: Supports Article 7

SELECT BOARD: Supports Article 7

The Moderator confirmed a majority vote was required; and declared that Article 7 *PASSED BY WELL MORE THAN A MAJORITY.*
Electronic Vote: In Favor 201, Opposed 10

ARTICLE 8 –SNOW & ICE TRANSFER

Select Board Chair, Charlie Russo, *moved* in the words below:

Move to indefinitely postpone.

Submitted by the Town Manager (Majority Vote required)

The *motion* received a second.

FINANCE COMMITTEE: Supports Article 8

SELECT BOARD: Supports Article 8

The Moderator confirmed a majority vote was required, and declared that Article 8 *PASSED .*
Electronic Vote: In Favor 206, Opposed 10

ARTICLE 9 – UNPAID BILLS

Select Board Chair, Charlie Russo, *moved* in the words of the article:

Moved to appropriate the sum of $14,932 to be transferred from Free Cash.
Submitted by the Town Accountant (FOUR-FIFTH VOTE REQUIRED)

The *motion* received a second.

FINANCE COMMITTEE: Supports Article 9

SELECT BOARD: Supports Article 9

The Moderator confirmed a Four-Fifths vote was required; and declared that the article *PASSED BY WELL MORE THAN FOUR-FIFTHS.*
Electronic Vote: In Favor 185, Opposed 10

ARTICLE – 10 CHAPTER 90 HIGHWAY FUNDING

Select Board Chair Charlie Russo *moved* in the following words:

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.

Submitted by the DPW (Majority Vote required)

The *motion* received a second.

FINANCE COMMITTEE: Supports Article 10

SELECT BOARD: Supports Article 10

The Moderator confirmed a majority vote was required; and declared that Article 10 *PASSED WITH MORE THAN A MAJORITY.*
Electronic Vote: In Favor 272, Opposed 22

ARTICLE 11- FY24 STABILIZATION FUND

Select Board Chair Charlie Russo moved in the following words:

Move to transfer the sum of $144,274 to be raised by taxation and 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.

Submitted by the Select Board (Majority Vote required)

The *motion* received a second.

FINANCE COMMITTEE: Supports Article 11

SELECT BOARD: Supports Article 11

The Moderator confirmed a majority vote was required; and declared that Article 11 *PASSED WITH MORE THAN A MAJORITY.*
Electronic Vote: In Favor 272, Opposed 22

ARTICLE 12- FY24 REVOLVING FUND SPENDING LIMITS

Select Board Chair Charlie Russo *moved* in the words of the article:

Move to establish the FY24 spending limits for the use of revolving funds under MGL. c.44, s.53E ½, by the following departments of the Town, in accordance with each fund as set forth in Article XXXIII of the Town of Sudbury General Bylaws:

Fund	Department	Maximium Amount
Public Health Vaccinations & Tobacco Control	Board of Health	30,000
Plumbing & Gas Inspectional Services	Building Inspector	65,000
Portable Sign Administration & Inspectional Services	Building Inspector	10,000
Conservation (Trail Maintenance)	Conservation Commission	15,000
Conservation (Wetlands)	Conservation Commission	50,000
Forestry Activities	Conservation Commission	10,000
Council on Aging Activities	Council on Aging	65,000
Council on Aging Van Transportation (MWRTA)	Council on Aging	175,000
Cemetery Revolving Fund	Public Works	20,000
Fire Department Permits	Fire	70,000
Goodnow Library Meeting Rooms	Goodnow Library	20,000
Goodnow Library Services	Goodnow Library	25,000
Recreation Programs	Park and Recreation Commission	650,000
Teen Center	Park and Recreation Commission	10,000
Youth Programs	Park and Recreation Commission	200,000
Bus	Sudbury Public Schools	450,000
Instrumental Music	Sudbury Public Schools	100,000
Cable Television	Town Manager	30,000
Rental Property	Town Manager	50,000
Dog	Town Clerk	75,000
Zoning Board of Appeals	Zoning Board of Appeals	50,000
Solar Energy	Combined Facilities	1,000,000

Submitted by the Finance Director (Majority Vote required)

The *motion* received a second.

FINANCE COMMITTEE: Supports Article 12

SELECT BOARD: Supports Article 12

The Moderator confirmed a majority vote was required; and declared that the Article *PASSED WITH MORE THAN A MAJORITY.*
Electronic Vote: In Favor 272, Opposed 22

ARTICLE 13 – CAPITAL STABILIZATION FUND

Select Board Chair Charlie Russo *moved* in the following words:

Move in the words of the article with the sum of $250,000 to be raised by taxation, 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* received a second.

FINANCE COMMITTEE: Supports Article 13

SELECT BOARD: Supports Article 13

The Moderator confirmed a majority vote was required; and declared that Article 13 *PASSED BY MORE THEN A MAJORITY.*
Electronic Vote: In Favor 272, Opposed 22

ARTICLE 14 – FUNDING OF GO SUDBURY! TAXI AND UBER TRANSPORTATION PROGRAMS FOR FY24

Select Board Chair Charlie Russo, *moved* in the words of the article:

Move to transfer from Free Cash, the sum of $150,000, 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* received a second.

SELECT BOARD: Supports Article 14

FINANCE COMMITTEE: Supports Article 14

Daniel Carty, Chair of the Sudbury Transportation Committee presented the Article. He spoke about the benefits that this program has provide to seniors, the disabled and those in the military. Over a 12-month period from April 2022 to March 2023, Go Sudbury! provided 2386 Uber rides, 931 taxi rides to 83 unique riders. They are working with multiple partners to find funding to continue this program other than using Free Cash and he is very excited about the future of the program. He thanked Town Meeting for their support.

The Moderator confirmed a majority vote was required; Article 14 *PASSED BY WELL MORE THAN A MAJORITY.*
Electronic Vote: In Favor 189, Opposed 19

ARTICLE 15 – FAIRBANK COMMUNITY CENTER AUDIO-VISUAL EQUIPMENT AND ASSOCIATED FUNDING

Select Board Chair Charlie Russo, *moved* in the words below:

Move to transfer from Free Cash, the sum of $150,000, to be expended under the direction of the Town Manager, for the purchase of audio-visual and related equipment, and associated design services, and installation services for the Fairbank Community Center project, located at 40 Fairbank Road, to address needs and associated costs therefor.

Submitted by the Select Board (Majority vote required)

The *motion* received a second.

SELECT BOARD: Supports Article 15

FINANCE COMMITTEE: Supports the Article

Select Board member Lisa Kouchakdjian gave the presentation. She stated that Article 15 seeks funding to provide enhanced audiovisual A/V and assistive listening systems, ALS technology in all program areas for those with hearing loss and who can only attend remotely, due to disability or lack of transportation. It will reduce social isolation. She went on to explain the type of equipment that would be purchased and where it would be installed. The Council on Ageing and The Commission on Disability spoke in favor of the article.

Richard Winer, 106 Orchard Dr. asked how many people use the community center? Debra Galloway, Senior Center Director responded that around 100 people a day use the senior center.

The Moderator confirmed a majority vote was required and held that the *motion PASSED BY WELL MORE THEN A MAJORITY.*
Electronic Vote: In Favor 154, Opposed 24

ARTICLE 16 – AUTHORIZE SELECT BOARD TO PETITION THE GENERAL COURT TO ADOPT LEGISLATION – AN ACT AUTHORIZING THE TOWN TO ESTABLISH A FEE FOR A CHECKOUT BAG CHARGE

Select Board Chair Charlie Russo, *moved* in the words of the article:

Move to authorize the Select Board to petition the General Court to adopt legislation, as set forth below, to implement a minimum charge of $0.10 for all new checkout bags distributed in the Town of Sudbury, which legislation would have the underlying purposes of 1) incentivizing consumers to reuse checkout bags, the most environmentally sustainable and

economical option, 2) allowing consumers to have the choice of not paying for unwanted or unneeded new checkout bags, 3) allowing collected money to be retained by the retailer so as to help businesses defray the costs of switching to more environmentally sustainable checkout bag options, and 4) reducing the generation of waste and associated costs of disposal and recycling that must be borne by the Town and its residents; provided, however, that the General Court may make clerical and editorial changes of form only to said bill, unless the Select Board approves amendments to the bill prior to enactment by the General Court; and provided further that the Select Board.
shall be authorized to approve any such amendments which shall be within the scope of the general public purposes of this petition; or act on anything relative thereto.
AN ACT AUTHORIZING THE TOWN OF SUDBURY TO ESTABLISH A FEE FOR CHECKOUT BAGS
SECTION 1. The following words, unless the context clearly requires otherwise, shall have the following meanings:
"Checkout Bag" shall mean a bag provided by a retail establishment to a customer at the point of sale. Checkout bags shall not include bags, whether plastic or not, in which loose produce or products are placed by the consumer to deliver such items to the point of sale or check out area of the store.
"Retail Establishment" shall mean any business facility that sells goods directly to the consumer whether for or not for profit, including but not limited to, retail stores, restaurants, pharmacies, convenience and grocery stores, liquor stores, and seasonal and temporary businesses.
SECTION 2. (a) Notwithstanding any general or special law to the contrary, any retail establishment which makes available checkout bags in the Town of Sudbury shall charge for each such bag equal to or greater than $0.10 per checkout bag, as established by regulations to be duly promulgated by the Sudbury Board of Health.
(b) All monies collected pursuant to this section shall be retained by the retail establishment.
(c) Any charge for a checkout bag shall be separately stated on a receipt provided to the customer at the time of sale and shall be identified as the "checkout bag charge" thereon.
SECTION 3. (a) The Health Agent for the Sudbury Board of Health or his/her designee shall have authority to enforce this law and any regulations promulgated thereunder. This law may be enforced through any lawful means in law or in equity, including but not limited to, noncriminal disposition pursuant to G.L. c. 40 § 21D and Article VI of the Town of Sudbury General Bylaws.
(b) The Sudbury Board of Health may adopt and amend rules and regulations to effectuate the purposes of this law.
SECTION 4. If any provision of this law is declared to be invalid or unenforceable, the other provisions shall be severable and shall not be affected thereby.
SECTION 5. This act shall take effect three months after its passage.

Submitted by the Select Board **(Majority vote required)**

The *motion* received a second.

SELECT BOARD: Supports Article 16

FINANCE COMMITTEE: No Position

The Moderator confirmed a majority vote was required and held that the *motion* *PASSED BY MORE THEN A MAJORITY.*
Electronic Vote: In Favor 272, Opposed 22

ARTICLE 17 – MEDICAID REIMBURSEMENT AND ADDITIONAL CHAPTER 70 FUNDING TRANSFER TO FUND ELA CURRICULUM UPDATE

Select Board Chair Charlie Russo, *moved* in the words of the article:

Move to transfer from Free Cash a sum of money totaling $279,574, equal to the state reimbursement amounts received in fiscal years 2019, 2020, 2021 and 2022 by the Town of Sudbury on behalf of Sudbury Public Schools for Reimbursable Education Medicaid expenses for the purpose of an ELA Curriculum Update for the Sudbury Public Schools that includes professional development, instructional materials, student resources to implement recommendations of Elementary English Language Arts Curriculum Review, and any other associated expenses.

Submitted by the Sudbury School Committee (Majority vote required)

The *motion* received a second.

FINANCE COMMITTEE: Supports Article 17

SELECT BOARD: Supports Article 17

Sudbury School Superintendent Brad Crozier spoke in favor of the article.

Richard Winer, 106 Orchard Rd. asked if the Town compared Sudbury K-8 to other systems K-12 and second if those schools that you are comparing us too, are also asking for extra money? Mr. Crozier responded that other schools in several districts are seeking free cash to fund similar initiatives.

The Moderator confirmed a majority vote was required; and declared that Article 17 *PASSED BY WELL MORE THAN A MAJORITY.*
Electronic Vote: In Favor 138, Opposed 19

ARTICLE 18 – SCHOOLS HVAC REPAIRS AND REPLACEMENTS

Select Board Chair Charlie Russo, *moved* in the words of the article:

Move to transfer from Free Cash, the sum of $450,000 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; including all incidental and related expenses.

Submitted by the Sudbury School Committee (Majority vote required)

The *motion* received a second.

FINANCE COMMITTEE: Supports Article 18

SELECT BOARD: Supports Article 18

The Moderator stated that a majority vote was needed and declared that Article 18 PASSED BY WELL MORE THAN A MAJORITY
Electronic Vote: In Favor 272, Opposed 22

ARTICLE 19 – CURTIS MIDDLE SCHOOL AUDIO-VISUAL SYSTEM REPLACEMENT

Select Board Chair Charlie Russo, *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 Sudbury Public School Department for the purpose of replacing the existing audio-visual system at the Curtis Middle School, and all incidental expenses related thereto.

Submitted by the Sudbury School Committee (Majority vote required)

The *motion* received a second.

FINANCE COMMITTEE: Supports Article 19

SELECT BOARD: Supports Article 19

The Moderator stated that a majority vote was needed and declared that Article 19 PASSED BY WELL MORE THEN A MAJORITY
Electronic Vote: In Favor 272, Opposed 22

ARTICLE 20 – SUDBURY PUBLIC SCHOOLS SURVEILLANCE CAMERAS

Select Board Chair Charlie Russo, *moved* in the words of the article:

Move to transfer from Free Cash, the sum of $310,000, for the purchase or acquisition and installation of surveillance cameras and associated equipment in the Curtis Middle School, Haynes Elementary School, Loring Elementary School, Nixon Elementary School and Noyes Elementary School, and all incidental and related costs.

Submitted by the Sudbury School Committee (Majority vote required)

The *motion* received a second.

FINANCE COMMITTEE: Voted 6-1 in support

SELECT BOARD: Supports Article 20

Sandra Duran, Combined Facility Director, presented Article 20. She said that this article is seeking funding in the sum of $310,000 for the purchase and acquisition and installation of security cameras inside of the five schools in Sudbury. The purpose for these cameras is to support student safety. She believes that interior cameras will assist the Town with students and staff in emergency situations. There has been a lot of questions about where they would like to install these cameras, and these cameras would be in common areas. Hallways, entrances, gymnasiums, and cafeterias. They will not be in the classroom. They will not be in the bathrooms. In terms of privacy, they would use them in accordance with the current School Committee policy. Access to the recordings are limited to school administrators and safety personnel. This is allowable under the Family Records and Privacy Act. She said they would incorporate these additional cameras into the existing protocol. Police will have the ability to monitor or view in the event of an emergency. This project does not include facial recognition software or licensing.

Henry Sorett, 58 Longfellow Road, speaking on his own behalf and not on behalf of the Finance Committee, said he was the dissenting vote. He stated that Sudbury Public Schools and LS are asking this town for $560,000 to install and upgrade surveillance cameras to spy on students, faculty and staff in all of its schools and that Spy systems like this are morally offensive. He believes we should be teaching students to resist fear, not rebel against and defeat to Big Brother. Students should not be forced to bow down to Big Brother just to be able to attend school. Now, this is the same article that was presented by this group a couple of years ago. It was resoundingly defeated because of its intrusion into privacy. It should be resoundingly defeated again this year.

The Moderator stated that a majority vote was needed and that the *motion* for Article 20 *PASSED BY WELL MORE THAN A MAJORITY.*
Electronic Vote: In Favor 86, Opposed 69

The Moderator asked for a motion to continue town meeting until Article 21 was completed. The motion required a majority vote and the moderator held that it *PASSED BY MORE THAN A MAJORITY.*

ARTICLE 21 – LINCOLN-SUDBURY REGIONAL HIGH SCHOOL CAMERA SYSTEM REPLACEMENT

Select Board Chair Charlie Russo, *moved* in the words of the article:

Move to transfer from Free Cash, the sum of $206,652, being the Town's 87.44% share of the total estimated project of $236,336, to be used together with the amount requested from the Town of Lincoln for its 12.56% share, being the sum of $29,684, for the purpose of replacing the Safety Camera System on the property of Lincoln-Sudbury Regional High School, including any incidental and related costs.

Submitted by the Lincoln-Sudbury School Committee (Majority vote required)

The *motion* received a second.

FINANCE COMMITTEE: Supports Article 21

SELECT BOARD: Supports Article 21

Superintendent Bella Wong spoke in favor of the article. She explained that LSRHS was built in 2004 with cameras and that there was an upgrade and replacement last in 2014. There was a slight expansion after that date to add exterior cameras. The article tonight is to upgrade and replace the interior cameras only. She said that there are fewer than 100 cameras for the entire building and they are all all aimed at egress and exits. They are focused on how you get into the building. There are also some limited cameras in the common areas around the auditorium because this is the most used common space in the high school.

Daniel Martin, 86 Brookdale Rd. , stated that the amount of property loss to the schools is negligible compared to the cost of the cameras and equipment. He also said that the upkeep of the cameras would be much greater than the actual losses.

Linda Smith, 15 Hawthorne Drive, speaking on behalf of the League of Women Voters, wanted to clarify that they initially opposed this measure as well as the previous one on the basis that there was no information available on whether facial recognition technology would be included. But both superintendent Bella Wong and superintendent have confirmed it is not included, so the League has dropped its opposition to the measure.

Henry Noer, 55 Goodman's Hill Rd. stated that we live in dangerous times and wants to know what rights students are giving up.

Sarah Troiano, 342 Lincoln Rd. stated that the message to kids should be that we are here to take care of them.

The Moderator confirmed a majority vote was required and held that the *motion* under Article 21 *PASSED BY MORE THAN A MAJORITY.*
Electronic Vote: In Favor 102, Opposed 39

The Moderator noted that it was 11:00pm and *moved* to adjourn the meeting until May 2nd at 7:30pm. The *motion* received a second and PASSED BY WELL MORE THAN A MAJORITY.

ATTENDANCE: 397

SUDBURY ANNUAL TOWN MEETING

May 2, 2023

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 2, 2023, for the second session of the Annual Town Meeting. Catharine Blake, the Moderator, called the meeting to order at 7:35 p.m.

ARTICLE 22 – PURCHASE OF STORAGE BUILDING

Select Board Chair Charlie Russo, *moved* in the words of the article:

Move to transfer from Free Cash, the sum of $200,000, for the purchase or acquisition and equipping of a three- bay storage building, including any incidental and related costs.

Submitted by the Fire Chief **(Majority vote required)**

The *motion* received a second.

FINANCE COMMITTEE: **Supports Article 22**

SELECT BOARD: **Supports Article 22**

The Moderator confirmed a majority vote was required and that the *motion* under Article 22 *PASSED BY WELL MORE THAN A MAJORITY.*
Electronic Vote: In Favor 272, Opposed 22

ARTICLE 23 – PURCHASE OF FIRE ENGINE

Select Board Chair Charlie Russo, *moved* in the words of the article:

Move To appropriate the sum of $1,020,000 for the purchase or acquisition of one Fire Engine/Pumper and associated equipment including any incidental or related expenses; said sum to be raised by taxation in accordance with G.L. c. 59, § 21C(i½)

Submitted by the Fire Chief. **(Majority vote required)**

The *motion* received a second.

FINANCE COMMITTEE: **Supports Article 23**

SELECT BOARD: **Supports Article 23**

John Whalen, Sudbury Fire Chief spoke in favor of the article. He explained that currently Engine One is a 2005 emergency pump with 120,000 miles on it and has been on the frontline service for about 11 years. It was then replaced and brought to Station One where it has been in frontline service for about six years. Typical service for these apparatuses is 10 years in the frontline and 10 years in secondary service. The new engine is a new engine pumper that is a 1500 gallon GPM pump and 1,000 gallon water tank.

He further stated that it will also include a new set of audit execution tools and that that these tools are run on batteries which is good because they don't have the constraints of having cables and wires. Another issue is that the town has very narrow streets. This fire truck, is designed to be shorter which makes it easier to maneuver in the Town. The build time on the new apparatuses is between 24-36 months. The lead is based on the

equipment that goes in the trucks and all three manufacturers that he has gotten bids from, are all reporting the same time frame for delivery on a piece of equipment like this.

Richard Winer, 86 Orchard Dr. asked if the vehicle lasts approximately 20 years, then how much fuel will be consumed in that 20 years? Chief Whalen responded that they spend $3,000-$4,000 a month on diesel fuel.

Mr. Winer further asked if he had considered electric fire trucks and Chief Whalen replied that he has had conversations with his colleagues; about electric fire trucks and was told that they may cost two to two and half million dollars and are still pretty new and unknown.

Another resident asked where this truck is manufactured and how hard is it getting spare parts? Chief Whalen said some parts are easy to get other parts takes months.

Maura Carty, 15 Stonebrook Rd. asked if there is value to the truck that is being retired? Chief Whalen responded that there is value in these trucks. He explained that this piece of equipment that is being replaced is going from frontline service to reserve service and the 1997 truck that is currently on reserve will probably be put up for auction or out to bid. The money would come back to the Town.

The Moderator confirmed a majority vote was required and that the *motion* under Article 23 *PASSED BY WELL MORE THAN A MAJORITY*
Electronic Vote: In Favor 123, Opposed 13

ARTICLE 24 –AMERICANS WITH DISABILITIES ACT TRANSITION PLAN RECOMMENDATIONS

Select Board Chair Charlie Russo, *moved* in the words below:

Move 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 making improvements to schools, Town buildings and public spaces pursuant to the Town Wide Americans with Disabilities Act Self Evaluation and Transition Plan including incidental and related expenses.

Submitted by the Combined Facilities Director (Majority vote required)

The *motion* received a second.

FINANCE COMMITTEE: Supports the motion

SELECT BOARD: Supports the motion

Sandra Duran, Combined Facilities Director spoke in favor the the article.

The CIAC and COD voted to support this article.

Greg Hamill , 16 Pine St. asked if the Finance Committee is comfortable with all of this spending of Free Cash. Eric Poch responded that they were comfortable with the total amount of spending. Town Manager Sheehan responded that after all the articles were approved there remained $275,000 left in Free Cash.

The Moderator confirmed a majority vote was required and that the *motion* under Article 24 *PASSED BY WELL MORE THEN A MAJORITY .*
Electronic Vote: In Favor 122, Opposed 20

ARTICLE 25 – DPW ROOFING PROJECT FUNDING

Select Board Chair Charlie Russo, *moved* in the words of the Article below:

Move to transfer from Free Cash, the sum of $400,000, to be expended under the direction of the Town Manager for the purpose of the repair and or replacement of the roof and appurtenances thereto at the Department of Public Works main building located at 275 Old Lancaster Road, together with all incidental and related costs.

Submitted by the Combined Facilities Director (Majority vote required)

The *motion* received a second.

FINANCE COMMITTEE: Supports Article 25

SELECT BOARD: Supports Article 25

Combined Facilities Director Sandra Duran spoke in favor of the article. Ms. Duran explained that she is for $400,000 for the purpose of installing a new roof on the DPW building. The existing roof general description : one steep slope roof, about 10,500sq.ft., one low-sloped roof and a metal roof of about 1725sq. ft. The building was constructed in 2003. This project will materially extend the useful life of the building and will provide information on the panel implementation both in money and energy savings project. The project itself because it is such a large roof, will be more than enough solar for the use of the DPW building and will be able to offset the cost of the buildings.

The solar system size that we will be putting on most currently is 287.5 kilowatts size. The system will generate 319,693 kilowatt hours in year one and subsequent years it will decrease.

The Moderator confirmed a majority vote was required and that the *motion* under Article 25 *PASSED BY WELL MORE THAN A MAJORITY.*
Electronic Vote: In Favor 128, Opposed 21

ARTICLE 26 – DPW BUILDING OFFICE RENOVATION

Select Board Chair Charlie Russo, *moved* in the words below:

Move to transfer from Free Cash, a sum of money not to exceed $125,000, to be expended under the direction of the Combined Facilities Director for the purpose of designing, renovating and reconfiguring office space at the Department of Public Works building located at 275 Old Lancaster Road, including all incidental and related expenses.

Submitted by the Combined Facilities Director (Majority vote Required)

The *motion* received a second.

FINANCE COMMITTEE: Supported Article 26

SELECT BOARD: Supported Article 26

Combined Facilities Director Sandra Duran spoke in favor of the article.

The Moderator confirmed a majority vote was required and that the *motion* under Article 26 *PASSED BY WELL MORE THAN A MAJORITY.*
Electronic Vote: In Favor 110, Opposed 44

ARTICLE 27 – SPACE USE AND FACILITY CONDITION STUDY

Select Board Chair Charlie Russo, *moved* in the words below:

Move to transfer from Free Cash, the sum of $300,000, to be expended under the direction of the Combined Facilities Director for the purpose of hiring a consultant to conduct a Space Use and Facility Condition Assessment of Town and PreK-8 School Buildings.

Submitted by the Combined Facilities Director (Majority vote Required)

The *motion* received a second.

FINANCE COMMITTEE: Supports Article 27

SELECT BOARD: Supports Article 27

Combined Facilities Director Sandra Duran presented the article.

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

Electronic Vote: In Favor 120, Opposed 31

ARTICLE 28 – WITHDRAWN

ARTICLE_29 – WITHDRAWN

ARTICLE 30 – AMEND GENERAL BYLAWS, SECTION 1, CHAPTER XXXIII - SOLAR ENERGY REVOLVING FUND AS AMENDED

Select Board Chair Charlie Russo, *moved* in the words of the article:

Move to amend Section 1, Chapter XXXIII of the General Bylaws by revising the row describing the revolving fund for electrical costs and energy saving initiatives by inserting the bold text and deleting the strikethrough text as follows and authorizing any funds in the existing revolving fund to be maintained in the revolving account as revised hereunder;

Program or Purpose	*Authorized Representative Department or Board to Spend*	*Receipts*
Payment of Town electrical costs and funding of energy saving solar landfill initiatives by the Energy **and Sustainability** Committee	Facilities Director	**Receipts from ~~Solar Landfill~~ renewables, solar arrays or similar equipment installed on land, buildings, or other property owned by the Town of Sudbury, excluding land, buildings, or other property at Lincoln-Sudbury High School.**

Submitted by the Energy and Sustainability Committee (Majority vote required)

The *motion* received a second.

FINANCE COMMITTEE: Supports

SELECT BOARD: Supports

Rami Alwan, 119 Country Rd. presented the article. This article would expand the scope of the existing fund to allow it to use receipts for current and future energy projects other than the Solar Landfill.

Kristen Roopenian moved to amend the motion by striking the word "savings over landfill initiative by the energy and sustainability committee," and by substituting the word "saving from renewables, solar arrays or similar equipment installed on land, buildings or property owned by the town excluding land buildings or other property at Lincoln - Sudbury Regional High School by the Energy and Sustainability Committee."

Program or Purpose	*Authorized Representative Department or Board to Spend*	*Receipts*
Payment of Town electrical costs and funding of energy ~~saving solar landfill initiatives by the Energy and Sustainability Committee~~ savings from renewables, solar arrays or similar equipment installed on land, buildings, or other property owned by the Town of Sudbury, excluding land, buildings, or other property at Lincoln-Sudbury High School. ~~by the Energy and Sustainability committee.~~	**Facilities Director**	**Receipts from ~~Solar Landfill~~ renewables, solar arrays or similar equipment installed on land, buildings, or other property owned by the Town of Sudbury, excluding land, buildings, or other property at Lincoln-Sudbury High School.**

The Motion to Amend was seconded.

The Moderator confirmed a majority vote was required and the Motion to Amend *PASSED BY WELL MORE THAN A MAJORITY.*
Electronic Vote: In Favor 135, Opposed 18

The Moderator confirmed a majority vote was required and that the main *motion* as Amended *PASSED BY WELL MORE THAN A MAJORITY.*
Electronic Vote: In Favor 130, Opposed 18

ARTICLE 31 – AUTHORIZATION TO PROCEED WITH THE FAIRBANK COMMUNITY CENTER SOLAR PROJECT

Select Board Chair Charlie Russo, *moved* in the words of the article:

Move to transfer the care, custody, management and control of a portion or portions of the Fairbank Community Center property located at 40 Fairbank Road and identified as Assessor Parcel ID number F06-0001 from the Select Board for the purposes for which it is presently held to the Select Board for general municipal purposes and for recreational purposes and also for the

purpose of leasing the same to one or more solar energy electricity production entities for the installation of a solar energy facility or facilities, and to authorize the Select Board to enter into a lease or leases for such portion or portions for a term of at least 20 years from the date of commencement of commercial operations of the solar energy facility or facilities and such additional term as the Select Board shall deem appropriate, 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, maintain, and replace such solar energy facility or facilities; 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 payments in lieu of taxes (PILOT Agreement) on account of such facility or facilities for a term of 20 years and such additional term as the Select Board shall deem appropriate, upon such terms and conditions as the Select Board shall deem to be 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 Energy and Sustainability Committee (Two-thirds vote required)

The *motion* received a second.

FINANCE COMMITTEE: Supports

SELECT BOARD: Supports

Rami Alwan, 119 Country Rd. presented the article. He stated that the new Community Center is almost entirely electric. This article would allow the Town to power the community center with solar panels at a fixed electric cost for the next 20 years by leasing roof space to a solar company to provide solar power for the building. He said that this is good for the Town and for climate change.

David Jacobs, 328 Old Lancaster Rd. asked who is paying for the solar panels? Mr. Alwan responded that all the costs will be incurred by the solar company and not the Town.

The Moderator stated that the quantum of vote required for passage of Article 31 is two-thirds and declared that the Article *PASSED BY MORE THAN TWO-THIRDS.* Electronic Vote: In Favor 131, Opposed 22

ARTICLE 32 – WITHDRAWN

ARTICLE 33 – SWAP BODY TRUCK

Select Board Chair Charlie Russo, *moved* in the words of the article.

Move to transfer from Free Cash, the sum of $185,000, for the purchase or acquisition and equipping of one (1) swap body truck for the Department of Public Works.

Submitted by the Department of Public Works (Majority vote required)

The *motion* received a second.

SELECT BOARD: Supports Article 33

FINANCE COMMITTEE: Supports Article 33

The Moderator stated that a majority vote was required on the motion and declared the article *PASSED BY MORE THAN A MAJORITY.*
Electronic Vote: In Favor 272, Opposed 22

ARTICLE 34 – SWAP BODY TRUCK

Select Board Chair Charlie Russo, *moved* in the words of the article:

Move to transfer from Free Cash, the sum of $210,000, for the purchase or acquisition and equipping of one (1) swap body truck for the Department of Public Works.

Submitted by the Department of Public Works (Majority vote required)

The motion received a second.

SELECT BOARD: Supports Article 34

FINANCE COMMITTEE: Supports Article 34

The Moderator stated that a majority vote was required and declared the Article *PASSED BY MORE THAN A MAJORITY.*
Electronic Vote: In Favor: 272, Opposed: 22

ARTICLE 35 – SPORTS FIELD MOWER

Select Board Chair Charlie Russo, *moved* in the words of the article:

Move to transfer from Free Cash, the sum of $160,000, for the purchase or acquisition and equipping of one (1) sports field mower for the Department of Public Works.

Submitted by the Department of Public Works (Majority vote required)

The motion received a second.

SELECT BOARD: Supports Article 34

FINANCE COMMITTEE: Supports Article 34

The Moderator stated that a majority vote was required and declared the Article *PASSED BY MORE THAN A MAJORITY.*
Electronic Vote: In Favor: 272, Opposed: 22

ARTICLE 36 – MULTI-PURPOSE TRACTOR

Select Board Chair Charlie Russo, *moved* in the words of the article:

Move to transfer from Free Cash, the sum of $215,000, for the purchase or acquisition of one (1) multi-purpose tractor for the Department of Public Works.

Submitted by the Department of Public Works (Majority vote required)

The motion received a second.

SELECT BOARD: Supports Article 36

FINANCE COMMITTEE: Supports Article 36

The Moderator stated that a majority vote was required and declared the Article *PASSED BY MORE THAN A MAJORITY.*
Electronic Vote: In Favor: 272, Opposed: 22

ARTICLE 37 – FRONT-END LOADER

Select Board Chair Charlie Russo, *moved* in the words of the article:

Move to transfer from Free Cash, the sum of $345,000, for the purchase or acquisition of one (1) front-end loader for the Department of Public Works.

Submitted by the Department of Public Works (Majority vote required)

The motion received a second.

SELECT BOARD: Supports Article 37

FINANCE COMMITTEE: Supports Article 37

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

Electronic Vote: In Favor: 272, Opposed: 22

ARTICLE 38. AMEND ZONING BYLAW, ARTICLE IX, SECTION 4200. WATER RESOURCE PROTECTION OVERLAY DISTRICTS: INSERT SECTIONS 4243.N. AND 4253.K.

Select Board Chair Charlie Russo, *moved* in the words of the article:

Move to amend the Zoning Bylaw, Article IX, Section 4200, entitled Water Resource Protection Overlay Districts, by inserting new Sections 4243.n. and 4253.k., with the text to be inserted shown as underlined text as follows:

4243. The following uses and activities may be allowed by special permit within the Water Resource Protection Overlay Districts - Zone II, subject to the approval of the Special Permit Granting Authority under such conditions as they may require and also subject to Section 4242:

…

n. Uses allowed as of right or by Special Permit in the underlying zoning district which are not listed in Sections 4241 or 4242.

4253. The following uses are permitted by special permit within Water Resource Protection Overlay Districts - Zone III, subject to the approval of the Special Permit Granting Authority under such conditions as they may require and also subject to section 4252.

…

k. Uses allowed as of right or by Special Permit in the underlying zoning district which are not listed in Sections 4251 or 4252.

Submitted by the Planning Board (Two-Thirds vote required)

The *motion* received a second.

SELECT BOARD: **Supports Article 38**

FINANCE COMMITTEE: **No position**

Planning Board Chair John Hincks explained that Sudbury's zoning system, which is mostly residential with some commercial areas along Route 20, has overlay districts. The Water Resources Protection Overlay District is the one that he is discussing. While intended to safeguard water resources, this overlay has created confusion because it prohibits any uses not explicitly listed in the bylaw, even if they are otherwise allowed "by right" in the underlying zoning districts (such as retail stores, banks, or offices). Existing businesses predating the overlay are grandfathered in, but changing from one permitted business type to another can be problematic. To resolve this, the proposal is to amend Section 4200 so that uses allowed in the underlying districts may also be permitted within the overlay district, provided the planning board grants a special permit ensuring no harm to water resources.

The Moderator declared this Article *PASSED BY MORE THAN A TWO-THIRDS VOTE.*
Electronic Vote: In Favor 133, Opposed 20

ARTICLE 39 – AMEND GENERAL BYLAWS – AFFORDABLE HOUSING TRUST BYLAW

Select Board Chair Charlie Russo, *moved* in the words of the article:

Move to amend the Town of Sudbury General Bylaws by inserting a new Article XXXVIII, entitled "Sudbury Housing Trust Bylaw", as follows:

SUDBURY HOUSING TRUST BYLAW
Pursuant to a vote on Article 33 of the 2006 Annual Town Meeting, the Town accepted the provisions of Massachusetts General Laws Chapter 44, Section 55C and authorized the establishment of a Housing Trust pursuant to the provisions of Massachusetts General Laws Chapter 44, Section 55C.
SECTION 1. PURPOSE OF TRUST
The purpose of the Trust shall be to provide for the preservation and creation of affordable housing in the Town of Sudbury for the benefit of low and moderate income households.
SECTION 2. POWERS OF TRUSTEES
The Trustees shall have the following powers which shall be carried out in accordance with and in furtherance of the provisions of M.G.L. Chapter 44, Section 55C (Municipal Affordable Housing Trust Fund) as outlined below except that the Trustees shall have no ability to borrow money, or mortgage or pledge Trust assets, purchase, sell, lease, exchange, transfer or convey any interest in real property without prior approval of the Select Board:

1) ***to accept and receive real property, personal property, or money, by gift, grant, contributions, devise, or transfer from any person, firm, corporation or other public entity or organization or tendered to the Trust in connection with provisions of any ordinance or by-law or any General Law or Special Act of the Commonwealth or any other source including money from M.G.L. Chapter 44B (Community Preservation Act);***

2) *with Select Board approval from Trustee recommendation, to sell, lease, exchange, transfer or convey any personal, mixed, or real property at public auction or by private contract for such consideration and on such terms as to credit or otherwise, and to make such contracts and enter into such undertaking relative to Trust property as the Trustees deem advisable notwithstanding the length of any such lease or contract;*
3) *to execute, acknowledge, and deliver deeds, assignments, transfers, pledges, leases, covenants, contracts, promissory notes, releases and other instruments sealed or unsealed, necessary, proper or incident to any transaction in which the Trustees engage for the accomplishment of the purposes of the Trust;*
4) *with Select Board approval from Trustee recommendation, to borrow money on such terms and conditions and from such sources as the Trustees deem advisable, to mortgage and pledge Trust assets as collateral to the extent of the Trust's assets, and subject to 2/3 vote at any Annual or Special Town Meeting for greater than the extent of the Trust's assets;*
5) *to construct, manage or improve real property; and to abandon any property which the Trustees determine not to be worth retaining;*
6) *with Select Board approval from Trustee recommendation, to purchase and retain real or personal property, including without restriction investments that yield a high rate of income or no income;*
7) *to hold all or part of the Trust property uninvested for such purposes and for such time as the Trustees may deem appropriate;*
8) *to become the lottery and monitoring agent for affordable housing and accept compensation for those services into the Fund;*
9) *to monitor the expiring use of any affordable housing in Sudbury;*
10) *to compensate Town employees for services provided as authorized by the Town Manager, including but not limited to dedicated staff to Trustees, engineering support for project specific activities, and other Town services, as requested by the Trustees to the Town Manager;*
11) *to employ advisors and agents, including but not limited to accountants, appraisers and lawyers as the Trustees deem necessary;*
12) *to pay reasonable compensation and expenses to all advisors and agents and to apportion such compensation between income and principal as the Trustees deem advisable;*
13) *to participate or join or form a partnership, corporation or any other legally organized entity to accomplish the purposes of this Trust and to participate in any reorganization, recapitalization, merger or similar transactions; and to give proxies or powers of attorney with or without power of substitution to vote any securities or certificates of interest; and to consent to any contract, lease, mortgage, purchase or sale of property, by or between any corporation, and any other corporation, person or entity;*
14) *to apportion receipts and charges between incomes and principal as the Trustees deem advisable, to amortize premiums and establish sinking funds for such purpose, and to create reserves for depreciation depletion or otherwise;*
15) *to deposit any security with any protective reorganization committee, and to delegate to such committee such powers and authority with relation thereto as the Trustees may deem proper and to pay, out of Trust property, such portion of expenses and compensation of such committee as the Trustees may deem necessary and appropriate;*
16) *to carry property for accounting purposes other than acquisition date values;*
17) *to make distributions or divisions of principal in kind;*
18) *to extend the time for payment of any obligation to the Trust;*
19) *to establish criteria and/or qualifications for recipients and expenditures in accordance with Trust's stated purposes;*

20) *to compromise, defend, enforce, release, settle or otherwise adjust claims in favor or against the Trust, including claims for taxes, and to accept any property, either in total or partial satisfaction of any indebtedness or other obligation, and subject to the provisions of this act, to continue to hold the same for such period of time as the Trustees may deem appropriate;*

Notwithstanding anything to the contrary herein, Select Board approval shall be required for any of the following actions:

a) ***to purchase real or personal property;***
b) ***to sell, lease, exchange, transfer or convey any personal, mixed, or real property; and***
c) ***to borrow money, or to mortgage or pledge Trust assets as collateral to the extent of the Trust's assets.***

Notwithstanding anything to the contrary herein, the Trustees may not borrow, mortgage or pledge greater than the current Trust assets unless approved by the Select Board and by a 2/3 vote at any Annual or Special Town Meeting.

The Trustees shall have full power and authority, at any time and from time to time and without the necessity of applying to any court for leave to do so, to expend the 100% of the Trust funds, both principal and interest, to the extent that all funds hereunder may be expended if the Trustees deem such expenditure appropriate. All expenditures shall be made in conformance with the terms of this Trust and M.G.L. Chapter 44, Section 55C.

SECTION 3. ACTS OF TRUSTEES

A majority of Trustees may exercise any or all of the powers of the Trustees hereunder and may execute on behalf of the Trustees any and all instruments with the same effect as though executed by all the Trustees. No Trustee shall be required to give bond. No license of court shall be required to confirm the validity of any transaction entered into by the Trustees with respect to the Trust Estate.

SECTION 4. TREASURER/COLLECTOR AS CUSTODIAN

The Town of Sudbury Treasurer/Collector shall be the custodian of the Trust's funds and shall maintain separate accounts and records for said funds.

The Town Treasurer/Collector shall invest the funds in the manner authorized by M.G.L. Chapter 44, Section 55 (Public Funds on Deposit; Limitations; Investments,) Section 55A, (Liability of Depositor for Losses Due to Bankruptcy), Section 55B (Investment of Public Funds).

Any income or proceeds received from the investment of funds shall be credited to and become part of the Trust.

Expenditures by the Trust shall be processed through the warrant but shall be controlled by the provisions of M.G.L. Chapter 44, Section 55C. The yearly approved budget, and any approved budget revisions will
be recorded by the Town Treasurer/Collector.

As custodian, the Treasurer/Collector shall issue checks as directed by the Trustees.

In accordance with M.G.L. Chapter 44, Section 55C (Municipal Affordable Housing Trust Fund), the books and records of the Trust shall be audited annually by an independent auditor in accordance with accepted accounting practices. The Trust shall be audited as part of the Town audit.

SECTION 5. DURATION OF THE TRUST

This Trust shall continue so long as authorized under the Laws of the Commonwealth of Massachusetts. Notwithstanding the foregoing, The Trust may be terminated by a majority vote of the Town Meeting in accordance with M.G.L. Chapter 4, Section 4B, provided that an instrument of termination together with a certified copy of the Town Meeting vote are duly recorded with the Middlesex South District Registry of Deeds and the Land Court. Upon termination of the Trust,

subject to the payment of or making provisions for the payment of all obligations and liabilities of the Trust and the Trustees, the net assets of the Trust shall be transferred to the Town and held by the Select Board for affordable housing purposes. In making any such distribution, the Trustees may, subject to the approval of the Select Board, sell all or any portion of the Trust property and distribute the net proceeds thereof or they may distribute any of the assets in kind. The powers of the Trustees shall continue until the affairs of the Trust are concluded.

SECTION 6. RECORDING

A Declaration of Trust and any amendments thereto shall be recorded with the Middlesex South District Registry of Deeds and the Land Court.

SECTION 7. AMENDMENTS

The Declaration of Trust may be amended from time to time except as to those provisions specifically required under M.G.L. Chapter 44, Section 55C, by an instrument in writing signed by all of the Trustees and approved at a meeting called for that purpose, and approved by the Select Board provided that in each case, a certificate of amendment has been recorded with the Middlesex South District Registry of Deeds and the Land Court.

SECTION 8. RECORD TO BE CONCLUSIVE, CERTIFICATE AS TO FACTS

Every contract, deed, mortgage, lease and other instrument executed by a majority of the Trustees as appears from instruments or certificates recorded with the Registry of Deeds and Land Registration Office to be Trustees hereunder shall be conclusive evidence in favor of any person relying thereon or claiming thereunder, that at the time of the delivery thereof this Trust was in full force and effect and that the execution and delivery of such instrument was duly authorized by the Trustees except that instruments of amendment pursuant to Section 7 and an instrument of termination pursuant to Section 5 hereof shall be conclusive only if it appears that the delegations, amendments or termination have been executed by all of the Trustees. Any person dealing with the Trust property or the Trustees may always relay on a certificate signed by any person appearing from instruments or certificates so recorded to be Trustee hereunder as to the identity of the then current Trustees or as to the existence or non-existence of any fact or facts which constitute conditions precedent to acts by the Trustees or in any other manner germane to the affairs of the Trust.

Submitted by the Select Board (Majority vote required)

The *motion* received a second.

SELECT BOARD: Supports Article 39

FINANCE COMMITTEE: No Position

Town Manager Sheehan explained that Article 39 is a housekeeping measure to formally adopt a bylaw for Sudbury's Affordable Housing Trust, which has existed since 2006 under the Massachusetts Affordable Housing Trust statute (Chapter 44, Section 55-C). While the statute was adopted at that time, no accompanying local bylaw was put in place, so the trust has been operating under the statute and a trust document recorded with the Register of Deeds. Article 39 seeks to codify the trust's long-standing practices, including unique local requirements such as seeking Town Meeting approval before acquiring land, thereby aligning formal bylaws with the procedures that have already guided the trust's operations for nearly 20 years.

The Moderator declared this Article *PASSED BY MORE THAN A MAJORITY*
Electronic Vote: In Favor 131, Opposed 22

ARTICLE 40 – GENERAL BYLAW FOR THE PLACEMENT OF SMALL WIRELESS FACILITIES IN THE PUBLIC WAYS

Select Board Chair Charlie Russo, *moved* in the words of the article

Move to amend the Town of Sudbury General Bylaws by inserting a new article, to be numbered by the Town Clerk, for the placement of Small Wireless Facilities in the public ways as set forth below:

1. ***Purpose. The purpose and intent of this Article of the General Bylaws of the Town of Sudbury (the "Article") is to provide a uniform and comprehensive set of requirements and standards for the permitting, development, siting, installation, design, operation and maintenance of small wireless facilities ("SWF") as defined in 47 C.F.R s.1.6002 in public ways of the Town of Sudbury. The Town's authority for this Article, includes, among others, 47 USC s.332 et seq. ("Except as provided in this paragraph, nothing in this chapter shall limit or affect the authority of State or local government or instrumentality thereof over decisions regarding the placement, construction, and modification of personal wireless service facilities"). In addition, and importantly, because of the cumulative impact of incremental decisions regarding SWFs, this Section instructs the permit applicant as to the Town's minimally acceptable standards for SWFs and directs the applicant to the Town's preferences for the design and installation of these facilities.***

2. ***SWFs (including antennas, transceivers, mounting structures and enclosures, if any) may be installed in the public ways of the Town of Sudbury, subject to the limitations established herein.***

3. ***Definitions***

New Pole: A Substitution Pole or any pole or other structure that is installed without the removal of an existing pole.
Replacement Pole: To enable the installation of a SWF, a utility pole that takes the place of an existing utility pole, provided the resulting pole with attachments is no more than 5 feet higher than the existing pole with attachments.
Small Wireless Facilities (SWFs) are facilities that meet each of the following conditions as established by the FCC:

(1) The facilities:

a) Are mounted on structures 50 feet or less in height including their antennas as defined in 47 CFR § 1.1320(d); or
b) Are mounted on structures no more than 10 percent taller than other adjacent structures; or
c) Do not extend existing structures on which they are located to a height of more than 50 feet or by more than 10 percent, whichever is greater;
(2) Each antenna associated with the deployment, excluding associated antenna equipment (as defined in the definition of antenna in 47 CFR § 1.1320(d)), is no more than three cubic feet in volume;

(3) All other wireless equipment associated with the structure, including the wireless equipment associated with the antenna and any pre-existing associated equipment on the structure, is no more than 28 cubic feet in volume;
(4) The facilities do not require antenna structure registration under part 17 of 47 CFR;
(5) The facilities are not located on Tribal lands, as defined under 36 CFR 800.16(x); and
(6) The facilities do not result in human exposure to radiofrequency radiation in excess of the applicable safety standards specified in 47 CFR § 1.1307(b).
Substitution Pole: To enable the installation of a SWF, a utility pole that takes the place of an existing utility pole, wherein the resulting pole with attachments is more than 5 feet higher than the existing pole with attachments.

4. ***Goals. The goals of this Section are to:***
    - ***A. Preserve and promote harmonious land uses within the Town, including its public rights-of-way;***
    - ***B. Promote and protect public health and safety, community welfare, visual resources, and the aesthetic quality of the Town;***
    - ***C. Provide for the orderly, managed, and efficient development of SWFs in accordance with federal and state laws, rules, and regulations and within defined locations within the Town; and***
    - ***D. Encourage new and more efficient technology in the provision of SWFs.***

5. ***Intent. This Article is not intended to apply to, nor shall it be interpreted to apply to:***
    - ***A. Prohibit or effectively prohibit any personal wireless service provider's ability to provide personal wireless services;***
    - ***B. Prohibit or effectively prohibit any entity's ability to provide any interstate or intrastate telecommunications service, subject to any competitively neutral and nondiscriminatory rules or regulation for rights-of-way management;***
    - ***C. Unreasonably discriminate among providers of functionally equivalent services;***
    - ***D. Deny any request for authorization to place, construct or modify personal wireless service facilities based on environmental effects of radio frequency emissions to the extent that such wireless facilities comply with the FCC's regulations concerning such emissions;***
    - ***E. Otherwise authorize the Town to preempt any applicable federal or state law or***
    - ***F. To conflict with 42 USC s.332 et seq.***

6. ***Application procedures.***
    - ***A. Fees. The dollar amounts of all fees that are established pursuant to this Article shall be recorded in the Town of Sudbury Select Board Fee Schedule.***
    - ***B. Filing. Applications shall be submitted to the Select Board by filing with the Town Clerk's office in accordance with this Article, accompanied by an SWF Application Fee. The SWF Application Fee will cover up to five locations per application. Each application for more than five installations is subject to an SWF Supplemental Application Fee per additional installation. Each New Pole (including Substitution Poles as established herein) is subject to a SWF New Pole Application Fee per New Pole applied for.***

C. ***Public hearing notices. Pursuant to G.L. c.166 s. 22, the Select Board shall hold a public hearing on all applications for SWFs pursuant to G.L. c.166, s.22 and the costs of the legal notices shall be paid by the applicant, including the costs of mailing notice of the public hearing to property owners within a radius of five (500) hundred feet from the location where the pole for the proposed SWF is or is proposed to be.***

D. ***Application completeness verification by the Department of Public Works ("DPW"). No application will be deemed complete unless and until the DPW shall have first verified that the applicant has assembled all the application contents listed in Section 5 below; the same shall constitute a "complete application". To protect the Town's rights under the federal SWF shot clock, the DPW should make a determination of completeness in such time that the Town can inform the applicant of an incomplete application within ten days of original filing.***

E. ***Payment of application filing fees and number of application copies. The applicant shall pay all application filing fees to the Town Clerk's office and shall file the following number of sets of application materials at the offices set forth below:***

Number of Sets	***Office***
1	***Town Clerk's office***
5	***Select Board office***

One electronic original copy shall be submitted to the Select Board office. It shall be a PDF document of the original material, with text copy capability, no scanned pages and in color.

F. ***Contents of a Complete Application. Applications shall include the following information:***

(1) ***Applicant's name, address, telephone number and e-mail address.***

(2) ***Names, addresses, telephone numbers, and e-mail addresses of anyone acting on behalf of the applicant with respect to the application.***

(3) ***Detailed drawings and descriptions of the equipment to be mounted on the pole(s), including:***

i. ***Type of equipment;***

ii. ***Specifications of equipment (including but not limited to dimensions and weight);***

iii. ***Equipment mount type and material;***

iv. ***Power source or sources for equipment, including necessary wires, cables, and conduit;***

v. ***Expected life of equipment;***

vi. ***Configuration of the antenna equipment, including:***

1. ***Number of antennas.***
2. ***Antenna model.***
3. ***Antenna length.***
4. ***Antenna height.***
5. ***Antenna mounting scheme***

vii. ***Hardening, including:***

1. ***If there is a battery backup;***

2. *If there is a generator backup;*
3. *Proposed measures to prevent vandalism and accidental damage.*

(4) *Renderings/photo simulations and elevation drawing of the equipment installation.*

(5) *A detailed explanation comparing the characteristics of each proposed SWF with the criteria in the FCC definition of an SWF demonstrating the application is for bona fide SWFs, including without limitation, totals of equipment volumes, antenna volumes, and antenna heights, based on the information above*

(6) *A radio frequency emissions analysis consistent with FCC OET Bulletin 65 procedures demonstrating compliance of each proposed SWF with FCC requirements limiting human exposure to radio frequency energy.*

(7) *A noise assessment by a competent party demonstrating compliance with Massachusetts Department of Environmental Protection guidelines for noise pollution and with any Sudbury noise regulations. If the proposed SWF has no noise-generating apparatus, the applicant shall certify the same with supporting evidence in the application materials and may provide such certification in lieu of a noise assessment.*

(8) *Detailed map with locations of the poles on which equipment is to be located, including specific pole identification number, if applicable, and the geographic areas the equipment will service.*

(9) *Detailed map showing existing and proposed small cell installations within 500 feet of the application site.*

(10) *Certification by a registered professional engineer that the pole will safely support the proposed equipment.*

(11) *Written consent by the pole owner to the proposed installation. If the proposal is for a New Pole that will be owned by a utility, the SWF application shall be accompanied by an application for construction approval per the Select Board regulation contained in its Policies and Procedures.*

(12) *Affidavit from a radio frequency engineer outlining the network/network service requirements in Sudbury and how each installation addresses that need in Sudbury. Such affidavit should characterize, through or with coverage maps, the current level of coverage and how the desired installation(s) will change the current level of coverage, including current and proposed coverage, and include any information the applicant considers relevant to the need, such as evidence supporting any capacity claims regarding the need for the SWF.*

(13) *Liability insurance certificate, naming the Town of Sudbury as an additional insured.*

(14) *Description as to why the desired location is superior to other similar locations, from a community perspective, including but not limited to:*

i. *Visual aspects;*

ii. Proximity to single-family residences.

iii. Impact on public safety, including without limitation, pedestrian or vehicular traffic during operation and during construction/maintenance activity

(15) Description of efforts to locate the equipment on existing poles which currently exist or are under construction. A good faith effort to locate on such poles is required and evidence of such efforts must be included within the application.

(16) An affidavit from the applicant which certifies that it will maintain the installations in good repair and according to FCC standards and will remove any installation not in such good repair, or not in use, within 60 days of being no longer in good repair or no longer in use.

G. Public Hearing. Placement of application on agenda. Once a complete application has been submitted and all filing fees required herein or elsewhere have been paid, the Select Board will schedule and hold a public hearing and thereafter, render a decision on the application.

7. ***Time for Rendering a Decision ("shot clock"). Pursuant to federal regulation, the Select Board shall have sixty (60) days from the filing of a complete application for collocation of a SWF using an existing pole, and 90 days for attachment of a SWF proposing a New Pole (see definitions). The "shot clock" may be extended by mutual written agreement of the Select Board and the applicant.***

8. ***Select Board decision. The Select Board may grant, grant with conditions, or deny the application based on inadequate capacity of the pole or mounting structure, safety concerns, reliability concerns, failure to meet applicable engineering standards, and/or failure to meet applicable design and aesthetic requirements all as set forth in this Article.***

9. ***Annual recertification and affidavit. Each year on July 1, the SWF owner shall submit an affidavit which shall list, by location, all SWF installations it owns within the Town of Sudbury and shall certify:***

A. each such installation that remains in use,

B. that such in-use installations remain covered by liability insurance naming the Town as an additional insured, and

C. the dates of disuse and removal of any disused equipment.

The equipment owner shall pay to the Town of Sudbury an SWF Annual Recertification Fee per installation which remains in place, whether in use or not.

10. ***Disuse. Any SWF which is no longer in use shall be removed by the owner, at the owner's expense, within 60 days of disuse.***

A. Nonremoval of SWF no longer in use. Any SWF installation which is not removed by the owner, at the owner's expense, within sixty (60) days of disuse shall be subject to an SWF Abandonment Fee (fine) for each day after being

listed in the annual recertification affidavit as no longer in use until such installation is removed by the owner.

B. Prohibition on new applications. Where such annual recertification has not been timely submitted, or equipment no longer in use has not been removed within the sixty-day (60) period, no further applications for small cell wireless installations will be accepted by the Town Clerk's office until such time as the annual recertification has been submitted and all fees and fines have been paid.

11. ***Design Guidelines and Aesthetic Requirements.***

A. No SWF equipment shall be installed at locations with double poles, provided that the doubling of poles is permitted for Replacement and Substitution Poles only for the reasonable time necessary to move utilities to the Replacement or Substitution Pole, which time shall not exceed 120 days. If a double-pole condition remains more than 120 days after such an installation, the SWF must cease operation until the double-pole is removed.

B. Within the public right-of-way, only pole-mounted antennas shall be permitted, provided that at its sole discretion the Select Board may consider other street furniture, such as decorative lamp posts, to provide an appearance that may be more compatible with the location. The Select Board may require new structures in the public way to be of a concealed design that is compatible with the locus of the proposed installation (e.g. a concealed SWF lamp post).

C. Absent Select Board permission and compliance with this Article, no New Poles are permitted within the public right-of-way that are not Substitution Poles. If an applicant proposes to replace a pole in order to accommodate the SWF, the pole shall match the appearance of the original pole to the extent feasible, including size, height, color, materials and style, unless another design better accomplishes the objectives of this Article as determined by the Select Board.

D. If a New Pole is permitted by the Select Board to be placed within the public right-of-way, including a Substitution Pole, the New Pole shall be designed to resemble existing poles in the right-of-way, including size, height, color, materials and style, unless another design better accomplishes the objectives of this section as determined by the Select Board. Such New Poles that are not Replacement Poles or Substitution Poles shall be located no closer than 90 feet to an existing pole on the same side of the street. A Substitution Pole shall be placed within 3 feet of the pole that it is substituting for.

E. SWF installation equipment (meters, enclosures, etc.) shall be mounted on the pole in a manner that preserves pedestrian and vehicular traffic safety and flow.

F. No SWF installation equipment shall be replaced or altered on a pole without a reapplication, hearing and approval from the Select Board, unless the equipment is being replaced with the same or substantially similar equipment and there is no increase in total equipment volume or antenna volume from that which was previously approved.

G. Not more than one SWF shall be mounted per pole unless it is a neutral host installation with shared antennas and all equipment meets the standard volume for a single SWF.

H. The owner of a SWF shall remove all graffiti and repair any other damage on any portion of the SWF and any related equipment no later than ten (10) days from the date the owner receives notice from the Select Board or the Select Board's agent(s).

I. Each component part of a SWF shall be located so as not to cause any physical or visual obstruction to pedestrian or vehicular traffic, inconvenience to the public's use of the right-of-way, or safety hazards to pedestrians and motorists.

J. A SWF shall not be located within any portion of the public right-of-way interfering with access to fire hydrants, fire stations, fire escapes, water valves, underground vaults, valve housing structures, or any other vital public health and safety infrastructure.

K. Unless collocated to the satisfaction of the Select Board, each pole-mounted SWF must be separated from other SWFs in the public way in such a manner as to prevent blight or other undesirable conditions resulting from closely spaced SWFs.

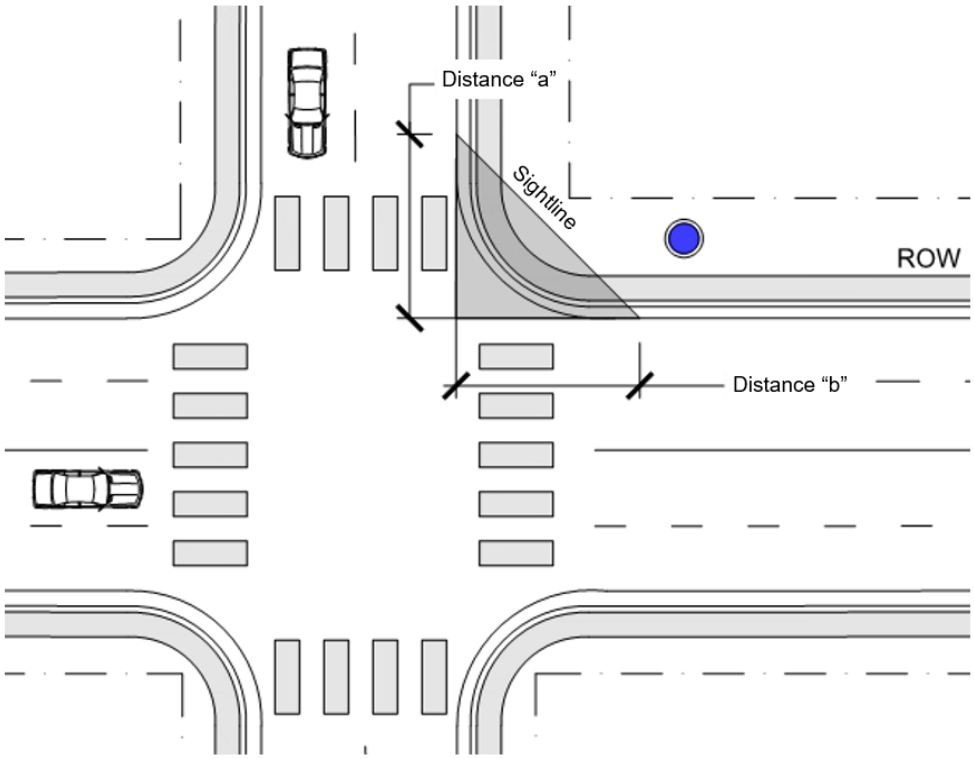
L. All wires and cables needed to service the SWF must be installed in a neat and workmanlike manner and to prevent substantially increasing the visual mass and clutter of the pole. Any existing attachments that will remain or be restored after construction of the SWF shall be improved in appearance to the extent practicable, in consideration of the additional cables and equipment required for the new SWF.

M. Americans with Disabilities Act Compliance. All SWF installations shall be built and maintained in compliance with the Americans with Disabilities Act (ADA).

N. The SWF shall be color coordinated to best minimize the visual impact of the facility. To the extent practicable, cabling shall be enclosed in conduit or covers, and exposed cabling shall be neat and workmanlike.

O. New Poles - Screening. New Poles shall be located so as to be well screened and hidden to the maximum extent practicable from public and residential view such as depicted below:

P. New Poles – Intersections. New Poles shall be located to comply with the minimum sight line requirements pursuant to state highway regulations such as in the manner depicted below (see Mass DOT Highway Division development and design guidelines, referring to AASHTO policy on geometric design):



Q. SWF Orientation with Residential Buildings. SWFs, whether on New Poles or not, shall be located to prevent cluttering residential views, including but not limited to views up driveways and walkways and views to/from residence windows, doors, porches, etc.

R. If an applicant seeks to place a SWF in a residentially zoned neighborhood, a neighborhood that contains residential structures or otherwise adjacent to an area of Sudbury that contains residential structures the applicant:

(1) Shall avoid attaching to poles that are within 20 feet of an existing driveway to enable the property owner to take advantage of trees or other screening that could shield the wireless equipment from view; and

(2) Shall avoid attaching to poles where the installation and/or ongoing maintenance will require

(a) significant tree trimming that could expose the SWF to view, or

(b) obstructing access to driveways or walkways

S. In the following locations, SWFs are subject to additional criteria:

(1) SWFs located on public ways within or abutting an Historic District must be reviewed and approved by the Historic District Commission and such SWFs shall conform to any federal, state and local requirements regarding the impacts of the SWF on such districts.

(2) At locations where utilities are required to be underground in the public way, no poles or other structures may be added for mounting an SWF unless the

applicant has demonstrated to the Select Board that the service objective cannot be provided by any other means. Such demonstration may include coverage maps, drive/walk tests of potential coverage from the proposed and alternative locations and other technical information as necessary to support the claim of need for the SWF as proposed.

(3) SWFs proposed for designated Scenic Roads must, singly and in the aggregate, be of limited visibility to people using the Scenic Road, using such techniques as streamlining equipment to the maximum extent practicable, painting all equipment a single color, and selecting existing pole locations that limit such visibility such as in a manner consistent with the requirements for new poles as described in paragraph O. above. To be approved for installation on a Scenic Road, the applicant shall demonstrate to the Select Board that the service objective cannot be provided by any other means. Such demonstration may include coverage maps, drive/walk tests of potential coverage from the proposed and alternative locations and other technical information as necessary to support the claim of need for the SWF as proposed.

12. ***Public health, safety and welfare. The SWF shall be of such material and construction, and all installation and maintenance work shall be done in such manner, as to be satisfactory to the Select Board. No SWF shall be approved if the Select Board determines that such material, construction and/or work is or will:***
    - ***A. pose an actual risk to the public health, safety, and welfare,***
    - ***B. interfere with pedestrian and/or vehicular traffic,***
    - ***C. be difficult to maintain a neat and workmanlike appearance for the life of the facility, and/or cause damage to the public right-of-way or any property adjacent to the location of the pole.***

13. ***Indemnification. The applicant shall indemnify and hold harmless the Town against all damages, injuries, costs, expenses, and all claims, demands and liabilities whatsoever of every name and nature, both in law and equity, allegedly caused by the acts or neglect of the applicant, its employees, agents and servants, in any manner arising out of the rights and privileges granted herein to the applicant for its SWF. Such indemnification shall not be limited by the amount of the applicant's liability insurance naming the Town as an additional insured.***
14. ***Town streets and/or sidewalks. The board may determine on a case-by-case basis whether any new horizontal cable runs or other installations shall be overhead or underground, taking into account aesthetics, reliability and safety. All cutting of and/or digging into Town ways, including pavement and sidewalks, by or on behalf of an applicant in conjunction with its SWF shall be limited to that which is necessary and approved, provided:***
    - ***A. The installation minimizes the area of disturbance; and***
    - ***B. The applicant restores any paved and unpaved surfaces to the satisfaction of the DPW.***

15. ***Repair of damage. The applicant shall repair, at its sole cost and expense, any damage, including, but not limited to, subsidence, cracking, erosion, collapse, weakening, or***

loss of lateral support to Town streets, sidewalks, walks, curbs, gutters, trees, parkways, streetlights, traffic signals, improvements of any kind or nature, or utility lines and systems, underground utility line and systems, or sewer systems and sewer lines that result from any activities performed in connection with the installation or maintenance of an SWF in the public right-of-way. The applicant shall restore such areas, structures and systems to the condition in which they existed prior to the installation or maintenance that necessitated the repairs.

16. ***Side of pole on which to mount equipment. The SWF's equipment, including cabinets, electrical and telecommunication panels, meter and the like, shall be mounted on the side of the pole facing away from the roadway, unless a result more appealing to the Select Board is obtained by a different configuration.***

17. ***Future road reconstruction repair. Any future road reconstruction or repair project by the Town and/or the Commonwealth requiring the relocation of the pole shall result in the applicant's moving its SWF to another pole in a timely fashion after any necessary electric and telecommunications wiring/infrastructure has been moved to the new location; provided, however, that any such relocation shall require further Select Board approval.***

18. ***Construction and/or installation schedule. Prior to the commencement of construction and/or installation of the SWF, the applicant shall provide the Select Board with a written construction and/or installation schedule satisfactory to Select Board. The applicant shall provide all notice and obtain all necessary permissions for working in the public way.***

19. ***Removal bond. Prior to the commencement of construction and/or installation of its SWF or an SWF on a new pole, the applicant shall provide the Select Board with a bond from a surety authorized to do business in Massachusetts and satisfactory to the Select Board in an amount equal to the cost of removal of the SWF from the pole in question, and/or new pole, and for the repair and/or restoration of the public way, in the vicinity of the pole in question, to the condition the public way was in as of the date when the relevant application was submitted to the Town Clerk's office. Said amount of the bond shall be determined by the Select Board. The amount of the bond shall be the total of the estimate by DPW plus an annual increase of 3% for the operating life of the SWF. The applicant shall notify the DPW of any cancellation of, or change in the terms or conditions in, the bond.***
20. ***Failure to comply with conditions. An applicant's failure to comply with any of the conditions imposed as a condition of approving an application filed pursuant to this Article shall at the Select Board's discretion, require the removal of the facility and appurtenances within the time period set forth by the Select Board.***
21. ***Fees. The schedule of fees to be charged under this section shall be those established by the Select Board after a public hearing. A copy of the schedule of fees so adopted shall be available in the office of the Select Board and in the office of the Town Clerk.***

22. ***Conflict. Notwithstanding any conflicting provisions between this bylaw and any other section of the general bylaw or the zoning bylaws, the provisions of this bylaw shall apply.***

; 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 general bylaws.

Submitted by the Select Board (Majority vote required)

The *motion* received a second.

SELECT BOARD: Supports the motion

FINANCE COMMITTEE: No Position

Town Manager Sheehan explained that Article 40 proposes a new general zoning bylaw to regulate the installation of small wireless facilities within Sudbury's public ways, which are essential for supporting 5G technology. Unlike larger towers on private property, these facilities—such as antennas and transceivers—are typically mounted on utility poles or similar infrastructure and are needed because 5G requires a denser network than 4G. While federal law prohibits towns from banning such facilities outright, local governments may regulate their placement, design, and maintenance. The proposed bylaw aims to balance federal requirements with local concerns by establishing uniform standards and guidelines for applications, granting the Select Board permitting authority, requiring annual recertification, and ensuring facilities are removed when no longer in use, all while protecting public health, safety, aesthetics, and land use harmony.

Leslie Frodema, 32 Moran Cir. stated that the bylaw ties the hands of the Select Board to decide where cell towers are situated. She believes that this is a very important bylaw and does not feel there has been enough discussion on this. Mr. Sheehan replied that the Town hired an expert to review the Bylaw. This is not regulating cell towers. The Town's ability to condition or deny again goes to Federal Preemption. The Town cannot regulate emissions.

Frank Huntowski, 42 Cutler Rd. asked if a new pole can be put in the public in front of people's houses. Mr. Sheehan replied that is possible but there are limitations in the bylaw. The maximum pole height is 50 ft.

Marie Rock, 96 Whispering Pine, stated that it sounds like this utility can put in new poles in a neighborhood where there are no poles? Mr. Sheehan responded that they could but would have to get approval from the Select Board after a hearing and notice to abutters. They are also required to minimize the impact of where the pole is placed.

Diane Warren, 32 Old Framingham Rd. said that one of the bylaws fatal flaws, is that it does not require any information through the application process. For radio frequency, radiation amount or coverage. There is no specifics of the nature that would be significant evidence for the select board to deny an application. So she strongly urged the town meeting to reject this, and put it back for a study, for a lot of community discussion.

Kirsten Roopenian, 45 Harness Rd. asked what would happen if this article does not pass? Mr. Sheehan replied that the Town would be better off and better equipped if there is a bylaw laying out the regulations.

The Moderator asked for a vote and declared the motion *PASSED BY MORE THAN A MAJORITY*
Electronic Vote: In Favor 109, Opposed 60

ARTICLE 41 – COMMUNITY PRESERVATION ACT FUND – 67-73 NOBSCOT ROAD ACQUISITION, DESIGN, AND CONSTRUCTION

Select Board Chair Charlie Russo, *moved* in the words of the article:

Move to appropriate a sum or sums of money not to exceed $438,000 for Community Housing purposes under the Community Preservation Act, from FY24 CPA Estimated Annual Revenues and then from the CPA General Reserve Fund, if needed, as a grant to the Sudbury Affordable Housing Trust for the site feasibility analysis, property acquisition, project design, construction, and creation of ownership and/or rental affordable housing units at 67-73 Nobscot Road and authorize the Select Board to enter into the grant agreement on such terms and conditions as it deems appropriate

Submitted by the CPC (Majority vote required)

The *motion* received a second.

FINANCE COMMITTEE: Supports Article 41

SELECT BOARD: Supports Article 41

Carmine Gentile chair of the Housing Trust and Planning Director Adam Duchesneau presented a proposal to secure $438,000 in funding for a potential affordable housing project in partnership with the Sudbury Housing Authority. The project involves a 5.4-acre parcel of land currently owned by the Boy Scouts of America, which approached the town about purchasing the property over two years ago. While existing buildings on the site are not viable for reuse, preliminary analysis suggests there is upland space suitable for development, pending further feasibility and environmental studies. The requested funds would support continued site and financial analysis, negotiations for acquisition, and, if purchased, initial design and possible construction of affordable rental or ownership housing.

A resident asked where did the $483,000 come from. Mr. Duchesneau responded that $210,000 came from the CPC in 2020 and that will be combined with the current request.

Nancy Jacobs, 328 Old Lancaster Rd. asked if there are any historic sites on the property. Mr. Duchesneau responded that there was no indication of those historic elements on the property.

Rebecca Cutting, 381 Maynard Rd. asked if there was enough frontage. Mr. Duchesneau responded that any development would have to go through a comprehensive planning process.

The Moderator confirmed a majority vote was required and declared that Article 39 *PASSED BY WELL MORE THAN A MAJORITY.*
Electronic Vote: In Favor 106, Opposed 56

ARTICLE 42 – COMMUNITY PRESERVATION ACT FUND – ACCESSIBLE PATHWAYS ON TOWN PROPERTIES

Select Board Chair Charlie Russo, *moved* in the words below:

Move to appropriate a sum or sums of money not to exceed $187,744 for Open Space and Recreation purposes under the Community Preservation Act from FY24 CPA Estimated Annual Revenues and then from the CPA General Reserve Fund, if needed, to install Americans with Disabilities Act (ADA) compliant pathways and accessible picnic/bench seating areas at designated town properties including demolition, site preparation, and all other incidental and related expenses.

Submitted by the CPC (Majority vote required)

The *motion* received a second.

FINANCE COMMITTEE: Supports Article 42

SELECT BOARD: Supports Article 42

The Moderator confirmed a majority vote was required and declared that Article 42 *PASSED BY WELL MORE THAN A MAJORITY.*
Electronic Vote: In Favor 272, Opposed 22

ARTICLE 43 – BRUCE FREEMAN RAIL TRAIL CSX EXTENSION

Select Board Chair Charlie Russo, *moved* in the words below:

Move to appropriate the sum of $380,000 for Community Housing purposes under the Community Preservation Act from FY25 CPA Estimated Annual Revenues and then from the CPA General Reserve Funds if needed, as a grant to the Sudbury Housing Trust for the

purpose of supporting community housing through the provision of grants loans, rental assistance, security deposits, interest-rate write downs, or other forms of assistance for the purpose of making housing affordable.

Submitted by the CPC (Majority vote required)

The *motion* received a second.

FINANCE COMMITTEE: Supports

SELECT BOARD: Supports

The Moderator confirmed a majority vote was required and declared that the Article *PASSED BY WELL MORE THAN A MAJORITY.*
Electronic Vote: In Favor 272, Opposed 22

ARTICLE 44 – COMMUNITY PRESERVATION ACT FUND – CURTIS OUTDOOR HEALTH AND WELLNESS SPACE

Select Board Chair Charlie Russo, *moved* in the words below:

Move to appropriate a sum of money not to exceed $480,000 for Open Space and Recreation purposes under the Community Preservation Act from FY24 CPA Estimated Annual Revenue and then from the CPA General Reserve Fund, if needed, for the purpose of creating and equipping an outdoor recreation area at the Curtis Middle School including demolition, site preparation and all other incidental and related costs.

Submitted by the CPC (Majority vote required)

The *motion* received a second.

FINANCE COMMITTEE: Supports the article

SELECT BOARD: Supports the article

The Moderator confirmed a majority vote was required and declared that Article 44 *PASSED BY WELL MORE THAN A MAJORITY.*
Electronic Vote: In Favor 272, Opposed 22

ARTICLE 45 – COMMUNITY PRESERVATION ACT FUND – FRANK FEELEY FIELDS IMPROVEMENTS PHASE II

Select Board Chair Charlie Russo, *moved* in the words below:

Move to appropriate a sum of money not to exceed $799,668 for Open Space and Recreation purposes of the Community Preservation Act from FY24 Estimated Annual Revenue and then from the CPA General Reserve Fund, if needed, for the purpose of designing, constructing, and equipping improvements to the Frank Feeley Fields located at 200 Raymond Road to rehabilitate and restore these fields, including, but not limited to, playing field upgrades, installing dugouts, erecting bleachers, handicap accessibility enhancements, drainage improvements, irrigation, demolition, site preparation and all other incidental and related costs.

Submitted by the CPC (Majority vote required)

The *motion* received a second.

FINANCE COMMITTEE: Supports Article 45

SELECT BOARD: Supports Article 45

Park and Recreation Director Dennis Mannone presented the article. Mr. Mannone provided an update on ongoing and planned field improvements. Phase 1 has included safety netting by the tennis courts, new dugouts, ADA-compliant walkways, drainage work, and gate repairs, with preliminary designs underway for Phase 2. The next phase will add drainage and irrigation to the lower fields, additional dugouts and benches, and more ADA walkways, along with amenities like shaded dugouts, player benches, and bleachers. Since the fields are often too wet to use after rain, the drainage upgrades are a priority. The project budget is $799,668, with a built-in contingency to cover fluctuating bidding costs, and any unused funds will return to the town's general fund.

The Moderator stated that a majority vote was required and declared the Article *PASSED BY MORE THAN A MAJORITY.*
Electronic Vote: In Favor 134, Opposed 26

ARTICLE 46 – COMMUNITY PRESERVATION ACT FUND – FENCE AND LIGHTS FOR FAIRBANK MULTISPORT COURT

Select Board Chair Charlie Russo, *moved* in the words of the article:

Move to appropriate a sum of money not to exceed $100,000 for Open Space and Recreation purposes under the Community Preservation Act from FY24 Estimated Annual Revenue and then from the CPA General Reserve Fund, if needed, for the purchase and installation of fencing and lighting at the Fairbank Multisport Court including demolition, site preparation and all other incidental and related costs.

Submitted by the CPC (Majority vote required)

The *motion* received a second.

FINANCE COMMITTEE: Supports the Article

SELECT BOARD: Supports the Article

The Moderator stated that a majority vote was required and declared the Article *PASSED BY MORE THAN A MAJORITY.*
Electronic Vote: In Favor 272, Opposed 22

ARTICLE 47. COMMUNITY PRESERVATION ACT FUND – HISTORIC RESOURCE INVENTORY SURVEYS PHASE V

Select Board Chair Charlie Russo, *moved* in the words below:

Move to appropriate a sum of money not to exceed $23,000 for Historic Resources purposes under the Community Preservation Act Fund, from CPA Historic Resources Reserves, for the purpose of funding the costs of undertaking additional historic resource inventory surveys to be added to Sudbury's Historic Resource Inventory.

Submitted by the CPC (Majority vote required)

The *motion* received a second.

FINANCE COMMITTEE: Supports the Article

SELECT BOARD: Supports the Article

The Moderator stated that a majority vote was required and declared the Article *PASSED BY MORE THAN A MAJORITY.*
Electronic Vote: In Favor 272, Opposed 22

ARTICLE 48. COMMUNITY PRESERVATION ACT FUND – WATERSHED BASED PLAN, RESTORING WATER QUALITY IN HOP BROOK

Select Board Chair Charlie Russo, *moved* in the words below:

Move to appropriate a sum of money not to exceed $78,600 for Open Space and Recreation purposes under the Community Preservation Act from FY24 CPA Estimated Annual Revenue and then from the CPA General Reserve Fund, if needed, as a grant to the Hop Brook Protection Association to create a watershed-based plan for the preservation of an historic asset, the Hop Brook waterway and associated ponds, including all incidental and related

costs, and to authorize the Select Board to enter into a grant agreement on such terms and conditions as it deems appropriate.

Submitted by the CPC (Majority vote required)

The *motion* received a second.

FINANCE COMMITTEE: Supports the Article

SELECT BOARD: Supports the Article

The Moderator stated that a majority vote was required and declared that the Article *PASSED BY MORE THAN A MAJORITY.*
Electronic Vote: In Favor 272, Opposed 22

ARTICLE 49. COMMUNITY PRESERVATION ACT FUND – HOSMER HOUSE HISTORIC STRUCTURE, CULTURAL LANDSCAPE, AND COLLECTION STUDY

Select Board Chair Charlie Russo, *moved* in the words below:

Move to appropriate a sum of money not to exceed $130,000 for Historic Resources purposes under the Community Preservation Act from the Historic Resources Reserves, for the preservation of the Hosmer House structure at 299 Old Sudbury Road, specifically to fund professional studies to assess current conditions of the House and grounds and its historic collections, objects, and art, and then provide advice, recommendations and preservation strategies.

Submitted by the CPC (Majority vote required)

The *motion* received a second.

FINANCE COMMITTEE: Supports the Article

SELECT BOARD: Supports the Article

The Moderator stated that a majority vote was required and declared the Article *PASSED BY MORE THAN A MAJORITY.*
Electronic Vote: In Favor 272, Opposed 22

ARTICLE 50. COMMUNITY PRESERVATION ACT FUND – HOUSING TRUST ALLOCATION

Select Board Chair Charlie Russo, *moved* in the words below:

Move to appropriate a sum of money not to exceed $292,000 for Community Housing purposes under the Community Preservation Act from FY24 Estimated Annual Revenue, as a grant to the Sudbury Affordable Housing Trust for the acquisition, creation, preservation, and support of community housing as allowed by the Community Preservation Act, and to authorize the Select Board to enter into a grant agreement on such terms and conditions as the Select Board deems appropriate.

Submitted by the CPC (Majority vote required)

The *motion* received a second.

FINANCE COMMITTEE: Supports the Article

SELECT BOARD: Supports the Article

The Moderator stated that a majority vote was required and declared the Article *PASSED BY MORE THAN A MAJORITY.*
Electronic Vote: In Favor 272, Opposed 22

ARTICLE 51. COMMUNITY PRESERVATION ACT FUND – INDIGENOUS CULTURAL LANDSCAPE STUDY

Select Board Chair Charlie Russo, *moved* in the words below:

Move to appropriate a sum of money not to exceed $35,000, for Historic Resources purposes under the Community Preservation Act from Historic Resources Reserves, for a town-wide Indigenous Cultural Landscape Study, for an archaeological sensitivity assessment, also called a reconnaissance survey or overview, and, if and when found, to identify, document, and preserve Indigenous site locations called Traditional Cultural Properties, those sites associated with ceremonial, sacred, or other occupational connections, and any materials found thereat, including all incidental and related expenses thereto.

Submitted by the CPC (Majority vote required)

The *motion* received a second.

FINANCE COMMITTEE: Supports the Article

SELECT BOARD: Supports the Article

The Moderator stated that a majority vote was required and declared the Article *PASSED BY MORE THAN A MAJORITY.*
Electronic Vote: In Favor 272, Opposed 22

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

Select Board Chair Charlie Russo, *moved* in the words below:

Move to to appropriate the sum of $33,000 for Community Housing purposes under the Community Preservation Act, funded from FY24 CPA Estimated Annual Revenue and then from the CPA General Reserve Fund, if needed, for the purpose of supporting and creating community housing by funding of the Town's portion of the FY24 Regional Housing Services Office (RHSO) membership fee.

Submitted by the CPC (Majority vote required)

The *motion* received a second.

SELECT BOARD: Supports Article 52

FINANCE COMMITTEE: Supports Article 52

The Moderator stated that a majority vote was required and declared the article *PASSED BY MORE THAN A MAJORITY.*
Electronic Vote: In Favor 272, Opposed 22

ARTICLE 53 – COMMUNITY PRESERVATION ACT FUND – RETURN OF UNSPENT FUNDS

Select Board Chair Charlie Russo, *moved* in the words below:

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

2014 ATM, Article 32 Bruce Freeman Rail Trail Design
to be returned to the category of Open Space and Recreation $604.49

2019 ATM, Article 29 Playground Modernization for Sudbury Public Schools
to be returned to the category of Open Space and Recreation $25,059.40

2021 ATM, Article 31 Historic Preservation Plan
to be returned to the category of Historic Resources Reserves $16,000.00

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Total: $41,663.89;

Submitted by the CPC (Majority vote required)

The *motion* received a second.

SELECT BOARD: Supports Article 53

FINANCE COMMITTEE: Supports Article 53

The Moderator stated that a majority vote was required and declared the article *PASSED BY MORE THAN A MAJORITY.*
Electronic Vote: In Favor 272, Opposed 22

ARTICLE 54 – COMMUNITY PRESERVATION ACT FUND – GENERAL BUDGET AND APPROPRIATIONS

Select Board Chair Charlie Russo, *moved* in the words below:

Move to appropriate the sums recommended by the CPC in the following Community Preservation Act budget for FY2024 Community Preservation surtaxes:

$ 114,500 Administrative and Operating Cost
$ 990,643 Debt Service

The *motion* received a second.

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

SELECT BOARD: Supports Article 54

FINANCE COMMITTEE: Supports Article 54

The Moderator stated that a majority vote was required and declared the article *PASSED BY MORE THAN A MAJORITY.*
Electronic Vote: In Favor 272, Opposed 22

ARTICLE 55 – CONTROL OF FIREARMS - AMEND ZONING BYLAW ARTICLE IX

Frank Riepe, 54 New Bridge Rd, *moved* in the words of the article:

In Section 2230, Appendix A, Table of Principal Use Regulations, add a line after "Marijuana Establishment" in Part C of the table which shows "N" all the way across the table and call it "Sales, Assembly, and/or Manufacturing of Firearms and/or Components thereof, Ammunition, and Explosives". This amendment would make the Sales, Assembly, and/or Manufacturing of Firearms and/or Components thereof, Ammunition, and Explosives a prohibited use in all zoning district in the Town of Sudbury.

N = prohibited use

PRINCIPAL USE	*A-RES*	*C-RES*	*WI*	*BD*	*LBD*	*VBD*	*ID*	*LID*	*IP*	*RD*
C. COMMERCIAL										
29. Sales, Assembly, and/or Manufacturing of Firearms and/or Components thereof, Ammunition, and Explosives	*N*	*N*	*N*	*N*	*N*	*N*	*N*	*N*	*N*	*N*

Submitted by Citizens Petition. ***(Two-thirds vote required)***

The *motion* received a second.

SELECT BOARD: Does not support 3-2

FINANCE COMMITTEE: No Position

Mr. Riepe made the presentation. He explained that this article proposes a zoning bylaw change to ban the manufacture and sale of firearms and ammunition in Sudbury, citing public health and safety concerns. This measure does not affect ownership, hunting, or private use of firearms but restricts commercial gun activity to prevent increased access to weapons. The proposal corrects an omission from decades ago when a firearm sales ban was accidentally dropped from the town's bylaws and extends it town-wide. Emphasizing Sudbury's authority to regulate through zoning, the speaker compares this action to other local restrictions—such as banning marijuana sales, dry-cleaning plants, alcohol in some towns, and disposable plastic bags—all intended to protect community welfare.
The argument is underscored with national and global statistics on gun ownership and deaths, noting the U.S. has the highest per-capita gun rate and one of the highest rates of firearm deaths, including among children. Referencing tragedies such as Sandy Hook,

illegal gun dealer operations in nearby towns, and widespread gun violence, the speaker stresses the urgency of local action despite Massachusetts' relatively strict gun laws. Since Sudbury currently has no gun dealers, adopting this article would ensure it stays that way, prioritizing the safety of children and families over the firearms trade. The plea concludes with a call to vote "yes" to protect Sudbury from becoming part of the arms market and to set an example for other communities.

Select Board Chair Russo stated that the Select Board acknowledged the strong and respectful debate surrounding Article 55, but ultimately voted 3–2 not to support it. After first discussing the article in March 2023, the Board sought input from Town Counsel, who expressed doubt that the proposed bylaw would be approved by the Attorney General and warned it would likely face constitutional challenges. Counsel noted that other towns, such as Brookline and Newton, have more successfully regulated firearm sales by using zoning tools like overlay districts, buffer zones around sensitive areas, or permit conditions. Additional concerns were raised about the lack of clear definitions in the article, which could make it unconstitutionally vague and vulnerable to legal disputes.

While the Board cannot endorse Article 55 as currently written, members stressed that they share residents' concerns about gun violence and the importance of local action to improve public safety. They expressed willingness to collaborate with the citizen petitioner and the Planning Board to develop a revised bylaw modeled on approaches used in Brookline and Dedham. Such a bylaw, they believe, would have a greater chance of approval by the Attorney General, be more legally defensible, and still help Sudbury strengthen community safety.

The Moderator stated that a majority vote was required and declared the article *is DEFEATED*
Electronic Vote: In Favor 59, Opposed 107

The Moderator asked for a motion to dissolve the Sudbury Annual Town Meeting. The motion was seconded and the May 1, 2023 ATM was dissolved at 10:45 PM.

ATTENDANCE:197

A TRUE COPY, ATTEST

SUDBURY TOWN CLERK

TOWN OF SUDBURY
2023 SPECIAL TOWN PROCEEDINGS

OCTOBER 23, 2023

Pursuant to a Warrant issued by the Select Board and a quorum being present, Catharine Blake, Moderator, at the Lincoln-Sudbury Regional High School, called the meeting to order at 7:31 PM. Ms. Blake introduced the members of the LS singing group, Accent A Capella, who led 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 confirmed the timely delivery of the Warrant to residents. She announced that the certified Free Cash, according to Town Accountant, is $4,317,363 for the 2023 Special Town Meeting.

Upon a *motion*, which received a second, it was *UNANIMOUSLY VOTED* to dispense with the Reading of the Call of the Meeting, and the Officer's Return of Service Notice and the reading of the individual Articles of the Warrant. The Moderator explained that voting at Town Meeting would be conducted by electronic voting as authorized by town meeting in May of 2022. She went on to explain how to use the electronic clickers.

MODERATORS

The Moderator asked for a motion, which was made and received a second, for the Hall's approval to appoint Sudbury resident Nell Forgacs as Assistant Town Moderator for the May 2023 Annual Town Meeting, which required a majority vote, and was *UNANIMOUSLY VOTED.*

The Moderator thanked BSA Sudbury Scouts Troop for their assistance with manning the microphones tonight.

ARTICLE 1. *CODIFICATION OF GENERAL BYLAWS: RENUMBERING AND NON-MINISTERIAL REVISIONS*

Select Board Chair Janie Dretler, *moved* in the words of the article:

To renumber and recaption the General Bylaws of the Town by (a) assigning a chapter/article number to each of the General Bylaws; (b) renumbering each section of each bylaw accordingly; (c) inserting chapter, article, section and subsection titles; and (d) updating internal references to reflect the new numbering system, as well as the following non-substantive clerical and ministerial changes, all as set forth in the Final Draft of the Code of the Town of Sudbury, dated September 2023, on file with the Town Clerk; and, further, to authorize Town Counsel, following consultation with the Town Clerk and the Town Manager, to make clerical and ministerial non-substantive revisions to grammar and the like as needed for consistency.

A. Clerical and Ministerial Revisions:

i. References to the Massachusetts General Laws are standardized to the following format: MGL c. __, § ___.

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

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

iv. Pronouns and nomenclature are revised to be gender neutral (for example, terms such as "he," "him," "his," "she," her," "he/she," and "his/her" are replaced with "them," "they," or "their"; "spokesman" is replaced with "spokesperson"; the terms "Board of Selectmen," "Selectmen," and "Selectboard" are replaced with "Select Board").

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

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

B. Bylaws Specifically Repealed:

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

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

Submitted by the Town Clerk. (Majority vote required)

The motion received a second.

FINANCE COMMITTEE: Supports the Article

SELECT BOARD: Supports the Article

The Moderator invited the Town Clerk, Beth Klein to make the presentation for Articles 1 through 4 as they relate to the bylaws.

Ms. Klein explained that Sudbury has undertaken a full professional recodification of its General and Zoning Bylaws, which have historically been updated informally by town staff. The project involves reviewing all bylaws to correct inconsistencies, remove outdated language, ensure compliance with state law, and make the code gender-neutral,

while also creating a fully searchable online platform for easier public and staff access. A vendor experienced with over 135 Massachusetts municipalities analyzed the bylaws and submitted more than 250 questions, all reviewed by relevant departments. Any changes require Town Meeting approval and subsequent review by the Attorney General. Once approved, the updated code will be published online, improving efficiency for residents, staff, and boards. Articles 1 and 3 address renumbering and clerical updates, while Articles 2 and 4 contain substantive revisions.

Henry Sorett, 58 Longfellow Rd. Finance Committee member gave the minority report. He stated that giving the Select Board authority to change fees would mean higher costs for Sudbury residents and that the authority to raise fees should remain with Town Meeting. He urged that the Motion should be defeated.

The Moderator confirmed a majority vote was required and the Motion *PASSED BY WELL MORE THAN A MAJORITY.*
Electronic Vote: 159 In favor, 47 Opposed

ARTICLE 2. *CODIFICATION OF GENERAL BYLAWS: ADDITIONAL SPECIFIC CHANGES AS AMENDED*
Select Board Chair Janie Dretler, *moved* in the words of the article:

Move to adopt the following minor substantive specific changes to the General Bylaws as set forth in the Final Draft of the Code of the Town of Sudbury, dated September 2023, on file with the Town Clerk, with text to be inserted shown in underline and text to be deleted shown in strikethrough, and, further, to authorize Town Counsel, following consultation with the Town Clerk and the Town Manager, to make clerical and ministerial non-substantive revisions to grammar and the like as needed for consistency.

Ch. 1, General Provisions.
Art. I, General Penalty.
Section 1-1: "Every violation of these bylaws not otherwise provided for herein or by the General Laws or Special Laws of the Commonwealth shall be subject to a penalty of ~~$50~~ $300."

Art. III, Bylaw Amendments.
Section 1-8:

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

Ch. 5, Boards and Committees.
Art. III, Council on Aging.
Sections 5-11 and 5-12 "Commonwealth of Massachusetts Executive Office of Elder Affairs"

Insert a new Section 5-13, as follows:

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

Art. IV, Community Preservation Committee.
Section 5-15A

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

Insert a new sentence at the end of Section 5-15B:

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

Ch. 20, Equal Opportunity.
Section 20-4, definition of "discriminatory, discriminate, or discrimination:

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

Ch. 52, Officers and Employees.
Art. I, Holding Elective Office.
Section 52-1:

In addition, Charter Commission members are eligible to serve on the Finance Committee ~~and Personnel Board~~

Ch. 61, Records and Reports.
Insert the following new sentence at the end of Section 61-3: "Complete public records request guidelines for the Town of Sudbury are available on the Town website."

Ch. 68, Town Meetings.
Art. II, Procedures.
Section 68:

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

holidays excluded) following the session at which the matter for which reconsideration is sought was acted upon.

Ch. 72, Town Property.
Section 72-2A:

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

Section 72-2B:

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

Ch. 105, Advertising.
Art. II, Outdoor Advertising.
Sections 105-3 and 105-4:

"~~Division of Highways of the~~ Department of Public Works" to
Replace "Division", when that word appears on its own with, "Department."

Ch. 109, Alarm Systems.
Art. I, Burglar Alarm Systems.
Section 109-1, original definition of "direct connect," is repealed.

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

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

Section 109-5C:

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

Art. II, Fire Alarm Systems.
Section 109-8.

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

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

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

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

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

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

Section 109-9.

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

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

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

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

Ch. 117, Animals.

Art. I, Animal Control.

Section 117-1:

No person shall tie or fasten any horse, cattle or team to any of the trees in the public ways of the Town, nor drive into the same any ~~neither~~ nails, spikes, hooks or clasps, nor affix any boards or signs thereto.

Section 117-2:

No person shall pasture or tether any animal in any way or street in the Town in such a manner as to obstruct the streets or sidewalks.

Art. II, Dogs.

Section 117-6.

definition of "livestock or fowl,":

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

definition of "personal kennel":

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

Section 117-7C:

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

Section 117-11E:

The fee for a duplicate tag shall be ~~$1~~ determined by the ~~the~~ Town Clerk.

Section 117-12C:

The provisions of ~~§§ 138 and 138A~~ MGL c. 140, § 138, shall be expressly incorporated herewith and shall henceforth apply under this bylaw."

Section 117-14:

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

Section 117-18:

The dog owner shall, immediately and within 24 hours, notify the ~~animal inspector, agent for the Board of Health,~~ Animal Control Officer if the dog bites a person.

Section 117-19B" "~~Dog/~~Animal Control Officer".

Section 117-23C:

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

Section 117-26A:

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

Section 117-27:

If any part, section or provision of the bylaw is found to be invalid, the ~~remains~~ remainder of this bylaw shall not be affected thereby.

Ch. 124, Boating.
Insert a new Section 124-4:

Violations of this bylaw are subject to a penalty as provided in Chapter 1, Article I, General Penalty.

Ch. 129, Buildings and Building Construction.
Art. I, Pumping Water from Private Buildings.

Section 129: "Second call~~: $20~~ fee shall be determined by vote of the Select Board."

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

Art. II, Public Buildings.
Section 129-2:

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

Art. III, Building Code.
Section 129-3:

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

Section 129-4:

Fees to be paid shall be set by the Select Board. No fee shall be charged for the issuance of any building permit to the Town or for work upon any building owned by the Town.

Ch. 137, Burning, Open.
Section 137-2: "Violation of this bylaw shall be subject to a penalty of ~~$25~~ $100."

Ch. 145, Demolition Delay.
Section 145-4E:

… to the owners of all adjoining property and other property deemed by the SHC to be materially affected, to the Select Board, Planning Board, Zoning Board of Appeals and to such other persons as the SHC shall deem entitled to notice. The Commission shall determine that a building or structure should preferably be preserved only if it finds that the building or structure is an historically significant building or structure which,

because of the importance made by such building or structure to the Town's historical and/or architectural resources, ~~it~~ is in the public interest to preserve, rehabilitate or restore (as defined in § 145-2).

Section 145-5:

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

Ch. 156, Environmental Protection.

Art. I, Plastic Bag Ban.

Section 156-5B:

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

~~(1) First offense: written warning.~~

~~(2) Second offense: $50 penalty.~~

~~(3) Third and subsequent offense: $200 penalty.~~

Art. II, Sale of Bottled Water.

Section 156-11C:

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

~~(1) First offense: written warning.~~

~~(2) Second offense: $25 penalty.~~

~~(3) Third and subsequent offense: $50 penalty.~~

Art. III, Polystyrene Containers.

Section 156-18C:

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

~~(1) First offense: written warning.~~

~~(2) Second offense: $50 penalty.~~

~~(3) Third and each subsequent offense: $300 penalty.~~

Art. IV, Disposable Plastic Items.

Section 156-26C:

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

~~(1) First offense: written warning.~~

~~(2) Second offense: $50 penalty.~~

~~(3) Third and each subsequent offense: $300 penalty.~~

Ch. 170, Fees and Charges.
Art. I, Gasoline Tank Removal.
Section 170-1:

Applications for underground gasoline tank removal or relocation permits under MGL c. 21O, § 1, shall be accompanied by a per-tank application fee as ~~follows:~~ determined by vote of the Select Board.

~~A. Tank size:~~

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

Art. III, Wiring Permits.
Section 170-3:

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

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

Art. IV, Town Clerk Fees.
Section 170-5:

The ~~schedule of~~ fees to be charged by the Town Clerk in accordance with the authority of MGL c. 262, § 34, shall be those established by the Town Clerk pursuant to MGL c. 40, § 22F.

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

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

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

Ch. 199, Licenses and Permits.
Art. I, Denial or Revocation for Failure to Pay Taxes or Fees.
Section 199-2:

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

Section 199-4:

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

Section 199-5:

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

Ch. 221, Peddling and Soliciting.

Section 221-4A(1):

If the application is approved, the Chief shall cause ~~to have~~ a registration card to be issued within three business days.

Ch. 232, Scenic Roads.

Section 232-5F:

Relationship of road design to the standards of the Planning Board's subdivisions regulations and of the Massachusetts ~~D.P.W.~~ Department of Transportation;

Ch. 243, Storage Tanks, Underground.

Section 243-2, definition of "abandoned:

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

Sections 243-2, definition of "code":

The Board of Fire Prevention Regulations Governing Tanks and Containers as set forth at 527 CMR ~~9.00~~ 1.00 and following.

Section 243-5E:

Notwithstanding § 243-5A and B, any underground tank that meets the requirement of 527 CMR ~~9.08(3)(a)~~ 1.00 shall be emptied and removed no later than 30 years following the date of installation.

Section 243-6A:

In the event of a spill or leak, the owner, operator, or person in control shall comply with the provisions of the Board of Fire Prevention Regulations Massachusetts Comprehensive Fire Safety Code, 527 CMR ~~9.20~~ 1.00, entitled "Response to Leaks," in its entirety.

Ch. 248, Storm Sewers.
Art. I, Illicit Discharges and Connections.
Section 248-2, definition of "surface water discharge permit: "314 CMR 3.00".

Section 248-8H: "40 CFR 35.2005(b)(20)".

Section 248-13:

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

Ch. 256, Streets and Sidewalks.
Art. III, Driveways.
Section 256-5:

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

Art. V, Public Way Access Permits.
Section 256-13B(3):

Nonresidential: 250 trips per day as defined in the ITE Trip Generation Manual, ~~4th Ed.~~ current edition;

Section 256-14B:

Evidence of compliance with the Massachusetts Environmental Policy Act by the Executive Office of Energy and Environmental Affairs of the Commonwealth, if determined to be necessary;

Section 256-15B

Where the Board denies said application, it shall state specific findings for the denial of ~~its decision~~ the permit.

Section 256-15C:

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

Ch. 265, Utility Lines and Poles.
Art. II, Removal of Double Poles.
Section 265-8:

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

Section 265-9:

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

Ch. 283, Wetlands.
Section 283-4.

Subsection D:

(1) At the time of the permit application, the applicant shall pay a filing fee ~~according to the following schedule:~~ specified in the regulations of the Commission. These fees shall be made available to and used by the Commission only for the administration and enforcement of the Sudbury Wetlands Administration Bylaw.
~~(a) Single minor project — i.e., house addition, tennis court, swimming pool, or other accessory residential activity: $25 per project.~~
~~(b) New single-family dwelling: $250.~~
~~(c) Subdivision road and utilities only: $500 plus $2 per foot of road sideline within a resource area.~~
~~(d) Drainage, detention/retention basins: $500 plus $2 per 100 cubic feet of basin within a resource area.~~
~~(e) Multiple dwelling structure: $500 plus $100/unit, all or part of which is within a resource area.~~
~~(f) Commercial and Industrial Projects: $500 plus $0.50 per square foot of disturbance in an undeveloped resource area.~~
~~(g) Application filed after Enforcement Order: double the above fee.~~
~~(h) Determination of Applicability: no charge.~~
~~(i) Remediation of a Contaminated Site or Enhancement of a Degraded Resource (excluding violations): $25 per project.~~
(2) This fee is not refundable. The fee is in addition to that required by the Wetlands Protection Act, MGL c. 131, § 40, and Regulations, 310 CMR 10.00. Town, county, state, and federal projects are exempt from the filing fee. ~~The fee for an application for a modification of a permit will be the excess of the fee for~~

~~the modified project as calculated above over the fee paid for the original permit but in no instance will it be less than $25.~~

Subsection F:

Should an applicant choose to proceed; the Commission shall require the applicant to pay the reasonable costs and expenses borne by the Commission for these consulting services ~~as listed below~~.

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

Section 283-5A:

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

Section 283-7A:

If it issues a permit, the Commission shall impose such conditions as it deems necessary or desirable to protect ~~those values~~ <u>the wetlands values protected by this bylaw</u>, and all activities shall be done in accordance with those conditions.

Section 283-9A, definition of "vernal pool":

… regardless of whether the site has been certified by the Massachusetts Division of ~~Wildlife and~~ Fisheries <u>and Wildlife</u>.; or act on anything relative thereto.

Submitted by the Town Clerk. **(Majority vote required)**

The <u>motion</u> received a second.

FINANCE COMMITTEE: Supports the Article

SELECT BOARD: Supports the Article

Resident Henry Sorett, 58 Longfellow Rd. objected to Article 2 because it would take away the authority of Town Meeting to vote on fees and give it to the Boards and Committees without any restrictions. He believes that each fee should be discussed at a later town meeting in separate articles and not be part of this article and urged defeat of the article.

Resident Nancy Brumback 36 Canterbury Rd. speaking on behalf of the League of Woman Voters, moved to Amend Article 2 by removing the following provisions:

Art. II, Fire Alarm Systems. Section 109-8.

Subsection A(1): "Annual fee for churches and nonprofit organizations~~: $75~~ shall be determined by vote of the Select Board."
Subsection A(2): "Annual fee for all others~~: $200~~ shall be determined by vote of the Select Board."
Subsection B(1): "Permit fee~~: $20~~ shall be determined by vote of the Select Board."
Subsection B(2): "Connection fee~~: $100~~ shall be determined by vote of the Select Board."
Subsection B(3): "Annual fee for churches and nonprofit organizations~~: $75~~ shall be determined by vote of the Select Board."
Subsection B(4): "Annual fee for all others~~: $200~~ shall be determined by vote of the Select Board."

Section 109-9.

Subsection A(1): "Permit fee~~: $20~~ shall be determined by vote of the Select Board."
Subsection A(2): "Connection fee~~: $100~~ shall be determined by vote of the Select Board."
Subsection A(3): "Annual fee for churches and nonprofit organizations~~: $75~~ shall be determined by vote of the Select Board."
Subsection A(4): "Annual fee for all others~~: $200~~ shall be determined by vote of the Select Board."

Section 117-11E:

The fee for a duplicate tag shall be ~~$1~~ determined by the the Town Clerk.

Section 117-14:

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

Ch. 129, Buildings and Building Construction.
Art. I, Pumping Water from Private Buildings.

Section 129: "Second call~~: $20~~ fee shall be determined by vote of the Select Board."
Section 129-1C: "Third and subsequent calls~~: $50~~ fee shall be determined by vote of the Select Board."

Ch. 156, Environmental Protection.
Art. I, Plastic Bag Ban.

Commented [LS1]: Was he speaking as a member or for himself?

Commented [KB2R1]:

Commented [KB3R1]:

Commented [KB4R1]: Both He was speaking as the minority member of Fin Com and for himself.

Section 156-5B: If noncriminal disposition is elected, violators will be subject to fines as established by the Board of Health. ~~then any retail establishment that violates any provision of this bylaw shall be subject to the following penalties: (1) First offense: written warning. (2) Second offense: $50 penalty. (3) Third and subsequent offense: $200 penalty.~~

Art. II, Sale of Bottled Water.

Section 156-11C: If noncriminal disposition is elected, violators will be subject to fines as established by the Board of Health. ~~then any person that violates any provision of this bylaw shall be subject to the following penalties: (1) First offense: written warning. (2) Second offense: $25 penalty. (3) Third and subsequent offense: $50 penalty.~~

Art. III, Polystyrene Containers.

Section 156-18C: If noncriminal disposition is elected, violators will be subject to fines as established by the Board of Health. ~~then any food or retail establishment that violates any provision of this bylaw shall be subject to the following penalties: (1) First offense: written warning. (2) Second offense: $50 penalty. (3) Third and each subsequent offense: $300 penalty.~~

Art. IV, Disposable Plastic Items.

Section 156-26C: If noncriminal disposition is elected, violators will be subject to fines as established by the Board of Health. ~~then any food establishment or retail establishment that violates any provision of this bylaw shall be subject to the following penalties: (1) First offense: written warning. (2) Second offense: $50 penalty. (3) Third and each subsequent offense: $300 penalty.~~

Ch. 170, Fees and Charges.

Art. I, Gasoline Tank Removal.

Section 170-1: Applications for underground gasoline tank removal or relocation permits under MGL c. 21O, § 1, shall be accompanied by a per-tank application fee ~~as follows:~~ determined by vote of the Select Board. ~~A. Tank size: (1) One gallon to 500 gallons: $10 $50. (2) 501 Five hundred one gallons to 1,000 gallons: $50 $100. (3) Over 1,000 gallons: $100 $150.~~

Art. III, Wiring Permits.

Section 170-3: The fee to be paid for the issuance of an electrical wiring permit and inspections thereunder shall be ~~as follows:~~ determined by vote of the Select Board. ~~A. All units, residential, commercial (or industrial): $3 per $100 value of work (rounded up to nearest $100). B. Low-voltage permit: $3 per $100 value (rounded up to nearest $100). C. Minimum fee: $30. D. Reinspection fee: $30. E. Industrial maintenance: $200 annual fee.~~

Ch. 175, Fire Prevention.

Art. II, Storage of Inflammable Fluids.

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

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

Ch. 283, Wetlands.

Section 283-4.

Subsection D:

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

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

The amendment received a second.

Ms. Brumback stated that she is objecting to the provisions in the article that would change the authority to set specified fees and fines from Sudbury's legislative branch, Town Meeting, to various agencies of the executive branch. She asked that these provisions be offered in a separate article at a future Town Meeting, rather than including it embedded in the broad housekeeping context of Article 2.

Town Manager Sheehan speaking in favor of the article, stated that the earlier comments, indicated a distrust of government, which in some instances may be understandable, is not justified in Sudbury. The Select Board has been the fee setting authority for numerous licenses. There is no evidence that they have ever abused that authority. At any point Town Meeting can take back the authority to set fees. Having fees set by Town Meeting is a very inefficient and cumbersome process. Voting against this amendment would help the Town run smoother and more efficiently.

With no further discussion, the Moderator called for a vote on the *Motion* to Amend Article 2.
The Moderator confirmed a majority vote was required and that the Motion to Amend Article 2 *PASSED BY WELL MORE THAN A MAJORITY.*
Electronic Vote: 125 In Favor, 84 Opposed.

The Moderator asked if there was any further discussion on Article 2 as Amended.

Resident Rebecca Cutting, 381 Maynard Rd. stated that there are other changes in the article which are more than housekeeping. She wanted to know why the use of artificial

turf for playing fields is not an allowable use of CPA funds and why the definition of "Discrimination" under Ch. 20- sec 20-4 has been amended.

Town Manager Sheehan addressed the resident's questions. He explained that the removal of artificial turf fields as an allowable use of CPA funds, is because of a court case that held that artificial turf fields are an inappropriate use of CPA funds. Mr. Sheehan further stated that the change to the groups which are protected under the Equal Opportunity clause reflects the modernization of the clause over the past years.

Resident Gail Wright, 110 Pokonoket Ave. stated that there are new gender classifications which are reflected in the updated language.

Resident Kay Bell, 348 Old Lancaster Rd., asked why the Equal Opportunity clause, does not include persons with disabilities.

Mr. Sheehan responded that discrimination against individuals with disabilities is covered under the Americans with Disabilities Act passed in 1990.

The Moderator confirmed a majority vote was required and that the Motion as Amended *PASSED BY WELL MORE THAN A MAJORITY.*
Electronic Vote: 106 In favor, 92 Opposed

Commented [LS5]: Your other document says "92 Opposed"

ARTICLE 3. CODIFICATION OF ZONING BYLAW: RENUMBERING

Select Board Chair Janie Dretler, *moved* in the words of the article:

Move to renumber and recaption the Zoning Bylaw of the Town by (a) designating the Zoning Bylaw as Chapter 295 of the Code of the Town of Sudbury; (b) inserting article, section and subsection titles; and (c) updating internal references to reflect the new numbering system, as well as the following non-substantive clerical and ministerial changes, and, further, to authorize Town Counsel, following consultation with the Town Clerk and the Town Manager, to make clerical and ministerial non-substantive revisions as to grammar or the like as needed for consistency, all as set forth in the Final Draft of the Code of the Town of Sudbury, dated - September 2023, on file with the Town Clerk.

A. *Clerical and Ministerial Revisions:*

i. *References to the Massachusetts General Laws are standardized to the following format: MGL c. __, § ___.*

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

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

iv. *Errors in spelling and punctuation have been corrected.*

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

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

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

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

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

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

Submitted by the Town Clerk. **(Two-thirds vote required)**

The motion received a second.

FINANCE COMMITTEE: Supports the Article

SELECT BOARD: Supports the Article

The Moderator confirmed a two-thirds vote was required and that the Motion *PASSED BY MORE THAN TWO-THIRDS.*
Electronic Vote: 146 In favor, 57 Opposed

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

Select Board Chair Janie Dretler, *moved* in the words of the article:

Move to adopt the following changes to the Zoning Bylaw as set forth in the Final Draft of the Code of the Town of Sudbury, dated September 2023, on file with the Town Clerk, with text to be inserted shown in underline and text to be deleted shown in ~~strikethrough~~, and, further, to authorize Town Counsel, following consultation with the Town Clerk and the Town Manager, to make clerical and ministerial non-substantive revisions as to grammar or the like as needed for consistency:

Specific Revisions:

Section 1310:

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

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

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

Section 3113e:

> *The reduction in the number of required spaces will not create undue congestion or traffic hazards, and ~~that~~ such relief may be granted without substantial detriment to the neighborhood and without derogating from the intent and purpose of this bylaw."*

Section 3147:

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

Section 3259Aj:

> *A permit for a portable sign shall be issued at the discretion of the Building Inspector for a period not to exceed one year and ~~at a fee of $250 annually~~ an annual fee to be determined by vote of the Select Board.*

Section 3290:

> *In granting such ~~permission~~ special permit, the Zoning Board of Appeals shall specify the size and location of the sign or signs and shall impose such other terms and restrictions as it may deem to be in the public interest.*

Section 3294B:

> *~~Which~~ Has been destroyed or damaged to the extent that the cost of repair or restoration will exceed 1/3 of the replacement value as of the date of destruction.*

Section 4130, under the heading "Floodplain Boundaries,":

> *The FIRM and Flood Insurance Study booklet are incorporated herein by reference and are on file with the Town Clerk, Planning Board, Building ~~Official~~ Inspector, Conservation Commission and Engineering Department.*

Sections 4230, 4242a and b, 4243j, 4252b, and 4253h: Section ~~4221~~ 7110":

Sections 4242p and 4252n:

Any existing facility with such a drainage system shall be required to either seal the floor drain (in accordance with the state plumbing code, 248 CMR ~~2.00~~ 10.00).

Section 4261e: "Treasurer-Collector of the Town".

Section 4270:

The special permit granting authority under ~~this~~ ~~bylaw~~ Section 4200 shall be the Planning Board.

Section 4623b:

The applicant demonstrates that the medical marijuana treatment center will employ adequate security measures to prevent diversion of medical marijuana to minors who are not qualifying patients pursuant to ~~105 CMR 725.004~~ 935 CMR 500 et seq.

Section 4642:

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

Section 4720A:

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

Section 4700B, Subsection I2b:

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

Sections 5151, 5361c, and 5461c: "Natural Resources ~~Soil~~ Conservation Service".

Section 5332:

An SRC shall constitute housing intended for persons of age 55 or over within the meaning of MGL c 151B, § 4, ~~16~~ Subdivision 6, and 42 U.S.C. § 3607(b)(2)(C).

Section 6132:

There must be a substantial hardship to the owner, financial or otherwise, if the provisions of the ~~ordinance or~~ bylaw were to be literally enforced.

Section 6134:

Granting the variance must not nullify or substantially derogate from the intent of purpose of the ~~ordinance or~~ bylaw."

Section 7110.
Definition of "sign."

definition of "fuel pump sign":

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

definition of "nonconforming sign":

Any sign that existed on the effective date of this ~~ordinance~~ bylaw (or amendment thereto) and does not comply with the regulations set forth herein.

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

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

In the notes following the table, insert a new Note 8 as follows: "For medical marijuana treatment centers, see Section 4620."

Submitted by the Town Clerk. (Two-thirds vote required)

The motion received a second.

FINANCE COMMITTEE: Supports the Article

SELECT BOARD: Supports the Article

Nancy Brumback, 36 Canterbury Drive, *moved* to amend the Article by removing the following provisions:

Section 3147:

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

Section 3259Aj:

A permit for a portable sign shall be issued at the discretion of the Building Inspector for a period not to exceed one year and ~~at a fee of $250 annually~~ an annual fee to be determined by vote of the Select Board.

The amendment received a second.

Ms. Brumback reiterated the same reasons as in Article 2 for seeking to amend this article.

The Moderator confirmed a majority vote was required and that the Motion to Amend Article 4 *PASSED BY MORE THEN A MAJORITY.*
Electronic Vote: 138 In favor, 61 Opposed

The Moderator confirmed a two-thirds vote was required and that the Motion as amended under Article 4 *FAILED.*
Electronic Vote: 126 In favor, 66 Opposed

ARTICLE 5. ESTABLISH OPIOIDS STABILIZATION FUND

Select Board Chair Janie Dretler, *moved* in the words of the article:

Move pursuant to G.L. c.40, §5B, effective July 1, 2023, to create a new special purpose stabilization fund, to be known as the Opioid Settlement Stabilization Fund, which may be expended for all of the purposes allowed by law, including those outlined in applicable opioid-litigation settlement documents, a document prepared by the Substance Abuse Bureau of the state Office of Health and Human Services Department, found at https://www.mass.gov/doc/massachusetts-abatement-terms/download entitled "Massachusetts Abatement Terms", and consistent with any state guidelines or regulations further clarifying allowable uses of opioid litigation settlement funds; to transfer to said fund from Free Cash the sum of $86,232.76, an amount equal to the opioid settlement receipts already received by the Town in the previous fiscal year; and, further, to adopt the last paragraph of said §5B and dedicate to such fund, without further appropriation, 100% of the opioid litigation settlement funds received by the Town.

Submitted by the Health Director. **(Two-thirds vote required)**

The motion received a second.

FINANCE COMMITTEE: Supports the Article

SELECT BOARD: Supports the Article

The Moderator confirmed a two-thirds vote was required and that the Motion *PASSED BY MORE THAN TWO-THIRDS.*
Electronic Vote: 204 In favor, 20 Opposed

ARTICLE 6. ATKINSON POOL FUNDS

Select Board Chair Janie Dretler, *moved* in the words of the article:

Move to transfer from free cash, the sum of $100,000, to be expended under the direction of the Combined Facilities Director for the design and replacement of the Atkinson Pool dehumidification equipment, including installation of destratification fans, repairs and/or replacement of the roof, structural repairs and supports for the rooftop dehumidification

equipment, creation of a chemical room separate from the boiler room and repairs and/or maintenance of the Atkinson Pool, and all other incidental and related expenses.

Submitted by the Combined Facilities Director (Majority vote required)

The motion received a second.

FINANCE COMMITTEE: Supports the Article

SELECT BOARD: Supports the Article

The Moderator stated that this is a majority vote even though it was listed as two-thirds in the warrant and that the Motion *PASSED BY WELL MORE THAN A MAJORITY.*
Electronic Vote: 197 In favor, 33 Opposed

ARTICLE 7. FAIRBANK COMMUNITY CENTER - SUPPLEMENTAL FUNDS.

Select Board Chair Janie Dretler, *moved* in the words of the article:

Move to transfer from Free Cash, the sum of $900,000, to be expended under the direction of the Town Manager, to supplement the appropriation made under Article 18 of the 2020 Annual Town Meeting for reconstruction of the Fairbank Community Center Design and Construction, demolition of the existing building and including all incidental or related expenses.

Submitted by the Town Manager (Majority vote required)

The motion received a second.

FINANCE COMMITTEE: Supports the Article 5-4

SELECT BOARD: Supports the Article

The Moderator confirmed a majority vote was required and that the Motion *PASSED BY WELL MORE THAN A MAJORITY.*
Electronic Vote: 156 In favor, 71 Opposed

ARTICLE 8. FUND COLLECTIVE BARGAINING AGREEMENT - FIREFIGHTERS

Select Board Chair Janie Dretler, *moved* in the words of the article:

Move to transfer the sum of $475,000 from Free Cash to fund the collective bargaining agreement with the Sudbury Permanent Firefighters Association, Local 2023, for the period from July 1, 2021 through June 30, 2024.
Submitted by the Town Manager. (Majority vote required)

The motion received a second.

FINANCE COMMITTEE: Supports the Article

SELECT BOARD: Supports the Article

The Moderator confirmed a majority vote was required and that the Motion *PASSED BY WELL MORE THAN A MAJORITY.*
Electronic Vote: 198 In favor, 19 Opposed

ARTICLE 9. REPURPOSE MELONE STABILIZATION FUND
Select Board Chair Janie Dretler, *moved* in the words of the article:

Move to transfer the remaining balance of $1,100,000 in the special Stabilization Fund (Melone) established under Article 13 of the 2015 Annual Town Meeting, as such funds are no longer needed for that purpose, to the Capital Stabilization Fund established under Article 13 of the 2019 Annual Town Meeting.

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

The motion received a second.

FINANCE COMMITTEE: Supports the Article

SELECT BOARD: Supports the Article

The Moderator confirmed a two-thirds vote was required and that the Motion *PASSED BY WELL MORE THAN TWO-THIRDS.*
Electronic Vote: 194 In favor, 10 Opposed

ARTICLE 10. Route 117/MOSSMAN/POWDER MILL ROADS INTERSECTION IMPROVEMENTS
Select Board Chair Janie Dretler, *moved* in the words of the article:

Move to appropriate from the Capital Stabilization Fund the sum of $800,000 or to fund improvements and installation of traffic signals at the intersection of Route 117 (North Road) and Mossman Road and Powder Mill Road, including all incidental and related expenses.

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

The motion received a second.

FINANCE COMMITTEE: Opposed 9-0

SELECT BOARD: Supports the Article

The Moderator confirmed a two-thirds vote was required and that the Motion *PASSED BY MORE THAN TWO-THIRDS.*

Electronic Vote: 171 In favor, 47 Opposed

ARTICLE 11. NIXON ELEMENTARY SCHOOL ROOF SCHEMATIC DESIGN FEES

Select Board Chair Janie Dretler, *moved* in the words of the article:

Move to transfer from Free Cash the sum of $248,000 to be expended under the direction of the Permanent Building Committee for schematic design for the replacement of the roof at the Nixon Elementary School located at 472 Concord Road, Sudbury, MA, including the payment of all costs incidental or related thereto, which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program and for which Town may be eligible for a grant from the Massachusetts School Building Authority ("MSBA"), with the Town acknowledging that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town.

Submitted by the SPS School Committee. (Majority vote required)

The motion received a second.

FINANCE COMMITTEE: Supports the Article

SELECT BOARD: Supports the Article

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

Electronic Vote: 175 In favor, 16 Opposed

ARTICLE 12. INCREASE TO FY2024 SUDBURY PUBLIC SCHOOLS GENERAL FUND APPROPRIATION FOR ADDITIONAL CHAPTER 70 STATE AID

Select Board Chair Janie Dretler, *moved* in the words of the article:

Move to raise and appropriate the additional amount of $232,380 to be added to the amount appropriated under Article 3 of the 2023 Annual Town Meeting for the FY2024 Sudbury Public Schools, which amount shall be offset by the increase to the FY2024 Chapter 70 funding approved by the Commonwealth of Massachusetts dedicated to local school districts.

Submitted by the SPS School Committee. (Majority vote required)

The motion received a second.

FINANCE COMMITTEE: Opposed

SELECT BOARD: **Supports the Article**

The Moderator confirmed a majority vote was required and that the Motion *PASSED BY MORE THAN A MAJORITY.*
Electronic Vote: 115 In favor, 78 Opposed

ARTICLE 13. FUNDING OF STATE APPROVED SPECIAL EDUCATION OUT-OF-DISTRICT TUITION COST INCREASE

Select Board Chair Janie Dretler, *moved* in the words below:

Move that the Town will vote to raise and appropriate the additional amount of $184,755 to be added to the amount appropriated under Article 3 of the 2023 Annual Town Meeting for the FY2024 Sudbury Public Schools, which amount shall be offset by the increase in the funds made available to the Town for special education out-of-district tuition.

Submitted by the SPS School Committee. **(Majority vote required)**

The motion received a second.

FINANCE COMMITTEE: Opposed

SELECT BOARD: **Supports the Article**

The Moderator confirmed a majority vote was required and that the Motion *is DEFEATED.*
Electronic Vote: 85 In favor, 85 Opposed

The Moderator confirmed a Two -thirds vote was required and that the Motion To Reconsider *is DEFEATED.*
Electronic Vote: In favor, Opposed

***Motion* to Reconsider Article 13. The motion received a second.**

Resident Tom Travers raised a point of order. He stated that there was no discussion made on the Motion and that the discussion should be limited to whether there was a misstatement of fact or law in the preceding debate.

The Moderator responded that the Hall will vote on a *Motion* for Reconsideration which is a two-thirds vote and declared that the Motion *FAILED*.

ARTICLE 14. RESOLUTION: MASSACHUSETTS OFFICIAL SEAL AND MOTTO

Jan Hardenbergh, 7 Tippling Rock Rd. moved in the words of the article:

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

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

Submitted by Citizen Petition. **(Majority vote required)**

The motion received a second.

FINANCE COMMITTEE: No Position

SELECT BOARD: Supports the Article

The speaker urges Sudbury to join 77 other Massachusetts towns in supporting a change to the Commonwealth's seal, arguing that the current design—featuring an Indigenous man beneath an arm holding a sword—is harmful and not representative of the values the state should project. The article backs the work of the state's Special Commission, which is evaluating new symbols and recently conducted a statewide survey. The speaker explains that their involvement began after a forum on Sudbury's roadside markers related to King Philip's War, where concerns were raised about the state seal displayed on those markers; this led them to conclude that both the seal and the markers should be changed to better reflect history and acknowledge the continued presence of the Nipmuck Nation. They ask voters to support the petition so Sudbury can become the 78th town to endorse changing the seal.

The Moderator confirmed a majority vote was required and that the Motion *PASSED BY MORE THAN A MAJORITY.*
Electronic Vote: 139 In favor, 13 Opposed

The Moderator asked for a motion to dissolve the Sudbury Annual Town Meeting. The motion was seconded and the October 23, 2023 STM was dissolved at 10:56 PM.

ATTENDANCE: 252

A TRUE COPY, ATTEST

Beth R. Klein

SUDBURY TOWN CLERK