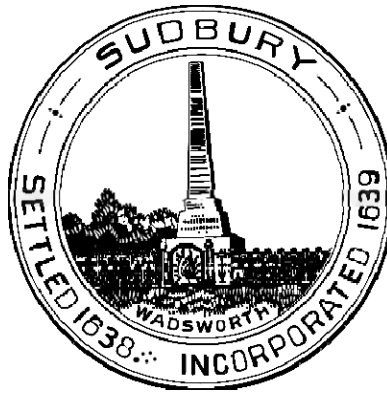


# **Town of Sudbury Massachusetts**



## **OFFICIAL WARRANT**

### **ANNUAL TOWN MEETING**

**May 6, 2019      7:30 P.M.**

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

### **BABYSITTING AVAILABLE**

Details on inside back

**BRING THIS BOOK WITH YOU**





**TOWN OF SUDBURY  
2019 ANNUAL TOWN MEETING WARRANT**

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## **ACCESS TO LINCOLN-SUDBURY REGIONAL HIGH SCHOOL AND PROVISIONS FOR THE DISABLED**

The Board of Selectmen wishes to accommodate the attendance and participation of persons with disabilities at Town Meeting. As such, we urge those who may require particular accommodations to read the following carefully.

**Parking:** “HP” parking spaces are provided at two different locations: 1) the main entrance at the upper level (which will require using an elevator to the lower level to check in and to access the auditorium) and 2) the main parking lot to the right (east) of the school. From this location, you may also be dropped off at the entry walkway – a clear path to the entrance doors, leading directly to the check-in tables and the auditorium. Police on duty will provide assistance as needed, or requested.

**Auditorium Balcony:** The balcony can only be accessed from the Main Level. From the lower level of the building, you may use either the stairs or the elevator to gain entrance to the balcony – the upper level of the auditorium. The Moderator has ruled that if there is adequate seating on the main floor, the balcony **will not** be opened.

**Persons with Ambulatory Disabilities:** Spaces for persons who use wheelchairs will be available at the front and at the rear of the auditorium. For those who use assistive devices to ambulate, seating will be reserved at the rear of the hall and may be used if desired.

**Persons who are Blind or have Vision Impairments:** Reserved seating will be available at the front of the auditorium for persons with vision impairments who prefer to be close to the overhead projector. Large print materials will be made available where possible. We encourage those making prepared, formal presentations to have copies of viewgraphs, especially motions, available in large print.

**Persons who are Deaf or have Hearing Impairments:** Closed captioning will be available.

**Restrooms:** Restrooms are located across the hall from the auditorium.

## **SUMMARY OF BASIC TOWN MEETING PROCEDURES**

### **General Rules of Debate and Voting**

1. Only registered voters, non-resident appointed or elected representatives of the Town, and Town employees may speak without consent of Town Meeting. The Moderator will not vote, even in the case of where the Moderator's vote would break or create a tie.
2. The proponents of an article make the first motion under the article. A voter must then second the motion. The proponents then make a presentation in support of the motion. The Moderator then recognizes the Board of Selectmen and Finance Committee for reports, followed by any other boards that are required to report on the article. After the Town boards have spoken, Town Meeting proceeds to general debate on the matter and a vote.
3. Please raise your hand when you wish to speak. After being recognized by the Moderator, please wait for a microphone to be passed to you at your seat. The record of Town Meeting is made on audiotape and your remarks will not be recorded if you do not speak into a microphone. Each and every time you speak, please stand (if you are able) and begin by giving your name and address for the record.
4. Until everyone who wishes to be heard has spoken, no one may speak more than twice on a matter except to correct an error or answer a question. The initial presentation by the proponent(s) of an article is limited to ten minutes, and all other comments are limited to five minutes, unless a majority of those present and voting give consent.
5. All votes are by majority unless otherwise announced. Votes will first be taken by a show of hands while voters are seated. If the Moderator is in doubt, then a standing vote will be taken. If the Moderator is still in doubt, then tellers will count the Hall. If a voter is in disagreement with the Moderator's call of a sitting or standing vote, the voter may challenge the call by immediately standing and saying loudly, "I challenge the vote!" If six additional voters support the challenge, the vote will be counted.

### **The Budget**

1. A motion is first made by the Finance Committee proposing a budget that is limited to the amount required to finance the Finance Committee's budget proposal. This limiting motion only seeks a declaration from Town Meeting as to the overall limit on the budget. A vote in favor of the motion does not mean that Town Meeting has voted for the particular distribution of the total amount as set forth in the Warrant.
2. After voting on the limiting motion, Town Meeting will address the budget as follows:
  - a. The Moderator will read the budgets in numerical order by title. For example, the Moderator will say "200 Public Safety, does anyone have a motion to amend or a question involving 200 Public Safety?" If you have a motion to amend or a question, please raise your hand.

- b. If you have a motion to amend, it should be in one of two forms:
  - i. For example, "I move to increase 200 Public Safety to the sum of \$X and to reduce 600 Culture and Recreation to the sum of \$Y." X cannot be greater than Y.
  - ii. For example, "I move to reduce 200 Public Safety to the sum of \$Z."

A motion simply to increase a line item, without a corresponding reduction in another line item, will not be accepted because the preceding vote on the limiting motion will have capped the total amount of allowable appropriation.

- c. Town Meeting will debate and vote on any motion to amend.
- d. Town Meeting will arrive at the end of this process with a main motion on the budget as it may be amended, and then vote on it.

### **Consent Calendar**

1. In order to expedite Town Meeting and save valuable time for discussion of key issues, Sudbury utilizes a "Consent Calendar" to speed passage of articles that appear to raise no controversy. The purpose of the Consent Calendar is to allow the motions under these articles to be acted on as one unit and to be passed by a unanimous vote without debate. The Consent Calendar will be taken up as the first order of business at the beginning of the first night of Town Meeting.
2. At the call of the Consent Calendar, the Moderator will call out the numbers of the articles, one by one. If you have a doubt about passing any motion, or would like an explanation of any subject on the Consent Calendar, you should stand and say the word "hold" in a loud, clear voice when the number is called. The Moderator will then ask if the request to hold is for a question or for debate. If the request was merely to ask a question, the Moderator will attempt to obtain a satisfactory answer, and if that occurs, the article will remain on the Consent Calendar absent a further request to hold. If the purpose of the request was to hold the article for debate, the article will be removed from the Consent Calendar and restored to its original place in the Warrant, to be brought up, debated and voted on in the usual way. You should not hesitate to exercise the right to remove matters from the Consent Calendar if you have a legitimate and substantive issue that you wish to debate.
3. After calling out each individual article in the Consent Calendar, the Moderator will ask that all articles not removed from the Consent Calendar be passed as a unit by unanimous vote.
4. Please review the list of articles and motions proposed for the Consent Calendar that follow. Complete reports are to be found under each article printed in this Warrant. If you have questions about the articles, motions or procedure, please feel free to call the Town Manager at 978-639-3381 before Town Meeting.

## CONSENT CALENDAR ARTICLES AND MOTIONS

**ARTICLE 10. CHAPER 90 HIGHWAY FUNDING:** Move in the words of the article.  
(See article at page 6.)

**ARTICLE 14. SURPLUS VEHICLE & EQUIPMENT REVOLVING FUND:**  
Move in the words of the article. (See article at page 8.)

**ARTICLE 15. BOARD OF HEALTH REVOLVING FUND – SCOPE EXPANSION:**  
Move in the words of the article. (See article at page 8.)

**ARTICLE 16. ZONING BOARD OF APPEALS REVOLVING FUND – SCOPE EXPANSION:**  
Move in the words of the article. (See article at page 9.)

**ARTICLE 17. FY20 REVOLVING FUND LIMITS:** Move in the words of the article.  
(See article at page 10.)

### Motions and Amendments

1. The purpose of an article in the Warrant is to inform the voters of what may come before the meeting and the outside scope of what may be considered. Every matter that is voted on at Town Meeting must come in the form of a motion. It is a motion that puts an article before Town Meeting, and it is the motion, *not the article*, that is actually voted on. Therefore, while speakers may refer to passing, defeating, or otherwise dealing with “the article,” what Town Meeting actually debates and votes on are motions, not articles.
2. A speaker may question whether a certain motion is “within the four corners of the article.” Such a challenge requires the Moderator to determine whether the motion is within a reasonable reading of the article as printed in the Warrant, and therefore should be allowed, or ruled out of order as being beyond the legitimate subject matter of the article.
3. Often, the first or “main” motion under an article will be to “move in the words of the article.” By making this motion, the speaker is adopting the article as his or her motion thereunder. This can only be done if the language of the article is drafted in such a way that it is appropriate for simple adoption as a motion. Whenever the presenter’s motion differs from the wording in the Warrant, the presenter must point out and explain those differences to the Hall.
4. All substantive motions, including all main motions and motions to amend a main motion, must be provided to the Moderator, the Town Clerk, and the Technology Administrator in writing before they are made. Please see the guidelines for electronic presentation on the Town website: [www.sudbury.ma.us](http://www.sudbury.ma.us).
5. If you have an amendment, you should e-mail it to the Technology Administrator at [infosystems@sudbury.ma.us](mailto:infosystems@sudbury.ma.us), with a copy to the Moderator at [moderator@sudbury.ma.us](mailto:moderator@sudbury.ma.us), and the Town Clerk at [clerk@sudbury.ma.us](mailto:clerk@sudbury.ma.us). Advance notice to the Technology Administrator, Moderator and Clerk enhances time efficiency at Town Meeting, and the Moderator may be able to suggest language that is



both acceptable to you and within the four corners of the article and therefore permissible to proceed to debate and vote. It is also recommended that you discuss your amendment with the presenter of the article as you may be able to convince him or her to include it as part of the main motion and thus avoid having to vote separately on the amendment. The Moderator may reject proposed amendments that fail to adhere to these guidelines.

### **Dismissing Articles, Indefinite Postponement and Withdrawing Motions**

1. It is possible for Town Meeting to decide not to take action on an article. This decision is usually made because new or additional information has come to light after the preparation of the warrant indicating that action on the article is unnecessary, unwise or illegal. In such instances, frequently there will be a motion “to indefinitely postpone” an article. This motion, if adopted, kills the article for all intents and purposes for the Town Meeting. The motion is frequently used when proponents of an article have decided not to proceed with it but want an opportunity to explain to the meeting why they are, in effect, abandoning the article at this time. The motion also may be used by someone who wishes to defeat an article before it can be fully debated on the merits. In such cases, it is important to understand that indefinite postponement can have the same effect as defeat which, in turn, can have significance with respect to some items, notably zoning matters, as to when the matter can again be considered by the Town.
2. If you have made a motion or an amendment, you can move to “withdraw the motion” if you have second thoughts or new information. A motion to withdraw can be made any time during the debate of the motion but cannot be made after the motion has been voted on.

### **Limits on Debate**

1. There is no prescribed limit to debate except common sense. The Moderator can limit debate and can ask speakers to stop if they are straying from the subject, repeating points already made or talking at unnecessary length.
2. Town Meeting itself can also terminate debate. To do so, after being recognized by the Moderator, you may say, “I move the previous question.” This motion is not debatable, and if seconded and voted by a two-thirds majority, debate ends and the motion under discussion will be then put to a vote.
3. The Moderator may defer motions to limit debate when, in his or her reasonable judgment, there are a significant number of voters who have indicated a desire to speak but have not yet been recognized.

### **Points of Order**

1. Once recognized by the Moderator, no speaker may be interrupted in any way except by a “point of order.” A point of order is not a motion, and does not require a second or a vote. It is a question, and on a point of order a voter may raise only three valid concerns:
  - a. Is the speaker entitled to the floor? For example, is the person a non-voter, or spoken for longer than his allotted time?
  - b. Is the speaker saying something inappropriate, frivolous, irrelevant, or illegal?

- c. Is there some error in the procedure of the pending action or motion?
2. The Moderator welcomes proper points of order and will make every effort to explain the procedural issues that shape Town Meeting discussions. When exercising this parliamentary privilege, you should stand and state loudly that you wish to make a point of order, and wait for the Moderator to recognize you. No voter should hesitate to rise and bring to the Moderator's attention an issue that constitutes a proper point of order because, when exercised responsibly, it functions as a tactful hint from a voter regarding important points of procedure that the Moderator may have missed.

### **Motions for Reconsideration**

1. Article II, Section 13 of our Bylaw controls. A motion to reconsider an article previously voted on in the same session (i.e. the same night), is proper, and an affirmative vote of 2/3 of the voters present is required for passage. If Town Meeting has adjourned for the evening, a motion to reconsider an article voted on in a previous session requires a unanimous vote, unless written notice of an intention to move for reconsideration, signed by 15 voters, is given to the Town Clerk by noon of the next day following the session, in which case, a 2/3 vote would be required to pass a motion to reconsider.
2. In the event a motion to reconsider is properly made and seconded, all discussion must be confined exclusively to the merits or demerits of reconsideration. In general, the only proper reasons to seek reconsideration are that there occurred such a misstatement of fact or law in the preceding debate, or such an error of procedure, that the voters, if aware of such discrepancies, would have voted differently. It is not a proper basis for reconsideration to argue simply that the voters arrived at the wrong result.

### **Adjournment**

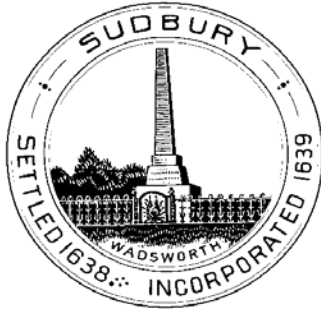
1. Adjournment of any session will occur on completion of the article under discussion at 10:30 P.M., unless there is a two-thirds vote to do otherwise. The Moderator will ask for a motion to adjourn the Town Meeting to another time to complete the Warrant. A voter can also make a motion to adjourn. The time and place for resuming Town Meeting must be specified in the motion.
2. When all business on the Warrant has been acted on, the Moderator will ask for a motion to dissolve the meeting, which must be seconded and put to a vote.

### **Decorum**

We gather at Town Meeting as friends and neighbors, united by a shared commitment to the civic life and governance of Sudbury. The town meeting form of government is unique to New England, and its continued existence links us directly to the founding of Sudbury more than 375 years ago. It is democracy in its finest and purest form, and its value lies in townspeople being forced to have discussions and make decisions together, face to face, in real time. Its proper functioning requires that every speaker be treated with courtesy and respect, no matter how strongly one may disagree with his or her point of view. To that end, the Moderator will not allow any clapping, hissing, booing or other audible noise, for or against any speakers, either before, during or after presentations. The Moderator has the power to terminate the right to speak of anyone who makes disrespectful comments, whether directed at a voter, speaker or Town official.

**PART I**

**TOWN OF SUDBURY  
ANNUAL TOWN MEETING WARRANT**



Commonwealth of Massachusetts Middlesex, ss.

To the Constable of the Town of Sudbury:

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the Town of Sudbury, qualified to vote in Town affairs to meet at the Lincoln-Sudbury Regional High School Auditorium, 390 Lincoln Road, in said Town on Monday, May 6, 2019, at 7:30 o'clock in the evening, then and there to act on the following articles:

**ARTICLE 1. HEAR REPORTS**

To see if the Town will vote to hear, consider and accept the reports of the Town Boards, Commissions, Officers and Committees as printed in the 2018 Town Report or as otherwise presented; or act on anything relative thereto.

Submitted by the Board of Selectmen.

(Majority vote required)

BOARD OF SELECTMEN POSITION: The Board of Selectmen supports this article.

**ARTICLE 2. FY19 BUDGET ADJUSTMENTS**

To see if the Town will vote to amend the votes taken under Article 3, FY19 Budget, of the 2018 Annual Town Meeting, by adding to or deleting from line items thereunder, by transfer between or among accounts or by transfer from available funds; or act on anything relative thereto.

Submitted by the Board of Selectmen.

(Majority vote required)

BOARD OF SELECTMEN REPORT: This article will allow flexibility to review all accounts within the FY19 Operating Budget to make adjustments at the Annual Town Meeting as necessary.

BOARD OF SELECTMEN POSITION: The Board of Selectmen will report at Town Meeting.

FINANCE COMMITTEE REPORT: The Finance Committee will report at Town Meeting.

**ARTICLE 3. FY20 BUDGET**

To see if the Town will vote to raise and appropriate, or appropriate from available funds, the following sums, or any other sum or sums, for any or all Town expenses and purposes, including debt and interest, and to provide for a Reserve Fund, all for the Fiscal Year July 1, 2019 through June 30, 2020, inclusive, in accordance with the following schedule, which is incorporated herein by reference,

<b>EXPENDITURES</b>		<b>FY20 Recommended</b>
300:	Education - Sudbury Public Schools (SPS)	38,535,653
300:	Education - LS Regional High School (LS) <sup>1</sup>	25,808,881
300:	Education - Vocational	615,000
<b>Total: Schools</b>		<b>64,959,534</b>
100:	General Government	3,143,637
200:	Public Safety <sup>4</sup>	8,924,924
400:	Public Works	5,460,288
500:	Human Services	871,110
600:	Culture & Recreation	1,422,707
800:	Town-Wide Operating and Transfers	483,845
<b>Total: Town Departments</b>		<b>20,306,511</b>
700:	Town Debt Service	3,110,425
900:	Employee Benefits (Town and SPS) <sup>2</sup>	12,716,315
1000:	OPEB Trust Contribution (Town and SPS) <sup>3</sup>	610,249
<b>TOTAL OPERATING BUDGET:</b>		<b>101,703,034</b>
(not including Capital or Enterprise Funds)		

<sup>1</sup> Includes \$335,067 for OPEB and \$549,861 for Debt Service.

<sup>2</sup> Includes \$5,579,343 for Town and \$7,136,972 for SPS.

<sup>3</sup> Includes \$198,941 for Town and \$411,308 for SPS.

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

; or act on anything relative thereto.

Submitted by the Town Manager.

(Majority vote required)

SEE DETAILED BUDGET INFORMATION IN THE FINANCE SECTION OF THE WARRANT.

BOARD OF SELECTMEN POSITION: The Board of Selectmen supports this article.

FINANCE COMMITTEE POSITION: The Finance Committee recommends approval of the FY20 Budget.

**ARTICLE 4. FY20 CAPITAL BUDGET**

To see if the Town will vote to raise and appropriate, or appropriate from available funds, the following sums for the purchase or acquisition of capital items including but not limited to capital equipment, construction, engineering, and design, including but not limited to renovation to buildings and all incidental and related expenses:

	<b>FY20 Recommended</b>
<b>Operating Capital Budget</b>	
Sudbury Public Schools	193,000
LS Regional High School	55,000
Selectmen/Town Manager	92,000
Fire	35,000
Trees & Cemetery	85,000
Combined Facilities	45,000
Recreation	40,000
<b>Total Operating Capital Budget</b>	<b>545,000</b>

;or act on anything relative thereto.

Submitted by the Town Manager.

(Majority vote required)

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

BOARD OF SELECTMEN REPORT: The Board of Selectmen supports this article.

FINANCE COMMITTEE REPORT: The Finance Committee recommends approval of the FY20 Capital Budget.

**ARTICLE 5. FY20 TRANSFER STATION ENTERPRISE FUND BUDGET**

To see if the Town will vote to raise and appropriate, or transfer from available funds, the following sums set forth in the FY20 budget of the Transfer Station Enterprise, to be included in the tax levy and offset by the funds of the enterprise:

	<b>FY18 Actual</b>	<b>FY19 Appropriated</b>	<b>FY20 Recommended</b>
<b>TRANSFER STATION ENTERPRISE FUND</b>			
Direct Costs	274,254	310,806	295,432
Indirect Costs <sup>1</sup>	16,700	16,700	17,214
<b>Total Expenditures</b>	<b>290,954</b>	<b>327,506</b>	<b>312,646</b>
Enterprise Receipts	312,713	327,506	272,646
Retained Earnings Used	-	-	40,000
<b>Total Revenues</b>	<b>312,713</b>	<b>327,506</b>	<b>312,646</b>

<sup>1</sup> Paid for by Enterprise Revenue Transfer to Unclassified Benefits (General Fund)

; or act on anything relative thereto.

Submitted by the Town Manager.

(Majority vote required)

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

BOARD OF SELECTMEN POSITION: The Board of Selectmen supports this article.

FINANCE COMMITTEE REPORT: The Finance Committee will report at Town Meeting.

#### **ARTICLE 6. FY20 POOL ENTERPRISE FUND BUDGET**

To see if the Town will vote to raise and appropriate, or transfer from available funds, the following sums set forth in the FY20 budget of the Atkinson Pool Enterprise, to be included in the tax levy and offset by the funds of the enterprise:

	<b>FY18 Actual</b>	<b>FY19 Appropriated</b>	<b>FY20 Recommended</b>
<b>POOL ENTERPRISE FUND</b>			
Direct Costs	527,190	467,220	449,323
Indirect Costs <sup>1</sup>	-	36,227	18,956
<b>Total Expenditures</b>	<b>527,190</b>	<b>503,447</b>	<b>468,279</b>
Enterprise Receipts	478,666	503,447	468,279
<b>Total Revenues</b>	<b>478,666</b>	<b>503,447</b>	<b>468,279</b>

<sup>1</sup> Paid for by Enterprise Revenue Transfer to Unclassified Benefits (General Fund)

; or act on anything relative thereto.

Submitted by the Town Manager.

(Majority vote required)

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

BOARD OF SELECTMEN POSITION: The Board of Selectmen supports this article.

FINANCE COMMITTEE REPORT: The Finance Committee will report at Town Meeting.

**ARTICLE 7. FY20 RECREATION FIELD MAINTENANCE ENTERPRISE FUND BUDGET**

To see if the Town will vote to raise and appropriate, or transfer from available funds, the following sums set forth in the FY20 budget of the Recreation Field Maintenance Enterprise, to be included in the tax levy and offset by the funds of the enterprise:

	<b>FY18</b>	<b>FY19</b>	<b>FY20</b>
	<b>Actual</b>	<b>Appropriated</b>	<b>Recommended</b>
<b>FIELD MAINTENANCE ENTERPRISE FUND</b>			
Direct Costs <sup>1</sup>	182,157	217,291	228,040
Indirect Costs <sup>2</sup>	22,575	22,575	23,198
<b>Total Expenditures</b>	<b>204,732</b>	<b>239,866</b>	<b>251,238</b>
Enterprise Receipts	217,754	239,866	226,238
Retained Earnings Used	-	-	25,000
<b>Total Revenues</b>	<b>217,754</b>	<b>239,866</b>	<b>251,238</b>

<sup>1</sup> Direct costs include \$10,500 of capital expenditures.

<sup>2</sup> Paid for by Enterprise Revenue Transfer to Unclassified Benefits (General Fund)

; or act on anything relative thereto.

Submitted by the Town Manager.

(Majority vote required)

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

BOARD OF SELECTMEN POSITION: The Board of Selectmen supports this article.

FINANCE COMMITTEE REPORT: The Finance Committee will report at Town Meeting.

**ARTICLE 8. SNOW AND ICE TRANSFER FY19**

To see what sum the Town will vote to raise and appropriate, or transfer from available funds, to be expended under the direction of the Town Manager, for the purpose of funding the Fiscal Year 19 Snow and Ice deficit; or act on anything relative thereto.

Submitted by the Town Manager.

(Majority vote required)

TOWN MANAGER REPORT: Due to the nature of this year's winter, the Town was required to deficit spend in the DPW snow and ice accounts. This article will fund that deficit.

BOARD OF SELECTMEN POSITION: The Board of Selectmen will report at Town Meeting.

FINANCE COMMITTEE REPORT: The Finance Committee will report at Town Meeting.

#### **ARTICLE 9. UNPAID BILLS**

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

Submitted by the Town Accountant.

(Four-fifths vote required)

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

BOARD OF SELECTMEN POSITION: The Board of Selectmen will report at Town Meeting.

FINANCE COMMITTEE REPORT: The Finance Committee will report at Town Meeting.

#### **ARTICLE 10. CHAPTER 90 HIGHWAY FUNDING**

*(Consent Calendar)*

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

Submitted by the Director of Public Works.

(Majority vote required)

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

BOARD OF SELECTMEN POSITION: The Board of Selectmen supports this article.

FINANCE COMMITTEE REPORT: The Finance Committee will report at Town Meeting.



**ARTICLE 11.        WITHDRAWN**

**ARTICLE 12.        STABILIZATION FUND**

To see if the Town will vote to transfer from Free Cash \$194,894, or any other sum, to be added to the Stabilization Fund established under Article 12, of the October 7, 1982 Special Town Meeting, pursuant to General Laws Chapter 40, Section 5B; or act on anything relative thereto.

Submitted by the Board of Selectmen.

(Majority vote required)

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

BOARD OF SELECTMEN POSITION: The Board of Selectmen supports this article.

FINANCE COMMITTEE REPORT: The Finance Committee will report at Town Meeting.

**ARTICLE 13.        REPURPOSE OF ROLLING STOCK STABILIZATION ACCOUNT**

To see if the Town will vote to amend the vote taken under Article 24 of the 2014 Annual Town Meeting creating a special purpose stabilization fund, and later amended under Article 12 of the 2016 Annual Town Meeting to be used for a limited capital purpose, to now be "for the purpose of funding capital projects"; to change the name of such account to the Capital Stabilization Account; and, further to transfer \$250,000 from Free Cash to the Capital Stabilization Account; or act on anything relative thereto.

Submitted by the Board of Selectmen.

(Two-thirds vote required)

BOARD OF SELECTMEN REPORT: This article is asking Town Meeting to repurpose the Rolling Stock Stabilization account so that the Town can save funds in this account for any capital needs rather than a limited capital need. It further asks that the Town transfer \$250,000 from Free Cash to fund this Stabilization account.

BOARD OF SELECTMEN POSITION: The Board of Selectmen supports this article.

FINANCE COMMITTEE REPORT: The Finance Committee will report at Town Meeting.

**ARTICLE 14. SURPLUS VEHICLE & EQUIPMENT REVOLVING FUND** (Consent Calendar)

To see if the Town will vote to amend Section 1 of Article XXXIII of the General Bylaws by establishing a new Revolving Fund to be known as the "Surplus Vehicle & Equipment Revolving Fund" for the purpose of funding the purchase of vehicles and equipment by the Police Chief, Fire Chief, and Public Works Department under the direction of the Town Manager utilizing revenue from the sale of surplus vehicles and equipment, pursuant to M.G.L., c.44, s.53E½ ; and for such purposes to insert the bold italic text as set forth below:

<u>Program or Purpose</u>	<u>Authorized Representative or Board to Spend</u>	<u>Department Receipts</u>
<b><i>Purchase and equipping of vehicles and equipment (Police, Fire, and Public Works Departments)</i></b>	<b><i>Town Manager</i></b>	<b><i>Sale of surplus vehicles and equipment</i></b>

; or act on anything relative thereto.

Submitted by the Police Chief, Fire Chief, and Public Works Director. (Majority vote required)

POLICE CHIEF, FIRE CHIEF AND PUBLIC WORKS DIRECTOR REPORT: Approval of this article will provide funds, generated through the sale of surplus vehicles and equipment, to be used to help offset the purchase of new vehicles and equipment for the Police, Fire and Public Works Departments. The option to auction vehicles and equipment can often times be more fiscally responsible than trading towards the purchase of new models. Newer electronic (online) auctions enable a much broader range of bidders which enhances the bidding wars on vehicles and equipment subsequently increasing the potential to generate higher returns for the revolving fund. Higher returns on the sale of surplus vehicles and equipment lowers the expenditure of Town funds toward the purchase of newer models.

BOARD OF SELECTMEN POSITION: The Board of Selectmen will report at Town Meeting.

FINANCE COMMITTEE REPORT: The Finance Committee will report at Town Meeting.

**ARTICLE 15. BOARD OF HEALTH REVOLVING FUND – SCOPE EXPANSION**  
(Consent Calendar)

To see if the Town will vote to amend Section 1 of Article XXXIII of the General Bylaws to expand the scope of expenditures for the Board of Health Revolving Fund, and for such purposes, to insert the bold italic text, as set forth below:

<u>Program or Purpose</u>	<u>Authorized Representative or Board to Spend</u>	<u>Department Receipts</u>
<b><i>Public Health vaccinations expenses including salary and benefits <b><i>and tobacco control efforts for prevention of youth access and addiction to nicotine products through participation in the MetroWest Tobacco Control Coalition</i></b></i></b>	<b><i>Board of Health</i></b>	<b><i>Reimbursement from private insurance, Medicare/Medicaid and MassHealth for vaccinations <b><i>and permit fees from tobacco retail permits</i></b></i></b>

; or act on anything relative thereto.

Submitted by the Board of Health. (Majority vote required)

BOARD OF HEALTH REPORT: This revolving fund was established for the purpose of utilizing insurance and other reimbursements for vaccinations provided by the Board of Health to the public for the purchase of vaccines, vaccination materials, and the public health nursing services administration of such vaccinations. Through passage of this article, the scope of this revolving fund will be expanded to enable tobacco control efforts for prevention of youth access and addiction to nicotine products through participation in the MetroWest Tobacco Control Coalition. It is the intention to limit the use of the fund to \$10,000 for this added endeavor.

BOARD OF SELECTMEN POSITION: The Board of Selectmen will report at Town Meeting.

FINANCE COMMITTEE REPORT: The Finance Committee will report at Town Meeting.

**ARTICLE 16. ZONING BOARD OF APPEALS REVOLVING FUND – SCOPE EXPANSION**  
(Consent Calendar)

To see if the Town will vote to amend Section 1 of Article XXXIII of the General Bylaws to expand the scope of expenditures for the Zoning Board of Appeals Revolving Fund, and for such purposes, to insert the bold italic text, as set forth below:

<u>Program or Purpose</u>	<u>Authorized Representative or Board to Spend</u>	<u>Department Receipts</u>
Zoning Board of Appeals consultants and part-time employee salaries, <b><i>as well as costs of training members and staff on matters within the Board’s jurisdiction, such as zoning and comprehensive permits, and administering comprehensive permit applications</i></b>	Zoning Board of Appeals	Application fees

; or act on anything relative thereto.

Submitted by the Zoning Board of Appeals. (Majority vote required)

ZONING BOARD OF APPEALS REPORT: Use of the revolving fund gives the Town the flexibility to fund additional hours by part-time employees, as well as funds outside consultants to assist in review of complex applications. This addition expands this scope to include costs of training members and staff on matters within the Board’s jurisdiction, such as zoning and comprehensive permits, and administering comprehensive permit applications.

BOARD OF SELECTMEN POSITION: The Board of Selectmen will report at Town Meeting.

FINANCE COMMITTEE REPORT: The Finance Committee will report at Town Meeting.

**ARTICLE 17.      FY20 REVOLVING FUND SPENDING LIMITS***(Consent Calendar)*

To see if the Town will vote to establish the FY2020 spending limits for the use of revolving funds under M.G.L. c.44, s.53E ½, by the following departments of the Town in accordance with each fund set forth in Article XXXIII of the Town of Sudbury General Bylaws:

<u>Fund</u>	<u>Department</u>	<u>Maximum Amount</u>
Public Health Vaccinations & Tobacco Control	Board of Health	25,000
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	150,000
Cemetery Revolving Fund	Public Works	20,000
Fire Department Permits	Fire	50,000
Goodnow Library Meeting Rooms	Goodnow Library	10,500
Recreation Programs	Park and Recreation Commission	542,000
Teen Center	Park and Recreation Commission	20,000
Youth Programs	Park and Recreation Commission	170,000
Bus	Sudbury Public Schools	450,000
Instrumental Music	Sudbury Public Schools	100,000
Cable Television	Town Manager	30,000
Rental Property	Town Manager	40,000
Dog	Town Clerk	75,000
Zoning Board of Appeals	Zoning Board of Appeals	35,000
Solar Energy	Combined Facilities	450,000
Surplus Vehicle & Equipment	Town Manager	50,000

; or act on anything relative thereto.

Submitted by the Town Finance Director.

(Majority vote required)

**FINANCE DIRECTOR REPORT:** As set forth in Article XXXIII of the Town of Sudbury General Bylaws, this article seeks authorization for Fiscal Year 2020 for revolving funds previously established pursuant to M.G.L. c.44, s.53E1/2. Expenditures from each revolving fund are subject to the limitation established annually by Town Meeting or any increase therein as may be authorized in accordance with G.L. c.44, §53E½.

The maximum amount stated is the same as the FY19 maximum voted for each revolving fund except for the following: Board of Health expanded Fund established by vote under Art. 15 (Public Health Vaccinations & Tobacco Control) added \$10,000 for the new scope for a total of \$25,000; Council on Aging Activities increased from \$50,000 to \$65,000; Council on Aging (Van Transportation (MWRTA)) increased from \$135,000 to \$150,000; Dog Fund increased from \$70,000 to \$75,000; Zoning Board of Appeals expanded fund established under Art. 16 added \$10,000 for the new scope for a total of \$35,000; Solar Energy increased from \$330,000 to \$450,000; and the new Surplus Vehicle & Equipment Fund established under Art. 14 is set at \$50,000.

BOARD OF SELECTMEN POSITION: The Board of Selectmen supports this article.

FINANCE COMMITTEE REPORT: The Finance Committee will report at Town Meeting

**ARTICLE 18. FUND LITIGATION COSTS – EVERSOURCE**

To see if the Town will vote to transfer \$75,000, or any other sum, from Free Cash, to be expended under the direction of the Town Manager, for the purpose of legal fees, hiring of experts, and all related costs related to litigation of the Eversource/Hudson reliability project; or act on anything relative thereto.

Submitted by the Town Manager.

(Majority vote required)

TOWN MANAGER REPORT: This article will allow the Town to transfer funds to be used to fund the costs of continuing litigation with Eversource. Litigation is ongoing at both the Energy Facility Siting Board and in Land Court. The proposed project will run a 115kV power transmission line from Sudbury to Hudson. These funds will allow the Town to continue the litigation and any necessary appeals to decisions.

BOARD OF SELECTMEN POSITION: The Board of Selectmen supports this article.

FINANCE COMMITTEE REPORT: The Finance Committee will report at Town Meeting.

**ARTICLE 19. DPW ONE-TON DUMP TRUCK**

To see if the Town will vote to raise and appropriate, or transfer from available funds, the sum of \$130,000, or any other sum, for the purchase or acquisition and equipping of a new vehicle for public works; or act on anything relative thereto.

Submitted by the Department of Public Works Director.

(Majority vote required)

DEPARTMENT OF PUBLIC WORKS DIRECTOR REPORT: Approval of this article will provide funds to purchase a new F550 Dump Truck with spreader, plow, and wing. The DPW plans to utilize these larger GVW one-ton dump trucks for the smaller construction projects around town and burials at the cemetery. This size vehicle will enable the installation of a municipal-grade plow, a side-mounted wing and a small spreader for winter operations. A new dump truck will provide multiple uses throughout all the divisions within the DPW as well as improve efficiencies in snow removal operations. It is the goal of the Department to focus on standardizing equipment and specifying vehicles to better suit our multi-disciplinary needs. Dump trucks are one of the most used equipment in the fleet. Department employees use these vehicles to perform their everyday tasks including moving materials and equipment that is carried and towed.

BOARD OF SELECTMEN POSITION: The Board of Selectmen supports this article.

FINANCE COMMITTEE REPORT: The Finance Committee will report at Town Meeting.

**ARTICLE 20.        CONCORD ROAD CULVERT DESIGN**

To see if the Town will vote to raise and appropriate, or transfer from available funds, the sum of \$125,000, or any other sum, for the design, permitting and bidding of the Concord Road culvert project, including all incidental and related expenses; or act on anything relative thereto.

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

DEPARTMENT OF PUBLIC WORKS DIRECTOR REPORT: Approval of this article will provide funds to prepare all the required design and engineering documents and related permitting costs in connection with the culvert on Concord Road. The collapse of the upstream headwalls partially occluded the opening and caused the loss of the guardrail along the northerly edge of the roadway.

BOARD OF SELECTMEN POSITION: The Board of Selectmen supports this article.

FINANCE COMMITTEE REPORT: The Finance Committee will report at Town Meeting.

**ARTICLE 21.        PURCHASE OF FIRE ENGINE**

To see if the Town will vote to transfer from Free Cash the sum of \$570,000, or any other sum, for the purchase or acquisition and equipping of one Fire Engine, including all incidental and related expenses; or act on anything relative thereto.

Submitted by the Fire Chief. (Majority vote required)

FIRE CHIEF REPORT: The requested Fire Engine would replace our current 1997 Fire Engine which was in front-line service from 1997 until 2008 and in Reserve Status from 2008 to the present. The 1997 Engine is currently 22 years old with 114,318 miles and by the time a new Engine is delivered, the Engine will be 24 years old. The Fire Department depends on reliable and well-equipped fire apparatus to provide emergency medical services and fire suppression throughout the Town, and to assist other towns when called upon.

BOARD OF SELECTMEN POSITION: The Board of Selectmen supports this article.

FINANCE COMMITTEE REPORT: The Finance Committee will report at Town Meeting.

**ARTICLE 22.        WITHDRAWN**

**ARTICLE 23. FUNDING OF COMPREHENSIVE WASTEWATER MANAGEMENT PLAN/ENVIRONMENTAL IMPACT REPORT**

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow the sum of \$500,000, or any other sum, for the completion of a Comprehensive Wastewater Management Plan/Environmental Impact Report and for all incidental and related expenses, and to determine whether this appropriation shall be raised by borrowing from the Massachusetts Clean Water Trust or otherwise; or act on anything relative thereto.

Submitted by the Board of Selectmen.

(Two-thirds vote required, if borrowed)

BOARD OF SELECTMEN REPORT: Approval of this article will provide funds, through a State Revolving Fund loan, to complete a Comprehensive Wastewater Management Plan/Environmental Impact Report. Sudbury's designation as a Housing Choice Community allows the Town to borrow these funds at a 1.5% interest rate. The report will afford the Town with a comprehensive Town-wide plan for its wastewater systems for the next 20 years. Benefits include wastewater planning for ALL of Sudbury (not just a small geographic area), economic development and environmental planning efforts, comprehensive public outreach/education plan implementation, regulatory and environmental consensus-building throughout Project with MEPA filings, higher ratings when applying for state and/or federal funding, as well as meeting state grant requirements on a multitude of programs.

BOARD OF SELECTMEN POSITION: The Board of Selectmen supports this article.

FINANCE COMMITTEE REPORT: The Finance Committee will report at Town Meeting.

**ARTICLE 24. WITHDRAWN**

**ARTICLE 25. CAMP SEWATARO ACQUISITION**

To see if the Town will vote to authorize the Board of Selectmen to acquire, by gift, purchase, eminent domain, exchange of real property or otherwise, the fee or lesser interest in all or a part of the land and the improvements thereon commonly known as "Camp Sewataro", located at 1 Liberty Ledge, and identified as Assessor Parcel ID numbers: C08-0151, C08-0152, C08-0154, C08-0120, C08-0121, C08-0138 C08-0145, C08-0146, C08-0147, C08-0148, C08-0149, C08-0150, D08-0523, C09-0112, D08-0524, C08-0113, C08-0114, C08-0115, C08-0115A, C08-0116, C08-0119, C08-0139, C08-0140, C08-0142, C08-0144, C08-0164, C09-0165, C08-0502, C08-0143, C08-0117, C08-0118, C08-0141, C08-0163, C08-0502, consisting of a total of approximately 44.32 acres of land, more or less, for general municipal purposes; and to raise and appropriate, transfer from available funds, and/or borrow a sum sufficient for the foregoing acquisition and all incidental and related costs; and to meet this appropriation, to authorize the Treasurer, with the approval of Board of Selectmen, to borrow such sum pursuant to G.L. Chapter 44, Sections 7, 8, or 20, or any other enabling authority, and to issue bonds and notes of the Town therefor; and further that any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved hereunder in accordance with G.L. Chapter 44, Section 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; and further to authorize the Board of Selectmen to execute all documents and instruments, including without limitation, responses to requests for proposals, land development, land disposition or other agreements, deeds, easements, upon such terms and conditions as the Board of Selectmen deems appropriate, and to take all other action

necessary to effectuate the vote taken hereunder; provided, however, that the vote taken hereunder shall be expressly contingent upon approval by the voters of the Town at an election of a Proposition 2 ½, so-called, debt exclusion question in accordance with General Laws Ch. 59, Section 21C(k); or act on anything relative thereto.

Submitted by the Board of Selectmen.

(Two-thirds vote required, if borrowed)

BOARD OF SELECTMEN REPORT: This article would allow the Town of Sudbury to purchase approximately 42.32 acres of land currently known as “Camp Sewataro.” The owners of Camp Sewataro approached the Town in the fall with the news that they would be selling their property this spring. Any offer to purchase would be contingent on Town Meeting vote. The acquisition of this property would require debt.

BOARD OF SELECTMEN POSITION: The Board of Selectmen will report at Town Meeting.

FINANCE COMMITTEE REPORT: The Finance Committee will report at Town Meeting.

**ARTICLE 26. AMEND BYLAW ARTICLE XXV CAPITAL PLANNING – CAPITAL IMPROVEMENT ADVISORY COMMITTEE (CIAC) CHARGE**

To see if the Town will vote to amend Article XXV, Section 2 of the Town of Sudbury General Bylaws by deleting the words: “The CIAC shall study proposals from the Sudbury Town Manager, Sudbury Public Schools and the Lincoln-Sudbury Regional High School or their representatives” and inserting in place thereof the words, “The CIAC shall study all capital proposals”, so that Section 2 will read as follows:

SECTION 2. The CIAC shall study all capital proposals which involve major tangible items with a total project cost of more than \$100,000 in a single year or over \$200,000 in multiple years and which would likely require an article at Town Meeting for the project’s authorization. The CIAC shall make a report with recommendations to the Finance Committee and the Board of Selectmen on these proposals.”

; or act on anything relative thereto.

Submitted by the Board of Selectmen.

(Majority vote required.)

BOARD OF SELECTMEN REPORT: This Bylaw amendment will impose a requirement that the CIAC study any capital articles that will appear on a Town Meeting warrant with a cost of over \$100,000 in a single year or over \$200,000 in multiple years. Currently, only capital articles submitted by the Town Manager, Sudbury Public Schools and Lincoln-Sudbury Regional High School are required to be studied by the CIAC.

BOARD OF SELECTMEN POSITION: The Board of Selectmen supports this article.

FINANCE COMMITTEE REPORT: The Finance Committee will report at Town Meeting.

**ARTICLE 27. RAYMOND ROAD CONVEYANCE TO WATER DISTRICT**

To see if the Town will vote to transfer the care, custody, management and control of the land on Raymond Road shown on Assessor Map L08, Parcel 0010, consisting of approximately 8.86 acres of land, more or less, from the board or commission with custody thereof for the purpose for which said property is currently held, to the Board of Selectmen for the purpose of conveyance to the Sudbury Water District, and authorize the Board



of Selectmen to convey said land; and, further, to authorize the Board of Selectmen to execute all instruments, including without limitation, land disposition or other agreements, deeds, easements, and such other documents or instruments, upon such terms and conditions as the Board of Selectmen deems appropriate, and take all other action necessary to effectuate the vote taken hereunder; or act on anything relative thereto.

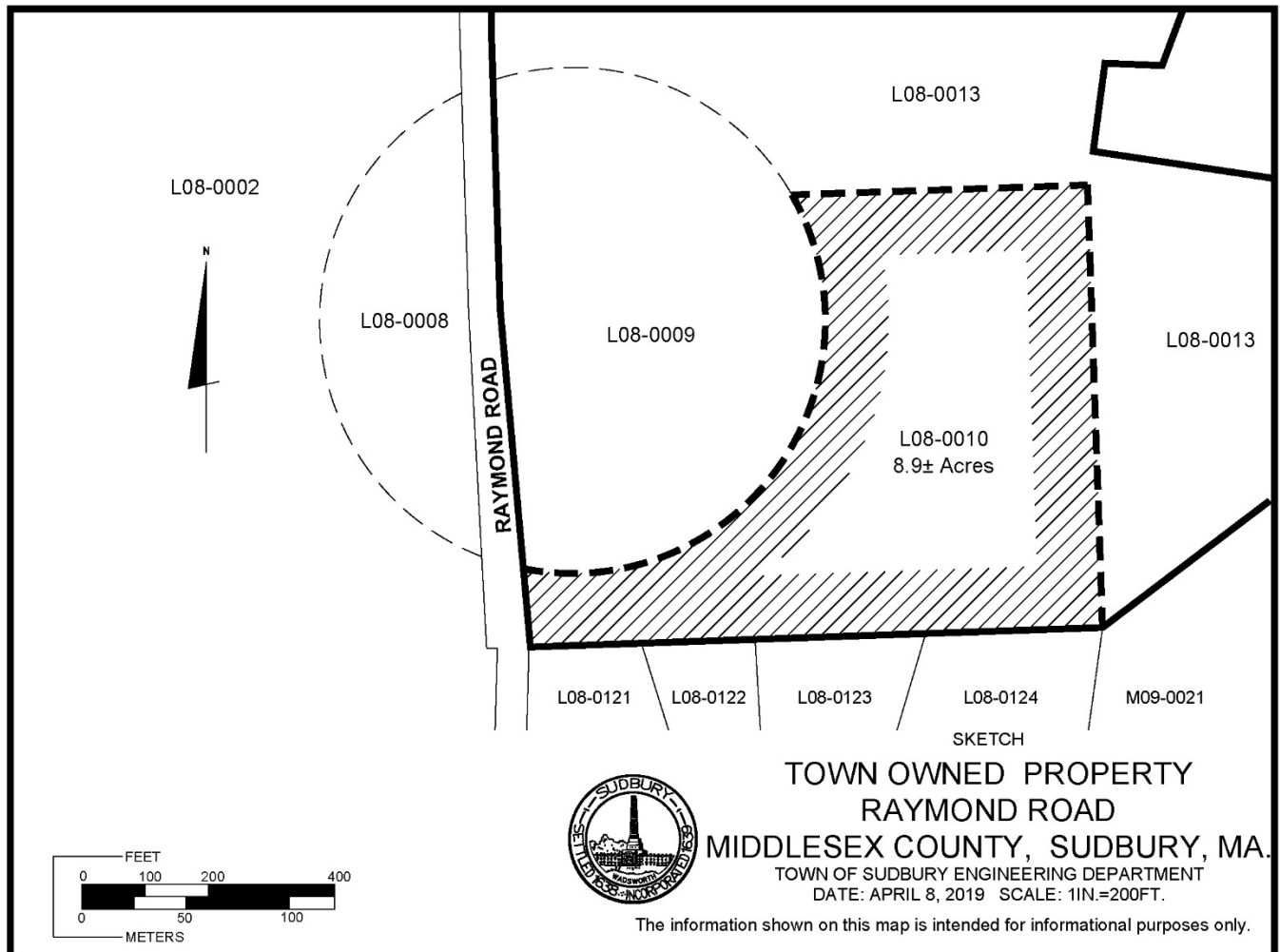
Submitted by the Board of Selectmen.

(Two-thirds vote required)

BOARD OF SELECTMEN REPORT: The Town is seeking to transfer this land to the Water District for its use.

BOARD OF SELECTMEN POSITION: The Board of Selectmen will report at Town Meeting.

FINANCE COMMITTEE REPORT: The Finance Committee will report at Town Meeting.



**ARTICLE 28. AMEND ZONING BYLAW ARTICLE IX: INSERT SECTION 4700B, THE MELONE SMART GROWTH OVERLAY DISTRICT**

To see if the Town will vote to amend the Zoning Bylaw, Article IX, by inserting a new Section 4700B, “The Melone Smart Growth Overlay District”, as set forth below; and to amend the Zoning Map as shown on a plan entitled “Melone Smart Growth Overlay District”, dated November 13, 2018, and on file with the Town Clerk:

**4700B. MELONE SMART GROWTH OVERLAY DISTRICT**

**A. PURPOSE**

The purpose of this Section 4700B is to establish the Melone Smart Growth Overlay District (SGOD), to encourage smart growth in accordance with the purposes of G.L. c. 40R and to support development that meets the following objectives:

1. To provide for higher-density residential development in an area that is well suited for multifamily housing.
2. To provide for more types of housing choices in Sudbury, including affordable housing and multifamily units that meet community housing needs in a manner that advances the goals of the Sudbury Housing Production Plan.
3. To ensure high-quality Planning, architecture and landscape design that enhances the distinct visual character and identity of Sudbury.
4. To promote best practices in Planning, sustainability, and improved transportation infrastructure.
5. To the extent not in conflict with the purposes of M.G.L. c. 40S and provisions for As-of-Right development under the Governing Laws, generate positive tax and other revenues while providing opportunities for new workforce housing to meet regional needs.

**B. DEFINITIONS**

As used in this Section 4700B, the following terms shall have the meanings set forth below provided that that, to the extent that any material conflict should arise between the definitions applicable to the same or similar terms that are directly or indirectly set forth in Section B below or elsewhere in Section 4700B and the corresponding terms in the Governing Laws, the terms of the Governing Laws shall govern unless DHCD has, and separately and expressly exercises, the authority to determine otherwise.

**ACCESSORY USE** – A use subordinate to a Principal Use in the District and serving a purpose customarily incidental to the Principal Use, and which does not, in effect, constitute conversion of the Principal Use of the Development Lot, site or structure to a use not otherwise permitted in the District.

**AFFORDABLE UNIT** – An Affordable Rental Unit or an Affordable Homeownership Unit that is affordable to and occupied by an Eligible Household and is approved by the Department of Housing and Community Development for inclusion in the Town of Sudbury’s Chapter 40B Subsidized Housing Inventory.

**AFFORDABLE HOUSING RESTRICTION** – A deed restriction of one or more Affordable Units, in perpetuity or the maximum period allowed by law, meeting statutory requirements in G.L. c. 184 Section 3 and the requirements of Subsection F of this section.

**AFFORDABLE RENTAL UNIT** – A Dwelling Unit required to be rented to an Eligible Household in accordance with the requirements of Subsection F of this section.

**AFFORDABLE HOMEOWNERSHIP UNIT** – A Dwelling Unit required to be sold to an Eligible Household in accordance with the requirements of Subsection F of this section.

**APPLICANT** – The individual or entity that submits a Project for Plan Approval.

**APPLICATION** – A petition for Plan Approval filed with the Approving Authority by an Applicant and inclusive of all required documentation as specified in administrative rules adopted pursuant to I. PLAN REVIEW.

**APPROVING AUTHORITY or PLAN APPROVAL AUTHORITY (PAA)** – The Planning Board of the Town of Sudbury acting as the authority designated to review Projects and issue approvals under this Section 4700B.

**AS-OF-RIGHT DEVELOPMENT** – A Development Project allowable under this section without recourse to a special permit, variance, zoning amendment, or other form of zoning relief. A Development Project that is subject to the Plan Review requirement of this section shall be considered an As-of-Right Development.

**DEPARTMENT or DHCD** – The Massachusetts Department of Housing and Community Development or any successor agency.

**DESIGN AND PERFORMANCE STANDARDS OR DESIGN STANDARDS** – Provisions of Subsection M of this section made applicable to Projects within the District that are subject to the Plan Approval process, provided they comply with the limitations for Design Standards in the Governing Laws.

**DEVELOPMENT PROJECT** – A development comprising any permitted uses provided for hereunder undertaken under this section. A Development Project shall be identified on a Plan which is submitted to the Approving Authority for Plan Review.

**DISTRICT** – The Melone Smart Growth Overlay District, adopted pursuant to G.L. c. 40R in accordance with the procedures for zoning adoption and amendment under G.L. c. 40A and approved by the Department of Housing and Community Development under G.L. c. 40R and 760 CMR 59.00.

**DWELLING UNIT** – A room, group of rooms, or dwelling forming a habitable unit for living, sleeping, food storage and/or preparation and eating, and which is directly accessible from the outside or through a common hall without passing through any other dwelling unit. The term shall not include a hotel, motel, bed-and-breakfast, rooming house, hospital, or other accommodation used for transient lodging.

**ELIGIBLE HOUSEHOLD** – An individual or household whose annual income is at or below eighty percent (80%) of the area median income as determined by the United States Department of Housing and Urban Development (“HUD”), adjusted for household size, with income computed using HUD's rules for attribution of income to assets.

**GOVERNING LAWS** - G.L. Chapter 40R and 760 CMR 59.00.

**MONITORING AGENT** – The entity designated to monitor and enforce the Affordable Housing Restriction.

**MULTI-FAMILY DWELLING UNITS** – A residential building containing four or more Dwelling Units.

PAA REGULATIONS – the rules and regulations of the PAA adopted pursuant to Section I of this Section 4700B.

PROJECT or DEVELOPMENT PROJECT – A development comprising any permitted uses provided for under this Section 4700B. A Project shall be identified on a Plan which is submitted to the Approving Authority for Plan Review.

PLAN APPROVAL – The Approving Authority’s authorization for a proposed Development Project based on a finding of compliance with this section of the Bylaw and Design and Performance Standards after the conduct of Plan Review.

UNDERLYING ZONING – The zoning requirements adopted pursuant to G.L. 40A that otherwise apply to the geographic area in which the District is located.

UNDULY RESTRICT – A provision of the District or a Design Standard adopted pursuant to G.L. c. 40R and 760 CMR 59.00 that adds unreasonable costs or unreasonably impairs the economic feasibility of a proposed Development Project in the District.

UNRESTRICTED UNIT – A Dwelling Unit that is not restricted as to rent, price, or eligibility of occupants.

ZONING BYLAW or BYLAW – The Zoning Bylaw of the Town of Sudbury.

#### C. ESTABLISHMENT AND DELINEATION OF DISTRICT

The District is an overlay district having a land area of approximately 5.95 acres in size that is superimposed over the underlying zoning district. The boundaries of the District are shown on a map entitled “Melone Smart Growth Overlay District,” dated November 13, 2018, on file with the Town Clerk, said map hereby made a part of the Zoning Bylaw and adopted as an amendment to the Sudbury Zoning Map.

#### D. AUTHORITY AND APPLICABILITY

1. The District is established pursuant to the authority of G.L. c. 40R and 760 CMR 59.00. The District is superimposed on all underlying zoning districts. The regulations for use, dimension, and all other provisions of the Zoning Bylaw governing the underlying zoning district(s) shall remain in full force, except for those Projects undergoing development pursuant to this Section 4700B. At the option of the Applicant, development of land within the District may be undertaken by means of Plan Approval under this Section 4700B, or by complying with all applicable Underlying Zoning controls in the Zoning Bylaw. Notwithstanding anything to the contrary in the Bylaw, Development Projects proceeding under this Section 4700B shall be governed solely by the provisions of this Section 4700B and the standards and/or procedures of the Underlying Zoning shall not apply. Development Projects proposed pursuant to this Section 4700B shall not be subject to any other provisions of the Zoning Bylaw, including limitations upon the issuance of building permits for residential uses related to a rate of development or phased growth limitation or to a local moratorium on the issuance of such permits, or to other building permit or Dwelling Unit limitations.

2. The provisions of this Section 4700B shall be administered by the Building Inspector, except as otherwise provided herein. Any legal appeal arising out of a Plan Approval decision by the PAA under Sections 9 through

13 shall be governed by the applicable provisions of G. L. Chapter 40R. Any other request for enforcement or appeal arising under this Section 4700B shall be governed by the applicable provisions of G. L. Chapter 40A.

#### E. PERMITTED USES

The following Principal Uses, either alone or in any combination thereof, shall be permitted upon Plan Approval pursuant to the provisions of this Section 4700B. All uses not expressly allowed are prohibited.

1. Multifamily residential use(s);
2. Parking accessory to any permitted uses, including surface, garage-under, and structured parking (e.g., parking garages);
3. Commercial Uses accessory to the Multifamily residential use(s) that in aggregate do not exceed 10% of the Gross Floor Area of a Project, including
  - a. Business or Professional Office with fewer than five employees;
  - b. Child care facility;
  - c. Personal Service Establishment – under 1,000 square feet;
  - d. Restaurant – under 1,000 square feet;
  - e. Retail Stores and Services not elsewhere set forth – under 1,000 square feet.
4. Other Accessory Uses customarily incidental to any of the above permitted uses.

#### F. HOUSING AND HOUSING AFFORDABILITY

1. Number of Affordable Units. At least 25% of all Dwelling Units constructed in a Development Project and the District shall be maintained as Affordable Units.
2. Fractional Units. When the application of the percentages specified above results in a number that includes a fraction, the fraction shall be rounded up to the next whole number.
3. Affordable Units shall comply with the following requirements:
  - a. The monthly rent payment for an Affordable Rental Unit, including applicable utility allowances, shall not exceed 30% of the maximum monthly income permissible for an Eligible Household, assuming a family size equal to the number of bedrooms in the unit plus one, unless another affordable housing program methodology for calculating rent limits as approved by DHCD shall apply;
  - b. For an Affordable Homeownership Unit the monthly housing payment, including mortgage principal and interest, private mortgage insurance, property taxes, condominium and/or homeowner's association fees, insurance, and parking (to the extent such parking is more generally included in the housing cost for the unrestricted units), shall not exceed 30% of the maximum monthly income permissible for an Eligible Household, assuming a family size equal to the number of bedrooms in the unit plus one, unless another affordable housing program methodology for calculating rent limits as approved by DHCD shall apply; and

- c. Affordable Units required to be offered for rent or sale shall be rented or sold to and occupied only by Eligible Households.

4. Design and construction.

- a. Design. As approved by DHCD, Affordable Units must be equitably integrated and proportionately dispersed throughout a Development Project, across all residential buildings, floors and distinct unit types in accordance with the affordable housing restriction and marketing and tenant selection plan. Affordable Units must be comparable in initial construction quality and exterior design to the Unrestricted Units. Unless expressly required otherwise under one or more applicable state or federal housing subsidy programs, the bedroom-per-unit average for the Affordable Units must be equal to or greater than the bedroom-per-unit average for the Unrestricted Units.
- b. Timing. All Affordable Units must be constructed and occupied not later than concurrently with construction and occupancy of Unrestricted Units and, for Development Projects that are constructed in phases, Affordable Units must be constructed and occupied in proportion to the number of units in each phase of the Development Project.

5. Affordable housing restriction. Each Affordable Unit shall be subject to an Affordable Housing Restriction which is recorded with the Middlesex County Registry of Deeds. The Affordable Housing Restriction shall meet the requirements of and provide for implementation of this Section 4700B and shall be approved by DHCD with regard to conformance with G.L. c. 40R and 760 CMR 59.00. Each such restriction shall contain all of the following:

- a. Description of the Development Project, including whether the Affordable Unit will be rented or owner-occupied.
- b. A description of the Affordable Homeownership Unit, if any, by address and number of bedrooms; and a description of the overall quantity and number of bedrooms and number of bedroom types of Affordable Rental Units in a Development Project containing Dwelling Units or portion of a Development Project containing Dwelling Units which are rental. Such restriction shall apply individually to the specifically identified Affordable Homeownership Unit and shall apply to a percentage of rental units of a rental Development Project containing Dwelling Units or the rental portion of a Development Project containing Dwelling Units with the initially designated Affordable Rental Units identified in, and able to float subject to specific approval by DHCD in accordance with, the corresponding Affirmative Fair Housing Marketing Plan (AFHMP) and DHCD's AFHMP guidelines.
- c. The term of the Affordable Housing Restriction shall be the in perpetuity or the maximum period allowed by law.
- d. The name and address of a Monitoring Agent with a designation of its power to monitor and enforce the Affordable Housing Restriction.

- e. Reference to an affirmative fair housing marketing and resident selection plan, to which the Affordable Unit is subject, and which includes an affirmative fair housing marketing program, including public notice and a fair resident selection process. Such plan shall be consistent with DHCD guidance and approved by the Town and DHCD. Consistent with DHCD guidance, such plan shall include a preference based on need for the number of bedrooms in a unit and a preference based on need for the accessibility features of a unit where applicable, and may only provide for additional preferences in resident selection to the extent such preferences are also consistent with applicable law and approved by DHCD.
- f. A requirement that buyers or tenants will be selected at the initial sale or initial rental and upon all subsequent sales and rentals from a list of Eligible Households compiled in accordance with the housing marketing and selection plan;
- g. Reference to the formula pursuant to which rent of a rental unit or the maximum resale price of a homeownership unit will be set;
- h. A requirement that only an Eligible Household may reside in an Affordable Unit and that notice of any lease or sublease of any Affordable Unit to another Eligible Household shall be given to the Monitoring Agent;
- i. Provision for effective monitoring and enforcement of the terms and provisions of the Affordable Housing Restriction by the Monitoring Agent;
- j. Provision that the restriction on an Affordable Homeownership Unit shall run in favor of the Town of Sudbury, in a form approved by town counsel, and shall limit initial sale and re-sale to and occupancy by an Eligible Household;
- k. Provision that the restriction on Affordable Rental Units in a rental Project or rental portion of a Development Project containing Dwelling Units shall run with the rental Development Project containing Dwelling Units or rental portion of a Development Project containing Dwelling Units and shall run in favor of the Town of Sudbury, in a form approved by municipal counsel, and shall limit rental and occupancy to an Eligible Household;
- l. Provision that the owner(s) or manager(s) of Affordable Rental Unit(s) shall file an annual report to the Monitoring Agent, in a form specified by such agent, certifying compliance with the provisions of this Bylaw and containing such other information as may be reasonably requested in order to ensure affordability;
- m. A requirement that residents in Affordable Units provide such information as the Monitoring Agent may reasonably request in order to ensure affordability; and
- n. Designation of the priority of the Affordable Housing Restriction over other mortgages and restrictions.

6. Administration.

- a. Monitoring Agent. A Monitoring Agent shall be designated by the Town Manager. The Monitoring Agent shall ensure the following:
  - i. Prices of Affordable Homeownership Units are properly computed; rental amounts of Affordable Rental Units are properly computed;
  - ii. Income eligibility of households applying for and living in Affordable Units is properly and reliably determined, and that tenants of Affordable Rental Units continue to be eligible, and that annual income recertification is completed, with results sent to the Town and DHCD;
  - iii. The housing marketing and resident selection plan conforms to all requirements and is properly administered;
  - iv. Sales and rentals are made to Eligible Households chosen in accordance with the housing marketing and resident selection plan with appropriate unit size for each household being properly determined and proper preference being given; and
  - v. Affordable Housing Restrictions meeting the requirements of this section are recorded with the Middlesex County Registry of Deeds.
- b. Housing Marketing and Selection Plan. The housing marketing and selection plan may make provision for payment by the Applicant of reasonable costs to the Monitoring Agent to develop, advertise, and maintain the list of Eligible Households and to monitor and enforce compliance with affordability requirements.
- c. Age Restrictions. Age-restricted Projects restricting occupancy to households with one or more elderly individuals cannot be imposed upon the Applicant and are further prohibited within the Melone SGOD without the express written approval of DHCD.
- d. Failure of the Monitoring Agent. In the case where the Monitoring Agent cannot adequately carry out its administrative duties, upon certification of this fact by the Board of Selectmen or by DHCD, the administrative duties shall devolve to and thereafter be administered by a qualified housing entity designated by the Board of Selectmen or, in the absence of such designation, by an entity designated by DHCD.

G. DIMENSIONAL AND OTHER REQUIREMENTS

- 1. Buildings and Development Lots within the District shall be subject to the dimensional and other requirements set forth in this Subsection G.
- 2. Density. Notwithstanding the limit on Maximum Residential Development in Paragraph 6, below, Multi-Family Dwelling Units shall be permitted As-of-Right at a density of at least twenty (20) Dwelling Units per acre of Developable Land.



3. Minimum area and setbacks. There shall be no minimum Development Lot area or setback requirements within the District except for the District Buffer described herein.
4. Height. 3 stories; 45 feet (or 50 feet, in the case of pitched roofs); provided that the Planning Board may approve a building height of up to 4 stories or 60 feet where it determines, based upon topography and the provision of adequate visual buffers, the visual impact from any adjacent public way is adequately minimized by the applicant.
5. Number of buildings on a Development Lot. In the District, more than one principal building may be erected on a Development Lot.
6. Maximum Residential Development. To the extent consistent with the Governing Laws the aggregate number of Dwelling Units that may be permitted within the District pursuant to this Section 4700B shall be 101.
7. Structured parking. Structured parking allowable pursuant to Subsection E shall be governed by this Section 4700B and by Design and Performance Standards as adopted pursuant to Subsection N.

#### H. PARKING REQUIREMENTS

1. Parking shall be provided within the District in order to meet the following minimum parking space requirements, subject to the provisions of this Subsection H.

##### Multifamily residential

1-bedroom units	1 per unit
2-bedroom units	2 per unit
3+-bedroom units	2 per unit

When application of the requirements set forth above results in a number that includes a fraction, the fraction shall be rounded up to the next whole number. The maximum number of parking spaces provided in a Development Project shall not exceed an average of 1.75 per unit.

2. Modification in parking requirements. Notwithstanding anything to the contrary herein, any minimum required or maximum permitted amount of parking may be modified by the Approving Authority through the Plan Approval process, if the Applicant can demonstrate that the modified amount of parking will not cause excessive congestion, endanger public safety, or that a modified amount of parking will provide positive environmental or other benefits, taking into consideration:
  - a. The availability of public or commercial parking facilities in the vicinity of the use being served;
  - b. Shared use of parking spaces serving other uses having peak user demands at different times;
  - c. Age or other occupancy restrictions which are likely to resulting a lower level of auto usage;

- d. Such other factors, including the availability of valet parking, shuttle service, or a transportation management plan as may be considered by the Approving Authority. Where such reduction is authorized, the Approving Authority may impose conditions of use or occupancy appropriate to such reductions.
- e. Parking shall be designed and constructed to comply with all applicable disability access requirements including, but not limited to, the Americans with Disabilities Act.

## I. PLAN APPROVAL

The Approving Authority shall adopt and file with the Town Clerk administrative rules (PAA Regulations) for Plan Approval Application submission requirements. Such administrative rules and any amendment thereto must be approved by DHCD before they become effective and applicable to Plan Approval Applications. The Plan Approval process encompasses the following:

1. Pre-Application Review. The Applicant is encouraged to participate in a pre-Application review at a regular meeting of the Approving Authority. The purpose of the pre-Application review is to minimize the Applicant's cost of engineering and other technical experts, and to obtain the advice and direction of the Approving Authority prior to filing the Application. At the pre-Application review, the Applicant shall outline the proposal and seek preliminary feedback from the Approving Authority, other municipal review entities, and members of the public. The Applicant is also encouraged to request a site visit by the Approving Authority and/or its designee in order to facilitate pre-Application review.
2. Application Procedures:
  - a. The Applicant shall file an original of the Application with the Town Clerk for certification of the date and time of filing. Said filing shall include any required forms provided by the Approving Authority. A copy of the Application, including the date and time of filing certified by the Town Clerk, as well as the required number of copies of the Application, shall be filed forthwith by the Applicant with the Approving Authority and Building Inspector. As part of any Application for Plan Approval for a Development Project, the Applicant must submit the following documents to the Approving Authority and, as applicable, the Monitoring Agent:
    - i. evidence that the Development Project complies with the cost and eligibility requirements of Subsection F.
    - ii. Development Project plans that demonstrate compliance with the design and construction standards of Subsection F; and
    - iii. a form of Affordable Housing Restriction that satisfies the requirements of Subsection F.

These documents in combination, to be submitted with an Application for Plan Approval, shall include details about construction related to the provision, within the development, of units that are accessible

to the disabled and appropriate for diverse populations, including households with children, other households, individuals, households including individuals with disabilities, and the elderly.

- b. Upon receipt by the Approving Authority, Applications shall be distributed to the Building Inspector, Fire Chief, Police Chief, Health Department, Conservation Committee, the Town Manager, the Board of Selectmen, and the Department of Public Works. Any reports from these parties shall be submitted to the Approving Authority within thirty (30) days of filing of the Application; and
  - c. Within thirty (30) days of filing of an Application with the Approving Authority, the Approving Authority or its designee shall evaluate the proposal with regard to its completeness and shall submit an advisory report in writing to the Applicant certifying the completeness of the Application. The Approving Authority or its designee shall forward to the Applicant, with its report, copies of all recommendations received to date from other boards, commissions or departments.
- 3, Public Hearing. The Approving Authority shall hold a public hearing for which notice has been given as provided in G.L. c. 40A, Section 11, and review all Applications in accordance with G.L. Ch. 40R, Section 11, and 760 CMR 59.00.
4. Plan Approval decision.
- a. The Approving Authority shall make a decision on the Plan Approval Application, and shall file said decision with the Town Clerk, within 120 days of the date the Application was received by the Town Clerk. The time limit for public hearings and taking of action by the Approving Authority may be extended by written agreement between the Applicant and the Approving Authority. A copy of such agreement shall be filed with the Town Clerk;
  - b. Failure of the Approving Authority to take action within 120 days or extended time, if applicable, shall be deemed to be an approval of the Application;
  - c. An Applicant who seeks approval because of the Approving Authority's failure to act on an Application within 120 days or extended time, if applicable, must notify the Town Clerk in writing of such approval, within 14 days from the expiration of said time limit for a decision, and that a copy of that notice has been sent by the Applicant to the parties in interest by mail and that each such notice specifies that appeals, if any, shall be made pursuant to G.L. c. 40R and shall be filed within 20 days after the date the Town Clerk received such written notice from the Applicant that the Approving Authority failed to act within the time prescribed;
  - d. The Approving Authority's findings, including the basis of such findings, shall be stated in a written decision of approval, conditional approval or denial of the Application for Plan Approval. The written decision shall contain the name and address of the Applicant, identification of the land affected and its ownership, and reference by date and title to the plans that were the subject of the decision. The written decision shall certify that a copy of the decision has been filed with the Town Clerk and that all plans referred to in the decision are on file with the Approving Authority;
  - e. The decision of the Approving Authority, together with detailed reasons for it, shall be filed with the Town Clerk, the Planning Board, and the Building Inspector. A certified copy of the decision shall be mailed to the owner and to the Applicant, if other than the owner. A notice of the decision shall be sent to the parties in interest and to persons who requested a notice at the public hearing; and

- f. Effective date. If 20 days have elapsed after the decision has been filed in the office of the Town Clerk without an appeal having been filed or if such appeal, having been filed, is dismissed or denied, the Town Clerk shall so certify on a copy of the decision. If the Application is approved by reason of the failure of the Approving Authority to timely act, the Town Clerk shall make such certification on a copy of the notice of Application. A copy of the decision or notice of Application shall be recorded with the title of the land in question in the Middlesex County Registry of Deeds, and indexed in the grantor index under the name of the owner of record or recorded and noted on the owner's certificate of title. The responsibility and the cost of said recording and transmittal shall be borne by the owner of the land in question or the Applicant.
- 5. Criteria for approval. The Approving Authority shall approve the Development Project upon the following findings:
  - a. The Applicant has submitted the required fees and information as set forth in applicable regulations; and
  - b. The proposed Development Project as described in the Application meets all of the requirements and standards set forth in this Section 4700B and applicable Design and Performance Standards.

For a Development Project subject to the Affordability requirements of Subsection F, compliance with condition (b) above shall include written confirmation by the Monitoring Agent that all requirements of that Section have been satisfied. Prior to the granting of Plan Approval for a Project, the Applicant must demonstrate, to the satisfaction of the Monitoring Agent, that the method by which such affordable rents or affordable purchase prices are computed shall be consistent with state or federal guidelines for affordability applicable to the Town of Sudbury.

- 6. Criteria for conditional approval. The Approving Authority may impose conditions on a Development Project as necessary to ensure compliance with the District requirements of this Section 4700B and applicable Design and Performance Standards, or to mitigate any extraordinary adverse impacts of the Development Project on nearby properties, insofar as such conditions are compliant with the provisions of G.L. Ch. 40R and applicable regulations and do not Unduly Restrict opportunities for development.
- 7. Criteria for denial. The Approving Authority may deny an Application for Plan Approval pursuant to this Section 4700B of the Bylaw only if the Approving Authority finds one or more of the following:
  - a. The Development Project does not meet the requirements and standards set forth in this Section 4700B and applicable Design and Performance Standards, or that a requested waiver therefrom has not been granted; or
  - b. The Applicant failed to submit information and fees required by this Section 4700B and necessary for an adequate and timely review of the design of the Development Project or potential Development Project impacts.
- 8. Time limit. A project approval shall remain valid and shall run with the land indefinitely provided that construction has commenced within two years after the decision issues, which time shall be extended by the time required to adjudicate any appeal from such approval. Said time shall also be extended if the project

proponent is actively pursuing other required permits for the project or if there is good cause for the failure to commence construction, or as may be provided in an approval for a multi-phase Development Project.

9. Appeals. Pursuant to G.L. c. 40R Section 11, any person aggrieved by a decision of the Approving Authority may appeal to the Superior Court, the Land Court, or other court of competent jurisdiction within 20 days after the Plan Approval decision has been filed in the office of the Town Clerk.

#### J. WAIVERS

With the exception of any provision other than F.1 (which must nevertheless be at least 20%) contained in Section F or Section I.2.a. or otherwise in conflict with the Governing Laws, the Approving Authority may waive dimensional and other requirements of this Section 4700B, including the Design Standards, in the interests of design flexibility and overall Project quality, and upon a finding of consistency of such variation with the overall purpose and objectives of the District, or if it finds that such waiver will allow the Project to achieve the density, affordability, mix of uses, and/or physical character allowable under this Section 4700B.

#### K. PROJECT PHASING

The Approving Authority, as a condition of any Plan Approval, may allow a Development Project to be constructed in one or more phases for the purpose of coordinating its development with the construction of Planned Infrastructure (as that term is defined under 760 CMR 59.00), or that are required to mitigate any extraordinary adverse Project impacts on neighboring properties.

#### L. CHANGE IN PLANS AFTER APPROVAL BY THE APPROVING AUTHORITY

1. Minor Change. After Plan Approval, an Applicant may apply to make minor changes in a Development Project involving minor utility or building orientation adjustments, or minor adjustments to parking or other site details that do not affect the overall build out or building envelope of the site, or provision of open space, number of housing units, or housing need or affordability features. Such minor changes must be submitted to the Approving Authority on redlined prints of the approved plan, reflecting the proposed change, and on application forms provided by the Approving Authority. The Approving Authority may authorize such changes at any regularly scheduled meeting, without the need to hold a public hearing. The Approving Authority shall set forth any decision to approve or deny such minor change by motion and written decision, and provide a copy to the Applicant for filing with the Town Clerk.
2. Major Change. Those changes deemed by the Approving Authority to constitute a major change in a Development Project because of the nature of the change in relation to the prior approved plan, or because such change cannot be appropriately characterized as a minor change as described above, shall be processed by the Approving Authority as a new Application for Plan Approval pursuant to this Section 4700B.

#### M. DESIGN AND PERFORMANCE STANDARDS

1. The Plan Approval Authority may adopt, by simple majority vote, Design Standards which shall apply to development Projects subject to Plan Approval by the Plan Approval Authority. Such Design Standards shall not extend beyond the scope of the elements explicitly permitted under 760 CMR 59.04(1)(f). Design Standards shall be limited to the scale and proportions of buildings, the alignment, width, and grade of streets and sidewalks, the type and location of infrastructure, the location of building and garage entrances,

off-street parking, the protection of significant natural site features, the location and design of on-site open spaces, exterior signs, and buffering in relation to adjacent properties.

2. Purpose. The Design Standards are adopted to ensure that the physical character of Projects within the SGOD:
  - a) Will be complementary to nearby buildings and structures;
  - b) Will be consistent with the master plan for the Melone property or any other plan document adopted by the Town; and
  - c) Will provide for high-density, quality development consistent with the character of building types, streetscapes, and other community features traditionally found in densely settled areas of the Town or in the region of the Town.
3. DHCD approval. After adopting Design Standards, the Approval Authority shall submit Design Standards to DHCD for approval. Design Standards shall not take effect until approved by DHCD and filed with the Town Clerk. In submitting proposed Design Standards for DHCD approval, the Approval Authority shall also submit sufficient documentation clearly showing that the proposed Design Standards will not add unreasonable costs to development Projects or unreasonably impair the economic feasibility of a development Project. A letter from a developer, property owner, or other interested party indicating that the Design Standards will not add unreasonable costs or unreasonably impair the economic feasibility of a development Project shall not constitute sufficient documentation. At its discretion, DHCD may disapprove Design Standards if it finds that the Approval Authority has not adopted objective Design Standards or has not submitted such documentation.
4. Plan Approval. An application for Plan Approval that has been submitted to the Town Clerk pursuant to this Section 4700B shall not be subject to Design Standards that have not been approved by DHCD and filed with the Town Clerk.

#### N. FAIR HOUSING REQUIREMENT

All Development Projects within the District shall comply with applicable federal, state and local fair housing laws.

#### O. ANNUAL UPDATE

On or before July 31 of each year, the Board of Selectmen shall file an Annual Update with information provided by the property owner to DHCD in a form to be prescribed by DHCD. The Annual Update shall contain all information required in 760 CMR 59.07, as may be amended from time to time, and additional information as may be required pursuant to G.L. c. 40S and accompanying regulations. The Town Clerk shall maintain a copy of all updates transmitted to DHCD pursuant to this Bylaw, with said copies to be made available upon request for public review.

**P. NOTIFICATION OF ISSUANCE OF BUILDING PERMITS**

Upon issuance of a residential building permit within the District, the Building Inspector of the Town of Sudbury shall cause to be filed an application to the DHCD, in a form to be prescribed by DHCD, for authorization of payment of a one-time density bonus payment for each residential building permit pursuant to G.L. 40R. The application shall contain all information required in 760 CMR 59.00 and additional information as may be required pursuant to G.L. c. 40S and accompanying regulations. The Town Clerk shall maintain a copy of all such applications transmitted to DHCD pursuant to this Bylaw, with said copies to be made available upon request for public review.

**Q. DATE OF EFFECT**

The effective date of this Bylaw shall be the date on which such adoption is voted upon by Town Meeting pursuant to the requirements of G.L. c. 40A Section 5 and G.L. c. 40R; provided, however, that an Applicant may not proceed with construction pursuant to this Bylaw prior to the receipt of final approval of this Bylaw and accompanying Zoning Map by both the DHCD and the Office of the Massachusetts Attorney General.

**R. SEVERABILITY**

If any provision of this Section 4700B is found to be invalid by a court of competent jurisdiction, the remainder of Section 4700B shall not be affected but shall remain in full force. The invalidity of any provision of this Section 4700B shall not affect the validity of the remainder of the Sudbury Zoning Bylaw.

;or act on anything relative thereto.

Submitted by the Board of Selectmen.

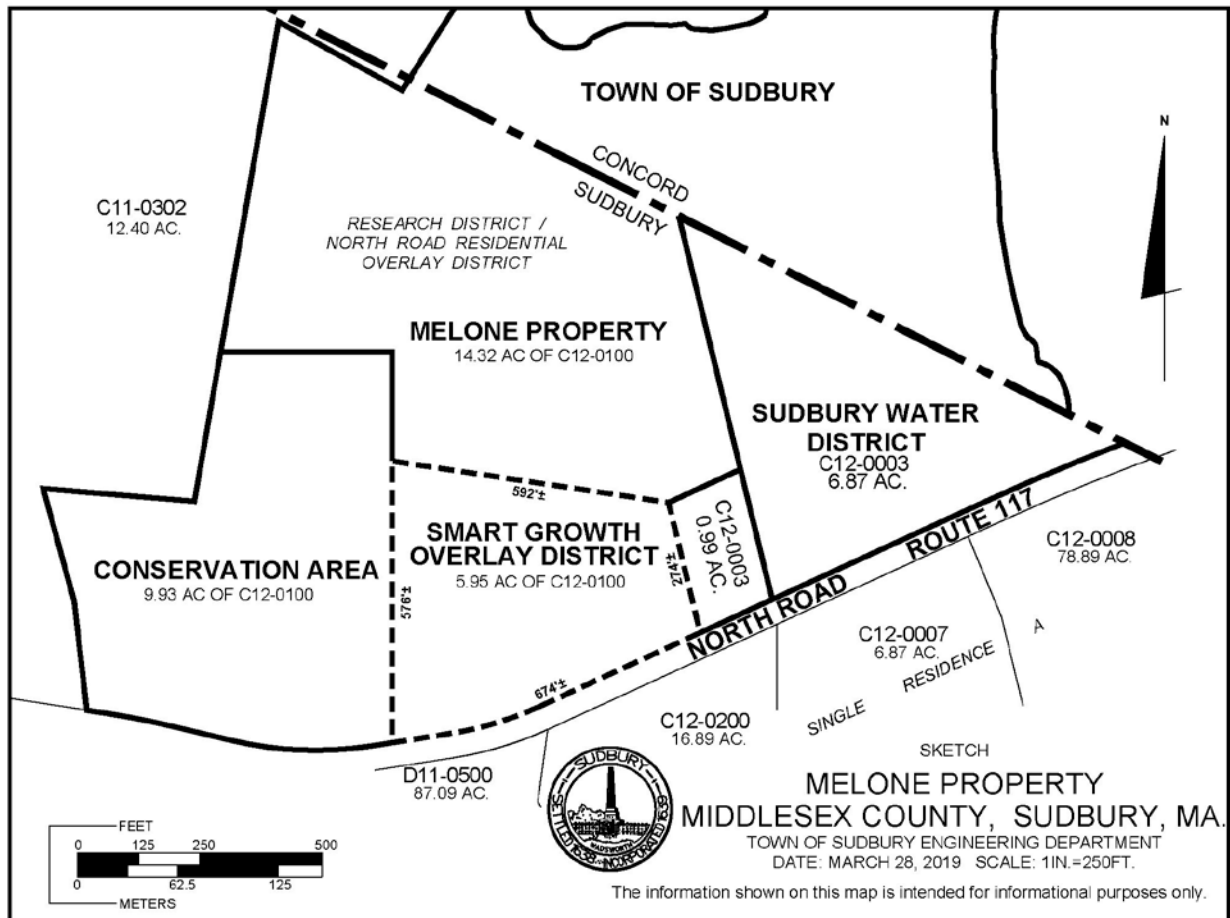
(Two-thirds vote required)

**BOARD OF SELECTMEN REPORT:** The Board of Selectmen is requesting that Town Meeting amend the Zoning Bylaw by inserting a new Section, 4700B Melone Smart Growth Overlay District. This overlay district would apply only to an approximately 5.95 a. portion of the Melone property located on North Road and is superimposed over the underlying Research District zoning. The creation of the overlay district would be under Massachusetts General Law Chapter 40R, which encourages communities to create dense residential or mixed-use smart growth districts, including a high percentage of affordable housing units in suitable locations. The zoning provides for development of 101 multi-family housing units at the Melone property. The 101 units built through a limited plan review process similar to site plan review would include 25 affordable units. All 101 units would be included on the Town's subsidized housing inventory and help the Town maintain its 10 percent of affordable housing through 2030, allowing the Town to increase its affordable housing stock outside of the comprehensive permitting process under Massachusetts General Law Chapter 40B. Approval of this article would not increase the number of units or otherwise alter the development of the Melone property previously approved by Town Meeting. It would simply allow for the Town to access state funds. If approved, this zoning change would qualify Sudbury for a \$250,000 payment from the State and, as each new unit is constructed, the Town would receive an additional \$3,000 per unit, for a total of \$503,000 in state funds. If the article is not approved, the project will instead be developed under Chapter 40B, with the only difference being the loss of state funds to the Town.

**PLANNING BOARD REPORT:** The Planning Board will report at Town Meeting.

**BOARD OF SELECTMEN POSITION:** The Board of Selectmen will report at Town Meeting.

FINANCE COMMITTEE REPORT.: The Finance Committee will report at Town Meeting.



**ARTICLE 29. COMMUNITY PRESERVATION FUND - PLAYGROUND  
MODERNIZATION FOR SUDBURY PUBLIC SCHOOLS**

To see if the Town will vote to appropriate the sum of \$235,000, or any other sum, from the recreational use and unreserved funds categories of Community Preservation Act Funds, for the restoration or rehabilitation of land for recreational use, specifically to bring the Nixon School playground into compliance with accessibility requirements imposed by the Americans with Disabilities Act and Massachusetts Architectural Access Board, including but not limited to, as applicable, professional engineering/architectural services, design, construction and all other incidental and related expenses; or act on anything relative thereto.

Submitted by the Community Preservation Committee.

(Majority vote required)

**COMMUNITY PRESERVATION COMMITTEE REPORT:** This article requests funding to update the Nixon School playground to bring the outdoor play space into compliance with the Americans with Disabilities



Act (“ADA”) and Massachusetts Architectural Access Board (“MAAB”) accessibility requirements. As of March 2011, play areas need to be compliant with ADA standards. Currently, Sudbury’s elementary school playgrounds are not ADA or MAAB compliant for access. The goal is to remove all barriers for children with disabilities so they can fully participate on the playground and develop physically, socially, and emotionally alongside their peers. The Playground Modernization project intends to bring all Sudbury Public Schools (SPS) playgrounds into compliance through a multi-year effort, which kicked off in 2017 when the Special Town Meeting in October appropriated initial funding for this project in the amount of \$275,000. CPA funds were allocated to the Noyes School playground project in FY2019. Other funding sources have also been secured to fund the remainder of this project, including state grants, private foundations, and private fundraising.

The CPC understands the importance of updating the SPS playgrounds for access and safety for all those who utilize them throughout the year. As a result, the CPC voted to partially fund the updating of the playground at the Nixon School.

BOARD OF SELECTMEN POSITION: The Board of Selectmen will report at Town Meeting.

FINANCE COMMITTEE REPORT: The Finance Committee will report at Town Meeting.

**ARTICLE 30. COMMUNITY PRESERVATION FUND – FEATHERLAND PARK  
MULTISPORT COURT RECONSTRUCTION, PHASE 2**

To see if the Town will vote to appropriate the sum of \$220,000, or any other sum, from the recreational use and unreserved funds categories of Community Preservation Act Funds for the restoration and rehabilitation of land for recreational use, particularly to reconstruct a portion of the Featherland Park tennis courts, which park is located off of Concord Road, into two multi-sport courts, including but not limited to, as applicable, professional engineering/architectural services, design, construction and all other incidental and related expenses; or act on anything relative thereto.

Submitted by the Community Preservation Committee.

(Majority vote required)

**COMMUNITY PRESERVATION COMMITTEE REPORT:** This article requests funding to rehabilitate long-held Town recreation assets at Featherland Park. Two of four aging tennis courts were completed in Fall 2018 and made multipurpose courts with the addition of pickle ball courts. Now the Park and Recreation Commission requests additional funding to complete the replacement of the two additional tennis courts which will also include new basketball courts to make them multipurpose. This project is to complete the rehabilitation of currently owned Town assets and provides recreational opportunities for multiple user groups, including the Lincoln-Sudbury Regional High School Junior Varsity Tennis Team. The two tennis courts will be oriented on the property as they were in the past and each enclosed in fencing. There will be four half-court basketball hoops with key and three point lines drawn on the tennis courts. If funds allow, there will be a wind screen added to the fences separating the courts for visual separation. Wheel-chair access will be provided by wide court gate openings and ramp and the paved entry to the parking lot. Adaptive tennis and basketball require no other facility alterations. There are handicap accessible parking spots currently in the parking lot.

BOARD OF SELECTMEN POSITION: The Board of Selectmen will report at Town Meeting.

FINANCE COMMITTEE REPORT: The Finance Committee will report at Town Meeting.

**ARTICLE 31. COMMUNITY PRESERVATION FUND – REGIONAL HOUSING SERVICES OFFICE (RHSO) ALLOCATION**

To see if the Town will vote to appropriate the sum of \$30,000, or any other sum, from the community housing category of Community Preservation Act Funds, for the support of community housing, particularly, for the Town's portion of the membership fee for the Regional Housing Services Office, which office directly supports and facilitates the Town's affordable housing activities, or act on anything relative thereto.

Submitted by the Community Preservation Committee.

(Majority vote required)

**COMMUNITY PRESERVATION COMMITTEE REPORT:** In recent years, Sudbury has made great strides towards satisfying the requirements of the State's Comprehensive Permit Act (Chapter 40B). This Act requires cities and towns to provide certification that the number of dwelling units in the municipality which qualify as "affordable" by statute meets or exceeds ten percent of the municipality's total dwelling units. Falling short of that number, as Sudbury has until recent months, allows developers to both site and design partially affordable developments with extreme limitations on the Town's zoning and design oversights.

There are a great number of administrative requirements to certify additions to this approved inventory and to maintain those certifications going forward. Sudbury used to provide these services in-house through the Department of Planning & Community Development, with funding through CPC administrative funds. In 2011, Sudbury took the lead in the creation of a seven-town shared services effort, both to improve 40B certification operations and to reduce the cost of doing so.

That entity, the Regional Housing Services Office (RHSO), is now more appropriately funded via a separate CPA article at Town Meeting, as the work is no longer housed within a Town department, and the seven-member, contractual Inter-Municipal Agreement arrangement is expected to continue to be the way the Town handles these responsibilities.

The services provided include affordable housing inventory monitoring; supervising lotteries to determine who qualifies for affordable housing; monitoring the Incentive Senior Developments at Frost Farm and Grouse Hill to ensure compliance with eligibility requirements; monitoring all deed restricted properties; providing valuations for deed restricted properties to the Town Assessor; reviewing compliance with Regulatory Agreements and certification to the Department of Housing & Community Development (DHCD) for Local Initiative Program (LIP) rental units (which will increase with the Avalon Bay Development); maintain the affordable housing inventory and provide estimates for 2020 Subsidized Housing Inventory projections; and other administrative work, including annual action plans, 5-year consolidated plans, fair housing reports and programs, and related housing questions which arise during the year.

**BOARD OF SELECTMEN POSITION:** The Board of Selectmen will report at Town Meeting.

**FINANCE COMMITTEE REPORT:** The Finance Committee will report at Town Meeting.

**ARTICLE 32. COMMUNITY PRESERVATION FUND – THE COOLIDGE AT SUDBURY PHASE 2**

To see if the Town will vote to appropriate the sum of \$320,000, or any other sum, from the community housing and unreserved funds categories of Community Preservation Act Funds, for the purpose of support and

creation of community housing, specifically, to provide a grant to Covenant Commonwealth Corporation in support of the Coolidge at Sudbury Phase 2 project to create affordable housing in Sudbury, and to authorize the Board of Selectmen to enter into a grant agreement with said corporation on such terms and conditions as the Board deems in the best interest of the Town, including the requirement for provision to the Town of one or more affordable housing restrictions in such land, and to authorize the Board to accept such restrictions, or to take any other action relative thereto.

Submitted by the Community Preservation Committee.

(Majority vote required)

**COMMUNITY PRESERVATION COMMITTEE REPORT:** The Coolidge at Sudbury Phase 2 is a 56-unit senior enriched rental housing development that will be 100% affordable to low- and moderate-income adults aged 55+. This development will be located next to Phase 1 of The Coolidge at Sudbury, which is a 64-unit affordable development for older adults at 189 Boston Post Road that has been operating since 2014. Affordable housing is a community need, with almost 100 people currently on the Coolidge Phase 1 waiting list. Expansion of this type of housing is consistent with multiple Town affordable housing goals as detailed in the 2016 Sudbury Housing Production Plan, which identified senior housing as a great demand. At the time of its permitting, the development helped the Town reach its 10% Subsidized Housing Inventory goal as required by Massachusetts General Laws Chapter 40B. The CPA funds will be used to ensure the project meets its goals for use of quality building materials.

**BOARD OF SELECTMEN POSITION:** The Board of Selectmen will report at Town Meeting.

**FINANCE COMMITTEE REPORT:** The Finance Committee will report at Town Meeting.

**ARTICLE 33. COMMUNITY PRESERVATION FUND – SUDBURY NEWSPAPER  
DIGITIZATION**

To see if the Town will vote to appropriate the sum of \$25,000, or any other sum, from the historic resources category of Community Preservation Act Funds, for the purpose of preservation of historic resources, specifically to digitize and make easily accessible to the public the Goodnow Library's historic newspaper collection, including but not limited to the creation of searchable documents to be made available on-line by the Town, or take any other action relative thereto.

Submitted by the Community Preservation Committee.

(Majority vote required)

**COMMUNITY PRESERVATION COMMITTEE REPORT:** The Goodnow Library is requesting CPA funds to cover the cost of digitizing the library's collection of newspapers on microfilm. Going back to 1915, when the paper was called the *Sudbury Enterprise*, then the *Citizen Fence Viewer*; *Tab* and finally *Crier*; the Library has nearly 150,000 pages of microfilmed papers. However, the microfilm is hard to search, frequently taking hours to do research on a topic. Access to the information is limited as well, since anyone using the collection must come into the library to do the work. This project would digitize the entire collection, creating searchable PDFs that would be locally hosted. The project would be a public benefit providing online access to nearly 150,000 pages of historical local news which will be searchable. The project also demonstrates the ability to provide permanent protection of the town's historic newspapers.

**BOARD OF SELECTMEN POSITION:** The Board of Selectmen will report at Town Meeting.

**FINANCE COMMITTEE REPORT:** The Finance Committee will report at Town Meeting.

**ARTICLE 34. COMMUNITY PRESERVATION FUND – SMOKE AND FIRE DETECTION  
FOR LORING PARSONAGE**

To see if the Town will vote to appropriate the sum of \$63,000, or any other sum, from the historic resources category of Community Preservation Act Funds, for the preservation, restoration and rehabilitation of historic resources, specifically to design and install what is known as an Aspirating Smoke Detection (“ASD”) system for the historic Town-owned Loring Parsonage, including all incidental and related expenses, or take any action relative thereto.

Submitted by the Community Preservation Committee.

(Majority vote required)

**COMMUNITY PRESERVATION COMMITTEE REPORT:** The 300-year-old Loring Parsonage, as the oldest extant building in Sudbury's Town Center, is one of the most historically important buildings in Sudbury. The Aspirating Smoke Detection (ASD) system will protect a historic, cultural, and architecturally significant Town-owned building that is located within the Old Town Center Historic District which is listed on the National Register of Historic Places; protect irreplaceable historic documents and artifacts related to the history of the Town of Sudbury; and provide public benefit by protecting an asset that the Town recently restored with Town approved funds. The Loring Parsonage building has had limited use for the last 15 or so years and was falling into disrepair. Since 2014, the Sudbury Historical Society (SHS) has been raising funds for the restoration and repurposing of the Loring Parsonage for the Sudbury History Center. Construction on the second phase of the repurposing project began in October 2018, and it is anticipated the project will be completed in the spring of 2019. Although an ASD system will be installed when construction is completed, the initial plan was to also include an ASD system as part of the project. However, the cost associated with compliance with public procurement laws resulted in SHS not having enough funds available to include the ASD system. The CPC previously funded an ASD system for the Hosmer House and it has been working well at that site. This funding will protect the nearly two million dollar investment in this historic building and its contents, which otherwise could be lost without an early warning fire detection system.

**BOARD OF SELECTMEN POSITION:** The Board of Selectmen will report at Town Meeting.

**FINANCE COMMITTEE REPORT:** The Finance Committee will report at Town Meeting.

**ARTICLE 35. COMMUNITY PRESERVATION FUND – FY20 GENERAL BUDGET  
AND APPROPRIATIONS**

To see if the Town will vote to appropriate a sum of money from FY20 Community Preservation Act estimated annual revenues or otherwise, as recommended by the Community Preservation Committee, for the FY20 Community Preservation Act budget, including the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for FY20, amounts for payment of debt service on Community Preservation Act projects previously approved by Town Meeting, and as may be needed to comply with G.L. c.44B, §6, to reserve for future appropriation amounts for open space, including land for recreational use, historic resources and community housing, or act on anything relative thereto.

Submitted by the Community Preservation Committee.

(Majority vote required)

**COMMUNITY PRESERVATION COMMITTEE REPORT:** This article sets forth the entire FY20 CPA budget, including appropriations and reservations as required in connection with the administration of the CPA funds. The anticipated revenue from the local surcharge and state match for FY20 is \$2,119,000. The article appropriates funds for FY20 debt service obligations totaling \$1,140,210. These obligations arise from prior Town Meeting approval for the bonding of six projects: 1) purchase of the Dickson property utilizing the Open Space (\$31,260) and Historic Preservation (\$20,840) categories; 2) purchase of land and development rights as well as construction of a sports field on the Cutting property utilizing the Open Space (\$185,476) and Recreation (\$22,924) categories; 3) purchase of the Libby property utilizing the Open Space (\$143,463) category; 4) purchase of development rights on the Nobscot Boy Scout Reservation phases I and II utilizing the Open Space (\$450,150) category; 5) purchase of development rights on Pantry Brook Farm utilizing the Open Space (\$205,972) category; and 6) purchase of the Johnson Farm Property utilizing the Open Space (\$80,125) category.

The article also appropriates funds for administrative and operational expenses of the CPC in the amount of \$85,000. The administrative fund can be used by the CPC to pay for technical staffing and expertise, consulting services (e.g. land surveys and engineering), property appraisals, legal advertisements, publication fees, and other administrative expenses. By statute, the CPC may budget up to five percent (5%) of its annual budget for these administrative and operational expenses, or \$105,950 based upon the projected FY20 revenue of \$2,119,000. Any funds remaining in the administrative account at fiscal yearend revert to the CPA Fund Balance, and need to be re-appropriated for administrative use in subsequent years. The CPC believes that having access to administrative funds is critically important, in that it allows it to conduct business on a time-sensitive basis— a vital component of the CPA.

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

**BOARD OF SELECTMEN POSITION:** The Board of Selectmen will report at Town Meeting.

**FINANCE COMMITTEE REPORT:** The Finance Committee will report at Town Meeting.

### **TOWN COUNSEL OPINIONS**

It is the opinion of Town Counsel that, if the Bylaw amendments proposed in the following articles in the Warrant for the 2019 Annual Town Meeting are properly moved, seconded and adopted by a majority vote in favor of the motion, the proposed changes will become valid amendments to the Sudbury Bylaws:

- Article 14 Amend Bylaws, Article XXXIII, Revolving Funds – Surplus Vehicle Revolving Fund
- Article 15 Amend Bylaws, Article XXXIII, Revolving Funds – Board of Health Revolving Fund Scope Expansion
- Article 16 Amend Bylaws, Article XXXIII, Revolving Funds – Zoning Board of Appeals Revolving Fund Scope Expansion
- Article 26 Amend Bylaws, Article XXV, Capital Planning, Section 2

It is the opinion of Town Counsel that, if the Zoning Bylaw amendment proposed in the following article in the Warrant for the 2019 Annual Town Meeting is properly moved, seconded and adopted by a two-thirds vote in favor of the motion, the proposed changes will become valid amendments to the Sudbury Zoning Bylaw:

- Article 28 Amend Zoning Bylaw, Article IX, Insert Section 4700B, The Melone Smart Growth Overlay District.
- 

And you are required to serve this Warrant by posting an attested copy thereof at the Town Hall at least seven days before the time appointed for such meeting.

Hereof fail not and make due return of the Warrant by your doing thereon to the Town Clerk, at or before the time of meeting aforesaid.

Given under our hands this 9<sup>th</sup> day of April, 2019.

SELECTMEN OF SUDBURY:

Robert C. Haarde

Daniel E. Carty

Patricia A. Brown

Janie Dretler

Leonard A. Simon

Part II

**FINANCE SECTION**

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## FY20 MONIED ARTICLES

		Finance Committee
Article	Description	Recommendation
2	FY19 Budget Adjustments	Report at Town Meeting
3	FY20 Budget	Approval
4	FY20 Capital Budget	Approval
5	FY20 Transfer Station Enterprise Fund Budget	Approval
6	FY20 Pool Enterprise Fund Budget	Approval
7	FY20 Recreation Field Maintenance Enterprise Fund Budget	Approval
8	Snow & Ice Transfer FY19	Report at Town Meeting
9	Unpaid Bills	Report at Town Meeting
10	Chapter 90 Highway Funding (Consent Calendar)	Approval
11	LSRHS Excess & Deficiency	Report at Town Meeting
12	Stabilization Fund	Approval
13	Repurpose of Rolling Stock Stabilization Account	Disapproval
14	Surplus Vehicle & Equipment Revolving Fund (Consent Calendar)	Approval
15	Board of Health Revolving Fund - Scope Expansion (Consent Calendar)	Approval
16	Zoning Board of Appeals Revolving Fund - Scope Expansion (Consent Calendar)	Approval
17	FY20 Revolving Fund Spending Limits (Consent Calendar)	Report at Town Meeting
18	Fund Litigation Costs - Eversource	Approval
19	DPW One-Ton Dump Truck	Disapproval
20	Concord Road Culvert Design	Disapproval
21	Purchase of Fire Engine	Approval
23	Funding of Comprehensive Wastewater Management Plan Impact Report	Approval
25	Camp Sewataro Acquisition	Report at Town Meeting
28	Amend Zoning Bylaw Article IX: Section 4700B Melone Smart Growth Overlay District	Approval
29	Community Preservation Fund - SPS Playground Modernization	Approval
30	Community Preservation Fund - Featherland Park Multisport Court Reconstruction	Disapproval
31	Community Preservation Fund - Regional Housing Services Office (RHSO) Allocation	Approval
32	Community Preservation Fund - The Coolidge at Sudbury Phase 2	Approval
33	Community Preservation Fund - Sudbury Newspaper Digitization	Approval
34	Community Preservation Fund - Smoke and Fire Detection for Loring Parsonage	Approval
35	Community Preservation Fund - FY20 General Budget and Appropriations	Approval



# ESTIMATED IMPACT ON FY20 RESIDENTIAL TAX BILL

ESTIMATED IMPACT OF TOWN MEETING SPENDING ON YOUR FISCAL 2020 TAX BILL													
												AVG.	
Fiscal Current Values	100,000	200,000	300,000	400,000	500,000	600,000	700,000	800,000	900,000	1,000,000			
Fiscal Current Taxes	1,791	3,582	5,373	7,164	8,955	10,746	12,537	14,328	16,119	17,910			
Fiscal Budget Taxes	1,835	3,670	5,505	7,340	9,175	11,010	12,845	14,680	16,515	18,350			
Fiscal Current (Base)	1,797	3,594	5,391	7,188	8,985	10,782	12,579	14,376	16,173	17,970			
Debt Exemptions	38	76	114	152	190	228	266	304	342	380			
	2.46%	2.46%	2.46%	2.46%	2.46%	2.46%	2.46%	2.46%	2.46%	2.46%			
To calculate the dollar impact of any additional expenditures that may be considered by Town Meeting, use this chart below.													
Article Amount	Resident's Share	100,000	200,000	300,000	400,000	500,000	600,000	700,000	800,000	900,000	1,000,000		
\$ 1,000	\$ 907	\$ 0.02	\$ 0.04	\$ 0.07	\$ 0.09	\$ 0.11	\$ 0.13	\$ 0.15	\$ 0.16	\$ 0.18	\$ 0.20	\$ 0.22	
25,000	22,668	0.55	1.10	1.65	2.20	2.75	3.30	3.85	4.10	4.40	4.95	5.50	
50,000	45,336	1.10	2.20	3.30	4.40	5.50	6.60	7.70	8.20	8.80	9.90	11.00	
75,000	68,004	1.65	3.30	4.95	6.60	8.25	9.90	11.55	12.30	13.20	14.85	16.50	
100,000	90,673	2.20	4.40	6.60	8.80	11.00	13.20	15.40	16.40	17.60	19.80	22.00	
200,000	181,345	4.40	8.80	13.20	17.60	22.00	26.40	30.80	32.81	35.20	39.60	44.00	
300,000	272,018	6.60	13.20	19.80	26.40	33.00	39.60	46.20	49.21	52.80	59.40	66.00	
400,000	362,690	8.80	17.60	26.40	35.20	44.00	52.80	61.60	65.62	70.40	79.20	88.00	
500,000	453,363	11.00	22.00	33.00	44.00	55.00	66.00	77.00	82.02	88.00	99.00	110.00	
600,000	544,036	13.20	26.40	39.60	52.80	66.00	79.20	92.40	98.43	105.60	118.80	132.00	
700,000	634,708	15.40	30.80	46.20	61.60	77.00	92.40	107.80	114.83	123.20	138.60	154.00	
800,000	725,381	17.60	35.20	52.80	70.40	88.00	105.60	123.20	131.24	140.80	158.40	176.00	
900,000	816,053	19.80	39.60	59.40	79.20	99.00	118.80	138.60	147.64	158.40	178.20	198.00	
1,000,000	906,726	22.00	44.00	66.00	88.00	110.00	132.00	154.00	164.04	176.00	198.00	220.00	

## GENERAL FUND BUDGET SUMMARY OF REVENUES & EXPENDITURES

	FY18	FY19	FY20
<b>EXPENDITURES</b>	<b>Actual</b>	<b>Budgeted</b>	<b>Recommended</b>
Education - Sudbury Public Schools (SPS)	34,568,630	37,459,173	38,535,653
Education - LS Regional High School (LS)	23,698,762	24,762,716	25,808,881
Education - Vocational	591,064	663,719	615,000
General Government	2,936,088	3,087,783	3,143,637
Public Safety	7,892,373	8,581,159	8,924,924
Public Works	6,330,353	5,292,995	5,460,288
Human Services	716,677	792,406	871,110
Culture & Recreation	1,287,913	1,367,678	1,422,707
Town-Wide Operating and Transfers	745,737	536,963	483,845
<b>Total Town Departments</b>	<b>78,767,597</b>	<b>82,544,592</b>	<b>85,266,045</b>
Town Debt Service	3,453,050	3,100,625	3,110,425
Employee Benefits (Town and SPS)	10,232,749	12,331,171	12,716,315
OPEB Trust Contribution (Town and SPS)	471,036	540,249	610,249
<b>TOTAL EXPENDITURES:</b>	<b>92,924,432</b>	<b>98,516,637</b>	<b>101,703,034</b>

	FY18	FY19	FY20
<b>REVENUES &amp; AVAILABLE FUNDS</b>	<b>Actual</b>	<b>Budgeted</b>	<b>Recommended</b>
Real Estate and Personal Property Taxes	82,329,882	85,212,495	88,090,992
State Aid	6,145,555	6,201,575	6,261,994
MSBA Reimbursement	1,605,767	1,605,767	1,605,767
SAFER Grant	-	-	193,581
Local Receipts	6,407,122	4,836,800	4,890,700
Other Available	699,187	660,000	660,000
<b>TOTAL REVENUES &amp; AVAILABLE FUNDS:</b>	<b>97,187,513</b>	<b>98,516,637</b>	<b>101,703,034</b>

See additional budget details in the Town Manager's Proposed Budget which can be found on the Town's website at the following link:

<https://sudbury.ma.us/finance/fy20-gfoa-budget-1-31-19/>

## TOWN MANAGER'S CAPITAL BUDGET

Project Name	Department	Cost
Various Building Improvements	Facilities	\$ 45,000
Various Site Improvements at Parks and Grounds	DPW/Recreation	\$ 40,000
Mini Excavator	DPW	\$ 85,000
All-Terrain Vehicle and Trailer Replacement	Fire	\$ 35,000
Curtis HVAC Repairs.	Facilities/SPS	\$ 30,000
Noyes Baseboard Heating and Valve Improvements	Facilities/SPS	\$ 48,000
Haynes Kitchen Equipment Rreplacement	Facilities/SPS	\$ 40,000
Noyes Heating Improvements w/ Abatement	Facilities/SPS	\$ 40,000
Noyes Kitchen Dishwasher Equipment Replacement	Facilities/SPS	\$ 35,000
Kubota Tractor	LS	\$ 55,000
Water Bottle Filling Stations	Selectmen	\$ 12,000
Loring Parsonage Restoration - Museum	Selectmen	\$ 80,000
<b>Town Manager's Capital Operating Budget</b>		<b>\$ 545,000</b>
One-Ton Dump Truck	DPW	\$ 130,000
Concord Road Culvert Design	DPW	\$ 125,000
Purchase of Fire Engine	Fire	\$ 570,000
<b>Capital Additions in Excess of \$100,000</b>		<b>\$ 825,000</b>

See additional budget details in the Town Manager's Proposed Budget which can be found on the Town's website at the following link:

<https://sudbury.ma.us/finance/fy20-gfoa-budget-1-31-19/>

## ENTERPRISE FUNDS BUDGETS

	FY18	FY19	FY20
<b>EXPENDITURES</b>	<b>Actual</b>	<b>Budgeted</b>	<b>Recommended</b>
<u>Direct</u>			
Transfer Station	274,254	310,806	295,432
Atkinson Pool	527,190	467,220	449,323
Recreation Field Maintenance	182,157	217,291	228,040
<b>Total Direct Expenditures</b>	<b>983,601</b>	<b>995,317</b>	<b>972,795</b>
<u>Indirect</u>			
Transfer Station	16,700	16,700	17,214
Atkinson Pool	-	36,227	18,956
Recreation Field Maintenance	22,575	22,575	23,198
<b>Total Indirect Expenditures</b>	<b>39,275</b>	<b>75,502</b>	<b>59,368</b>
<b>TOTAL:</b>	<b>1,022,876</b>	<b>1,070,819</b>	<b>1,032,163</b>

	FY17	FY18	FY19
<b>RECEIPTS &amp; RESERVES</b>	<b>Actual</b>	<b>Budgeted</b>	<b>Recommended</b>
Transfer Station	312,713	327,506	272,646
Atkinson Pool	478,666	503,447	468,279
Recreation Field Maintenance	217,754	239,866	291,238
<b>TOTAL:</b>	<b>1,009,133</b>	<b>1,070,819</b>	<b>1,032,163</b>

See additional budget details in the Town Manager's Proposed Budget which can be found on the Town's website at the following link:

<https://sudbury.ma.us/finance/fy20-gfoa-budget-1-31-19/>

## CPA FUNDS BUDGET

	<b>FY18</b>	<b>FY19</b>	<b>FY20</b>
	<b>Actual</b>	<b>Appropriated</b>	<b>Recommended</b>
Beginning CPA Fund Balance	5,895,441	6,883,548	5,317,713
<u>Revenues</u>			
CPA Surcharge & Fees	1,964,282	1,800,000	1,900,000
Intergovernmental	342,975	315,000	209,000
Investment Income	38,704	10,000	10,000
Total Revenues	2,345,961	2,125,000	2,119,000
<u>Expenditures</u>			
Major Land Purchases			
Debt Service	1,220,537	1,178,335	1,140,210
Administrative	31,898	82,500	85,000
Other	105,419	2,430,000	893,000
Total Expenditures	1,357,854	3,690,835	2,118,210
Excess / (Deficiency)	988,107	(1,565,835)	790
Ending CPA Fund Balance	6,883,548	5,317,713	5,318,503

	<b>FY18</b>	<b>FY19</b>	<b>FY20</b>
	<b>Actual</b>	<b>Appropriated</b>	<b>Recommended</b>
ENDING FUND BALANCE			
Projects (in-use)	2,481,031	2,481,031	2,481,031
Unassigned	4,402,517	2,836,682	2,837,472
	6,883,548	5,317,713	5,318,503

## LONG-TERM DEBT

### *Town Outstanding Debt by Type*

Issue Types	Schools	Municipal	Pre-CPA	Total	Annual Debt Service	Principal Balance
FY18 Principal Balance	6,275,000	7,130,528	1,645,000			15,050,528
FY19 Principal	1,745,000	501,951	280,000	2,526,951		
FY19 Interest	250,325	265,487	57,863	573,674	3,100,625	12,523,577
FY20 Principal	2,025,000	505,343	90,000	2,620,343		
FY20 Interest	177,075	241,545	51,463	470,082	3,090,425	9,903,234
FY21 Principal	2,060,000	509,621	85,000	2,654,621		
FY21 Interest	89,413	217,517	46,963	353,892	3,008,513	7,248,613
FY22 Principal	240,000	413,908	85,000	738,908		
FY22 Interest	13,244	194,380	42,713	250,336	989,244	6,509,706
FY23 Principal	85,000	418,503	85,000	588,503		
FY23 Interest	8,050	175,134	38,463	221,647	810,150	5,921,202
FY24 Principal	80,000	423,116	85,000	588,116		
FY24 Interest	4,600	155,772	34,213	194,584	782,700	5,333,086
FY25 Principal	40,000	427,845	85,000	552,845		
FY25 Interest	2,000	136,292	29,963	168,255	721,100	4,780,241
FY26 Principal	-	432,895	85,000	517,895		
FY26 Interest	-	116,693	25,713	142,405	660,300	4,262,346
FY27 Principal	-	438,273	85,000	523,273		
FY27 Interest	-	104,065	23,163	127,227	650,500	3,739,073
FY28 Principal	-	443,787	85,000	528,787		
FY28 Interest	-	91,300	20,613	111,913	640,700	3,210,286
FY29 Principal	-	454,642	85,000	539,642		
FY29 Interest	-	78,396	18,063	96,458	636,100	2,670,645
FY30 Principal	-	460,645	85,000	545,645		
FY30 Interest	-	65,193	15,513	80,705	626,350	2,125,000
FY31 Principal	-	360,000	85,000	445,000		
FY31 Interest	-	51,838	12,963	64,800	509,800	1,680,000
FY32 Principal	-	335,000	85,000	420,000		
FY32 Interest	-	41,038	10,413	51,450	471,450	1,260,000
FY33 Principal	-	335,000	85,000	420,000		
FY33 Interest	-	30,988	7,863	38,850	458,850	840,000
FY34 Principal	-	335,000	85,000	420,000		
FY34 Interest	-	20,938	5,313	26,250	446,250	420,000
FY35 Principal	-	335,000	85,000	420,000		
FY35 Interest	-	10,469	2,656	13,125	433,125	-
Remaining Debt Service	6,819,706	9,127,569	2,088,906	18,036,181	18,036,181	

*LS Regional High School Outstanding Debt*

	Total	Annual Debt Service	Principal Remaining
FY18 Principal Balance			4,090,000
FY19 Principal	535,000		
FY19 Interest	114,675	649,675	3,555,000
FY20 Principal	530,000		
FY20 Interest	98,700	628,700	3,025,000
FY21 Principal	520,000		
FY21 Interest	82,950	602,950	2,505,000
FY22 Principal	515,000		
FY22 Interest	67,425	582,425	1,990,000
FY23 Principal	510,000		
FY23 Interest	52,050	562,050	1,480,000
FY24 Principal	500,000		
FY24 Interest	36,900	536,900	980,000
FY25 Principal	495,000		
FY25 Interest	21,975	516,975	485,000
FY26 Principal	485,000		
FY26 Interest	7,275	492,275	-
Remaining Debt Service	4,571,950	4,571,950	

*Community Preservation Outstanding Debt by Project*

Issues	Nobscot I & II	Cutting/ Dickson	Libby	Pantry Brook	Johnson Farm	Total	Annual Debt Service	Principal Balance
FY18 Principal Balance	3,940,000	1,385,000	870,000	2,540,000	850,000			9,585,000
FY19 Principal	345,000	245,000	135,000	125,000	50,000	900,000		
FY19 Interest	120,050	25,400	16,163	84,098	32,625	278,335	1,178,335	8,685,000
FY20 Principal	340,000	240,000	130,000	125,000	50,000	885,000		
FY20 Interest	110,150	20,500	13,463	80,973	30,125	255,210	1,140,210	7,800,000
FY21 Principal	340,000	235,000	125,000	130,000	50,000	880,000		
FY21 Interest	100,075	15,700	10,863	77,148	27,625	231,410	1,111,410	6,920,000
FY22 Principal	345,000	230,000	125,000	135,000	50,000	885,000		
FY22 Interest	88,575	12,175	8,988	73,173	25,125	208,035	1,093,035	6,035,000
FY23 Principal	340,000	220,000	120,000	140,000	50,000	870,000		
FY23 Interest	78,175	8,150	6,800	69,048	22,625	184,798	1,054,798	5,165,000
FY24 Principal	340,000	215,000	120,000	145,000	50,000	870,000		
FY24 Interest	67,625	4,300	4,700	64,773	20,125	161,523	1,031,523	4,295,000
FY25 Principal	340,000	-	115,000	150,000	50,000	655,000		
FY25 Interest	54,525	-	2,300	60,348	17,625	134,798	789,798	3,640,000
FY26 Principal	345,000	-	-	155,000	50,000	550,000		
FY26 Interest	41,200	-	-	55,773	15,125	112,098	662,098	3,090,000
FY27 Principal	340,000	-	-	155,000	50,000	545,000		
FY27 Interest	30,150	-	-	50,929	13,625	94,704	639,704	2,545,000
FY28 Principal	335,000	-	-	165,000	50,000	550,000		
FY28 Interest	21,525	-	-	45,729	12,125	79,379	629,379	1,995,000
FY29 Principal	330,000	-	-	170,000	50,000	550,000		
FY29 Interest	12,588	-	-	40,030	10,625	63,243	613,243	1,445,000
FY30 Principal	100,000	-	-	175,000	50,000	325,000		
FY30 Interest	6,000	-	-	33,906	9,125	49,031	374,031	1,120,000
FY31 Principal	100,000	-	-	180,000	50,000	330,000		
FY31 Interest	2,000	-	-	27,200	7,625	36,825	366,825	790,000
FY32 Principal	-	-	-	190,000	50,000	240,000		
FY32 Interest	-	-	-	19,800	6,125	25,925	265,925	550,000
FY33 Principal	-	-	-	195,000	50,000	245,000		
FY33 Interest	-	-	-	12,100	4,625	16,725	261,725	305,000
FY34 Principal	-	-	-	205,000	50,000	255,000		
FY34 Interest	-	-	-	4,100	3,125	7,225	262,225	50,000
FY35 Principal	-	-	-	-	50,000	50,000		
FY35 Interest	-	-	-	-	1,563	1,563	51,563	-
Remaining Debt Service	4,672,638	1,471,225	933,275	3,339,124	1,109,563	11,525,824	11,525,824	



# COLLECTIVE BARGAINING

## **BARGAINING UNIT AND CONTRACT FINANCIAL TERMS**

### **LS Regional High School**

The three year memorandum of agreement for the period covering schools year 2019, 2020, and 2021 provides for COLA increases in half-year increments of 0.5%, 1.5%, 0%, 3%, 0.5% and 2%, representing an aggregate COLA increase over three years totaling 6.5%, or approximately 2.17% per year on average.

### **Sudbury Public Schools, K-8**

#### *Teachers*

Three-year contract covering fiscal years 2019, 2020 and 2021. Effective dates and Cost of Living Adjustment percentage increases to salary schedule are: 7/1/18: 1 1/2%; 7/1/19: 2 1/4%; 7/1/20: 2 1/2%.

#### *Support Staff*

Three-year contract covering fiscal years 2019, 2020 and 2021. Effective dates and Cost of Living Adjustment percentage increases to salary schedule are: 7/1/18: 1 1/2%; 7/1/19: 2 1/2%; 7/1/20: 2 1/4%.

#### *Nurses*

The three-year contract covering fiscal years 2019, 2020, and 2021 remains unsettled as of the printing of this document.

#### *Custodians*

Three-year contract covering fiscal years 2019, 2020 and 2021. Effective dates and Cost of Living Adjustment percentage increases to salary schedule are: 7/1/18: 1 1/2%; 7/1/19: 2 1/2%; 7/1/20: 2 1/4%

### **Town**

#### *Fire*

The next three-year contract covering fiscal years 2019, 2020, and 2021 remains unsettled as of the printing of this document.

#### *Police – Patrol Officers*

Three-year contract covering fiscal years 2019, 2020 and 2021. Effective dates and Cost of Living Adjustment percentage increases to salary schedule are: 7/1/18: 1%; 7/1/19: 2%; 7/1/20: 1 1/2%; and 6/30/21 at midnight 1% not to impact FY21 budget.

*Police - Sergeants*

Three-year contract covering fiscal years 2019, 2020 and 2021. Effective dates and Cost of Living Adjustment percentage increases to salary schedule are: 7/1/18: 1%; 7/1/19: 2%; 7/1/20: 1 1/2%; and 6/30/21 at midnight 1% not to impact FY21 budget.

*Public Works*

Three-year contract covering fiscal years 2019, 2020 and 2021. Effective dates and Cost of Living Adjustment percentage increases to salary schedule are: 7/1/18: 1%; 7/1/19: 2%; 7/1/20: 1 1/2%; and 6/30/21 at midnight 1% not to impact FY21 budget.

*Engineering*

Three-year contract covering fiscal years 2019, 2020 and 2021. Effective dates and Cost of Living Adjustment percentage increases to salary schedule are: 7/1/18: 1%; 7/1/19: 2%; 7/1/20: 1 1/2%; and 6/30/21 at midnight 1% not to impact FY21 budget.

*Supervisory*

Three-year contract covering fiscal years 2019, 2020 and 2021. Effective dates and Cost of Living Adjustment percentage increases to salary schedule are: 7/1/18: 1%; 7/1/19: 2%; 7/1/20: 1 1/2%; and 6/30/21 at midnight 1% not to impact FY21 budget.

*Civilian Dispatchers*

The next three-year contract covering fiscal years 2019, 2020, and 2021 remains unsettled as of the printing of this document.

## BUDGET TERMS AND DEFINITIONS

**Abatements and Exemptions (previously called Overlay):** An amount set by the Assessors to create a fund to cover abatements of (and exemptions from) real and personal tax assessments for the current year, and raised on the tax levy. An abatement is a reduction provided by the Assessors in the assessed tax because of bona fide specific conditions or situations not considered when the tax was levied. An exemption is provided for a variety of purposes, which include, but are not limited to: buildings/property used for religious, government, charity, or pollution control. In addition, exemptions may also be provided to the elderly, handicapped, and veterans under certain conditions.

**Abatement Surplus:** Accumulation of the surplus amounts of Abatements and Exemptions set aside by the Assessors each year to cover abatements of (and exemptions from) real estate and personal property tax assessments. The accumulated amount for previous years no longer committed for abatements may be used by vote of the Town Meeting.

**Benefits and Insurance:** This account in the shared expenses section of the budget is comprised primarily of benefits such as health insurance and retirement for both school and general government employees.

**Capital Exclusion:** A temporary increase in the tax levy to fund a capital project or make a capital acquisition.

**Cherry Sheet:** An annual statement received from the Department of Revenue detailing estimated receipts for the next fiscal year from the various state aid accounts as well as estimated state and county government charges payable to the state. The name “Cherry Sheet” derives from the color of the paper used.

**Circuit Breaker Program:** School districts are eligible for reimbursements for students with disabilities whose programs cost greater than four times the statewide foundation budget. “Circuit Breaker” means the reimbursement program for certain costs of special education as specified in M.G.L. c. 71B, § 5.

**Debt Exclusion:** An override to Proposition 2 ½ for the purpose of raising funds for debt service costs; remains for the life of the debt only.

**Enterprise Fund:** A separate fund, set up to provide a specific Town service, whereby all direct and indirect/overhead costs of providing the service are funded in total from user charges. An appropriation for an enterprise fund is funded in total from enterprise fund revenue unless otherwise noted. Enterprise fund revenue used to fund services provided by other Town departments will be shown in the warrant after the appropriation total for the department. An enterprise fund is required to fully disclose all costs and all revenue sources needed to provide a service.

**Free Cash:** Free cash is the available, undesignated fund balance of the general fund and is generated when actual revenue collections are in excess of estimates, when expenditures are less than appropriated, or both. A free cash balance is certified as of July 1 each year by the Department of Revenue and once certified, any or all of the certified amount may be used to defray Town expenses by a vote of the Town Meeting.

**Funding Sources for Expenditures:** Authorizations for the Town to expend monies are made in the form of a motion at Town Meeting. The wording of the motions will specify the funding source; that is, the place from where money is going to come or will be raised. When a motion reads, “to appropriate a sum of money” without a source being identified, that amount will be included in the tax calculation, whereby the total of all sums to be appropriated will be reduced by an estimate of local and state revenue. The balance needed will be provided by property taxes. When items in the warrant are offset or raised from available funds, those items will also appear as offsets in the determination of the tax rate.

**Levy Limit:** The maximum amount a community can levy in any given year.

**Local Receipts:** This is the third largest source of revenue for the Town after property taxes and Cherry Sheet receipts. While it is comprised of a number of different items, the largest source is the auto excise tax.

**New Growth:** Proposition 2 ½ allows a community to increase its levy limit annually by an amount based upon the valuation of certain new construction and other growth in the tax base that is not the result of property revaluation. New growth becomes part of the levy limit and thus increases at the rate of 2.5% each year as the levy limit increases.

**Normal Cost (OPEB):** Normal cost generally represents the portion of the cost of projected benefits for active employees allocated to the current plan year.

**Override:** An override is passed by a majority vote at Town Meeting and at the ballot. There are three types of overrides: An Operating Override, which permanently increases the levy limit; a Debt Exclusion, which increases the levy limit only for the life of the debt; and a Capital Project Override, which increases the levy only for the year in which the project is undertaken.

**OPEB:** Post-employment benefits that an employee will begin to receive at the start of retirement. This does not include pension benefits paid to the retired employee. Other post-employment benefits that a retiree can be compensated for are life insurance premiums, healthcare premiums and deferred-compensation arrangements.

**Proposition 2½:** A Massachusetts General Law enacted in 1980 to limit property taxes.

**Revolving Fund:** Funds that may be used without appropriation and that are established for special uses. Recreation fees, for example, may be paid into a revolving fund. Revolving funds are established by state law or Town bylaw.

**Reserve Fund:** An amount appropriated by the Annual Town Meeting for emergency or unforeseen purposes. The Finance Committee, by state law, is the sole custodian of the Reserve Fund and approves transfers from the Fund into the operating budgets throughout the year if: (1) the need for funds is of an emergency and/or unforeseen nature, and (2) if, in the judgment of the Finance Committee, the Town Meeting would approve such an expenditure if such a meeting was held. The Reserve Fund is, therefore, a mechanism for avoiding the necessity of frequent Special Town Meetings.

**Stabilization Fund:** Similar to a "savings account", this account has been used to fund large capital projects such as fire trucks and school roofs. A recent amendment to state law allows the Stabilization Fund to be used for the operating budget, as well as capital purchases; however, the Finance Committee

would generally be reluctant to recommend doing so. Placing money into, or taking it out of, the Stabilization Fund requires a 2/3 vote of Town Meeting.

**Tax Levy:** The property tax levy is the revenue a community can raise through real and personal property taxes. In Massachusetts, municipal revenues to support local spending for schools, public safety, general government and other public services are raised through the property tax levy, state aid, local receipts and other sources. The property tax levy is the largest source of revenue for most cities and towns.

**Town-wide Operating Expenses:** This account in the general government section of the budget is comprised primarily of operating expenses such as postage, telephone and property liability insurance, that support town-wide operations and are not assigned to any one department or cost center.



*Sudbury Parks & Recreation will be offering:*

# Annual Town Meeting BABYSITTING

**MONDAY, MAY 6, 2019**

**7PM - 11PM**

*Town Meeting begins at 7:30PM in L-SRHS Auditorium*

**Where:** Cafeteria at L-SRHS

**Who:** Grades Pre-K– 8. *Participants must be potty trained*

**Cost:** \$10 per child

**Register:** By May 1, 2019 (5PM) at <https://sudburyrec.com>



## Annual Town Meeting TRANSPORTATION

*Provided by Sudbury Senior Center*



The Senior Center is providing wheelchair-accessible van transportation to Town Meeting on **May 6, 2019**. The van accommodates up to 10 riders.

**No cost** for this service, courtesy of the Sudbury Senior Center.

**ADVANCE REGISTRATION REQUIRED**

**To Sign Up:**

Call 978-443-3055 (Ana Cristina Oliveira at Sudbury Senior Center)

By May 1, 2019 at 4PM

**Board of Selectmen  
Sudbury, MA 01776**

**U. S. POSTAGE  
PAID  
Permit No. 4  
Sudbury, MA 01776  
ECRWSS**

