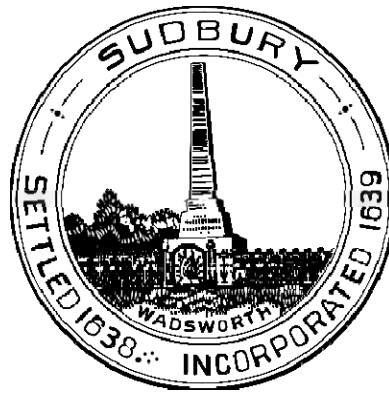


**Town of Sudbury  
Massachusetts**



**OFFICIAL WARRANT**

**ANNUAL TOWN MEETING**

**SATURDAY, SEPTEMBER 12, 2020 - 9:00 a.m.**

RAINDATE/CONTINUATION DATE, IF NEEDED

**SUNDAY, SEPTEMBER 13, 2020 - 9:00 a.m.**

**SUNDAY, SEPTEMBER 20, 2020 - 9:00 a.m.**

Lincoln-Sudbury Regional High School (Outdoors)  
390 Lincoln Road, Sudbury, MA

**BRING THIS BOOK WITH YOU**



**FOR ADDITIONAL ARTICLE INFORMATION**

Go to the Town's website at

<https://sudbury.ma.us/townmeeting/2020atm>

and after accessing, click on the [Link](#) for the specific article.

**TOWN OF SUDBURY  
2020 ANNUAL TOWN MEETING WARRANT**

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**ACCESS TO LINCOLN-SUDBURY REGIONAL HIGH SCHOOL ANNUAL TOWN  
MEETING OUTDOOR SEATING AND CHECK-IN  
WITH PROVISIONS FOR PARTICULAR ACCOMMODATIONS**

Note: Please check the Town of Sudbury website for changes or additional information.

ANNUAL TOWN MEETING FIELD SITE: Baseball diamond in the lower athletic field adjacent to the gymnasium building at the rear of the school which is accessible by walking or by golf carts with drivers. Seating for persons requiring particular accommodations will be available in the area adjacent to the gymnasium building overlooking the field with full visual and hearing access to the meeting.

Portable restrooms and sanitizing stations will be available.

All seating will be spaced appropriately in accordance with COVID-19 regulations and appropriate face coverings must be worn by all attendees.

Stationary microphone access will be available and appropriate cleaning will take place.

PARKING: The primary parking will be located in the main parking lot (the “solar field parking lot”) to the right (east) of the schools. A specified area elsewhere will be reserved for HP parking where golf carts with drivers or other transport can provide transportation to the check-in area.

CHECK-IN: The check-in voter registration area will be located at the rear of the gymnasium building adjacent to the lower field.

## **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 go to the nearest microphone (which will have been cleaned after each use) and keep your mask on when you speak. 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 votes. If a voter disagrees 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:
  1. 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.

2. If you have a motion to amend, it should be in one of two forms:
  - a. 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.
  - b. 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.

3. Town Meeting will debate and vote on any motion to amend.
4. 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 7.)

**ARTICLE 11. STABILIZATION FUND:** Move in the words of the article  
(See article at page 7.)

**ARTICLE 12. GOODNOW LIBRARY SERVICES REVOLVING FUND:** Move in the words of the article.  
(See article at page 8.)

**ARTICLE 13. FY21 REVOLVING FUND LIMITS:** Move in the words of the article.  
(See article at page 9.)

**ARTICLE 15. FUND LITIGATION COSTS – EVERSOURCE;** Move in the words of the article with the sum of \$150,000 to be transferred from Free Cash. (See article at page 10.)

**ARTICLE 16. POST-EMPLOYMENT HEALTH INSURANCE TRUST FUNDING:** Move in the words of the article.. (See article at page 11.)

**ARTICLE 22. DUTTON ROAD BRIDGE PROJECT – EASEMENTS:** Move in the words of the article.  
(See article at page 14.)

**ARTICLE 25. ROADWAY DRAINAGE IMPROVEMENTS ;** Move in the words of the article with the sum of \$120,000 to be transferred from Free Cash. (See article at page 15.)

**ARTICLE 26. OLD SUDBURY ROAD CULVERT DESIGN:** Move in the words of the article with the sum of \$100,000 to be transferred from Free Cash. (See article at page 15.)

**ARTICLE 33. SUDBURY PUBLIC SCHOOLS NON-RESIDENT TUITION FUND:** Move in the words of the article. (See article at page 18.)

**ARTICLE 34. AUTHORIZE BOARD OF SELECTMEN TO PETITION FOR AN ADDITIONAL ALCOHOL POURING LICENSE FOR MEADOW WALK DEVELOPMENT:** Move in the words of the article. (See article at page 19.)

**ARTICLE 35. ACCEPTANCE OF PROVISIONS OF THE MASSACHUSETTS VETERANS' BRAVE ACT, M.G.L. c.59, s.5, clause twenty-second H:** Move in the words of the article. (See article at page 20.)

**ARTICLE 36. ADDITION OF ASSOCIATE MEMBERS TO THE HISTORIC DISTRICTS COMMISSION:** Move in the words of the article. (See article at page 20.)

**ARTICLE 39. EXCHANGE OF REAL PROPERTY – BRIMSTONE LANE PARCELS:** Move in the words of the article. (See article at page 30.)

**ARTICLE 40. TRANSFER CARE & CUSTODY OF TOWN-OWNED WATER ROW PARCEL TO CONSERVATION COMMISSION (H11-401):** Move in the words of the article. (See article at page 32.)

**ARTICLE 41. TRANSFER CARE & CUSTODY OF TOWN-OWNED WATER ROW PARCEL TO CONSERVATION COMMISSION (H11-305):** Move in the words of the article. (See article at page 32.)

**ARTICLE 42. COMMUNITY PRESERVATION FUND – HISTORIC RESOURCE INVENTORY SURVEY:** Move in the words of the article. (See article at page 33.)

**ARTICLE 43. COMMUNITY PRESERVATION FUND – REMOVAL OF INVASIVE SPECIES FROM KING PHILIP WOODS:** Move in the words of the article. (See article at page 34.)

**ARTICLE 44. COMMUNITY PRESERVATION FUND – DESIGN OF WAYSIDE INN ROAD BRIDGE OVER HOP BROOK:** Move in the words of the article. (See article at page 34.)

**ARTICLE 45. COMMUNITY PRESERVATION FUND – REMEDIATION OF WATER CHESTNUTS FROM HOP BROOK POND SYSTEM:** Move in the words of the article. (See article at page 35.)

**ARTICLE 46. COMMUNITY PRESERVATION FUND – SUDBURY HOUSING AUTHORITY ACQUISITION, CREATION, PRESERVATION, AND SUPPORT OF AFFORDABLE RENTAL HOUSING:** Move in the words of the article. (See article at page 36.)

**ARTICLE 47. COMMUNITY PRESERVATION FUND – REGIONAL HOUSING SERVICES OFFICE (RHISO) MEMBERSHIP FEE:** Move in the words of the article. (See article at page 37.)

**ARTICLE 48. COMMUNITY PRESERVATION FUND – LIBRARY HISTORIC ROOM CONVERSION:** Move in the words of the article. (See article at page 38.)

**ARTICLE 49. COMMUNITY PRESERVATION FUND – REVERSION OF FUNDS:** Move in the words of the article. (See article at page 39.)

**ARTICLE 50. COMMUNITY PRESERVATION FUND – GENERAL BUDGET AND APPROPRIATIONS:** Move to appropriate the sums recommended by the CPC in the following Community Preservation budget for FY2021 Community Preservation surtaxes:

\$ 85,000 Administrative and Operating Cost  
\$ 1,111,410 Debt Service

(See article at page 39.)

### **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 to take no 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 weekday, 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**

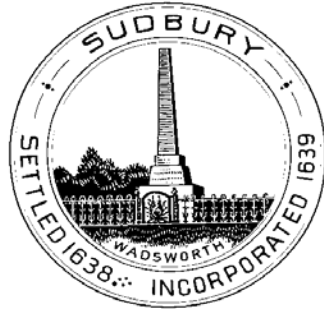
1. Adjournment of any session will occur on completion of the article under discussion at 10:30 P.M., unless there is a two-thirds vote to do otherwise. The Moderator will ask for a motion to adjourn the Town Meeting to another time to complete the Warrant. A voter can also make a motion to adjourn. 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 Field, 390 Lincoln Road, in said Town on Saturday, September 12, 2020, at 9:00 a.m., 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 2019 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. WITHDRAWN**

**ARTICLE 3. FY21 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, 2020 through June 30, 2021, inclusive, in accordance with the following schedule, which is incorporated herein by reference,

<b>EXPENDITURES</b>	<b>FY21 Recommended</b>
300: Education - Sudbury Public Schools (SPS)	39,608,834
300: Education - LS Regional High School (LS) <sup>1</sup>	26,712,280
300: Education - Vocational	550,000
<b>Total: Schools</b>	<b>66,871,114</b>
100: General Government	3,177,614
200: Public Safety <sup>4</sup>	9,199,461
400: Public Works	5,607,520
500: Human Services	937,995
600: Culture & Recreation	1,515,936
800: Town-Wide Operating and Transfers	686,352
<b>Total: Town Departments</b>	<b>21,124,878</b>
700: Town Debt Service	3,476,446
900: Employee Benefits (Town and SPS) <sup>2</sup>	13,672,255
1000: OPEB Trust Contribution (Town and SPS) <sup>3</sup>	468,382
<b>TOTAL OPERATING BUDGET:</b>	<b>105,613,075</b>

(not including Capital or Enterprise Funds)

<sup>1</sup> Includes \$336,485 for OPEB and \$529,571 for Debt Service.

<sup>2</sup> Includes \$5,937,403 for Town and \$7,734,852 for SPS.

<sup>3</sup> Includes \$152,689 for Town and \$315,693 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 FY21 Budget.

**ARTICLE 4.           FY21 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>FY21</b>
	<b><u>Recommended</u></b>
<b>Operating Capital Budget</b>	
Sudbury Public Schools	154,000
LS Regional High School	74,656
Information Systems	120,820
Police	43,600
Fire	54,000
Public Works	50,000
Combined Facilities	225,000
<b>Total Operating Capital Budget</b>	<b><u><u>722,076</u></u></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 FY21 Capital Budget.



**ARTICLE 5. FY21 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 FY21 budget of the Transfer Station Enterprise, to be included in the tax levy and offset by the funds of the enterprise:

	FY19 Actual	FY20 Appropriated	FY21 Recommended
<b>TRANSFER STATION ENTERPRISE FUND</b>			
Direct Costs	295,766	295,432	297,764
Indirect Costs <sup>1</sup>	16,700	17,214	17,163
<b>Total Expenditures</b>	<b>312,466</b>	<b>312,646</b>	<b>314,927</b>
Enterprise Receipts	319,222	272,646	314,927
Retained Earnings Used	-	40,000	-
<b>Total Revenues</b>	<b>319,222</b>	<b>312,646</b>	<b>314,927</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 recommends approval of this article.

**ARTICLE 6. FY21 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 FY21 budget of the Atkinson Pool Enterprise, to be included in the tax levy and offset by the funds of the enterprise:

	FY19 Actual	FY20 Appropriated	FY21 Recommended
<b>POOL ENTERPRISE FUND</b>			
Direct Costs	445,109	449,323	427,421
Indirect Costs <sup>1</sup>	36,227	18,956	36,828
<b>Total Expenditures</b>	481,336	468,279	464,249
Enterprise Receipts	443,107	468,279	464,249
<b>Total Revenues</b>	443,107	468,279	464,249

<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 recommends approval of this article.

**ARTICLE 7. FY21 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 FY21 budget of the Recreation Field Maintenance Enterprise, to be included in the tax levy and offset by the funds of the enterprise:

	FY19 Actual	FY20 Appropriated	FY21 Recommended
<b>FIELD MAINTENANCE ENTERPRISE FUND</b>			
Direct Costs <sup>1</sup>	198,537	228,040	230,435
Indirect Costs <sup>2</sup>	22,575	23,198	24,269
<b>Total Expenditures</b>	221,112	251,238	254,704
Enterprise Receipts	210,093	226,238	254,704
Retained Earnings Used	-	25,000	-
<b>Total Revenues</b>	210,093	251,238	254,704

<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 recommends approval of this article.

**ARTICLE 8. WITHDRAWN**

**ARTICLE 9. WITHDRAWN**

**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 recommends approval of this article.

**ARTICLE 11. STABILIZATION FUND**

*(Consent Calendar)*

To see if the Town will vote to transfer from Free Cash \$40,496, 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 recommends approval of this article.

**ARTICLE 12. GOODNOW LIBRARY SERVICES 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 “Goodnow Library Services Revolving Fund” for use by the Library Director for the purposes of funding the replacement of books, CDs, DVDs, audio books and other materials lost or damaged by patrons in addition to incidental costs associated with services for patrons such as document copying, printing, passport acceptance applications, microfilm, and notary services, and including library programs offered to the public utilizing revenue from lost book fees, passport application fees, copying fees, and fees associated with other library services at the Goodnow Library, pursuant to M.G.L. c.44, s.53E1/2; 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>Funding the replacement of books, CDs, DVDs, audio books and other materials lost or damaged by patrons, in addition to incidental costs associated with service for patrons such as document copying, printing, passport acceptance applications, microfilm, and notary services, and including library programs offered to the public</i></b>	<b><i>Library Director</i></b>	<b><i>Lost book fees, passport application fees, copying fees, and fees associated with other library services at the Goodnow Library</i></b>

; or act on anything relative thereto.

Submitted by the Library Director

(Majority vote required)

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

FINANCE COMMITTEE REPORT: The Finance Committee recommends approval of this article.

**ARTICLE 13. FY21 REVOLVING FUND SPENDING LIMITS***(Consent Calendar)*

To see if the Town will vote to establish the FY2021 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	30,000
Plumbing & Gas Inspectional Services	Building Inspector	65,000
Portable Sign Administration & Inspectional Services	Building Inspector	10,000
Conservation (Trail Maintenance)	Conservation Commission	15,000
Conservation (Wetlands)	Conservation Commission	50,000
Forestry Activities	Conservation Commission	10,000
Council on Aging Activities	Council on Aging	65,000
Council on Aging Van Transportation (MWRTA)	Council on Aging	150,000
Cemetery Revolving Fund	Public Works	20,000
Fire Department Permits	Fire	50,000
Goodnow Library Meeting Rooms	Goodnow Library	10,500
Goodnow Library Services	Goodnow Library	6,000
Recreation Programs	Park and Recreation Commission	650,000
Teen Center	Park and Recreation Commission	10,000
Youth Programs	Park and Recreation Commission	200,000
Bus	Sudbury Public Schools	450,000
Instrumental Music	Sudbury Public Schools	100,000
Cable Television	Town Manager	30,000
Rental Property	Town Manager	40,000
Dog	Town Clerk	75,000
Zoning Board of Appeals	Zoning Board of Appeals	35,000
Solar Energy	Combined Facilities	450,000

; 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 2021 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 FY20 maximum voted for each revolving fund except for the following: Board of Health Public Health Vaccinations & Tobacco Control increased from \$25,000 to \$30,000; Park and Recreation Commission Recreation Programs increased from \$542,000 to \$650,000; Park and Recreation

Commission Teen Center decreased from \$20,000 to \$10,000; Park and Recreation Commission Youth Programs increased from \$170,000 to \$200,000; the new Goodnow Library Services revolving fund established under Art. 12 is set at \$6,000; and the Surplus Vehicle & Equipment category is not operational and is not listed..

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

FINANCE COMMITTEE REPORT: The Finance Committee recommends approval of this article.

**ARTICLE 14. CAPITAL STABILIZATION FUND**

To see if the Town will vote to transfer from Free Cash \$250,000, or any other sum, to be added to the Capital Stabilization Fund established under Article 13 of the 2019 Annual Town Meeting; or act on anything relative thereto.

Submitted by the Town Manager. (Majority vote required)

TOWN MANAGER REPORT: This transfer is for the purpose of saving funds for future capital needs.

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

FINANCE COMMITTEE REPORT: The Finance Committee does not recommend approval of this article.

**ARTICLE 15. FUND LITIGATION COSTS – EVERSOURCE** (Consent Calendar)

To see what sum the Town will vote to raise and appropriate, or transfer from available funds, to be expended under the direction of the Town Manager, for the purpose of legal fees, hiring of experts, and all related costs related to litigation of the 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 the Supreme Judicial 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 recommends approval of this article.

**ARTICLE 16. POST-EMPLOYMENT HEALTH INSURANCE TRUST FUNDING**  
*(Consent Calendar)*

To see if the town will vote to transfer \$211,867.08 from the Health Claims Trust fund, established by the Town as of January 1, 1994, to be placed in the Post-Employment Health Insurance Liability Fund, the so-called Other Post-Employment Benefits (OPEB) Trust established by the Town of Sudbury pursuant to Chapter 72 of the Acts of 2006; or act on anything relative thereto.

Submitted by the Town Manager. (Majority vote required)

TOWN MANAGER REPORT: The Health Insurance Trust was set up in 1994 to pay for health insurance claims when the Town was self-insured. Upon joining the State's Group Insurance Commission (GIC) on July 1, 2012, the Town was no longer self-insured; however, the Town needed to leave the Trust intact for at least two years to pay run out claims. The amount requested for transfer is the remaining balance in the Health Insurance Trust and is no longer needed to pay run out claims.

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

FINANCE COMMITTEE REPORT: The Finance Committee recommends approval of this article.

**ARTICLE 17. CSX CORRIDOR**

To see if the Town will vote to authorize the Board of Selectmen to acquire, by purchase, gift, eminent domain or otherwise, the fee or lesser interest in all or a part of the land shown as Mile Post QBS 3.40 to QBS 4.80 on a Railroad Map dated July 22, 2020, prepared by CSX Transportation, Inc., and a Plan dated July 20, 2020, copies of which are on file with the Town Clerk, consisting of 11.26 acres of land, more or less, for purposes of acquiring, establishing, constructing, operating and maintaining a multi-use rail trail/bicycle path for open space, conservation, and active recreation purposes, general municipal purposes, and for all other purposes for which rail trails are now or hereafter may be used in the Commonwealth, including leasing for purposes consistent with the use of the property, and to authorize the Board of Selectmen to lease the fee or lesser interest in all or a part of such property; and further to raise and appropriate, transfer from available funds, including the Community Preservation Fund, or borrow a sum of money for the acquisition of such property or interest therein and all incidental and related costs, including but not limited to, costs of title investigations, environmental investigations and other due diligence, closing, and attorneys' fees; and, for such purposes, to authorize the Treasurer with the approval of the Board of Selectmen to borrow a sum of money pursuant to G.L. c.44, §7 and G.L. c.44B, §11 or any other enabling authority, and issue bonds and notes of the Town therefor; and, in the event that Community Preservation funds are used for purposes of acquisition, to authorize the Board of Selectmen to grant a conservation restriction on all or a portion of said property meeting the requirements of G.L. c.184, §§31-33 as may be required in accordance with G.L. c.44B, §12; and further to authorize the Board of Selectmen to execute all instruments, including deeds, easements, leases, and/or other agreements, upon such terms and conditions as the Selectmen deem appropriate, and to take all other action as may be necessary to effectuate the vote to be taken hereunder, or take any other action relative thereto.



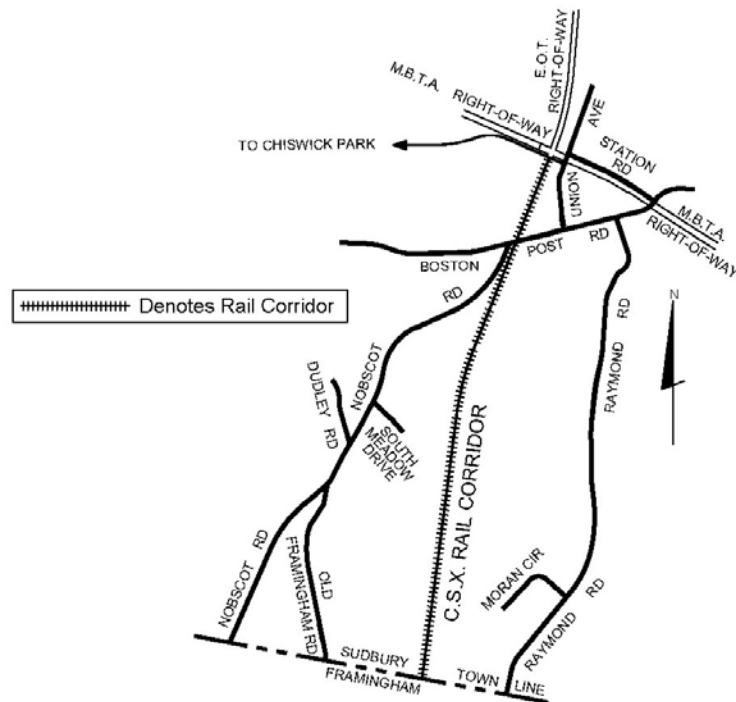
Submitted by the Board of Selectmen.

(Two-thirds vote required, if borrowed)

BOARD OF SELECTMEN REPORT: Article 17 requests an appropriation to fund the acquisition in fee simple or a lesser interest of the 1.4 +/- mile CSX rail corridor that runs roughly from Union Avenue at the Chiswick Park entrance south to the Framingham city line, a total land area of approximately 11.26 acres. The parcel is generally 66-feet wide and is adjacent to significant wetlands, conservation lands, and water supply wells. In addition to water resource and conservation land protection, acquisition of the corridor is a priority for continuing the Bruce Freeman Rail Trail south to Route 20 in Sudbury and then to Framingham. Unlike the other rail corridors in Town, where ownership will be retained by government transportation agencies and the land leased to the Town, this corridor is available for purchase by the Town.

The Town began negotiating with CSX twenty years ago, has come close to acquiring the corridor a number of times since then, and now has permission from the Federal oversight entity, the Surface Transportation Board, to negotiate with CSX until November 30, 2020. With new Federal policy in place, the Surface Transportation Board may not grant additional extensions beyond November and the opportunity to acquire the corridor could be lost.

The CSX Rail Corridor Acquisition project has been awarded \$100,000 in a state and federal Recreational Trails Grant funds, which expire if not spent by December, 2020. Additional grant opportunities are being pursued, but are not certain. These grants are reimbursable, so the request is for the full purchase amount, which will be reimbursed to the extent grant funds are received by the Town.



### CSX LAND PURCHASE

Sketch Plan Prepared by Town of Sudbury Engineering Department July 20, 2020

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 18. FAIRBANK COMMUNITY CENTER DESIGN AND CONSTRUCTION FUNDS**

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow the sum of \$28,832,000 or any other sum of money to be expended under the direction of the Town Manager, for the design, permitting and construction or renovation of a Community Center and all other appurtenances thereto, including a pool, on the Town-owned land located at 40 Fairbank Road, known as the current site of the Fairbank Community Center and Atkinson Pool, and for all incidental and related expenses, including but not limited to professional, design, engineering and project management services, preparation of plans, specifications and bidding documents, borrowing costs, purchase of equipment, technology, and furniture, as well as site preparation, demolition, landscaping, and relocation services and costs; to determine whether the vote taken hereunder shall be contingent upon the approval by the voters at an election of a Proposition 2 ½ Debt Exclusion in accordance with G.L. c.59, s.21C; and to authorize the Board of Selectmen and Town Manager to execute such other documents and contracts as are needed to effectuate the vote taken hereunder; or act on anything related thereto.

Submitted by the Board of Selectmen

(Two-thirds vote required, if borrowed)

BOARD OF SELECTMEN REPORT: The current Fairbank Community Center is a 40,904 square foot multi-use Town facility. It is the home of the Parks and Recreation Department offices, programming and summer camp space and Atkinson Pool, the Sudbury Public Schools administrative offices and the Sudbury Senior Center offices, programming and kitchen space. The building also houses the School Department IT Department and a portion of the Town IT infrastructure. The facility is also the only Town Emergency Shelter.

The building consists of a 1958 portion that was an elementary school, a 1987 pool addition and 1989 Senior Center addition. The building has a number of physical deficiencies including a leaking roof, antiquated locker rooms and rest rooms, original windows and a failing climate control system. The existing building suffers from a lack of usable programming space and does not meet the needs of the users.

In 2019 the Town Manager formed the Fairbank Working Group comprised of departmental user groups representatives and asked them to work together to come up with a reasonable recommendation for one community center that would meet the needs for all three user groups and to continue to serve as our Emergency Shelter. ICON Architecture was engaged to work with the Group and to formulate a Feasibility Study for a new facility. The proposed new building would be constructed on the south side of existing building adjacent to the existing pool. The pool would remain with repairs. The existing building, except the pool, would be demolished. The proposed new facility would be 42,575 square feet and \$28,832,000 to design, construct and furnish for occupancy.

BOARD OF SELECTMEN POSITION: The Board of Selectmen final vote does not support this article.

FINANCE COMMITTEE REPORT: A motion to recommend by the Finance Committee failed by a vote of four in favor and four opposed.

**ARTICLE 19.        WITHDRAWN**

**ARTICLE 20.        WITHDRAWN**

**ARTICLE 21.        PURCHASE FIRE DEPARTMENT AMBULANCE**

To see if the Town will raise and appropriate, or appropriate from available funds, \$340,000 or any other sum, for the purchase of an ambulance and associated equipment for the Fire Department in Fiscal Year 2021; or act relative thereto.

Submitted by the Fire Chief.

(Majority vote required)

FIRE CHIEF REPORT: The Fire Department proposes to purchase a Type I Ambulance or equivalent and equipment as part of its regularly scheduled replacement program. The Fire Department currently runs two Advance Life Support Ambulances, one which is a 2015 F 450 Type I with 50,000 miles. The goal of this ambulance purchase at this time will allow the department to have a third ambulance to be placed into service when vehicle maintenance is required. This vehicle could also be placed into service when staffing levels allow.

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

FINANCE COMMITTEE REPORT: The Finance Committee recommends approval of this article.

**ARTICLE 22.        DUTTON ROAD BRIDGE PROJECT – EASEMENTS        *(Consent Calendar)***

To see if the Town will vote to authorize the Board of Selectmen to acquire, by purchase, gift, eminent domain or otherwise, permanent and temporary easements in certain parcels of land adjacent to and/or contiguous and/or opposite to 530 Dutton Road and depicted on a Right of Way & Easement Plan entitled “Dutton Road Bridge Replacement Town of Sudbury MassDOT Bridge No. S-31011, BIN C6Q”, a copy of which is on file with the Town Clerk, as said plan may be amended, for public way purposes, including, without limitation, drainage, utility, slope, grading and construction of improvements and structures, and other related purposes, to enable the Town to undertake the Dutton Road bridge replacement project, and, further, to raise and appropriate, transfer from available funds, borrow or otherwise provide a sum of money for the purpose of providing for such acquisition and paying all costs and expenses associated therewith; or act on anything relative thereto.

Submitted by the Department of Public Works Director.

(Majority vote required)

DPW DIRECTOR REPORT: Article 24 of the 2018 Annual Town Meeting approved funds for the design and construction of the Dutton Road Bridge which was identified as in disrepair and in need of replacement. The Dutton Road Bridge is located downstream of the recently repaired Stearns Mill Pond Dam and provides a critical link for motorists traveling between Hudson Road to the north and Route 20 to the south. Easements from property owners adjacent to and/or contiguous and/or opposite the Bridge are required for such replacement.

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



**ARTICLE 27.        WITHDRAWN**

**ARTICLE 28.        DUMP TRUCK WITH PLOW**

To see if the Town will vote to raise and appropriate, or to transfer from available funds, the sum of \$110,000, or any other sum, for the purchase or acquisition of a new dump truck with plow for the Department of Public Works; or act on anything relative thereto.

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

DPW DIRECTOR REPORT: A new dump truck will provide multiple uses throughout all the divisions within the DPW as well as improve efficiencies. It is the goal of the Public Works to focus on standardizing vehicles and specifying vehicles to better suit our multi-disciplinary needs. Dump trucks are one of the most used equipment in the fleet. The Public Works employees use these vehicles to perform their everyday tasks including moving materials and equipment that is carried and towed by these vehicles. These trucks are also paired with larger equipment to perform snow removal.

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

FINANCE COMMITTEE REPORT: The Finance Committee does not recommend approval of this article.

**ARTICLE 29.        ONE-TON DUMP TRUCK WITH PLOW, SPREADER & WING**

To see if the Town will vote to raise and appropriate, or to transfer from available funds, the sum of \$140,000, or any other sum, for the purchase or acquisition of a new one-ton dump truck with plow, spreader and wing for the Department of Public Works; or act on anything relative thereto.

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

DPW DIRECTOR REPORT: The DPW will be employing the use of larger GVW one-ton dump trucks that can be used for the smaller construction projects around town throughout all divisions. This size vehicle will enable the installation of a municipal-grade plow, a side-mounted wing and a small spreader for winter operations. This 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 Public Works to focus on standardizing vehicles and specifying vehicles to better suit our multi-disciplinary needs. Dump trucks are one of the most used equipment in the fleet. The Public Works employees use these vehicles to perform their everyday tasks including moving materials and equipment that is carried and towed by these vehicles. These trucks are also paired with larger equipment to perform snow removal.

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

FINANCE COMMITTEE REPORT: The Finance Committee does not recommend approval of this article.

**ARTICLE 30. 6-WHEEL COMBO BODY DUMP TRUCK W/ PLOW & SPREADER**

To see if the Town will vote to raise and appropriate, or to transfer from available funds, the sum of \$260,000, or any other sum, for the purchase or acquisition of a new 6-wheel combo body dump truck with plow and spreader for the Department of Public Works; or act on anything elative thereto.

Submitted by Department of Public Works Director.

(Majority vote required)

DPW DIRECTOR REPORT: The existing truck is at its useful life-expectancy of about 15 years. Due to the caustic nature of the salt and chemical additives used in snow removal operations, the bodies of these vehicles disintegrate much sooner than the total number of hours or miles would typically indicate, in spite of being washed after every treatment event. Being a dedicated spreader, this vehicle is not currently used during the construction season. It is the goal of the Public Works to focus on standardizing vehicles and specifying vehicles to better suit our multi-disciplinary needs. This proposal is to replace the existing dedicated spreader with a combination body (dump truck and spreader) to be used throughout all seasons. Dump trucks are one of the most used equipment in the fleet. The Public Works employees use these vehicles to perform their everyday tasks including moving materials and equipment that is carried and towed by these vehicles.

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

FINANCE COMMITTEE REPORT: The Finance Committee does not recommend approval of this article.

**ARTICLE 31. SUDBURY PUBLIC SCHOOLS SURVEILLANCE CAMERAS**

To see if the Town will vote to raise and appropriate, or transfer from available funds, the sum of \$261,023, or any other sum, for the purchase or acquisition and installation of surveillance cameras and associated equipment in the Curtis Middle School, Haynes Elementary School, Loring Elementary School, Nixon Elementary School and Noyes Elementary School, and all incidental and related costs; or act on anything relative thereto.

Submitted by the Sudbury Public Schools School Committee.

(Majority vote required)

SCHOOL COMMITTEE REPORT: This article seeks funding for the purpose of the purchase and installation of surveillance cameras, switches, required licensing, and any necessary supporting hardware in the Curtis Middle School, Haynes Elementary School, Loring Elementary School, Nixon Elementary School and Noyes Elementary School. Interior cameras will improve the safety of the buildings for students and staff while reducing the probability of vandalism and assist in investigations, thus limiting the risk of damage and loss.

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

FINANCE COMMITTEE REPORT: The Finance Committee recommends approval of this article.

**ARTICLE 32. SUDBURY PUBLIC SCHOOLS PLAYGROUND IMPROVEMENTS**

To see if the Town will vote to raise and appropriate, and/or transfer from available funds and/or accept grants, gifts, and donations, the sum of \$333,000, to be expended under the direction of the School Department for the

purpose of construction, reconstruction, or making extraordinary repairs to the Sudbury Public Schools Playgrounds; and all expenses incidental and related thereto including professional and engineering, the preparation of plans, specifications and bidding documents, and supervision of work; or act on anything relative thereto.

Submitted by the Sudbury Public Schools School Committee.

(Majority vote required)

**SCHOOL COMMITTEE REPORT:** This article seeking funding is presented for the purpose of addressing the playground condition at the Loring Elementary School as part of the process to improve all Sudbury Schools' playgrounds originally initiated by the Town Facilities Department with consultation from the Sudbury Public Schools Administration. A citizen's group, PlaySudbury, was formed to assist with design and community involvement working toward modernizing the school playgrounds.

This article seeking the funding and appropriation for playground improvements at the Loring Elementary School is part of a multi-year project goal, which, upon completion, will bring the four elementary school playgrounds into compliance with the American Disabilities Act (ADA) and the Massachusetts Architectural Access Board (MAAB) accessibility requirements. These projects include playground improvements already completed at the Haynes and Noyes Elementary Schools, currently in progress at the Nixon Elementary School and this article will fund improvements at the Loring Elementary School Playground. Fundraising, grants, and in-kind donations have been secured and are currently being pursued by the Town of Sudbury, Sudbury Public Schools, and PlaySudbury in hopes of mitigating the costs of the total playgrounds project.

This article seeks to raise \$71,000 in Town Funding, transfer the remaining 10/16/17 STM Article 12 Haynes Playground project balance, transfer the remaining 5/7/18 ATM Article 25 Noyes Playground project balance, and transfer \$10,000 from the 5/6/19 ATM Article 29 Nixon Playground project funds. Secured grants and fundraising donations will fund the balance of this project.

These playground improvements intend to apply concepts of universal design in order to create not just playgrounds, but multigenerational recreational spaces so that the entire community can utilize and enjoy our school grounds.

As PlaySudbury states, every student deserves equal access to their school playground. Despite being maintained, the Sudbury School playgrounds are outdated. The surfaces are not up to Massachusetts Architectural Access Board (MAAB) standards, and much of the equipment is not ADA compliant and nearing end of equipment's useful life. Due to lack of accessibility, some students are being denied an equal opportunity to participate alongside their peers in outdoor play activities. The multi-year Playground Project seeks to provide a safe, accessible play environment for our children to grow and thrive.

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

**FINANCE COMMITTEE REPORT:** The Finance Committee recommends approval of this article.

**ARTICLE 33. SUDBURY PUBLIC SCHOOLS NON-RESIDENT TUITION FUND**

*(Consent Calendar)*

To see if the Town will vote to accept the provisions of G.L. c. 71, §71F, effective as of July 1, 2020, to allow tuition payments received for non-resident students and state reimbursements for foster care students to be expended by the School Committee without further appropriation for expenses incurred in providing education for such nonresident or foster care students; or act on anything relative thereto.

Submitted by the Sudbury Public Schools School Committee.

(Majority vote required)

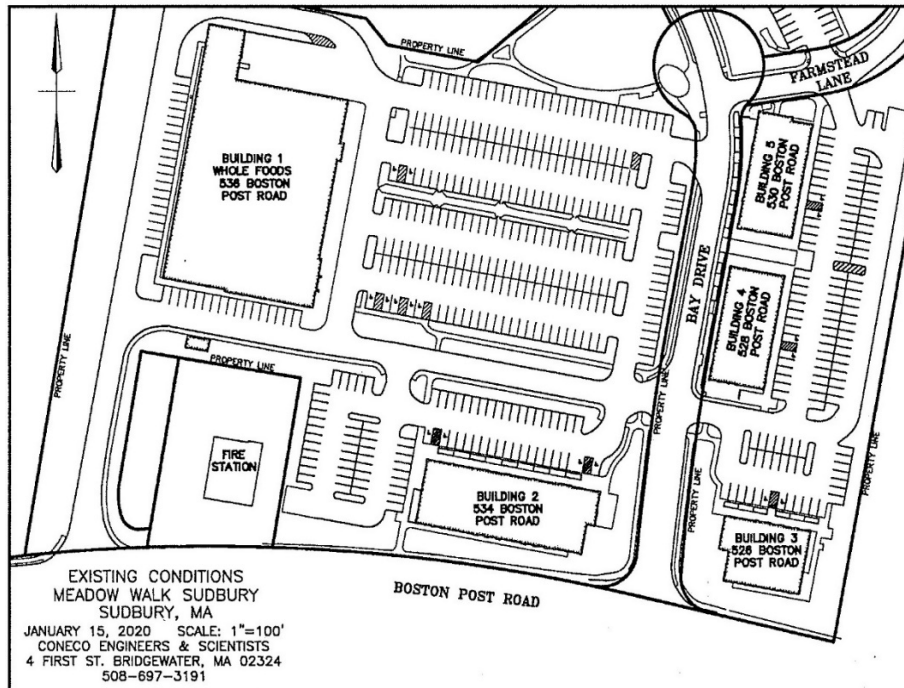
SCHOOL COMMITTEE REPORT: Passage of this article will establish a tuition fund to allow Sudbury Public Schools to accept tuition payments for nonresident students and state reimbursements for students who are foster care children pursuant to M.G.L. c. 71, § 71F, to be expended by Sudbury Public Schools without further appropriation for expenses incurred in providing education for such nonresident students or for such students who are foster care children.

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

FINANCE COMMITTEE REPORT: The Finance Committee recommends approval of this article.

**ARTICLE 34. AUTHORIZE BOARD OF SELECTMEN TO PETITION FOR AN ADDITIONAL ALCOHOL POURING LICENSE FOR MEADOW WALK DEVELOPMENT** (Consent Calendar)

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court to adopt legislation allowing for the Town to grant one additional license for the sale of all alcoholic beverages to be drunk on the premises to the holder of a common victualler license for a sit-down restaurant located only in one of the currently existing Buildings (2,3,4 or 5) within the development known as Meadow Walk, 526-534 Boston Post Road as shown on the following plan provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court; and, provided further that the Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition; or act on anything relative thereto.





Submitted by the Board of Selectmen.

(Majority vote required)

BOARD OF SELECTMEN REPORT: At its meeting of January 7, 2020, in conjunction with the discussion with representatives of National Development on behalf of owner BPR Sudbury LLC, the Selectmen voted to sponsor a 2020 Annual Town Meeting article to adopt legislation allowing the Town to grant one additional alcoholic beverages serving license for a restaurant to be located at the Meadow Walk location off the Boston Post Rd. As the Town’s quota of all alcoholic licensed restaurants has been filled, it is necessary to petition the General Court for the addition.

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

**ARTICLE 35. ACCEPTANCE OF PROVISIONS OF THE MASSACHUSETTS VETERANS’ BRAVE ACT, M.G.L. CHAPTER 59, s. 5 CLAUSE TWENTY-SECOND H.** *(Consent Calendar)*

To see if the Town will vote to accept the provisions of M.G.L. c. 59, § 5, Clause Twenty-second H (inserted by Chapter 218 of the Acts of 2018 known as an Act Relative to Veterans’ Benefits, Rights, Appreciation, Validation, and Enforcement (“BRAVE Act”)), or act on anything relative thereto.

Submitted by the Board of Assessors.

(Majority vote required)

BOARD OF ASSESSORS REPORT: The intended purpose of this article is to grant a full exemption of property tax to Gold Star parents or guardians of soldiers and sailors, members of the National Guard and Veterans who have died or are missing in action/presumed dead. At this time, the Commonwealth of Massachusetts does not provide reimbursement for Clause 22H. The annual cost to the Town is estimated at \$9,300.

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

FINANCE COMMITTEE REPORT: The Finance Committee recommends approval of this article.

**ARTICLE 36. ADDITION OF ASSOCIATE MEMBERS TO THE HISTORIC DISTRICT COMMISSION** *(Consent Calendar)*

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court to adopt legislation amending Section 4 of Chapter 40 of the Acts and Resolves of 1963, “An Act Establishing a Historic District Commission for the Town of Sudbury, and Establishing its Powers and Duties, Establishing a Historic District therein, and Providing for Historic District Zoning,” to allow the appointment by the Board of Selectmen of two associate members of the Historic District Commission; said members will be allowed to participate in all Historic District Commission discussions and, as designated by the chair, be allowed to sit as a voting member on the board in case of absence, inability to act or conflict of interest on the part of any member thereof, or the event of a vacancy on the board until said vacancy is filled; and will be appointed by the Board of Selectmen in the manner and for the terms of office as provided in Chapter 40 of the Acts and Resolves of 1963 and also be considered as qualified for office for being a member of the building trades, an historic preservationist, or an historic archaeologist; and further, that the General Court may make clerical or editorial

changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court; and, provided further that the Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition, or act on anything relative thereto.

Submitted by the Historic District Commission.

(Majority vote required)

**HISTORIC DISTRICT COMMISSION REPORT:** If approved, this article will increase the total membership of the Historic District Commission by adding two alternate members. Its purpose is threefold: 1.) to provide more points of view on decisions made by the Commission; 2.) to fill vacancies when a permanent member cannot attend a meeting or must recuse himself or herself from a case; and 3.) to allow more residents to serve on the Commission who wish to do so. If approved, the makeup of the Commission will be five permanent members and two alternates.

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

**ARTICLE 37. AMEND ZONING BYLAW, ARTICLE IX: REMOVE SECTION 4800. TEMPORARY MORATORIUM ON MARIJUANA ESTABLISHMENTS AND INSERT NEW SECTION 4800. SOLAR ENERGY SYSTEMS**

To see if the Town will vote to amend the Zoning Bylaw, Article IX, by removing Section 4800. Temporary Moratorium on Marijuana Establishments in its entirety and inserting in its place a new Section 4800. Solar Energy Systems with the language as follows:

**4800. SOLAR ENERGY SYSTEMS**

**4810. Purpose.** This section is intended to define the parameters for the installation of new Solar Energy Systems by providing standards for the placement, design, construction, operation, monitoring, modification, and removal of such systems that address public safety and minimize undesirable impacts on residential property and neighborhoods, as well as scenic, natural, and historic resources.

**4820. Applicability.** No Solar Energy System shall be erected or installed except in compliance with the provisions of this section and other applicable sections of the Zoning Bylaw, as well as state and federal law. This section also pertains to physical modifications that materially alter the type, configuration, or size of these installations or related equipment throughout the useful life of the system or where alterations may impact abutters.

**4830. Roof Mounted Installations.** Solar Energy Systems installed on roofs of buildings or structures shall conform to the following provisions.

- a. Roof Mounted Solar Energy Systems of any size on single- and two-family dwellings are permitted as of right and are not subject to Site Plan Review under Section 6300.

- b. Roof Mounted Solar Energy Systems of any size on multi-family dwellings and all non-residential buildings are permitted as of right, but shall require Site Plan Review under Section 6300 prior to being erected.
- c. Roof Mounted Solar Energy Systems which require Site Plan Review may, at the discretion of the Planning Board, obtain Minor Site Plan approval under Section 6370.
- d. Roof Mounted Solar Energy Systems shall only be constructed within the footprint of the building upon which they are installed.

**4840. Ground Mounted Installations.** Ground Mounted Solar Energy Systems shall conform to the following provisions.

- a. Ground Mounted Solar Energy Systems shall require Site Plan Review under Section 6300 prior to being erected. Systems which also require a special permit from the Board of Appeals shall require Site Plan Review prior to submitting an application for a special permit.
- b. Ground Mounted Solar Energy Systems may, at the discretion of the Planning Board, obtain Minor Site Plan approval under Section 6370. Systems proposed to be located over parking or other vehicular areas, in lieu of naturally vegetated land, are strongly encouraged to seek this form of Site Plan Review.
- c. All setback, yard, buffer, and screening requirements applicable in the zoning district in which the Ground Mounted Solar Energy System, and all related structures, buildings, and equipment, are located shall apply, except for power feed and distribution lines.
- d. Ground Mounted Solar Energy Systems proposed to be located in the area between a property's lot frontage and an existing or proposed building shall require a special permit from the Board of Appeals.
- e. All security fences surrounding a Ground Mounted Solar Energy System shall be set back from property lines a distance equal to the setback requirement applicable to buildings within the zoning district in which the system is located.
- f. The visual impact of a Ground Mounted Solar Energy System, including all accessory structures, buildings, equipment, and appurtenances, shall be mitigated. All accessory structures, buildings, equipment, and appurtenances shall be architecturally compatible with each other. Whenever reasonable, structures shall be shielded from view by vegetation and/or joined and clustered to avoid adverse visual impacts. Methods such as the use of landscaping, natural features, and fencing shall be utilized.
- g. Wherever possible, all utility connections, conduits, cables, power lines, transformers, and inverters shall be placed underground unless specifically permitted otherwise by the Planning Board or required by the State Building Code. Electrical transformers and inverters to enable utility interconnections may be above ground if required by the utility provider.

- h. The clearing of existing vegetation on the subject property shall be limited to what is necessary as deemed by the Planning Board for the construction, operation, and maintenance of a Ground Mounted Solar Energy System or otherwise prescribed by applicable laws, regulations, and bylaws.
- i. The entire square footage for the arrays of a Ground Mounted Solar Energy System shall count toward the area of disturbance and impervious area square footage calculations.
- j. Ground Mounted Solar Energy System owners or operators shall provide a copy of the project summary, electrical schematic, and Site Plan to the local Fire Chief. The owner or operator shall provide an emergency response plan. The emergency response plan is subject to the approval of the Fire Department and Police Department, and shall include at a minimum, explicit instructions on all means of shutting down the Solar Energy System, which shall be clearly marked. The owner or operator shall identify a responsible person for public inquiries throughout the life of the installation.
- k. Applicants for Large Scale Ground Mounted Solar Energy Systems shall provide a form of surety (Decommissioning Security), either through escrow account, bond, letter of credit, or other mechanism acceptable to the Planning Board, to cover the cost of removal of all Solar Energy System facilities in the event the Town must remove the facilities and restore the property, to the extent feasible, to its original condition. The Decommissioning Security shall be in an amount and form determined to be reasonable by the Planning Board, but in no event to exceed more than 150 percent of the estimated cost of removal and compliance with the additional requirements set forth herein. Applicants shall submit a fully inclusive estimate of the costs associated with removal, prepared by a qualified engineer, which estimate may be peer reviewed by a consultant selected by the Planning Board at the applicant's expense. The amount shall include a mechanism for calculating increased removal costs due to inflation over a period of 30 years. The Decommissioning Security shall be provided at completion of construction of the Solar Energy System (Bonding Date) and will be required before any electricity, generated by the Solar Energy System, is exported to the local electrical grid for sale to third parties. From and after the Bonding Date, the amount of Decommissioning Security may be reviewed at the Planning Board's direction every five (5) years. In the event such review indicates the net decommissioning costs have increased since the Bonding Date, then the amount of the Decommissioning Security will be increased consistent with such revised estimate. The revised estimate will be obtained from a reputable, independent contractor selected by the owner of the Solar Energy System and may be peer reviewed by a consultant chosen by the Planning Board at the owner's expense.

**4850. Use Regulations for All Solar Energy Systems**

- a. Lighting shall not be permitted unless required by the Special Permit/Site Plan Granting Authority or State Building Code. Where used, lighting shall be directed downward and full cut-off fixtures (Dark Sky compliant) shall be used.

- b. The Solar Energy System shall not create a nuisance, which is discernible from other properties by virtue of noise, vibration, smoke, dust, odors, heat, glare and radiation, unsightliness, or other nuisance as determined by the Special Permit/Site Plan Granting Authority.
- c. The Solar Energy System owner or operator shall maintain the system in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, continued compliance with landscaping and screening requirements, and integrity of security measures. The owner or operator shall be responsible for the maintenance of any access roads serving the system to a level acceptable to the local Fire Chief, Police Chief, Emergency Medical Services, and Building Inspector. Any required site plan approval and/or special permit may require surety to secure such ongoing maintenance.

**4860. Discontinuance.** A Solar Energy System shall be deemed to have been discontinued if it has not been in service for a continuous 12-month period without the written consent of the Planning Board. Upon receipt of a Notice of Discontinuance from the Building Inspector, the owner shall have the right to respond to the Notice within 30 days of receipt. The Building Inspector shall withdraw the Notice of Discontinuance and notify the owner the Notice has been withdrawn if the owner provides information that demonstrates to the satisfaction of the Building Inspector the Solar Energy System has not been discontinued. If the Solar Energy System is determined to be discontinued, the owner shall remove the system, including all structures, buildings, equipment, appurtenances, security barriers, and transmission lines, and stabilize or re-vegetate the site as necessary to minimize erosion and sedimentation, at the owner's sole expense, within six months of receipt of the Notice of Discontinuance. Should the owner of the Solar Energy System fail to remove the system and stabilize the site within said time period, the Town shall then have the option to enforce against the Decommissioning Security, and/or may subject the owner to action pursuant to Section 1340. Penalties.

**4870. Administration.**

- a. Where a special permit is required from the Board of Appeals to erect or install a Ground Mounted Solar Energy System, the record owner desiring to erect or install the Solar Energy System shall file with the Board of Appeals an application for a special permit, together with such plans, drawings, specifications, fees, and additional information as required by the Board of Appeals.
- b. The Board of Appeals shall have the authority to waive specific provisions of this section upon a determination the waiver is not inconsistent with the purpose and intent of this section.
- c. The Board of Appeals shall conduct its review, hold a public hearing, and file its decision with the Town Clerk as required by MGL Chapter 40A, Section 9.
- d. Approval Criteria. Before the Board of Appeals may issue a special permit, it shall determine each of the following:
  - (1) The Ground Mounted Solar Energy System conforms to the provisions of this section.

- (2) The Ground Mounted Solar Energy System will not be detrimental to the neighborhood or the Town.
  - (3) Environmental features of the site and surrounding areas are protected, and the surrounding area will be protected from the proposed use by provision of adequate surface water drainage.
  - (4) The proposed use is in harmony with the general purpose and intent of the Zoning Bylaw.
  - (5) The Ground Mounted Solar Energy System meets the special permit criteria of Section 6220.
- e. Any special permit shall be subject to such conditions and safeguards as the Board of Appeals may prescribe.
  - f. In reviewing any application for a special permit, the Board of Appeals shall give due consideration to promoting the public health, safety, convenience, and welfare; shall encourage the most appropriate use of land; and shall permit no building or use that is detrimental or offensive to the adjoining zoning districts and neighboring properties due to the effects of lighting, odors, smoke, noise, sewage, refuse materials, or other visual nuisances.

**4880. Severability.** If any provision of this Bylaw is declared invalid or unenforceable, the other provisions shall not be affected thereby.

; and further by amending Section 7000. Definitions by adding and inserting alphabetically the following definitions associated with the new Section. 4800. Solar Energy Systems as follows:

**ARTICLE 7000. DEFINITIONS**

**Solar Energy System:** A system whose primary purpose is to harvest energy by transforming solar energy into another form of energy, such as electricity, or transferring heat from a collector to another medium using mechanical, electrical, or chemical means.

**Solar Energy System, Ground Mounted:** An active Solar Energy System that is structurally mounted to the ground and is not roof mounted.

**Solar Energy System, Large Scale Ground Mounted:** An active Solar Energy System that occupies more than 1,750 square feet of surface area (equivalent to a rated nameplate capacity of about 10 kW DC or greater), except in the Single Residence "A", Single Residence "C", and Wayside Inn Historic Preservation Residential Zone Districts, where such systems occupy more than 500 square feet of surface area.

**Solar Energy System, Roof Mounted:** An active Solar Energy System that is structurally mounted to the roof of a building or structure.

**Solar Energy System, Small Scale Ground Mounted:** An active Solar Energy System that occupies 1,750 square feet of surface area or less (equivalent to a rated nameplate capacity of about 10 kW DC or less), except in the Single Residence "A", Single Residence "C", and Wayside Inn Historic

Preservation Residential Zone Districts, where such systems occupy 500 square feet of surface area or less.

; and further to make the following changes to Section 2230. Table of Principal Use Regulations. Appendix A:

**SECTION 2230, APPENDIX A**  
**TABLE OF PRINCIPAL USE REGULATIONS**

PRINCIPAL USE	A-RE S	C-RE S	W I	B D	LB D	V B D	I D	LI D	IP	R D
D. INDUSTRIAL										
6. Small Scale Ground Mounted Solar Energy System	Y <sup>vi</sup> <sub>i</sub>	Y <sup>vii</sup>	Y <sub>vii</sub>	Y <sup>vi</sup> <sub>i</sub>	Y <sup>vi</sup> <sub>i</sub>	Y <sup>vi</sup> <sub>i</sub>	Y <sub>vii</sub>	Y <sub>vii</sub>	Y <sub>vii</sub>	Y <sub>vii</sub>
7. Large Scale Ground Mounted Solar Energy System	N	N	N	ZB A <sup>vi</sup> <sub>i</sub>	ZB A <sup>vi</sup> <sub>i</sub>	ZB A <sup>vi</sup> <sub>i</sub>	Y <sub>vii</sub>	Y <sub>vii</sub>	Y <sub>vii</sub>	Y <sub>vii</sub>

vii. See Section 4800.

; and further that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Zoning Bylaw; or act on anything relative thereto.

Submitted by the Planning Board.

(Two-thirds vote required)

**PLANNING BOARD REPORT:** This new proposed section would strike, in its entirety, the current Section 4800 in the Zoning Bylaw which speaks to the temporary moratorium on marijuana establishments. The existing text of Section 4800 in the Zoning Bylaw is no longer needed because a town-wide prohibition on all forms of marijuana establishments (aside from medical marijuana treatment centers) has already been implemented. The proposed new Section 4800 would regulate Solar Energy Systems as these types of installations currently have no formal regulation in the Zoning Bylaw.

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

**ARTICLE 38. AMEND ZONING BYLAW, ARTICLE IX. INSERT SECTION 5600.**  
**INCLUSION OF AFFORDABLE HOUSING**

To see if the Town will vote to amend the Zoning Bylaw, Article IX, by inserting a new Section 5600. Inclusion of Affordable Housing, as set forth below:

**5600. INCLUSION OF AFFORDABLE HOUSING**

**5610. Purpose.** The purpose of this Bylaw is to increase the amount of affordable housing in the Town of Sudbury available to and affordable by low- or moderate-income households who might otherwise have difficulty purchasing or renting homes in Sudbury, to ensure affordable housing remains affordable in perpetuity, and that such housing is offered in accordance with the requirements of Massachusetts General Law Chapter 40B and its implementing regulations, the Sudbury Comprehensive Permit Policy, the Sudbury Master Plan, and other ongoing programs within the Town of Sudbury. It is intended that Affordable Dwelling Units authorized under the provisions of this Bylaw be considered as Local Initiative Program (LIP) Dwelling Units in compliance with the requirements for the same as specified by the Commonwealth's Department of Housing and Community Development (DHCD) or successors, and that said units count toward the Town's requirements under Massachusetts General Law Chapter 40B, Sections 20-23, as amended.

**5620. Applicability**

5621. Beginning with the effective date of this Bylaw, any development or any division of land subject to Massachusetts General Law Chapter 41, Sections 81-K through 81-GG, which will result in the creation of three (3) or more dwelling units shall require a Special Permit from the Planning Board, and shall include as conditions of said permit that:

- A. At least ten percent (10%) of the dwelling units in the development, as defined by the development's application (Subdivision, Site Plan, Special Permit, etc.), shall meet the criteria of Affordable Dwelling Units. For developments consisting of at least three (3) and up to four (4) dwelling units, the applicant shall make a payment in accordance with Section 5670 or shall provide an Affordable Dwelling Unit in accordance with Section 5630. For developments consisting of at least five (5) and up to ten (10) dwelling units, a minimum of one (1) Affordable Dwelling Unit shall be included in the development. For developments consisting of eleven (11) to fifteen (15) dwelling units, a minimum of two (2) Affordable Dwelling Units shall be included in the development. For all other developments where ten percent (10%) of the dwelling units results in a fractional number, all fractional units of 0.5 or greater shall be rounded up to the nearest whole number to determine the total number of Affordable Dwelling Units required to be included the development.
- B. The ratio of Affordable Dwelling Units to Market Rate Dwelling Units, built in any twelve-month period, shall be at least equivalent to the ratio of Affordable Dwelling Units to Market Rate Dwelling Units defined for the entire development. The development's Regulatory Agreement shall be recorded with the Registry of Deeds prior to the first Certificate of Occupancy.
- C. Resale deed restrictions shall be established, which ensure Affordable Dwelling Units remain Affordable Dwelling Units in perpetuity or for as long a period as is allowed by law.

5622. Dwelling units shall be considered part of a single development if located either on a single parcel or contiguous parcels of land which have been in the same ownership at any time subsequent to the date of adoption of Section 5600. It is the intent of this bylaw to avoid segmentation of developments intended to circumvent the affordable housing requirements set forth in this Section.



5623. Developments which are permitted under the following regulations shall be exempt from this Section 5600, in its entirety: Massachusetts General Law Chapters 40B or 40R, and from this Zoning Bylaw Section 4700A North Road Residential Overlay District, Section 4700B Melone Smart Growth Overlay District, Section 5100 Cluster Development, Section 5200 Flexible Development, Section 5300 Senior Residential Community, and Section 5400 Incentive Senior Development.

**5630. Provision of Affordable Dwelling Units.** The requirement to provide Affordable Dwelling Units, as outlined under Section 5621, shall be achieved in any one or combination of methods described below, subject to approval by the Planning Board:

- A. Affordable Dwelling Units may be constructed on the subject property associated with the Special Permit.
- B. Subject to the requirements of Section 5621.B., Affordable Dwelling Units may be constructed off of the subject property associated with the Special Permit in another location at 1.5 times the ratio of Affordable Dwelling Units to be constructed on the subject property. The applicant for a development subject to this Bylaw shall prove to the Planning Board the off-site land is buildable and suitable for residential housing, including under the existing Zoning Bylaw. The Planning Board may require the applicant to submit appraisals or conduct a Phase I Environmental Site Assessment documenting there are no hazardous materials on the property as defined by Massachusetts Department of Environmental Protection and/or the United States Environmental Protection Agency, as well as conduct soil testing to ensure wastewater treatment systems can be implemented. If using this provision, the Planning Board and the applicant for a development shall make best efforts to avoid the dense concentration of Affordable Dwelling Units in town and shall attempt to ensure Affordable Dwelling Units are spread evenly throughout the community.
- C. Subject to the requirements of Section 5621.B., the applicant for a development subject to this Bylaw may choose to convert and preserve existing dwelling units, not previously established as Affordable Dwelling Units. Affordable Dwelling Units proposed under this method shall be comparable to the Market Rate Dwelling Units in the development, be in good repair, have a home inspection report from a licensed inspector submitted to the Planning Board, and it shall be proven all major home systems have a useful life of at least ten (10) years.
- D. For Affordable Dwelling Unit calculations where fractional Affordable Dwelling Units result below 0.5, the applicant for a development subject to this Bylaw shall pay equivalent fees-in-lieu of constructing Affordable Dwelling Units (see Section 5670) or provide an additional Affordable Dwelling Unit.
- E. Other alternatives to providing Affordable Dwelling Units which are not listed in this section will also be considered for approval by the Planning Board.

**5640. Provisions Applicable to Affordable Dwelling Units**

5641. Permissible types of construction for Affordable Dwelling Units, built as a freestanding unit(s) or in combination with a Market Rate Dwelling Unit(s) within a development, are as follows:

- A. Single-family dwellings;
- B. Two-family dwellings which are designed to be consistent in character with the single-family dwellings in the same development;
- C. Multi-family dwellings which are designed to be consistent in character with the single-family dwellings in the same development. Such multi-family dwellings may be allowed provided:
  - i. No more than one (1) doorway faces the front yard area and further provided that, in terms of exterior appearance, the building is compatible in design and, to the extent practicable, indistinguishable from the single-family dwellings in the same development; and
  - ii. There shall be no more than four (4) dwelling units in any residential building; and
  - iii. The total number of multi-family dwellings shall not exceed 10% of the lots in the development.

5642. Siting of Affordable Dwelling Units. All Affordable Dwelling Units constructed under this Bylaw, except for those as in Section 5630.B., shall be situated within the development so as not to be in less desirable locations than Market Rate Dwelling Units and shall be no less accessible to public amenities, such as open space, than Market Rate Dwelling Units. The Site Plan shall clearly identify lots proposed for Affordable Dwelling Units.

5643. Minimum Design and Construction Standards for Affordable Dwelling Units. Affordable Dwelling Units shall be integrated with Market Rate Dwelling Units and shall be compatible in design, construction quality, and appearance with the Market Rate Dwelling Units.

**5650. Maximum Incomes, Rents, and Selling Prices.** To ensure a development's Affordable Dwelling Units are counted on the Town's Subsidized Housing Inventory, the applicant for a development shall retain a qualified agency or entity to conduct a lottery, and enter into a LIP Regulatory Agreement compliant with the requirements of the Commonwealth's DHCD.

**5660. Maintaining Affordability.** The purchaser of an Affordable Dwelling Unit developed as a result of this Bylaw shall agree to execute a deed rider in a form approved by the Commonwealth's DHCD or its successor. The applicant for a development subject to this Bylaw shall be responsible for coordinating with the Planning and Community Development Department and ensuring all requirements of DHCD to include the Affordable Dwelling Units on the Town's Subsidized Housing Inventory are satisfied.

**5670. Calculation of Fees-in-Lieu for Fractional Affordable Dwelling Units.** The applicant for a development subject to this Bylaw shall pay fees-in-lieu of the construction of fractional Affordable Dwelling Units below 0.5 or provide the Affordable Dwelling Unit in accordance with Section 5630. For the purposes of this Bylaw, the fees-in-lieu of the construction or provision of Affordable Dwelling Units shall be 300% of the Area Median Income (AMI) for a household of four (4) as reported by the most recent information from the United States Department of Housing and Urban Development (HUD), multiplied by the fractional Affordable Dwelling Unit figure. For purposes of illustration, a 22-unit development shall provide two (2) Affordable Dwelling Units and shall also pay fees-in-lieu equal to 300% of the AMI x 0.2 or, alternatively, provide a total of three (3) Affordable Dwelling Units within the 22-unit development. Fees-in-lieu shall be paid to the Sudbury Housing Trust prior to the issuance of a Certificate of Occupancy for any unit in the development for the support, development, and preservation of affordable housing.

**5680. Severability.** If any provision of this Bylaw is declared invalid or unenforceable, the other provisions shall not be affected thereby;

; and further by amending Section 7000. Definitions by adding and inserting alphabetically the following definitions associated with the new Section 5600. Inclusion of Affordable Housing as follows:

## **ARTICLE 7000. DEFINITIONS**

**Area Median Income (AMI):** The most recently published median income for the Boston-Cambridge-Quincy Metropolitan Statistical Area as determined by the United States Department of Housing and Urban Development (HUD) for a four (4)-person household.

**Dwelling Unit, Affordable:** A dwelling unit, the value of which is determined by the Commonwealth's Department of Housing and Community Development (DHCD) to be affordable by a low-income or moderate-income household, and thus to be included in the DHCD's Subsidized Housing Inventory of low-income or

moderate-income dwelling units for the purposes of compliance with the provisions of Massachusetts General Law Chapter 40B, Sections 20-23.

**Dwelling Unit, Market Rate:** A dwelling unit which has no rental or ownership restrictions. The entity who owns the dwelling unit is free to attempt to rent or sell the unit at whatever price the local market may fetch.

**Local Initiative Program (LIP):** A state housing initiative administered by the Commonwealth’s Department of Housing and Community Development (DHCD) to encourage communities to produce affordable housing for low- and moderate-income households. The program provides technical and other non-financial assistance to cities or towns seeking to increase the supply of housing for households at or below 80% of the Area Median Income (AMI). LIP-approved units are entered into the Subsidized Housing Inventory pursuant to Massachusetts General Law Chapter 40B, Sections 20-23.

**Qualified Affordable Dwelling Unit Purchaser:** A household with an income that qualifies for the requirements under the Commonwealth’s Local Initiative Program for median area income as reported from the United States Department of Housing and Urban Development (HUD) and/or the Commonwealth’s Department of Housing and Community Development (DHCD);

; and further that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Zoning Bylaw; or act on anything relative thereto.

Submitted by the Planning Board.

(Two-thirds vote required)

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

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

**ARTICLE 39. EXCHANGE OF REAL PROPERTY – BRIMSTONE LANE PARCELS**

*(Consent Calendar)*

To see if the Town will vote to transfer the care, custody, management and control of the land off Brimstone Lane consisting of approximately 29,800 square feet, more or less, as shown on a plan of land entitled “Sketch Plan 137 Brimstone Lane Sudbury, MA” dated June 29, 2020, prepared by Sullivan Connors & Associates, a copy of which is on file in the Town Clerk’s Office, from the board or commission currently having custody thereof for the purpose for which said property is currently held, to the Board of Selectmen for general municipal purposes and for the purpose of conveyance, and authorize the Board of Selectmen to convey said parcel on such terms and conditions, and for such consideration, as the Board of Selectmen deems appropriate; and further, to authorize the Board of Selectmen to submit a petition to the General Court for a special act authorizing the transfer of said parcel under Article 97 of the Amendments to the Massachusetts Constitution; and further, in order to satisfy the Executive Office of Energy and Environmental Affairs’ “no net loss policy,” 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, the land off Brimstone Lane consisting of approximately 29,800 square feet (0.68 acres) more or less, as shown on said Sketch Plan and being a portion of the parcel shown on Assessor’s Map L04-0006, and dedicate such 29,800 square foot parcel of land for conservation and open space purposes, to be held under the care, custody, management and control of the Conservation Commission, pursuant to G.L. c. 40, §8C, with the foregoing dedication of such land to become effective upon the enactment of the Article 97 legislation; and further to authorize the Board of Selectmen to execute all instruments, agreements, deeds, conservation restrictions, easements or other documents, 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, or take any other action relative thereto.

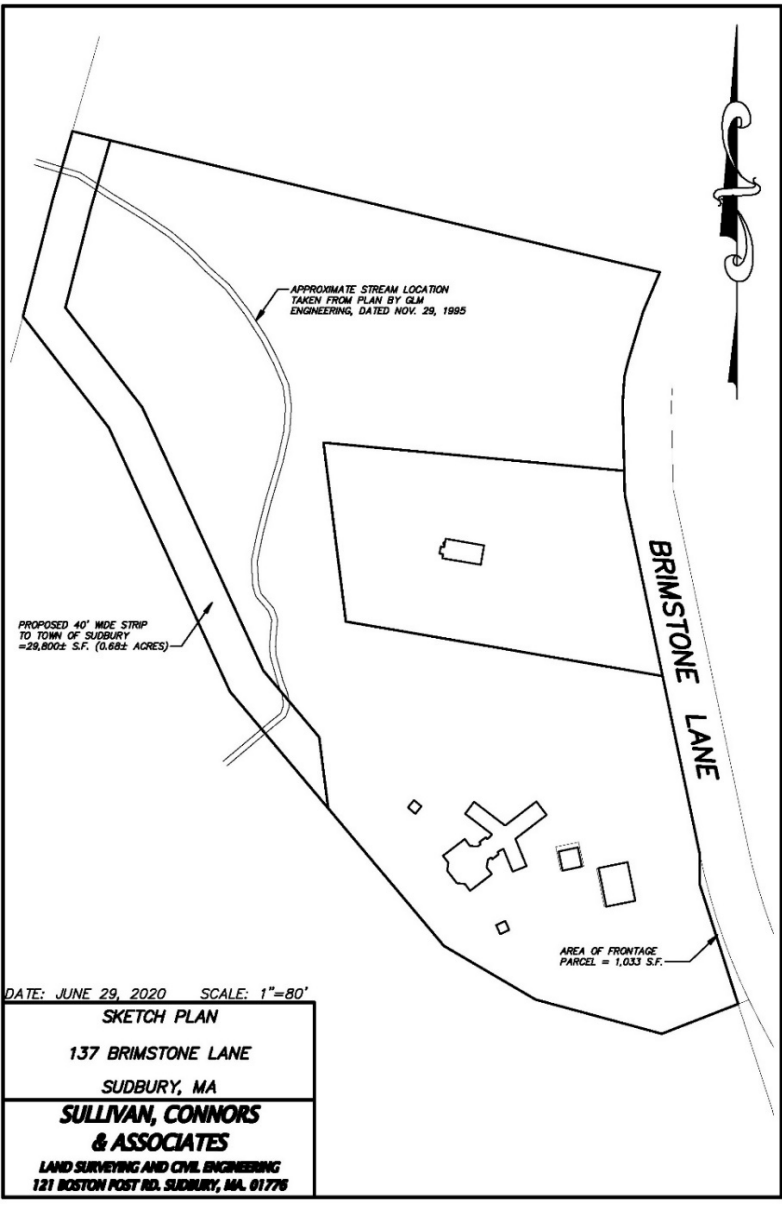
Submitted by the Conservation Commission.

(Two-thirds vote required)

CONSERVATION COMMISSION REPORT: The Commission finds that the 29,800 s.f. piece of land being proposed to be transferred to the Conservation Commission contains more conservation value due to its adjacency to Nobscot Conservation Land and contributes more towards the protection of watershed resources of Sudbury, which was the intended purpose of the original gift of 1,033 s.f. of land.

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

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



**ARTICLE 40. TRANSFER CARE & CUSTODY OF TOWN-OWNED WATER ROW  
PARCEL TO CONSERVATION COMMISSION (H11-401) (Consent Calendar)**

To see if the Town will vote to transfer the care, custody, management and control of the following parcel of land from the Board of Selectmen to the Conservation Commission for conservation and passive recreation purposes pursuant to General Laws Chapter 40 Section 8C, and to authorize the Conservation Commission to grant a conservation restriction in said property to a non-profit conservation organization: a parcel of land located on Water Row constituting approximately 23.49 ± acres, shown as Assessor’s Map H11, Parcel 401, said parcel having been purchased by the Town for open space acquisition and preservation and described in a deed filed with the Middlesex South Registry District of the Land Court as Document No. 1393441, Certificate of Title #235399, Book 1310, Page 144, and shown as “Parcel 22” on a plan of land entitled “Subdivision Plan of Land in Sudbury” prepared by Schofield Brothers of New England, Inc., dated October 17, 2005, recorded at the Middlesex South Registry District of the Land Court as Plan 442-I; or act on anything relative thereto.

Submitted by the Conservation Commission. (Two-thirds vote required)

CONSERVATION COMMISSION REPORT: In 2005, the Town of Sudbury voted to purchase this parcel of land on Water Row with Community Preservation Act funds for open space acquisition and preservation. The Community Preservation Act requires a municipality to grant a perpetual restriction on any real estate interest purchased with CPA funds. A perpetual Conservation Restriction shall be held by the Sudbury Valley Trustees. As the Town proceeded with conveyance of the Conservation Restriction, it became evident that it would be more prudent for that land to come under the care and custody of the Conservation Commission. This property is adjacent to other Conservation holdings including King Philip Woods and Piper Conservation Land.

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

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

**ARTICLE 41. TRANSFER CARE & CUSTODY OF TOWN-OWNED WATER ROW  
PARCEL TO CONSERVATION COMMISSION (H11-305) (Consent Calendar)**

To see if the Town will vote to transfer the care, custody, management and control of the following parcel of land from the Board of Selectmen to the Conservation Commission for conservation and passive recreation purposes pursuant to General Laws Chapter 40 Section 8C, and to authorize the Conservation Commission to grant a conservation restriction in said property to a non-profit conservation organization: a parcel of land located on Water Row constituting approximately 2.39 ± acres, shown as Assessor’s Map H11, Parcel 305, said parcel having been purchased by the Town for the preservation of open space and historic resources purposes and described in a deed recorded in the Middlesex South Registry of Deeds at Book 39630, Page 344, and shown as “Parcel C” on a plan of land entitled “Compiled Plan of Land in Sudbury, Mass, Owned by Brenton H. Dickson” prepared by Thomas Land Surveyors, Inc., dated August 16, 1987 and as revised through September 3, 1987, recorded at the Middlesex South Registry of Deeds as Plan 1678 of 1987; or act on anything relative thereto.

Submitted by the Conservation Commission. (Two-thirds vote required)

CONSERVATION COMMISSION REPORT: In 2003, the Town of Sudbury purchased this parcel of land on Water Row with Community Preservation Act funds for the preservation of open space and historic resources.

The Community Preservation Act requires a municipality to grant a perpetual restriction on any real estate interest purchased with CPA funds. A perpetual Conservation Restriction shall be held by the Sudbury Valley Trustees. As the Town proceeded with conveyance of the Conservation Restriction, it became evident that it would be more prudent for that land to come under the care and custody of the Conservation Commission. This property is adjacent to other Conservation holdings including King Philip Woods and the Haynes Garrison House site.

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

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

**ARTICLE 42. COMMUNITY PRESERVATION FUND – HISTORIC RESOURCE**  
**INVENTORY SURVEY** *(Consent Calendar)*

To see if the Town will vote to appropriate a sum of money not to exceed \$30,000 from the Historic Resources category of Community Preservation Act Funds for the purpose of funding additional historic surveys to be included in Sudbury’s Historic Resource Inventory for approximately 30 additional properties and two area surveys, or act on anything relative thereto.

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

COMMUNITY PRESERVATION COMMITTEE REPORT: The Historical Commission is requesting Community Preservation Act funds to allow for the surveying of approximately 30 individual properties and two area-wide surveys. This phase will focus on the presently under-documented historic resources, buildings, and structures facing development pressure.

Historic surveys are important in identifying properties eligible, either individually or as a group, for listing on the State Register of Historic Places, the National Register of Historic Places, and/or inclusion in a local historic district. These forms provide the legal basis for review by both the Historical Commission (Demolition Delay Bylaw) and the Historic Districts Commission (design review). They are also frequently the only record of a building or resource once it is lost. Many of the current Sudbury Historic Resource Inventory forms were completed in the 1960’s by untrained volunteers and are not up to current historic preservation survey standards. Some need to be resurveyed, especially properties which are the most historically significant.

All surveys will follow Massachusetts Historical Commission (MHC) standards and methodology and will be submitted for inclusion on the Massachusetts Cultural Resource Inventory Survey database (MACRIS). MHC forms record architectural and historical significance – architectural description, photographs, key features, and information about the uses, people, activities, and events associated with the resource over time.

Previous requests for historic preservation, and specifically historic survey funding, have been supported at Town Meeting and by the Community Preservation Committee. The Sudbury Historic Resource Inventory aids in protecting and preserving Sudbury’s historic, cultural, architectural, and archaeological resources of significance, especially those that are threatened. Thorough documentation via MHC inventory forms is the first step in the preservation planning process, and also assists in identifying areas for additional preservation protection and those that might be eligible for future Community Preservation Act or other preservation related funding.

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

FINANCE COMMITTEE REPORT: The Finance Committee recommends approval of this article.

**ARTICLE 43. COMMUNITY PRESERVATION FUND – REMOVAL OF INVASIVE SPECIES FROM KING PHILIP WOODS** *(Consent Calendar)*

To see if the Town will vote to appropriate a sum of money not to exceed \$47,600 with 50% from the Historic Resources category and 50% from the Open Space and Recreation category of Community Preservation Act Funds for the purpose of enhancing the wildlife habitat and historical value of King Philip Woods located near the junction of Old Sudbury Road and Water Row by manually removing invasive species from a 3-acre portion of the site to restore Old Berlin Road and its stone walls, and the wells and foundations associated with the Tavern of the Damned, or act on anything relative thereto.

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

COMMUNITY PRESERVATION COMMITTEE REPORT: This project will both enhance historical resources and improve passive recreational opportunities through the introduction of interpretive signage, while improving and protecting important wildlife habitat. This project proposes to enhance the wildlife habitat and historical value of the property by removing invasive species from a 2-3 acre portion of the site to restore Old Berlin Road and its stone walls, and the walls and foundations associated with the Tavern of the Damned. Currently there are invasive vegetative species which are outcompeting the native species and causing the historic walls and foundations to fall into disrepair. The removal of these invasive species will restore degraded wildlife habitat and prevent the walls and foundations from falling into further disrepair. Once the invasive species are removed, interpretive signs will be installed to educate the public about these elements of Sudbury’s heritage.

Further, Old Berlin Road is fragmented by excessive overgrowth of invasive vegetation. The trail is often washed out as a result of beaver activity near the pond. The project also includes installation of a beaver deceiver to restore trail connectivity for improved public access. Thus, this project will build on a trail improvement project that was undertaken in 2016 and improve the passive recreational opportunities of this property. King Philip Woods is part of a larger matrix of protected lands including adjoining Town conservation lands, Piper Farm and Libby Land; Great Meadows National Wildlife Refuge to the north and east; Wolbach Farm Reservation to the south; and the historic Haynes Garrison Site to the west.

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

FINANCE COMMITTEE REPORT: The Finance Committee recommends approval of this article.

**ARTICLE 44. COMMUNITY PRESERVATION FUND – DESIGN OF WAYSIDE INN ROAD BRIDGE OVER HOP BROOK** *(Consent Calendar)*

To see if the Town will vote to appropriate a sum of money not to exceed \$125,000 from the Historic Resources category of Community Preservation Act Funds for the purpose of designing the replacement of the Wayside

Inn Road bridge superstructure over Hop Brook tributary, including but not limited to the design of the parapet walls, portions of the bridge deck, guardrail, pavement, grading, loam, seed, and associated work, or act on anything relative thereto.

Submitted by the Community Preservation Committee.

(Majority vote required)

COMMUNITY PRESERVATION COMMITTEE REPORT: The bridge superstructure is located in the Wayside Inn Historic District approximately 1,000 feet westerly from the Wayside Inn. The westbound parapet wall on the bridge was severely damaged as a result of a motor vehicle accident on July 4, 2019. Immediately following the accident, temporary barriers at the edge of the bridge deck were installed and the Department of Public Works had the bridge inspected by the Massachusetts Department of Transportation (MassDOT). The results of the inspection concluded that in its post-accident condition, the temporary barriers in place could not satisfactorily address the safety concerns for the site and the conditions as they existed were considered unsafe and should be remediated immediately. A temporary bridge meeting the safety concerns is in place; this project addresses the design of the permanent replacement. The span of the bridge structure triggers review of the design by MassDOT under MGL Chapter 85, Section 35. As such, the parapet walls and guardrails need to meet specific design criteria to sustain an impact by a motor vehicle. A structural design will be presented that will provide the requisite crash rating while restoring the historic appeal to the bridge in the Wayside Inn Historic District. The design will include replacement of the parapet walls, portions of the bridge deck, guardrail, pavement, grading, loam, seed, and associated work. Construction funds for this project will be sought at a future Town Meeting.

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

FINANCE COMMITTEE REPORT: The Finance Committee does not recommend approval of this article.

**ARTICLE 45. COMMUNITY PRESERVATION FUND – REMEDIATION OF WATER CHESTNUTS FROM HOP BROOK POND SYSTEM** *(Consent Calendar)*

To see if the Town will vote to appropriate a sum of money not to exceed \$180,000 over three years (\$60,000 per year) from the Open Space and Recreation category of Community Preservation Act Funds for the purpose of remediating/removing water chestnuts and other invasive species from the Hop Brook pond system, subject to the approval of the Conservation Commission, or act on anything relative thereto.

Submitted by the Community Preservation Committee.

(Majority vote required)

COMMUNITY PRESERVATION COMMITTEE REPORT: The Sudbury portion of the Hop Brook pond system is a series of three connected ponds with a history of environmental degradation. As a result of prior phosphorus loading, uncontrolled vegetative growth, and stagnation, these lakes have become highly eutrophic. However, the upstream phosphorus source is now controlled and the most pressing concern is the compounding proliferation of invasive water chestnuts. Untreated, this invasive species will effectively kill all indigenous native plants in the ponds in only a few more years. One acre of water chestnut can produce enough seeds to cover 100 acres the following year and produce over 40 cubic yards of additional undesirable biomass each year.

The Hop Brook Protection Association has concluded harvesting by itself is ineffective and impractical, and may actually spread other invasives. Further, what beneficial effects harvesting typically has last no more than several weeks. The Hop Brook Protection Association has found that a very effective method of controlling



water chestnuts is the use of environmentally-friendly, rapidly-decaying chemical treatment, applied multiple times annually, in decreasing amounts over a number of years. This treatment would be a key component of a comprehensive multi-modal pond management plan that could restore the ponds to Class B recreational standards over time. The \$180,000 proposed to be allocated for this project would be spread over the course of three years (\$60,000 per year).

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

FINANCE COMMITTEE REPORT: The Finance Committee recommends approval of this article.

**ARTICLE 46. COMMUNITY PRESERVATION FUND – SUDBURY HOUSING AUTHORITY**  
**ACQUISITION, CREATION, PRESERVATION, AND SUPPORT OF**  
**AFFORDABLE RENTAL HOUSING** *(Consent Calendar)*

To see if the Town will vote to appropriate a sum of money not to exceed \$259,000 from the Community Housing category of Community Preservation Act Funds for the purpose of funding the Sudbury Housing Authority's acquisition, creation, preservation, and support of affordable rental housing, or act on anything relative thereto.

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

COMMUNITY PRESERVATION COMMITTEE REPORT: This article requests an appropriation to the Sudbury Housing Authority (SHA) using the ten percent (10%) of estimated annual revenue the Community Preservation Act requires be annually set aside or expended for community housing purposes. The SHA is a quasi-governmental entity overseen by the State Department of Housing and Community Development (DHCD) under 760 CMR. While locally controlled, and created by Town Meeting in 1971 under MGL Chapter 121B, Section 3, it is not legally a part of Sudbury's Town government. The SHA, as the original and substantial creator of affordable rental housing in Sudbury, has received Sudbury Community Preservation Act funding in past years.

The SHA owns, maintains, and manages scattered-site, single-family and duplex rental houses, and 64 rental apartments at Musketahquid Village in Sudbury Center for those over 60 and disabled people. The SHA intends to use the funds, in combination with CPA funds previously appropriated by Town Meeting and other funding sources as necessary, to create additional units of rental housing for families or individuals, particularly focused on those in the Housing and Urban Development (HUD)-defined extremely low- or very low-income range. The SHA primarily houses families and individuals who do not and will not qualify for affordable homeownership or the types of housing created by the various Chapter 40B developments in town. The SHA is singular in its exclusive commitment to the Town, combined with its interest in both expanding and managing rental opportunities for those with incomes at the lowest extreme of the income limit. The SHA prides itself in covering all of its operational costs through the rents it collects. As housing and development costs continue to rise, significant financial resources are required to maximize the SHA's flexibility to respond to those most in need of affordable housing.

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

FINANCE COMMITTEE REPORT: The Finance Committee recommends approval of this article.

**ARTICLE 47. COMMUNITY PRESERVATION FUND – REGIONAL HOUSING SERVICES OFFICE (RHSO) MEMBERSHIP FEE** (Consent Calendar)

To see if the Town will vote to appropriate a sum of money, not to exceed \$30,000 from the Community Housing category of Community Preservation Act Funds for the purpose of funding the Town’s portion of the FY2021 Regional Housing Services Office (RHSO) membership fee supporting 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 recently, 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 Planning & Community Development Department, with funding through Community Preservation Committee 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 Community Preservation Fund article at Town Meeting, as the work is no longer housed within a Town department and the now eight-member, contractual Intermunicipal 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; maintaining the affordable housing inventory and providing estimates for 2030 Subsidized Housing Inventory (SHI) 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 supports this article.

**FINANCE COMMITTEE REPORT:** The Finance Committee recommends approval of this article.

**ARTICLE 48. COMMUNITY PRESERVATION FUND – LIBRARY HISTORIC ROOM CONVERSION** (Consent Calendar)

To see if the Town will vote to appropriate a sum of money not to exceed \$150,000 from the Historic Resources category of Community Preservation Act Funds for the purpose of rehabilitating the spaces in the Historical Room and mezzanine of the original octagon at the Goodnow Library, or act on anything relative thereto.

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

COMMUNITY PRESERVATION COMMITTEE REPORT: The Goodnow Library is seeking funding for capital improvements to rehabilitate spaces in the Historical Room (1895) and the mezzanine of the original octagon (1862). The proposed project would rehabilitate existing shelving for the local history book and art collections; secure and customize storage for unique documents, maps, and artifacts; raise the height of the bannister in the mezzanine to meet the current safety code; and install acoustic buffering to facilitate quiet work and study. This is the final phase of the library’s multi-year “Reimagining the Second Floor Project.” Previous phases included refitting the Teen Room to create an all-ages “makerspace”; and reconfiguring the second floor to create new Teen Space with teen and study friendly furniture, a dedicated Computing and Technology area, and an Assistive Technology area.

The rehabilitation of these spaces would allow for their usage today while maintaining their historic character; secure, protect, and display the library’s unique historical collections; and make the Historical Room more accessible to residents to work and study, while maintaining the original character of the space. The project would add lockable credenzas to store archival materials, supplies, and artifacts; map cases to preserve Sudbury’s historic maps; and a computer station for access to the library’s database for historical research. The Goodnow Library Foundation is supplementing this CPA funding request with \$50,000.

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

FINANCE COMMITTEE REPORT: The Finance Committee recommends approval of this article.

**ARTICLE 49. COMMUNITY PRESERVATION FUND – REVERSION OF FUNDS** (Consent Calendar)

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

2013 ATM, Article 35	Historic Projects	\$7,481.35
2019 ATM, Article 33	Sudbury Newspaper Digitization	<u>\$6,166.00</u>
		\$13,647.35

to be returned to the category of Historic Resources Reserves; and

2019 ATM, Article 31	Regional Housing Services Office	\$600.00
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to be returned to the category of Community Housing Reserves; and

2018 ATM, Article 35	Carding Mill Pond Harvesting	\$32,085.19
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to be returned to the category of Open Space and Recreation Reserves.

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Total: \$46,332.54

;or act on anything relative thereto.

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

COMMUNITY PRESERVATION COMMITTEE REPORT: The above articles appropriated more than was actually spent on the various projects. All projects are completed at this time or will not proceed to fruition. In order to return the funds to the Community Preservation Act general account, this article and an affirmative vote of Town Meeting are necessary.

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

FINANCE COMMITTEE REPORT: The Finance Committee recommends approval of this article.

**ARTICLE 50. COMMUNITY PRESERVATION FUND – GENERAL BUDGET AND APPROPRIATIONS** (Consent Calendar)

To see if the Town will vote to appropriate a sum of money from Community Preservation Act funds, as recommended by the Community Preservation Committee, for the FY2021 Community Preservation Act budget, 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 FY2021 Community Preservation Act budget, including appropriations and reservations as required in connection with the administration of the Community Preservation Act funds. The estimated annual revenue for FY2021 is \$2,590,000. The article appropriates funds for FY2021 debt service obligations totaling \$1,111,410. These obligations arise from prior Town Meeting approval for the bonding of six projects:

- 1) Purchase of the Dickson property utilizing the Open Space and Recreation (\$30,084) and Historic Resources (\$20,056) categories;
- 2) Purchase of land and development rights as well as construction of a sports field on the Cutting property utilizing the Open Space (\$178,498) and Recreation (\$22,062) categories;
- 3) Purchase of the Libby property utilizing the Open Space and Recreation (\$135,863) category;
- 4) Purchase of development rights on the Nobscot Boy Scout Reservation Phases I and II utilizing the Open Space and Recreation (\$440,075) category;
- 5) Purchase of development rights on Pantry Brook Farm utilizing the Open Space and Recreation (\$207,147) category; and
- 6) Purchase of the Johnson Farm Property utilizing the Open Space and Recreation (\$77,625) category.

The article also appropriates funds for administrative and operational expenses of the Community Preservation Committee in the amount of \$85,000. The administrative fund can be used by the Community Preservation Committee 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 Community Preservation Committee may budget up to five percent (5%) of its annual budget for these administrative and operational expenses, or \$129,500 based upon the projected FY2021 revenue of \$2,590,000. Any funds remaining in the administrative account at the fiscal year's end revert to the Community Preservation Act Fund Balance, and need to be re-appropriated for administrative use in subsequent years. The Community Preservation Committee believes having access to administrative funds is critically important as it allows the Committee to conduct business on a time-sensitive basis, a vital component of the Community Preservation Act.

The Community Preservation Act requires 10% of the estimated annual income be allocated to current projects or reserved for future expenditures in each of the three core categories: Community Housing, Historic Resources, and Open Space and Recreation. 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 Community Preservation Act funds from that fiscal year after such reservations and after Town Meeting has voted the Community Preservation Act articles, it is budgeted in the unrestricted reserve account for future Community Preservation Act projects in all three categories.

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

FINANCE COMMITTEE REPORT: The Finance Committee recommends approval of this article.

**ARTICLE 51. ACQUIRE ONE-FOURTH MILE OF CSX CORRIDOR - STATION ROAD TO RT. 20**

To see if the Town will vote to authorize the Board of Selectmen to acquire, by gift, purchase, eminent domain or otherwise the fee or lesser interest in all or a part of the land comprising the CSX railroad corridor (right-of-way) from Station Road to Route 20, ¼ mile, +/-, for rail trail purposes; and as funding therefor to raise and appropriate or transfer from available funds, \$300,000, or any other sum, to be expended under the direction of the Town Manager for the purpose of acquiring the CSX railroad corridor (right-of-way) from Station Road to Route 20, ¼ mile, +/-, to become part of the Bruce Freeman Rail Trail, and further to authorize the Board of Selectmen to execute all instruments, including deeds, easements and other documents or instruments, upon such terms and conditions as the Selectmen deem appropriate, and take all other action as may be necessary to effectuate the vote taken hereunder, or act on anything relative thereto.

Submitted by Petition.

(Majority vote required)

PETITIONERS' REPORT: The purpose of this article is to allow the town to purchase a portion of the CSX rail corridor to become part of the Bruce Freeman Rail Trail.

The path of the Bruce Freeman Rail Trail has two parts. The northern part runs from the Concord/Sudbury line to Station Road, near Union Avenue. It is owned by the State. This part is in the design stage.

The southern part of the Bruce Freeman Rail Trail, from Station Road to the Framingham/Sudbury line, about 1.25 miles, is owned by the CSX Corporation. It is an inactive rail corridor. The Town has sought to purchase the corridor from CSXC. In 2008 Town Meeting voted unanimously to use \$420,000 of Community Preservation Act (CPA) funds to purchase the CSX rail corridor for open space and recreational purposes.

Because of a determination by the Massachusetts Department of Revenue that Community Preservation Act funds could not be used for this purchase, the Town has been unable to buy the CSX corridor. Since then the Town has been looking for alternative funding sources to buy the inactive rail corridor.

One such source of funding to buy the CSX corridor opened up when the Department of Conservation and Recreation announced its Recreational Trails Grant program. Under this program, municipalities could apply for grants for up to \$100,000 for trail acquisition. In February 2018, Sudbury applied for a \$100,000 grant to be used to acquire the northernmost ¼ mile of the CSX corridor, from Station Road to Route 20. In August 2018, the Town was notified that the Department of Conservation and Recreation approved Sudbury's \$100,000 Recreational Trails Grant application.

CSX supported Sudbury's 2018 Recreational Trails grant application and stated that it would consider dividing the sale of its corridor into four sections to be sold, north to south. That is why Sudbury must purchase the northernmost part first. It also makes sense to acquire the northern most ¼ mile, as it will bring the BFRT out to Route 20, rather than having it terminate at Station Road, which is not a main road and could be a difficult access point. MassDOT, which would fund 100% of the construction costs, wants trails to end at main roads.

The \$100,000 Recreational Trails grant Sudbury was awarded in 2018 is a reimbursement grant, meaning the Town will be reimbursed that amount when it meets the terms of the grant proposal. The Town must buy the northernmost ¼ mile of the corridor, then it will receive the \$100,000 grant reimbursement.

Under the terms of the grant, the Town has two years to make the CSX corridor acquisition. The two-year window closes at the end of 2020.

Legislation to overcome the Department of Revenue determination and allow Sudbury to use the \$420,000 in CPA funds to acquire the CSX corridor approved by the Town in 2018 is currently pending in the Legislature. This legislation is moving forward. It received a "favorable" report from the Joint Committee on Municipalities and Regional Governments in December, a key step in advancing the bill, and it should be acted upon later this year. This legislation has received widespread support from many legislators, groups, and residents.

A 'yes' vote on this article would allow the Town to acquire the northernmost ¼ mile of the CSX corridor for the Bruce Freeman Rail Trail, a unique and valuable amenity, long sought and supported by residents, the Select Board and other Town committees. The BFRT will be a safe and natural connection throughout Sudbury, running the full length of the Town, north to south. It will connect Sudbury residents with their schools, parks, athletic fields, houses of worship, Town Center, the commercial district, and with each other without using a car.

Residents will not have to drive to another town to use their rail trails. Sudbury will have its own – a very special place for residents of all ages and abilities to enjoy the outdoors and nature.

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

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

**ARTICLE 52. EXPEDITE COMPLETION OF DESIGN OF THE BRUCE FREEMAN RAIL TRAIL**

The Bruce Freeman Rail Trail will be a major community asset and pathway for recreation and transportation for all Sudbury residents of all ages and abilities. As a non-motorized vehicle pathway, it will help out children get to school safely and bring us closer to nature. Since 2012 residents have voted for the Bruce Freeman Rail Trail and have appropriated fund for its design. The construction cost, about ten million dollars, (\$10,000,000) will be

paid entirely by state and federal funds that have already been allocated. This article is direction to the Town Manager, Town staff, Town Departments, and Town Boards and Commissions, to move as quickly as possible to complete all designs, submit them to the state, and take all other actions needed to bring the Bruce Freeman Rail Trail to Sudbury.

Submitted by Petition.

(Majority vote required)

**PETITIONERS' REPORT:** Sudbury residents have watched rail trails being designed and built in almost every community that borders Sudbury; including Wayland, Framingham, Hudson, Maynard, Acton, and Concord. Perhaps you have had a chance to use them and see what we are missing.

Residents have voted for the Bruce Freeman Rail Trail (BFRT) at the ballot box and Town Meetings not less than six (6) times. Designing and building the BFRT has been a goal of the Select Board since 2013. Adequate funding for the design has been approved five (5) times.

Residents in neighboring communities that have built rail trails love them. Even those who may have been initially opposed appreciate and use the rail trails.

The BFRT in Sudbury will be particularly beneficial as it will be a safe pathway for children to get to school, recreation and athletic fields, or just to visit friends without needing a ride.

On a warm summer day, the trail will take you past running brooks, through verdant foliage, into forests with old stone walls, and show you water fowl and birds you may not have known inhabited Sudbury. Listen to the quiet. Listen to nature.

On a cool autumn day walk among the splendor of a forest drenched in color. See the leaves as they fall and the trees getting ready for winter. Get away from technology. Stroll safely at your leisure, and not see a car, except maybe at road crossings. Teach your children how to ride bike, or walk with friends, partners, or an aged parent.

Five towns to our north already have the BFRT: Chelmsford (2009), Westford, Carlisle and Acton (2018), and Concord (2019).

So why are we still at least four years away from cutting the ribbon the BFRT here in Sudbury? There are probably many excuses, but not many good reasons. Some delays may have been unavoidable, but others were not. It is the responsibility of Town staff, from the Town Manager on down, to see to it that Select Board goals are achieved, but more importantly, that the will of the town is carried out. That is their job.

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

### **ARTICLE 53. BICYCLE SAFETY ROAD SIGNS**

To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money for the purchase of 4 bicycle safety road signs along Hudson Rd., (preferably on the westbound side at 18 Hudson Rd., on the eastbound side at 427 Hudson Rd., on the westbound side opposite 427 Hudson Rd., and eastbound nearest 5 Spruce Lane), including all incidental and related expenses, stating "bicycles in roadway" on a yellow diamond shaped sign, or the equivalent, in compliance with the requirements established by the Massachusetts Department of Transportation; or act on anything relative thereto.

Submitted by Petition.

(Majority vote required)

**PETITIONERS' REPORT:** Town roadways are marked with road signs warning users of dangerous intersections, crosswalks, oncoming traffic signals, and more. There are no signs on Town maintained Sudbury roads warning users that bicycle traffic is in the road. Just as we warn motorists to be aware of pedestrians in the crosswalks, the Town needs signs alerting users to be aware of bicycle traffic. This article will keep Sudbury consistent with the neighboring towns, 100% of which have bicycle safety signs installed on their most heavily traveled routes.

There have been several deaths of bicyclists in town. No one can say those deaths could have been avoided if we had traffic safety signs installed. But as a town can have a clear conscience by having done all we could to notify the motorists that bicycles travel in the same roadways as cars.

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

#### **ARTICLE 54. COST/BENEFIT STUDY ON BURYING OVERHEAD UTILITY LINES**

To see if the Town will vote to request that the Town Manager and Director of Planning & Community Development conduct a cost/benefit study on burying existing overhead utility wires, leveraging historical performance and maintenance data from power companies and under conventional wisdom that a majority of power outages are caused by a small number of power distribution routes/miles; or act on anything relative thereto.

Submitted by Petition.

(Majority vote required)

**PETITIONERS' REPORT: Problem:** Lately, the power outages in our town appear to be increasing in frequency, and longer in duration, when compared to the 90s, for some residents. We had power outages in the past during heavy snow or ice storms, by falling tree limbs or due to roadside accidents involving utility poles. In contrast, today we find ourselves with power outages by the wind under 30MPH. Indeed, they are more disruptive today. These power outages are forcing residents to buy multiple Uninterrupted Power Supplies (UPS) and generators if only to maintain well-charged mobile phones and electronic monitors. Invariably, access for emergency vehicles and public safety is getting blocked for more than 30 minutes, which reduces our disaster preparedness and ability to support our senior citizens.

#### **We have three choices:**

1. Do nothing, and stay the course as decided by utility providers for us,
2. Bury all utility cables at a high cost and significant disruption,
3. Consider burying select few utility cable-routes which are causing disproportionate outages

**The first planning step towards the 3<sup>rd</sup> choice:** Burying select few utility cables is one way to reduce power outages. While the new developments are already burying the cables, the older developments, the majority of Sudbury households, have overhead cables for power and telecom cables.

While there is no 3<sup>rd</sup> party objective cost-benefit study for a town like Sudbury (with a mix of roads, easements, and a configuration of existing underground utilities), burying all the cables is generally an expensive proposition. Therefore, a citizen petition is proposed for a vote at the ATM requesting that the Town Manager and Director of Planning & Community Development conduct a cost/benefit study on burying existing overhead utility wires, leveraging historical performance and maintenance data from power companies and under



conventional wisdom that a majority of power outages are caused by a small number of power distribution routes/miles.

**Benefits:** If implemented, the burying of cables will –

- reduce power outages,
- help improve town resiliency under disasters and improve road access to our senior citizens,
- make our roadside worth watching, as opposed to watching unsightly clump of cables, dangling wires, butchered & bent trees, unappealing bent- or double- or fractured-poles, and potentially,
- provide some long-term cost savings in utility costs for the town and residents.

**Scope, cost & deliverables:** The study, projected over a year, shall require the participation of town staff to the tune of three months of a person’s work (or 3 FTE Months). Optionally, the study could use a website (at a projected 3<sup>rd</sup> party cost of \$4K) to collect data and reports. The study is expected to deliver a business case on burying utility cables to help fine-tune our town’s long-term utility plans. The majority of the data collection work will be done by our utility companies.

The study intends to determine whether burying a small number of cable routes/miles can achieve significant (50% or more) reduction in power outages - what is typically referred to as identifying low hanging fruits.

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

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

## **ARTICLE 55. POLYSTYRENE REDUCTION BYLAW**

To see if the Town will vote to amend the General Bylaws by adopting a new bylaw entitled “Polystyrene Reduction Bylaw”:

### **Section I. Findings and Purpose**

Styrene, a component of polystyrene, was classified in 2018 by the World Health Organization’s International Agency for Research on Cancer (IARC) as Group 2A ‘probable carcinogen’. Multiple peer-reviewed scientific studies have found that residual styrene from manufacturing can be leached from polystyrene items during reasonable, common uses – especially contact with hot, fat-containing, or acidic food or drinks – in levels that sometimes exceed present World Health Organization and/or US Environmental Protection Agency standards for styrene in drinking water.

Furthermore, polystyrene, and especially polystyrene foam, readily enters the environment, both land and sea, harming wildlife who mistake it for food, ingest it, and die. Especially in the marine environment, polystyrene persists for hundreds of years and often fragments into microplastics, adsorbs and concentrates environmental toxins, and can enter the food chain when consumed by fish, shellfish, and other organisms, risking both ecosystem health and potentially contaminating the human food supply. Polystyrene is made from fossil fuels, which are non-renewable resources that contribute to greenhouse gas emissions and anthropogenic climate change.

Polystyrene is not biodegradable nor compostable nor able to be economically recycled by our Town.

Less toxic, more durable, reusable, recyclable, biodegradable, and/or compostable alternatives are readily available for many food service and other applications, and are affordable and effective ways to reduce negative health and environmental impacts from the use of polystyrene items.

Therefore, the purpose of this Bylaw is to protect the health of Town residents and to protect the Town's unique beauty and irreplaceable natural resources by reducing the use and distribution of disposable food service ware made from polystyrene and other items made from unencapsulated foam polystyrene in the Town of Sudbury.

## Section II. Definitions

The following words shall have the following meanings for purpose of this Bylaw:

“Disposable Food Service Ware” shall mean single-use or disposable products for heating, storing, packaging, serving, consuming, or transporting prepared or ready-to-consume food or beverages including, but not limited to, bowls, plates, trays, cartons, cups, lids, hinged or lidded containers, spoons, forks and knives. This includes any containers used by food establishments to heat, cook, or store food or beverages prior to serving, regardless of whether such containers are used to serve such food or beverages. Disposable Food Service Ware also includes any such implements sold by Retail Establishments to consumers for personal use.

“Foam Polystyrene” shall mean polystyrene in the form of a foam or expanded material, processed by any number of techniques including, but not limited to, fusion of polymer spheres (expandable bead polystyrene), injection molding, foam molding, and extrusion-blow molding (extruded foam polystyrene).

“Food Establishment” shall mean any operation that serves, vends or otherwise provides food or other products to third-parties for consumption and/or use on or off the premises, whether or not a fee is charged, but not including the service of food within a home or other private setting. Any facility requiring a food permit in accordance with the Massachusetts State Food Code, 105 CMR 590.000, et seq. and/or regulations of the Board of Health shall be considered a “food establishment” for purposes of this bylaw.

“Health Agent” shall mean the Health Agent for the Sudbury Board of Health or his/her designee.

“Packing Material” shall mean material used to hold, cushion, or protect items packed in a container for shipping transport or storage.

“Prepared Food” shall mean food or beverages, which are serviced, packaged, cooked, chopped, sliced, mixed, brewed, frozen, squeezed, or otherwise prepared (collectively “prepared”) for individual customers or consumers. Prepared Food does not include raw eggs or raw, butchered meats, fish, seafood, and/or poultry.

“Polystyrene” shall mean a synthetic polymer produced by polymerization of styrene monomer. Polystyrene includes both “Foam Polystyrene” and “Solid Polystyrene” as defined in this Bylaw. The International Resin Identification Code assigned to polystyrene materials is “6”. Polystyrene items may be identified by a "6" or "PS," either alone or in combination with other letters. The regulations and prohibitions relating to polystyrene in this bylaw are intended to apply regardless of the presence or absence of an International Resin Identification Code or other identifying marks on the item.

“Retail Establishment” shall mean a store or premises engaged in the retail business of selling or providing merchandise, goods, groceries, prepared take-out food and beverages for consumption off-premises or the serving of an item directly to customers at such store or premises, including, but not limited to, grocery stores, department stores, pharmacies, convenience stores, restaurants, coffee shops and seasonal and temporary businesses, including farmers markets and public markets; provided, however, that a “retail establishment” shall also include a food truck or other motor vehicle, mobile canteen, trailer, market pushcart or moveable roadside stand used by a person from which to engage in such business directly with customers and business establishments without a storefront, including, but not limited to, a business delivering prepared foods or other food items, web-based or catalog business or delivery services used by a retail establishment; provided further, that a “retail establishment” shall include a non-profit organization, charity or religious institution that has a retail establishment and holds itself out to the public as engaging in retail activities that are characteristic of similar type commercial retail businesses, whether or not for profit when engaging in such activity.

“Solid Polystyrene” shall mean polystyrene, including clear (oriented) polystyrene, produced in a rigid form with minimal incorporation of air or other gas. Solid polystyrene is also referred to as ‘rigid polystyrene’.

### Section III. Regulated Conduct

- a. After February 1, 2021, no Food Establishment in the Town of Sudbury may use, sell, offer for sale, or otherwise distribute disposable food service ware made from foam polystyrene or solid polystyrene.
- b. After February 1, 2021, no Retail Establishment in the Town of Sudbury may sell, offer for sale, or otherwise distribute:
  1. disposable food service ware made from foam polystyrene or solid polystyrene
  2. meat trays, fish trays, seafood trays, vegetable trays, or egg cartons made in whole or in any part with foam polystyrene or solid polystyrene
  3. packing materials, including packing peanuts and shipping boxes made in whole or in any part with foam polystyrene that is not wholly encapsulated within a more durable material.
  4. coolers, ice chests, or similar containers; pool or beach toys; and dock floats, mooring buoys, or anchor or navigation markers, which are made in whole or in any part with foam polystyrene that is not wholly encapsulated within a more durable material.
- c. For purposes of Section 3(b)(3), ‘distributing packing material’ does not include:
  1. Re-using packing materials for shipping, transport, or storage within the same distribution system, where the packing materials are not sent to a customer or end user.
  - 2.. Receiving shipments within the Town of Sudbury that include polystyrene foam used as a packing material, provided that the goods were not packaged or repackaged within Sudbury.

### Section IV. Exemption

- a. Nothing in this Bylaw shall prohibit individuals from using disposable food service ware or other items made of polystyrene purchased outside the Town of Sudbury for personal use.
- b. Prepared food packaged outside the Town of Sudbury is exempt from the provisions of this Bylaw, provided that it is sold or otherwise provided to the consumer in the same disposable food service ware in which it was originally packaged, and that the prepared food has not been altered or repackaged.
- c. The Board of Health or health agent may exempt a food establishment or retail establishment from any provision of this Bylaw for a period of up to six months upon written application by the owner or operator of that establishment. No exemption will be granted unless the Board of Health or health agent finds that (1) strict enforcement of the provision for which the exemption is sought would cause undue hardship; or (2) the food establishment or retail establishment requires additional time in order to draw down an existing inventory of a specific item regulated by this Bylaw. For purposes of this Bylaw, “undue hardship” shall mean a situation unique to a food establishment or retail establishment in which there are no reasonable alternatives to the use of materials prohibited by this Bylaw, and that compliance with this Bylaw would create significant economic hardship for the Establishment.

### Section V. Enforcement

Health Agents shall have the authority to enforce this Bylaw. This Bylaw may be enforced through any lawful

means in law or in equity, including but not limited to, noncriminal disposition pursuant to G.L. c. 40 § 21D and Article VI of the General Bylaws. The Town may enforce this Bylaw or enjoin violations thereof through any lawful process or combination of processes, and the election of one remedy by the Town shall not preclude enforcement through any other lawful means.

Violations of this Bylaw are punishable by a fine of up to \$300 per violation. Each successive day of non-compliance will count as a separate violation.

If non-criminal disposition is elected, then any Food or Retail Establishment that violates any provision of this Bylaw shall be subject to the following penalties:

First Offense: written warning

Second Offense: \$50 penalty

Third and each subsequent offense: \$300 penalty

#### Section VI. Regulations

The Board of Health may adopt and amend rules and regulations to effectuate the purposes of this Bylaw.

#### Section VII. Interaction with Other Laws

In the case of a conflict between the requirements of this Bylaw and any other federal, state or local law concerning the materials regulated herein, the more stringent requirements shall apply.

#### Section VIII. Severability

If any provision of this Bylaw is declared invalid or unenforceable the other provisions shall not be affected thereby;

and further, to authorize the Town Clerk to assign such numbering as is appropriate to said bylaw in conformance with the existing codification of the Town's Bylaws. Or take any action relative thereto.

Submitted by Petition.

(Majority vote required)

**PETITIONERS' REPORT:** This article would prohibit food and retail establishments in Sudbury from using or distributing disposable food service ware – including raw meat/fish trays and egg cartons – made from foam or solid polystyrene.

Retail establishments in Sudbury would also be prohibited from selling or distributing 1) packing peanuts, 2) coolers or other containers, 3) pool or beach toys, or 4) floats/buoys made from foam polystyrene that is not fully encapsulated in a more durable material.

This bylaw does not apply to prepared food or non-food goods packaged with polystyrene outside of Sudbury if these products are sold without repackaging or alteration. Exemptions can also be applied for in cases where not using a specific item can be shown to cause undue hardship to an establishment.

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

**ARTICLE 56. AUTHORIZE BOARD OF SELECTMEN TO PETITION THE GENERAL COURT TO ADOPT LEGISLATION – AN ACT AUTHORIZING THE TOWN TO ESTABLISH A FEE FOR A CHECKOUT BAG CHARGE**

To see if the Town will vote to authorize the Select Board to petition the General Court to adopt legislation, as set forth below, to implement a minimum charge of \$0.10 for all new checkout bags distributed in the Town of Sudbury, which legislation would have the underlying purposes of 1) incentivizing consumers to reuse checkout bags, the most environmentally sustainable and economical option, 2) allowing consumers to have the choice of not paying for unwanted or unneeded new checkout bags, 3) allowing collected money to be retained by the retailer so as to help businesses defray the costs of switching to more environmentally sustainable checkout bag options, and 4) reducing the generation of waste and associated costs of disposal and recycling that must be borne by the Town and its residents; provided, however, that the General Court may make clerical and editorial changes of form only to said bill, unless the Select Board approves amendments to the bill prior to enactment by the General Court; and provided further that the Select Board shall be authorized to approve any such amendments which shall be within the scope of the general public purposes of this petition; or to take any other action relative thereto.

**AN ACT AUTHORIZING THE TOWN OF SUDBURY TO ESTABLISH A FEE FOR CHECKOUT BAGS**

SECTION 1. The following words, unless the context clearly requires otherwise, shall have the following meanings:

“Checkout Bag” shall mean a bag provided by a retail establishment to a customer at the point of sale. Checkout bags shall not include bags, whether plastic or not, in which loose produce or products are placed by the consumer to deliver such items to the point of sale or check out area of the store.

“Retail Establishment” shall mean any business facility that sells goods directly to the consumer whether for or not for profit, including but not limited to, retail stores, restaurants, pharmacies, convenience and grocery stores, liquor stores, and seasonal and temporary businesses.

SECTION 2. (a) Notwithstanding any general or special law to the contrary, any retail establishment which makes available checkout bags in the Town of Sudbury shall charge for each such bag equal to or greater than \$0.10 per checkout bag, as established by regulations to be duly promulgated by the Sudbury Board of Health.

(b) All monies collected pursuant to this section shall be retained by the retail establishment.

(c) Any charge for a checkout bag shall be separately stated on a receipt provided to the customer at the time of sale and shall be identified as the “checkout bag charge” thereon.

SECTION 3. (a) The Health Agent for the Sudbury Board of Health or his/her designee shall have authority to enforce this law and any regulations promulgated thereunder. This law may be enforced through any lawful means in law or in equity, including but not limited to, noncriminal disposition pursuant to G.L. c. 40 § 21D and Article VI of the Town of Sudbury General Bylaws.

(b) The Sudbury Board of Health may adopt and amend rules and regulations to effectuate the purposes of this law.

SECTION 4. If any provision of this law is declared to be invalid or unenforceable, the other provisions shall be severable and shall not be affected thereby.

SECTION 5. This act shall take effect three months after its passage.

Submitted by Petition.

(Majority vote required)

PETITIONERS' REPORT: This article would authorize the Select Board to petition the state legislature for a special law requiring that retail establishments in Sudbury charge a minimum of \$0.10 for each new checkout bag distributed.

Any money collected for bags would be retained by the retailer.

The special law must be passed by the state legislature and signed by the governor to go into effect.

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

## **ARTICLE 57. DISPOSABLE PLASTIC POLLUTION REDUCTION BYLAW**

To see if the Town will vote to amend the General Bylaws by adopting a new bylaw entitled "Disposable Plastic Pollution Reduction Bylaw":

### **Section I. Findings and Purpose**

Numerous studies have shown that the production and use of disposable plastic items like straws, stirrers, and splash sticks can have significant adverse impacts. Disposable plastic items readily enter the environment, both land and sea, harming wildlife who mistake it for food, ingest it, and die. Especially in the marine environment, plastic persists for hundreds of years and often fragments into microplastics, adsorbs and concentrates environmental toxins, and can enter the food chain when consumed by fish, shellfish, and other organisms, risking both ecosystem health and potentially contaminating the human food supply. Many plastic items are made from fossil fuels, non-renewable resources that contribute to greenhouse gas emissions and anthropogenic climate change.

Plastic straws, stirrers, and splash sticks are not able to be recycled in the Town. Further, many plastics marketed as compostable and biodegradable require the specific conditions in industrial composting facilities to break down consistently and completely, and access to such industrial composting facilities is not yet universally and readily available to residents of the Town.

The substitution of reusable items and/or items made from recyclable, compostable, or biodegradable non-plastic materials are affordable and effective ways to reduce the negative impacts of disposable plastic food service items. Data also shows that 'only upon request' policies significantly reduce the overall usage of disposable items, reducing both costs and environmental impacts, without preventing those who need or want a disposable item from obtaining it.

Therefore, the purpose of this bylaw is to protect the Town's unique beauty, irreplaceable natural resources, and the health of its residents by reducing the use and distribution of disposable plastic straws, stirrers, and splash sticks in the Town of Sudbury, and promoting reusable and non-plastic alternatives.

### **Section II. Definitions**

The following words shall have the following meanings for purpose of this Bylaw:

"Disability" shall mean a physical, intellectual, or sensory impairment that substantially limits one or more major life activities.

"Disposable plastic straw, stirrer, or splash stick" shall mean a drinking straw, stirrer, or splash stick made predominantly from synthetic polymers and that is not a reusable straw, stirrer, or splash stick. A disposable plastic straw, stirrer, or splash stick shall also include items made in whole or in part from synthetic polymers that are otherwise classified as 'compostable', 'biodegradable', 'oxodegradable', or 'marine degradable'.

"Food Establishment" shall mean any operation that serves, vends or otherwise provides food or other products to

third-parties for consumption and/or use on or off the premises, whether or not a fee is charged, but not including the service of food within a home or other private setting. Any facility requiring a food permit in accordance with the Massachusetts State Food Code, 105 CMR 590.000, et seq. and/or regulations of the Board of Health shall be considered a “food establishment” for purposes of this bylaw.

“Health Agent” shall mean the Health Agent for the Sudbury Board of Health or his/her designee.

“Medical Condition” shall mean any illness, disease, or injury that requires medical treatment.

“Reusable straw, stirrer, or splash stick” shall mean a drinking straw, stirrer, or splash stick that is manufactured from durable materials, and is designed to be adequately and repeatedly cleaned and sanitized for reuse.

“Retail Establishment” shall mean a store or premises engaged in the retail business of selling or providing merchandise, goods, groceries, prepared take-out food and beverages for consumption off-premises or the serving of an item, directly to customers at such store or premises, including, but not limited to, grocery stores, department stores, clothing stores, pharmacies, convenience stores, restaurants, coffee shops and seasonal and temporary businesses, including farmers markets and public markets; provided, however, that a “retail establishment” shall also include a food truck or other motor vehicle, mobile canteen, trailer, market pushcart or moveable roadside stand used by a person from which to engage in such business directly with customers and business establishments without a storefront, including, but not limited to, a business delivering prepared foods or other food items, web-based or catalog business or delivery services used by a retail establishment; provided further, that a “retail establishment” shall include a non-profit organization, charity or religious institution that has a retail establishment and holds itself out to the public as engaging in retail activities that are characteristic of similar type commercial retail businesses, whether or not for profit when engaging in such activity.

### Section III. Regulated Conduct

- a. After February 1, 2021, no food establishment in the Town of Sudbury may provide a disposable plastic straw, stirrer, or splash stick, as such term is defined in this Bylaw, to a customer.
- b. After February 1, 2021, no food establishment in the Town of Sudbury may provide a disposable straw, stirrer, or splash stick that is not a reusable straw, stirrer, or splash stick to a customer, except upon that customer’s specific request for such items or if the item is selected by a customer from a self-service dispenser.
- c. After February 1, 2021, retail establishments in the Town of Sudbury are prohibited from selling or distributing disposable plastic straws, stirrers, or splash sticks to customers unless equivalent non-plastic or reusable straws, stirrers, or splash sticks are available for sale and are clearly labeled such that any customer can easily distinguish among the disposable plastic, disposable non-plastic, and reusable items.

### Section IV. Exemptions

- a. Nothing in this bylaw shall prohibit individuals from bringing and using their own personal straws, stirrers, or splash sticks of any type for personal use in a food establishment.
- b. Food establishments may provide a disposable plastic straw, stirrer, or splash stick, upon request, to a person in need due to a disability or medical condition.
- c. The Board of Health or health agent may exempt a food establishment or retail establishment from any provision of this Bylaw for a period of up to six months upon written application by the owner or operator of that establishment. No exemption will be granted unless the Board of Health or health agent finds that the establishment requires additional time in order to draw down an existing inventory of a specific item regulated by this Bylaw.

Section V. Enforcement

Health Agents shall have the authority to enforce this bylaw. This bylaw may be enforced through any lawful means in law or in equity, including but not limited to, noncriminal disposition pursuant to G.L. c. 40 § 21D and Article VI of the General Bylaws. The Town may enforce this Bylaw or enjoin violations thereof through any lawful process or combination of processes, and the election of one remedy by the Town shall not preclude enforcement through any other lawful means.

Violations of this bylaw are punishable by a fine of up to \$300 per violation. Each successive day of non-compliance will count as a separate violation.

If non-criminal disposition is elected, then any Food Establishment or Retail Establishment that violates any provision of this bylaw shall be subject to the following penalties:

First Offense: Written Warning

Second Offense: \$50 penalty

Third and each subsequent offense: \$300 penalty

Section VI. Regulations

The Board of Health may adopt and amend rules and regulations to effectuate the purposes of this Bylaw.

Section VII. Interaction with Other Laws

In the case of a conflict between the requirements of this Bylaw and any other federal, state or local law concerning the materials regulated herein, the more stringent requirements shall apply.

Section VIII. Severability

If any provision of this Bylaw is declared invalid or unenforceable the other provisions shall not be affected thereby;

and further, to authorize the Town Clerk to assign such numbering as is appropriate to said bylaw in conformance with the existing codification of the Town’s Bylaws; or take any action relative thereto.

Submitted by Petition.

(Majority vote required)

PETITIONERS’ REPORT: This article would prohibit food establishments in Sudbury from providing disposable plastic straws, stirrers, or splash sticks to a customer. Disposable straws, stirrers, or splash sticks made from non-plastic materials may only be provided upon request by the customer or from a self-service dispenser.

There are no restrictions on reusable items, or items brought by a customer for personal use. Exceptions are made for persons in need due to a disability or medical condition.

Additionally, retail establishments in Sudbury would be prohibited from selling disposable plastic straws, stirrers, or splash sticks unless non-plastic or reusable alternatives are also available and clearly labeled.

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



**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 2020 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 12 Amend Bylaws, Article XXXIII, Revolving Funds – Goodnow Library Services Revolving Fund
- Article 13 Amend Bylaws, Article XXXIII, Revolving Fund Limits
- Article 55 Amend Bylaws, Add new Bylaw entitled “Polystyrene Reduction Bylaw”
- Article 57 Amend Bylaws, Add new Bylaw entitled “Disposable Plastic Reduction Bylaw”

It is the opinion of Town Counsel that, if the Zoning Bylaw amendments proposed in the following articles in the Warrant for the 2020 Annual Town Meeting are 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 37 Amend Zoning Bylaw, Article IX, Remove Section 4800. Temporary Moratorium on Marijuana Establishments and insert a new Section 4800. Solar Energy Systems
- Article 38 Amend Zoning Bylaw, Article IX, Insert Section 5600. Inclusion of Affordable Housing

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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 11<sup>th</sup> day of August, 2020.

SELECTMEN OF SUDBURY:

Daniel E. Carty

Patricia A. Brown

Janie W. Dretler

Jennifer S. Roberts

William J. Schineller

Part II

**FINANCE SECTION**

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## FY21 MONIED ARTICLES

		<b>Finance Committee</b>
<b>Article</b>	<b>Description</b>	<b>Recommendation</b>
3	FY21 Budget	Approval
4	FY21 Capital Budget	Approval
5	FY21 Transfer Station Enterprise Fund Budget	Approval
6	FY21 Pool Enterprise Fund Budget	Approval
7	FY21 Recreation Field Maintenance Enterprise Fund Budget	Approval
10	Chapter 90 Highway Funding (Consent Calendar)	Approval
11	Stabilization Fund	Approval
12	Goodnow Library Services Revolving Fund	Approval
13	FY21 Revolving Fund Spending Limits (Consent Calendar)	Approval
14	Capital Stabilization Fund	Disapproval
15	Fund Litigation Costs - Eversource	Approval
16	Post-Employment Health Insurance Trust Funding	Approval
17	CSX Corridor	Report at Town Meeting
18	Fairbank Community Center Design and Construction Funds	Report at Town Meeting
21	Purchase Fire Dept. Ambulance	Approval
24	Front End Loader with Plow	Approval
25	Roadway Drainage Improvements	Approval
26	Old Sudbury Road Culvert Design	Approval
28	Dump Truck with Plow	Disapproval
29	One-Ton Dump Truck with Plow, Spreader and Wing	Disapproval
30	6-Wheel Combo Body Dump Truck with Plow and Spreader	Disapproval
31	Sudbury Public Schools Surveillance Cameras	Approval
32	Sudbury Public Schools Playground Improvement	Approval
33	Sudbury Public Schools Non-resident Tuition Fund	Approval
35	Acceptance of Provisions of the Massachusetts Veterans' Brave Act M.G.L. Chapter 59, Sect. 5, clause twenty-second H	Approval
39	Exchange of Real Property - Brimstone lane parcels	Report at Town Meeting
40	Transfer Care & Custody of Town-Owned Water Row parcel to Conservation Commission (H11-401)	Report at Town Meeting
41	Transfer Care & Custody of Town-Owned Water Row parcel to Conservation Commission (H11-305)	Report at Town Meeting
42	Community Preservation Fund - Historic Resource Inventory Survey	Approval
43	Community Preservation Fund - Removal of Invasive Species from King Philip Woods	Approval
44	Community Preservation Fund - Design of Wayside Inn Road Bridge over Hop Brook	Disapproval
45	Community Preservation Fund - Remediation of Water Chesnuts from Hop Brook Pond System	Approval
46	Community Preservation Fund - Sudbury Housing Authority Acquisition, Creation, Preservation, and support of Affordable Rental Housing	Approval
47	Community Preservation Fund - Regional Housing Services Office (RHSO) membership fee	Approval
48	Community Preservation Fund - Library Historic Room Conversion	Approval
49	Community Preservation Fund - Reversion of Funds	Approval
50	Community Preservation Fund - General Budget and Appropriations	Approval
51	Acquire ¼ mile of CSX Corridor (Station Rd to Rt 20)	Report at Town Meeting

# ESTIMATED IMPACT ON FY21 RESIDENTIAL TAX BILL

ESTIMATED IMPACT OF TOWN MEETING SPENDING ON YOUR FISCAL 2021 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	1,845	3,690	5,535	7,380	9,225	11,070	12,915	14,760	16,605	18,450		
Fiscal Budget Taxes	1,885	3,770	5,655	7,540	9,425	11,310	13,195	15,080	16,965	18,850		
Fiscal Current (Base)	1,840	3,680	5,520	7,360	9,200	11,040	12,880	14,720	16,560	18,400		
Debt Exemptions	45	90	135	180	225	270	315	360	405	450		
	2.17%	2.17%	2.17%	2.17%	2.17%	2.17%	2.17%	2.17%	2.17%	2.17%		
To calculate the dollar impact of any additional expenditures that may be considered by Town Meeting, use this chart below.												
Article Amount	100,000	200,000	300,000	400,000	500,000	600,000	700,000	800,000	900,000	1,000,000		
\$ 1,000	\$ 0.02	\$ 0.04	\$ 0.06	\$ 0.08	\$ 0.10	\$ 0.12	\$ 0.14	\$ 0.15	\$ 0.16	\$ 0.18	\$	\$
25,000	0.50	1.00	1.50	2.00	2.50	3.00	3.50	3.73	4.00	4.50	5.00	5.00
50,000	1.00	2.00	3.00	4.00	5.00	6.00	7.00	7.46	8.00	9.00	10.00	10.00
75,000	1.50	3.00	4.50	6.00	7.50	9.00	10.50	11.19	12.00	13.50	15.00	15.00
100,000	2.00	4.00	6.00	8.00	10.00	12.00	14.00	14.93	16.00	18.00	20.00	20.00
200,000	4.00	8.00	12.00	16.00	20.00	24.00	28.00	29.85	32.00	36.00	40.00	40.00
300,000	6.00	12.00	18.00	24.00	30.00	36.00	42.00	44.78	48.00	54.00	60.00	60.00
400,000	8.00	16.00	24.00	32.00	40.00	48.00	56.00	59.70	64.00	72.00	80.00	80.00
500,000	10.00	20.00	30.00	40.00	50.00	60.00	70.00	74.63	80.00	90.00	100.00	100.00
600,000	12.00	24.00	36.00	48.00	60.00	72.00	84.00	89.55	96.00	108.00	120.00	120.00
700,000	14.00	28.00	42.00	56.00	70.00	84.00	98.00	104.48	112.00	126.00	140.00	140.00
800,000	16.00	32.00	48.00	64.00	80.00	96.00	112.00	119.40	128.00	144.00	160.00	160.00
900,000	18.00	36.00	54.00	72.00	90.00	108.00	126.00	134.33	144.00	162.00	180.00	180.00
1,000,000	20.00	40.00	60.00	80.00	100.00	120.00	140.00	149.25	160.00	180.00	200.00	200.00

## GENERAL FUND BUDGET SUMMARY OF REVENUES & EXPENDITURES

<b>EXPENDITURES</b>	<b>FY19 Actual</b>	<b>FY20 Budgeted</b>	<b>FY21 Recommended</b>
Education - Sudbury Public Schools (SPS)	38,309,355	38,535,653	39,608,834
Education - LS Regional High School (LS)	24,762,716	25,808,881	26,712,280
Education - Vocational	461,426	615,000	550,000
General Government	3,085,214	3,143,637	3,177,614
Public Safety	8,472,123	8,924,924	9,199,461
Public Works	5,146,416	5,460,288	5,607,520
Human Services	746,973	871,110	937,995
Culture & Recreation	1,327,814	1,422,707	1,515,936
Town-Wide Operating and Transfers	212,237	483,845	686,352
<b>Total Town Departments</b>	<b>82,524,274</b>	<b>85,266,045</b>	<b>87,995,992</b>
Town Debt Service	3,100,625	3,110,425	3,476,446
Employee Benefits (Town and SPS)	11,718,431	12,716,315	13,672,255
OPEB Trust Contribution (Town and SPS)	540,249	610,249	468,382
<b>Total Operating Budget</b>	<b>97,883,579</b>	<b>101,703,034</b>	<b>105,613,075</b>
Capital Operating Budget	403,224	800,000	722,076
<b>TOTAL EXPENDITURES:</b>	<b>98,286,802</b>	<b>102,503,034</b>	<b>106,335,151</b>

<b>REVENUES &amp; AVAILABLE FUNDS</b>	<b>FY19 Actual</b>	<b>FY20 Budgeted</b>	<b>FY21 Recommended</b>
Real Estate and Personal Property Taxes	86,079,321	88,883,118	91,999,558
State Aid	6,380,977	6,397,013	6,028,179
MSBA Reimbursement	1,605,767	1,605,767	1,605,767
SAFER Grant	-	193,581	210,189
Local Receipts	6,464,838	4,763,555	4,441,000
Other Available	735,502	660,000	660,000
Free Cash	-	-	1,390,458
<b>TOTAL REVENUES &amp; AVAILABLE FUNDS:</b>	<b>101,266,405</b>	<b>102,503,034</b>	<b>106,335,151</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/fy21-gfoa-budget-7-27-2020/>

# TOWN MANAGER'S CAPITAL BUDGET

Project Name	Department	Cost
Town-wide Walkway Construction	DPW	\$ 50,000
Town and Schools Carpet Replacement	Facilities	\$ 50,000
Various Building Improvements	Facilities	\$ 75,000
Hosmer House Roof	Facilities	\$ 50,000
Car 2 (Fire Dept.)	Fire	\$ 54,000
Document Scanning	Info Systems	\$ 50,000
Fiber Optic Network (Souther Ring)	Info Systems	\$ 70,820
Buildings & Grounds 2010 Ford F350 Pickup Truck/sander	LSRHS	\$ 35,132
Athletic Van - 2011-Chevrolet Express Van- 15 Passenger	LSRHS	\$ 39,524
Portable Radios	Police	\$ 18,600
UHF Repeater	Police	\$ 25,000
Schools Cafeteria Kitchen Equipment	SPS	\$ 50,000
Paging, Clocks, and Bell Systems	SPS	\$ 25,000
Curtis Ongoing HVAC Repairs.	SPS	\$ 30,000
Noyes Replacement of Rtu-1 and RTU-2 AC package units	SPS	\$ 49,000
Schools classroom VCT Flooring Replacement	SPS/Facilities	\$ 50,000
<b>Town Manager's Capital Operating Budget</b>		<b>\$ 722,076</b>
New Ambulance	Fire	\$ 340,000
Loring School Playground	SPS	\$ 333,000
Surveillance Cameras	SPS	\$ 261,023
Culvert Design/Replacement	DPW	\$ 100,000
6-Wheel 40,000+ GVW Combo Body Dump Truck w/Plow	DPW	\$ 260,000
Replace 2011 Chevy 1 Ton 6 Wheel Dump	DPW	\$ 140,000
Pratts Mill Roadway Improvements	DPW	\$ 120,000
Replace 2011 Chevrolet 6 Wheel Dump, leased in 2012	Parks & Gnds	\$ 110,000
<b>Capital Additions in Excess of \$100,000</b>		<b>\$ 1,664,023</b>
<b>Total FY21 Capital Plan</b>		<b>\$ 2,386,099</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/fy21-gfoa-budget-7-27-2020/>

## ENTERPRISE FUNDS BUDGETS

<b>EXPENDITURES</b>	<b>FY19</b>	<b>FY20</b>	<b>FY21</b>
	<b>Actual</b>	<b>Budgeted</b>	<b>Recommended</b>
<u>Direct</u>			
Transfer Station	295,766	295,432	297,764
Atkinson Pool	445,109	449,323	427,421
Recreation Field Maintenance	198,537	228,040	230,435
<b>Total Direct Expenditures</b>	<b>939,412</b>	<b>972,795</b>	<b>955,620</b>
<u>Indirect</u>			
Transfer Station	16,700	17,214	17,163
Atkinson Pool	36,227	18,956	36,828
Recreation Field Maintenance	22,575	23,198	24,269
<b>Total Indirect Expenditures</b>	<b>75,502</b>	<b>59,368</b>	<b>78,260</b>
<b>TOTAL:</b>	<b>1,014,914</b>	<b>1,032,163</b>	<b>1,033,880</b>

<b>RECEIPTS &amp; RESERVES</b>	<b>FY19</b>	<b>FY20</b>	<b>FY21</b>
	<b>Actual</b>	<b>Budgeted</b>	<b>Recommended</b>
Transfer Station	319,222	312,646	314,927
Atkinson Pool	443,107	468,279	464,249
Recreation Field Maintenance	210,093	251,238	254,704
<b>TOTAL:</b>	<b>972,422</b>	<b>1,032,163</b>	<b>1,033,880</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/fy21-gfoa-budget-7-27-2020/>

# CPA FUNDS BUDGET

	FY19 Actual	FY20 Appropriated	FY21 Recommended
Beginning CPA Fund Balance	6,883,548	4,733,401	4,740,191
<u>Revenues</u>			
CPA Surcharge & Fees	1,964,765	1,800,000	2,000,000
Intergovernmental	403,176	305,000	570,000
Investment Income	65,412	20,000	20,000
Total Revenues	2,433,353	2,125,000	2,590,000
<u>Expenditures</u>			
Major Land Purchases	1,877,840	-	-
Debt Service	1,178,335	1,140,210	1,111,410
Administrative	30,160	85,000	85,000
Other	1,497,165	893,000	821,000
Total Expenditures	4,583,500	2,118,210	2,017,410
Excess / (Deficiency)	(2,150,147)	6,790	572,590
Ending CPA Fund Balance	4,733,401	4,740,191	5,312,781

	FY19 Actual	FY20 Appropriated	FY21 Recommended
<u>ENDING FUND BALANCE</u>			
Projects (in-use)	1,533,489	1,533,489	1,533,489
Unassigned	3,199,912	3,206,702	3,779,292
	4,733,401	4,740,191	5,312,781



## LONG-TERM DEBT

### Town Outstanding Debt by Type

Issue Types	Schools	Municipal	Pre-CPA	Total	Annual Debt Service	Principal Balance
FY19 Principal Balance	4,530,000	6,628,577	1,365,000			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	4,824,381	8,360,131	1,751,044	14,935,556	14,935,556	

*LS Regional High School Outstanding Debt*

	Total	Annual Debt Service	Principal Remaining
FY19 Principal Balance			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	3,922,275	3,922,275	

*Community Preservation Outstanding Debt by Project*

Issues	Nobscot I & II	Cutting/ Dickson	Libby	Pantry Brook	Johnson Farm	Total	Annual Debt Service	Principal Balance
FY19 Principal Balance	3,595,000	1,140,000	735,000	2,415,000	800,000			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	4,207,588	1,200,825	782,113	3,130,026	1,026,938	10,347,489	10,347,489	

# 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*

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 – 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*

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.

## 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.

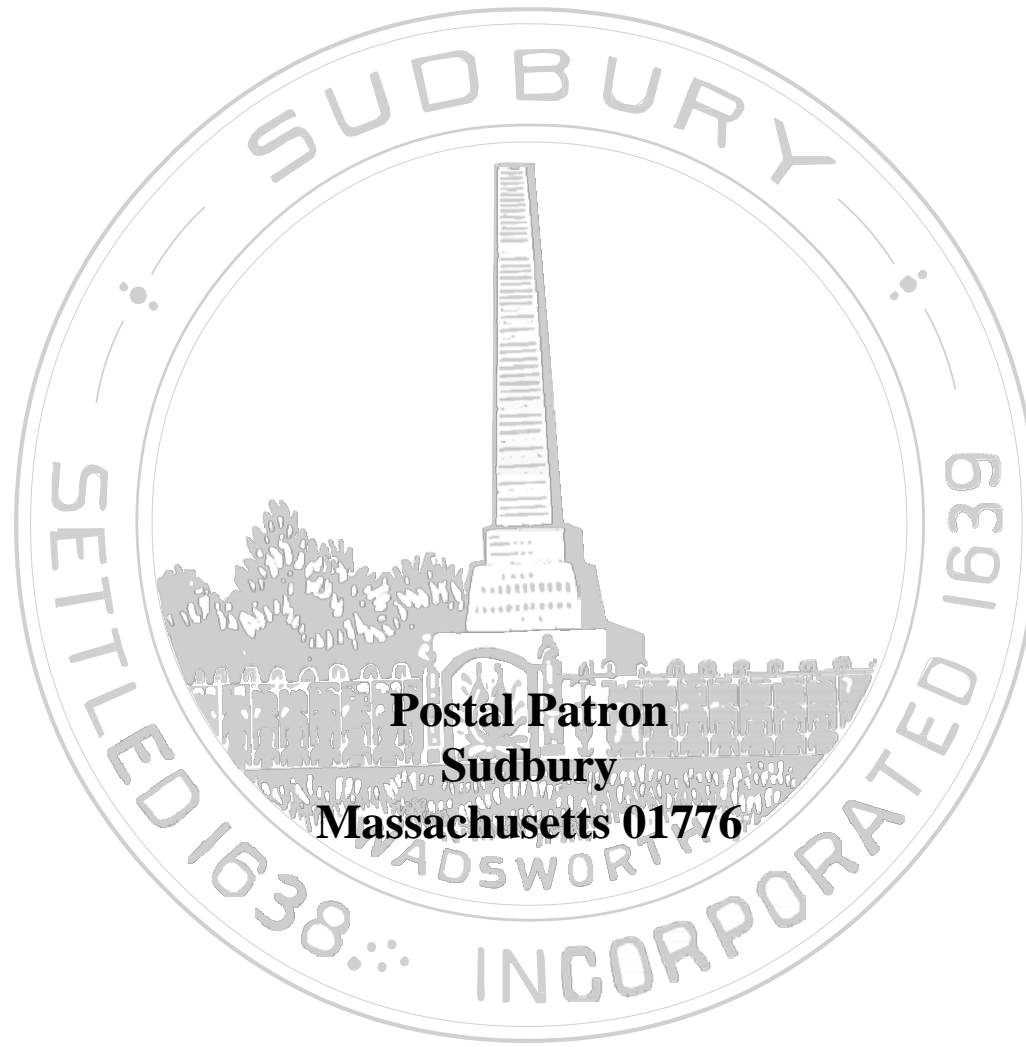
**Tax Levy:** The property tax levy is the revenue a community can raise through real and personal property taxes. In Massachusetts, municipal revenues to support local spending for schools, public safety, general government and other public services are raised through the property tax levy, state aid,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



**Board of Selectmen  
Sudbury, MA 01776**

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



**Postal Patron  
Sudbury  
Massachusetts 01776**