

2007 Annual Town Meeting
April 4, 9 and 10

IN MEMORIAM RESOLUTION

Unanimously resolved that the Town of Sudbury record its deep appreciation for the contributions, services and gifts to the Town of the following individuals: Anna R. Allen, Lewis K. Baldwin, David H. Bentley, Janet M. Callahan, Maryann K. Clark, Betsy M. De Wallace, Mary A. Dunne, Elizabeth Egginson, Winifred C. Fitzgerald, Joanne P. Frisoli, Arthur W. "Bill" Grellier, Charlotte L. Hering, Claire M. Jarvis, Philippe N. Lemieux, John R. Maclean, Jr., Paul H. McNally, Dr. Stephen M. Meyer, Rita T. Munroe, Edythe R. Rifkin, Albert Sabanski Barbara E. Spottswood, Sylvia Throckmorton, Patricia M. Walsh, Raymond M. Woodward.

Article 1. HEAR REPORTS

Voted to accept the reports of the Town boards, commissions, officers, and committees as printed in the 2006 Town Report or as otherwise presented, subject to the correction of errors, if any, where found.

Article 2. FY07 BUDGET ADJUSTMENTS

Voted unanimously to appropriate the sums received for Fire and Police Officers injured in the line of duty to be added to the amount appropriated under Article 5, FY07 Operating Budget of the 2006 Annual Town Meeting, to pay such salaries and wages from insurance coverage provided for that purpose.

Article 3. FY08 BUDGET OVERRIDE

Voted that the amount appropriated under the FY08 Budget not exceed the sum of \$75,274,345 and that the Town appropriate the sums of money set forth in the Warrant under Article 3 in the column "FinCom Override FY08", for Fiscal Year 2008, except as follows:

Minuteman Regional Assessment to be \$224,404; the following items to be raised as designated, by transfer from available fund balances and interfund transfers:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
Ambulance Reserve for Appropriation Acct.	200 Public Safety	\$ 230,342
Free Cash	900 Uncl/Benefits	\$1,900,000
Abatement Surplus	900 Uncl/Benefits	\$ 238,000
Retirement Trust Fund	900 Uncl/Benefits	\$ 25,000

the sum of \$6,329,855 set forth as Sudbury Public Schools Employee Benefits to be immediately transferred and added to Item 900: Town Employee Benefits, so that the Employee Benefits total will be \$10,333,533, to be expended under the direction of the Town Manager; and to appropriate the sums received for Fire and Police Officers injured in the line of duty to pay such salaries and wages from insurance coverage provided for that purpose; and to authorize the purchase of equipment funded under this budget by entering into lease-purchase agreements.

Article 4. CONSTRUCT POLICE HEADQUARTERS

Voted to appropriate the sum of \$8,200,000, to be expended under the direction of the Permanent Building Committee, for the purpose of constructing a new Police Department Headquarters and appurtenant structures on Town-owned land adjacent to the existing Fire Headquarters, purchasing additional equipment, technology, and furniture, landscaping, and all expenses connected therewith, including professional, engineering, and architectural services and preparation of plans, specifications and bidding documents, supervision of work, relocation, and borrowing costs and expense; and to raise this appropriation, the Treasurer, with the approval of the Selectmen, is

authorized to borrow \$8,200,000 under General Laws Ch. 44, s. 7; all appropriation hereunder to be contingent upon the approval of a Proposition 2 ½ debt exclusion in accordance with General Laws, Ch. 59, s. 21C; and to Petition the legislature extending the time for calling an election to coincide with the fall 2007 Congressional Election.

Article 5. CAPITAL BUDGET (OVERRIDE)

Voted to appropriate the sum of \$384,148 for the purchase or acquisition of capital items including but not limited to, capital equipment, construction, engineering, design, surveys, including but not limited to traffic studies and renovation to land and/or buildings; said sum to be raised by taxation; and to allow the purchase of equipment hereunder by entering into lease-purchase agreements.

CAPTITAL ITEMS OVERRIDE BUDGET

	Description	Amount
BLDG	Various building improvements (including Flynn painting, Town Hall roof repairs and additional funds for Town building repairs)	\$ 61,484
DPW/Parks/ Grounds	Replacement of various vehicles (including the purchase of one pickup and one Hustler mower. Also first year lease-purchase for two dump trucks and one 1-ton pickup truck)	\$146,100
POOL	Replace pool starting platforms and associated safety measures	\$ 14,500
FIRE	Purchase one small-equipment truck	\$ 45,000
MIS	Purchase one multi-function device (printer/ scanner/fax for archiving)	\$ 11,500
MIS	Tax Collection software year two of lease/purchase	\$ 12,498
GENERAL	Town Center traffic survey and engineering design	\$ 70,000
MIS	Purchase one wide-format printer	\$ 14,550
BLDG	Various building repairs	\$ 8,516

Article 6. PURCHASE FIRE ENGINE FY08 CAPITAL EXCLUSION

Voted to appropriate the sum of \$405,000 for the purchase or acquisition of one Fire Engine and associated equipment, said sum to be raised by taxation.

Article 7. FY08 TRANSFER STATION ENTERPRISE FUND BUDGET

Voted to appropriate the sum of \$271,574 for the Transfer Station Enterprise Fund for Fiscal Year 2008, and further to authorize the use of an additional \$30,912 of Enterprise Fund receipts for indirect costs; such sums to be raised by \$302,486 in receipts.

	Appropriated FY06	Appropriated FY07	Town Request FY08	FinCom Non-Override FY08	FinCom Override FY08
TRANSFER STATION ENTERPRISE FUND					
Direct Costs (appropriated)	399,843	267,803	271,574	271,574	271,574
Indirect Costs (appropriated in general fund)	18,793	24,000	30,912	30,912	30,912
TOTAL: TRANSFER STATION ENTERPRISE	418,636	291,803	302,486	302,486	302,486

Transfer Station Receipts	278,636	291,803	302,486	302,486	302,486
Retained Earnings Used	140,000	-			

Article 8. FY 08 POOL ENTERPRISE FUND BUDGET

Voted to appropriate the sum of \$457,842 for the Pool Enterprise Fund for Fiscal Year 2008; such sum to be raised from \$440,000 in receipts of the Enterprise; and use of retained earning of \$17,842 of the Enterprise; and further to authorize the use of an additional \$62,198 appropriated under Account 900, Town Employees Benefits in Article 3, FY08 Budget, for indirect costs.

Article 9. MEDICARE ELIGIBLE RETIREE HEALTH INSURANCE

Unanimously voted to accept the provisions of Massachusetts General Laws, Chapter 32B, section 18, regarding health insurance coverage for Medicare eligible retirees which requires all Town retirees, their spouses and dependents who are enrolled in Medicare Part A, or eligible for coverage thereunder at no cost to a retiree, their spouse or dependents, to enroll in a Medicare health benefits supplement plan offered by the Town.

Article 10. UNPAID BILLS

Indefinitely Postponed

Article. 11 – STABILIZATION FUND

Voted to appropriate \$50,000 to be added to the Stabilization Fund established under Article 12 of the October 7, 1982 Special Town Meeting, pursuant to Mass. General Laws Ch. 40, s. 5B; said sum to be raised by taxation.

Article 12. CHAPTER 90 HIGHWAY FUNDING

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

Article 13. STREET ACCEPTANCES

Voted to accept the layout of the following ways:

FOX HILL DRIVE from Mary Catherine Lane to a dead end, a distance of 995 ft. +/-;

MARY CATHERINE LANE from North Road to the public portion of Mary Catherine Lane, a distance of 757 ft. +/-;

SKYVIEW LANE from Dakin Road to a dead end, a distance of 1,164 ft. +/-;

As laid out by the Board of Selectmen in accordance with descriptions and plans on file in the Town Clerk's Office; to authorize the acquisition by purchase, by gift or by a taking by eminent domain, in fee simple, of the property shown on said plans; and to appropriate the sum of \$750 to be raised by transfer of \$478 from Art. 9 (Street Acceptances) of the 2000 ATM, \$198 from Art. 10 (Street Acceptances) of the 2002 ATM, \$67 from Art. 10 (Street Acceptances) of the 2003 ATM and \$7 from Art. 12 (Street Acceptances) of the 2004 ATM, for expenses in connection therewith.

Article 14. REAL ESTATE EXEMPTION

Voted Unanimously, Pursuant to Chapter 73, Section 4, of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, to allow for an increase of up to 100% of the current exemption amounts under Clauses 17D, 17E, 22, 37A, 41C and 41D, Chapter 59, Section 5, for fiscal year 2008.

Article 15. ACCEPT MULLIN RULE, M.G.L. C. 39, S. 23D

Voted to accept the provisions of M.G.L. c.39, s.23D, to allow all adjudicatory hearings held by the various Boards, Committees, and/or Commissions within the Town of Sudbury to provide that a member of any Board, Committee, or Commission, shall not be disqualified from voting on a matter involved in an adjudicatory hearing before that Board, Committee, or Commission because of the member’s absence from one session of such hearing, provided that the conditions set forth in said statute are met.

Article 16. TOWN/SCHOOL REVOLVING FUNDS

Unanimously voted to authorize for FY08 the use of revolving funds under M.G.L. c.44, s.53E ½, by the following Departments of the Town in accordance with the description for each fund placed on file with the Town Clerk, said funds to be maintained as separate accounts set forth as follows:

<u>Fund</u>	<u>Department</u>	<u>Maximum Amc</u>
Council on Aging Activities	Council on Aging	\$ 20,000
Goodnow Library	Goodnow Library	\$ 8,500
Bus	Sudbury Schools	\$ 300,000
Instrumental Music	Sudbury Schools	\$ 50,000
Youth Commission	Youth Commission	\$ 30,000
Recreation Programs	Park and Recreation Commission	\$ 572,000
Teen Center	Park and Recreation Commission	\$ 30,000
Cable Television	Town Manager	\$ 25,000
Conservation	Conservation Commission	\$ 35,000
Dog	Town Clerk	\$ 25,000
Rental Property	Town Manager	\$ 40,000
Plumbing & Gas Inspectional Services	Building Inspector	\$ 45,000
Fire Department	Fire Chief	\$ 12,000

Article 17. COUNCIL ON AGING REVOLVING FUND – SUDBURY SENIOR ACCESS TAXI TRANSPORTATION

Voted unanimously to establish and authorize for Fiscal Year 2008 the use of a revolving fund by the Council on Aging for the Sudbury Senior Access taxi program, to be funded by user fees collected; said fund to be maintained in a separate account, pursuant to Massachusetts General Laws, Chapter 44, Section 53E ½, and expended under the direction of the Council on Aging; the amount to be expended therefrom shall not exceed the amount of \$5,000.

Article 18. DPW MINING REVOLVING FUND

Voted unanimously to authorize for FY2008 a revolving fund for use by the Department of Public Works for the operation of a mining operation on Town property located off North Road, the former Melone property, to include payment for all costs associated therewith, including salaries and other benefits, purchase and maintenance of capital equipment, reclamation of the property, and \$100,000 to be deposited into the General Fund to offset the tax rate, to be funded by income from the sale of gravel or other materials; said fund to be maintained as a separate account in accordance with M.G.L., Chapter 44, Section 53E½; the amount to be expended therefrom shall not exceed the sum of \$300,000.

Article 19. ZONING BOARD OF APPEALS REVOLVING FUND

Voted unanimously to authorize for fiscal year 2008 the use of a revolving fund by the Zoning Board of Appeals for expenditures related to administration of Comprehensive Permit applications, to be funded by application fees; said fund to be maintained as a separate account in accordance with M.G.L., Chapter 44, Section 53E ½; the amount to be expended therefrom shall not exceed the amount of \$10,000.

Article 20. EARLY CHILDHOOD REVOLVING FUND - TERMINATION

Voted unanimously to terminate the use of a revolving fund established pursuant to M.G.L. c.44, section 53E ½ by the Sudbury Schools for the purpose of providing additional or supplemental school early childhood instruction, funded by tuition collection and expended under the direction of the Sudbury School Committee; said termination shall take place upon the date of passage of this Article by Town Meeting; and further, to authorize the Sudbury School Committee to encumber the funds remaining to pay expenses generated through the end of FY07, at which time the remaining balance will be deposited in the Town Surplus Revenue Account.

Article 21. AMEND ZONING BYLAW, ART. IX SECTION 3259A – TEMPORARY SIGNS/ESTABLISH REVOLVING FUND

Voted to amend Article IX, the Zoning Bylaw, by deleting Section 3259A (Temporary Signs) in its entirety, and substituting therefor the following:

- 3259A. Portable Signs. One portable sign is allowed per business provided:
- a. The sign does not exceed six (6) square feet per side and is no more than thirty (30) inches wide.
 - b. The top of any portable sign must be less than four (4) feet above grade.
 - c. All lettering shall be done in a professional workmanlike manner.
 - d. Portable signs shall not be permitted on properties containing a single business which has a freestanding sign.
 - e. For properties containing multiple businesses, no more than two (2) portable signs shall be displayed at a time on any lot.
 - f. Portable signs may only be displayed during the hours that the business is open or operating, but shall be removed at sunset.
 - g. Portable signs shall not be illuminated, have flashing lights, emit sound or simulate motion, nor have any attachments adding to their height or width.
 - h. Portable signs must not create a potential hazard to vehicular or pedestrian traffic.
 - i. Signs which do not comply with any provision of this bylaw may be removed immediately and without notice by the Town.
 - j. A permit for a Portable Sign shall be issued at the discretion of the Building Inspector for a period not to exceed one year and at a fee of \$250 annually

and further to establish and authorize for fiscal year 2008 the use of the revolving fund under the direction of the Building Inspector for the administration and inspection of the portable sign program established under this article to be funded by registration fees collected; said fund to be maintained in a separate account, pursuant to Mass. General Laws Ch. 44, s. 53E ½, the amount to be expended therefrom shall not exceed the amount of \$10,000.

Article 22. COMMUNITY PRESERVATION FUND – BRUCE FREEMAN RAIL TRAIL: TITLE SEARCH

Voted to appropriate \$15,000 from the Community Preservation Act Funds, as recommended by the Community Preservation Committee, for the purpose of conducting a title search of the north-south railroad right of way currently owned by the Commonwealth of Massachusetts and running from the intersection with the east-west MBTA railroad right of way north to the Concord border, said work to be completed by the end of Fiscal Year 2010. All appropriations will be allocated to the Recreation category and funded from unrestricted reserves.

Article 23. COMMUNITY PRESERVATION FUND – BRUCE FREEMAN RAIL TRAIL: WILDLIFE STUDY

Voted to appropriate \$25,000 from the Community Preservation Act Funds, as recommended by the Community Preservation Committee, for the purpose of conducting a four season study of the wildlife and rare species habitats as they may exist along the north-south railroad right of way currently owned by the Commonwealth of Massachusetts, running from the intersection with the east-west MBTA railroad right of way north to the Concord

border, such funds to be expended only after the Town has completed a satisfactory title search authorized under Article 22 of the 2007 Annual Town Meeting, said work to be performed under the direction of the Town Manager and to be completed by the end of Fiscal Year 2010; or act on anything relative thereto. All appropriations will be allocated to the Recreation category and funded from FY08 Revenue.

**Article 24. COMMUNITY PRESERVATION FUND – BRUCE FREEMAN RAIL TRAIL:
EXISTING CONDITIONS BASE MAP**

Voted to appropriate \$105,000 from the Community Preservation Act Funds, as recommended by the Community Preservation Committee, for the purpose of conducting an Environmental Resource Delineation and incorporating same into a new surveyed existing-conditions base map of the north-south railroad right of way currently owned by the Commonwealth of Massachusetts, running from the intersection with the east-west MBTA railroad right of way north to the Concord border, such funds to be expended only after the Town has completed a satisfactory title search authorized under Article 22 of the 2007 Annual Town Meeting, said work to be performed under the direction of the Town Manager and to be completed by the end of Fiscal Year 2010, or act on anything relative thereto. All appropriations will be allocated to the Recreation category and funded from FY08 Revenue.

Article 25. COMMUNITY PRESERVATION FUND – JOHNSON LAND PURCHASE
Indefinitely Postponed

**Article 26. COMMUNITY PRESERVATION FUND – SUDBURY HOUSING TRUST
ALLOCATION**

Voted to appropriate from the Community Preservation Act Funds \$250,000 in FY08 CPA Revenue and the transfer of \$135,000 of Community Housing reserve funds retained from prior years, as recommended by the Community Preservation Committee, for the purpose of funding the Sudbury Housing Trust. All appropriations will be allocated to the Community Housing category.

Article 27. COMMUNITY PRESERVATION FUND – AMEND 2005 TOWN MEETING ART. 42
Voted to amend Article 42 of the 2005 Annual Town Meeting authorizing the expenditure of \$500,000 for the purchase of permanent, affordable restrictions on housing units, by 1) extending the time restrictions cited therein by one year each, and by 2) authorizing the purchase of “no less than three (3) additional units of housing” rather than limiting purchases to “an amount not to exceed \$100,000 per unit of housing”, as recommended by the Community Preservation Committee.

Article 28. COMMUNITY PRESERVATION FUND – CARDING MILL HOUSE PLANNING
Voted to appropriate \$25,000 from the Community Preservation Act Historic Reserve Funds, as recommended by the Community Preservation Committee, for the purpose of performing immediate work to make the town-owned Carding Mill House secure and weather tight and for performing architectural and engineering studies as a planning base for the future use of the property, said work to be performed under the direction of the Town Manager. All appropriations will be allocated to the Historic category and funded from FY08 Revenue.

Article 29. COMMUNITY PRESERVATION FUND – SUDBURY TOWN CENTER PROJECT
Voted to appropriate \$30,000 from the Community Preservation Act Funds, as recommended by the Community Preservation Committee, for the purpose of partially funding survey and engineering work as part of the Town Center Project, such funds to be expended only so long as the Town has appropriated in FY08 the remaining funds through revenue sources other than CPA funds. All appropriations will be allocated equally to the Historic, Recreation and Open Space categories and funded from FY08 Revenue.

**Article 30. COMMUNITY PRESERVATION FUND -GENERAL BUDGET AND
APPROPRIATIONS**

Voted to appropriate the sums as recommended by the Community Preservation Committee, in the following Community Preservation budget for FY08, said sums to be raised by FY08 Community Preservation Surtaxes:

\$ 95,000	Administrative and Operating Costs
\$793,098	Debt Service

And further to reserve the following funds:

\$226,342	for Historic Preservation
\$975,560	for Budgeted Unrestricted CPC Uses

Article 31. AMEND TOWN BYLAWS: USE OF WOOD-FIRED BOILERS

Defeated a motion to amend the Town of Sudbury Bylaws by adding thereto a new article entitled "Use of Outdoor Wood-fired Boilers".

Article 32. SUDBURY GOLDEN AGE PASSPORT

Indefinitely Postponed

Article 33. SENIOR PROPERTY TAX RELIEF

Indefinitely Postponed

Article 34. FROST FARM AND NORTHWOOD STREET ACCEPTANCE PLAN & INTERMEDIATE ASSISTANCE

Indefinitely Postponed

Article 35. RESOLUTION: BRUCE FREEMAN RAIL TRAIL ("BFRT")

Defeated the motion to approve the Sudbury Citizens' Resolution to postpone advancement on the proposed Bruce Freeman Rail Trail.