



SUDBURY SELECT BOARD
TUESDAY MAY 30, 2023
7:00 PM, ZOOM

Item #	Time	Action	Item
	7:00 PM		CALL TO ORDER
			Opening remarks by Chair
			Reports from Town Manager
			Reports from Select Board
			Public comments
CONSENT CALENDAR			
1.		<i>VOTE</i>	Vote to accept the resignation of Patricia Brown, 34 Whispering Pine Road, from the Commission on Disability (COD) effective 5/11/23, and send a thank you letter for her service to the Town.
2.		<i>VOTE</i>	Vote to approve sale of Bond Anticipation Notes (BANS) as requested by Dennis Keohane, Finance Director.
3.		<i>VOTE</i>	Vote to Grant a Special Permit to the Sudbury July 4th Road Race, to hold the “Sudbury July 4th Road Race” on Tuesday, July 4, 2023 from 7:00 A.M. through approximately 12:00 P.M., subject to Police Department safety requirements, Proof of Insurance Coverage and the assurance that any litter will be removed at the race’s conclusion.
4.		<i>VOTE</i>	Vote to grant a special permit to Bikes Not Bombs to hold the “36th Annual Bike-A-Thon” on Sunday, September 10, 2023, from 11:00 A.M. through approximately 3:00 P.M., with a rain date of Sunday, September 24, 2023, subject to Police Department safety requirements, proof of insurance coverage and the assurance that any litter will be removed at the race’s conclusion.
5.		<i>VOTE</i>	Vote to approve execution by the Town Manager of a 3-year contract for web-based Open Government Permitting and Licensing software for use by the Building, Health and DPW Departments.
6.		<i>VOTE</i>	Approve award by the Town Manager of a contract between the Town and Lapinski Electric, Inc. for Rte 117 Traffic Signal Improvements to be performed pursuant to Contractor’s bid (Contract# 2023-117TS-1) dated March 30, 2023, in the amount of \$677,246.25 and a contract between the Town and TEC, Inc, for contract administration for the above project in the amount of \$79,200, and further, to execute all documents relative to said

These agenda items are those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law. Some items may be taken out of order or not be taken up at all. The Chair will strive to honor timed items as best as possible, however, the estimated timing may occasionally be inaccurate.

Item #	Time	Action	Item
			contract inclusive of amendments, if any.
7.		<i>VOTE</i>	Vote to appropriate \$100,000 from Meadow Walk mitigation funds to the Park & Recreation Commission for Feeley Field Phase 2 project.
MISCELLANEOUS			
8.		<i>VOTE</i>	Interview candidate for appointment to the Council on Aging (COA). Following interview, vote whether to appoint Patricia Tabloski, Maple Avenue, to the COA for a term expiring 5/30/26.
9.			Meet with Senator James B. Eldridge and Representative Carmine L. Gentile for annual legislative update with Select Board.
10.			Discussion on remote policy and discussion on hybrid and in-person meetings.
11.		<i>VOTE</i>	Discussion and possible vote on Liaison Assignments for 2023-2024.
12.		<i>VOTE</i>	Discussion and vote whether to create/appoint a Housing Production Plan Working Group consisting of membership to assist in updating the Town of Sudbury's Housing Production Plan.
13.			Discussion on business & economic committee
14.		<i>VOTE</i>	Review the Select Board Spring 2023 Newsletter articles and approve for distribution.
15.		<i>VOTE</i>	Review and possibly approve the meeting minutes of 1/10/23, 1/23/23, and 1/24/23.
16.			Upcoming agenda items

These agenda items are those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law. Some items may be taken out of order or not be taken up at all. The Chair will strive to honor timed items as best as possible. The Chair reserves the right to accept public comment on any item and may establish time limits.

**SUDBURY SELECT BOARD**

Tuesday, May 30, 2023

CONSENT CALENDAR ITEM**1: Accept resignation from COD****REQUESTOR SECTION**

Date of request:

Requested by: Patty Golden

Formal Title: Vote to accept the resignation of Patricia Brown, 34 Whispering Pine Road, from the Commission on Disability (COD) effective 5/11/23, and send a thank you letter for her service to the Town.

Recommendations/Suggested Motion/Vote: Vote to accept the resignation of Patricia Brown, 34 Whispering Pine Road, from the Commission on Disability (COD) effective 5/11/23, and send a thank you letter for her service to the Town.

Background Information:
attached resignation email

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

05/30/2023 7:00 PM

From: Pat Brown <patbrownian@me.com>
Sent: Thursday, May 11, 2023 3:10 PM
To: Town Manager
Cc: Select Board; Commission on Disability
Subject: Resignation

Dear Mr. Sheehan,

I decline to request renewal of my appointment to the Sudbury Commission on Disability (COD). I remain convinced that this Commission has a valuable mission in helping integrate people with disabilities into our civic life—both as active citizens exercising their civil rights and as full-fledged members of our larger community. I do not see how to accomplish that mission as the COD now operates.

The Sudbury COD presumes that any deviation from fulfilling its “requests” promptly and exactly as enumerated constitutes not a disagreement with the COD specifically but rather discrimination against the disabled community. The COD’s legal mandate is to research problems, advise municipal officials, carry out programs, review and make recommendations, provide information to the public and coordinate the activities of other groups to cause the full integration and participation of people with disabilities. The many lengthy discussions in COD meetings spent chastising other entities for their failure of scrupulous obedience do not further our mission. Rather, they prolong our meetings, discourage new members from applying, and dispirit those already on the COD.

In my experience, it is more fruitful to work cooperatively with town staff, other boards, outside organizations, and state agencies to make progress than it is to issue diktats.

I watched in dismay and disbelief as the COD Chair on the Commission’s behalf blamed the Town Manager for not appointing specific individuals to the COD, while ignoring the reasons for the extraordinary turnover that necessitates these appointments.

For the above and other reasons, I do not wish to be reconsidered for membership in the Sudbury COD.

Respectfully,

Pat Brown
 34 Whispering Pine Road

Attachment1.a: Pat Brown Resignation Ltr (5876 : Accept resignation from COD)

**SUDBURY SELECT BOARD**

Tuesday, May 30, 2023

CONSENT CALENDAR ITEM**2: Approve sale of Bond Anticipation Notes****REQUESTOR SECTION**

Date of request:

Requestor: Dennis Keohane, Finance Director

Formal Title: Vote to approve sale of Bond Anticipation Notes (BANS) as requested by Dennis Keohane, Finance Director.

Recommendations/Suggested Motion/Vote: Vote to approve sale of Bond Anticipation Notes (BANS) as requested by Dennis Keohane, Finance Director.

Background Information:

These notes relate to the Fairbank Community Center, the Town-Wide Drainage and Roadway Reconstruction project, the Fire Station #2 Addition, the CSX Rail Corridor Acquisition, and the Stearns Mill Pond Dam/Dutton Road Bridge project.

DOCUMENTS REQUIRE A MINIMUM OF THREE ORIGINAL BOARD SIGNATURES NLT 6/1/23.

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

05/30/2023 7:00 PM

MEMORANDUM

To: Sudbury Select Board
Andrew Sheehan, Town Manager

From: Dennis Keohane, Finance Director/ Treasurer-Collector

Date: May 25, 2023

Subject: Note Sale

Move to accept the notice of BANs (Bond Anticipation Notes) sold on May 23, 2023 and awarded by the Town Treasurer.

Background: On May 23, 2023, I took bids on \$36,812,000 in short-term debt (bond anticipation notes). This issue is to provide funding for the following projects:

<u>Purpose</u>	<u>Principal Amount</u>	<u>Authorization Date</u>	<u>Article</u>
Fairbank Community Center	\$28,832,000	September 12, 2020	18
Town-Wide Drainage and Roadway Reconstruction	3,400,000	June 13, 2020	14
Fire Station Addition	3,300,000	May 22, 2021	16
CSX Land Acquisition	820,000	September 12, 2020	17
Dutton Road Bridge Replacement	460,000	May 8, 2018	24

We received bids from 7 banking institutions. TD Securities LLC offered the lowest net interest cost (NIC) at 3.627%. A summary of the bids is as follows:

<u>Bidder</u>	<u>Rate</u>	<u>Premium</u>	<u>NIC</u>
TD Securities LLC	5.00%	338,302	3.627%
J.P. Morgan Securities LLC	5.00%	309,957	3.742%
Jefferies LLC	4.50%	184,796	3.750%
BNY Mellon Capital Markets LLC	4.75%	218,991	3.861%
Bank of America Securities	5.00%	263,206	3.932%
Oppenheimer & Co.	5.00%	254,739	3.966%
Fidelity Capital Markets	4.50%	106,019	4.069%

Details of the sale:

Sale Amount: \$36,812,000 Rate: 5.00% Duration: 241 days Premium: \$338,302

The BAN for the sum of \$36,812,000 is to be awarded to TD Securities LLC at a rate of 5.0%.

**SEVERAL DOCUMENTS REQUIRE SIGNATURES BY THE
SELECT BOARD, TOWN TREASURER, AND TOWN CLERK
PRIOR TO 6/2/2023.**

Registered
Number 1

Registered
\$36,812,000

United States of America

The Commonwealth of Massachusetts

TOWN OF SUDBURY

GENERAL OBLIGATION
BOND ANTICIPATION NOTE
(Municipal Purpose Loan of 2023)

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Registration and Original Issue Date</u>	<u>CUSIP</u>
5.00%	February 7, 2024	June 6, 2023	864643 XD8

PRINCIPAL AMOUNT: THIRTY-SIX MILLION EIGHT HUNDRED TWELVE
THOUSAND DOLLARS

REGISTERED OWNER: CEDE & CO.

REGISTRAR AND
PAYING AGENT: U.S. BANK TRUST COMPANY, NATIONAL ASSOCIATION

The Town of Sudbury, Massachusetts (the "Town") for value received, promises to pay to the Registered Owner of this note or registered assigns the Principal Amount specified above in lawful money of the United States of America on the Maturity Date upon presentation and surrender hereof, with interest (calculated on the basis of a 30-day month and a 360-day year) at the Interest Rate per annum, payable on the Maturity Date. This note will bear interest from the Original Issue Date.

This note certificate is one of an issue of \$36,812,000 aggregate principal amount of notes issued by the Town pursuant to Chapter 44 of the General Laws as amended in anticipation of bonds authorized for community center, drainage and roadways, fire station addition, land acquisition, and bridge replacement purposes.

The notes are general obligations of the Town and the full faith and credit of the Town is pledged for the payment of principal of and interest on the notes as the same shall become due.

The notes are being issued by means of a book entry system, with a note certificate immobilized at The Depository Trust Company, New York, New York ("DTC") evidencing ownership of the notes in principal amounts of \$1,000 or integral multiples thereof, and with transfers of beneficial ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC. Note certificates are not available for distribution to

the public. The principal of and interest on this note are payable by U.S. Bank Trust Company, National Association, or its successor as paying agent (the "Paying Agent") for the Town, in immediately available funds to the Registered Owner of this note, as nominee of DTC. Transfer of principal and interest payments to participants of DTC is the responsibility of DTC; transfer of principal and interest payments to beneficial owners by participants of DTC will be the responsibility of such participants and other nominees of beneficial owners. The Town is not responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

Unless this note certificate is presented by an authorized representative of The Depository Trust Company to the Paying Agent for registration of transfer, exchange or payment, and any note certificate issued is registered in the name of Cede & Co. or such other name as requested by an authorized representative of The Depository Trust Company and any payment is made to Cede & Co., ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL since the registered owner hereof, Cede & Co., has an interest herein.

In the event that (a) DTC determines not to continue to act as securities depository for the notes or (b) the Town determines that continuation of the book entry system of evidence and transfer of ownership would adversely affect the interests of the beneficial owners of the notes, the Town will discontinue the book entry system with DTC. If the Town fails to identify another qualified securities depository to replace DTC, the Paying Agent will authenticate and deliver replacement notes in the form of fully registered certificates.

This note is transferable only upon the registration books kept by the Paying Agent as registrar, but only in a manner which will maintain immobilization of note certificates at one or more securities depositories. This note may not be transferred or exchanged in a manner which would involve the delivery of note certificates to the beneficial owners unless the book entry system has been discontinued by the Town in accordance with the terms of this note, in which case replacement notes may be issued in accordance with law and such procedures as the Town shall deem appropriate.

The Town hereby covenants that it will take all lawful action necessary to comply with all requirements of the Internal Revenue Code of 1986, as amended, that must be satisfied subsequent to the issuance of the notes in order that interest on the notes be and continue to be excluded from gross income for federal income tax purposes and it will refrain from taking any action that would cause interest on the notes to become included in gross income for federal income tax purposes.

In connection with the offering of the notes the Town has executed a Significant Events Disclosure Certificate dated as of the date hereof (as it may be amended from time to time, the "Certificate"). The Town hereby covenants to comply with the provisions of the Certificate, and reference is made to the Certificate for a description of the nature and extent of the obligations of

the Town and the rights of the owners of the notes under the Certificate. The Certificate is described in the Official Statement relating to the notes. A copy of the Certificate is available from the Town upon request.

TOWN OF SUDBURY,
MASSACHUSETTS

By: _____
Treasurer

Countersigned:

Select Board

(Town Seal)

LEGAL OPINION

The following opinion is based on facts and the law existing on the date of original delivery of the notes described therein.

LOCKE LORD LLP
111 Huntington Avenue
Boston, Massachusetts

Dennis Keohane, Finance Director/Treasurer
Town of Sudbury
Sudbury, Massachusetts

\$36,812,000
Town of Sudbury, Massachusetts
General Obligation Bond Anticipation Notes

We have acted as bond counsel to the Town of Sudbury, Massachusetts (the “Town”) in connection with the issuance by the Town of the above-referenced notes (the “Notes”) dated June 6, 2023 and payable February 7, 2024. In such capacity, we have examined the law and such certified proceedings and other papers as we have deemed necessary to render this opinion.

As to questions of fact material to our opinion we have relied upon representations and covenants of the Town contained in the certified proceedings and other certifications of public officials furnished to us, without undertaking to verify the same by independent investigation.

Based on our examination, we are of the opinion, under existing law, as follows:

1. The Notes are valid and binding general obligations of the Town and, except to the extent they are paid from the proceeds of the bonds in anticipation of which they are issued or from any other available moneys, the principal of and interest on the Notes are payable from taxes which may be levied upon all taxable property in the Town without limitation as to rate or amount, except as provided under Chapter 44, Section 20 of the General Laws, with respect to that portion of the principal and interest payments that the Town has voted to exempt from the limit imposed by Chapter 59, Section 21C of the General Laws, and subject to the limit imposed by Chapter 59, Section 21C of the General Laws with respect to that portion of the principal and interest payments that the Town has not voted to exempt from that limit.

2. Interest on the Notes is excluded from the gross income of the owners of the Notes for federal income tax purposes. In addition, interest on the Notes is not a specific preference item for purposes of the federal individual alternative minimum tax. For tax years beginning after December 31, 2022, however, interest on the Notes will be included in the “adjusted financial statement income” of certain corporations that are subject to the alternative

minimum tax under Section 55 of the Internal Revenue Code of 1986 (the “Code”). In rendering the opinions set forth in this paragraph, we have assumed compliance by the Town with all requirements of the Code, that must be satisfied subsequent to the issuance of the Notes in order that interest thereon be, and continue to be, excluded from gross income for federal income tax purposes. The Town has covenanted to comply with all such requirements. Failure by the Town to comply with certain of such requirements may cause interest on the Notes to become included in gross income for federal income tax purposes retroactive to the date of issuance of the Notes. We express no opinion regarding any other federal tax consequences arising with respect to the Notes.

3. Interest on the Notes is exempt from Massachusetts personal income taxes and the Notes are exempt from Massachusetts personal property taxes. We express no opinion regarding any other Massachusetts tax consequences arising with respect to the Notes or any tax consequences arising with respect to the Notes under the laws of any state other than Massachusetts.

This opinion is expressed as of the date hereof, and we neither assume nor undertake any obligation to update, revise, supplement or restate this opinion to reflect any action taken or omitted, or any facts or circumstances or changes in law or in the interpretation thereof, that may hereafter arise or occur, or for any other reason.

The rights of the holders of the Notes and the enforceability of the Notes may be subject to bankruptcy, insolvency, reorganization, moratorium and other similar laws affecting creditors' rights heretofore or hereafter enacted to the extent constitutionally applicable, and their enforcement may also be subject to the exercise of judicial discretion in appropriate cases.

/s/ LOCKE LORD LLP

133201588v.1

DMP/RAM 05/24/2023

(Please Note: The following statements are an essential part of the permanent record. Read them carefully before signing this certificate. Advise Locke Lord LLP of any inaccuracy.)

Town of Sudbury, Massachusetts
\$36,812,000 General Obligation Bond Anticipation Notes
dated June 6, 2023

SIGNATURE, NO LITIGATION AND OFFICIAL STATEMENT CERTIFICATE

A. Certificate of Authorized Officers. We, the Treasurer and members of the Select Board of the Town of Sudbury, Massachusetts (the "Town"), certify that we have signed the \$36,812,000 5.00 percent General Obligation Bond Anticipation Notes (the "Notes") of the Town dated June 6, 2023 and payable February 7, 2024. A book entry system is being used to evidence ownership and transfer of the Notes on the records of The Depository Trust Company ("DTC"). The Notes are issued in the form of a single Note for the full principal amount, registered in the name of "CEDE & CO." as nominee for DTC and immobilized in the custody of DTC. The Note bears the Town seal which is also affixed to this certificate.

We, the said officers, also certify as follows:

1. Authority. The Notes are issued the respective amounts set forth below in anticipation of the sale of bonds authorized pursuant to the following statutes and votes of the Town and a vote of the Select Board duly adopted on May 30, 2023:

- (a) \$28,832,000 - \$28,832,000 Community Center Bonds under G.L. c.44, §7(1) and a vote of the Town passed on September 12, 2020 (Article 18), excluded from the limitations of Proposition 2 ½, so-called, on November 3, 2020 (Ballot Question 4);
- (b) \$3,400,000 - \$3,400,000 Road and Drainage Bonds under G.L. c.44, §7(1) and a vote of the Town passed on May 4, 2022 (Article 42);
- (c) \$3,300,000 - \$3,300,000 Fire Station Building Bonds under G.L. c.44, §7(1) and a vote of the Town passed on May 22, 2021 (Article 16);
- (d) \$820,000 - \$820,500 Land Acquisition Bonds under G.L. c.44, §7(1) and a vote of the Town passed on September 12, 2020 (Article 17), excluded from the limitations of Proposition 2 ½, so-called, on November 3, 2020 (Ballot Question 3); and
- (e) \$460,000 - \$1,850,000 Dam Design and Bridge Construction Bonds under G.L. c.44, §7(1) and a vote of the Town passed on May 8, 2018 (Article 24), excluded from the limitations of Proposition 2 ½, so-called, on June 12,

Attachment 2.c: Signature No Litigation and Official Statement Certificate (5881 : Approve sale of Bond Anticipation Notes)

2018 (Ballot Question 3).

2. Description and Purpose of Notes. The Town is issuing and delivering the Notes simultaneously with the delivery of this certificate. The following amounts of the issue are for the following purposes:

<u>Principal</u>	<u>Purpose</u>
\$28,832,000	Design, permitting, and construction or renovation of a Community /center and all other appurtenances, including a pool, on the Town-owned land at 40 Fairbank Road known as the current site of the Fairbank Community Center and Atkinson Pool
\$3,400,000	Reconstruction of the drainage system throughout the Town including design, engineering, constructing and related professional services, materials, appurtenances, repaving roadways
\$3,300,000	Constructing a new housing/living/office area adjacent to and connected to the existing Fire Station #2 Building, located at 550 Boston Post Road
\$820,000	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 QBS 3.40 to QBS 4.80 on a Railroad Map dated July 20, 2020, prepared by CSX Transportation, Inc. and a Plan dated July 20, 2020
\$460,000	Design and construction to replace the Dutton Road Bridge downstream of the Stearns Mill Pond Dam and over Hop Brook

3. Other Debt. No other debt has been incurred under those votes.

4. Consolidated Issue. The Notes constitute a consolidated issue for purposes of G.L. c.44, §16.

5. State Aid. The Town has received \$400,000 in state aid and for the land acquisition project described in paragraph 1(d) above and \$500,000 in state aid and for the bridge construction project described in paragraph 1(e) above.

6. Approval of Sale. We approve the sale of the Notes to TD Securities (USA) LLC (the "Purchaser") at par and accrued interest, if any, plus a premium of \$338,302.28.

B. Delivery and Receipt. I, the Treasurer, further certify that the Notes were delivered on this date and that the full purchase price including accrued interest for the period, if any, from the date of the Notes to this date was received from the Purchaser on or before this date.

C. Certification Regarding Official Statement. I, the Treasurer, certify as follows:

(a) I have reviewed the Preliminary Official Statement dated May 16, 2023 (the "Preliminary Official Statement") and the Official Statement dated May 23, 2023 (the "Official Statement") relating to the sale of the Notes.

(b) To the best of my knowledge and belief, the Preliminary Official Statement did not, as of its date and as of the date of sale of the Notes, and the Official Statement (excluding the price or yield on the cover page, as to which no view is expressed) did not as of its date and does not as of this date (which is the date of delivery of the Notes), contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements made therein, in light of the circumstances under which they were made, not misleading.

(c) Since the date of the Official Statement there has been no material adverse change in the financial condition or affairs of the Town except as set forth in or contemplated by the Official Statement.

D. Debt Limit. I, the Treasurer, certify that at the time of their authorization, the Notes and the bonds in anticipation of which they are issued were and on the date hereof are within every applicable debt and other limit prescribed by law or otherwise.

E. Certificate of Town Clerk. I, the Town Clerk, certify as follows:

(a) Signatures and Incumbency. The signatures of the Treasurer and members of the Select Board as appearing below are the genuine, electronic, or facsimile signatures of the persons who executed the Notes and who held those offices when the Notes were signed and when the Notes were delivered.

(b) Open Meeting Law. Except for the town meetings called pursuant to G.L. c.39, §10, all proceedings essential to the issue of the Notes and the authorization of the bonds and deliberations of a quorum relating thereto have been taken at a meeting or meetings open to the public; notice of each such meeting was filed in my office and publicly posted in the time and manner set forth in the G.L. c.30A, §§18-25, as amended, or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b); no deliberations, decision or vote in connection with the Notes or bonds were taken in executive session and no vote was taken by secret ballot; and the official record of each such meeting was made available to the public and remains available to the public as set forth in G.L. c.30A, §§18-25, as amended.

(c) Proceedings. No proceeding essential to the issue of the Notes or bonds has been repealed or amended except as stated in paragraph (1) above and no proceedings have been taken relating to the Notes or bonds other than those certified to Locke Lord LLP.

(d) Bylaws. The bylaws described below are the only bylaws or standing votes of the Town affecting the authorization, sale or issue of the Notes or bonds, including the calling and conduct of town meetings, or the use of assessments or other

charges imposed to pay for any project financed by the Notes, and there has been no change therein affecting those matters in any way except as may be indicated below:

General Bylaws of the Town of Sudbury, as amended through August 15, 2022 and posted to the Town website and as certified to Locke Lord LLP on February 21, 2023.

(e) Home Rule. The Town has not adopted a home rule charter and the Town has not amended or repealed any special law relating to the Town through the use of home rule procedures.

(f) Development Districts. The Town has not established any development districts pursuant to G.L. c.40Q.

F. Execution of Counterparts and Delivery by Electronic Means. This certificate, as well as any other certificates or documents relating to the Notes (collectively, the "Documents"), may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same document. Delivery of an executed counterpart of a signature page to a Document by electronic mail in a ".pdf" file or by other electronic transmission shall be as effective as delivery of a manually executed counterpart signature page to such Document. Electronic signatures on any of the Documents shall be deemed original signatures for the purposes of the Documents and all matters relating thereto, having the same legal effect as original signatures.

[Remainder of page intentionally left blank; signature page follows.]

G. No Litigation; No Financial Interest. All of the undersigned certify that there has been no litigation affecting the validity of the Notes or bonds or the power of the Town to levy and collect taxes to pay them; that none is pending or to our knowledge threatened; that neither the corporate existence nor boundaries of the Town nor the title of any of us to our respective offices is being contested; and that none of us and, to the best of our knowledge, no other official of the Town has any direct or indirect financial interest in or relationship with the Purchaser.

Date: June 6, 2023
(Date of delivery of and
payment for the Notes)

Members of the Select Board

Treasurer

Town Clerk

(Town Seal)

133199286v.1

(Please Note: The following certificate is an essential part of the permanent record and creates ongoing obligations of the Issuer. Please read it carefully before signing. Advise Locke Lord LLP of any inaccuracy.)

SIGNIFICANT EVENTS DISCLOSURE CERTIFICATE

This Significant Events Disclosure Certificate (the “Disclosure Certificate”) is executed and delivered by the Town of Sudbury, Massachusetts (the “Issuer”) in connection with the issuance of \$36,812,000 General Obligation Bond Anticipation Notes (the “Notes”), dated June 6, 2023. The Issuer covenants and agrees as follows:

SECTION 1. Purpose of the Disclosure Certificate. This Disclosure Certificate is being executed and delivered by the Issuer for the benefit of the Owners of the Notes and in order to assist the Participating Underwriter in complying with the Rule.

SECTION 2. Definitions. For purposes of this Disclosure Certificate the following capitalized terms shall have the following meanings:

“Listed Events” shall mean any of the events listed in Section 3(a) of this Disclosure Certificate.

“MSRB” shall mean the Municipal Securities Rulemaking Board as established pursuant to Section 15B(b)(1) of the Securities Exchange Act of 1934, or any successor thereto or to the functions of the MSRB contemplated by this Disclosure Certificate. Filing information relating to the MSRB is set forth in Exhibit A attached hereto.

“Obligated Person” shall mean the Issuer.

“Owners of the Notes” shall mean the registered owners, including beneficial owners, of the Notes.

“Participating Underwriter” shall mean any of the original underwriters of the Notes required to comply with the Rule in connection with offering of the Notes.

“Rule” shall mean Rule 15c2-12 adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time.

SECTION 3. Reporting of Significant Events.

(a) The Issuer shall give notice, in accordance with the provisions of this Section 3, of the occurrence of any of the following events with respect to the Notes:

1. Principal and interest payment delinquencies.
2. Non-payment related defaults, if material.
3. Unscheduled draws on debt service reserves reflecting financial difficulties.

4. Unscheduled draws on credit enhancements reflecting financial difficulties.
5. Substitution of credit or liquidity providers, or their failure to perform.
6. Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Notes, or other material events affecting the tax status of the Notes.
7. Modifications to rights of the Owners of the Notes, if material.
8. Bond calls, if material, and tender offers.
9. Defeasances.
10. Release, substitution or sale of property securing repayment of the Notes, if material.
11. Rating changes.
12. Bankruptcy, insolvency, receivership or similar event of the Obligated Person.*
13. The consummation of a merger, consolidation, or acquisition involving an Obligated Person or the sale of all or substantially all of the assets of the Obligated Person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material.
14. Appointment of a successor or additional trustee or the change of name of a trustee, if material.
15. Incurrence of a financial obligation of the Obligated Person, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation of the Obligated Person, any of which affect Owners of the Notes, if material.†

* As noted in the Rule, this event is considered to occur when any of the following occur: (i) the appointment of a receiver, fiscal agent or similar officer for an Obligated Person in a proceeding under the U.S. Bankruptcy Code or in any proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of Obligated Person, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or (ii) the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the Obligated Person.

† For purposes of event numbers 15 and 16 in Section 3(a) of this Disclosure Certificate, the term “financial obligation” means a (i) debt obligation; (ii) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation; or (iii) guarantee of (i) or (ii). The term “financial obligation” excludes municipal securities for which a final official statement has been provided to the MSRB consistent with the Rule.

16. Default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a financial obligation of the Obligated Person, any of which reflect financial difficulties.[†]

(b) Upon the occurrence of a Listed Event, the Issuer shall, in a timely manner not in excess of ten (10) business days after the occurrence of the event, file a notice of such occurrence with the MSRB.

SECTION 4. Transmission of Information and Notices. Unless otherwise required by law, all notices, documents and information provided to the MSRB shall be provided in electronic format as prescribed by the MSRB and shall be accompanied by identifying information as prescribed by the MSRB.

SECTION 5. Termination of Reporting Obligation. The Issuer's obligations under this Disclosure Certificate shall terminate upon the legal defeasance or payment in full of all of the Notes.

SECTION 6. Default. In the event of a failure of the Issuer to comply with any provision of this Disclosure Certificate the sole remedy under this Disclosure Certificate shall be an action for specific performance of the Issuer's obligations hereunder and not for money damages in any amount. Any failure by the Issuer to comply with any provision of this Disclosure Certificate shall not constitute a default with respect to the Notes.

SECTION 7. Amendment. Notwithstanding any other provision of this Disclosure Certificate, the Issuer may amend this Disclosure Certificate and any provision of this Disclosure Certificate may be waived if such amendment or waiver is permitted by the Rule, as evidenced by an opinion of counsel expert in federal securities law (which may also include bond counsel to the Issuer) to the effect that such amendment or waiver would not cause this Disclosure Certificate to violate the Rule.

SECTION 8. Beneficiaries. This Disclosure Certificate shall inure solely to the benefit of the Owners of the Notes from time to time, and shall create no rights in any other person or entity.

Date: June 6, 2023

TOWN OF SUDBURY,
MASSACHUSETTS

By _____
Treasurer

Select Board

Attachment 2.d: Significant Events Disclosure (5881 : Approve sale of Bond Anticipation Notes)

EXHIBIT A

Filing information relating to the Municipal Securities Rulemaking Board is as follows:

Municipal Securities Rulemaking Board

<http://emma.msrb.org>

133201958v.1

Attachment2.d: Significant Events Disclosure (5881 : Approve sale of Bond Anticipation Notes)

(Please Note: The following statements are an essential part of the permanent bond record. Read them carefully before signing this certificate. Advise Locke Lord LLP of any inaccuracy.)

TAX CERTIFICATE

This Tax Certificate is executed and delivered by the Town of Sudbury, Massachusetts (“Issuer”), in connection with the issuance of \$36,812,000 stated principal amount of its General Obligation Bond Anticipation Notes dated the Issue Date (“Issue”). The Issue is issued pursuant to Votes duly adopted by the Issuer and the Massachusetts General Laws. Pursuant to Reg §§ 1.141-2(d)(1) and 1.148-2(b)(2)(i), the Issuer certifies, covenants, warrants and represents as follows in connection with the issuance of the Issue:

ARTICLE I. IN GENERAL

1.1 Delivery of the Notes of the Issue. On the Issue Date, in exchange for receipt of good funds, the Issuer is delivering the notes of the Issue to the Successful Bidder, for resale to the Public.

1.2 Purpose of Tax Certificate. The Issuer is delivering this Tax Certificate to Bond Counsel, with the understanding that Bond Counsel will rely in part upon this Tax Certificate in rendering its opinion that interest on the Issue is excluded from gross income for federal income tax purposes under Section 103.

1.3 Definitions and References. All capitalized terms used in this Tax Certificate include either the singular or the plural. All terms used in this Tax Certificate, including terms specifically defined, shall be interpreted in a manner consistent with Sections 103 and 141-150 and the applicable Regulations thereunder except as otherwise specified. Capitalized terms used and not otherwise defined herein and in the exhibits hereto and in the schedules and attachments to those exhibits shall have the respective meanings set forth in Appendix A and Appendix B hereto. Reference to a Section means a section of the Code. Reference by number only (for example, “2.10”) means that numbered paragraph of this Tax Certificate.

1.4 Purpose of Financing. The Issue is being issued to provide funds (i) to finance on a “new money” basis the capital costs of certain municipal projects as more fully described in the Signature Certificate, including the payment of Capitalized Interest, if any (“Projects”), and Funded Interest, if any, and (ii) to pay Issuance Costs and other common costs of the Issue.

1.5 Single Issue. The notes of the Issue were sold to the Successful Bidder on the Sale Date. No other governmental obligations of the Issuer which are expected to be paid out of substantially the same source of funds as the Issue have been or will be sold less than 15 days apart from the Sale Date pursuant to the same plan of financing as the Issue.

1.6 Reliance. With respect to certain matters contained in this Tax Certificate, the Issuer specifically relies upon the certifications of the Successful Bidder set forth in Exhibit A,

the certifications of the Municipal Advisor set forth in Exhibit B, and upon the certifications set forth in the other exhibits attached hereto or as otherwise described herein. The Issuer is not aware of any facts or circumstances that would cause it to question the accuracy or reasonableness of any representation made in this Tax Certificate including the exhibits hereto.

ARTICLE II. GENERAL TAX LIMITATIONS

2.1 Application of Sale Proceeds and Certain Other Moneys. On the Issue Date, the Sale Proceeds, \$37,153,615.36, less an underwriter's discount of \$3,313.08, will be deposited to the General Fund and applied as follows:

Projects	\$36,812,000.00
Issuance Costs	55,949.00
Payment of a portion of the interest on the Issue due February 7, 2024	<u>282,353.28</u>
TOTAL:	\$37,150,302.28

Investment Proceeds earned on the amounts in the General Fund will be commingled with substantial tax and other revenues of the Issuer, and are expected to be expended for operating or other expenses of the Issuer within six months after deposit of the Investment Proceeds therein. Pursuant to Reg § 1.148-6(d)(6), all such Investment Proceeds will be treated as expended when so commingled.

2.2 Expenditure of Gross Proceeds. For purposes of this Tax Certificate, Sale Proceeds and, to the extent not deemed expended as described in 2.1, Investment Proceeds will be treated as spent when they are used to pay or reimburse disbursements by the Issuer that are (i) capital expenditures, including any Capitalized Interest, if any and to the extent allowable, (ii) Issuance Costs, (iii) Funded Interest, (iv) initial operating expenses directly associated with the Projects (in an aggregate amount not exceeding 5% of the Sale Proceeds), or (v) other miscellaneous expenditures described in Reg § 1.148-6(d)(3)(ii).

The Issuer hereby certifies that no disbursement to be paid or reimbursed from Gross Proceeds shall have been previously paid or reimbursed from the proceeds of any other obligation, whether issued by the Issuer or any other party.

To the extent that Sale Proceeds will be applied to reimburse expenditures made by the Issuer prior to the Issue Date, the Issuer hereby certifies that such expenditures either (i) constitute capital expenditures incurred not earlier than 60 days prior to the applicable Vote, which Votes constitute the Issuer's declarations of official intent to issue debt to finance the costs of the Projects, or (ii) constitute Preliminary Expenditures to the extent permitted by Massachusetts law.

The Issuer further certifies that any such reimbursement described in clause (i) of the preceding sentence shall be made no later than the later of 18 months after the date of the

expenditure or the date on which the Project component to which such expenditure relates is placed in service, but in no event later than 3 years after the date of such expenditure.

2.3 Governmental Bond Status. Absent an Opinion of Bond Counsel, the Issuer will not loan more than 5% of the Proceeds to one or more Nongovernmental Persons. Absent an Opinion of Bond Counsel, the Issuer has not allowed and will not allow more than 10% of the Proceeds or the Projects to be used directly or indirectly by any Nongovernmental Person in any trade or business, other than as a member of the general public, and has not allowed and will not allow more than 5% of the Proceeds or the Projects to be so used to the extent such use is unrelated or disproportionate to the governmental uses thereof. Absent an Opinion of Bond Counsel, for purposes of this 2.3, a Nongovernmental Person will be treated as “using” Proceeds or the Projects to the extent the Nongovernmental Person:

- (i) borrows Proceeds of the Issue;
- (ii) uses any portion of the Projects as owner, lessee, service provider, operator, or manager;
- (iii) acquires the output of the Projects; or
- (iv) enters into any other arrangement that provides a special legal entitlement or special economic benefit to a Nongovernmental Person.

As of the Issue Date, the Issuer certifies that there are no contracts or other arrangements for any such use of any component of the Projects by any party other than a Governmental Unit. Absent an Opinion of Bond Counsel, the Issuer will not enter into any contract or other arrangement after the Issue Date for any such use of any component of the Projects by any party other than a Governmental Unit.

2.4 Qualified Equity. The Issuer reasonably expects that a portion of the cost of the Projects being financed and/or refinanced in part with the Sale Proceeds may be paid from Qualified Equity. In this regard, the Issuer (i) expects to receive grants in the aggregate amount of \$900,000 from the Commonwealth of Massachusetts for the land acquisition (\$400,000) and bridge construction (\$500,000) projects and (ii) has received \$900,000 of such grants as of the Issue Date of the Issue. The Issuer intends that the undivided portion or portions of any of the Projects paid with Qualified Equity may be used for Private Business Use without restriction. Qualified Equity will be allocated to any Private Business Use of the Projects before any Proceeds are allocated to any such Private Business Use. To the extent that Private Business Use of the Projects ever exceeds the applicable limitation under the “private business tests” imposed pursuant to Section 141(b), the Issuer hereby allocates Qualified Equity to the Projects. In addition, the Issuer reserves the right to allocate this Qualified Equity to the Projects if and as needed in the future.

2.5 Change in Use. The Issuer reasonably expects to use all Proceeds and all facilities that are financed and refinanced therewith as set forth in 2.3 for the entire stated term to maturity of the Issue. Absent an Opinion of Bond Counsel, the Issuer in fact will use all Proceeds and each facility financed and refinanced therewith as set forth in 2.3.

2.6 Registered Form. The notes of the Issue are being issued in registered form.

2.7 Federal Guarantee. The Issuer will not directly or indirectly use or permit the use of any Proceeds or any other funds of the Issuer or any Related Party or take or omit to take any action that would cause the notes of the Issue to be obligations that are “federally guaranteed.” In furtherance of this covenant, the Issuer will not allow the payment of principal or interest with respect to the Issue to be guaranteed (directly or indirectly) in whole or in part by the United States or any agency or instrumentality thereof. Except as provided in the next sentence, the Issuer will not use 5% or more of the Proceeds to make or finance loans the payment of principal or interest with respect to which is guaranteed in whole or in part by the United States or any agency or instrumentality thereof, nor will it invest 5% or more of the Proceeds in federally insured deposits or accounts. The preceding sentence shall not apply to (i) investments in the portions of the General Fund described in 3.5 during the temporary period described therein, (ii) investments in the Bona Fide Debt Service Fund, and (iii) investments in obligations issued by the United States Department of Treasury.

2.8 Information Reporting. The Issuer will cause a properly completed and executed IRS Form 8038-G to be filed with respect to the Issue no later than the 15th day of the second month of the calendar quarter immediately following the calendar quarter of the Issue Date.

2.9 No Pooling. The Issuer will not use any Proceeds directly or indirectly to make or finance loans to two or more ultimate borrowers.

2.10 No Hedge Bonds. The Issuer reasonably expects that more than 85% of Net Sale Proceeds of the Issue will be expended for the governmental purposes thereof within three years after the Issue Date. Not more than 50% of the Proceeds will be invested at a substantially guaranteed yield for four years or more.

2.11 Useful Life. The weighted average maturity of the Issue is 0.669 years, which does not exceed 120% of the remaining average reasonably expected economic life of the assets comprising the Projects.

ARTICLE III. ARBITRAGE GENERAL

3.1 Reasonable Expectations. This Article III states the Issuer’s reasonable expectations with respect to the amounts and uses of Proceeds and certain other moneys.

3.2 Issue Price of the Issue. On the Issue Date, the Issuer is delivering the notes of the Issue to the Successful Bidder in exchange for an aggregate payment of \$37,150,302.28 (which represents the total amount of Sale Proceeds, \$37,153,615.36, less an underwriter's discount of \$3,313.08). As reflected in Exhibit B, the Municipal Advisor has certified that the competitive sale requirements (as defined in the Notice of Sale) were met with respect to the notes of the Issue. Accordingly, based on the advice of the Successful Bidder as set forth in Exhibit A, the Issue Price of the Issue is \$37,153,615.36, which is the reasonably expected initial offering price to the Public for the notes of the Issue.

3.3 Funds and Accounts. The Issuer will use certain portions of its General Fund (or accounts or subaccounts within the General Fund) to hold certain of the Proceeds, as more particularly described in this Article III. The Issuer does not expect that either it or any other Person benefiting from the issuance of the Issue will use any moneys in any fund or account other than the Bona Fide Debt Service Fund to pay debt service on the Issue; nor is any other fund or account so pledged as security for the Issue that there is a reasonable assurance that amounts held in such other fund or account will be available if needed to pay debt service on the Issue.

3.4 Bona Fide Debt Service Fund.

3.4.1 Payment of the Issue. The notes of the Issue are general obligations of the Issuer payable from revenues available therefor pursuant to the Massachusetts General Laws and, when and as applicable, Sale Proceeds, Investment Proceeds, and the Proceeds of Refunding Obligations.

3.4.2 Revenues. Except for the debt service to be paid from a portion of the Sale Proceeds, Investment Proceeds, and the Proceeds of Refunding Obligations, each when and as applicable, payments of debt service on the Issue are expected to be derived from current revenues of the Issuer and current revenues are expected to equal or exceed such amount of debt service on the Issue during the payment period.

3.4.3 Match Between Revenues and Debt Service. The portions of the Issuer's General Fund that are reasonably expected to be used to pay debt service on the Issue (such portions of the Issuer's General Fund being referred to herein as the "Debt Service Fund") will be allocated to the payment of debt service on the Issue on a "first in, first out" (FiFo) basis. Accordingly, the Debt Service Fund will be used primarily to achieve a proper matching of revenues and debt service within the Bond Year. Amounts in the Debt Service Fund will be invested without regard to yield.

3.5 Three-Year Temporary Period. A portion of the Sale Proceeds in the amount of \$36,812,000.00, will be deposited in the General Fund for the purpose of paying costs of the Projects. The Issuer's expenditure expectations with respect to the Proceeds allocable to the Projects are reflected in Exhibit C. The Issuer reasonably expects that at least 85% of the Net Sale Proceeds will be spent to pay costs of the Projects within three years from the Issue Date.

The Issuer heretofore has incurred or within six months hereafter will incur a binding obligation to one or more unrelated parties involving an expenditure of not less than 5% of Net Sale Proceeds. Completion of the Projects and allocations of Net Sale Proceeds and Investment Proceeds to costs of the Projects will proceed with due diligence. Net Sale Proceeds allocable to paying costs of the Projects held in the General Fund, and Investment Proceeds earned thereon, will be invested without regard to yield during the period ending on the third anniversary of the Issue Date.

3.6 No Overissuance. Taking into account anticipated Investment Proceeds, the Sale Proceeds do not exceed the amount necessary to pay (i) costs of the Projects, (ii) Funded Interest, if applicable, and (iii) Issuance Costs and other common costs of the Issue.

3.7 No Other Replacement Proceeds. Neither the Issuer nor any Related Party will use any Gross Proceeds directly or indirectly to replace funds of the Issuer or any Related Party, which funds are or will be used directly or indirectly to acquire Investment Property reasonably expected to produce a yield that is materially higher than the Yield on the Issue.

3.8 No Expected Sale. It is not expected that the Projects or any part thereof financed and/or refinanced in whole or in part by the Issue will be sold or otherwise disposed of before February 7, 2024, the scheduled final maturity date of the Issue, except for minor portions due to normal wear or obsolescence.

ARTICLE IV. ARBITRAGE - YIELD AND YIELD RESTRICTION

4.1 Yield. The Yield on the Issue, adjusted as may be required for substantial original issue premium or discount, has been calculated by the Municipal Advisor to be 3.5697941%, as reflected in Exhibit B.

4.2 No Qualified Hedges. No Qualified Hedge has been, and (absent an Opinion of Bond Counsel) no Qualified Hedge will be, entered into such that failure to take the Qualified Hedge into account would distort the Yield on the Issue or otherwise would fail clearly to reflect the economic substance of the transaction.

4.3 Yield Restriction. Absent an Opinion of Bond Counsel, if the sum of (A) any Proceeds allocable to the payment of the Projects held in the General Fund after the third anniversary of the Issue Date, or, if applicable, the Issue Date of any Original Issue, plus (B) any amounts held in the Bona Fide Debt Service Fund and remaining unexpended after 13 months from the date of accumulation in such fund (excluding any amounts held for Capitalized Interest and Funded Interest), plus, if applicable, (C) any Proceeds allocable to the retirement of any Refunded Bonds and Refunded Notes held in the General Fund after 90 days from the Issue Date, plus, if applicable, (D) any Transferred Proceeds held in the General Fund after the third anniversary of any Original Issue, plus (E) any Proceeds held in the Issuer's General Fund to pay Issuance Costs after 90 days from the Issue Date, at any time in the aggregate exceeds \$100,000, the excess will be invested as follows: (i) in Investment Property with a yield not exceeding the

Yield on the Issue, or such other issue of Tax-Exempt Bonds to which such amounts are then allocated as proceeds, (ii) in assets that are not treated as Investment Property (e.g., Tax-Exempt Bonds), or (iii) in assets that satisfy the requirements for Yield Reduction Payments.

ARTICLE V. REBATE

5.1 Undertakings. The Issuer hereby covenants to comply with requirements of the Code pertaining to the Rebate Requirement. The Issuer acknowledges that the United States Department of the Treasury has issued Regulations with respect to certain of these undertakings, including the proper method for computing whether any rebate amount is due the federal government under Section 148(f). (Reg §§ 1.148-1 through 1.148-11A, 1.150-1, and 1.150-2.) The Issuer further acknowledges that the United States Department of the Treasury may yet issue additional Regulations with respect to certain of these undertakings. The Issuer covenants that it will undertake to determine what is required with respect to the rebate provisions contained in Section 148(f) and said Regulations from time to time and will comply with any requirements that may apply to the Issue.

5.2 Recordkeeping. The Issuer shall maintain or cause to be maintained detailed records with respect to each Nonpurpose Investment allocable to Gross Proceeds, including: (a) purchase date; (b) purchase price; (c) information establishing fair market value on the date such investment became a Nonpurpose Investment; (d) any accrued interest paid; (e) face amount; (f) coupon rate; (g) periodicity of interest payments; (h) disposition price; (i) any accrued interest received; and (j) disposition date. Such detailed recordkeeping is required to facilitate the calculation of the Rebate Requirement.

5.3 Exceptions to the Rebate Requirement.

5.3.1 Bona Fide Debt Service Fund Exception. Based on the representations set forth in 3.4.3 and this 5.3.1, no rebate calculations need be made in respect of amounts in the Bona Fide Debt Service Fund (i) if (a) the weighted average maturity of the Issue is longer than 5 years and (b) the Issue is a Fixed Yield Issue or (ii) if clause (i) does not apply, to the extent the earnings thereon in the Bond Year are less than \$100,000.

5.3.2 Six-Month Expenditure Exception. If applicable, no rebate calculations will be required to be made with respect to the Adjusted Gross Proceeds allocable to the Refunding Portion if all such Adjusted Gross Proceeds are expended within six months of the Issue Date.

5.3.3 Eighteen Month Spending Exception. In general, when applicable, no rebate calculations will be required with respect to Adjusted Gross Proceeds if the Eighteen Month Spending Exception is met. The Issuer's spending expectations with respect to the Adjusted Gross Proceeds are included in Exhibit C.

5.3.4 Two Year Spending Exception. The Issuer reasonably expects that at least 75% of Available Construction Proceeds will be expended for Construction Expenditures with respect to the Projects. The Issuer's spending expectations with respect to the Proceeds allocable to the New Money Projects or the Projects, as applicable, are reflected in Exhibit C. In general, when applicable, no rebate calculations will be required with respect to Available Construction Proceeds if Available Construction Proceeds are spent in accordance with the Two Year Spending Exception. Additionally, Proceeds of the Issue that are used to pay Issuance Costs will be treated, together with all Investment Proceeds thereon, as satisfying the Rebate Requirement if the Two Year Spending Exception is satisfied and all such Issuance Costs are paid within twenty-four months after the Issue Date.

5.4 Rebate Requirement or Yield Reduction Payments with Respect to the Issue. The Issuer covenants to, and will, pay any Rebate Requirement or Yield Reduction Payments due with respect to the Issue within 60 days from the Computation Date for the Issue or, if later, within 60 days of missing one of the spending milestones set forth in 5.3, as required by Section 148(f)(3).

ARTICLE VI. OTHER MATTERS

6.1 Expectations. The undersigned are authorized representatives of the Issuer acting for and on behalf of the Issuer in executing this Tax Certificate. To the best of the knowledge and belief of the undersigned, there are no other facts, estimates or circumstances that would materially change the expectations as set forth herein, and said expectations are reasonable.

6.2 Covenant to Comply. The Issuer hereby covenants that it will not take or permit to be taken on its behalf any action or actions that would adversely affect the exclusion from federal income taxation of interest on the Issue and will take or require to be taken such acts as may reasonably be within its ability and as may from time to time be required under applicable law to maintain the exclusion from federal income taxation of interest on the Issue.

6.3 Post Issuance Compliance Procedures. The Issuer has written procedures to monitor compliance with the arbitrage Yield restriction and rebate requirements of Section 148 after the Issue Date. The Issuer also has written procedures to ensure that all Nonqualified Bonds are remediated in accordance with Reg § 1.141-12. Such procedures are substantially in the form attached hereto as Appendix C. The Issuer will monitor the expenditure of Gross Proceeds and the use of facilities financed and/or refinanced by the Issue, and will undertake, if necessary, any available measures under Reg § 1.141-12 to ensure compliance after the Issue Date with the applicable covenants contained herein.

6.4 Record Retention. In order to ensure that interest on the Issue continues to be excluded from gross income for federal tax law purposes, the Issuer acknowledges that records should be maintained to support the representations, certifications, and expectations set forth in this Tax Certificate (including the exhibits hereto) at least until the date three (3) years after the

later of (a) the date on which the Issue is retired, or (b) the date on which the last of the Refunding Obligations is retired. In addition to the items described in 5.2, records to be retained include, but are not limited to:

(i) basic records and documents relating to the Issue, and, when applicable, the Prior Issues and any Qualified Equity relating to the Projects;

(ii) documentation evidencing the expenditure of the Proceeds and, when applicable, Proceeds of the Prior Issues;

(iii) documentation evidencing the use of the Projects or any component thereof by public and private sources (i.e., copies of management contracts, research agreements, leases, etc.);

(iv) documentation evidencing all sources of payment or security for the Issue and, when applicable, the Prior Issues;

(v) documentation evidencing compliance with the timing and allocation of expenditures of the Proceeds, and, when applicable, Proceeds of the Prior Issues and any Qualified Equity relating to the Projects; and

(vi) records of all amounts paid to the United States in satisfaction of the Rebate Requirement for the Issue and IRS Forms 8038-T (or successor forms thereto) related to such payments or to Yield Reduction Payments.

6.5 Amendments. Notwithstanding any other provision of this Tax Certificate, the Issuer may amend this Tax Certificate and thereby alter any actions allowed or required by this Tax Certificate if such amendment is signed by an authorized officer and is supported by an Opinion of Bond Counsel.

[Remainder of page intentionally left blank; signature page follows.]

6.6 Survival of Payment or Defeasance. Notwithstanding any provision in this Tax Certificate or in any other agreement or instrument relating to the Issue to the contrary, the obligation to remit the Rebate Requirement, if any, to the United States Department of the Treasury and to comply with all other requirements contained in this Tax Certificate shall survive payment or defeasance of the Issue.

6.7 Execution of Counterparts and Delivery by Electronic Means. This Certificate, as well as any other certificates or documents relating to the Issue (collectively, the "Documents"), may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same document. Delivery of an executed counterpart of a signature page to a Document by electronic mail in a ".pdf" file or by other electronic transmission shall be as effective as delivery of a manually executed counterpart signature page to such Document. Electronic signatures on any of the Documents shall be deemed original signatures for the purposes of the Documents and all matters relating thereto, having the same legal effect as original signatures.

Dated: June 6, 2023

TOWN OF SUDBURY, MASSACHUSETTS

By: _____
Treasurer

By: _____

Select Board

[Signature page to Tax Certificate]

Attachment 2.e: Tax Certificate (5881 : Approve sale of Bond Anticipation Notes)

6.6 Survival of Payment or Defeasance. Notwithstanding any provision in this Tax Certificate or in any other agreement or instrument relating to the Issue to the contrary, the obligation to remit the Rebate Requirement, if any, to the United States Department of the Treasury and to comply with all other requirements contained in this Tax Certificate shall survive payment or defeasance of the Issue.

6.7 Execution of Counterparts and Delivery by Electronic Means. This Certificate, as well as any other certificates or documents relating to the Issue (collectively, the "Documents"), may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same document. Delivery of an executed counterpart of a signature page to a Document by electronic mail in a ".pdf" file or by other electronic transmission shall be as effective as delivery of a manually executed counterpart signature page to such Document. Electronic signatures on any of the Documents shall be deemed original signatures for the purposes of the Documents and all matters relating thereto, having the same legal effect as original signatures.

Dated: June 6, 2023

TOWN OF SUDBURY, MASSACHUSETTS

By: _____
Treasurer

By: _____

Select Board

[Signature page to Tax Certificate]

Attachment 2.e: Tax Certificate (5881 : Approve sale of Bond Anticipation Notes)

APPENDIX A GENERAL DEFINITIONS

For purposes of the Tax Certificate to which this Appendix A is attached, and the exhibits to the Tax Certificate and any schedules or attachments to those exhibits, the following capitalized terms have the following meanings:

501(c)(3) Organization means any entity described in Section 501(c)(3).

Adjusted Gross Proceeds generally means Gross Proceeds, less amounts held in the Bona Fide Debt Service Fund.

Available Construction Proceeds has the meaning set forth in Reg § 1.148-7(i) and generally means all Sale Proceeds reduced by Issuance Costs or, if applicable, all Sale Proceeds allocable to the Nonrefunding Portion, reduced by Issuance Costs allocable to the Nonrefunding Portion financed with Sale Proceeds, plus all Investment Proceeds earned thereon before the earlier of two years after the Issue Date or substantial completion of the New Money Projects or Projects, as applicable. In determining the amount of Available Construction Proceeds as of any date, there shall be included the amount of investment earnings reasonably expected after such date, together with investment earnings actually received or accrued as of such date.

Bona Fide Debt Service Fund has the meaning set forth in Reg § 1.148-1(b) and generally means the Debt Service Fund identified in 3.4.3.

Bond Counsel means Locke Lord LLP or, if applicable, another law firm with a nationally recognized public finance practice.

Bond Notice of Sale means, when applicable, the separate Notice of Sale for the bonds of the Issue.

Bond Purchaser means, when applicable, an entity that purchases the bonds of the Issue, or, when applicable, a Prior Issue, for its own account without a present intent to resell.

Capitalized Interest means interest on the Issue, or, when applicable, a Prior Issue, from the Issue Date to the placed in service date of the Projects, that is properly capitalized in the cost of the Projects under general federal income tax principles.

Code means the Internal Revenue Code of 1986, as amended.

Computation Date has the meaning set forth in Reg § 1.148-3(e) and generally means the date not later than the fifth Bond Year and each five years thereafter and the final maturity date of the Issue, each as applicable.

Construction Expenditures has the meaning set forth in Reg § 1.148-7(g)(1) and generally means capital expenditures that are allocable to the cost of real property or constructed

personal property and includes costs of reconstruction and rehabilitation, but does not include costs of acquiring any interest in land or other existing real or personal property.

Controlled Group has the meaning set forth in Reg § 1.150-1(c) and generally means a group of entities controlled directly or indirectly by the same entity or group of entities.

Debt Service Fund means the Debt Service Fund described in Article III.

Deliberate Action has the meaning set forth in Reg § 1.141-2(d)(3) and generally means any action taken by the Issuer that is within its control, but excludes (i) an involuntary or compulsory conversion under Section 1033 or (ii) an action taken in response to a regulatory directive made by the federal government.

Eighteen Month Spending Exception has the meaning set forth in Reg § 1.148-7(d) and generally means Adjusted Gross Proceeds are spent at least as quickly as follows:

15% within six months after the Issue Date

60% within twelve months after the Issue Date

100% within eighteen months after the Issue Date

The requirement that 100% of Adjusted Gross Proceeds be spent within eighteen months after the Issue Date will be met if at least 95% of Adjusted Gross Proceeds is spent within eighteen months and the remainder is held as a Reasonable Retainage, as permitted by contracts with the Issuer's contractors, and such remainder is spent within thirty months after the Issue Date.

Fixed Yield Bond has the meaning set forth in Reg § 1.148-1(b) and generally means any bond whose yield is fixed and determinable on its Issue Date.

Fixed Yield Issue has the meaning set forth in Reg § 1.148-1(b) and generally means any issue of which each bond of the issue is a Fixed Yield Bond.

Funded Interest means interest on the Issue, or, when applicable, a Prior Issue, other than Capitalized Interest, through the later of three years after the Issue Date or one year after the first component of the Projects is placed in service as set forth in Reg § 1.148-6(d)(3)(ii)(A)(3).

General Rule Maturities means, when applicable, those Maturities listed as the general rule maturities in Schedule A to the attached Issue Price Certificate for the Bonds of the Issue or the Notes of the Issue, as applicable.

Governmental Person has the meaning set forth in Reg § 1.141-1(b) and generally means a Governmental Unit.

Governmental Unit means a State or Local Governmental Unit.

Gross Proceeds has the meaning set forth in Reg § 1.148-1(b) and generally means all proceeds derived from or relating to the Issue, or, when applicable, a Prior Issue, including Proceeds and Replacement Proceeds.

Guidelines means Reg § 1.141-3(b)(4) and Revenue Procedure 2017-13 or any applicable predecessor or successor thereto.

Hold-the-Offering-Price Maturities means, when applicable, those Maturities listed as the hold-the-offering-price maturities in Schedule A to the attached Issue Price Certificate for the Bonds of the Issue or the Notes of the Issue, as applicable.

Holding Period means, with respect to a Hold-the-Offering-Price Maturity, the period starting on the Sale Date and ending on the earlier of (i) the close of the fifth business day after the Sale Date, or (ii) the date on which the Successful Bidder/Successful Bond Bidder/Successful Note Bidder sold at least 10% of such Hold-the-Offering-Price Maturity to the Public at prices that are no higher than the initial offering price for such Hold-the-Offering-Price Maturity.

Investment Proceeds has the meaning set forth in Reg § 1.148-1(b) and generally means earnings received from investing and reinvesting Proceeds and from investing and reinvesting such earnings.

Investment Property has the meaning set forth in Section 148(b)(2) and generally means any security or obligation, any annuity contract, or any other investment-type property, but does not include any Tax-Exempt Bond.

Issuance Costs has the meaning set forth in Reg § 1.150-1(b) and generally means costs, to the extent incurred in connection with, and allocable to, the issuance of the Issue within the meaning of Section 147(g), and includes: underwriters' spread; counsel fees; financial advisory fees; credit rating fees; trustee fees; paying agent fees; bond registrar, certification, and authentication fees; accounting fees; printing costs; public approval process costs; engineering and feasibility study costs; and similar costs.

Issue Date has the meaning set forth in Reg § 1.150-1(b) and generally means the date the Issue, or, when applicable, a Prior Issue, was delivered to the Underwriter or Purchaser thereof and payment was received therefor.

Issue Price has the meaning set forth in Reg § 1.148-1(f) and generally means (i) the Expected Offering Price of a Successful Bidder/Successful Bond Bidder/Successful Note Bidder, (ii) the amount paid by the Purchaser for the Issue, the notes of the Issue, and/or the bonds of the Issue, and/or (iii) the price at which at least 10% of each maturity of the General Rule Maturities were sold by the Successful Bidder/Successful Bond Bidder/Successful Note Bidder, all as set forth in Exhibit A, or, when applicable, the sum of the applicable clauses above.

Maturity means bonds and/or notes of the Issue with the same credit and payment terms. Bonds and/or notes of the Issue with different maturity dates, or with the same maturity date but different stated interest rates, are treated as separate maturities.

Minor Portion has the meaning set forth in Section 148(e) and generally means any amount of Gross Proceeds that does not exceed the lesser of (i) 5% of the Proceeds or (ii) \$100,000.

Net Sale Proceeds has the meaning set forth in Reg § 1.148-1(b) and generally means the Sale Proceeds allocable to the Nonrefunding Portion, less the portion of those Sale Proceeds invested in a reasonably required reserve or replacement fund pursuant to Section 148(d) or as part of the Minor Portion.

Nongovernmental Person means any Person other than a Governmental Person. Nongovernmental Person includes the United States and any agency or instrumentality of the United States.

Nonpurpose Investment means any Investment Property in which Gross Proceeds are invested that is not a Purpose Investment.

Nonqualified Bonds has the meaning set forth in Reg § 1.141-12(j) and generally means the portion of outstanding bonds of an Issue that, as of the date of a Deliberate Action, would not meet the private business use test in Section 141(b) or the private loan financing test in Section 141(c).

Nonrefunding Portion means, when applicable, the portion of the Issue or the Prior Issue, as applicable, that is not allocable to the Refunding Portion.

Note Notice of Sale means, when applicable, the separate Notice of Sale for the notes of the Issue.

Note Purchaser means, when applicable, an entity that purchases the notes of the Issue, or, when applicable, a Prior Issue, for its own account without a present intent to resell.

Notice of Sale means the Notice of Sale, or, when applicable, collectively the Bond Notice of Sale and Note Notice of Sale, attached as Attachment 1 to Exhibit B.

Opinion of Bond Counsel means a written opinion of nationally recognized bond counsel, delivered to the Issuer, to the effect that the exclusion from gross income for federal income tax purposes of interest on the Issue will not be adversely affected.

Original Issues means, when applicable, collectively, the portions of the Refunded Bonds and/or Refunded Notes and the issues that were issued to finance the Projects on a “new money” basis and any other obligations all or a portion of which were issued to finance the Projects on a new money basis which have been ultimately refinanced by this Issue.

Person has the meaning set forth in Section 7701(a)(1) and generally includes an individual, trust, estate, partnership, association, company or corporation.

Preliminary Expenditures has the meaning set forth in Reg § 1.150-2(f)(2) and generally means architectural, engineering, surveying, soil testing, Issuance Costs, including, when applicable, Issuance Costs allocable to the Nonrefunding Portion, and similar costs paid with

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respect to the Projects in an aggregate amount not exceeding 20% of the Issue Price of the Issue, or, when applicable, the Issue Price of the Issue allocable to the Nonrefunding Portion. However, Preliminary Expenditures do not include land acquisition, site preparation or similar costs incident to the commencement of construction.

Prior Issue(s) means, when applicable, individually or collectively, the Original Issues and each series of exclusively current refunding obligations all or a portion of which were thereafter issued to refinance the Original Issues.

Private Business Use has the meaning set forth in Reg § 1.141-3(a) and generally means use (directly or indirectly) in a trade or business carried on by any Nongovernmental Person other than use (i) as a member of, and on the same basis as, the general public or (ii) pursuant to the Guidelines or the Research Guidelines. Any activity carried on by a Nongovernmental Person (other than a natural Person) shall be treated as a trade or business.

Proceeds has the meaning set forth in Reg § 1.148-1(b) and generally means Sale Proceeds, Investment Proceeds and Transferred Proceeds of the Issue or, when applicable, a Prior Issue.

Public has the meaning set forth in Reg § 1.148-1(f)(3)(ii) and generally means any Person other than an Underwriter or a Related Party to an Underwriter.

Purchaser means, when applicable, an entity, including a Successful Bidder, that purchases the Issue, or, when applicable, a Prior Issue, for its own account without a present intent to resell.

Purpose Investment has the meaning set forth in Reg § 1.148-1(b) and generally means an investment that is acquired by the Issuer to carry out the governmental purpose of the Issue.

Qualified Equity has the meaning set forth in Reg § 1.141-6(b)(3) and generally means funds that are not derived from proceeds of a Tax-Advantaged Bond.

Qualified Guarantee has the meaning set forth in Reg § 1.148-4(f) and generally means an arrangement that imposes a secondary liability that unconditionally shifts substantially all of the credit risk for all or part of the payments on the Issue to the guarantor under that arrangement.

Qualified Hedge has the meaning set forth in Reg § 1.148-4(h) and generally means a contract entered into by the Issuer with a hedge provider primarily to modify the Issuer's risk of interest rate changes with respect to all or a part of the Issue.

Reasonable Retainage has the meaning set forth in Reg § 1.148-7(h) and generally means an amount, not to exceed 5% of Available Construction Proceeds or Adjusted Gross Proceeds, as applicable, on the date 24 months, or 18 months, as applicable, after the Issue Date, that is retained for reasonable business purposes relating to the Projects, including to ensure or promote compliance with a construction contract.

Rebate Requirement means the amount of rebatable arbitrage with respect to the Issue, computed as of the last day of any Bond Year pursuant to Reg § 1.148-3.

Refunded Bonds means, when applicable, all or the portion of each of the series of bonds being refunded by the Issue, as identified in Appendix B.

Refunded Notes means, when applicable, all or the portion of each of the series of notes being refunded by the Issue, as identified in Appendix B.

Refunding Obligations means a Tax-Advantaged Bond issued to refund any portion of the Issue, including any subsequent Tax-Advantaged Bond in a series of refundings thereof.

Refunding Portion means, when applicable, the portion of the Issue allocable to the refunding of the Refunded Bonds and/or Refunded Notes, together with the portion of the Issue allocable to the financing of a ratable share of Issuance Costs and other common costs of the Issue.

Regulations or Reg means the applicable Treasury Regulations promulgated by the Secretary of the Treasury of the United States under the Code.

Related Party has the meaning set forth in Reg §1.150-1(b) and generally means, in reference to a Governmental Unit or a 501(c)(3) Organization, any member of the same Controlled Group, and in any reference to any other Person, any two or more Persons who have more than fifty percent (50%) common ownership, directly or indirectly.

Replacement Proceeds has the meaning set forth in Reg §1.148-1(c) and generally means amounts that have a sufficiently direct nexus to the Issue or to the governmental purpose of the Issue to conclude that the amounts would have been used for that governmental purpose if the Proceeds of the Issue were not used, and includes a sinking fund, a pledged fund, and other replacement proceeds, each as defined in Reg § 1.148-1(c).

Research Guidelines means Reg §1.141-3(b)(6) and Revenue Procedure 2007-47 or any applicable successor thereto.

Sale Date has the meaning set forth in Reg § 1.150-1(c)(6) and generally means the first day on which there is a binding contract in writing for the sale of a Maturity.

Sale Proceeds has the meaning set forth in Reg § 1.148-1(b) and generally means amounts actually or constructively received from the sale of the Issue, or, when applicable, a Prior Issue.

Signature Certificate means the Signature, No Litigation and Official Statement Certificate or similar certificate prepared by Bond Counsel relating to the Issue or, when applicable, a Prior Issue.

Small Issuer Exception has the meaning set forth in Reg § 1.148-8(a) and generally means that, as of the Issue Date, the Issuer reasonably expects that the aggregate Issue Price of tax-exempt bonds (other than (a) current refunding bonds to the extent the amount thereof does

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not exceed the outstanding amount of the obligations to be refunded thereby and (b) qualified private activity bonds) issued and to be issued by or on behalf of the Issuer during the current calendar year will not exceed \$5,000,000 except by the lesser of (i) \$10,000,000 or (ii) the aggregate face amount of bonds, in either case attributable to financing the construction of public school facilities, as provided in Section 148(f)(4)(D)(vii). In addition, the Issuer must have the power to impose or to cause the imposition of taxes of general applicability which, when collected, may be used for the general purposes of the Issuer. The Issuer's power to impose or cause the imposition of such taxes cannot be contingent on approval by any other Governmental Unit. The Issuer cannot form or avail itself of an entity for the purpose of avoiding the volume limitation described above.

State or Local Governmental Unit has the meaning set forth in Reg § 1.103-1(a) and is generally a state or any political subdivision of a state, but excludes the United States and its agencies or instrumentalities.

Successful Bidder(s) means, when applicable, the Successful Bidder(s) set forth in Appendix B.

Successful Bond Bidder means, when applicable, the Successful Bond Bidder set forth in Appendix B.

Successful Note Bidder means, when applicable, the Successful Note Bidder set forth in Appendix B.

Tax-Advantaged Bond has the meaning set forth in Reg § 1.150-1(b) and generally means a tax-exempt bond or a taxable bond that provides a federal tax benefit that reduces the Issuer's borrowing costs.

Tax Certificate means the Tax Certificate to which this Appendix A is attached.

Tax-Exempt Bond means any obligation the interest on which is excluded from gross income for federal income tax purposes pursuant to Section 103, other than a "specified private activity bond" within the meaning of Section 57(a)(5)(C), as well as (i) stock in a "regulated investment company" (within the meaning of Section 852) to the extent at least 95 percent of income to the stockholder is treated as interest on Tax-Exempt Bonds and (ii) any demand deposit obligation issued by the United States Department of the Treasury pursuant to Subpart C of 31 CFR Part 344.

Transferred Proceeds has the meaning set forth in Reg § 1.148-9(b) and generally means Proceeds of a Prior Issue that become Proceeds of the Issue under the transferred proceeds allocation rule in Reg § 1.148-9(b).

Two Year Spending Exception has the meaning set forth in Reg § 1.148-7(e) and generally means Available Construction Proceeds are expended at least as quickly as follows:

10% within six months after the Issue Date

45% within twelve months after the Issue Date

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75% within eighteen months after the Issue Date

100% within twenty-four months after the Issue Date

The requirement that 100% of Available Construction Proceeds be spent within twenty-four months after the Issue Date will be met if at least 95% of Available Construction Proceeds is spent within twenty-four months and the remainder is held as Reasonable Retainage, as permitted by contracts with the Issuer's contractors, and such remainder is spent within thirty-six months after the Issue Date.

Underwriter means (i) any Person, including, when applicable, a Successful Bidder/Successful Bond Bidder/Successful Note Bidder, that agrees pursuant to a written contract with the Issuer (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the bonds and/or notes of the Issue, or, when applicable, a Prior Issue, to the Public, and (ii) any Person that agrees pursuant to a written contract directly or indirectly with a Person described in clause (i) of this paragraph to participate in the initial sale of such bonds and/or notes of the Issue, or, when applicable, a Prior Issue, to the Public (including a member of a selling group or a party to a third-party distribution agreement participating in the initial sale of such bonds and/or notes of the Issue, or, when applicable, a Prior Issue, to the Public).

Votes means the authorizations for the Issue specified in the Signature Certificate.

Yield has the meaning set forth in Reg § 1.148-4 for an issue and Reg § 1.148-5 for investments, and generally means, as to the Issue, or, when applicable, a Prior Issue, or Investment Property, as applicable, that discount rate which, when used in computing the present value of all unconditionally payable payments representing (i) principal, adjusted, as required, for any substantial discounts or premiums, (ii) interest, including costs of Qualified Guarantees, and (iii) payments or receipts on Qualified Hedges, produces an amount equal to the Issue Price of the Issue, or, when applicable, a Prior Issue, or the purchase price of Investment Property, as appropriate.

Yield Reduction Payment means a "qualified yield reduction payment" to the United States Department of the Treasury that reduces the yield on Investment Property, as set forth in Reg § 1.148-5(c).

APPENDIX B ISSUE SPECIFIC DEFINITIONS

For purposes of the Tax Certificate to which this Appendix B is attached, and the exhibits to the Tax Certificate and any schedules or attachments to those exhibits, the following capitalized terms have the following meanings:

Bond Year means the period beginning on the Issue Date and ending on February 7, 2024, which is the last day on which any notes of the Issue will remain outstanding for federal tax purposes.

Issue Date means, as to the Issue, the date of this Tax Certificate, June 6, 2023.

Municipal Advisor means UniBank Fiscal Advisory Services, Inc., as municipal advisor to the Issuer in connection with the Issue.

Sale Date of the Issue is May 23, 2023.

Sale Proceeds means as to the Issue, the amount of \$37,153,615.36, comprising the stated principal amount of the Issue (\$36,812,000), plus original issue premium thereon in the amount of \$341,615.36.

Successful Bidder means TD Securities (USA) LLC.

APPENDIX C

POST-ISSUANCE TAX COMPLIANCE PROCEDURES

TAX-EXEMPT OBLIGATIONS AND OTHER TAX-BENEFITED OBLIGATIONS

I. Introduction

These post-issuance compliance procedures of the Issuer are designed to provide for the effective management of the Issuer's post issuance compliance program for tax-exempt and other tax-benefited obligations in a manner consistent with state and federal laws applicable to such obligations.

II. Post-Issuance Tax Compliance

The Treasurer of the Issuer, or such other designated officer (the "Compliance Officer") shall be the primary bond compliance officer responsible for each issuance by the Issuer of tax-exempt (or otherwise tax-benefited) bonds, notes, financing leases, or other obligations (herein, collectively referred to as "bonds"). All information related to each bond issue and the facilities, equipment and other assets financed by such issue shall be maintained by or on behalf of the Compliance Officer and the actions taken under subsections A through C of this Section II shall be taken by the Compliance Officer or on behalf of the Compliance Officer by such other officers or employees of the Issuer as appropriate.

A. Tax Certificate and Continuing Education

1. **Tax Certificate** – A Tax Certificate is prepared for each issuance of bonds. Immediately upon issuing any bonds, the Compliance Officer, in conjunction with the Issuer's bond counsel and financial advisor, shall review the Tax Certificate and make notes regarding specific compliance issues for such bond issue on the Post-Issuance Compliance Notes form at Exhibit A. The Tax Certificate and Notes shall clearly define the roles and responsibilities relating to the ongoing compliance activities for each bond issue and will identify specific compliance requirements.
2. **Continuing Education** – The Compliance Officer will actively seek out advice of bond counsel on any matters that appear to raise ongoing compliance concerns and may attend or participate in seminars, teleconferences, etc. sponsored by organizations such as the Massachusetts Collector-Treasurer Association and the Massachusetts Government Finance Officers Association that address compliance issues and developments in the public finance bond arena. In addition, national organizations such as the Securities Industry and Financial Markets Association (SIFMA) and the National Association of Bond Lawyers (NABL) offer numerous training opportunities and materials which may be useful to the Compliance Officer.

B. Tax-Exempt Bonds Compliance Monitoring

1. Restrictions against Private Use – The Compliance Officer will continuously monitor the expenditure of bond proceeds and the use of facilities or equipment financed or refinanced with bonds to ensure compliance with Section 141 of the Internal Revenue Code (the “Code”) which generally establishes limitations on the use of bond-financed facilities by non-state or local governmental entities, such as individuals using bond-financed assets on a basis other than as a member of the general public, corporations and the federal government and its agencies and instrumentalities.

a. Use of Bond Proceeds – The Compliance Officer will monitor and maintain records with respect to expenditures to ensure that bond proceeds are being used on capital expenditures for governmental purposes in accordance with the bond documents and document the allocation of all bond proceeds. Such monitoring is required not only for tax-exempt bonds, but also for tax credit bonds.

b. Use of the Bond-Financed Facility or Equipment

i. Equipment assets financed with bonds will be listed in a schedule for each bond issue, which schedule may be included in the Tax Certificate. Equipment assets generally are not to be disposed of prior to the earlier of (a) the date the bonds and all subsequent refundings of such bonds are fully paid, or (b) the end of the useful life of such equipment. The Compliance Officer will maintain the list of all bond-financed equipment for each bond issue, together with the equipment’s expected useful life.

ii. Constructed or acquired assets financed with bonds – In order to ensure that assets constructed or acquired using bond proceeds, such as infrastructure assets, are not leased, sold or disposed of prior to the end of the term of the bonds and of all subsequent refundings of such bonds:

- Any asset constructed or acquired with bond proceeds shall be flagged in the Issuer’s records, and
- These projects will be monitored by the Compliance Officer.

iii. If there is any proposal to change the use of a bond-financed facility from a governmental purpose to a use in which a private entity may have the use or benefit of such a facility on a basis that is different from the rest of the general public, the Compliance Officer will consult with bond counsel prior to the occurrence of the proposed change in use.

2. Qualification for Initial Temporary Periods and Compliance with Restrictions against Hedge Bonds

a. Expectations as to Expenditure of “New Money” Bond Proceeds

i. In order to qualify under the arbitrage rules for an initial temporary period of 3 years for “new money” issues during which bond proceeds can be invested without regard to yield (but potentially subject to rebate), the Issuer must

reasonably expect to spend at least 85% of “spendable proceeds” by the end of the temporary period. In general under Code Section 149, in order to avoid classification of an issue of bonds as “hedge bonds,” the Issuer must both (x) reasonably expect to spend 85% of the “spendable proceeds” of the bond issue within the 3 year period beginning on the date the bonds are issued and (y) invest not more than 50% of the proceeds of the issue in investments having a substantially guaranteed yield for 4 years or more. These expectations have been documented for the Issuer’s outstanding bond issues in the tax certificates executed in connection with each bond issue.

- ii. If, for any reason, the Issuer’s expectations concerning the period over which the bond proceeds are to be expended change from what was documented in the applicable tax certificate, the Compliance Officer will consult with bond counsel.

b. Project Draw Schedule Compliance Monitoring – While there are unspent proceeds of a bond issue, the Compliance Officer will compare and analyze the original anticipated project draw schedule and the actual expenditure payouts and reimbursements on each bond-financed project on an annual or more frequent basis. The purpose of this analysis is to determine the variances from the original expected draw schedule for each project and to document the reasons for these variances to provide a continual record on the spending progress of each bond-financed project. Factors relevant to the analysis include unexpected delays in the project timelines, extreme weather, contract time extensions due to unexpected events, supplemental agreements and any other factor with a potential to impact the progress or completion of the projects. Generally, there should be no effect on the tax-exempt status of the bonds under either the temporary period rules or the hedge bond rules if the actual disbursements do not meet the original project draw schedule, unless circumstances surrounding the actual events cast doubt on the reasonableness of the stated expectations on the issuance date. Therefore, it is important for the Compliance Officer to update the progress of each project at least annually, and consult with bond counsel as to any variance from the original schedule.

c. Bond Proceeds Expenditure Schedule Compliance Monitoring – While there are unspent proceeds of bonds, the Compliance Officer will compare and analyze the bond proceeds expenditure schedule and the actual investment earnings on each project on an annual or more frequent basis. The purpose of this analysis is to determine any variances from the expected expenditure schedule and to document the reasons for these variances.

3. Arbitrage Rebate Compliance

- a. Bonds may lose their tax-favored status, retroactive to the date of issuance, if they do not comply with the arbitrage restrictions of section 148 of the Code. Two general sets of requirements under the Code must be applied in order to determine whether

governmental bonds are arbitrage bonds: the yield restriction requirements of section 148(a) and the rebate requirements of section 148(f).

- b. Yield Restriction Requirements** – The yield restriction requirements provide, in general terms, that gross proceeds of a bond issue may not be invested in investments earning a yield higher than the yield of the bond issue, except for investments (i) during one of the temporary periods permitted under the regulations (including the initial three year temporary period described above), (ii) in a reasonably required reserve or replacement fund or (iii) in an amount not in excess of the lesser of 5% of the sale proceeds of the issue or \$100,000 (the “minor portion”). Under limited circumstances, the yield on investments subject to yield restriction can be reduced through payments to the IRS known as “yield reduction payments.” The Tax Certificate will identify those funds and accounts associated with a particular issue of bonds known, as of the date of issuance, to be subject to yield restriction.

c. Rebate Requirements

- i. If, consistent with the yield restriction requirements, amounts treated as bond proceeds are permitted to be invested at a yield in excess of the yield on the bonds (pursuant to one of the exceptions to yield restriction referred to above), rebate payments may be required to be made to the U.S. Treasury. Under the applicable regulations, the aggregate rebate amount is the excess of the future value of all the receipts from bond funded investments over the future value of all the payments to acquire such investments. The future value is computed as of the computation date using the bond yield as the interest factor. At least 90% of the rebate amount calculated for the first computation period must be paid no later than 60 days after the end of the first computation period. The amount of rebate payments required for subsequent computation periods (other than the final period) is that amount which, when added to the future value of prior rebate payments, equals at least 90% of the rebate amount. For the final computation period, 100% of the calculated amount must be paid. Rebate exceptions and expectations are documented for each bond issue in the tax certificate executed at the time of such bond issue.
- ii. **While there are unspent proceeds of bonds, the Issuer will engage an experienced independent rebate analyst to annually calculate any rebate that may result for that year and annually provide a rebate report to the Compliance Officer. Bond counsel can assist with referrals to qualified rebate analysts.**

d. Timing of Rebate Payments

The Compliance Officer will work with the rebate analyst to ensure the proper calculation and payment of any rebate payment and/or yield-reduction payment at the required time:

- i. First installment due no later than 60 days after the end of the fifth anniversary of each bond issuance;
- ii. Succeeding installments at least every five years;
- iii. Final installment no later than 60 days after retirement of last bond in the issue.¹

4. Refunding Requirements

- a. **Refunded Projects** – The Compliance Officer will maintain records of all bond financed assets for each bond issue, including assets originally financed with a refunded bond issue.
- b. **Yield Restriction** – The Compliance Officer will work with its financial advisor and bond counsel to maintain records of allocation of bond proceeds for current and advance refundings of prior bond issues to ensure that such bond proceeds are expended as set forth in the applicable tax certificate executed at the time the refunding bonds are issued. Any yield restricted escrows will be monitored for ongoing compliance.

C. Record Retention

1. Section 6001 of the Code provides the general rule for the proper retention of records for federal tax purposes. The IRS regularly advises taxpayers to maintain sufficient records to support their tax deductions, credits and exclusions. In the case of a tax-exempt bond transaction, the primary taxpayers are the bondholders. In the case of other tax benefited bonds, such as “build America bonds” or “recovery zone economic development bonds”, the Issuer will be treated as the taxpayer. In order to ensure the continued exclusion of interest to such bondholders, it is important that the Issuer retain sufficient records to support such exclusion.
2. **In General**
 - a. All records associated with any bond issue shall be stored electronically or in hard copy form at the Issuer’s offices or at another location conveniently accessible to the Issuer.
 - b. The Compliance Officer will ensure that the Issuer provides for appropriate storage of these records.

¹ Generally, rebate payments must be paid not later than 60 days after retirement of the last bond in the issue.

- c. If storing documents electronically, the Issuer shall conform with Rev. Proc. 97-22, 1997-1 C.B. 652 (as the same may be amended, supplemented or superseded), which provides guidance on maintaining books and records by using an electronic storage system. Bond counsel can furnish a copy of this Revenue Procedure if needed.
- 3. **Bonds** – Unless a longer period of time is required by state law, the Issuer shall maintain the bond record as defined in this section for the longer of the life of the bonds plus 3 years or the life of refunding bonds (or series of refunding bonds) which refunded the bonds plus 3 years. The bond record shall include the following documents:
 - a. **Pre-Issuance Documents**
 - i. **Guaranteed Investment Contracts (“GICs”) and Investments (other than Treasury’s State and Local Government Series Securities, “SLGs”)** – If applicable, the Compliance Officer shall retain all documentation regarding the procurement of each GIC or other investment acquired on or before the date of bond issuance, including as applicable the request for bids, bid sheets, documentation of procurement method (i.e., competitive vs. negotiated), etc. If investments other than SLGs are used for a defeasance escrow, the documentation should include an explanation of the reason for the purchase of open market securities and documentation establishing the fair value of the securities and compliance with safe harbor bidding rules. If SLGs are purchased, a copy of the final subscription shall be maintained.
 - ii. **Project Draw Schedule** – The Compliance Officer shall retain all documentation and calculations relating to the draw schedule used to meet the “reasonable expectations” test and use of proceeds tests (including copies of contracts with general and sub-contractors or summaries thereof).
 - iii. **Issue Sizing** – The Compliance Officer shall maintain a copy of all financial advisor’s or underwriter’s structuring information.
 - iv. **Bond Insurance** – If procured by the Issuer, the Compliance Officer shall maintain a copy of insurance quotes and calculations supporting the cost benefit of bond insurance, if any.
 - v. **Costs of Issuance documentation** – The Compliance Officer shall retain all invoices, payments and certificates related to costs of issuance of the bonds.
 - b. **Issuance Documents** – The Compliance Officer shall retain the bound bond transcript delivered from bond counsel.
 - c. **Post-Issuance Documents**

- i. **Post-Issuance Guaranteed Investment Contracts and Investments (Other than SLGs)** – the Compliance Officer shall retain all documentation regarding the procurement of any GIC or other investment acquired after bond issuance, including as applicable the request for bids, bid sheets, documentation of procurement method (i.e., competitive vs. negotiated), etc. If investments other than SLGs are used for a defeasance escrow, the documentation should include an explanation of the reason for the purchase of open market securities and documentation establishing the fair value of the securities and compliance with safe harbor bidding rules.
- ii. **Records of Investments** shall be retained by the Compliance Officer.
- iii. **Investment Activity Statements** shall be retained by the Compliance Officer.
- iv. **Records of Expenditures** – The Compliance Officer shall maintain or shall cause to be maintained all invoices, etc. relating to equipment purchases and constructed or acquired projects, either electronically or in hard copy.
- v. **Records of Compliance**
 - **Qualification for Initial Temporary Periods and Compliance with Restrictions against Hedge Bond Documentation** – The Compliance Officer shall prepare the annual analysis described in Section II(B)(2) above and maintain these records.
 - **Arbitrage Rebate Reports** may be prepared by the Compliance Officer or a third party as described in section II (B)(3) of this document and retained by the Compliance Officer.
 - **Returns and Payment** – Shall be prepared at the direction of the Compliance Officer and filed as described in Section II(B)(3) of this document.
 - **Contracts under which any bond proceeds are spent (consulting engineering, acquisition, construction, etc.)** – The Compliance Officer shall obtain copies of these contracts and retain them for the bond record.

d. General

- i. **Audited Financial Statements** – The Compliance Officer will maintain copies of the Issuer's annual audited Financial Statements.
- ii. **Reports of any prior IRS Examinations** – The Compliance Officer will maintain copies of any written materials pertaining to any IRS examination of the Issuer's bonds.

III. Voluntarily Correcting Failures to Comply with Post-Issuance Compliance Activities

If, in the effort to exercise due diligence in complying with applicable federal tax laws, a potential violation is discovered, the Issuer may address the violation through the applicable method listed below. The Issuer should work with its bond counsel to determine the appropriate way to proceed.

A. Taking remedial actions as described in Section 141 of the Internal Revenue Code

B. Utilizing the Voluntary Closing Agreement Program (VCAP) – Section 7.2.3 of the Internal Revenue Manual establishes the voluntary closing agreement program for tax-exempt bonds (TEB VCAP) whereby issuers of tax-exempt bonds can resolve violations of the Internal Revenue Code through closing agreements with the Internal Revenue Service.

IV. Post Issuance Tax Compliance Procedures Review

The Compliance Officer shall review these procedures at least annually, and implement revisions or updates as deemed appropriate, in consultation with bond counsel.

Exhibit A

POST ISSUANCE COMPLIANCE NOTES

[Name of Bond]

Transaction Parties

Overall Responsible Party for Debt Management Activities _____

Bond Counsel _____

Paying Agent _____

Rebate Specialist _____

Other _____

Attachment 2.e: Tax Certificate (5881 : Approve sale of Bond Anticipation Notes)

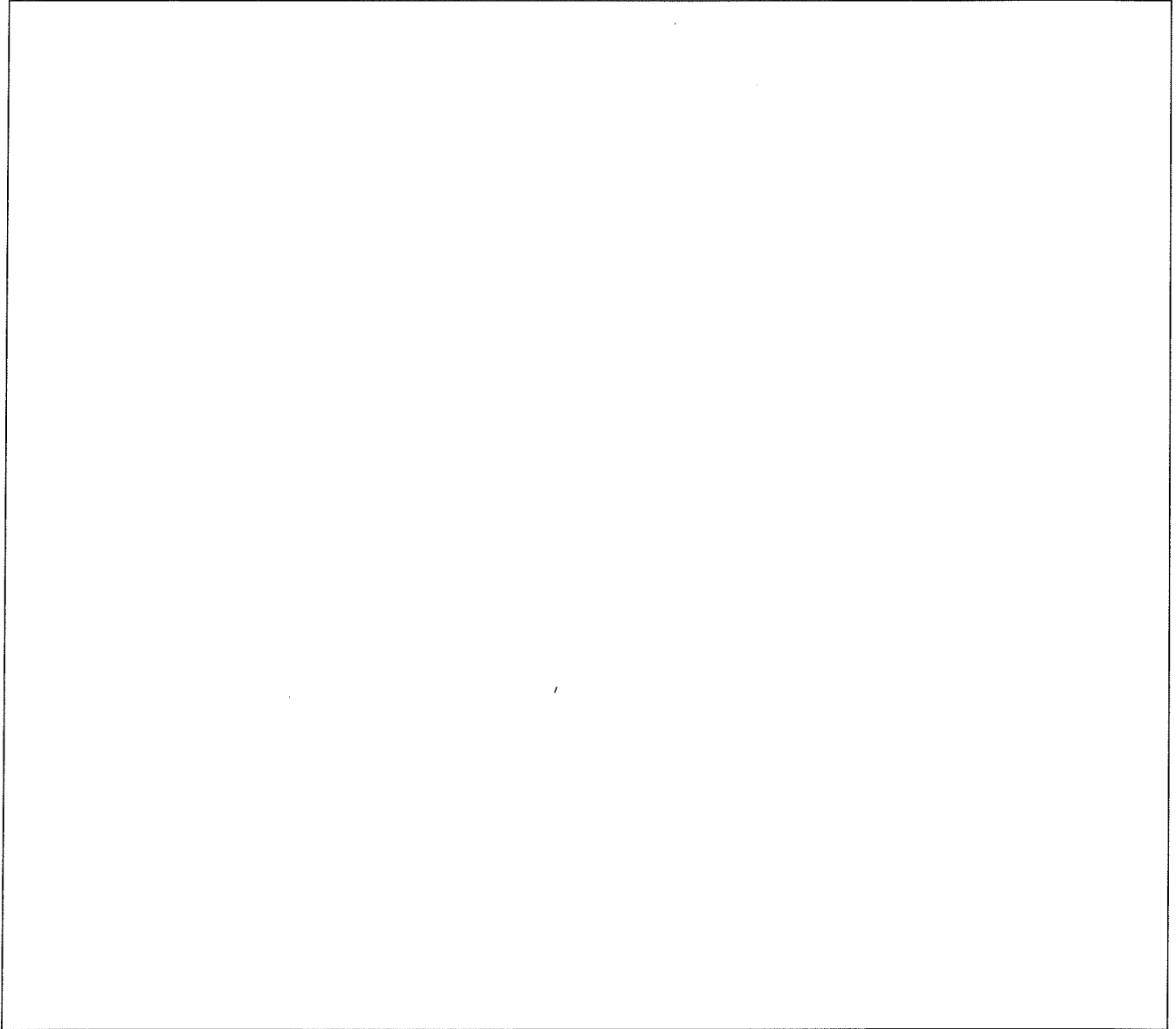


EXHIBIT A

\$36,812,000
Town of Sudbury, Massachusetts
General Obligation Bond Anticipation Notes
Dated June 6, 2023

ISSUE PRICE CERTIFICATE AND RECEIPT

The undersigned, on behalf of the Successful Bidder, hereby certifies as set forth below with respect to the sale of the above-captioned obligations ("Issue") of the Issuer. Capitalized terms used and not otherwise defined herein shall have the respective meanings set forth in the Tax Certificate to which this Exhibit A is attached.

1. Reasonably Expected Initial Offering Price.

(a) As of the Sale Date, the reasonably expected initial offering price of the notes of the Issue to the Public by the Successful Bidder is the price listed in Schedule A ("Expected Offering Price"). The Expected Offering Price is the price for the notes of the Issue used by the Successful Bidder in formulating its bid to purchase the Issue. Reflected in Schedule B is a true and correct representation of the bid provided by the Successful Bidder to purchase the notes of the Issue.

(b) The Successful Bidder was not given the opportunity to review other bids prior to submitting its bid.

(c) The bid submitted by the Successful Bidder constituted a firm offer to purchase the notes of the Issue.

2. Receipt. The Successful Bidder hereby acknowledges receipt of the notes of the Issue from the Issuer and further acknowledges receipt of all certificates, opinions and other documents required to be delivered to the Successful Bidder, before or simultaneously with the delivery of such notes of the Issue, which certificates, opinions and other documents are satisfactory to the Successful Bidder.

The representations set forth in this certificate are limited to factual matters only. Nothing in this certificate represents the Successful Bidder's interpretation of any laws, including specifically Sections 103 and 148 and the Regulations thereunder.

[Remainder of page intentionally left blank; signature page follows.]

Exhibit A-1

Attachment 2.e: Tax Certificate (5881 : Approve sale of Bond Anticipation Notes)

The undersigned understands that the foregoing information will be relied upon by the Issuer with respect to certain of the representations set forth in the Tax Certificate and with respect to compliance with the federal income tax rules affecting the Issue, and by Locke Lord LLP in connection with rendering its opinion that the interest on the Issue is excluded from gross income for federal income tax purposes, the preparation of the Internal Revenue Service Form 8038-G, and other federal income tax advice that it may give to the Issuer from time to time relating to the Issue.

Dated: June 6, 2023

TD SECURITIES (USA) LLC

By: _____
Name:
Title:

Attachment 2.e: Tax Certificate (5881 : Approve sale of Bond Anticipation Notes)

Exhibit A-2

SCHEDULE A TO EXHIBIT A
EXPECTED INITIAL OFFERING PRICE TO THE PUBLIC

Pricing Summary

Maturity	Type of Bond	Coupon	Yield	Maturity Value	Price	Dollar Price
02/07/2024	Serial Note	5.000%	3.580%	36,812,000.00	100.928%	37,153,615.36
Total	-	-	-	\$36,812,000.00	-	\$37,153,615.36

Bid Information

Par Amount of Bonds	\$36,812,000.00
Reoffering Premium or (Discount)	341,615.36
Gross Production	\$37,153,615.36
Total Underwriter's Discount (0.009%)	\$(3,313.08)
Bid (100.919%)	37,150,302.28
Total Purchase Price	\$37,150,302.28
Bond Year Dollars	\$24,643.59
Average Life	0.669 Years
Average Coupon	5.0000000%
Net Interest Cost (NIC)	3.6272199%
True Interest Cost (TIC)	3.5833532%

Attachment 2.e: Tax Certificate (5881 : Approve sale of Bond Anticipation Notes)

SCHEDULE B TO EXHIBIT A
SUCCESSFUL BIDDER'S BID

TD Securities - New York , NY's Bid



Sudbury (Town)
\$36,812,000 General Obligation Bond Anticipation Notes

For the aggregate principal amount of \$36,812,000.00, we will pay you \$37,150,302.28, plus accrued interest from the date of issue to the date of delivery. The Bonds are to bear interest at the following rate:

Maturity Date	Amount \$	Coupon %	Yield %	Dollar Price
02/07/2024	36,812M	5.0000	3.5800	100.928

Bid: 100.919000
Premium: \$338,302.28
Net Interest Cost: \$893,877.16
NIC: 3.627220
Time Last Bid Received On: 05/23/2023 10:52:35 EDST

This proposal is made subject to all of the terms and conditions of the Official Bid Form, the Official Notice of Sale, and the Preliminary Official Statement, all of which are made a part hereof.

Bidder: TD Securities, New York , NY
Contact: Chris Dimon
Title:
Telephone: 212-827-7171
Fax:

Attachment 2.e: Tax Certificate (5881 : Approve sale of Bond Anticipation Notes)

EXHIBIT B**\$36,812,000****Town of Sudbury, Massachusetts
General Obligation Bond Anticipation Notes
Dated June 6, 2023****CERTIFICATE OF THE MUNICIPAL ADVISOR**

The undersigned, on behalf of the Municipal Advisor, has assisted the Issuer in soliciting and receiving bids from potential underwriters in connection with the sale of the notes of the Issue in a competitive bidding process in which bids were requested for the purchase of such notes at specified written terms set forth in the Notice of Sale, a copy of which is attached to this certificate as Attachment 1. Capitalized terms used and not otherwise defined herein shall have the respective meanings set forth in the Tax Certificate to which this Exhibit B is attached. The competitive sale requirements (as defined in the Notice of Sale) for the notes of the Issue were met. The Municipal Advisor further advises as follows:

1. The notes of the Issue were offered for sale at specified written terms more particularly described in the Notice of Sale, which was distributed to potential bidders.

2. The Notice of Sale was disseminated electronically through PARITY on May 16, 2023. The method of distribution of the Notice of Sale is regularly used for purposes of disseminating notices of sale of new issuances of municipal bonds, and notices disseminated in such manner are widely available to potential bidders.

3. To the knowledge of the Municipal Advisor, all bidders were offered an equal opportunity to bid to purchase the notes of the Issue so that, for example, if the bidding process afforded any opportunity for bidders to review other bids before providing a bid, no bidder was given an opportunity to review other bids that was not equally given to all other bidders (that is, no exclusive "last-look").

4. The Issuer received bids for the notes of the Issue from at least three Underwriters who represented that they have established industry reputations for underwriting new issuances of municipal bonds. Based upon the Municipal Advisor's knowledge and experience in acting as the Municipal Advisor for other municipal issues, the Municipal Advisor believes those representations to be accurate. Copies of any written bids received are attached to this certificate as Attachment 2. Bids not reflected in Attachment 2, if any, were received by telephone rather than in writing.

5. The winning bidder for the notes of the Issue was the Successful Bidder, whose bid was determined to be the best conforming bid in accordance with the terms set forth in the Notice of Sale, as shown in the bid comparison attached as Attachment 3 to this certificate. The Issuer awarded the notes of the Issue to the Successful Bidder.

6. The Yield on the Issue is 3.5697941% as shown on the attached Schedule A.

Exhibit B-1

Attachment 2.e: Tax Certificate (5881 : Approve sale of Bond Anticipation Notes)

The representations set forth in this certificate are limited to factual matters only. Nothing in this certificate represents the Municipal Advisor's interpretation of any laws, including specifically Sections 103 and 148 and the Regulations thereunder.

[Remainder of page intentionally left blank; signature page follows.]

The undersigned understands that the foregoing information will be relied upon by the Issuer with respect to certain of the representations set forth in the Tax Certificate to which this certificate is attached and with respect to compliance with the federal income tax rules affecting the Issue, and by Locke Lord LLP in connection with rendering its opinion that the interest on the Issue is excluded from gross income for federal income tax purposes, in the preparation of the Internal Revenue Service Form 8038-G, and in providing other federal income tax advice that it may give to the Issuer from time to time relating to the Issue. The Issuer and Locke Lord LLP may also rely on the foregoing information for purposes of determining compliance with Section 21A of Chapter 44 of the Massachusetts General Laws, if applicable. No other Persons may rely on the representations set forth in this certificate without the prior written consent of the Municipal Advisor.

Dated: June 6, 2023

UNIBANK FISCAL ADVISORY SERVICES,
INC.

By: _____
Name:
Title:

Attachment 2.e: Tax Certificate (5881 : Approve sale of Bond Anticipation Notes)

Exhibit B-3

ATTACHMENT 1 TO EXHIBIT B
NOTICE OF SALE
(see attached)

ATTACHMENT 2 TO EXHIBIT B
COPIES OF WRITTEN BIDS RECEIVED

TD Securities - New York , NY's Bid



Sudbury (Town)
\$36,812,000 General Obligation Bond Anticipation Notes

For the aggregate principal amount of \$36,812,000.00, we will pay you \$37,150,302.28, plus accrued interest from the date of issue to the date of delivery. The Bonds are to bear interest at the following rate:

Maturity Date	Amount \$	Coupon %	Yield %	Dollar Price
02/07/2024	36,812M	5.0000	3.5800	100.928

Bid: 100.919000
Premium: \$338,302.28
Net Interest Cost: \$893,877.16
NIC: 3.627220
Time Last Bid Received On: 05/23/2023 10:52:35 EDST

This proposal is made subject to all of the terms and conditions of the Official Bid Form, the Official Notice of Sale, and the Preliminary Official Statement, all of which are made a part hereof.

Bidder: TD Securities, New York , NY
Contact: Chris Dimon
Title:
Telephone: 212-827-7171
Fax:

J.P. Morgan Securities LLC - New York , NY's Bid



Sudbury (Town)
\$36,812,000 General Obligation Bond Anticipation Notes

For the aggregate principal amount of \$36,812,000.00, we will pay you \$37,121,957.04, plus accrued interest from the date of issue to the date of delivery. The Bonds are to bear interest at the following rate:

Maturity Date	Amount \$	Coupon %	Yield %	Dollar Price
02/07/2024	36,812M	5.0000	3.6500	100.882

Bid: 100.842000
Premium: \$309,957.04
Net Interest Cost: \$922,222.40
NIC: 3.742241
Time Last Bid Received On: 05/23/2023 10:50:41 EDST

This proposal is made subject to all of the terms and conditions of the Official Bid Form, the Official Notice of Sale, and the Preliminary Official Statement, all of which are made a part hereof.

Bidder: J.P. Morgan Securities LLC, New York , NY
Contact: Ravi Thaker
Title: Associate
Telephone: 212-834-7224

Attachment 2.e: Tax Certificate (5881 : Approve sale of Bond Anticipation Notes)

Jefferies LLC - New York , NY's Bid



Sudbury (Town)
\$36,812,000 General Obligation Bond Anticipation Notes

For the aggregate principal amount of \$36,812,000.00, we will pay you \$36,996,796.24, plus accrued interest from the date of issue to the date of delivery. The Bonds are to bear interest at the following rate:

Maturity Date	Amount \$	Coupon %	Yield %	Dollar Price
02/07/2024	36,812M	4.5000	3.7000	100.522

Bid: 100.502000
Premium: \$184,796.24
Net Interest Cost: \$924,165.26
NIC: 3.750124
Time Last Bid Received On: 05/23/2023 10:09:11 EDST

This proposal is made subject to all of the terms and conditions of the Official Bid Form, the Official Notice of Sale, and the Preliminary Official Statement, all of which are made a part hereof.

Bidder: Jefferies LLC, New York , NY
Contact: Dan Kiley
Title:
Telephone: 212-336-7163

BNYMellon Capital Markets - Pittsburgh , PA's Bid



Sudbury (Town)
\$36,812,000 General Obligation Bond Anticipation Notes

For the aggregate principal amount of \$36,812,000.00, we will pay you \$37,030,990.91, plus accrued interest from the date of issue to the date of delivery. The Bonds are to bear interest at the following rate:

Maturity Date	Amount \$	Coupon %	Yield %	Dollar Price
02/07/2024	36,812M	4.7500	3.8000	100.620

Bid: 100.594890
Premium: \$218,990.91
Net Interest Cost: \$951,579.56
NIC: 3.861368
Time Last Bid Received On: 05/23/2023 10:41:27 EDST

This proposal is made subject to all of the terms and conditions of the Official Bid Form, the Official Notice of Sale, and the Preliminary Official Statement, all of which are made a part hereof.

Bidder: BNYMellon Capital Markets, Pittsburgh , PA
Contact: Luke Guglielmo
Title: Trader
Telephone: 212-815-2655

Attachment 2.e: Tax Certificate (5881 : Approve sale of Bond Anticipation Notes)

BofA Securities - New York , NY's Bid



Sudbury (Town)
\$36,812,000 General Obligation Bond Anticipation Notes

For the aggregate principal amount of \$36,812,000.00, we will pay you \$37,075,205.80, plus accrued interest from the date of issue to the date of delivery. The Bonds are to bear interest at the following rate:

Maturity Date	Amount \$	Coupon %	Yield %	Dollar Price
02/07/2024	36,812M	5.0000	3.6000	100.915

Bid: 100.715000
Premium: \$263,205.80
Net Interest Cost: \$968,973.64
NIC: 3.931950
Time Last Bid Received On: 05/23/2023 10:59:40 EDST

This proposal is made subject to all of the terms and conditions of the Official Bid Form, the Official Notice of Sale, and the Preliminary Official Statement, all of which are made a part hereof.

Bidder: BofA Securities, New York , NY
Contact: Robert Holmes
Title:
Telephone: 212-449-5081

Oppenheimer & Co., Inc. - Philadelphia , PA's Bid



Sudbury (Town)
\$36,812,000 General Obligation Bond Anticipation Notes

For the aggregate principal amount of \$36,812,000.00, we will pay you \$37,066,739.04, plus accrued interest from the date of issue to the date of delivery. The Bonds are to bear interest at the following rate:

Maturity Date	Amount \$	Coupon %	Yield %	Dollar Price
02/07/2024	36,812M	5.0000	3.6500	100.882

Bid: 100.692000
Premium: \$254,739.04
Net Interest Cost: \$977,440.40
NIC: 3.966307
Time Last Bid Received On: 05/23/2023 10:40:31 EDST

This proposal is made subject to all of the terms and conditions of the Official Bid Form, the Official Notice of Sale, and the Preliminary Official Statement, all of which are made a part hereof.

Bidder: Oppenheimer & Co., Inc., Philadelphia , PA
Contact: Al Fleitas
Title: MD
Telephone: 401-277-0109
Fax: 401-277-0160

Fidelity Capital Markets - Boston , MA's Bid



Sudbury (Town)
\$36,812,000 General Obligation Bond Anticipation Notes

For the aggregate principal amount of \$36,812,000.00, we will pay you \$36,918,018.56, plus accrued interest from the date of issue to the date of delivery. The Bonds are to bear interest at the following rate:

Maturity Date	Amount \$	Coupon %	Yield %	Dollar Price
02/07/2024	36,812M	4.5000	3.6000	100.588

Bid: 100.288000
Premium: \$106,018.56
Net Interest Cost: \$1,002,942.94
NIC: 4.069793
Time Last Bid Received On: 05/23/2023 10:53:03 EDT

This proposal is made subject to all of the terms and conditions of the Official Bid Form, the Official Notice of Sale, and the Preliminary Official Statement, all of which are made a part hereof.

Bidder: Fidelity Capital Markets, Boston , MA
Contact: Katherine Estes
Title: Sr. Associate
Telephone: 774-392-0159
Fax: 617-692-5949

ATTACHMENT 3 TO EXHIBIT B

BID COMPARISON

BIDDER	AMOUNT	RATE	DATE/TIME	PREMIUM	NIC	AWARD	REOFFER
TD Securities LLC*	ALL	5.000%	5/23/2023 10:52 AM	\$338,302.28	3.627220	\$36,812,000.00	3.580%
J.P. Morgan Securities LLC*	ALL	5.000%	5/23/2023 10:50 AM	\$309,957.04	3.742241		
Jefferies LLC*	ALL	4.500%	5/23/2023 10:09 AM	\$184,796.24	3.750124		
BNY Mellon Capital Markets, LLC*	ALL	4.750%	5/23/2023 10:41 AM	\$218,990.91	3.861368		
Bank of America Securities*	ALL	5.000%	5/23/2023 10:59 AM	\$263,205.80	3.931950		
Oppenheimer & Co.*	ALL	5.000%	5/23/2023 10:40 AM	\$254,739.04	3.966307		
Fidelity Capital Markets*	ALL	4.500%	5/23/2023 10:53 AM	\$106,018.56	4.069793		

*=Underwriter

Attachment 2.e: Tax Certificate (5881 : Approve sale of Bond Anticipation Notes)

SCHEDULE A TO EXHIBIT B
PROOF OF YIELD ON THE ISSUE

Proof of Bond Yield @ 3.5697941%

Date	Cashflow	PV Factor	Present Value	Cumulative PV
06/06/2023	-	1.0000000x	-	-
02/07/2024	38,044,179.44	0.9765913x	37,153,615.36	37,153,615.36
Total	\$38,044,179.44	-	\$37,153,615.36	-

Derivation Of Target Amount

Par Amount of Bonds	\$36,812,000.00
Reoffering Premium or (Discount)	341,615.36
Original Issue Proceeds	\$37,153,615.36

EXHIBIT C
SPENDING SCHEDULE

<u>Issuance</u>		<u>Purpose</u>	<u>Date of</u> <u>New Money delivery</u>	<u>Spent at Delivery</u>	<u>Date of</u> <u>First Spending</u>	<u>Spent by</u> <u>Delivery plus 6 months</u>	<u>Spent by</u> <u>Delivery plus 12 months</u>
\$	28,832,000	Community Center	6/6/2023	\$ 13,542,083	4/29/2021	\$ 23,332,844	\$ 28,832,000
\$	3,400,000	Drainage/Roadway	6/6/2023	\$ 1,958,030	8/11/2022	\$ 3,400,000	\$ 3,400,000
\$	3,300,000	Fire Station Addition	6/6/2023	\$ 1,867,317	12/16/2021	\$ 3,300,000	\$ 3,300,000
\$	820,000	Land Acquisition	6/6/2023	\$ 820,000	1/4/2021	\$ 820,000	\$ 820,000
\$	460,000	Bridge Replacement	6/6/2023	\$ 460,000	2/4/2021	\$ 460,000	\$ 460,000

133203905v.1

Attachment 2.e: Tax Certificate (5881 : Approve sale of Bond Anticipation Notes)

Exhibit C-1

VOTE OF THE SELECT BOARD

I, the Clerk of the Select Board of the Town of Sudbury, Massachusetts, certify that at a meeting of the board held May 30, 2023, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appear upon the official record of the board in my custody:

Voted: to approve the sale of \$36,812,000 5.00 percent General Obligation Bond Anticipation Notes (the “Notes”) of the Town dated June 6, 2023, and payable February 7, 2024, to TD Securities (USA) LLC at par and accrued interest, if any, plus a premium of \$338,302.28.

Further Voted: that in connection with the marketing and sale of the Notes, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated May 16, 2023, and a final Official Statement dated May 23, 2023, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Town Treasurer and the Select Board be, and hereby are, authorized to execute and deliver a significant events disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Notes for the benefit of the holders of the Notes from time to time.

Further Voted: that we authorize and direct the Town Treasurer to establish post issuance federal tax compliance procedures and continuing disclosure procedures in such forms as the Town Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Notes and to comply with relevant securities laws.

Further Voted: that any certificates or documents relating to the Notes (collectively, the “Documents”), may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same document; delivery of an executed counterpart of a signature page to a Document by electronic mail in a “.pdf” file or by other electronic transmission shall be as effective as delivery of a manually executed counterpart signature page to such Document; and electronic signatures on any of the Documents shall be deemed original signatures for the purposes of the Documents and all matters relating thereto, having the same legal effect as original signatures.

Further Voted: that each member of the Select Board, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above votes) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the Notes were taken in executive session, all in accordance with G.L. c.30A, §§18-25 as amended.

Dated: May 30, 2023

Clerk of the Select Board

133201437v.1

**SUDBURY SELECT BOARD**

Tuesday, May 30, 2023

CONSENT CALENDAR ITEM**3: 2022 Sudbury July 4 Road Race****REQUESTOR SECTION**

Date of request:

Requestor: Deb Bernstein

Formal Title: Vote to Grant a Special Permit to the Sudbury July 4th Road Race, to hold the “Sudbury July 4th Road Race” on Tuesday, July 4, 2023 from 7:00 A.M. through approximately 12:00 P.M., subject to Police Department safety requirements, Proof of Insurance Coverage and the assurance that any litter will be removed at the race’s conclusion.

Recommendations/Suggested Motion/Vote: Vote to Grant a Special Permit to the Sudbury July 4th Road Race, to hold the “Sudbury July 4th Road Race” on Tuesday, July 4, 2023 from 7:00 A.M. through approximately 12:00 P.M., subject to Police Department safety requirements, Proof of Insurance Coverage and the assurance that any litter will be removed at the race’s conclusion.

Background Information:
Please see attached.

Financial impact expected:n/a

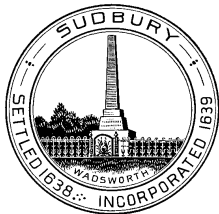
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

05/30/2023 7:00 PM



TOWN OF SUDBURY

Office of Select Board

www.sudbury.ma.us

Flynn Building
278 Old Sudbury Rd
Sudbury, MA 01776-1843
978-639-3381
Fax: 978-443-0756

Email: SBadmin@sudbury.ma.us

APPLICATION FOR A CHARITABLE WALK/RELAY PERMIT ON A PUBLIC WAY

Written permission to conduct a fundraising walk or relay race in any public street, public sidewalk or public way within the Town must be obtained from the Select Board prior to the event. The Chief of Police will determine the appropriate public safety requirements for this event and the cost of such special duty officers, if any required, will be borne by the applicant. The Town of Sudbury requires a Certificate of Insurance of no less than \$1,000,000, naming the Town as an additional insured. All cleanup from the event will be completed by the applicant within 8 hours after the stated ending time or applicant will be billed for the Town's cost to clean up. Application processing can take up to four weeks as approval from the Police, Building and Park & Recreation departments may be required prior to Select Board approval. Processing begins after all required materials are received, so please plan accordingly.

Organization Name _____

Event Name _____

Organization Address _____

Name of contact person in charge _____

Telephone Number(s) of contact _____ (cell) _____

Email address _____

Date of event _____ Rain Date _____

Starting time _____ Ending time _____

Route of the race/relay and portion of the road requested to be used (please indicate on map and attach to this application) _____

Anticipated number of participants _____

Assembly area (enclose written permission of owner if private property to be used for assembly) _____

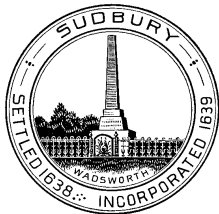
Organization that proceeds will go to _____

Any other important information _____

The undersigned applicant agrees that the applicant and event participants will conform to applicable laws, by-laws and regulations as well as any special requirement that may be made as a condition of the granting of permission pursuant to this application. I/we agree to hold the Town of Sudbury harmless from any and all liability and will defend the Town of Sudbury in connection therewith.

Signature of Applicant _____ Date _____

Attachment3.a: July 4 Race 2023_application_SB (5879 : 2022 Sudbury July 4 Road Race)

**TOWN OF SUDBURY***Office of Select Board**www.sudbury.ma.us*

Flynn Building
278 Old Sudbury Rd
Sudbury, MA 01776-1843
978-639-3381
Fax: 978-443-0756

Email: SBadmin@sudbury.ma.us

CONTINUED: APPLICATION FOR A CHARITABLE WALK/RELAY PERMIT...**Application Checklist:**

- ☐ Application Form
- ☐ Map of Route
- ☐ Evidence of Certificate of Insurance (please see details above)

Please submit completed application and materials to:

Office of Select Board

278 Old Sudbury Rd.

Sudbury, MA 01776

Fax: 978-443-0756

Email: SBadmin@sudbury.ma.us

Addendum to Charitable Race Application

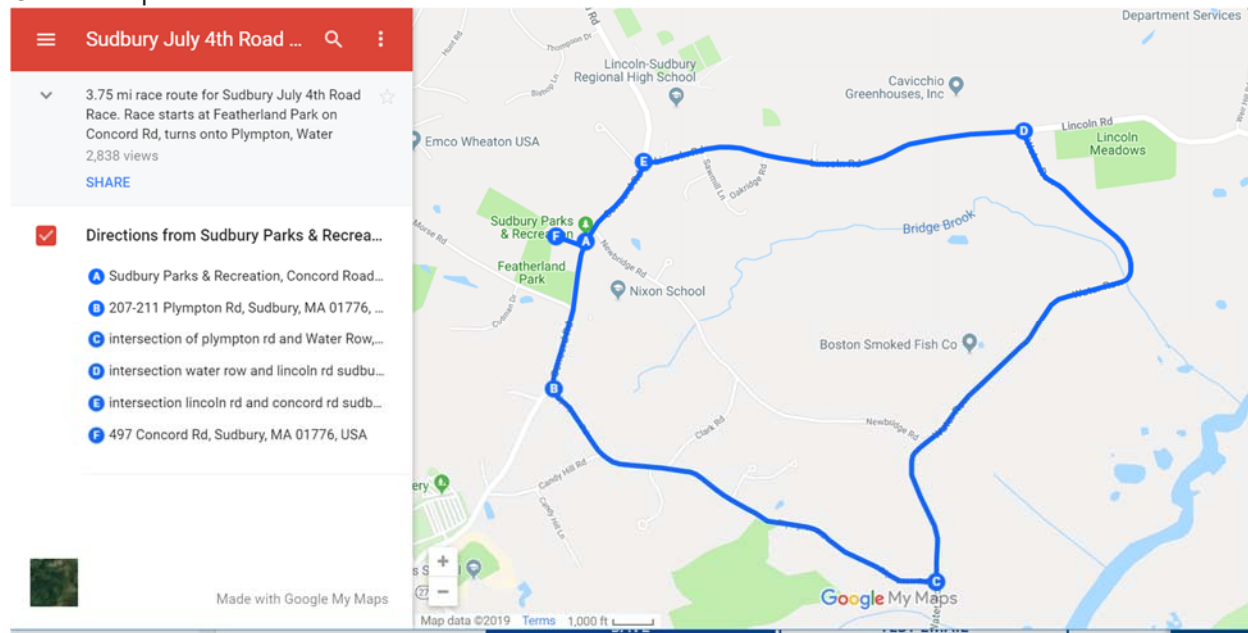
Sudbury July 4th Road Race 2023

Course is run counter-clockwise. Race starts at Featherland Park, location “A” on map below. Concord Road is closed to cars until the runners have turned onto Plympton Road (location “B”).

Cones will be placed to give runners a lane on Concord Road from Lincoln Road (location E) to Featherland (location A). Police will direct runners and traffic at location E and location A. No cars will be allowed in Featherland from location A to the finish line (location F).

Sudbury Fire Department has been contacted to provide an ambulance at Featherland Park.

Course Map:



Additional points:

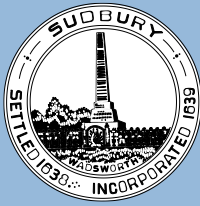
- We will also have a kids fun run at the softball field, co-hosted with Sudbury Family Network.
- Race committee will be placing road race information placards at several spots across town
- Police chief and Fire chief have been contacted
- Insurance binder – we obtain insurance every year thru USA Track & Field for at least 1,000,000\$. We name Town of Sudbury as additional insured. Insurance approval is pending and we will forward the documentation to you as soon as we have it.
- This race has been held in Sudbury every year since 1965. Thank you for your support!

2023 Sudbury July 4 Road Race

Tuesday, July 4, 2023

Department Feedback

Department	Staff	Date	Comments
Fire Department	Asst Chief Choate	5/15/23	No issues with the Fire Dept.
Highway Department	Dan Nason	5/22/23	The Public Works Department does not have an issue with this event assuming no Department resources (labor, equipment, vehicle, barricades, cones, etc.) are requested or required for said event.
Park & Recreation	Dennis Mannone	5/15/23	My concern is the amount to f tables they need as we do not have any extra because summer camp starts July 5th at Haskell fields.
			5/23/23 - Applicant confirmed that Park & Rec will not be providing the tables for the event.
Police Department	Chief Nix	5/15/23	The police department is good with the continuing event. Lieutenant Perodeau has been working with organizers regarding logistics.

**SUDBURY SELECT BOARD**

Tuesday, May 30, 2023

CONSENT CALENDAR ITEM**4: Bikes Not Bombs 36th Annual Bike-A-Thon****REQUESTOR SECTION**

Date of request:

Requestor: Julia Karr, Bikes Not Bombs

Formal Title: Vote to grant a special permit to Bikes Not Bombs to hold the “36th Annual Bike-A-Thon” on Sunday, September 10, 2023, from 11:00 A.M. through approximately 3:00 P.M., with a rain date of Sunday, September 24, 2023, subject to Police Department safety requirements, proof of insurance coverage and the assurance that any litter will be removed at the race’s conclusion.

Recommendations/Suggested Motion/Vote: Vote to grant a special permit to Bikes Not Bombs to hold the “36th Annual Bike-A-Thon” on Sunday, September 10, 2023, from 11:00 A.M. through approximately 3:00 P.M., with a rain date of Sunday, September 24, 2023, subject to Police Department safety requirements, proof of insurance coverage and the assurance that any litter will be removed at the race’s conclusion.

Background Information:

Application and department feedback attached

Financial impact expected:N/A

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

05/30/2023 7:00 PM



BIKES NOT BOMBS

Using the bicycle as a vehicle for social change

284 AMORY STREET • JAMAICA PLAIN, MA 02130

BIKESNOTBOMBS.ORG • 617.522.0222

VIA E-MAIL to clerk@sudbury.ma.us

May 8, 2023

Beth R. Klein
Town of Sudbury
Flynn Building
278 Old Sudbury Road
Sudbury, MA 01776

Dear Ms. Klein:

I am writing today to request that Bikes Not Bombs be granted permission to use Sudbury roads for our 36th annual fundraising bike ride, the Bike-a-Thon, on Sunday, September 10, 2023.

This will be our 36th year of running this event smoothly and safely! Each of the heroic cyclists in the event raises money to support our non-profit bicycle programs. Our youth programs in Jamaica Plain help underserved Boston youth learn safe bicycling skills and mechanics skills, while earning their own bike. These bikes help the young people get to school and to jobs. Many continue on to work at Bikes Not Bombs, earning wages while building critical vocational and life skills that lay a foundation for long-term personal and professional success.

I want to mention up front that there are no points along our route where we plan to block, obstruct, or in any way interfere with vehicular or pedestrian traffic. This is not a race, and it is not a single mass of cyclists who stay together. Upon leaving the starting point in Jamaica Plain, each cyclist rides at their own pace, and they will be spread out over many miles and integrated into the normal flow of traffic. We provide the route for cyclists to follow, and each cyclist is on the road as an individual, riding safely and single file on the road as would any other recreational cyclist. The route through Sudbury is part of our 63 and 105-mile Bike-a-Thon route, and the riders for this route are extremely experienced in riding with traffic.

We instruct all riders to obey all traffic laws. These cyclists will also be experienced and comfortable with safely integrating themselves into the normal flow of traffic. We expect the impact on Sunday, September 10th's traffic to be negligible, and we are not requesting any assistance from town authorities on the day of the event.

There are no spectators or parking in Sudbury. Only cyclists will be on the road as a part of normal traffic. The riders will not be stopping in Sudbury.

Below is an outline of our route through Sudbury:

63 AND 105 MILE ROUTE:

- Enter Sudbury on Concord Rd.
- Turn left on Lincoln Rd.
- Turn right on Water Row
- Turn left on MA-27 S., and exit Sudbury

Riders will start to trickle into Sudbury at around 10:00am. We expect our very last riders will have exited Sudbury by 3:00pm. The riders will be quite staggered throughout the day.

105 Mile Route: <https://ridewithgps.com/routes/42724019>

63 Mile Route: <https://ridewithgps.com/routes/42726439>

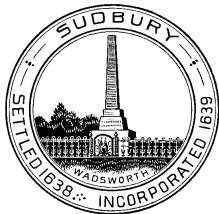
We have obtained a liability policy, and I have attached an insurance certificate naming the City of Newton as an additional insured. Also attached is an Application for a Charitable Walk/Relay.

If there are any questions at all, please be in touch with me. Many thanks for your consideration.

Sincerely,

Maura Holt-Ling

Development Associate
Bikes Not Bombs
617-522-0222 ext. 9628
maura@bikesnotbombs.org



TOWN OF SUDBURY

Office of Select Board

www.sudbury.ma.us

Flynn Building
278 Old Sudbury Rd
Sudbury, MA 01776-1843
978-639-3381
Fax: 978-443-0756

Email: SBadmin@sudbury.ma.us

APPLICATION FOR A CHARITABLE WALK/RELAY PERMIT ON A PUBLIC WAY

Written permission to conduct a fundraising walk or relay race in any public street, public sidewalk or public way within the Town must be obtained from the Select Board prior to the event. The Chief of Police will determine the appropriate public safety requirements for this event and the cost of such special duty officers, if any required, will be borne by the applicant. The Town of Sudbury requires a Certificate of Insurance of no less than \$1,000,000, naming the Town as an additional insured. All cleanup from the event will be completed by the applicant within 8 hours after the stated ending time or applicant will be billed for the Town's cost to clean up. Application processing can take up to four weeks as approval from the Police, Building and Park & Recreation departments may be required prior to Select Board approval. Processing begins after all required materials are received, so please plan accordingly.

Organization Name _____

Event Name _____

Organization Address _____

Name of contact person in charge _____

Telephone Number(s) of contact _____ (cell) _____

Email address _____

Date of event _____ Rain Date _____

Starting time _____ Ending time _____

Route of the race/relay and portion of the road requested to be used (please indicate on map and attach to this application) _____

Anticipated number of participants _____

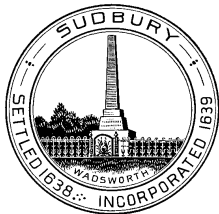
Assembly area (enclose written permission of owner if private property to be used for assembly) _____

Organization that proceeds will go to _____

Any other important information _____

The undersigned applicant agrees that the applicant and event participants will conform to applicable laws, by-laws and regulations as well as any special requirement that may be made as a condition of the granting of permission pursuant to this application. I/we agree to hold the Town of Sudbury harmless from any and all liability and will defend the Town of Sudbury in connection therewith.

Signature of Applicant _____ Date _____



TOWN OF SUDBURY

Office of Select Board

www.sudbury.ma.us

Flynn Building
278 Old Sudbury Rd
Sudbury, MA 01776-1843
978-639-3381
Fax: 978-443-0756

Email: SBadmin@sudbury.ma.us

CONTINUED: APPLICATION FOR A CHARITABLE WALK/RELAY PERMIT...

Application Checklist:

- ☐ Application Form
- ☐ Map of Route
- ☐ Evidence of Certificate of Insurance (please see details above)

Please submit completed application and materials to:

Office of Select Board

278 Old Sudbury Rd.

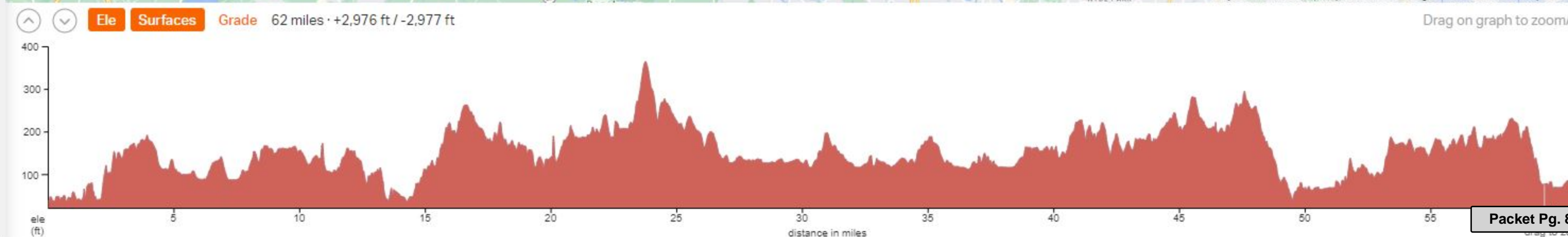
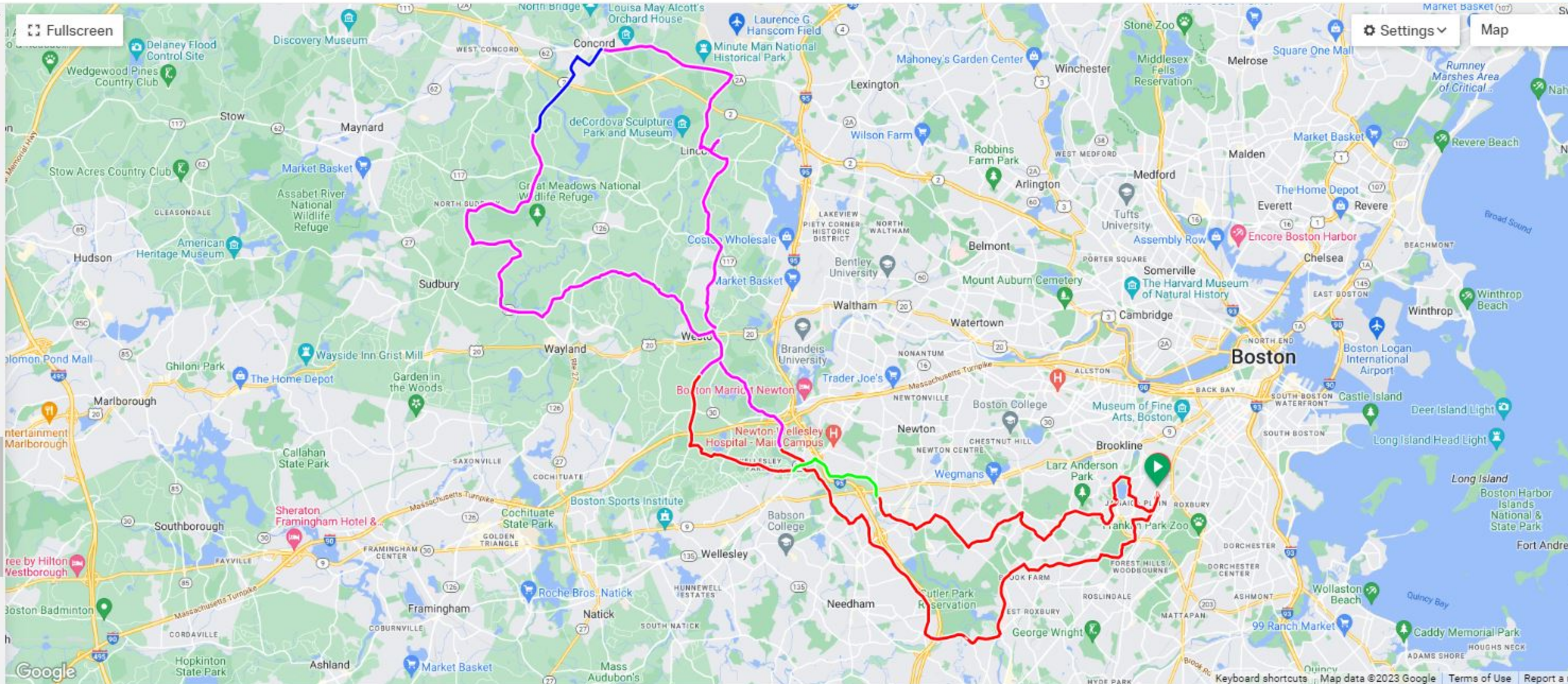
Sudbury, MA 01776

Fax: 978-443-0756

Email: SBadmin@sudbury.ma.us

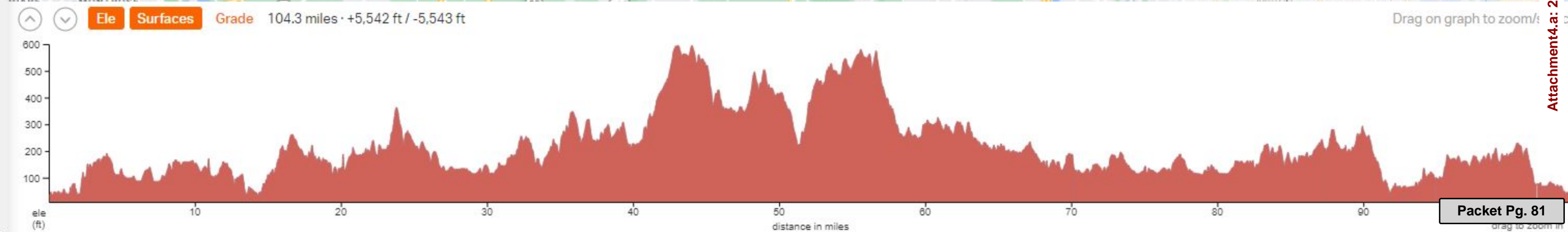
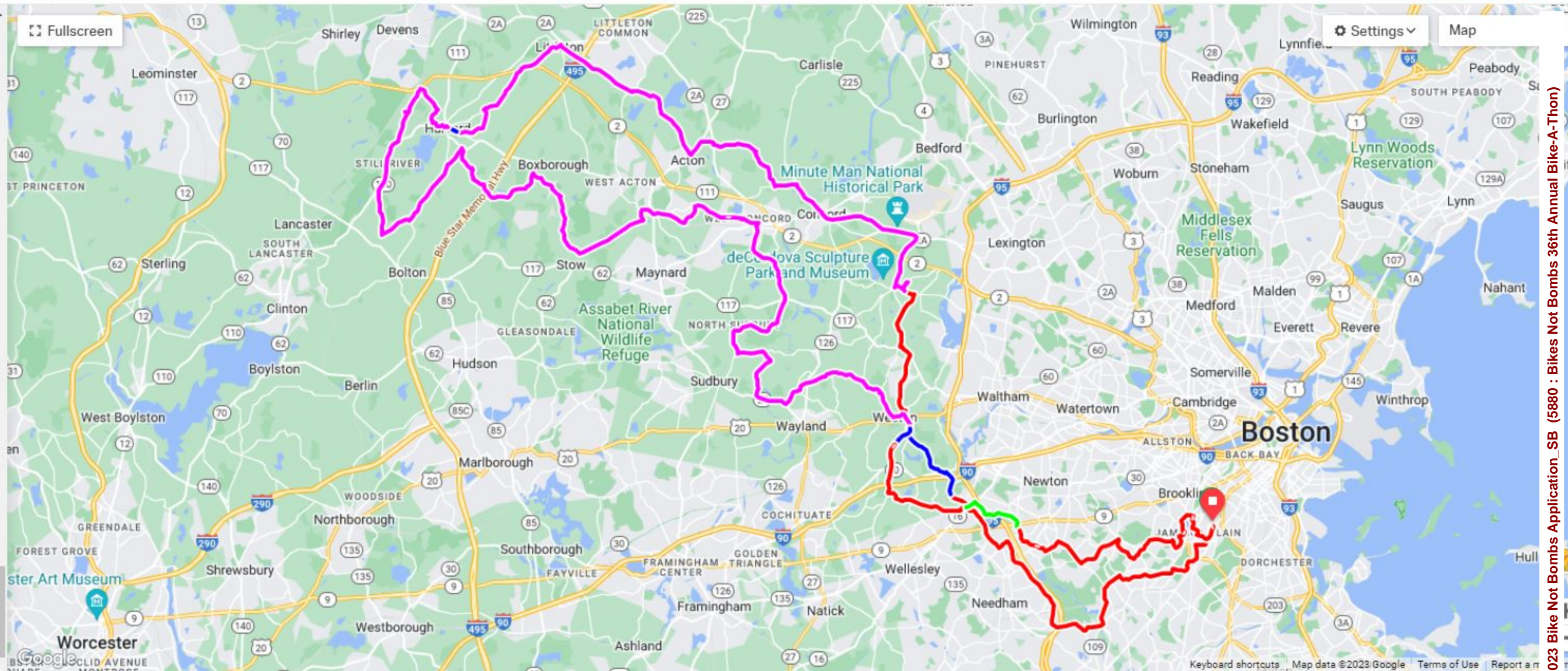


- Sharp right onto Bedford Rd 23.5 mi
- ← Turn left onto MA-2A W 25.3 mi
- Slight right onto Lexington Rd 26.4 mi
- ← Slight left onto Heywood St 28.4 mi
- ↑ Continue onto Everett St 28.5 mi
- Turn right onto Thoreau St 28.8 mi
- ← Turn left onto Sudbury Rd 29.1 mi
- Turn right to stay on Sudbury Rd 29.6 mi
- ↑ Continue onto Concord Rd 32.4 mi
- ← Turn left to stay on Concord Rd 34.4 mi
- ← Turn left onto Lincoln Rd 35.2 mi
- Turn right onto Water Row 36.0 mi
- ← Turn left onto MA-27 S 37.9 mi
- ← Turn left onto Glezen Ln 38.8 mi
- Slight right to stay on Glezen Ln 39.8 mi
- ↑ Continue onto Sudbury Rd 41.1 mi
- ↑ Continue onto Concord Rd 41.8 mi
- ← Turn left onto Boston Post Rd 43.5 mi
- Turn right onto School St 43.8 mi
- ↑ Continue straight onto Wellesley St 44.4 mi
- Slight right to stay on Wellesley St 44.5 mi
- ← Turn left onto Glen Rd 46.7 mi
- Turn right onto Quinobequin Rd 49.8 mi
- Continue onto Elliot St 51.6 mi





- ➔ Slight right to stay on Williams Rd 73.0 mi
- ➔ Slight right onto Old Rd to 9 Acre Corner 73.0 mi
- ➔ Turn right onto Sudbury Rd 73.6 mi
- ↑ Continue onto Concord Rd 74.7 mi
- ← Turn left to stay on Concord Rd 76.7 mi
- ← Turn left onto Lincoln Rd 77.5 mi
- ➔ Turn right onto Water Row 78.3 mi
- ← Turn left onto MA-27 S 80.2 mi
- ← Turn left onto Glezen Ln 81.1 mi
- ➔ Slight right to stay on Glezen Ln 82.1 mi
- ↑ Continue onto Sudbury Rd 83.5 mi
- ↑ Continue onto Concord Rd 84.2 mi
- ← Turn left onto Boston Post Rd 85.8 mi
- ➔ Turn right onto School St 86.1 mi
- ↑ Continue straight onto Wellesley St 86.7 mi
- ➔ Slight right to stay on Wellesley St 86.8 mi
- ← Turn left onto Glen Rd 89.0 mi
- ← Turn left onto MA-16 E 91.6 mi
- ➔ Turn right onto Quinobequin Rd 92.2 mi
- ↑ Continue onto Ellis St 93.9 mi
- ➔ Turn right onto Chestnut St 94.1 mi
- ➔ Turn right onto Oak St 94.6 mi
- ↑ Continue onto Christina St 94.9 mi



Bikes Not Bombs “Bike-A-Thon”

Sunday, September 10, 2023

Rain Date: Sunday, September 24, 2023

Department Feedback

Department	Staff	Date	Comments
Fire Department	Asst. Chief Choate	5/16/23	No issues with the FD.
Highway Department	Dan Nason	5/16/23	The Public Works Department does not have any issues with this event assuming there are no resources (labor, equipment, barricades, cones, etc.) required of the department.
Park & Recreation	Dennis Mannone	5/16/23	No issues with us...
Police Department	Chief Nix	5/23/23	We are good with the event continuing with the same protocols as have been in place for previous events.

**SUDBURY SELECT BOARD**

Tuesday, May 30, 2023

CONSENT CALENDAR ITEM**5: OpenGov permitting software contract renewal****REQUESTOR SECTION**

Date of request:

Requestor: Mark Thompson, Technology Administrator

Formal Title: Vote to approve execution by the Town Manager of a 3-year contract for web-based Open Government Permitting and Licensing software for use by the Building, Health and DPW Departments.

Recommendations/Suggested Motion/Vote: Vote to approve execution by the Town Manager of a 3-year contract for web-based Open Government Permitting and Licensing software for use by the Building, Health and DPW Departments

Background Information:

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

05/30/2023 7:00 PM

**SUDBURY SELECT BOARD**

Tuesday, May 30, 2023

CONSENT CALENDAR ITEM**6: Contract for Rte 117 traffic signal improvements****REQUESTOR SECTION**

Date of request:

Requestor: Dan Nason DPW Director

Formal Title: Approve award by the Town Manager of a contract between the Town and Lapinski Electric, Inc. for Rte 117 Traffic Signal Improvements to be performed pursuant to Contractor's bid (Contract# 2023-117TS-1) dated March 30, 2023, in the amount of \$677,246.25 and a contract between the Town and TEC, Inc, for contract administration for the above project in the amount of \$79,200, and further, to execute all documents relative to said contract inclusive of amendments, if any.

Recommendations/Suggested Motion/Vote: Vote to approve award by the Town Manager of a contract between the Town and Lapinski Electric, Inc. for Rte 117 Traffic Signal Improvements to be performed pursuant to Contractor's bid (Contract# 2023-117TS-1) dated March 30, 2023, in the amount of \$677,246.25 and a contract between the Town and TEC, Inc, for contract administration for the above project in the amount of \$79,200, and further, to execute all documents relative to said contract inclusive of amendments, if any.

Background Information:

This is to replace and update traffic/pedestrian signals, walkways, pavement and line striping and associated work at the intersection of North Road (Route 117) and Dakin Road. Low bid came in at \$677,246.25 and construction administration will cost \$79,200.

Financial impact expected: Mitigation funds \$756,446.25

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

05/30/2023 7:00 PM

Packet Pg. 85

Article 3. CONTRACT TIME.

- 3.1. The Work will be ready for final payment application in accordance with paragraph 14.07 of the General Conditions by October 13, 2023.
- 3.2. Substantial completion shall also be defined as completion of all work of the project with the exception of landscaping items and baseline operation calibrations for installed equipment.
- 3.3. *Liquidated Damages.* OWNER and CONTRACTOR recognize that time is of the essence of this Agreement and that OWNER will suffer financial loss if the Work is not completed within the times specified in paragraph 3.1 above, plus any extensions thereof allowed in accordance with Article 12 of the General Conditions. They also recognize the delays, expense and difficulties involved in proving in a legal or arbitration proceeding the actual loss suffered by OWNER if the Work is not completed on time. Accordingly, instead of requiring any such proof, OWNER and CONTRACTOR agree that as liquidated damages for delay (but not as a penalty) CONTRACTOR shall pay OWNER five-hundred dollars (\$500.00) for each day that expires after the time specified in paragraph 3.1 until the date of readiness for final payment application.

Article 4. CONTRACT PRICE.

- 4.1 OWNER shall pay CONTRACTOR for completion of the Work in accordance with the Contract Documents in current funds as follows:
- 4.1.1 In accordance with the Unit Price Schedule of the Contractor's Bid (SECTION 004100).
- 4.1.2 The total bid price is \$677,246.25. Final payment will be based on actual quantities.

Article 5. PAYMENT PROCEDURES.

CONTRACTOR shall submit Applications for Payment in accordance with Article 14 of the General Conditions. Applications for Payment will be processed by ENGINEER as provided in the General Conditions.

5.1. *Progress Payments.* OWNER shall make progress payments on account of the Contract Price on the basis of CONTRACTOR's Applications for Payment as recommended by ENGINEER, every month as provided below. All progress payments will be prepared based on the quantities of work performed for the month of the Application for Payment.

- 5.1.1. Prior to Substantial Completion, progress payments will be made per month that work is suitably performed, but, in each case, less the aggregate of payments previously made and less such amounts as ENGINEER shall determine, or OWNER may withhold, in accordance with paragraph 14.02 of the General Conditions.

Each monthly application shall hold retainage until final application or approval from the ENGINEER or OWNER (5% retainage)

- 5.1.2. Upon Substantial Completion, only the retainage plus the outstanding or not approved work shall be remaining for payment, less such amounts as ENGINEER shall determine, or OWNER may withhold, in accordance with Article 14 of the General Conditions.

5.2. *Final Payment.* Upon final completion and acceptance of the Work in accordance with paragraph 14.07 of the General Conditions, OWNER shall pay the remainder of the Contract Price as recommended by ENGINEER as provided in said paragraph 14.07.

Article 6. INTEREST.

All monies not paid when due as provided in Article 14 of the General Conditions shall bear interest at the current rate provided by law at the place of the Project.

Article 7. CONTRACTOR'S REPRESENTATIONS.

In order to induce OWNER to enter into this Agreement, CONTRACTOR makes the following representations:

- 7.1. CONTRACTOR has familiarized itself with the nature and extent of the Contract Documents, Work, site, locality and all local conditions and Laws and Regulations that in any manner may affect cost, progress, performance or furnishing of the Work.
- 7.2. CONTRACTOR has studied carefully all reports of explorations, tests of subsurface conditions and drawings of physical conditions which are identified in the Contract Documents as provided in paragraph 4.02 of the General Conditions of the extent of the technical data contained in such reports and drawings upon which CONTRACTOR is entitled to rely.
- 7.3. CONTRACTOR has obtained and carefully studied (or assumes responsibility for obtaining and carefully studying) all such examinations, investigations, explorations, tests, reports and studies (in addition to or to supplement those referred to in paragraph 7.2 above) which pertain to the subsurface or physical conditions at or contiguous to the site or otherwise may affect the cost, progress, performance or furnishing of the Work as CONTRACTOR considers necessary for the performance or furnishing of the Work at the Contract Price, within the Contract Time and in accordance with the other terms and conditions of the Contract Documents, including specifically the provisions of paragraph 4.02 of the General Conditions; and no additional examinations, investigations, explorations, tests, reports, studies or similar information or data are or will be required by Contractor for such purposes.
- 7.4. CONTRACTOR has reviewed and checked all information and data shown or indicated on the Contract Documents with respect to existing Underground Facilities at or contiguous to the site and assumes responsibility for the accurate location of said Underground Facilities. No additional examinations, investigations, explorations, tests, reports, studies or similar information or data in respect of said Underground Facilities are or will be required by CONTRACTOR in order to perform and furnish the Work at the Contract Price, within the Contract Time and in accordance with the other terms and conditions of the Contract Documents, including specifically the provisions of paragraph 4.03 of the General Conditions.
- 7.5. CONTRACTOR has correlated the results of all such observations, examinations, investigations, explorations, tests, reports and studies with the terms and conditions of the Contract Documents.
- 7.6. CONTRACTOR has given ENGINEER written notice of all conflicts, errors or discrepancies that he has discovered in the Contract Documents and the written resolution thereof by ENGINEER is

acceptable to CONTRACTOR.

Article 8. CONTRACT DOCUMENTS.

The Contract Documents which comprise the entire agreement between OWNER and CONTRACTOR concerning the Work consist of the following:

- 8.1. This Agreement.
- 8.2. CONTRACTOR's Bid – Section 004100 to the extent accepted by the Owner
- 8.3. Contract Security
- 8.4. Insurance Certificates: Naming the following as additional insured.
Town of Sudbury (Owner)
TEC, Inc. (Engineer)
- 8.5. General Conditions.
- 8.6. Supplementary General Conditions.
- 8.7. Supplemental Conditions
- 8.8. Specifications.
- 8.9. Drawings with each sheet bearing the following general title: Route 117 Traffic Signals Construction.
- 8.10. Addenda numbers to inclusive.
- 8.11. Documentation submitted by CONTRACTOR prior to Notice of Award.
- 8.12. The following which may be delivered or issued after the Effective Date of the Agreement and are not attached hereto: All Written Amendments and other documents amending, modifying or supplementing the Contract Documents pursuant to paragraphs 3.03 and 3.04 of the General Conditions.

There are no Contract Documents other than those listed above in this Article 8. The Contract Documents may only be amended, modified or supplemented as provided in paragraphs 3.03 and 3.04 of the General Conditions.

Article 9 MISCELLANEOUS.

- 9.1. Terms used in this Agreement which are defined in Article 1 of the General Conditions will have the meanings indicated in the General Conditions.
- 9.2. No assignment by CONTRACTOR of any rights or interests in the Contract Documents will be binding on OWNER without the prior written consent of OWNER; and specifically but without limitation monies that may become due to CONTRACTOR and monies that are due to CONTRACTOR may not be assigned without such consent (except to the extent the effect of this restriction may be limited by law), and unless specifically stated to the contrary in any written consent to an assignment, no assignment will release CONTRACTOR from any duty or responsibility under the Contract Documents.

OWNER shall have the right to assign the Contract Documents, or specified provisions of, or rights and/or obligations under, the Contract Documents, to any person or private or governmental entity to whom OWNER transfers the Route 117 Traffic Signals and OWNER will be released from any duty and responsibility so assigned.

- 9.3. CONTRACTOR binds itself, its partners, successors, assigns and legal representatives to the other party hereto, its partners, successors, assigns and legal representatives in respect of all covenants, agreements and obligations contained in the Contract Documents.
- 9.4. This Agreement shall be binding upon all parties hereto and their respective heirs, executors, administrators, successors, and assigns.
- 9.5. The undersigned hereby certifies that it is able to furnish labor that can work in harmony with all other elements of labor employed or to be employed on the work; that all employees to be employed at the worksite will have successfully completed a course in construction safety and health approved by the United States Occupational Safety and Health Administration that is at least 10 hours in duration at the time the employee begins works and who shall furnish documentation of successful completion of said course with the first certified payroll report for each employee; and that it will comply fully with all laws and regulations applicable to awards made subject to section 39M of Chapter 30 of the General Laws.
- 9.6. The CONTRACTOR agrees not to discriminate against or exclude any person from participation herein on grounds of race, religion, color, sex, age or national origin; and that it shall take affirmative actions to insure that applicants are employed, and that employees are treated during their employment, without regard to race, religion, color, sex, age, handicapped status, or national origin.
- 9.7. The CONTRACTOR agrees not to participate in or cooperate with an international boycott, as defined in Section 999 (b)(3) and (4) of the Internal Revenue Code of 1954, as amended, or engage in conduct declared to be unlawful by Section 2 of Chapter 151E of the Massachusetts General Laws.
- 9.8. The OWNER agrees to pay the CONTRACTOR in current funds for the performance of the contract, subject to additions and deductions, as provided in Section 007000 GENERAL CONDITIONS as amended by the supplementary general conditions, and to make payments on account thereof as provided in Section 007000 GENERAL CONDITIONS.

IN WITNESS WHEREOF, the parties to these presents have executed this contract in counterparts, each of which shall be deemed an original, in the year and day first above mentioned.

AGREED:

Town of Sudbury, Massachusetts

(Owner)

By _____

(Name)

(Title)

(Contractor)

By _____

(Name)

(Title)

(Address)

(City and State)

Approved as to Form:

By _____

(Owner's Counsel)

(Name)

In accordance with M.G.L. C.44, Section 31C, this is to certify that an appropriation in the amount of this contract is available therefor and that the has been authorized to execute the contract and approve all requisitions and change orders.

By _____

(Owner's Accountant)

(Name)

Attachment 6.a: 00 50 00 Lapinski Electric Agreement (5887 : Contract for Rte 117 traffic signal improvements)

CERTIFICATE OF VOTE
(to be filed if Contractor is a Corporation)

I, _____, hereby certify that I am the duly qualified
(Secretary of the Corporation)

and acting Secretary of _____ and I further certify that a meeting of the
(Name of Corporation)

Directors of said Company, duly called and held on _____, at which
(Date of Meeting)

all Directors were present and voting, the following vote was unanimously passed:

VOTED: To authorize and empower

Anyone acting singly, to execute Forms of General Bid, Contracts or Bonds on behalf of the Corporation.

I further certify that the above vote is still in effect and has not been changed or modified in any respect.

By: _____
(Secretary of Corporation)

A True Copy:

Attest: _____
(Notary Public)

My Commission Expires: _____
(Date)

**CERTIFICATIONS REQUIRED BY LAW
FOR PUBLIC CONSTRUCTION CONTRACTS**

You must COMPLETE and SIGN the following certifications. You must also print, at the bottom of this page, the name of the contractor for whom these certifications are submitted.

TAX COMPLIANCE

Pursuant to Chapter 62C of the Massachusetts General Laws, Section 49A(b), I, the undersigned, authorized signatory for the below named contractor, do hereby certify under the pains and penalties of perjury that said contractor has complied with all laws of the Commonwealth of Massachusetts relating to taxes, reporting of employees and contractors, and withholding and remitting child support.

NON-COLLUSION

The undersigned certifies under the penalties of perjury that this bid is in all respects bona fide, fair and made without collusion or fraud with any other person. As used in this subsection the word "person" shall mean any natural person, joint venture, partnership, corporation or other business or legal entity.

PUBLIC CONTRACTOR DEBARMENT

The undersigned certifies under penalty of perjury that the below named contractor is not presently debarred from doing public construction work in the Commonwealth under the provisions of section twenty-nine F of chapter twenty-nine, or any other applicable debarment provisions of any other chapter of the General Laws or any rule or regulation promulgated thereunder.

OSHA TRAINING

Pursuant to G.L. c. 30, §39S, the Contractor hereby certifies under penalties of perjury as follows:

Contractor is able to furnish labor that can work in harmony with all other elements of labor employed or to be employed in the work;

All employees to be employed at the worksite will have successfully completed a course in construction safety and health approved by the United States Occupational Safety and Health Administration that is at least 10 hours in duration at the time the employee begins work and they shall furnish documentation of successful completion of said course with the first certified payroll report for each employee; and

All employees to be employed in the work subject to this contract have successfully completed a course in construction safety and health approved by the United States Occupational Safety and Health Administration that is at least 10 hours in duration.

COMPLETE AND SIGN BELOW:

Authorized Person's Signature

Date

Print Name & Title of Signatory

Name of Contractor

END OF SECTION

AGREEMENT BETWEEN TOWN OF SUDBURY AND TEC, INC.

THIS AGREEMENT for construction administration services for the traffic signal improvements at the intersection of North Road, Dakin Road, Pantry Road in Sudbury, Massachusetts, is made the _____ day May, 2023, by and between TEC, Inc. with a usual place of business at 282 Merrimack Street, 2nd Floor, Lawrence, MA 01843, hereinafter referred to as the "CONTRACTOR"), and the Town of Sudbury, (hereinafter referred to as the "TOWN").

WITNESSETH that the CONTRACTOR and the TOWN, for the consideration hereinafter named, agree as follows:

ARTICLE 1: CONTRACT DOCUMENTS

The Contract Documents consist of the following, and in the event of conflicts or discrepancies among them, they shall be interpreted on the basis of the following priorities:

- 1) Amendment issued, if applicable
- 2) This agreement for procurement between TOWN and CONTRACTOR
- 3) Attachment A – North Road (Route 117) - Dakin Road – Pantry Road Traffic Signal Improvements
- 4) Drawings required for the project, if applicable
- 5) Copies of all required certificates of insurance and licenses required under the contract,

EACH OF WHICH IS ATTACHED HERETO. These documents form the entire Agreement between the parties and there are no other agreements between the parties. Any amendment or modification to this Agreement must be in writing and signed by an official with the authority to bind the Town.

ARTICLE 2: SCOPE OF WORK

The CONTRACTOR shall furnish all materials, labor and equipment, and perform all work outlined in Attachment A – North Road (Route 117) - Dakin Road – Pantry Road Traffic Signal Improvements attached and on the Contract Documents, and the CONTRACTOR agrees to do everything required by this Agreement and the Contract Documents.

ARTICLE 3: TERMS OF AGREEMENT

- (a) The work to be performed under this Agreement shall be commenced on the date of this contract and shall be entirely completed by June 30, 2024, unless otherwise extended by mutual agreement.
- (b) The CONTRACTOR shall commence work promptly upon execution of this Agreement and shall prosecute and complete the work regularly, diligently and uninterruptedly at such a rate of progress as will insure completion in a timely manner.
- (c) The CONTRACTOR hereby agrees that if it fails to carry on the work with reasonable speed or stops work altogether without due cause, as determined in each case by the TOWN, the TOWN may terminate this Agreement in accordance with the provisions hereof.

ARTICLE 4: THE CONTRACT SUM

The TOWN shall pay the CONTRACTOR for the performance of this Agreement based upon the amounts set forth in the task categories requested by the Town and listed in Attachment A, the total sum not to exceed \$79,200 unless otherwise agreed by the parties.

ARTICLE 5: PAYMENT

- (a) The TOWN shall make payment as follows:
Payment within thirty days after receipt of an invoice, for work then fully completed and performed.
- (b) With any invoice, the CONTRACTOR shall submit evidence satisfactory to the TOWN that the goods or supplies have been delivered and/or that the work has been completed in accordance with this Agreement, and that all payrolls, material bills and other indebtedness connected with the work have been paid. The billings shall include, if applicable, all charges for consultants, subcontractors, plans, equipment, models, renderings, travel, reproductions, postage and delivery, and all other expenses. There shall not be any markup for overhead, administration or profit for any of the above listed services.
- (c) The acceptance of final payment by the CONTRACTOR shall constitute a waiver of all claims by the CONTRACTOR arising under the Agreement.

ARTICLE 6: TERMINATION

- (a) The TOWN may suspend or terminate this Agreement by providing the CONTRACTOR with ten (10) days written notice for the reasons outlined as follows:
 - 1. Failure of the CONTRACTOR to fulfill in a timely and proper manner its obligations under this Agreement.
 - 2. Violation of any of the provisions of this Agreement by the CONTRACTOR.
 - 3. A determination by the TOWN that the CONTRACTOR has engaged in fraud, waste, mismanagement, misuse of funds, or criminal activity with any funds provided by this Agreement.
- (b) In addition, the TOWN shall have the right to terminate this Agreement if funds are not appropriated or otherwise made available to support the continuation of this Agreement after the first year, if applicable.
- (c) The TOWN shall also have the right to terminate this Agreement without cause, upon ten (10) days written notice to the CONTRACTOR. In the event that the Agreement is terminated pursuant to this subparagraph, the CONTRACTOR shall be reimbursed in accordance with the Agreement for all work performed up to the termination date.
- (d) The CONTRACTOR shall have the right to terminate this Agreement if the TOWN fails to make payment within 30 days after it is due.

ARTICLE 7: NOTICE

All notices required to be given under this Agreement shall be in writing and shall be effective upon receipt by hand delivery or certified mail to:

Town of Sudbury:

Town Manager
278 Old Sudbury Road
Sudbury, MA 01776

Contractor:

TEC, Inc.
Mike Myers, Principal
282 Merrimack Street, 2nd Fl
Lawrence, MA 01843

ARTICLE 8. INSURANCE

- (a) The CONTRACTOR shall, at its own expense, obtain and maintain a commercial and general liability insurance policies protecting the TOWN in connection with any operations included in this Contract, and shall have the TOWN as an additional insured on the policies. Commercial and General liability coverages shall be in the amount of at least \$1,000,000 per occurrence and \$2,000,000 aggregate.
- (b) CONTRACTOR shall carry a professional errors and omissions policy with limits of at least \$1,000,000 per claim and \$2,000,000 aggregate, with a deductible of no more than \$50,000 per claim.
- (c) The CONTRACTOR shall, before commencing performance of this Contract, provide by insurance for the payment of compensation and the furnishing of other benefits in accordance with Mass. Gen. L. Ch. 152, as amended, to all employed under the Contract and shall continue such insurance in full force and effect during the term of the Contract.
- (d) All insurance coverage shall be in force from the time of the Agreement to the date when all work under the Contract is completed and accepted by the TOWN. **Certificates and any and all renewals substantiating that required insurance coverage is in effect shall be filed with the TOWN and, except worker's compensation, insurance shall list the TOWN as additional insured for each policy.** Since this insurance is normally written on a year-to-year basis, the CONTRACTOR shall notify the TOWN should coverage become unavailable or if its policy should change. Any cancellation of insurance, whether by the insurers or the insured, shall not be valid unless written notice thereof is given by the party proposing cancellation to the other party and to the TOWN at least fifteen days prior to the intended effective date thereof, which date should be expressed in said notice.
- (e) The CONTRACTOR shall indemnify and save harmless the TOWN and all of the TOWN'S officers, agents and employees from and against all suits and claims of liability, asserted against the Town by a third party, including costs of defending any action, for or on account of any injuries to persons or damage to property of the TOWN or any person, firm, corporation or association but only to the extent caused by any negligent act or omission, of the

CONTRACTOR, its subcontractors and its and their agents or employees in the performance of the work covered by this Agreement and/or failure to comply with terms and conditions of this Agreement, but only in respect of such injuries or damages sustained during the performance and prior to the completion and acceptance of the work covered by this Agreement. The foregoing provisions are in addition to any other remedies available to the Town, and shall not be deemed to be released, waived or modified in any respect by reason of any surety or insurance provided by the CONTRACTOR under the Contract.

ARTICLE 9: SUBCONTRACTING OF WORK

The CONTRACTOR shall not subcontract any of the work that it is required to perform under this Contract to any corporation, entity or person without the prior written approval of the TOWN.

ARTICLE 10: OWNERSHIP OF DOCUMENTS

Upon completion of the final payment to the CONTRACTOR, the TOWN shall be the owner of all plans, specifications, electronic data and computations created by the CONTRACTOR that relate to this Agreement. The TOWN agrees that the information contained therein was produced specifically for this Agreement and agrees to waive all claims against the CONTRACTOR and hold the CONTRACTOR harmless from any liability of the TOWN'S use of these documents in any future project not directly related to the subject matter of this Agreement.

ARTICLE 11: STANDARD OF CARE

The CONTRACTOR agrees to perform its work under this Contract, which the parties acknowledge consists solely of professional consulting services, in accordance with the degree of skill and care exercised by similarly practicing professionals performing similar services under similar conditions.

ARTICLE 12: GOVERNING LAW

The CONTRACTOR shall perform the work required under this Contract in conformity with requirements and standards of the TOWN and all applicable laws of the Commonwealth of Massachusetts, its political subdivisions, and the Federal Government.

This Agreement and performance thereunder are governed by, and shall be interpreted and enforced in accordance with the laws of the Commonwealth of Massachusetts and shall be subject to all such laws and all other applicable by-laws and administrative rules, regulations and orders.

ARTICLE 13: BINDING AGREEMENT AND ASSIGNMENT OF INTEREST

This Agreement shall be binding upon the TOWN and the CONTRACTOR and the partners, successors, heirs, executors, administrators, assigns and legal representatives of the TOWN and the CONTRACTOR. Neither the TOWN nor the CONTRACTOR shall assign, sublet or transfer any interest in this Agreement without the written consent of each other, and such consent shall not be unreasonably withheld.

ARTICLE 14: CERTIFICATE OF COMPLIANCE WITH MASSACHUSETTS TAX LAWS; NON-COLLUSION CERTIFICATION

The undersigned CONTRACTOR certifies under the pains and penalties of perjury that the **CONTRACTOR** has complied with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting of child support, and that the services set forth in Attachment A have been proposed and submitted in good faith and without collusion or fraud.

ARTICLE 15: COVID-19

The Contractor acknowledges that some or all of the work or services to be performed under this Agreement may be subject to rules, regulations, and orders of the Commonwealth of Massachusetts, the Sudbury Board of Health and/or other boards or officers of the Town regarding matters of public health and worker and workplace safety, including measures and protocols to address risks posed by the novel coronavirus COVID-19; and the Contractor agrees to comply with all such rules, regulations, and orders.

IN WITNESS WHEREOF the parties hereto have executed copies of this Agreement the day and year first above written. *

*If a Corporation, attach to each signed copy of this Contract an attested copy of the vote of the Corporation on authorizing the said signing and sealing.

TEC, Inc.

Mike Myers, Principal

Dated: _____

TOWN OF SUDBURY

Andrew J. Sheehan, Town Manager

Dated: _____

Attachment6.b: TEC Rt 117 Agreement (5887 : Contract for Rte 117 traffic signal improvements)

ATTACHMENT A SCOPE OF WORK

NORTH ROAD (ROUTE 117) - DAKIN ROAD - PANTRY ROAD TRAFFIC SIGNAL IMPROVEMENTS CONSTRUCTION ADMINISTRATION SERVICES

PROJECT DESCRIPTION

TEC shall provide Construction Administration services for Project Location 1 (Base Bid), which includes reconstruction of the intersection of North Road (Route 117) at Dakin Road and Pantry Road. The work includes new traffic signal installation, hot mix asphalt mill and overlay, minor drainage system modifications, sidewalk & curb ramp reconstruction, traffic signs, pavement marking application, and other incidental work.

TEC shall perform the following services as outlined below as Task 1 and 2 for Project Location 1 (Base Bid). Task 1 to be completed at a not to exceed **lump sum fee of \$25,000** and Task 2 to be completed hourly at an **estimated fee of \$51,200 plus \$3,000** in mileage expenses.

<u>Task 1 – Construction Administration (Office)</u>	<u>\$25,000.00</u>
---	---------------------------

The fee for Task 1 has been established based on a 6-month construction contract duration.

- **Review Shop Drawings / Respond to Contractor RFI's:** TEC will review and approve or otherwise act upon shop drawings, which are submitted per the contract documents. TEC will also issue interpretations and clarifications of the contract documents and in connection with, prepare work directive changes as necessary.
- **Project Management and Coordination:** This task will include coordination with TEC's resident project representative, the contractor, utility companies, and Town staff throughout construction.
- **Project Meetings:** TEC's project manager will attend one (1) pre-construction meeting and monthly progress meetings with the contractor and Town staff during the construction period. TEC's resident project representative will be in attendance at all progress meetings as needed under Task 2.
- **Review of Contractor Pay Applications:** TEC will review contractor invoices to confirm consistency with the work completed to date and approve or otherwise act upon prior to submittal to the Client with recommendation for payment.
- **Final Inspection:** TEC will perform a walk through with the Client and the contractor to inspect the final construction for substantial completion and prepare a punch list of items to be completed. TEC will also perform fine tuning of the traffic signal in the field. Once the punch list items have been satisfactorily completed and the traffic signals are operating satisfactorily, a letter will be provided by TEC recommending Client acceptance and project closeout.

<u>Task 2 – Construction Administration (Field)</u>	<u>\$54,200.00</u>
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The fee for Task 2 has been estimated based on a period of 2-months requiring full-time field representation (approximately 360 hours)

- **Construction Inspection (Full-Time):** TEC will be present on site to observe construction, as a representative of the Client, to verify conformance with the Contract Documents. During such observation TEC may disapprove or reject the contractor's work while in progress if it is believed to not be in conformance with the contract Documents. TEC will prepare daily field reports to document weather conditions, equipment and personnel on-site, all unforeseen conditions, daily execution of work and quantities.
- **Expenses:** Mileage for TEC's resident project representative to and from the site for field observation is estimated to be approximately \$3,000.00 and is included within the estimated fee above.

Additional services not listed above may be performed at the request of the TOWN and will be considered an amendment to this scope of work. TEC will invoice the Client monthly on a lump sum basis for the services performed under Task 1 and on a time and expense basis for the services performed under Task 2.

**SUDBURY SELECT BOARD**

Tuesday, May 30, 2023

CONSENT CALENDAR ITEM**7: Vote to release \$100K Meadow Walk funds****REQUESTOR SECTION**

Date of request:

Requestor: Park & Rec Commission

Formal Title: Vote to appropriate \$100,000 from Meadow Walk mitigation funds to the Park & Recreation Commission for Feeley Field Phase 2 project.

Recommendations/Suggested Motion/Vote: Vote to appropriate \$100,000 from Meadow Walk mitigation funds to the Park & Recreation Commission for Feeley Field Phase 2 project.

Background Information:

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office Pending

Town Manager's Office Pending

Town Counsel Pending

Select Board Pending

Select Board Pending

05/30/2023 7:00 PM

EXHIBIT C

Schedule of Developer Contributions in Development Agreement¹

Sec.	Contribution Purpose	Amount	Timing
4.2.a	Contribution towards Development of Recreational Fields	\$500,000	<ul style="list-style-type: none"> \$250,000 (50%) payable prior to issuance of first certificate of occupancy for building within the Retail Component of the Project; \$250,000 (50%) payable prior to issuance of certificate of occupancy for the final building within the Retail Component of the Project.
4.2.b	Contribution towards Public Safety	\$850,000	<ul style="list-style-type: none"> Payable prior to the issuance of first building permit within Avalon Sudbury.
4.2.c	Contribution to Senior Center	\$100,000	<ul style="list-style-type: none"> Payable prior to issuance of first building permit for the Project.
4.2.d	Contribution towards Technology for Schools and/or Municipal Buildings	\$850,000	<ul style="list-style-type: none"> \$425,000 (50%) payable prior to issuance of first building permit for the Age-Restricted Housing Component of the Project; \$425,000 (50%) payable prior to the first certificate of occupancy for the Age-Restricted Housing Component of the Project.
4.2.e	Contribution towards Design of Future Fire Station	\$80,000	<ul style="list-style-type: none"> Payable prior to issuance of first building permit within the Project.
4.2.f	Contribution towards Sidewalk from CVS to Nobscot Road	\$15,000	<ul style="list-style-type: none"> Payable prior to issuance of first building permit within the Project.
4.2.g	Contribution to towards potential comprehensive permit fiscal requirements or other municipal purposes	\$100,000	<ul style="list-style-type: none"> Payable upon issuance of first building permit for Avalon Sudbury

¹ Capitalized terms not otherwise defined herein shall have the meaning as set forth in the Development Agreement. The payments noted in this exhibit are obligations required of the Developer in addition to and not in lieu of the actual tax revenue generated from the Project and the other non-monetary Developer commitments set forth in the Development Agreement, including those additional commitments made in furtherance of a Future Fire Station (i.e., land contribution, sewer/stormwater rights and ongoing obligation of landscape maintenance) and the Route 20 traffic improvements as described therein.

From: ParkandRecreationCommission, Chair <prcchair@sudbury.ma.us>
Sent: Monday, May 8, 2023 11:02 AM
To: Town Manager <townmanager@sudbury.ma.us>
Cc: Park and Rec Commission <prc@sudbury.ma.us>; Select Board <SelectBoard@sudbury.ma.us>
Subject: Release of Recreation Meadow Walk Funds As supported by the PRC

Hi Andy,

At the December 2022 meeting of the PRC, we voted to allocate \$100K of the Meadow Walk Funds designated for recreation field improvements to the Frank Feeley Phase 2 Irrigation work (Article 45 at Town Meeting last week). Our approved meeting minutes are posted online: <https://sudbury.ma.us/parkrecreationcommission/dec-13-prc-meeting/>

Now that Article 45 has approved by the voters, can you take the necessary steps to release the funds? Janie Dretler was in attendance at that meeting and let us know that you would need to facilitate the release of the funds. She thought it would need to be approved by the Select Board.

Thanks

Mara

Attachment 7.b: PRC email (5885 : Vote to release \$100K Meadow Walk funds)

From: Keohane, Dennis
Sent: Thursday, May 25, 2023 4:12 PM
To: Golden, Patricia <GoldenP@sudbury.ma.us>
Subject: Park and Recreation - MeadowWalk Projects

Hi Patty,

Of the \$500,000 that was provided by MeadowWalk as a contribution towards development of recreational fields, \$250,000 was previously used for Cutting Field. Currently, there is \$250,000 that has not yet been allocated, of which the Park & Recreation Commission is requesting \$100,000 for the Feeley Field Phase 2 Project. If approved by the Board, there will be \$150,000 remaining for future use.

Thanks,

Dennis

Dennis J. Keohane, CPA
Finance Director/Treasurer-Collector
Town of Sudbury
278 Old Sudbury Road
Sudbury MA 01776
Phone: (978) 639-3377

Attachment7.c: DK email (5885 : Vote to release \$100K Meadow Walk funds)

**SUDBURY SELECT BOARD**

Tuesday, May 30, 2023

MISCELLANEOUS (UNTIMED)**8: Interview COA candidate****REQUESTOR SECTION**

Date of request:

Requestor: Debra Galloway

Formal Title: Interview candidate for appointment to the Council on Aging (COA). Following interview, vote whether to appoint Patricia Tabloski, Maple Avenue, to the COA for a term expiring 5/30/26.

Recommendations/Suggested Motion/Vote: Interview candidate for appointment to the Council on Aging (COA). Following interview, vote whether to appoint Patricia Tabloski, 35 Maple Avenue, Unit 301, to the COA for a term expiring 5/30/26, as requested by Debra Galloway, Senior Center Director.

Background Information:
attached application and recommendation letter

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

05/30/2023 7:00 PM



Sudbury Senior Center

Council on Aging

Town of Sudbury, Massachusetts

40 Fairbank Road • Sudbury, Massachusetts • 01776-1681
 Phone: (978) 443-3055 • Fax: (978) 443-6009 • E-mail: senior@sudbury.ma.us

April 18, 2023

Sudbury Select Board
 Town of Sudbury
 278 Old Sudbury Road
 Sudbury, MA 01776

Dear Members of the Select Board,

The Board of the Sudbury Council on Aging has interviewed candidates for appointment to the Council on Aging to fill Council on Aging vacancy. At their regular meeting on Monday, April 10, 2023, the Council on Aging unanimously voted to recommend Patricia Tabloski to begin a new term on June 1, 2023. Please find her application enclosed with this letter. We are very happy to welcome Patricia to the Sudbury Council on Aging.

At the April 10 meeting, the Council on Aging also voted to recommend reappointment of Carmine Gentile to a second term on the COA as well as to recommend Paul Marotta to a first term on the COA, after finishing out a former member's term. We thank both Carmine and Paul for their service to the COA and Town and appreciate their willingness to continue to serve.

Sincerely,

Debra Galloway, Director

for the Sudbury Council on Aging

Attachments: COA Application for Patricia Tabloski

f:\coa board\membership\select board letter re board appointee to fill vacancy and renewals 2023.doc

Attachment8.a: select board letter re board appointee to fill vacancy and renewals 2023 (5875 : Interview COA candidate)

TOWN OF SUDBURY

APPLICATION FOR APPOINTMENT

SELECT BOARD
278 OLD SUDBURY ROAD
SUDBURY, MA 01776

FAX: (978) 443-0756
E-MAIL: selectboard@sudbury.ma.us

Board or Committee Name: Council on aging

Name: Patricia A Tabloski

Address: 35 Maple Ave. Unit 301

Email Address: _____

Home phone: _____

Work or Cell phone: _____

Years lived in Sudbury: 12

Brief resume of background and pertinent experience:

I am a faculty member at Boston College in the School of Nursing. I teach aging and geriatrics and I am involved in a number of projects related to health of older adults and recognition and treatment of older adults with dementia.

Municipal experience (if applicable):

I have previously served on the Council on Aging.

Educational background:

PhD in gerontological nursing from the University of Rochester.

Reason for your interest in serving:

Have input into the development of aging programming in the soon to be completed Community Center. Contribute to the ongoing development of services for older adults in Sudbury.

Times when you would be available (days, evenings, weekends):

Flexible schedule.

Do you or any member of your family have any business dealings with the Town? If yes, please explain:
No.

PT (Initial here that you have read, understand and agree to the following statement)

I agree that if appointed, I will work toward furtherance of the committee's mission statement; and further, I agree that I will conduct my committee activities in a manner which is compliant with all relevant State and Local laws and regulations, including but not limited to the Open Meeting Law, Public Records Law, Conflict of Interest Law, Email Policy and the Code of Conduct for Town Committees.

I hereby submit my application for consideration for appointment to the Board or Committee listed above.

Signature

Patricia Tabloski

Date March 14, 2023

Attachment 8.b: Application Pat Tabloski redact 03 14 23 (5875 : Interview COA candidate)

**SUDBURY SELECT BOARD**

Tuesday, May 30, 2023

MISCELLANEOUS (UNTIMED)**9: Legislative update with Sen Eldridge and Rep Gentile****REQUESTOR SECTION**

Date of request:

Requestor: Chair Russo

Formal Title: Meet with Senator James B. Eldridge and Representative Carmine L. Gentile for annual legislative update with Select Board.

Recommendations/Suggested Motion/Vote: Meet with Senator James B. Eldridge and Representative Camine L. Gentile for annual legislative update with Select Board.

Background Information:

Discuss topics submitted in advance

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office Pending

Town Manager's Office Pending

Town Counsel Pending

Select Board Pending

Select Board Pending

05/30/2023 7:00 PM

SELECT BOARD SUGGESTED TOPICS FOR LEGISLATORS

5/30/23

Janie Dretler:

- MBTA Communities
- Regional water infrastructure improvements
- School bus transportation issues related to costs, staffing, fleet electrification
- Update on Bill H.2053: *An Act authorizing remote participation at town meetings in the Town of Wayland*

Lisa Kouchakdjian:

- Vocational education in Sudbury
- Transportation in Sudbury and more broadly in the Commonwealth
- ADA Transition Plan and steps the Commonwealth is taking to support municipalities in bringing its assets into compliance

Dan Carty:

- General Question: What are your legislative priorities *for Sudbury* in the coming year and why? How will Sudbury benefit from your initiatives?
- Specific question: Are the various electric bus grants out there only for municipalities or can RTA's and/or third parties (e.g. First Student, who operates our school buses) take advantage? If third parties cannot currently is there a reason why they could not or should not?

Charlie Russo:

- Could you itemize the budget earmarks and their amounts that you've requested for Sudbury?
- What is the state budget/state aid outlook? On the one hand, proposed state budgets call for increased local aid - thank you - but recent news shows a shortfall in state revenues compared to projections. What should we expect in state aid trends in the short- and medium-term?
- Can you talk about the plans and timelines around the proposal for permanent free school lunches?
- What are your priorities for how to spend the revenue gained from the new tax on incomes over \$1 million?

Jen Roberts:

Can you please share State and legislative efforts to support funding and resources for the following?

- Sustainability initiatives (including getting closer to net zero). Please include updates on plastic bag bills S.477 and H.774.
- Local Transportation

**SUDBURY SELECT BOARD**

Tuesday, May 30, 2023

MISCELLANEOUS (UNTIMED)**10: Discussion on remote policy and hybrid meetings****REQUESTOR SECTION**

Date of request:

Requested by: Patty Golden

Formal Title: Discussion on remote policy and discussion on hybrid and in-person meetings.

Recommendations/Suggested Motion/Vote:

Background Information:

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

05/30/2023 7:00 PM

From: [Dretler, Janie](#)
To: [Sheehan, Andy](#)
Cc: [Golden, Patricia](#)
Subject: Proposed dates for Zoom only / hybrid meetings - Summer meetings
Date: Tuesday, May 23, 2023 7:01:03 PM

Hi Andy,

The following are proposed dates for **Zoom only** and **hybrid** meetings this summer:

June 13 - **Zoom only**

June 27 - **Zoom only**

July 11 - **Zoom only**

July 25 - **Hybrid**

August 15 - **Zoom only**

August 29 - **Hybrid**

Other

Goal setting (date TBD) - **In person?**

Town Forum (date TBD) - **In person? Hybrid?**

Please let me know if you have any questions.

Thank you.

Janie Dretler
 Sudbury Select Board
 Pronouns: she/her/hers ([Why pronouns?](#))

The Secretary of State's office has determined that most e-mails to and from municipal offices and officials are public records. Consequently, confidentiality should not be expected.

From: Brian Riley <BRiley@k-plaw.com>

Date: April 21, 2023 at 4:32:53 PM EDT

Subject: RE: Review/Update of Remote Participation Policy

1. Particularly now, where fully remote meetings are allowed, I would day there is on need to refer to why a member is attending remotely. Moreover, under the current AG regulations, it states that the member should inform the chair they need to be remote and “the facts supporting his request” [“being unreasonably difficult” should be good enough], but it also states that the chair shall announce who is attending remotely and that shall be put in the minutes – it does not require a statement as to why. So you are correct, it is not necessary at the meeting to say why the member is remote.
2. I have no problem with your changes here – that was just my example, but totally up to the Board whether you want to encourage in-person meetings, particularly over the next two years.

Brian W. Riley, Esq.

KP | LAW

101 Arch Street, 12th Floor

Boston, MA 02110

O: (617) 654 1722

F: (617) 654 1735

C: (617) 909 9084

briley@k-plaw.com

www.k-plaw.com

Policy on Remote Participation

PURPOSE STATEMENT

The Office of the Attorney General amended the Open Meeting Law regulations at 940 CMR 29.00 to allow members of public bodies, in limited circumstances, to participate remotely in meetings. While all members of Town Boards and Committees should try to attend meetings in person, the new regulations seek to promote greater participation in government meetings by allowing members to participate remotely when certain specific circumstances prevent them from being physically present.

The intent of this policy is to establish clear guidelines on the practice of remote participation by Town Boards and Committees under the Open Meeting Law, M.G.L. c.30A, §§18-25. While the Select Board urges boards and committees to meet in person when practicable, the Board also notes that the General Court's temporary revisions to the Open Meeting Law, including the recent extension to March 31, 2025 in Chapter 2 of the Acts of 2023, authorizes a board to conduct a meeting remotely or in a "hybrid" format, provided that the public is provided adequate alternative means of access to the meeting.

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ENABLING AUTHORITY- 940 CMR 29.10(8)

A municipality may adopt a policy that prohibits or further restricts the use of remote participation by public bodies within its jurisdiction.

ADOPTION OF REMOTE PARTICIPATION

In accordance with 940 CMR 29.10(2)(a), the Select Board, on December 15, 2015, voted to authorize the adoption of 940 CMR 29.10 so that remote participation is permitted in the Town. In accordance with 940 CMR 29.10(3), the Select Board may revoke its adoption of 940 CMR 29.10 by simple majority vote at any time.

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This policy and 940 CMR 29.10 shall apply to all Town boards, committees, commissions, sub-committees and other public bodies regardless of whether such public bodies are appointed or elected. Where the Remote Participation Policy is more stringent than 940 CMR 29.10, the Policy shall control.

MINIMUM REQUIREMENTS FOR REMOTE PARTICIPATION

Members of the public body who participate remotely and all persons present at the meeting location shall be clearly audible to each other.

A quorum of the body, including the chair or, in the chair's absence, the person authorized to chair the meeting, shall be physically present at the meeting location, as required by M.G.L. c.30A, §20(d).

Members of the public body who participate remotely must have access to the same materials being used at the meeting location.

Members of public bodies who participate remotely may vote and shall not be deemed absent for the purposes of Article III, Section 8 of the Town General By-laws and M.G.L. c. 39, §23D.

Section 23D (a): Notwithstanding any general or special law to the contrary, upon municipal acceptance of this section for 1 or more types of adjudicatory hearings, a member of any municipal board,

committee or commission when holding an adjudicatory hearing shall not be disqualified from voting in the matter solely due to that member's absence from no more than a single session of the hearing at which testimony or other evidence is received. Before any such vote, the member shall certify in writing that he has examined all evidence received at the missed session, which evidence shall include an audio or video recording of the missed session or a transcript thereof. The written certification shall be part of the record of the hearing. Nothing in this section shall change, replace, negate or otherwise supersede applicable quorum requirements.

PERMISSIBLE REASONS FOR REMOTE PARTICIPATION

It is the express desire of the Select Board that remote participation in meetings be an infrequent event, for both individual board members and Town Boards and Committees as a whole. Chairs of public bodies are encouraged to interpret these rules in a strict fashion and to continue to induce all members to attend meetings in person as a general rule, due to the inherent benefits of physical presence in a meeting.

A Board member may attend a meeting through electronic conferencing if only if their physical presence at the meeting would be unreasonably difficult.

Due consideration should be given regarding associate members on Boards and Committees, Associate members should be utilized in the absence of members of Boards and Committees when deemed appropriate by the chair. Any determination by the person chairing the meeting to allow or not to allow remote participation shall be final and shall not be appealable.

The Commission on Disability may by majority vote of the commissioners at a regular meeting authorize remote participation applicable to a specific meeting or generally to all of the commission's meetings. If the Commission on Disability utilizes remote participation, a physical quorum of that commission's members shall not be required to be present at the meeting location; provided, however, that the chair or, in the chair's absence, the person authorized to chair the meeting, shall be physically present at the meeting location. The commission shall comply with all other requirements of law and this policy.

ACCEPTABLE METHODS OF REMOTE PARTICIPATION

The following media are acceptable methods for remote participation. Remote participation by any other means is not permitted. Accommodations shall be made for any public body member who requires TTY service, video relay service, or other form of adaptive communications.

- i. Telephone, internet, or satellite enabled audio or video conferencing.
- ii. Any other technology that enables the remote participant and all persons present at the meeting location to be clearly audible and, if possible, clearly visible to all persons present at the meeting location.
- iii. If technical difficulties arise as a result of utilizing remote participation, the chair should suspend discussion while reasonable efforts are made to correct any problem that interferes with remote participant's ability to hear or be heard clearly by all persons at the meeting location. If technical difficulties result in a remote participant being disconnected from the meeting, that fact and the time at which the disconnection occurred and subsequent reconnection if achieved

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shall be noted in the meeting minutes. If a public hearing occurs after disconnection, the member shall be noted as absent.

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PROCEDURES FOR REMOTE PARTICIPATION

Any member of a public body who wishes to participate remotely shall, at least 48 hours or as soon as reasonably possible prior to the meeting, notify the chair or person chairing the meeting of their desire to do so and the reason for and facts supporting his or her request.

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- i. If the chair approves the request for remote participation, they shall make any necessary arrangements with appropriate Town personnel to ensure that the required equipment is available and, to the greatest extent practical, provide access to all meeting materials. THE TOWN DOES NOT GUARANTEE AVAILABILITY OF REQUIRED EQUIPMENT AT ANY PARTICULAR TIME OR LOCATION.

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- ii. At the start of the meeting, the chair shall announce the name of any member who will be participating remotely and the reason for their remote participation. This information shall also be recorded in the meeting minutes.

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- iii. All votes taken during any meeting in which a member participates remotely shall be by roll call vote. Members may participate remotely even if they are not qualified to vote.

Commented [BR2]: Is this to include alternates that are not formally sitting on the matter? I would just note that as a comment, not the policy) that if a member is recusing themselves due to a potential conflict of interest, they should not participate in the discussion or vote.

- iv. Remote participants shall preserve the confidentiality of the executive session (where applicable). The remote participant shall state at the start of any such session that no other person is present and/or able to hear the discussion at the remote location, unless presence of that person is approved by simple majority vote of the public body, and that the session is not being remotely recorded by any device.

- v. The Town shall not be responsible for the reimbursement of any out-of-pocket costs associated with the remote participation of Board members.

- vi. Members participating remotely are cautioned that the same obligations of consideration apply as in any physical meeting. Remote participants should direct all their attention to the meeting and should make their decisions based upon the same information as is available to all the other participants in the meeting. The remote participant shall also state at the beginning of any meeting that no other person is in proximity who could exert undue influence on the participant, in either executive or public session, and shall inform the chair if that situation changes.

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- vii. The chair of any committee which has agreed to allow remote participation shall provide to the Select Board, no later than June 30 and December 31 of each year, a report that indicates the date(s) of any meetings for which remote participation was requested, the name(s) of individuals making the request, the determination of the chair for each request, and a summary of any logistical, technical and compliance issues related to remote participation.

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viii. A quorum of any committee, commission, or board must be in-person, including the member serving as chair for the meeting and/or hearing. ↓

ix.

- x. Remote participants shall not operate a motor vehicle or otherwise jeopardize personal or public safety while participating in a meeting.

(Approved 12/15/2015)

Deleted: Remote participation shall be limited to member per scheduled meeting.

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**SUDBURY SELECT BOARD**

Tuesday, May 30, 2023

MISCELLANEOUS (UNTIMED)**11: Liaison Assignments 2023-2024****REQUESTOR SECTION**

Date of request:

Requestor: Chair Dretler

Formal Title: Discussion and possible vote on Liaison Assignments for 2023-2024.

Recommendations/Suggested Motion/Vote: Discussion and possible vote on Liaison Assignments for 2023-2024.

Background Information:

Attached is 2022 list

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office Pending

Town Manager's Office Pending

Town Counsel Pending

Select Board Pending

Select Board Pending

05/30/2023 7:00 PM

**SUDBURY SELECT BOARD
LIAISON AND COMMITTEE ASSIGNMENTS
2022-2023**

Select Board Chair Russo	Select Board Vice-Chair Dretler	Select Board Member Carty	Select Board Member Kouchakdjian	Select Board Member Roberts
Agricultural Commission	Board of Health	Board of Assessors	Permanent Building Committee	Board of Health
Design Review Board	Capital Improvement Advisory Committee (CIAC)	Goodnow Library Trustees	L-S Regional High School	Chamber of Commerce
Earth Removal Board	Memorial Day Parade Committee	Planning Board	Conservation Committee	Commission on Disability
Land Acquisition Review Committee	Park and Recreation Commission	Sudbury Public Schools Committee	Historical Commission	Council on Aging
Medical Reserve Corp	Sudbury Public Schools	Sudbury Water District	Historical Districts Commission	Finance Committee
Planning Board	Bruce Freeman Rail Trail Advisory Task Force		Sudbury Housing Authority	Energy and Sustainability Committee
Zoning Board (ZBA)				Diversity, Equity, and Inclusion Commission
Cultural Council				
Town Manager/Town Departments				
Town Moderator				
Lincoln Board of Selectmen				
Ponds and Waterways				
Town Historian				
Finance Committee				
MEMBER OF COMMITTEE(S):				
9/11 Memorial Garden Committee	M.A.G.I.C.	M.B.T.A.	Military Support Network	Community Preservation Committee (CPC)
Community Emergency Response Team (CERT)	Sudbury Housing Trust	Transportation Committee		



SUDBURY SELECT BOARD

Tuesday, May 30, 2023

MISCELLANEOUS (UNTIMED)**12: Housing Production Plan Working Group****REQUESTOR SECTION**

Date of request:

Requestor: Ryan Poteat CPC Coordinator

Formal Title: Discussion and vote whether to create/appoint a Housing Production Plan Working Group consisting of membership to assist in updating the Town of Sudbury's Housing Production Plan.

Recommendations/Suggested Motion/Vote: Discussion and vote whether to create/appoint a Housing Production Plan Working Group consisting of the following membership to assist in updating the Town of Sudbury's Housing Production Plan:

- Select Board Member - TBD: Needs a Select Board designee.
- Planning Board Member - Julie Zelsermyer Perlman
- Housing Trust Member - John Riordan
- Sudbury Housing Authority Member - Amy Lepak
- Diversity, Equity, & Inclusion Committee Member - Nnenna Uneke
- Council on Aging Member - Jeff Levine
- Zoning Board of Appeals Member - Frank Riepe
- **At Large Member appointed by Select Board - TBD: 2 applicants to consider - Kathleen Precourt and Jessica Cerullo Merrill**

Background Information:

The Planning & Community Development Department is commencing the process to update the Town's Housing Production Plan which expired in April of 2021 (last version was completed in April of 2016). The Planning & Community Development Department has had discussions with the Regional Housing Services Office, and formulated a plan and rough timeline to get the process moving. As part of this, the Planning & Community Development Department currently has a Request for Proposals (RFP) out to bring on a consultant to assist the Town and the Regional Housing Services Office with the community engagement services portion of the process to update the Housing Production Plan. Town staff is hopeful the data collection and public outreach to update this plan can be completed early 2024. The consulting work for this plan update process is being paid for using funds appropriated at the May 2021 Annual Town Meeting, utilizing Regional Housing Services Office consulting hours and Planning & Community Development Department operating funds.

Financial impact expected: The consulting work to update the Housing Production Plan is being paid for using Regional Housing Services Office consulting hours, funds from the and funds appropriated at the May 2021 Annual Town Meeting.

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

05/30/2023 7:00 PM

DRAFT Housing Production Plan Working Group Charge

May 30, 2023

Purpose

The purpose of the Housing Production Plan Working Group (HPPWG or Working Group) is to oversee the process of working with Town staff and the Town's housing consultant to evaluate affordable housing needs, goals, and strategies, and to draft a recommended housing production plan for affordable housing that will be adopted by the Planning Board and the Select Board for submission to the Massachusetts Department of Housing and Community Development of (DHCD).

Background

The Housing Production Plan (HPP), as defined in State regulations and administered by the Massachusetts Department of Housing and Community Development (DHCD), is a proactive strategy for planning and developing affordable housing. The HPP identifies housing needs in the community and the goals and strategies the Town will use to identify and achieve or maintain the 10% threshold mandated by M.G.L. Chapter 40B. The Town's status related to this 10% threshold is documented on the Subsidized Housing Inventory, also administered by DHCD. Housing Production Plans can create a "safe harbor" for a community. When a municipality has a certified HPP, decisions on comprehensive permit applications by the Zoning Board of Appeals to deny or approve with conditions will be deemed "consistent with local needs" under M.G.L. Chapter 40B.

Duties and Responsibilities

The Working Group will work with Town staff and the Town's housing consultants to draft and review the housing production plan for submission to the Department of Housing and Community Development for approval and certification. This plan will be an update to the Town's current Housing Production Plan dated June 28, 2016, which expired in 2021. The Working Group will:

- Become familiar with the issues and concerns surrounding development of affordable housing in Sudbury.
- Help solicit robust public input about creating and expanding affordable housing opportunities in the community.
- Help identify constraints and limitations as well as opportunities for affordable housing.
- Engage existing affordable housing groups in the discussion to insure a good understanding of authority and resources of existing and new affordable housing options (i.e., Sudbury Housing Trust & Sudbury Housing Authority).
- Engage other Town boards and committees to understand potential impacts of affordable housing options.
- Participate in development of the community survey and materials, draft plan, goals and strategies and other project materials.

- Upon completion of the initial draft Housing Production Plan meet with the Planning Board and Select Board to discuss findings and recommendations and incorporate feedback from these boards, which will be incorporated into the final Housing Production Plan for adoption by the Planning Board and Select Board.
- Endorse the final Housing Production Plan for submission to the Massachusetts Department of Housing and Community Development in 2023.

Other Considerations

The Working Group is responsible for conducting its activities in a manner which is compliant with all relevant State and local laws and regulations, including but not limited to, the Open Meeting Law, Public Records Law and Conflict of Interest Law. The Committee shall consult with the Town Manager concerning the allocation of Town staff or financial resources toward this effort.

Membership

The Working Group shall be comprised of nine (9) members. The term of office for each position shall be for up to one (1) year unless the term is extended by vote of the Select Board. The membership shall be as follows:

- One (1) member of the Select Board
- One (1) member of the Planning Board
- One (1) member of the Housing Trust
- One (1) member of the Sudbury Housing Authority
- One (1) member of the Diversity, Equity, & Inclusion Committee
- One (1) member of the Council on Aging
- One (1) member of the Commission on Disability
- One (1) member of the Zoning Board of Appeals
- One (1) member At Large

Application Form**Profile**

Kathleen

First Name

Middle Initial

Precourt

Last Name

kprecourt@gmail.com

Email Address

63 Harness Lane

Home Address

Suite or Apt

Sudbury

City

MA

State

01776

Postal Code

Home: (978) 815-5825

Primary Phone

Alternate Phone

Which Boards would you like to apply for?

None Selected

Sudbury Residency**# Years Lived in Sudbury**

30

Interests & Experiences

Please tell us about yourself and why you want to serve.

Why are you interested in serving on this board or commission?

Housing Production Plan Working Group

Please describe your experience pertinent to this board/committee.

Interest, knowledge of Sudbury

Do you have previous municipal experience? If so, in what capacity have you served?

FnCom, School Committee, Original Town Manager Committee

What is your educational background?

Unv of Maine, Sociology BA

Retired ☺

Employer

Job Title

Upload a Resume

Availability

When are you available to attend board/committee meetings? (Please select all that apply) *

- ☒ Weekday Mornings
☒ Weekday Evenings

Town Interest

Do you or any member of your family have any business dealings with the Town? If yes, please explain.

Precourt Stone

Signature Confirmation

Check below to indicate that you have read, understand and agree to the following statement:

I agree that if appointed, I will work toward furtherance of the committee's mission statement; and further, I agree that I will conduct my committee activities in a manner which is compliant with all relevant State and Local laws and regulations, including but not limited to the Open Meeting Law, Public Records Law, Conflict of Interest Law, Email Policy and the Code of Conduct for Town Committees.

☒ I Agree

Fill in your name below to confirm: I hereby submit my application for consideration for appointment to the Board(s) or Commission(s) indicated above.

Kathleen Precourt

Application Form**Profile**

Jessica

First Name

Cerullo

Middle Initial

Last Name

jessica.cerullo@gmail.com

Email Address

14 Basswood Ave.

Home Address

Suite or Apt

Sudbury

City

MA

State

01776

Postal Code

Home: (781) 789-9358

Primary Phone

Alternate Phone

Which Boards would you like to apply for?

Sudbury Housing Trust: Appointed

Sudbury Residency**# Years Lived in Sudbury**

5 years

Interests & Experiences

Please tell us about yourself and why you want to serve.

Why are you interested in serving on this board or commission?

I am interested in serving on the Housing Production Plan Working Group because I believe it is important for Sudbury to ensure there is housing available at all price points for existing and new residents. I think we need to be proactive in how we think about housing as a community because the lack of affordable housing impacts individuals and families and the over production of large expensive housing on large lots is not an approach that serves our changing climate. I think there is an opportunity to diversify our housing stock and think differently about planning to ensure Sudbury is a productive and human community in the Commonwealth.

Please describe your experience pertinent to this board/committee.

- Active volunteer for the past 24 years, since I could drive I have prioritized volunteering and understand the importance of showing up fully and contributing thoughtfully to these commitments - Effective advocate for the past 10 years, in a professional capacity I have advise pharmaceutical companies on how to partner with advocacy organizations in order to advance medicines development with the interested and needs of patients and care partners top of mind.

Do you have previous municipal experience? If so, in what capacity have you served?

I have served on the Sudbury Housing Trust for 4 months

What is your educational background?

See resume uploaded

JPA Health

Employer

Senior Vice President, Patient
Advocacy

Job Title

[Jessica Cerullo Merrill -
Resume_2022.pdf](#)

Upload a Resume

Availability

When are you available to attend board/committee meetings? (Please select all that apply) *

- ☒ Weekday Mornings
- ☒ Weekday Evenings
- ☒ Weekends

Town Interest

Do you or any member of your family have any business dealings with the Town? If yes, please explain.

No

Signature Confirmation

Check below to indicate that you have read, understand and agree to the following statement:

I agree that if appointed, I will work toward furtherance of the committee's mission statement; and further, I agree that I will conduct my committee activities in a manner which is compliant with all relevant State and Local laws and regulations, including but not limited to the Open Meeting Law, Public Records Law, Conflict of Interest Law, Email Policy and the Code of Conduct for Town Committees.

☒ I Agree

Fill in your name below to confirm: I hereby submit my application for consideration for appointment to the Board(s) or Commission(s) indicated above.

Jessica Cerullo Merrill

Jessica Cerullo Merrill
14 Basswood Avenue Sudbury, MA 01776
jessica.cerullo@gmail.com (781)789-9358

SUMMARY OF PROFESSIONAL EXPERIENCE

Advocacy professional committed to engaging and elevating the voice of advocates, patients, and care partners to inform and impact medicines development. Demonstrated ability to initiate and build mutually beneficial relationships between the life sciences industry and patient advocacy organizations. Consummate optimist with an ability to thoughtfully navigate relationships and work settings. Well-spoken and gracious professional able to interact with clients and co-workers of all levels.

<u>PROFESSIONAL EXPERIENCE</u>	
VOZ Advisors	New York, NY
<i>Vice President, Client Services</i>	<i>Jan 2020 – present</i>
<ul style="list-style-type: none"> • Build strong trusting relationships with clients by providing valuable, solution-focused counsel as well as advise and communicate with clients' cross-functional colleagues including but not limited to research and development, marketing, medical affairs, and public relations. Have maintained and developed large client relationships through internal and external team transitions. • Cultivate a network of relationships with patient advocacy organizations to inform strategies and initiatives founded on mutually beneficial needs of industry and key external stakeholders. • Serve as team leader for complex projects, typically of a large budget and guide Directors responsible for large projects and multiple workstreams. • Engage in business development activities to grow existing business and secure new clients in support of individual and firm financial goals. Achieved personal business development goals year after year. • Create and present proposals as well as establish, negotiate, and monitor budgets to support profitable implementation of projects. • Serve on leadership team. In collaboration with colleagues, develop and implement strategic plan and provide direction for team members, including assigning and monitoring work, hiring, training, motivating, and evaluating performance. • Demonstrate VOZ's thought leadership at key meetings, conferences, and other forums. 	
<i>Director, Client Services</i>	<i>Nov 2018 – Dec 2019</i>
<ul style="list-style-type: none"> • Delivered high quality client service through the creation of patient advocacy organization relations strategies consistent with clients' short- and long-term objectives and the management of project teams across multiple workstreams in line with timelines and budgets. • Served as project lead and primary contact for clients; providing counsel to clients on range of healthcare topics and engaged Vice President in client work at appropriate times, ensuring thoughtful use of internal and external resources. • Facilitated multi-stakeholder meetings; organized, attended, and facilitated project meetings and teleconferences with clients and advocacy partners. • Developed proposals and budgets; responsible for negotiating and monitoring large budgets; and for final project deliverables and project profitability. • Responsible for six figure individual financial goal and developing new business through upselling and new clients. • Served manager and mentor to staff and encouraged professional and personal development. • Assumed leadership role in planning internal meetings and activities; contributed to the growth of the business through content knowledge and ideas for innovation. 	
MK&A (rebranded to VOZ Advisors, Inc.)	New York, NY
<i>Senior associate</i>	<i>Oct 2016 – Nov 2018</i>

<ul style="list-style-type: none"> • Implemented advocacy engagement strategies that align with client's short- and long-term business objectives • Collaborated with Project Leads to advise clients on a broad range of issues related to advocacy engagement in priority therapeutic areas • Managed multiple client teams servicing up to ten individual client projects. • Distinguished record of delivering client projects on time and on budget. • Managed and mentored three staff members – providing guidance on career development, strengthening client interfacing skills and identifying growth opportunities. • Generated and presented new business ideas to current and potential clients. • Managed small internal projects in coordination with leadership team to support operational excellence and firm growth. 	
<i>Associate</i>	<i>May 2014 – Oct 2016</i>
<ul style="list-style-type: none"> • Drove successful firm rebranding and managed launch of website, blog, Twitter, and LinkedIn. • Planned and executed highly visible recognition program that triple size from year one to year two. • Supported development of advocacy strategies that allowed industry to engage patient advocacy organizations in alignment with business objectives. • Created concept and content for client hosted patient advocate and health care professional advisory boards in oncology and rare disease. • Assisted in hiring process by interviewing prospective junior associates 	
<i>Junior Associate</i>	<i>May 2013 – May 2014</i>
<ul style="list-style-type: none"> • Designed, planned, and managed patient and patient advocate focused webinars addressing topics such as disease education, clinical research updates, policy briefings. • Consulted on the development of patient friendly education material and communications. • Facilitated relationship building between industry and patients advocates as well as health care providers and patient advocates. • Managed communications and annual meetings of disease specific patient advocate coalition. 	
GLOBAL STRATEGY GROUP	New York, NY
<i>Administrative Assistant to Communications, Consulting and Research Practices Leaders</i>	<i>Oct 2011 – April 2013</i>
<ul style="list-style-type: none"> • Conducted media searches and compiled clips package daily for clients such as United Way of New York City, created and maintained press lists, as well as maintained petition signers' databases for grassroots clients • Coordinated schedules and provided organizational support to four practice leaders in a fast-paced consulting environment • Worked with Vice President of Marketing and External Relations in coordination of outreach to professional organizations, registration of staff memberships to professional organizations as well as collection and management of industry conference data in support of varied marketing and public relations initiatives • Supported the building and maintenance of a content library for internal and external use • Organized and managed annual charitable giving and volunteer efforts around the holidays for New York office as well as three regional offices 	
O'NEILL AND ASSOCIATES	Boston, MA
<i>Government Relations Intern</i>	<i>Sept 2010 – May 2011</i>
<ul style="list-style-type: none"> • Performed research in government affairs, community affairs, and current events • Compiled research into documents and memos for internal and external use • Aided in community outreach through phone calls and mailings 	

<ul style="list-style-type: none"> • Drafted letter from Massachusetts House Delegation to Special Olympics Inc. • Reviewed documents and bills for compliance with current general law • Researched and authored fact sheets for clients and community outreach • Researched the work of emerging technologies companies from the MIT 2010 conference to discern policy needs on the state and federal level for the Vice Chairman and Vice President. 	
<u>EDUCATION</u>	
Suffolk University	Boston, MA
<i>Master of Science in Ethics and Public Policy, 2010</i>	
<ul style="list-style-type: none"> • Relevant Courses: Policy Analysis and Program Evaluation, and Legislative Process 	
Boston University	Boston, MA
<i>Bachelor of Science in Rehabilitation and Health Services, 2006</i>	
<ul style="list-style-type: none"> • Community Service Center Member, Fall 2002–Spring 2004 	
<u>VOLUNTEER EXPERIENCE</u>	
The Rare Disease Diversity Coalition	United States
<ul style="list-style-type: none"> • Patient and caregiver working group member 	Jan 2022 – present
Budget Buddies	Massachusetts
<ul style="list-style-type: none"> • Peer to peer financial literacy coach 	Jan 2021 – Jan 2022
Hyde Leadership Charter School Young Professionals	New York, NY
<ul style="list-style-type: none"> • Committee member 	Oct 2012 – Oct 2017
<ul style="list-style-type: none"> • Committee Co-chair <p>Co-led young professionals committee to achieve fundraising goal of \$10,000 and volunteer time of 100 hours</p>	Oct 2013 – Oct 2015
<u>SKILLS</u>	
<p>Strong proficiency with Microsoft Outlook, Excel, Word, and PowerPoint</p> <p>Proficient with Apple products as well as Paprika, QuickBase, Salesforce and ZINC software</p>	

**SUDBURY SELECT BOARD**

Tuesday, May 30, 2023

MISCELLANEOUS (UNTIMED)**13: Discussion on business & economic committee****REQUESTOR SECTION**

Date of request:

Requestor: Vice Chair Lisa Kouchakdjian

Formal Title: Discussion on business & economic committee

Recommendations/Suggested Motion/Vote:

Background Information:

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

05/30/2023 7:00 PM

**SUDBURY SELECT BOARD**

Tuesday, May 30, 2023

MISCELLANEOUS (UNTIMED)**14: Spring 2023 Select Board Newsletter Articles Approval****REQUESTOR SECTION**

Date of request:

Requested by: Leila S. Frank

Formal Title: Review the Select Board Spring 2023 Newsletter articles and approve for distribution.

Recommendations/Suggested Motion/Vote:

Background Information:

Draft newsletter attached.

Financial impact expected:N/A

Approximate agenda time requested: 10 minutes

Representative(s) expected to attend meeting:

Review:

Select Board Office Pending

Town Manager's Office Pending

Town Counsel Pending

Select Board Pending

Select Board Pending

05/30/2023 7:00 PM

FROM THE SELECT BOARD

Spring 2023

Town of Sudbury

Introducing Health Director Vivian Zeng

BY JANIE DRETHER, SELECT BOARD

I am pleased to introduce Vivian Zeng, Sudbury's new Health Director. Vivian joins us from the Town of Wellesley's Health Department where she served as Senior Environmental Health Specialist. Vivian was kind enough to find time in her busy schedule to respond to a few questions.

Please tell us about your background and why you chose to join Sudbury's Health Department as its Health Director.

As the new Health Director of Sudbury's Health Department, I am excited to be part of a community that prioritizes the health and well-being of its residents. Sudbury's proactive approach to public health is what initially drew me to this position. With a decade of experience in local public health, I have a solid foundation in regulatory enforcement, multi-stakeholder collaboration, health education, and emergency response.

In my previous role as the Senior Environmental Health Specialist in the neighboring town of Wellesley, I gained extensive experience in addressing public health and environmental health concerns. I oversaw inspectors and managed large developments with plan reviews, which provided me with an understanding of the importance of both enforcement and education to achieve prolonged



compliance. Collaborating with business owners and developers was a crucial part of my role, and it's a skill that I will bring to my work here in Sudbury.

I am committed to building relationships, creative problem-solving, and effective communication. With my expertise, I will ensure that public health standards are met, and environmental health risks are managed. I look forward to working with the Sudbury community to build a healthier and more resilient community for all residents.

How will your background in environmental health be utilized in Sudbury?

In Sudbury, I believe my background in environmental health will be extremely valuable. In Wellesley, in addition to

Introducing Health Director Vivian Zeng, Cont. I

managing the COVID emergency response, several emerging environmental health issues needed simultaneous addressing. Some of these included PFAS water treatment planning, 5G cellular tower network rollouts, and new Delta 8 vaping products. These newer environmental health concerns permeate town boundaries, and will need to be addressed here in Sudbury as well. I have experience directing community interest groups and multi-departmental efforts on these issues, and I understand how each topic is a piece to the puzzle for a healthy community for all residents, visitors, and business owners.

Additionally, as an active Executive Board Member of the Massachusetts Environmental Health Association (MEHA), I have coordinated continuing education seminars on the latest environmental health issues, which will enable me to stay up-to-date on emerging concerns and bring that knowledge to Sudbury.

Do you see similarities/differences in the issues facing Sudbury compared with your prior community?

In terms of similarities and differences between Sudbury and my prior community of Wellesley, both towns share common social determinants of public health. These determinants encompass factors such as access to healthcare, socioeconomic status, education, and environmental conditions.

Overall, both the Wellesley Health Department and the Sudbury Health Department prioritize the health and well-being of their communities through strong partnerships, mental health support, and a commitment to health equity. For example, both health departments are committed to health equity and have mechanisms in place to address it. In Sudbury, there is HOPE Sudbury funding for health equity initiatives. I was excited to see that in

addition to strong flu clinic programming offered by public health nurses, both health departments also have advanced social worker networks led by Licensed Independent Clinical Social Workers (LICSWs). Having social workers in the health department demonstrates a commitment to the community's mental health, especially for the underserved age group between 18 and 60, that often falls into a vacuum of mental health resources. Most health departments do not have social workers, let alone a social worker with the highest license.

Sudbury and Wellesley may face similar challenges related to health disparities, community engagement, and resource allocation. Understanding these similarities and differences will enable me to leverage my prior experience and tailor public health strategies to the specific needs of Sudbury.

What are some of your goals for Sudbury's Health Department?

As the Health Director, I have several goals in mind. First and foremost, I aim to prioritize the health and well-being of Sudbury's residents by implementing evidence-based policies and programs. This includes enhancing community partnerships, fostering collaboration between various departments, and engaging stakeholders in decision-making processes. Given the pandemic response and recovery in the last few years, there is a need to refocus on newer environmental health issues. These can be addressed by modernizing certain local regulations. Some of the local environmental health codes that need review include body art, tobacco and septic designs. Many of these specific fields have evolved beyond what current local regulations can effectively and fairly address.

Introducing Health Director Vivian Zeng, Cont. 2

Working with the public health nurse, I plan to implement proactive health promotion initiatives to encourage healthy lifestyles and prevent chronic diseases. Key to this would be health education initiatives promoting awareness and prevention of prevalent health issues such as the face of new tobacco and substance abuse.

Leveraging the department's social worker network, I plan to improve access to health resources, particularly for underserved populations, through targeted interventions and partnerships with local providers. Furthermore, with my experience and perspective from a similar community, I will work towards partnering with the Town's public safety departments to strengthen the Town's emergency preparedness and response capabilities to effectively manage public health crises.

Finally, I plan to enhance data collection and analysis to inform evidence-based decision-making and measure the impact of public health programs. This goal will largely be driven by launching an electronic permitting platform that will allow for transparency to the public in a developing digital age.

Do you see any challenges that the Town will need to address in the near and far term?

Looking ahead, Sudbury faces several challenges in the near and far term that require strategic action to ensure a healthy and resilient community. Adapting to changing demographics and population growth is one challenge that may require adjusting health services to meet the evolving needs of the community.

Another challenge is mitigating the impact of climate change and associated environmental health risks, such as extreme weather events and vector-borne diseases. Addressing these risks is critical for protecting public health and promoting community resilience.

In addition, Sudbury must address health disparities and ensure access to health resources for all residents. This will be key for promoting health equity and ensuring that everyone in the community has the opportunity to thrive.

Sudbury must remain prepared to respond to emerging public health issues, such as infectious disease outbreaks or new health threats. Ongoing vigilance with public health and mental health messaging, as well as preparedness, is essential in the COVID-19 recovery and for future public health challenges.

By proactively addressing these challenges, Sudbury can build a healthier community for all its residents. Sudbury should take advantage of opportunities to collaborate with community partners, regional stakeholders, and experts via shared services to develop innovative solutions and build a more sustainable future.

Parting words...

In parting, I am thrilled to be leading Sudbury's Health Department and work alongside dedicated professionals and community members to promote the health and well-being of Sudbury's residents. I am committed to transparency, collaboration, and innovation in addressing public health challenges, and I look forward to making a positive impact in Sudbury.

Citizen Police Academy

BY DAN CARTY, SELECT BOARD

I recently had the pleasure of meeting with Police Chief Scott Nix and Lieutenant Wayne Shurling to talk about Citizen Police Academy sessions hosted by the Sudbury Police Department. Started in 2019, the program offers residents the opportunity to gain insights on how law enforcement works by providing hands-on experiences. "We see this as an opportunity to build relationships and community engagement. Our hope is that we may allow people to gain insight into what we do by having them go through realistic exercises. We believe we have been successful with our first two sessions in that we have changed perceptions that some students may have with law enforcement, and my officers have said their views were changed too," said Chief Nix. Lieutenant Shurling added "The sessions have certainly provided opportunities for the students to relay to us how we can do our jobs better."

The sessions occur over 9 weeks, with the first 8 sessions covering several topics including the history of the department and the hierarchy of the various ranks, criminal and constitutional law, first aid and CPR, the role of the School Resource Officers (SROs), drug trends in schools, protective equipment, crime scene and fingerprint processing, and vehicle stop scenarios. The final week is a wrap-up and graduation celebration. Nix added that COVID-19 put the academy sessions on hold as



the interactive nature did not translate well to virtual sessions. "We have, for example, had students perform a mock vehicle stop, and have done active shooter simulations. Those types of activities just do not work over Zoom," he said. His hope going forward is to have annual sessions open to all. "In our second session, we had one student where English was their second language" said Shurling. "We translated our materials in advance and had a translator on hand to assist."

This summer, the Police Department is excited to hold their first Youth Academy. Open to all Sudbury residents currently in 6th, 7th, and 8th grades, the sessions will be run by the School Resource Officers Monday through Friday, from 8am to 4pm at the Police Department. There will be two one-week sessions: July 10 - 14 and August 7 - 11, and there is no cost to attend. Said Nix "We really want to get to know the kids and vice versa. We will give the kids a chance to learn about leadership, public speaking, team building, and physical fitness." Added Shurling "Our SROs are looking to get to know the kids better, help them build confidence and to have some fun." More information on the Youth Academy can be found here:

<https://sudbury.ma.us/police/2023/03/01/sudbury-police-youth-academy/>.

30 Years of the Commission on Disability

BY LISA KOUCHAKDJIAN, SELECT BOARD

On July 26, 1990, President George H. W. Bush signed landmark bi-partisan legislation establishing the Americans with Disabilities Act. For the first time in American history people with disabilities were provided civil rights legislation dedicated to improving their lives, removing barriers, and building a more inclusive United States of America.

On April 7, 1993, Sudbury Town Meeting embodied this spirit of inclusion. The Town voted to create its Commission on Disability (COD) by approval of Article 11 pursuant to state statute, Massachusetts General Laws Chapter 40 Section 8J. Irina Petsch, the founding COD member who spoke to our community on that day, recently shared that the atmosphere at that time was “collaborative and supportive across the entire community”. When talking about the work of the COD back then, Irina commented that “it was a team effort and that’s why things went well.”

Since its inception and over the last thirty years, the Sudbury COD has had many committed members who have worked tirelessly to improve the lives of people who are differently abled in Sudbury. In recent years, the COD has built relationships and connections with other organizations in Town through its advocacy. The COD has participated in town-wide initiatives, including the Master Plan Steering Committee and the Transportation Committee. Participating in the work of these groups has helped to raise awareness regarding the rights of people who are differently abled

and how to create a more inclusive Town of Sudbury.

In 2019, the COD supported the Town’s decision to conduct the Americans with Disabilities Act Self-Evaluation and Transition Plan with the Institute of Human Centered Design. The report, finalized in July of 2021, assessed the current level of ADA compliance in all spaces where the Town of Sudbury offers programs, services, and activities to members of the public and spaces where town employees work. Additionally, the report evaluated the Town’s policies and practices in programs and services.

The Town of Sudbury’s Combined Facilities Director Sandra Duran is playing a key role in addressing issues outlined in the Transition Plan. The Administration’s commitment to improving access and inclusion was visible at



30 Years of the Commission on Disability, Cont.

this year's Annual Town Meeting where our community supported an unprecedented number of articles devoted to addressing issues outlined in the Transition Plan. In a recent discussion with Director Duran, she shared that it is "so fulfilling to me to bring accessibility to everyone."

The COD has provided, and continues to provide, educational events that benefit and support the community. Past events include, "Creating a Welcoming Community for People with Brain Based Disabilities" with Valerie Fletcher of the Institute of Human Centered Design, and "Unlearning Ableism" with Ashley Harris Whaley. In past years, the COD celebrated Disability Awareness Month in October with its pin project. The COD's distribution of pins of the disability flag to boards, committees and commissions throughout Sudbury was very well received and supported by many in the community. That effort sought to raise awareness among the many different boards, committees, and commissions in Sudbury regarding how to improve inclusion.

During the most recent Disability Awareness Month, the COD collaborated with the Sudbury Cooperative Preschool and the Goodnow Library for "together we play," an event intended to help the community celebrate and learn about differences and how to be an ally for people with disabilities.

Moving forward, there is opportunity for the COD to continue to contribute to improving the lives of people who are differently abled in Sudbury. In a recent discussion with COD leadership, Chair Kay Bell, and Vice-Chair Cameron LaHaise, they shared information regarding the most recent events the COD has supported and future opportunities for collaboration. The COD recently teamed up with the Domestic Violence Roundtable to provide the funding for the American Sign Language interpreter for "Survivorship and Disability Panel," an event intended to highlight the intersection between domestic violence and disability. The COD has been asked to provide a member of the Commission to serve on the Housing Production Plan Working Group, and to provide an advisory member to the Diversity, Equity, and Inclusion Commission.

On May 21st, the COD celebrated its 30th Anniversary at the Goodnow Library. The COD is seeking new members. Visit the Town of Sudbury website to learn [how to apply for membership](#). Follow the COD on Facebook <https://www.facebook.com/profile.php?id=100069064184813>

Dani Marini-King: Sudbury's First Sustainability Coordinator

BY JENNIFER ROBERTS, SELECT BOARD



Attachment 14.a: SB Newsletter Section Spring 2023 (5640 : Spring 2023 Select Board Newsletter Articles Approval)

Sustainability Coordinator Dani Marini-King (second from right) holds a "No Mow May" sign at 2023 Sudbury Earth Day. From left to right: Rami Alwan and Olga Faktorovich (Energy & Sustainability Committee), Dani and Town Manager Sheeha

There have been significant developments in recent months in Sudbury's efforts to address climate change and foster sustainability. These actions stem from the Climate Action Emergency Declaration article supported at the Annual Town Meeting one year ago in May 2022.

Critical in these efforts, is the hiring of the Town's first ever Sustainability Coordinator, Dani Marini-King. Below is a Q&A with Dani where she shares her background and exciting developments about the work before her and the community.

Can you share some highlights of your background that prepared you to serve as Sustainability Coordinator in Sudbury?

Dani Marini-King, Sustainability Coordinator, Cont. I

I received my Bachelor of Science in Wildlife and Fisheries Biology from the University of Vermont. This is where my passion for protecting the environment grew and where I learned just how important it was to fight climate change. After graduating from UVM, I worked as an At-Sea Monitor on commercial fishing boats, counting the by catch that these fishing boats caught. This work helped to track fish populations in the groundfish fishery. Unfortunately, the funding for this position ended, so I took that opportunity to move my environmental work to land. I then began working for the Town of Wellesley in their Natural Resources Department. In this department, I got to see firsthand how a town could successfully fight for and implement environmental policies. Wanting to learn more about governing and planning processes, I decided to go back to school part-time to earn my Master of Science in Urban Planning and Community Development at the University of Massachusetts, Boston. Most recently, I was working as an Environmental Planner for the Central Massachusetts Regional Planning Commission (CMRPC). CMRPC is a regional planning agency in central Massachusetts, providing planning assistance to the City of Worcester and the 39 surrounding communities in Southern Worcester County. In this role, I assisted towns with developing Open Space and Recreation Plans and Hazard Mitigation Plans, utilizing the Municipal Vulnerability Preparedness program, applying for various grants and funding opportunities for climate resilience, natural resource protection, and recreation projects, and with mapping trails.

What are you the most excited about in your new role?

What excites me the most about serving as the Sustainability Coordinator in Sudbury is all of the possibility.

We are in a lucky position in our journey towards climate resilience and sustainability. We may not be leaders in the State yet, but we have the benefit of using other communities as examples as we grow and learn. There are a number of initiatives that other communities have already forged the path on, which makes our next steps easier. We can learn from the successes and failures from these other communities, and position ourselves to make a lot of ground very quickly. There is already a lot of great momentum and energy in the town as it relates to climate resilience. It's just a matter of picking and choosing which projects and which strategies to apply that energy to. And someday soon, we will be those environmental leaders that others look to.

What do you anticipate may be some of the challenges?

The biggest challenge with this kind of work is bridging the gap between those who understand that climate change is one of the biggest issues of our generation and those who don't have that sense of urgency yet. I have been fortunate to have years of environmental education and experience and have dedicated my life to this field. But not everyone is in that situation. For some, this may be the first time that they are really learning about or interacting with these ideas. In order for us to make the kind of change and progress that we are hoping for – in order to make Sudbury more resilient and sustainable – we will need the whole community to be more sustainable. So sometimes, that might mean that we have to meet people where they are at, provide tools for them to learn, and allow space for them to grow. The challenge will be finding that balance between making valuable sustainable progress, while also allowing for that space for others to grow and join our cause.

Dani Marini-King, Sustainability Coordinator, Cont. 2

What have you been working on since you started?

I am still finding my footing in Sudbury, but I have really enjoyed shadowing Sandra (Sandra Duran – Combined Facilities Director) and learning about the workings of the Town. When I first started, it was full steam ahead preparing materials for the Earth Day event. The Energy and Sustainability Committee (ESC) tabled at the event, so I helped prepare materials on who the ESC is, what the Sudbury Aggregation program is, what incentives are offered by MassSave for energy efficient home upgrades, and how to make your home more pollinator-friendly. We also launched our first No Mow May campaign, encouraging residents to not mow their lawns until after the month of May ends in order to protect our pollinator species. So far the campaign has been a big hit, and there are still some free No Mow May signs left at the Facilities Department if anyone is still looking to get one. The next big ticket items are the launch of our Climate Mobilization Action Plan and the kickoff of a Greenhouse Gas Emissions Inventory.

Can you share any high-level information about progress on Sustainability-related items recently, particularly pertaining to the Climate Emergency Declaration supported at the 2022 Town Meeting?

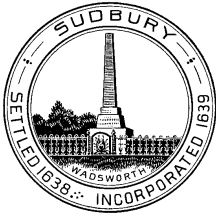
The Climate Emergency Declaration at the 2022 Town Meeting set in motion the steps for Sudbury to become a more resilient, sustainable, and environmentally conscious community. For starters, it supported funding for a Sustainability Coordinator position. With my hiring as the new Sustainability Coordinator for the Town at the end of March, we have already checked off that box. The declaration also required the Town to put together a

Climate Mobilization Action Plan with a focus on reducing our greenhouse gas emissions. The Town utilized the assistance of Andrew Blair, Harvard Graduate Student, in putting together this action plan. Andrew began working with the Town in August 2022 and met with a number of Town officials, representatives, and other local stakeholders to gather information for this plan. He recently presented the final draft of the plan to the Energy and Sustainability Committee, and we will be posting a copy of the plan on the Town website within the next week. Our next effort pertaining to the Climate Emergency Declaration is a Greenhouse Gas Emissions Inventory. This inventory will develop a baseline of where our emissions are currently at, and set a target to reduce our emissions and hopefully become a Net-Zero community. Once this GHG inventory is complete, the information will be adapted into an update of the Climate Mobilization Plan. A Request for Proposals (RFP) has been drafted for the inventory, and work should begin this summer.

Thank you to Dani for the detailed and informative responses she provided for this article. Sudbury is lucky to have her aboard to help drive momentum to foster climate resiliency and sustainability. Stay tuned for more information throughout the summer as this critical work continues to unfold.

Resources for more information:

Sudbury Facilities Department
Sudbury Energy & Sustainability Committee
Sustainable Sudbury



Town of Sudbury

Select Board Office

Flynn Building
278 Old Sudbury Rd
Sudbury, MA 01776-1843
978-639-3381
Fax: 978-443-0756

sbadmin@sudbury.ma.us

Date: November 21, 2022

To: Select Board

From: Leila Frank

Re: **2023 Municipal Update Newsletter Schedule of Deadlines**

Please see below proposed schedule for assignment, submission and approval deadlines for the Select Board's submissions to the 2023 Municipal Update Newsletter. The newsletter will be posted on the website and sent to the email subscriber list on the business day following the Board's approval when possible.

WINTER

SB Meeting to Discuss Topic Assignments- Tuesday, Jan 10

Submission Deadline- Monday, Jan 30

SB Meeting Approval- Tuesday, Feb 14

SPRING

SB Meeting to Discuss Topic Assignments- Tuesday, April 4

Submission Deadline- Monday, May 15

SB Meeting Approval- Tuesday, May 30

SUMMER

SB Meeting to Discuss Topic Assignments- Tuesday, July 11

Submission Deadline- Monday, July 31

SB Meeting Approval- Tuesday, August 15

FALL

SB Meeting to Discuss Topic Assignments- Tuesday, October 10

Submission Deadline- Monday, October 30

SB Meeting Approval- Tuesday, November 14

Previous editions of the Municipal Update Newsletter can be found here:

<https://sudbury.ma.us/municipal-updates-newsletters/>

**SUDBURY SELECT BOARD**

Tuesday, May 30, 2023

MISCELLANEOUS (UNTIMED)**15: Minutes Review****REQUESTOR SECTION**

Date of request:

Requested by: Patty Golden

Formal Title: Review and possibly approve the meeting minutes of 1/10/23, 1/23/23, and 1/24/23.

Recommendations/Suggested Motion/Vote: Review and possibly approve the meeting minutes of 1/10/23, 1/23/23, and 1/24/23.

Background Information:
attached drafts

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

05/30/2023 7:00 PM

SUDBURY SELECT BOARD

TUESDAY, JANUARY 10, 2023

(Meeting can be viewed at www.sudburytv.org)

Present: Chair Charles Russo, Vice-Chair Janie Dretler, Select Board Member Daniel Carty, Select Board Member Lisa Kouchakdjian, Select Board Member Jennifer Roberts, Interim Town Manager Maryanne Bilodeau

The statutory requirements as to notice having been compiled with, the meeting was convened at 7:01 P.M. via Zoom telecommunication mode.

Chair Russo announced the recording of the meeting and other procedural aspects included in the meeting.

Call to Order/Roll Call

Kouchakdjian-present, Roberts-present, Dretler-present, Carty-present, Russo-present

Opening Remarks by Chair

- Welcomed back everyone after the holidays
- LSRHS Superintendent community input session January 11th and 12th; information is on the Town website
- Budget season considerations
- Sewataro Operator Scott Brady is unable to be present tonight

Reports from Interim Town Manager

- Town Meeting Warrant is open; articles due Jan 31, 2023 at 4:30 PM
- Positions available for the 2023 Town Elections
- COVID Clinic on January 19 at the Senior Center; further information on the Town website

Reports from Select Board

Vice-Chair Dretler:

- LSRHS Committee is meeting tonight, and discussing community concerns related to the screening process for the Superintendent Subcommittee
- MMA conference January 20th and 21st – several Board Members will be attending
- Expressed concerns about postponing the Sewataro discussion; was prepared to have a related discussion with the Board at this meeting

Board Member Roberts:

- Hoped all had pleasant holiday and Happy New Year
- CPC met last week, and voted to move forward with six projects, discussion re: budget pressures - \$3 million in requests; more tax-funding the last couple of years
- Bill Murphy's last Board of Health meeting was today, and wished him the best; BOH spoke about next steps for replacement

- Finance Committee met last night in preparation of budget season; tomorrow she will meet regarding Capital Summit with the Finance Committee

Board Member Kouchakdjian:

- Wishing everyone a happy, healthy, and prosperous New Year
- Thanked Chair Russo and Vice-Chair Dretler for mentioning LSRHS considerations
- Library Friends and Trustees working to resolve concerns
- Looking forward to attending the MMA Conference

Board Member Carty:

- Wished all a Happy New Year
- Excited the Town received a \$15,000 grant from Department of Energy Resources – Green Community, to be used toward the purchase of a battery-based electric vehicle
- SPS Committee met last night – approved their budget which came in over proposed budget, and will proceed with an override with a related letter to the Select Board

Public Comments on items not on agenda

Resident Manish Sharma, 77 Colonial Drive, asked if a summary of meeting presentations/documents could be included on the Town website in efforts to promote transparency.

Resident and SPS teacher Carrie Lucchese, 15 Bowen Circle, shared concerns about the SPS budget and great efforts made by the school department during the COVID times. She explained that as a teacher in the library, she interacts with all students. Ms. Lucchese advocated for a school budget override to help maintain educational excellence in Sudbury.

Melissa Morabito, 6 Amy Road, Framingham, and SPS 3rd grade teacher, agreed to provide input later in the meeting and other meetings as well.

Vice-Chair Dretler suggested that those wishing to speak send emails to the Select Board Office.

Discussion and possible vote to move forward the article proposing adoption of a General Bylaw regulating the placement of small wireless facilities in public ways to the Annual Town Meeting Warrant

Present: David Maxson, Isotrope Consulting; Attorney Robin Stein, KP Law, Planning and Community Development Director Adam Duchesneau

Chair Russo read in the words of the motion. Board Member Kouchakdjian moved in the words of the Chair. Board Member Roberts seconded the motion.

It was on motion 5-0; Carty-aye, Roberts-aye, Kouchakdjian-aye, Dretler-aye, Russo-aye

VOTED: To open the public hearing for the small wireless facilities

Interim Town Manager Bilodeau presented an overview of the edited small wireless facilities documentation, with legal counsel input.

Small Wireless Facilities Subcommittee Board Members Dretler and Carty confirmed that they were ready to move forward with the Article and the Planning Board supported it.

Chair Russo said that the passing of the Article would provide a clearer pathway for wireless projects in the Town.

Board Member Kouchakdjian inquired about an associated fee schedule. Interim Town Manager Bilodeau confirmed the fee schedule would be established by the Select Board, and handled in the Select Board's Office. Attorney Stein added paragraph #21 documents that such fees would be handled in the Office of the Select Board and the Town Clerk.

Mr. Duchesneau concurred that moving the Article forward at this time would be in the Town's best interest. Chair Russo acknowledged that the Planning Board had discussed the proposed Article several times.

Resident Diana Warren, 32 Old Framingham Road, noted that she just learned about the bylaw, and stressed that she was opposed to the draft as written, and was disappointed in the process. Vice-Chair Dretler acknowledged the hearing was published and legally noticed, and there would be opportunity at Town Meeting to present further comment.

Chair Russo read in the words of the motion. Vice-Chair Dretler moved in the words of the Chair, as amended. Board Member Kouchakdjian seconded the motion, as amended.

It was on motion 5-0; Roberts-aye, Carty-aye, Kouchakdjian-aye, Dretler-aye, Russo-aye

VOTED: To close the public hearing for placement of small wireless facilities in public ways in Sudbury

Chair Russo read in the words of the motion. Vice-Chair Dretler moved in the words of the Chair, as amended. Board Member Kouchakdjian seconded the motion, as amended.

It was on motion 5-0; Roberts-aye, Carty-aye, Kouchakdjian-aye, Dretler-aye, Russo-aye

VOTED: To move forward with the Article, proposing the adoption of a general bylaw regulating the placement of the small wireless facilities in public ways to the Annual Town Meeting Warrant, and authorize the Interim Town Manager to submit the Warrant Article for the Select Board

Vote to open the public hearing to transfer all alcohol license

Chair Russo read in the words of the motion. Vice-Chair Dretler moved in the words of the Chair, as amended. Board Member Kouchakdjian seconded the motion, as amended.

It was on motion 5-0; Roberts-aye, Carty-aye, Kouchakdjian-aye, Dretler-aye, Russo-aye

VOTED: Voted to open the public hearing on the alcohol license for Riceberry, 621 Boston Post Road, Sudbury

Application of Eat Am Are, Inc., d/b/a Riceberry, 621 Boston Post Rd., Sudbury, Manager Pornphan Promnok, for a Transfer of License for the Sale of All Alcoholic Beverages, under G. L. Ch. 138, s.12, from Nala Prosperity, Inc, d/b/a Riceberry, Manager Lanlalit Soares

Present: Pornphan Promnok, Manager

Ms. Promnok provided hours of operation of the restaurant, noting there are 3 full time and 2 part-time employees, three being TIP certified.

Board Members asked related questions.

Chair Russo read in the words of the motion. Board Member Roberts moved in the words of the Chair. Vice-Chair Dretler seconded the motion.

It was on motion 5-0; Carty-aye, Dretler-aye, Roberts-aye, Kouchakdjian-aye, Russo-aye

VOTED: To approve the Transfer of License for the Sale of All Alcoholic Beverages, under G. L. Ch. 138, s.12, from Nala Prosperity, Inc, d/b/a Riceberry, Manager Lanlalit Soares. The premises proposed to be licensed (i.e., 621 Boston Post Road) is described as: one floor and three total rooms consisting of a dining room, kitchen and bathroom

Chair Russo read in the words of the motion. Board Member Roberts moved in the words of the Chair. Vice-Chair Dretler seconded the motion.

It was on motion 5-0; Carty-aye, Dretler-aye, Roberts-aye, Kouchakdjian-aye, Russo-aye

VOTED: To close the public hearing for transfer of all alcohol license for Riceberry

Discussion and vote whether to approve request of NSTAR ELECTRIC COMPANY d/b/a as EVERSOURCE ENERGY and VERIZON for the purpose of obtaining a Grant of Locations to relocate two (2) poles #2/41, #2/38A and to remove one (1) pole #2/39

Present: Christine Cosby, Eversource

Ms. Cosby provided request update, detailing that Eversource was petitioning for pole work to relocate two poles and remove one pole to accommodate intersection and road improvements. Chair Russo confirmed the proposal would help with the safe streets project in consideration of site view.

Chair Russo read in the words of the motion. Board Member Roberts moved in the words of the Chair. Vice-Chair Dretler seconded the motion.

It was on motion 5-0; Carty-aye, Dretler-aye, Roberts-aye, Kouchakdjian-aye, Russo-aye

VOTED: To approve the request of NSTAR ELECTRIC COMPANY d/b/a as EVERSOURCE ENERGY and VERIZON for the purpose of obtaining a Grant of Locations to relocate two (2) poles #2/41, #2/38A and to remove one (1) pole #2/39. This work is necessary to accommodate town road intersection improvements

Interview candidate for the Diversity Equity and Inclusion Commission (DEIC). Following interviews, vote whether to appoint Dianne Baxter for a term expiring 5/31/25

Present: Dianne Baxter, 2 East Street

Ms. Baxter stated she has done much volunteer work in Sudbury, and currently leads DEI strategy/learning incentives with various organizations.

Board Members presented related questions and thanked Ms. Baxter for her willingness to be a member of the DEIC.

Chair Russo read in the words of the motion. Board Member Kouchakdjian moved in the words of the Chair. Vice-Chair Dretler seconded the motion.

It was on motion 5-0; Carty-aye, Dretler-aye, Kouchakdjian-aye, Roberts-aye, Russo-aye

VOTED: To appoint Dianne Baxter, 2 East Street, to the Diversity Equity and Inclusion Commission (DEIC) for a term expiring 5/31/25

Town Clerk Beth Klein to provide summary of Election law update as a result of passage of the Votes Act

Present: Clerk Beth Klein

Ms. Klein presented an overview of the 2022 Votes Act, outlining:

- Voter Registration
- Vote By Mail
- Vote by Mail Application Process
- Weekend Voting Hours
- Local Election process changes

Board Members asked related questions.

Discussion and possible vote to authorize the Interim Town Manager to enter into an agreement with General Code (GC) to incorporate gender-neutral language to the Town of Sudbury Town Code by replacing Selectmen/Board of Selectmen with Select Board everywhere it appears in the Bylaws; and replacing pronouns and nomenclature everywhere they appear in the Town of Sudbury Bylaws to make them gender neutral, as requested by Town Clerk Beth Klein

Present: Clerk Beth Klein

Ms. Klein described the gender change process, and mentioned related actions in other communities making changes as well.

Board Member Carty asked if this agreement would require a vote at Town Meeting. Ms. Klein responded in the affirmative.

Chair Russo read in the words of the motion. Vice-Chair Dretler moved in the words of the Chair. Board Member Roberts seconded the motion .

It was on motion 5-0; Dretler-aye, Kouchakdjian-aye, Roberts-aye, Carty-aye, Russo-aye

VOTED: To authorize the Interim Town Manager to enter into an agreement with General Code (GC) to incorporate gender-neutral language to the Town of Sudbury Town Code by replacing Selectmen/Board of Selectmen with Select Board everywhere it appears in the Bylaws; and replacing pronouns and nomenclature everywhere they appear in the Town of Sudbury Bylaws to make them gender neutral, as requested by Town Clerk Beth Klein.

Financial Condition of the Town/look ahead status of FY24 budget

Present: Finance Director Dennis Keohane

Interim Town Manager Bilodeau presented the “2023 Financial Condition of the Town” PowerPoint slides. Given restraints, Interim Town Manager Bilodeau recommended an SPS override not be considered, and confirmed she sought to work with the new Town Manager and Mr. Keohane on FY23 in light of major capital projects.

Vice-Chair Dretler expressed concern about two Select Board Members being part of a budget-related meeting. Interim Town Manager Bilodeau mentioned that she and Chair Russo meet weekly and Board Member Carty acts as liaison to SPS. She further detailed that Andrew Sheehan knows the circumstances and will be part of such a discussion shortly. Chair Russo stated the intent of the meeting was to provide a briefing to Mr. Sheehan, and no decisions or votes were taken.

Board Member Kouchakdjian concurred that such a meeting should have involved all Board Members, and supported an SPS override.

Board Member Roberts recognized the importance of the new Town Manager being provided SPS budget considerations, and the proposed override could have been better planned. She indicated that such budgeting should be included in next year’s budget planning. Interim Town Manager Bilodeau agreed that such planning going forward was a priority. Mr. Keohane agreed with the Interim Town Manager.

Board Members agreed to have a Special Town Meeting to address overrides as soon as possible after the Annual May Town Meeting.

Melissa Morabito, 16 Amy Road, Framingham and a 3rd grade teacher in Sudbury; expressed her appreciation for the Select Board wanting to engage with the School Committee. She stressed the needs of today’s students have never been higher, including mental health and social/emotional aspects.

Recess

Board Member Roberts motioned to recess, with the Board resuming at 9:58 PM. Board Member Carty seconded the motion.

It was on motion 5-0; Roberts-aye, Dretler-aye, Kouchakdjian-aye, Carty-aye, Russo-aye

VOTED: to recess, with the Board resuming at 9:58 PM

The meeting resumed at 9:58 PM.

Update on Sewataro Financials and Infrastructure/ADA improvement plans

Present: Finance Director Dennis Keohane

Chair Russo stated the discussion would be tabled to the next Select Board meeting as Camp Operator Scott Brody was unable to attend.

Board Member Kouchakdjian asked if Mr. Keohane could provide a related Sewataro financial summary at the next meeting. Mr. Keohane responded that he would summarize debt and revenue aspects at the next Select Board meeting in two weeks.

Mr. Keohane left the meeting at 10:05 PM.

Transportation Warrant Article Discussion/possible vote

Present: Director of Planning and Community Development Adam Duchesneau

Mr. Duchesneau had no new information to share; he advocated for a \$150,00 Article from Free Cash to fund GoSudbury! for another year.

Vice-Chair Dretler suggested \$150,000 funding from ARPA, stressing that Free Cash should not be used for Town operations.

Vice-Chair Dretler confirmed she would be speaking with Senator Eldridge to discuss possible transportation funding.

Board Members discussed ARPA to fund the \$150,000 request. Board Member Roberts had concerns about using ARPA funds. Chair Russo agreed that ARPA funding might be needed to address other matters.

Discussion on potential 2023 Annual Town Meeting Articles to be submitted by the Select Board, and also authorize the Interim Town Manager to submit articles on behalf of the Select Board

Interim Town Manager Bilodeau read proposed Articles.

Chair Russo read in the words of the motion. Vice-Chair Dretler moved in the words of the Chair. Board Member Roberts seconded the motion .

It was on motion 5-0; Roberts-aye, Dretler-aye, Kouchakdjian-aye, Carty-aye, Russo-aye

VOTED: To authorize the Interim Town Manager to submit articles on behalf of the Select Board

Vote whether to release Town Counsel Housing Trust legal opinion as requested by resident Pat Brown

Chair Russo read in the words of the motion. Vice-Chair Dretler moved in the words of the Chair. seconded. Board Member Kouchakdjian seconded the motion.

It was on motion 5-0; Kouchakdjian-aye, Roberts-aye, Dretler-aye, Carty-aye, Russo-aye

VOTED: To release Town Counsel Housing Trust legal opinion as requested by resident Pat Brown

Discussion and possible vote on Town Counsel 3-year Evaluation

Interim Town Manager Bilodeau confirmed that Select Board feedback was compiled, and ratings were given.

Chair Russo read in the words of the motion. Vice-Chair Dretler moved in the words of the Chair. Board Member Kouchakdjian seconded the motion.

It was on motion 5-0; Kouchakdjian-aye, Roberts-aye, Dretler-aye, Carty-aye, Russo-aye

VOTED: To authorize Interim Town Manager Bilodeau to negotiate another 3-year contract.

Interim Town Manager Bilodeau agreed to get information from KP Law regarding a one-year contract and a three-year contract.

Public comments

Manish Sharma asked about possible Transportation Article grants, and suggested reaching out to Uber about government subsidies. He opined about bringing in an interim legal group.

Discuss topics to be assigned for Winter 2023 Select Board newsletter

Board Members outlined assignments:

- Russo – Interview and Q&A section with Andrew Sheehan
- Kouchakdjian – Breakdown of the ADA Transition Plan
- Roberts - No sure of the topic at this time
- Dretler – Interview with State representative and Senator regarding upcoming topics
- Carty – Transportation Update

Interim Town Manager Bilodeau stated the Newsletter submission deadline is January 30th.

Vote to review and possibly approve the open session minutes of 10/25/22

Chair Russo read in the words of the motion. Vice-Chair Dretler moved in the words of the Chair. Board Member Kouchakdjian seconded the motion.

It was on motion 5-0; Kouchakdjian-aye, Roberts-aye, Dretler-aye, Carty-aye, Russo-aye

VOTED: To approve the 10/25/22 minutes, as edited

Upcoming Agenda items

1/23/23 Meeting:

- Joint meeting with SPS

1/24/23 Meeting:

- Sewataro Financials
- Transportation Article
- Vocational Education Update

Future Meeting:

- Broadacres initiatives
- In person meetings
- KP Law Contract

Consent Calendar

Vote to accept \$4600 of Emergency Management Performance Grant (EMPG) funds for the purchase of computing devices to be used with the Fire Departments new Fire Software (RMS) program

Chair Russo read in the words of the motion. Vice-Chair Dretler moved in the words of the Chair. Board Member Kouchakdjian seconded the motion.

It was on motion 5-0; Kouchakdjian-aye, Roberts-aye, Dretler-aye, Carty-aye, Russo-aye

VOTED: to accept \$4600 of Emergency Management Performance Grant (EMPG) funds for the purchase of computing devices to be used with the Fire Departments new Fire Software (RMS) program. This grant will also fund the purchase of three new air gas sampling meters for 02, LEL, CO and H2s, as requested by Fire Chief John Whalen

Discussion and vote whether to approve an increase in the annual senior property tax workoff amount from \$1425 to \$1500 per year

Chair Russo read in the words of the motion. Vice-Chair Dretler moved in the words of the Chair. Board Member Kouchakdjian seconded the motion.

It was on motion 5-0; Kouchakdjian-aye, Roberts-aye, Dretler-aye, Carty-aye, Russo-aye

VOTED: To approve an increase in the annual senior property tax workoff amount from \$1425 to \$1500 per year, as requested by Debra Galloway, Senior Center Director

Adjourn

Board Member Kouchakdjian motioned to adjourn the meeting. Vice-Chair Dretler seconded the motion.

It was on motion 5-0; Roberts-aye, Kouchakdjian-aye, Dretler-aye, Carty-aye, Russo-aye

VOTED: To adjourn the meeting

There being no further business, the meeting ended at 11:25 PM.

SUDBURY SELECT BOARD
JOINT MEETING WITH SUDBURY PUBLIC SCHOOL COMMITTEE

MONDAY, JANUARY 23, 2023

(Meeting can be viewed at www.sudburytv.org)

Vote to open a joint meeting with Sudbury Public School Committee to discuss School Committee Letter from January 9, 2023

Present Select Board Members: Chair Charles Russo, Vice-Chair Janie Dretler, Select Board Member Daniel Carty, Select Board Member Lisa Kouchakdjian, Select Board Member Jennifer Roberts

Present: SPS Committee Members: Chair Silvia M. Nerssessian, Vice-Chair Meredith Gerson, Member Nicole Burnard, Member Sarah Troiano

Also Present: SPS Superintendent Brad Crozier, SPS Director of Business and Human Resources Don Sawyer, Interim Town Manager Maryanne Bilodeau, and Finance Director Dennis Keohane

At 7:03 PM, SPS Chair Silvia Nerssessian called the joint meeting with the Sudbury Select Board to order. Ms. Gerson seconded the motion.

It was on motion 4-0; Nerssessian-present, Gerson-present, Burnard-present, Troiano-present

VOTED: To open the joint meeting with the Select Board

At 7:05 Chair Russo read in the words of the motion. Board Member Roberts moved in the words of the Chair. Board Member Lisa Kouchakdjian seconded the motion.

It was on motion 5-0; Dretler-present, Carty-present, Roberts-present, Kouchakdjian-present, Russo-present

VOTED: To open a joint meeting with the Sudbury Public School Committee to discuss the School Committee Letter from January 9, 2023

Ms. Nerssessian spoke of the recent letter from SPS to the Select Board regarding the override for the FY24 SPS Budget. She indicated that the School Committee spent much time analyzing short and long-term financial planning. She confirmed the proposed budget exceeded Town budget recommendation.

Ms. Nerssessian mentioned the increased budgetary need was primarily related to COVID pandemic aspects, which also included funding for student mental health.

Interim Town Manager Bilodeau confirmed that a Special Warrant Article was not a requirement when considering an override. She mentioned a possible Special Town Meeting.

Vice-Chair Dretler asked School Committee Members how they determined the FY24 Budget. Ms. Nerssessian provided related detail, and also highlighted professional development aspects.

Vice-Chair Dretler inquired about Medicaid funding covering one-time expenses. Ms. Nerssessian elaborated on the one-time expenses.

Board Member Kouchakdjian expressed concern about utilization of Circuit Breaker funds. Board Member Kouchakdjian commended Mr. Swayer for attempting to depart from receiving Circuit Breaker funds, as practice, and indicated that utilization of Circuit Breaker funds should be limited to short-term need. Board Member Kouchakdjian stated that she wanted to be sure that SPS was asking for the amount of override that provided necessary coverage.

Discussion regarding out-of-district placements took place. Mr. Crozier commented that the School Department has been consistently seeking associated grants and reimbursement funding.

Ms. Gerson expressed confidence regarding the override being requested by SPS.

Ms. Troiano stated she was also confident about the numbers presented.

Board Member Roberts acknowledged the challenges presented to SPS at this time. She inquired about Circuit Breaker guidelines. Mr. Crozier provided related details.

Board Member Roberts inquired about possible benefits of obtaining a timely decision regarding the budget in question. Ms. Nerssessian stated that timeliness was of outmost importance when planning for early voting and voter outreach.

Chair Russo opined about scheduling the election a bit earlier, and perhaps voting on the override prior to the May Town Meeting.

Vice-Chair Dretler asked Mr. Keohane about Town emergency reserve funds. Mr. Keohane responded that such emergency funding was possible.

Chair Russo stated that the Select Board supported the override request presented by SPS.

Board Member Carty indicated that it would be prudent to bring forth the override needed before the Annual Town Meeting, and related planning would be considered at the upcoming Select Board meeting. Board Member Carty extended his support of the budget override, and stressed that SPS had examined this need thoroughly.

Ms. Gerson thanked the Select Board for voting to allocate ARPA funding for Sudbury schools.

Vote to close meeting with Sudbury Public School Committee

SPS Chair Silvia Nerssessian motioned to adjourn the joint meeting with the Sudbury Select Board. Ms. Gerson seconded the motion.

It was on motion 4-0; Nerssessian-present, Gerson-present, Burnard-present, Troiano-present

VOTED: To close the joint meeting with the Select Board

Chair Russo read in the words of the motion. Board Member Kouchakdjian moved in the words of the Chair. Vice-Chair Dretler seconded the motion.

It was on motion 5-0; Roberts-aye, Kouchakdjian-aye, Dretler-aye, Carty-aye, Russo-aye

VOTED: To close meeting with Sudbury Public School Committee

There being no further business, the Select Board meeting was adjourned at 8:00 PM.

DRAFT

SUDBURY SELECT BOARD

TUESDAY, JANUARY 24, 2023

(Meeting can be viewed at www.sudburytv.org)

Present: Chair Charles Russo, Vice-Chair Janie Dretler, Select Board Member Daniel Carty, Select Board Member Lisa Kouchakdjian, Select Board Member Jennifer Roberts, Interim Town Manager Maryanne Bilodeau

The statutory requirements as to notice having been compiled with, the meeting was convened at 7:01 P.M. via Zoom telecommunication mode.

Chair Russo announced the recording of the meeting and other procedural aspects included in the meeting.

Call to Order/Roll Call

Roberts-present, Carty-present, Kouchakdjian-present, Dretler-present, Russo-present

Opening Remarks by Chair

- Emergency responders were busy during the stormy weather – suggested that people stay off the road tomorrow
- Construction of BFRT has begun, thanked everyone who have supported the project over the years
- Director of Planning and Community Development will discuss MBTA Communities legislation and future outlook
- Select Board joint meeting with Sudbury School Committee went well
- Spoke of Warrant Article deadlines

Reports from Interim Town Manager

- Real Estate and Personal Taxes are due February 1, 2023
- Family Puzzle event being held at the Fairbank Community Center on Friday, February 3, 2023; additional information on the Town Website

Reports from Select Board

Vice-Chair Dretler

- Referenced the BFRT picture on the screen behind her. She, Board Members Roberts, Kouchakdjian, Interim Town Manager Bilodeau and Conservation Coordinator Lori Capone participated in a site visit at the Eversource substation – proceeding to Bridge 127; everyone is staying within the permitted guidelines
- She, Board Members Roberts and Kouchakdjian attended the Mass. Municipal Association (MMA) Conference last weekend; hoping to share information discussed at the Conference
- “Eight Weeks in Ukraine,” promoted by the Town, with volunteer Tania Vitvitsky at the Sudbury Senior Center on February 7, 2023 at 2:00 PM

Board Member Carty

- Select Board Office Hours scheduled for Friday, January 27th from 12:30 PM to 1:30 PM; he and Board Member Kouchakdjian will be in attendance

Board Member Kouchakdjian

- BFRT Walk was muddy, but very beautiful; she thanked all who arranged the tour
- MMA Annual Conference was most informative, met and chatted with MA elected officials, with great speeches from the Governor and Lt. Governor; will share related information with the Select Board Policy Subcommittee

Board Member Roberts

- Great BFRT progress – years in the making
- MMA Conference was great and super to be back in person; prime takeaway was the amount of funding being offered to municipalities
- Happy Lunar New Year with celebration at the Goodnow Library tomorrow
- CPC Articles were discussed at the Finance Committee last night; she will be updating the Board

Public Comment

None

Update on Sewataro Financials and Infrastructure/ADA improvement plans

Present: Scott Brody, Camp Operator

Mr. Brody provided Camp Sewataro financial report overview. He explained expenses increased last summer due to a challenging labor market/associated increased payroll, and other inflationary factors. Mr. Brody spoke of the outstanding PPE loan, and increased revenue share for the Town.

Resident and COA Chair Jeff Levine, 42 Chanticleer Road, inquired about Town revenue share. Mr. Brody provided detail about revenue share over the past several years.

Resident and COA Chair Kay Bell, 348 Old Lancaster Road, mentioned that she visits the Sewataro property from time to time, and feels the site reflects a very positive atmosphere. She invited Mr. Brody to attend a COD meeting. She recommended ADA signage and continued effective communications.

Mr. Brody referred to ADA and Infrastructure Investments, including:

- Increasing ADA access to Liberty Lodge, adding accessible parking area/walkway and ramp
- Swimming program ADA access with added roadway, ADA walkway and other implementations

Mr. Brody confirmed he's been working with Combined Facilities Director Sandra Duran, and a few folks from COD with the hiring of Graves Engineering to complete the 50% design plan in order to meet the June 1 deadline for completion of the two mentioned projects.

Board Member Kouchakdjian asked if the Select Board could review the 50% design plan. Mr. Brody responded in the affirmative. Board Member Kouchakdjian asked if other ADA additions/structures and if further COA input could be considered. Mr. Brody responded that going forward, further access and COA input would be part of the plan.

Board Member Roberts inquired about access to Liberty Lodge. Mr. Brody confirmed new accessible parking and related pathways would be included.

Vice-Chair Dretler asked if the gate area near Liberty Ledge would be made available for public access. Mr. Brody responded in the affirmative. Chair Russo suggested that Chief Nix be involved in planning such access.

Related pro-con discussion regarding parking accessibility took place.

Vice-Chair Dretler inquired about possible parking access within the property and vehicle access. She recommended that present access be included on the Town website.

Board Member Carty opined that there should be balance regarding parking accessibility; adding that the gated areas at Featherland Park and LSRHS should also be considered.

Sewataro liaison Kristen Drummey, 66 Mossman Road, confirmed that drop off parking, and special parking arrangements will continue to be arranged, for specific event convenience.

Chair Russo Recommend that the 50% design plan expenditure forecast, and revisit of associated fees and use policies be presented to the Board. Mr. Brody agreed.

Solar Panels discussion - potential Town Meeting articles

Present: Rami Alwan, Chair of the Energy and Sustainability Committee

Mr. Alwan provided description regarding each of the three Energy and Sustainability Articles to be presented at the Annual Town Meeting: Solar panels for the DPW building, Fairbank Community Center Solar Project, and renewable development facility.

Board Member Carty asked about the proposed renewable development facility article, and indicated that solar and wind reflected different renewable energy concepts, and wanted assurance that legal counsel was reviewing these aspects. Mr. Alwan responded that Town Counsel was reviewing this area.

Board Members presented related questions.

Resident Radha Gargeya, 120 Powder Mill Road, indicated his support for the solar energy projects. He explained that he was the SPS Chair when the solar panels were installed at LSRHS.

Resident Manish Sharma, 77 Colonial Road, suggested that the Energy and Sustainability Committee research which solar energy companies provide service, and consider cost scenarios along with state tax incentives for such installations.

Discussion/Vote on Select Board Transportation Goal and Funding for FY24, to include a possible warrant article

Present: Director of Planning & Community Development Adam Duchesneau

Interim Town Manager Bilodeau summarized that Mr. Duchesneau and the Transportation Committee are asking if the Board will vote to consider approving free cash funding for the Transportation Article in the amount of \$150,000.

Board Member Roberts asked if funding for the remainder of the year would be enough to support the program. Board Member Carty responded affirmatively, noting that grant funds were confirmed and being mailed to the Town.

Vice-Chair Dretler and Board Member Kouchakdjian expressed their disappointment when they heard that rides were being limited due to funding.

Vice-Chair Dretler motioned to support putting the Transport Article for \$150,000 of free cash, or other funds, on the Town Warrant for the May 2023 Town Meeting, with the caveat that the Select Board approve the presentation at Town Meeting. Board Member Kouchakdjian seconded the motion.

Board Member Carty stated he was expecting that the warrant article be approved as presented in tonight's meeting packet. Vice-Chair Dretler explained that she was happy to support the Article as written in the packet, with the addition that the Select Board approve the presentation that will be presented at the Town Meeting.

Chair Russo commented that the addition to the proposed motion was somewhat unusual. Vice-Chair Dretler stated that in the past, the Board had also heard presentation at Town Meeting, and hoped that all members could provide input, and residents would receive all information possible. Board Member Carty stated that all possible information has been provided to the residents.

Chair Russo indicated that in the past, this approach has not been standard practice. Board Member Kouchakdjian opined that standard practice could perhaps be improved, and Board consensus was always preferable. Board Member Roberts stated that perhaps all larger Articles should be considered and reviewed by the Board in this manner.

It was on motion 5-0; Dretler-aye, Kouchakdjian-aye, Roberts-aye, Russo-aye, Carty-aye

VOTED: To support putting the Transport Article for \$150,000 of free cash, or other funds, on the Town Warrant for the May 2023 Town Meeting, with the caveat that the Select Board approve the presentation at Town Meeting

Discussion on potential 2023 Annual Town Meeting Articles to be submitted by the Select Board, and also authorize the Interim Town Manager to submit articles on behalf of the Select Board. Topics could include reversion of the Eversource litigation money, additional funding requests for audio/visual equipment for the Fairbank Community Center, status of check out bag legislation (Article 56 of 9/20/20 ATM), and other warrant article requests.

Check out bag legislation (Article 56 of 9/20/20 ATM)

Chair Russo confirmed that the item was never filed with State Legislation. Board Member Carty opined the article should be refiled per the will of the voters at Town Meeting. Vice-Chair Dretler agreed.

Chair Russo read in the words of the motion. Board Member Roberts moved in the words of the Chair. Vice-Chair Dretler seconded the motion.

It was on motion 5-0; Roberts-aye, Carty-aye, Kouchakdjian-aye, Dretler-aye, Russo-aye

VOTED: To authorize Interim Town Manager Bilodeau to submit the check-out bag article, on behalf of the Select Board

Recess

Vice-Chair Dretler motioned that the Board recess and return to the meeting at 10:00 PM. Board Member Roberts seconded the motion.

It was on motion 5-0; Roberts-aye, Carty-aye, Kouchakdjian-aye, Dretler-aye, Russo-aye

VOTED: To recess and return to the meeting at 10:00 PM

The discussion regarding potential 2023 Annual Town Meeting Articles resumed at 10:00 PM.

Additional funding requests for audio/visual equipment for the Fairbank Community Center

Board Member Kouchakdjian noted that several residents reached out to her regarding citizens request to upgrade the proposed audio/visual equipment for the Fairbank Community Center, after conducting several meetings without Select Board notification.

Interim Town Manager Bilodeau suggested that the Permanent Building Committee (PBC) and Combined Facilities Director Sandra Duran attend an upcoming Select Board meeting to provide information to the Select Board. Chair Russo confirmed that he needed to see a defined plan before extending support.

PBC member Jennifer Pincus apologized for the recent events and explained the citizens sought to begin the process before they started fundraising.

COA Chair Jeff Levine stressed that COA objected to the related proposal over a year ago.

COD Chair Kay Bell confirmed that as a private citizen, she did approach the design team about a year ago. She thanked Ms. Pincus for listening to users, stressing that meeting legal requirements was important, as well as implementation of a universal design.

Chair Russo outlined questions to be addressed at the special Select Board meeting scheduled for January 30:

- Would waiting for funding at Town Meeting in May impact the project timeline for the opening of the Fairbank Community Center
- Anticipated number of residents using an ALS system at the Fairbank Community Center
- Could this proposal be phased into the construction project
- Need to see specific line items for this proposal

Board Member Roberts suggested that any additional Select Board questions be submitted to Interim Town Manager Bilodeau.

Eversource

Chair Russo suggested the Select Board not discuss reversion of litigation funds at this time. Members were in agreement.

Follow up discussion from Select Board's January 23 meeting with School Committee

Chair Russo recommended that the discussion regarding the January 23 meeting be included in the meeting agenda for the first meeting in February.

Resident Radha Gargeya recommended that the Board have the discussion earlier than later, to provide direction for the School Committee.

Vocational Education discussion

Board Member Kouchakdjian provided update, and acknowledged that she received a response from Minuteman High School, who communicated they needed additional time and would get back to her in the springtime. Board Member Kouchakdjian stated that Keefe Technical School confirmed they were not admitting new members at this time.

Chair Russo and Board Member Carty agreed the Select Board must continue to get responses from the other schools as this topic is under the purview of the Select Board. Board Members agreed.

Board Member Kouchakdjian confirmed she would reach out to the other three vocational education schools.

Vote to review and possibly approve the open session minutes of 9/27/22 and 11/1/22

Chair Russo suggested tabling the minutes of 9/27/22 and 11/1/22 to Monday night's meeting.

Public Comments (cont.)

None

Upcoming agenda items

1/30/23:

- Fairbank Community Center A/V Discussion/Citizen Proposal

2/7/23:

- Order of Warrant Articles
- ARPA Requests

2/13/23:

- MBTA Communities
- Eversource Statement

Future:

- Camp Sewataro
- Broadacres Farm (holistic/preliminary discussion)
- Mission Statement for BFRT Advisory Committee

Consent Calendar

Vote to approve Small Wireless Subcommittee minutes of 11/16/22 and 12/5/22

Chair Russo read in the words of the motion. Vice-Chair Dretler moved in the words of the motion. Board Member Kouchakdjian seconded the motion.

It was on motion 5-0; Roberts-aye, Dretler-aye, Kouchakdjian-aye, Carty-aye, Russo-aye

VOTED: To approve Small Wireless Subcommittee minutes of 11/16/22 and 12/5/22

Vote to accept the resignation of Mark Sevier, 14 Arborwood Road, from the Energy and Sustainability Committee, and send a thank you letter for his service to the Town.

Chair Russo read in the words of the motion. Vice-Chair Dretler moved in the words of the motion. Board Member Kouchakdjian seconded the motion.

It was on motion 5-0; Roberts-aye, Dretler-aye, Kouchakdjian-aye, Carty-aye, Russo-aye

VOTED: To accept the resignation of Mark Sevier, 14 Arborwood Road, from the Energy and Sustainability Committee, and send a thank you letter for his service to the Town

Vote to accept the resignation of Susan Scotti, 26 Longfellow Road, from the Sudbury Housing Trust, and send her a thank you letter for her service to the Town.

Chair Russo read in the words of the motion. Vice-Chair Dretler moved in the words of the motion. Board Member Kouchakdjian seconded the motion.

It was on motion 5-0; Roberts-aye, Dretler-aye, Kouchakdjian-aye, Carty-aye, Russo-aye

VOTED: To accept the resignation of Susan Scotti, 26 Longfellow Road, from the Sudbury Housing Trust, and send her a thank you letter for her service to the Town

Vote to approve the minimum wage increase from the current 14.25/hour to 15.00 hour for participants in the Property Tax Workoff program. This is consistent with Massachusetts State Minimum wage increase as of 1/1/23; AND vote to approve that the 68 Tax Work-off positions be available to any resident 60 or older, and to veterans of any age, as needed. (This is a change from 60 slots for 60+ and 8 slots for veterans.)

Chair Russo read in the words of the motion. Vice-Chair Dretler moved in the words of the motion. Board Member Kouchakdjian seconded the motion.

It was on motion 5-0; Roberts-aye, Dretler-aye, Kouchakdjian-aye, Carty-aye, Russo-aye

VOTED: To approve the minimum wage increase from the current 14.25/hour to 15.00 hour for participants in the Property Tax Workoff program. This is consistent with Massachusetts State Minimum wage increase as of 1/1/23; AND vote to approve that the 68 Tax Work-off positions be available to any resident 60 or older, and to veterans of any age, as needed. (This is a change from 60 slots for 60+ and 8 slots for veterans.) This was requested by Debra Galloway, Senior Center Director

Adjourn

Board Member Kouchakdjian motioned to adjourn the Select Board meeting. Vice-Chair Dretler seconded the motion.

It was on motion 5-0; Roberts-aye, Kouchakdjian-aye, Dretler-aye, Carty-aye, Russo-aye

VOTED: To adjourn the Select Board meeting

There being no further business, the meeting ended at 11:56 PM.



SUDBURY SELECT BOARD

Tuesday, May 30, 2023

MISCELLANEOUS (UNTIMED)**16: Upcoming agenda items**REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Upcoming agenda items

Recommendations/Suggested Motion/Vote:

Background Information:

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

05/30/2023 7:00 PM

POTENTIAL UPCOMING AGENDA ITEMS/MEETINGS

MEETING/EVENT	DESCRIPTION
June 13	Annual Board & Committee reappointments
June 27	Firearms bylaw discussion
July 11	Public Hearing - discussion regarding potential Fall Town Meeting
	Election Worker annual reappointments
	Summer SB newsletter topics
High priority items	ARPA update (July/Aug)
	Fairbank Users (July/Aug)
	LS agreement
	Discussion on recent Board/Committee resignations
	MBTA communities discussion (with Planning Board)
	Mass Central Rail Trail/DCR
	MWRA discussion
	Broadacres Property: next steps
	Sewataro discussion – 50% design of Liberty Ledge
	Peakham Road speed limit
Date to be determined	Capital Process
	Citizen Leadership Forum (Govt and how it works)
	Climate Emergency declaration & sustainability coordinator
	Curtis Middle School civic action projects (Carty)
	Bike shuttle program
	Dissolve unneeded subcommittees
	Discussion on potential ADA policy
	Discussion on Town Manager Task Requests
	Sewataro subcommittee minutes review/release
	SB self-evaluation process individually and collectively (Lisa K)
	Fairbank Community Center update (ongoing)
	Pets in cemeteries
	Investment Advisory Committee
	Invite Commission on Disability Chair to discuss Minuteman High School
	Local receipts – fee schedule review (Chair Russo)
	Bi-monthly update from Eversource (Oct, Dec, Feb, Apr, June, Aug)
	Quarterly review of approved Executive Session Minutes for possible release (February, May, August and November). Consider separate meeting solely for this purpose.
	Quarterly update on Bruce Freeman Rail Trail (BFRT) (March, June, September, December)
	Quarterly update on Key Performance Indicators (KPIs) projects to track (December, March, June, September)
	Solar Panels
	Subcommittee discussion (Executive)
	Work Session with Town Counsel: Select Board/Town Manager Code of Conduct and other procedural training

Attachment 16.a: Upcoming items 05.30.23 (5877 : Upcoming agenda items)

Standing Items for All Meetings	Select Board requests for future agenda items at end of meeting
	Public Comments, continued (if necessary)