
For Immediate Release

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A year ago the Board of Selectmen (BOS) established the Budget Review Task Force (BRTF) to study the Town's recurring budgetary deficit situation and determine if there are ways, both in the short term and over the long term, to enhance revenues or reduce expenses beyond what the Town is already doing. The group consisted of citizen volunteers and included a selectman, members of the Finance Committee as well as members of school committees of both LSRHS and Sudbury Public Schools (SPS). Most of the members were citizen volunteers with little or no Town government experience but accomplished in business and/or finance. The group divided itself into a revenue focused side and an expense reduction side. They performed extensive research and work. The expense and revenue sub-committees have now produced preliminary reports which have been presented to the selectmen. The Expense Reduction Report contains several ideas and recommendations intended to reduce the cost of providing School and Town services. The Selectmen have accepted the reports and believe the recommendations deserve serious consideration with a view toward implementation. The Selectmen are releasing the reports for broad public dissemination. We ask that residents take the time to read the reports and to consider them carefully. We do so as a solicitation for public comment, critique and input. We believe the ideas and recommendations of the BRTF have merit, deserve further work and hope they will lead to viable cost-saving implementations. We recognize this will take time, however. The first of the BRTF's Expense Reduction proposals involves having a single superintendent for both LSRHS and SPS. In view of Dr. Ritchie's scheduled retirement and the need to hire a new superintendent for LSRHS, determining the viability of that proposal is our first priority.

[Click here](#) for the **Preliminary Expense Reduction Report**, dated December 15, 2008

[Click here](#) for the **Preliminary Revenue Report**, dated September, 2008

The Board welcomes written comment and input on either or both of these preliminary reports. Please write to Budget Review Taskforce Feedback, attention: Board of Selectmen's Office, 278 Old Sudbury Road, Sudbury MA or email comments to BudgetReviewFeedback@sudbury.ma.us. Regular mail and email writers are asked to provide their name and address for possible follow up when their comments are reviewed by the Selectmen. Non constructive comments sent anonymously by mail or email will not be reviewed or considered

Preliminary Revenue Report

Town of Sudbury

Budget Review Task Force

September, 2008

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EXECUTIVE SUMMARY

Background

In June, 2007, Sudbury's Board of Selectmen voted to establish the Budget Review Task Force (BRTF). This committee was intended to provide a mechanism for the Finance Committee to work with interested residents to study the Town's recurring budgetary deficit situation. The goal was to determine if there were ways in both the short and long term to enhance revenues and/or reduce expenses beyond what the town and schools were already doing.

By August 2007 the committee was formed and consisted of 18 members: nine from the community at large, four from the Finance Committee, two members from each school committee (only one had voting privileges) and one selectman. Fortunately, Sudbury has a wealth of human resources to draw from. Community members were chosen for financial/consulting/management expertise as there was motivation for "fresh eyes" to consider Sudbury's financial issues: on the expense side is the reality of collective bargaining and mandated services by the State and Federal government and on the revenue side, there are few options besides the property tax which falls primarily on the residential sector (94%) as proportionally there is a much smaller commercial sector (6%).

Budget Review Task Force Members:

Robert N. Jacobson, Co-Chair BRTF, Finance Committee
Martha M. Ragones, Co-Chair BRTF, Finance Committee
Jeffrey Beeler, Sudbury Public Schools School Committee
Miner Crary (*resigned June, 2008*)
Daniel C. Difelice
Tammie Dufault
Paul Fuhrman
Paul C. Gannon
Radha Gargeya, Lincoln-Sudbury Regional District School Committee
Jamie Gossels, Finance Committee
Robert C. Haarde
William E. Kneeland, Jr., Finance Committee
Karen Massey
Sabino Merra
Lawrence W. O'Brien, Selectman
Paul E. Pakos
Richard Robison, Sudbury Public Schools School Committee
Jack Ryan, Lincoln-Sudbury Regional District School Committee

In order to give those not currently serving on a town board a comprehensive overview of the budget and other financial issues, there was an education period from September through December, 2007 which consisted of six meetings. Before these meetings, town and school officials would disseminate a reading list for the committee to assure a level of preparation so that the informal seminars led by the appropriate cost center would be conducted with much back and forth questioning and discussion. To the credit of the committee and all town officials,

everyone came to the table ready for open, honest talk with an agreement that no issues were off the table. Interests were put aside to work for the benefit of Sudbury.

After the education period, each committee member submitted a “brainstorming” document which consisted of specific ideas to generate revenue and reduce expenses. These ideas were all combined into a master document which formed the basis of discussion for the next four meetings occurring from February through May, 2008. (It was necessary to decrease the pace of BRTF meetings as town officials/boards were engaged with the FY 09 budget process, elections and Town Meeting.) As the various ideas were discussed, additional information and the feasibility of each idea were explored.

In early June, 2008, the BRTF was divided into two sub-committees, Revenue and Expense:

Revenue:

Martha M. Ragonas, Chair
Jeffrey Beeler
Daniel C. Difelice
Paul C. Gannon
Radha Gargeya
Jamie Gossels
Robert C. Haarde
Sabino Merra
Lawrence W. O’Brien

Expense:

Robert N. Jacobson, Chair
William E. Kneeland, Acting Chair
Tammie Dufault
Paul Fuhrman
Karen Massey
Lawrence W. O’Brien
Paul E. Pakos
Richard Robison
Jack Ryan

Each sub-committee was tasked to take the revenue and expense ideas in the brainstorming document, decide which ideas have the most merit for continued research and study, and break up further into subgroups to accomplish the work. Based on the work of these subgroups, both the Revenue and Expense groups would generate recommendations to present the Finance Committee and the Board of Selectmen.

Over the summer, the Revenue sub-committee had nine meetings, and the Expense six. Outside of those meetings, committee members completed a significant amount of research, had additional meetings with various experts, town officials and employees to gain relevant knowledge pertaining to the topics being studied. The recommendations that follow are by no means final solutions, but rather a substantive beginning. Work must continue to pursue, evaluate and determine the feasibility of recommendations. The Town of Sudbury’s cost centers have been creative in finding economies enabling them to manage during difficult times, so future fiscal savings will be broader, deeper and harder to execute.

If the Selectmen, upon review of this preliminary report, wish the BRTF to continue research on any of its recommendations, please inform us at your earliest convenience. Our term is due to expire on April 30, 2009.

Summary of Findings

The Budget Review Task Force looked at a number of possibilities and identified four areas for further study that have the potential to increase revenues in Sudbury: Commercial Development/Sewers, Energy, Fundraising and Legislative Initiatives. In some instances, a

recommendation includes both revenue and cost-saving components and for simplicity, those recommendations are in one section.

Revenue recommendations:

Commercial Development/Sewers:

Recommendation 1- Install a Route 20 sewer line, plant, leaching field and related facilities

Recommendation 2- Appoint an Interim Route 20 Sewer Committee, appoint a Sudbury Sewer Commission

Recommendation 3- Appoint a Sudbury Economic Development/Architectural Review Commission

Energy:

Recommendation 1- Continue and intensify conservation efforts at all cost centers

Recommendation 2- Adopt a uniform energy policy that advances energy conservation for all cost centers

Recommendation 3- Create an entity to consider the future use of alternative energy technologies in Sudbury

Recommendation 4- Submit as soon as possible a feasibility study application for solar photovoltaic and wind technologies to the Massachusetts Technology Collaborative and to the state under the Green Communities Act

Recommendation 5- Examine the use of solar photovoltaic technology for all cost centers immediately

Fundraising:

Recommendation 1- Expand the Payment in Lieu of Taxes program

Recommendation 2- Begin a Restricted Gift/Priority Projects Campaign initiative

Recommendation 3- Enlist a volunteer for each Cost Center to write grants

Legislative Initiatives:

Recommendation 1- Form a Legislative Initiative Committee

Recommendation 2- Organize a BRTF special meeting with state legislators to push Sudbury's top five legislative issues

Many of these recommendations are consistent with ongoing efforts by town officials and boards. We hope the recommendations in this report will be helpful in focusing efforts toward implementation.

REVENUE

COMMERCIAL DEVELOPMENT/SEWERS

Recommendation 1 –Install a Route 20 sewer line, plant, leaching field and related facilities

Existing Conditions

Commercial: Boston Post Road in Sudbury is primarily comprised of Mill Village, a retail village with a style consistent with traditional New England architecture, a large strip mall with TJ Maxx and Sudbury Farms, another large strip mall with Shaw’s Supermarket and CVS, several smaller strip malls on the North side of Boston Post Road, and some independent commercial and residential buildings. Boston Post Road has changed over the years from a recreational area with driving ranges and bowling alleys to a strip mall styled retail area. Recently, the reconstruction of Mill Village brought the allure of “village” shopping which stands in stark contrast to the strip mall trend now in decline in many Massachusetts suburbs.

Sudbury residents often find themselves traveling outside of town to conduct many commercial transactions, whereas a revitalized commercial district could persuade them to do more business at home. Currently, redevelopment and elimination of under/undeveloped sites are limited given that potential investors are unwilling to consider investment in, and beautification of Route 20 without a sewer system. A sewer system may even provide additional options for determining the future of the Route 20 police station: higher sale proceeds from the increased property value of the police station parcel may assist in funding a new station, or renovation/expansion of the existing Route 20 police station building might be more viable with a sewer system. The net result would be taxpayer costs to resolve this issue could be reduced.

Environmental: Sudbury’s water wells are located south of Boston Post Road in Sudbury. The proximity of Sudbury’s commercial district to our community’s drinking water without a wastewater treatment system is of great concern. Septic systems in general, especially older systems taxed by years of overuse, are much less effective in treating wastewater and returning drinkable quality water to the subsurface water supply. New wastewater treatment plants utilizing the latest technologies are not only more cost effective but are also more environmentally effective in preserving the quality of drinking water and ground soil. Years of overuse of septic tanks in this area of Sudbury (which has a high water table) has had detrimental impacts to the ground soil and could jeopardize the wells which provide drinking water.

Primary Objectives

1. To construct a modern wastewater treatment plant and sewer system in Sudbury’s Boston Post Road commercial sector to preserve and revitalize the ground soil and adjacent water wells which provide water to the community. This area’s high water tables increase the environmental dangers of old and overused septic systems. Many current septic systems are beyond their capacity, with little or no ability to upgrade.
2. To enhance the character and appeal of Boston Post Road by instituting zoning and architectural restrictions sensitive to the unique character of Sudbury which will (a) favor architecture consistent with a Village shopping experience, similar to Mill Village, (b) prevent the development of any more strip malls or any commercial development which

will jeopardize the character of Boston Post Road and Sudbury in general, and (c) encourage the redevelopment of “brownfield” and underutilized sites along Route 20 consistent with this Village concept.

3. To increase the commercial tax base in Sudbury and reduce the tax burden on its residents. For example, the average Sudbury family’s tax bill could decrease by \$600 annually if the current commercial tax base were to increase by a conservative estimate of \$3M as a result of sensitive development and property value increases along Route 20.

Sewer System Overview

System Description

The proposed coverage area includes two options: the “core” district along Route 20 of one mile in length (extending from the eastern end of Mill Village to the western end of Shaw’s strip mall) and a longer distance of 3.6 miles (extending from the Wayland line to the intersection of Boston Post Road and Lafayette Drive). Taking into account mobilization, cost efficiencies, disruption issues, overall integration issues, and potential additional revenues, the longer 3.6 mile distance is arguably the favored option.

Approximate costs to plan and install each system are included in Appendix A. Based on initial estimates, the system will likely be self-funding (or have minimal impact on taxpayers) through reasonable initial connection fees based on usage and long term annual usage fees.

The system would include a package treatment plant with a capacity of approximately 200,000 gallons per day, with a leaching field discharge area of approximately 4-5 acres (subject to soil conditions). The plant is proposed to be located on approximately 1-2 acres in Chiswick Park, which land may be donated by the property owner.

Leaching System

One of the final preliminary issues to be resolved is securing a viable leaching field. Currently, subject to soil testing, three potential options exist: the Curtis School playing fields, Haskell fields and a privately owned parcel near Route 20. Based on an analysis of available land (excluding the Cavicchio nursery land, an unlikely option in the near/medium term), these are the only leaching field options sufficient in size and/or characteristics to support the Route 20 sewer system. All discharges to the leaching field are subsurface, so surface uses may be fully maintained. Also, discharges approximate drinking water quality, minimizing concerns regarding underground water.

The advantage of using Curtis or Haskell is that neither involves cost to the town for acquisition. The disadvantage of each is the distance from the site to Route 20, involving higher pipe and pumping costs. In Curtis’s case, the field may interfere with potential relocation of the school in 40-50 years. The Route 20 property’s disadvantage is that it will involve cost to acquire rights or title, however, its obvious advantage is its proximate location. Any site chosen may face neighbors’ complaints regarding proximity to a leaching field.

Financing

Funding will consist of various long term financing options through state programs (including the “More” program where the state allows towns to borrow against future revenues for timely cash flows and a cost neutral impact), federal programs, grants and bonding. Timely compliance with the procedural steps discussed in the next section will allow early application for these programs, allowing Sudbury’s project to be early “in line.” These procedural steps will also allow Sudbury to gauge the viability and availability of all financing options to determine the timing and commitment of resources to the project.

Procedural/Implementation

Initially, a part-time professional will be hired to initiate, coordinate and facilitate this process, including the creation of the sewer district, collection of architecture review standards, zoning requirements, and implementation of the Route 20 Vision Statement. (Town Meeting 2002 approved \$90,000 in funding to analyze Route 20 wastewater issues which has not yet been used.) This person would also foster relationships with users and developers to attract desirable projects to the Route 20 corridor as well as generate interest in beautifying it. A Town Meeting bylaw article would be proposed to permit investigation/application to the state and other entities to explore financing and permitting issues. These are long lead items which will uncover any obstacles to financing and permitting, and will gauge the amount of state support available. In addition, this will allow Sudbury to effectively establish its place “in line” with the state without commitment of significant town resources.

As the above moves forward, next steps will include the establishment of a sewer overlay district, rules and regulations, sewer betterment bylaw, any special legislation, and a sewer oversight committee. In addition, architectural standards for Route 20 development and a review committee will be established that will promote the goals and standards cited in this report. These committees are more fully discussed below.

Experience in other communities suggest that there may be procedural and other delays at any stage of this project, necessitating proactive management of the entire development process, including permitting, approvals, and financing.

Time Frame

It is estimated that it will take approximately 3-4 years from Town Meeting approval to date of system operation, based on a comparable project in Acton, Massachusetts.

Sudbury’s Commercial Potential Outlined in The Vision Statements

The Boston Post Road Vision Statements (dated August 2001 prepared by Mullin Associates; and June 2002 prepared by The Cecil Group) resulted from community input, consultant analysis, reports and conceptual drawings as well as analysis from other Sudbury committees. Boston Post Road is a vibrant commercial district for Sudbury and the proposed changes are intended to improve the current positive climate.

The vision for Boston Post Road in Sudbury is a business district with tasteful roadside storefronts lining both sides of the road with a single parking lane in the front and parking lots in the back of the storefronts out of view. Building architecture is the traditional New England

style with fieldstone foundations, clapboard and shingle sided buildings, and colonial accents such as gas-lamp style street lights. Wide landscaped sidewalks on both sides of the road, buried utility lines with telephone and power line poles removed, landscaped parks, and bike paths will enhance appeal and provide open space.

Objectives

1. Create a vibrant pedestrian friendly area with potential for mixed uses, senior housing, tree-lined landscaping, walkways and bike paths, common landscaped parks.
2. Integrate walkways with rest of business district using creative landscaping and site design.
3. Enhance pedestrian and cyclist safety
4. Improve the retail shopper's experience by car, bike or walking
5. Enhance the overall appearance of Sudbury.
6. Provide more accessible short and long term parking.
7. Increase community involvement with a traditional downtown commerce area. Also allow for business community responses such as beautification programs, business district initiatives, arts programs.
8. Utilize CPA funds (to the extent permissible to offset costs) in conjunction with sewer construction, to remove utility poles, bury telephone and utility lines, and create wide sidewalks, open space and courtyards on both sides of Boston Post Road
9. Allow for "high margin" tax revenue from development to increase tax base without burdens to school system

The development of a Route 20 sewer system gives our community the potential to realize this vision. This option does not exist today given the reluctance to invest in Route 20 because of a lack of sewer service.

Recommendation 2 – Appoint an Interim Sudbury Sewer Commission, appoint a Sudbury Sewer Commission

Interim Sudbury Sewer Commission

This group will oversee the initial feasibility activities, followed by the coordination and facilitation of all activities necessary to implement the sewer project until such time as a Sewer Commission is appointed and operational.

Sewer Commission

Among other duties, this group will determine the entity that will be responsible for system management and accounting, betterment policies, connection and usage charges, incentives to

connect, waivers for residential uses, administration and regulation issues. The committee will also be responsible for orchestrating concurrent design, planning, budgeting, financing and bidding activities, along with local, state and federal permitting, and special legislation.

Recommendation 3- Appoint a Sudbury Economic Development/Architectural Review Commission

Economic Development/Architectural Review Commission

This group will be responsible for the establishment and enforcement of architectural standards along Route 20, and for encouraging favorable uses, policies and initiatives sensitive to the character of Sudbury and the town in general.

The Economic Development Commission will also be charged with promoting Sudbury and fostering relationships with developers and users to encourage the highest and best uses of designated land in town, including the Route 117 parcel, in a manner sensitive to Sudbury's character and the interests of its residents. This committee will also promote the development of potential parcels, such as the Gravel Pit site, to encourage "high margin" developments that will increase property tax revenues without increasing taxpayer burdens derived primarily from the costs of educating school age students and maintaining our school system. Accordingly, committee policies will discourage residential projects with the potential to add such costs, and encourage senior housing, office and other projects sensitive to the character of Sudbury.

ENERGY

Introduction

Given skyrocketing energy costs and the current interest in alternative energy as a possible way to free Sudbury from the whims of the fossil fuels market, the BRTF addressed three areas:

1. FY 08 energy expenditure data (electricity and natural gas) was gathered from the Town's three cost centers (SPS, LS and the Town). While earlier data was available, the FY 08 data was deemed most relevant given the recent entry into new long term (5 yr) contracts that will likely lead to similar costs for the next 4 years.
2. Efforts were made to determine what, if any, attempts have been made in Sudbury to consider the feasibility of the use of alternative energy.
3. Efforts were made to explain and determine the feasibility of various alternative energy technologies for use in Sudbury.

At the outset, a note about energy conservation efforts in Sudbury is warranted. During data collection, information was shared by various cost centers about conservation efforts. Given our revenue-generating mission, such efforts were deemed to be more in the realm of expense control and were therefore not analyzed. However, it is our sense that the responsible person at each cost center is aware of the need for continuing aggressive conservation efforts. Going forward, no energy-related decisions or equipment changes should be made without appropriate consideration being given to whether more efficient alternatives are available.

Current Energy Expenditure Overview

In FY 08, Sudbury's three cost centers spent approximately \$2.7M for electricity and natural gas. No data related to fuel for vehicles was analyzed. The combined costs for electricity and natural gas amounted to approximately 3.7% of Sudbury's total budget of approximately \$74M. As reported by the cost centers, FY 08 expenditures (rounded to nearest thousand) were as follows:

Town FY 08 Energy Expenses by Location

Location	Electric	Gas	Total
Fairbank	\$ 40,000	\$106,000	\$ 146,000
DPW	\$ 36,000	\$ 52,000	\$ 88,000
Library	\$ 57,000	\$ 17,000	\$ 74,000
Fire Dep't	\$ 20,000	\$ 24,000	\$ 44,000
Flynn Bldg	\$ 28,000	\$ 12,000	\$ 40,000
Town Hall	\$ 7,000	\$ 24,000	\$ 31,000
Police	\$ 18,000	\$ 8,000	\$ 26,000
Total	\$ 206,000	\$243,000	\$ 449,000

Lincoln-Sudbury FY 08 Energy Expense

Location	Electric	Gas	Total
LSRHS	\$1,270,000	\$ 63,000	\$1,333,000

Sudbury Public Schools FY 08 Energy Expenses by Location

Location	Electric	Gas	Total
Curtis	\$ 250,000	\$104,000	\$ 354,000
Loring	\$ 101,000	\$ 58,000	\$ 159,000
Noyes	\$ 84,000	\$ 72,000	\$ 156,000
Haynes	\$ 67,000	\$ 75,000	\$ 142,000
Nixon	\$ 65,000	\$ 47,000	\$ 112,000
Total	\$ 567,000	\$356,000	\$ 923,000

Total Sudbury FY08 Energy Expenses = \$2,705,000

To put these costs in perspective, employee salaries and benefits (employee costs) amount to at least 75% of Sudbury's total \$74M budget. Thus, setting aside employee costs of approximately \$55.5M, energy spending amounts to roughly 15% of the remaining budget of \$18.5M.

Current Alternative Energy Efforts

Currently, there is no organized approach to potential alternative energy opportunities in Sudbury. It is apparent that the three cost centers work, in large part, in isolation from each other. Accordingly, inquiry was made of each of the cost centers to determine what, if any, alternative energy technologies had been considered.

SPS

SPS has investigated both solar photovoltaic and cogeneration technologies. To date, its work, which has examined the financial and technical feasibility of such proposals, has focused in large part on the Curtis Middle School, the largest user of energy among its schools. Proposals have been obtained for both solar photovoltaic (PV) systems and cogeneration technologies.

Cogeneration

The cogeneration proposal obtained by SPS is from American DG Energy. Cogeneration would utilize an on-site engine that would burn natural gas to power a turbine that would generate electricity. Through the installation of a Tecogen CM-75 cogeneration unit, installed in a soundproof enclosure near the boiler room, DG Energy proposes to produce over 338,000 kWh of electricity and offset more than 34,000 therms of heat annually. In addition to providing electricity, the unit would be used to produce hot water and heat through heat exchangers. Current utilities would remain connected.

The proposal is for a 15-year term and, with no capital outlay, would, according to American DG Energy, save SPS \$6,920/year. American DG Energy guarantees a 15% discount on electric rates from the local utility. As drafted, thermal energy (heat and/or hot water) is billed at "avoided cost" and thus the proposal would provide no natural gas cost savings.

Solar

SPS has also received a detailed proposal from Borrego Solar relating to the installation of a 270kW PV system at Curtis Middle School which would offset approximately 22% of electricity charges. Total equipment and installation costs are \$2,019,000 and, after total anticipated rebates of \$636,000, would have a net cost of approximately \$1,315,000. The first year utility

savings would be approximately \$40,000. Under Borrego's proposal, the payback period for the system, if bought outright, would be 17 years. Over a 30-year term, the system would save SPS approximately \$650,000.

Borrego also has a program that it calls the "Purchase Power Agreement" (PPA) that uses third-party funding to pay for the systems. By using the PPA, the PV system could be installed and would generate immediate cash flow to SPS. According to Borrego's projections, this arrangement would produce \$107,000 in savings over the first 20 years and calls for SPS to purchase the system for \$404,000 after year 20. Thereafter, all benefits of the avoided utility bills would accrue to SPS. According to the proposal, the total cumulative cash flow to SPS over 30 years would be \$1,474,000, with \$224,000 of that sum accruing in the last year alone.

More recently, Borrego advised that it does not view the recently enacted Green Communities Act as particularly material to costs associated with such projects. Moreover, the company is now recommending that SPS host three 100kW systems at Curtis, Loring and Nixon Schools. The company estimates that such systems would generate over \$500,000 in savings over a 20-year term.

Discussion between SPS and Borrego are fluid and ongoing. These proposals provide useful initial data in connection with decision making.

Town

The Town has obtained an email proposal to install a small PV/Solar array (25kW) on the DPW building through the efforts of James Kelly, who functions primarily as the Building Inspector. The net cost would be approximately \$115,000 and the system would generate approximately 28,000kW/year. More recently, Mr. Kelly has been investigating the siting of such a system on the Fairbanks Center roof, where he will be utilizing assistance from the Massachusetts Technology Collaborative (MTC).

LS

Alternative energy efforts at LS took place during the design and construction phase of the new high school, which was designed with geothermal in mind. Unfortunately, due to geologic conditions and despite a number of wells being drilled, the site was found to be unsuitable for this technology. No other alternative energy technologies are under investigation at this time in any organized fashion at LS, although representatives indicated the school would be interested in any economically feasible alternatives.

Alternative Energy Technologies¹

There are many alternative energy technologies in the market today. They run the gamut from those that are in their infancy, such as technologies that generate electricity by using algae, to more established technologies such as photovoltaic/solar (PV). Other potential sources of energy include such things as fuel cells, bioenergy, hydropower and ocean energy. Some of these technologies are plainly inapplicable to Sudbury due to geographical realities or environmental conditions.

¹ Information on solar and wind in this section was drawn from the Massachusetts Technology Collaborative website at www.mtpc.org.

While an understanding of such technologies—and advances in them—is worthwhile, the BRTF’s research focused on those technologies that appeared to be technologically feasible for immediate use in Sudbury. Thus, the focus was on Solar, Wind, Geothermal and Cogeneration.

Solar/PV

Solar photovoltaic technology uses solar energy to produce electricity. Photovoltaic technology uses the electrical properties of materials known as semiconductors to produce electricity. When hit by sunlight, a semiconductor material creates an electrical charge which can then be transferred through a circuit to anything that uses electricity. In a PV system, these semiconductors are produced in the form of cells, which are then assembled in a structural panel. There are many different types of panels available, and each has its particular advantages. Depending on the amount of electricity needed, these panels can then be connected in an array of any size to provide the electricity needed for a home office, or larger facility.

PV is one of the most environmentally friendly technologies available and is very easy to install on a building or property. While cost can be a barrier to some installations, there are many incentives available for PV and over 400 systems are installed in Massachusetts today—more installations than any other source of electricity. PV offers an obvious means of severing Sudbury’s reliance on the volatile fossil fuels market, as opposed to cogeneration which still relies on burning natural gas.

Wind

Wind turbines provide significant amounts of energy using only the natural power of the wind. Today’s wind technology harnesses the kinetic energy of flowing air and then transforms the mechanical energy of spinning blades into pollution-free electricity. Over the past 25 years, major advances in turbine technology have made this process ever more efficient, making wind energy a cost-competitive option for a growing number of applications.

In general, a wind speed of 14.5 mph is required in order to economically use wind power given current technology. According to tools on the MTC website, there are two places in Sudbury that meet these criteria. One is in the area around the Town Hall/Noyes School. The second appears to be near the summit of Kato Drive. Many areas in Sudbury have winds in the 13.4-14.5 mph range at a height of 100 meters.

The capacity of a wind turbine is determined largely by its rotor diameter. Present day technology may be divided into three broad size ranges, briefly characterized below:

1. Residential: rated capacity below 30kW, rotor diameter of 4-43 feet, hub height of 60-120 feet.
2. Medium: rated capacity between 30-500kW, rotor diameter of 43-100 feet, hub height of 115-164 feet.
3. Commercial: rated capacity between 500kW and 4.5MW, rotor diameter of 100 feet to more than 325 feet, hub height of 164 to more than 260 feet.

Setting aside the potential inadequacy of Sudbury’s wind resources given current technologies, other considerations in connection with using such technologies include: ownership and

financing structures; local permitting and zoning requirements; visual and noise impacts and impacts on birds, bats and other species. Given emerging technologies in this area and efforts to reduce both the height/size of viable wind equipment and the wind speeds necessary to economically generate electricity, it would be prudent to monitor developments in this area.

*Geothermal*²

Almost everywhere, the upper 10 feet of the earth's surface maintains a nearly constant temperature between 50 and 60°F (10 and 16°C). A geothermal heat pump system consists of pipes buried in the shallow ground near the building, a heat exchanger, and ductwork into the building. In winter, heat from the relatively warmer ground goes through the heat exchanger into the building. In summer, hot air from the building is pulled through the heat exchanger into the relatively cooler ground. Hot air removed during the summer can be used as no-cost energy to heat water.

During the design and construction phase of LS, geothermal was the planned alternative energy solution that was to be used for heating the facility. Reportedly, however, during the process, it was determined through repeat drilling that the area was geologically unsuitable for the use of this technology. Inquiry was made of the facilities manager at SPS as to the viability of geothermal for us in its facilities. Given that the heating systems use a glycol mixture that is substantially hotter than the system contemplated at LS, it was reported that geothermal would not be a feasible alternative unless SPS replaces the current heating systems. No information was obtained about consideration of geothermal in any of the Town facilities where it may be a viable alternative as existing systems are replaced at the end of their useful life.

Cogeneration – See the discussion above under SPS.

Green Communities Act³

Governor Deval Patrick's recent signing of the Green Communities Act, Ch. 169 of the Acts of 2008, is of particular interest given this committee's mission. This law is intended to

1. significantly expand investment in energy efficiency measures that will reduce electricity demand and deliver energy savings;
2. maximize the benefits of Massachusetts' adoption of a ground-breaking regional power plant CO2 cap and trade program;
3. promote renewable energy by strengthening the Massachusetts Renewable Portfolio Standard (RPS) and promoting net-metering, long-term contracts, and municipal/utility ownership of renewables. Of particular interest are the provisions that level the playing field for on-site (or "distributed") renewable energy generation by promoting "net-metering." Under these provisions, excess energy is sold into the grid for which a fair price must be paid. Wind and solar facilities up to 2MW qualify. Moreover,

² Information in this section was drawn from the US Department of Energy's website at www1.eere.energy.gov/geothermal.

³ Information in this section was drawn from the excellent summary of the Act on the Conservation Law Foundation's website at www.clf.org.

municipalities are allowed to own renewable energy facilities. The Act provides for authority to issue bonds or notes for financing.

4. establish the Green Communities Program. This program will provide up to \$10M/year statewide in technical and financial help to municipalities to promote energy efficiency and the financing, siting and construction of renewable and alternative energy facilities. In order to qualify, communities must adopt:
 - a) as-of-right siting for renewable or alternative energy generating, manufacturing or R&D facilities in designated locations;
 - b) expedited permitting process for approving such facilities within one year of the filing of an application;
 - c) energy use baseline and a program to reduce use by 20% within 5 years
 - d) policy to purchase only fuel-efficient vehicles; and
 - e) policy to minimize lifecycle energy and water costs for all new commercial, industrial and large residential construction.

Funding is to be provided by cap and trade programs, compliance payments to the Massachusetts Renewable Portfolio Standard, Energy Efficiency systems benefit charge revenues and the Renewable Energy Trust Fund.

The Green Communities Act is administered by the Massachusetts Department of Energy Resources. This agency is currently in the process of generating the regulations by which the Act will be implemented. Eligibility criteria for municipalities are expected to be issued by November 15, 2008.

Recommendation 1- Continue and intensify conservation efforts which should remain a consistent goal of all cost centers and their employees.

No energy-related decisions should be made without due consideration being given to efficiency and opportunities to employ alternative energy technologies in a concerted effort to move away from reliance on fossil fuels.

Recommendation 2- Adopt a uniform energy policy that advances energy conservation for all cost centers including, but not limited to, the use of motion sensors, timers, efficient light bulbs, computer hibernation settings, programmable or remotely controlled thermostats, insulation and weather stripping standards.

Any such policies should encourage the use of alternative energy technologies where financially feasible. Moreover, all cost centers should use uniform data collection practices in order to facilitate easy and useful comparisons of energy costs between facilities so that energy saving (or generation) resources can be efficiently directed to the areas where they are most needed.

Recommendation 3- Create an entity to consider the future use of alternative energies in Sudbury.

Each cost center addressing this question on its own creates the unnecessary risk of duplication of effort and the waste of resources. Any group formed should consist of at least one policy-making representative from each cost center in addition to interested community members who represent a significantly underutilized asset.

Recommendation 4- Submit as soon as possible a feasibility study application for solar photovoltaic and wind technologies to the Massachusetts Technology Collaborative and to the state under the Green Communities Act.

Moreover, any group formed under Recommendation 3 should aggressively pursue all available funding from these sources.

Recommendation 5- Examine the use of solar photovoltaic technology for all cost centers immediately.

As noted previously, at least one current proposal exists for PV at Curtis Middle School which could be installed at third-party cost. Analysis of the two most complete alternative energy proposals available, one for cogeneration and one for PV at Curtis Middle School, reveals that cogeneration would provide savings of 28.9% and PV 45.7% from expected kW charges of \$86,132/year at current prices. Any assessment of such proposals should examine the relative benefits to the taxpayers of utilizing third-party funding verses outright purchases of the necessary equipment to be financed through the issuance of bonds.

FUNDRAISING

Recommendation 1- Expand the Payment in Lieu of Taxes Program⁴

Under state law, many properties in Sudbury are exempt from paying property taxes, but still consume local government services and resources. Some communities ask such property tax-exempt organizations to make voluntary “Payments in Lieu of Taxes” (PILOT) to the municipalities where they are located.

Massachusetts state law provides property tax exemption for a variety of entities including properties owned by:

1. Federal and state government
2. Charitable organizations
3. Religious organizations
4. Health services providers
5. Educational institutions.

However, a number of communities enter into PILOT agreements with the tax-exempt property owners they host. Under these agreements, the tax-exempt property owner acknowledges its responsibility to become a full partner in the development of the quality of life of the host community. These agreements are based upon good faith and public relations, not on any legal requirement.

The following illustrates the scope of PILOT estimated payments in Cambridge and Boston:

City	Payment	Insitution
Cambridge (FY09)	\$2,223,715	Harvard
	\$2,019,386	MIT
Boston (FY08)	\$4,615,523	Boston University
	\$1,929,787	Harvard University
	\$ 276,901	Boston College
	\$ 264,991	Berklee School of Music
	\$ 30,571	Northeastern University

While universities are among the largest PILOT participants, the scope of this revenue in other communities also includes other types of tax exempt organizations. Of the seven exempt organizations in Sudbury that are non-church, non-governmental agencies, only the Wayside Inn currently pays \$25,000 in PILOT, an amount which has not increased in at least eight years.

Below is a list of current values provided by the Town of Sudbury’s assessor’s office:

⁴ Information in this section was drawn from the Newton, Massachusetts “Report on Revenue Expansion and Cost Savings Opportunities for the City of Newton, May, 2005, available on website at www.ci.newton.ma.us

Owner	Total Land Area	Total Value	If Taxed, Full Tax Amount
American Legion Post	0.46	\$ 489,500	\$ 9,041
Sudbury Foundation	0.12	\$ 222,900	\$ 4,117
Willow School	23.88	\$ 3,924,900	\$ 72,493
Buddy Dog	1.32	\$ 885,300	\$ 16,351
Mass Federation of Woman's Clubs	53.9	\$ 1,134,500	\$ 16,189
Sudbury Valley Trustees	681.96	\$19,053,500	\$271,893
Wayside Inn	136.37	\$12,832,500	\$210,125
Total	898.01	\$38,543,100	\$600,209

This committee recommends a representative from the Board of Selectmen and the Town Manager meet with each non-profit above and request a FY 10 PILOT equal to 25% of the amount it would be taxed if it were a taxable entity.

Recommendation 2- Begin a Restricted Gift/Priority Projects Campaign Initiative

The Sudbury Trust is a charitable donation program sponsored by the Town of Sudbury currently under consideration by the Board of Selectmen. Implicit in the program's creation is the fact that quality of life is important to the future of our community because it reflects the economic, social and emotional health of a town. To solicit gifts that contribute to these factors is a responsible and worthwhile effort. While the Sudbury Trust consists of multiple components (Unrestricted Gifts, Memorial Gifts, Endowments), the BRTF recommends that one facet of this program be actively pursued as soon as possible with wealthy Sudbury residents. This initiative is Restricted Gifts/Priority Projects.

Restricted Gifts/Priority Projects can only be used for the purpose given. Options include strengthening a particular program, department or capital need. A good current example is Park and Recreation was recently awarded \$150,000 to construct a handicapped accessible playground at Haskell field. The donor was a Sudbury family who opened the grant to approximately 40 communities in the Metrowest area and ultimately decided to fund a hometown project. Last winter, a different Sudbury family donated a walking path with handicapped accessible exercise stations to be constructed in another area of Haskell field. These are real quality-of-life enhancements to our town.

Sudbury's current budget climate is serious. An override failure led to budget cutbacks. Monies to fund ongoing operations are tight, and funding for extras is non-existent. It was felt that since Sudbury is fortunate to have a number of wealthy families who are already involved in significant charitable giving elsewhere, if they were made aware of specific needs in town, perhaps they could be persuaded to give on a local level as well. Much care would be taken to

assure that funds raised for a particular project would not trigger increased future operating costs for the town.

During discussions on this topic, it became apparent that a BRTF member would be willing to step forward and initially head this effort. It is our recommendation that Paul Gannon and one or two other volunteers form a Restricted Gifts/Priority Projects Committee, which would keep Maureen Valente, Town Manager and the Board of Selectmen informed of its efforts.

It should be noted that this committee will work to fund town projects. If a prospective donor is interested in funding an educational effort, appropriate school officials would be contacted and the donor would communicate with them directly.

Project List

Before the Restricted Gifts Committee can begin its work, it is important to have a list of possible projects in place. Prospective donors, who may never have thought about a possible gift to the town, might find an appealing option from the list. The possibility would also exist to customize gifts based on the donor's specifications. Appendix B contains a current list of priority projects generated over the last two months by Town Manager Maureen Valente with the help of various Town Department Heads.

Recommendation 3- Enlist a volunteer for each Cost Center to write grants

In FY 08, the Town of Sudbury generated \$338,950, Sudbury Public Schools generated \$1,289,611, and Lincoln Sudbury Regional High School generated \$871,479 in revenue from outside grants.

Grant revenue represents significant benefits and it would be highly desirable to increase these revenues. Given the current budget status, no money exists to hire the talent to research and write grants. However, two options exist to attract a volunteer:

1. The Town Manager/SPS/LS could advertise for an experienced volunteer grant writer to come forward and work on a weekly/monthly basis for a pre-determined number of hours on behalf of a particular cost center.
2. Two grant writing courses are offered on the Park and Recreation website: "Become a Grant Writing Consultant" and "Advanced Grant Writing." The cost of these courses could be absorbed by the town in exchange for a year commitment of a specific amount of time to interact with a specific cost center, research and write grants. The Town Manager would advertise for applicants to this program.

As this effort progresses, a financial incentive could be built into the grant requests which would enable these skilled volunteers to receive some remuneration.

LEGISLATIVE INITIATIVES

Recommendation 1- Form a Legislative Initiative Committee

Unfunded and underfunded federal and state-mandated initiatives and various state required practices which hamper local towns and school districts in terms of dollars and resources are a huge frustration. While the Sudbury Board of Selectmen, Finance Committee, School Committees, the Town Mgr and School Superintendents have maintained ongoing relationships with our state representatives to the Senate and House, our conclusion was that a more organized effort both on local and regional levels could create more effective lobbying.

The BRTF recommends the creation of a Town of Sudbury Legislative Initiative Committee which would report to the Board of Selectmen. Core committee membership would be composed of one representative of the Board of Selectmen, the Finance Committee, each School Committee and 8-12 at-large members from the community who have a strong interest in pursuing legislative changes at the state level. As various efforts are pursued and promoted to the community, additional interested residents can be recruited to strengthen the committee's voice on particular issues. The ultimate goal is for this committee to reach out to other towns with a similar profile to Sudbury through existing lobbying organizations to form regional coalitions. Accomplishing this would bring an even stronger message to our legislators. Clear reporting by this committee via the town website could keep the electorate well-informed, prompt easy communication with legislators on issues of interest and be an effective recruiting tool.

The Legislative working group looked at several organizations with which the Town of Sudbury Legislative Initiative Committee might align. The Suburban Coalition (suburbancoalition.org), the Massachusetts Municipal Association (mma.org), Stand for Children (stand.org) are likely candidates. Also, the Massachusetts Taxpayers Foundation (masstaxpayers.org) is an independent resource which devotes itself to providing unbiased research and recommendations on state spending, tax policy and the Massachusetts economy. When the Town of Sudbury Legislative Initiative Committee convenes, begins its work and sets priorities, it will determine which organization(s) make the most sense to work with.

Legislative Issues

The BRTF wanted to identify the current pressing legislative issues for the town and schools in Sudbury. The town as well as the schools submitted lists which can be found in Appendix C.

Recommendation 2- Organize a BRTF meeting with state legislators to push top five legislative issues

After compiling the list of legislative initiatives that are important to Sudbury, the BRTF felt that the top five issues should be identified and all state representatives invited to a BRTF meeting where the issues are presented to them with a request for immediate action.

ACKNOWLEDGEMENTS

This report would not have been possible without the assistance of many of the dedicated public servants and their staffs who work for the people of Sudbury. The BRTF would like to thank the following:

Town

Lawrence O'Brien, Selectman
Maureen Valente, Town Manager
Wayne Walker, Assistant Town Manager
Andrea Terkelson, Director of Finance
Maureen Hafner, Assessor
Jody Kablack, Director of Planning and Community Development
Lisa Eggleston, Vice-Chair, Planning Board; Chair, Wastewater Committee
Peter Fadgen, Police Chief
Kenneth MacLean, Fire Chief
James Kelly, Building Inspector

Sudbury Public Schools

Dr. John Brackett, Superintendent
Mary Will, Director of Finance
Debbie Dixon, Director of Special Education
Joseph Kupczewski, Supervisor of Facilities

LS

Dr. John Ritchie, Superintendent
Judy Belliveau, Director of Finance
Kevin Rossley, Buildings and Grounds Department Coordinator

The BRTF would also like to thank various other resources for their help:

Steve Foster, Lincoln Property Company
Doug Halle, Acton Sewer Commission
Vonnie Reis, Weston & Sampson Engineering
Andy Zinkevich, Applied Water Management, American Water

APPENDIX A

Route 20 Sewer Cost Benefit Analysis
Town of Sudbury Budget Review Task Force
September, 2008

Cost-Benefit Analysis of Sudbury Boston Post Road Sewer District, No Increase in Commercial Property Tax Base

Sewer Size Options	Size of System in Gallons per Day	Monthly Operating Costs*
200,000 GPD System	200,000	\$ 13,500
100,000 GPD System	100,000	\$ 7,000

Sewer Connection Fees	Users	Connection Fee	Total Connection Fee Revenue
200,000 GPD Sewer System	750	\$ 5,500	\$ 4,125,000
100,000 GPD Sewer System	350	\$ 5,500	\$ 1,925,000

Sewer Usage and Flat Fees	Users	Flat Monthly Sewer Fee Rate	Monthly Average Hundred Cubic Feet (HCF) of Usage*	Monthly Sewer Usage Rate per HCF	Average Per User Monthly Sewer Usage Fee	Monthly Total Usage Fees Collected	Monthly Flat Fees Collected	Gallons per month	Gallons per day	Total Revenue per Month	Monthly Operating Costs	Monthly Revenue Less Operating Costs
200,000 GPD Sewer System	750	\$ 15.00	10	\$ 5.00	\$ 50.00	\$ 37,500.00	\$ 11,250.00	5,610,000	187,000.00	\$ 48,750.00	\$ 13,500	\$ 35,250.00
100,000 GPD Sewer System	350	\$ 15.00	10	\$ 5.00	\$ 50.00	\$ 17,500.00	\$ 5,250.00	2,618,000	87,266.67	\$ 22,750.00	\$ 7,000	\$ 15,750.00

Average Annual Sudbury Sewer Cost:	\$ 780.00
Average Annual MWRA Sewer Cost*:	\$ 647.00
Average Annual MA Sewer Cost*:	\$ 485.00

Number of Sudbury Households:	5,577
Number of Sudbury Businesses:	278

Government Sewer Grant:	\$ 1,000,000
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- Benefits:
- 1 A Boston Post Road Sewer District is arguably Sudbury's only opportunity to increase the commercial tax base
 - 2 Increased potential for restaurants and other businesses which require a sewer system
 - 3 Enhanced Boston Post Road business district with sidewalks, storefronts, parking spaces, benches and subsurface utility lines
 - 4 Eliminates the need to replace costly septic systems
 - 5 Eliminates the need for regular pumping, treatment, service and maintenance of costly septic systems
 - 6 Protects the area's water wells from potential septic tank failures
 - 7 Reduces Sudbury's costs for the Sudbury-Wayland Septage facility
 - 8 Reduces travel and fuel costs for Sudbury residents who currently travel out of Sudbury for many commercial transactions

Cost-Benefit Analysis including Revenue Sources from Sewer Connection Fees, Flat Fees and Usage Fees, no increase in Commercial Property Tax Base

Sewer Options	Capital Cost	Total Connection Fee Revenue	Capital Cost Less Connection Fee Revenue	Capital Cost Less Connection Fee Revenue Less Sewer Grant	Monthly Bond Service obligation on remaining Capital	Monthly Revenue Less Operating Costs	Monthly Bond Service less Revenue	Monthly tax burden per household/business	Annual tax burden per household/business
Haskell 3.6	\$ 15,956,394	\$ 4,125,000	\$ 11,831,394	\$ 10,831,394	\$51,710.73	\$ 35,250	\$16,461	\$ 2.81	\$ 33.74
Curtis 3.6	\$ 15,114,973	\$ 4,125,000	\$ 10,989,973	\$ 9,989,973	\$47,693.66	\$ 35,250	\$12,444	\$ 2.13	\$ 25.50
Private 3.6	\$ 14,694,262	\$ 4,125,000	\$ 10,569,262	\$ 9,569,262	\$45,685.12	\$ 35,250	\$10,435	\$ 1.78	\$ 21.39
Haskell 1.0	\$ 12,234,085	\$ 1,925,000	\$ 10,309,085	\$ 9,309,085	\$44,443.00	\$ 15,750	\$28,693	\$ 4.90	\$ 58.81
Curtis 1.0	\$ 11,471,864	\$ 1,925,000	\$ 9,546,864	\$ 8,546,864	\$40,804.04	\$ 15,750	\$25,054	\$ 4.28	\$ 51.35
Private 1.0	\$ 11,030,034	\$ 1,925,000	\$ 9,105,034	\$ 8,105,034	\$38,694.67	\$ 15,750	\$22,945	\$ 3.92	\$ 47.03

* = estimates based on available data from the 2007 MWRA Survey and the Tighe and Bond Sewer Survey

Assumptions:

- 1 The equivalent of 750 average users can be attained for the 200k GPD sewer system - approximately 150 property lots directly about the 3.6 mile proposed Boston Post Road Sewer District with significant sewer using entities such as restaurants including Sky Bar, Lotus Blossum and Bullfinch's; supermarkets including Sudbury Farms and Shaw's; residential facilities including Wingate and Orchard Hill and Bosse Sports Club
- 2 The equivalent of 350 average users can be attained for the 100k GPD sewer system - approximately 50 property lots directly about the 1.0 mile proposed Boston Post Road Sewer District with significant sewer using entities such as Mill Village, Sudbury Farms, Shaws and Lotus Blossum
- 3 Average sewer usage per user is 120 HCF (Hundred Cubic Feet) per year which equates to 90,000 gallons per year - which is an MWRA statistic
- 4 Assumes 30 Year Municipal Bond @ 4%
- 5 Monthly Operating Costs do not include personnel costs as existing DPW or Water District personnel would be expected to oversee the sewer operations

Appendix B
Budget Review Task Force
SUDBURY TRUST

Category	Description
<u>Restricted Gifts :</u>	<ul style="list-style-type: none"> -- Construct a museum to display Town artifacts, including a 1938 Ford Fire Engine (currently privately owned), donated by Henry Ford to Sudbury -- Repair the Carding Mill house and restore the Water Wheel to generate power for the building (perhaps house a Sudbury Museum at the location) -- Annual fireworks display (Fourth of July) -- Signage (Town Offices) over entry door of Flynn Building -- More canoe/kayak launches with parking areas -- Signage, maps, rules, etc. for historic "side of the road" turn-in areas
<u>Memorial Gifts:</u>	<ul style="list-style-type: none"> -- An added room for the Senior Center -- More exercise stations for Haskell Field site -- Park benches/signage and gazebo for Haskell Field site -- Blackout curtains for the Senior Ctr. for movie viewing or presentations -- Flagpole, light and landscaping at the DPW Building -- Flagpole at the Flynn Building -- History trail designed by Maria von Brincken -- Install a dock at Stearns Mill Dam -- Reconstruct bandstand near Noyes School -- Flowering tree groupings along Boston Post Road in the business area -- Stonewall encasing the "Alan Flynn Building" sign in front of Flynn Bldg., giving the area some definition -- Continuation of the front stone wall along the driveway side of Flynn Bldg. to contain a perennial garden entryway -- Stone benches and a water fountain in the area of the old bandstand -- Self Checkout and Security System for Goodnow Library -- Windows, Lighting to reduce energy costs in Town buildings (two satellite fire stations, Fairbank building, Town Hall and Police Station)
<u>Unrestricted Gifts:</u>	<ul style="list-style-type: none"> -- Retrofitting Fire Stations 2 & 3 to accommodate separate male and female sleeping and bathroom facilities

Appendix C

Budget Review Task Force

Legislative Issues

TOWN OF SUDBURY

Administrative Requirements

1. Notifying abutters by certified mail for Conservation Commission hearings. We are not always required to do this, but when we are it always feels unnecessary because: 1) there is public notification in the newspaper; 2) the public hearings are posted on the Town website; 3) abutters have no real input in the decision process for wetlands permits.
2. Requirement to complete the Commonwealth Capital application each year for eligibility for certain state grants. The process is cumbersome and very time consuming, and not all that much happens in a town in 1 year. It would be better to make it a 2-3 year requirement instead of an annual requirement.
3. U.S. Department of Labor – Quarterly reporting of wages and number of employees by department. Takes payroll many hours to complete.
4. IRS – New law for tracking 403B and 457 (retirement plans) limits. The employers are now responsible for tracking rather than the employees.
5. Free Cash – Massachusetts is the only state that has Free Cash certified. Very involved time consuming project. If the state did away with this the free cash would just be part of fund balance.
6. Mandate under MGL Ch. 115 to appoint a full time Veteran’s Services Officer. Only communities under 12,000 population are permitted by law to have only a part time VSO.
7. The Health Care Reform Act of 2007. Requires creation of databases; written notification to part time employees; completion of numerous forms and compilations of data; reporting requirements to the Executive Office of Health and Human Services.
8. Reporting requirements under Ch. 193 of the Acts of 2004 regarding municipal construction projects and notification to the State Office of Minority and Women Business Assistance (SOMWBA).
9. CORI checks for summer recreation program employees, particularly employing high school and college students from your own town.
10. The reporting process for the state formula grant is unnecessarily complex. The grant is given based on the number of residents age 60 and older. Because the amount of the grant is not known until the legislature sets the budget, COAs are asked to prepare two different grant applications for two estimated amounts of money. This year they asked for three versions, and then when the actual amount was known there was actually a 4th version required (although this was just a small shift from one of the first three versions.) When the grant year is finished, the Executive Office of Elder Affairs requires an elaborate statistical report that takes 40-60 staff hours each August, in addition to about 10 staff hours a week for data entry.
11. CPA – Financial administration of the Fund. Since the implementation of the Community preservation Act, the Assessors’ office has been inundated with abatements of the surcharge. Citizens who may be exempt because of age and/or income must be qualified through a review of their finances. In addition, anyone who is eligible for a personal exemption or an abatement of taxes may also be entitled to a proportioned amount of the CPF surcharge. Furthermore, both the Accounting and Tax Collectors Office are required to maintain records of these charges and changes. Under the provisions of the CP Act the community may hold up to 5% of the funds for administration. Yet it specifically prohibits the town from funding the finance department for the administration of the fund.

12. Annual Revaluations: For the past few years, the Department of Revenue has required cities and towns to revalue property annually instead of every three years. The third year still consists of the DOR coming to town to review the files and valuation models. But each year we must now provide all the analysis that we only provided every third year. This is incredibly time consuming. Even if the values don't change from one year to the next documentation must be presented as evidence that we have met the requirements of a revaluation.
13. Tailings/Unclaimed Checks. The handling of unclaimed checks is a bother. After so much time has passed it seems the onus should be on the claimant rather than the town. Advertising, etc. is costly.

Service Provision Mandates

1. The Check-out table at the polls. This was once needed to account for (and count) the ballots cast at each election. The ballots are now counted and read by the AccuVote machines. These machines are more accurate than the workers at the Check-out tables. The voters are already accounted for at the Check-in table on the Voter List. The Town Clerk's association has been trying for years to eliminate this duplication and with it the extra cost, in set up, materials and poll worker salaries. This was added to the recent Election Day Registration Bill this year, but of course, it was not passed.
2. Storage of State Election Ballots for 22 months in Sealed Containers. The State only requires Local Election Ballots to be kept for 30 days after an election. For State Elections the requirement is for 22 months. The time to request a recount of any election is passed after ten days. Storage of these ballots is a problem and when special elections are called, in particular, State special elections, having enough additional proper storage containers that can be sealed (they must be sealed at the polling places and then transported to the Town Clerk's office where they remain sealed for the 22 months) is expensive and difficult.
3. Maintaining the AutoMark (the handicapped accessible voting machine). The State purchased two of these machines, one for use at each of our polling locations and mandates their use. They also have provided the maintenance and memory card coding costs for elections through the end of 2008. Starting in calendar year 2009, this cost falls on the municipalities. The cost of memory card coding is around \$500 for each election. I estimate the yearly cost for maintenance and coding to be:
 - a. \$1000 for odd numbered years
 - b. \$2000 for even numbered years
 - c. \$2500 in a year with a Presidential Election.
 - d. This is if we have no repairs needed. The AutoMark machines have a poor history regarding repairs. We have already had one machine repaired, which was paid for by the State at a cost of about \$1000. That machine had only been used in two elections.
4. Emergency Medical Service Zone Plan: A well intended but essentially useless document that is designed to help establish measurable goals for ambulance service is the Service Zone Plan. While we submitted our plan to the Office of Emergency Medical Services (OEMS) on time, most did not, and of those submitted statewide very few were approved, including ours. This led us to question why we spent so much time identifying each parameter with such clarity, only to have the OEMS reject them even though these very parameters simply identify our individual standards. The stated purpose of the Service Zone Plan is to allow the primary emergency medical services (EMS) provider in a community to communicate their standards so that others will know what they have to meet if they choose to compete. The primary EMS could say that the local standard is to be on scene within 4 minutes 95% of the time or within 10 minutes 80% of the time – the point is to have an established local standard, not adherence to some external

standard. Unfortunately, OEMS has taken it upon themselves to accept or reject various local standards, and not always with consistency. An amusing example comes from one section where we are asked to identify our affiliate hospitals (Emerson, Framingham, UMass system) – in other words, where do we take our patients. Our response was rejected because these hospitals are not in Sudbury. Of course, there are no hospitals in Sudbury, but I doubt the intern reviewing our plan even knew that. A second rejection stemmed from requests for transport to patients' preferred hospitals which we will honor when appropriate, such as when they have just had surgery there, or their medical records are there, etc. OEMS rejected that parameter because the patient has no legal right to direct our transport. And then a statewide OEMS directive came out specifically recommending we honor those requests. Even OEMS can't agree what is acceptable. Preparing this plan and then amending it consumed vast quantities of time for no discernible value. We are confident that when all plans are approved, they will line some wall somewhere and look very impressive.

5. NEMSIS: The National Emergency Medical Services Information System is a new data collection device that will allow for national review of trends in the EMS system. While this will hopefully assist those who have created the program, no funding for compliance is provided at the local level. We have had to acquire 2 laptop computers, software, and install a wireless network at headquarters to meet the needs of NEMSIS. I have attended seminars trying to understand where the system is going and the deadline for compliance.
6. NIMSCAST: The National Incident Management System Compliance Assistance Support Tool (NIMSCAST) is an online tool that FEMA uses to evaluate a community's compliance with Presidential Directive #5 requiring all emergency responders to be trained in and operate under NIMS. This totally "voluntary" directive can be ignored so long as you never again intend to ask for federal funding for grants. It requires that certain levels of NIMS training be achieved, that tabletop exercises be held, and a host of other worthy activities be accomplished during the reporting period. There is no funding that comes as a result of being compliant, only a lack of automatic rejection for future grants requests. Filling out the NIMSCAST questionnaire and attending the annual seminar to understand it takes many hours. Underlying NIMSCAST is the NIMS program itself which had a compliance deadline of December, 2006. We worked diligently and met that deadline without funding support from the state or federal government. When many Massachusetts communities did not meet the deadline, it was extended and grant money made available to those who were delinquent, while the compliant towns (like Sudbury) got nothing.
7. EPA Stormwater: The EPA Phase II stormwater permit requirements are very time consuming to monitor and very costly to carry out. Funding is being achieved now mostly through grants but those are not likely to be available in the near future. Failure to meet permit requirements result in fines

Home Rule Limitations

1. Rezoning of property. Requirement in MGL c.40A, s. 5 which requires towns to obtain a 2/3 majority vote of Town Meeting to rezone land. This requirement makes it very difficult to change zoning due to the variability of Town Meeting members. It puts the Town at a disadvantage to make choices on growth and development.
2. Chapter 32B, contributory group general or blanket insurance for persons in the service of counties, cities, towns and districts, and their dependents.
3. Insurance, Ch 150E, including mandate to negotiate changes in health insurance.

Public Construction and Public Works Projects

1. Bonding requirements for contracts of \$2,000 or more for contractors involved in small public building or public works projects (the State threshold is \$5,000, and even that may be too low).
2. Requirement to obtain competitive quotes for all public building related work (anything greater than \$0 and less than \$25,000). And any proposed project with an estimated cost greater than \$25,000 requires a comprehensive, complex and cumbersome public bidding process and requires compliance with more complex and onerous requirements (e.g. advertising with the State Central Register, examining filed sub-bids for specific aspects of a project to be performed by subcontractors, compliance with prevailing wage rate regulations, mandate to accept the lowest “qualified” bidder) – qualified according to the state, not necessarily by the Town.
3. Construction Management requirements for public building projects greater than \$1.5 million.

Recently Enacted Laws

1. Laws that are written in the “one-size-fits-all” mode. Such is the case with the new sprinkler law, carbon monoxide detector regulations, trench safety requirement, and the new underground tank standards update. Each of these requires attending a seminar to understand the law, and then hours of challenge making it try to fit each building affected. In most cases the laws are simple to administer, but there are the 20% that take up 80% of the time. For instance, a local barn owner applied for permission to use it as an assembly occupancy raising the specter of a sprinkler requirement. The law did not fit this property well, and then to add to the challenge the sprinkler appeals board issued some rulings that seemed to contradict the original intent of the law. While I recognize that not all circumstances can be considered when a law is written, it is the number of new laws that are coming forth that make it very time consuming to keep abreast. This all takes time, and no funding comes from the state nor does each new law create new state resources to assist in decision making.

SUDBURY PUBLIC SCHOOLS

1. **Overturn the Hull Decision.** During the first three years, teachers should be employees “at will” as legislated. With the Hull Decision, non-renewal needs to be more like “just cause” and requires stated reasons for non-renewal. “Not a good fit” does not work anymore.
2. **Reduce the number of required data reports.** We are unsure of who uses them and why. Also, there is duplication of data in reports submitted by different departments.
3. **Drop the requirement for an audit for the End of Year Report.** It would save the district time and money.
4. **Reimburse Regular Education Transportation expenses for local districts.** We are basically required to transport students; we should be reimbursed for it as is done with the regions.
5. **Reimburse Special Education Transportation expenses via the Circuit Breaker.** There is no reimbursement for Special Education Transportation.
6. **Change the funding for Charter Schools.** The funding now comes from our Chapter 70 money. It is estimated on the number of children that the Charter School thinks that it is getting. (It is corrected later.) Charter Schools should count their students and receive their own Chapter 70 money. The local districts would not include those students in their counts.
7. **Work to make the Foundation Formula equitable.** Our Middle School is still receiving less per pupil than our elementary schools. Also, an issue exists about whether the Foundation Formula realistically addresses the needs of students.
8. **Overhaul the ESE (DOE) Department of Teacher Certification.** It is under-staffed and inefficient.

LINCOLN SUDBURY REGIONAL DISTRICT

1. **Revise the special education formula so that districts are more fairly reimbursed.** Currently the formula is 75% of the instructional costs incurred that exceed four times the foundation amount.

Current formula: if SPED instructional cost is \$80,000 and the foundation amount is \$15,000, amount reimbursed to the district is: $75\% \text{ of } (\$80,000 - 4 * \$15,000) = 75\% \text{ of } \$20,000 = \$15,000$. So, the district must absorb the remaining \$65,000).

2. **Revise the chapter 70 state aid formula for towns such as Sudbury with a higher density of households that send children to public schools.**