

# INDEX

Annual Town Election, March 25, 1974  
 Annual Town Meeting, April 1, 1974  
 State Primary Election, September 10, 1974  
 Special Town Meeting, October 22, 1974  
 State Biennial Election, November 5, 1974  
 State Election Recount, November 18, 1974

	Art.	Page	
Acts, General Laws			
Chap. 40, Sec. 4A (Septic Tank Pumping Disposal Facility)	46	306	IP
Chap. 40, Sec. 44B (Regional Refuse Disposal District)	45	305	
Chap. 40A, Sec. 5A (Recorded Lots)	17	245	
Acts, special			
Highway Commission Act (1963:577), amend	41	303	
Maximum Tax Rate, establish	9	216	DF
Selectmen, Board of, increase to five	52	313	IP
Animal shelters, permitted use in Industrial Districts (Art. IX, Sec. III,C,2)	20	249	
Architectural Planning Review Board, establish study committee	53	313	IP
Borrowing, authorization for	10	220	
Budgets	4	169	
Data Processing	3	336	
Highway budget, reconsideration	4(400)	207	DF
Highway budget, final form	4(400)	302	
Police budget, salaries	4(320)	302	
Sudbury Schools budget	4(110)	170	COMM.
Final motion, 1974 budget	4(110)	209	
Final motion, 1974 budget	4	302	
Bus Transportation Committee, establish	29	268	
Conservation land, purchase			
Bowditch/Post Roads	14	233	WTHID.
Davis land, North Road	12	223	
Hulbert land, Nobscot Mountain	13	229	
Whitman land, Boston Post Road	11	220	DF
Conservation land, transfers, tax possession properties	15	233	
Drainage system, engineering plans, Pine Lakes	39	295	
surface drains construction, Pine Lakes	40	300	IP
Elections			
Annual Town, March 25, 1974		156	
State Primary, September 10, 1974		320	
State Biennial, November 5, 1974		337	
State Biennial Recount, November 18, 1974		339	
Finance Committee Report		158	
Fire/Police Headquarters, design	56	316	
funds for construction	56	316	IP
funds for construction/equipping	1	323	DF
Flood Plain Zoning (Willis Pond-Run Brook) (Art. IX, Sec. I,G)	16	237	DF
Hadley house and land, purchase	51	311	IP
Haynes Garrison House site, purchase	50	310	IP
Highway Commission, amend act creating (1963:577)	41	303	
transfer control of property to	42	304	IP
Highway Department, Chapter #90 maintenance	5	214	
equipment, snow remover	6	214	IP
walkway snow plow	7	215	IP
Highway Garage, plans for addition	43	304	IP
Historic District, Boston Post Road, establish study committee	54	314	IP
Housing Authority, extend powers	30	272	
access road to elderly housing	2	334	
Hydrological and geological study	27	263	
Industrial District, animal shelters as permitted use (Art. IX, Sec. III,C,2)	20	249	
Limited Business District No. 6, enlarge (Art. IX, Sec. II,C)	25	258	
Lincoln-Sudbury Regional High School, athletic field drainage	44	281	
Map, official Town, add transportation corridors	26	263	
Open Space Districts, establish (Art. IX, Sec. II,A)	18	245	DF

	Art.	Page	
Park and Recreation, facilities, Featherland Park, ski area	48	307	DF
Feeley Park, septic system	8	215	
Haskell land development	49	309	
Park and Recreation, land, purchase Davis land, North Road	12	223	
Personnel Bylaw (Art. XI)			
classification plan and salary schedule	2	165	
working hours, overtime and longevity	2	301	
police classification plan and salary schedule	2	301	
employee benefits			
career incentive plan (Sec. 7(8))	3	168	
vacations (Sec. 7(3))	3	168	
Planning administrator (motion to delete prevailed)	4(512)	197	
Planning consultant	28	264	IP
Police/Fire Headquarters, design	56	316	
funds for construction	56	316	IP
funds for construction/equipping	1	323	DF
Recorded lots (Art. IX, Sec. IV,A,2)	17	245	
Recreation, see Park and Recreation			
Regional Refuse Disposal District, funds for study	45	305	
Reports, Town boards, committees, officials, accept	1	161	
Reserve fund, transfers from		182	
Resolutions			
Bicentennial: Militia and Minute Company officers		336	
Cutler, Richard Thompson		315	
Fairbank, Harvey Nathan		314	
Hadley, Rodney C.		314	
McCaw, Robert Plant, Jr.		315	
Tobo, Herbert J.		315	
Tichnor, Betsy		316	
Town Meeting Aides		314	
Selectmen, Board of, increase to five	52	313	IP
Septic-tank pumpings disposal facility, agreement	46	306	IP
design/construction	47	306	IP
Signs (Art. IX, Sec.V,J)	24	252	
Site plans, contiguous land (Art. IX, Sec. V,A)	21	249	
Street acceptances, 40 streets, accept layout	35	290	
Elsbeth Road	36	293	IP
Howell Road	37	293	
Robbins Road	37	293	
Union Avenue	38	294	
Swimming pools (Art. IX, Sec. V,M)	23	251	
Tax possession properties, transfers to Conservation Commission	15	233	
Tax rate, establish maximum rate	9	216	DF
Town Hall renovations, final plans	57	318	IP
Town Meeting, change date of (opinion poll)		334	
Transportation corridors, add to official Town map	26	263	
Transportation/land use consultant	28	264	IP
Unpaid bills (none offered)	55	316	WITHD.
Walkways, bicentennial			
engineering/construction (Sudbury Center, Old Sudbury Road, Hudson Road, Concord Road, Union Avenue)	33	286	IP
planning/engineering (The Wayside Inn Road, Boston Post Road, Concord Road, Pantry Road, Dakin Road)	34	289	IP
Walkways, school			
engineering/construction (Loring School, Horse Pond School, Fairbank School)	31	275	
planning/engineering (Haynes School, Curtis Junior High)	32A	283	
(Haynes School)	32B	283	DF
Wetlands, minimum lot size (Art. IX, Sec. IV)	19	247	DF
Zoning Bylaws, enforcement of (Art. IX, Sec. VI,A)	22	250	

COMM.	Committed
DF	Defeated
IP	Indefinitely Postponed
WITHD.	Article Withdrawn



## ANNUAL TOWN ELECTION

March 25, 1974

The Annual Town Election was held at the Peter Noyes School with the polls open from 7:00 A.M. to 8:00 P.M. There were 2018 votes cast including 32 absentee ballots (Precinct 1 - 4; Precinct 2 - 8; Precinct 3 - 3; Precinct 4 - 17). Twenty voting machines were used. The precinct results were announced by the Precinct Clerks, and the total results were announced by Town Clerk Betsey M. Powers at 9:50 P.M.

	<u>Pct. 1</u>	<u>Pct. 2</u>	<u>Pct. 3</u>	<u>Pct. 4</u>	<u>Total</u>
MODERATOR: For One Year					
Frank R. Sherman	260	381	394	521	1556
Blanks	76	126	122	138	462
SELECTMAN: For Three Years					
William F. Toomey	237	347	375	491	1450
Blanks	99	160	141	168	568
ASSESSOR: For Three Years					
Norman R. Gillespie	149	223	208	271	851
Frank H. Grinnell	178	272	287	368	1105
Blanks	9	12	21	20	62
TAX COLLECTOR: For Three Years					
Isabelle K. Stone	264	395	409	558	1626
Blanks	72	112	107	101	392
TREASURER: For Three Years					
William E. Downing	254	372	386	540	1552
Blanks	82	135	130	119	466
TOWN CLERK: For Three Years					
Betsey M. Powers	269	393	413	549	1624
Blanks	67	114	103	110	394
CONSTABLE: For Three Years					
Barbara A. Herrick (write-in)	30	73	61	73	237
Scattering	0	7	0	5	12
Blanks	306	427	455	581	1769
GOODNOW LIBRARY TRUSTEE:					
For Three Years					
(Vote for Two)					
June R. Atwood	241	330	333	463	1367
Sylvia M. Throckmorton	215	313	344	481	1353
Blanks	216	371	355	374	1316
BOARD OF HEALTH: For Three Years					
John J. Healy	250	364	377	503	1494
Blanks	86	143	139	156	524
PLANNING BOARD: For Five Years					
Eben B. Stevens	246	343	366	497	1452
Blanks	90	164	150	162	566
SUDBURY SCHOOL COMMITTEE:					
For Three Years					
Alfred C. Cron	229	346	358	474	1407
Blanks	107	161	158	185	611

	<u>Pct. 1</u>	<u>Pct. 2</u>	<u>Pct. 3</u>	<u>Pct. 4</u>	<u>Total</u>
BOARD OF PARK AND RECREATION					
COMMISSIONERS: For Three Years					
(Vote for Two)					
John E. Murray	187	309	320	440	1256
Robert E. Grant (write-in)	28	38	66	45	177
Scattering	1	1	0	1	3
Blanks	456	666	646	832	2600
HIGHWAY COMMISSION: For Three Years					
John C. Hare	227	331	333	454	1345
Blanks	109	176	183	205	673
SUDBURY HOUSING AUTHORITY:					
For Five Years					
Robert B. Williams	208	322	333	441	1304
Blanks	128	185	183	218	714
LINCOLN-SUDBURY REGIONAL SCHOOL					
DISTRICT SCHOOL COMMITTEE:					
For Three Years					
(Vote for Two)					
Henry M. Morgan	65	113	94	163	435
Richard F. Brooks	163	237	296	370	1066
Lawrence Bussey, Jr.	93	165	171	190	619
Richard H. Davison	251	370	331	464	1416
Blanks	100	129	140	131	500

(NOTE: Members of the Lincoln-Sudbury Regional School District School Committee were elected on an at large basis pursuant to the vote of the Special Town Meeting of October 26, 1970, under Article 1 and subsequent passage by the General Court of Chapter 20 of the Acts of 1971. The votes recorded above for this office are those cast in Sudbury only.)

A True Record, Attest:

*Betsey M. Powers*  
 Betsey M. Powers  
 Town Clerk

# 1974 FINANCE COMMITTEE REPORT

One of the major purposes of the Annual Town Meeting is to establish a financial plan for the Town government and the local and regional school systems. The next budget covers from July 1, 1974, through the 12-month period ending June 30, 1975. As in the 18-month budget, which is the basis of our current operations, this new fiscal budget has no precedent. It was necessary, therefore, to exercise great care in both the preparation and review of the budgets.

The Assessors will establish our local tax rate sometime after Town Meeting by dividing the net cost of all projects and services by the total Town evaluation. (The net cost is based on total cost less State aid, Federal revenue sharing, free cash, etc.). A table of your tax dollars required to pay for each service is printed on page i [Proceedings, page 159] of your Warrant. It is estimated that each \$163,000 voted adds \$1 to your tax rate--an additional dollar for each \$1,000 of assessed evaluation of your property. Thus, if your house is valued by the Assessors at \$50,000, \$1 on the tax rate adds \$50 to your tax bill for the 1974-1975 fiscal year.

This is a critical tax year for the Town of Sudbury. The Finance Committee has recommended \$304,353 reductions in the budgets submitted on a priority basis and \$871,400 reductions in the articles proposed. We, also, in consultation with the Town Treasurer, have recommended bonding where large, long term capital projects are involved. As of February 15 our estimated tax rate is \$51.06, if you support our recommendations at the Annual Town Meeting. Additional information, including more accurate data on State aid (an important component) will be available by Town Meeting and a revised estimate will be presented orally at that time.

Your Finance Committee has voted and recommended specific amounts for each budget line item. These are the amounts that we think Sudbury should spend. These recommendations represent our best judgment of the need and desirability, measured against the cost and our expectations of results. Further, if these amounts are approved by you, we believe the boards and departments involved must make every effort to live within these budgets and should not expect relief via a transfer from the Reserve Fund.

Columns of expenses in comparable prior periods are shown in this Warrant for your comparison. This time the financial data are presented in a fiscal year format.

We have, as required by the Bylaws, presented recommendations for each article of the Warrant, even if dollars are not involved. Unfortunately, many Warrant articles are little more than general concepts when submitted to or by the Selectmen in December, with specific development following--all the way up to the actual motion on the Town Meeting floor in April. We obtain available information at our hearings, and through further direct investigation. Then, we develop our written recommendations as of a February 15 press date.

The Finance Committee was established by State law as an independent board with no operational responsibilities or political interests. The nine members of the Finance Committee are appointed by the Moderator for three-year overlapping terms. Our major function is to inform and advise the Town; we are also obliged to "consider all articles of Town Meeting Warrant and report our recommendations to you".

We work for you and have taken this responsibility seriously. An estimated total of more than 1,000 hours have been devoted by the members of your Finance Committee in preparing recommendations on the budget and the articles before you. We hope and trust that you will find our recommendations and comments helpful in making informed votes at the Annual Town Meeting.

Respectfully submitted,

Roger H. Bender  
Ronald L. Blecher  
Karl E. Clough  
Peter V. DeGeorge (resigned)  
John Drum

Carolyn J. Edwards  
John J. Hennessy  
Frank T. LeBart, Chairman  
S. William Linko

## IMPACT OF THE ESTIMATED 1974/75 TAX RATE ON YOUR WALLET

ITEM	AMOUNT	YOUR TOTAL ASSESSED VALUATION			
		\$5,000	\$10,000	\$25,000	\$50,000
100 SCHOOLS					
SADBURY	\$3,885,000	\$119.17	\$238.34	\$595.85	\$1,191.71
LSRHS	2,894,465	88.54	177.02	442.46	884.86
MMRVTHS	192,503	5.90	11.81	29.53	59.00
USE OF SCHOOLS	13,000	.40	.80	2.00	4.00
200 DEBT	643,209	19.73	39.50	98.75	197.50
300 PROTECTION	905,640	27.77	55.54	138.86	277.73
400 HIGHWAY	810,707	24.82	49.63	124.07	248.13
500 GOVERNMENT	333,687	10.23	20.46	51.15	102.30
600 LIBRARY	109,842	3.37	6.74	16.85	33.69
700 PARKS & RECREATION	103,600	3.20	6.40	16.00	32.00
800 HEALTH	65,393	2.00	4.00	10.00	20.00
900 VETERANS	11,700	.36	.72	1.80	3.60
950 UNCLASSIFIED	457,025	13.99	27.97	69.93	139.84
ARTICLE 5 HIGHWAY	AVAIL. FUNDS	--	--	--	--
ARTICLE 8 SEPTIC SYSTEM	2,500	.08	.16	.40	.80
ARTICLE 11 WHITMAN LAND	CONS. FUND	--	--	--	--
ARTICLE 12 DAVIS-EDISON LAND	4,600	.12	.24	.60	1.20
	(Down Payment)				
ARTICLE 29 BUS	25,000	.75	1.50	3.75	7.50
ARTICLE 31 WALKWAY	32,000	1.00	2.00	5.00	10.00
	(Down Payment)				
ARTICLE 35 HIGHWAY	2,000	.05	.10	.25	.50
ARTICLE 36 HIGHWAY	8,000	.20	.40	1.00	2.00
ARTICLE 37 HIGHWAY	3,000	.07	.15	.38	.75
ARTICLE 38 HIGHWAY	2,000	.05	.10	.25	.50
ARTICLES 39 & 40 DRAINAGE	5,000	.15	.30	.76	1.52
	(Down Payment)				
ARTICLE 44 LSRHS	NO PAYMENT	--	--	--	--
ARTICLE 45 REFUSE DISPOSAL	6,008	.18	.37	.92	1.84
ARTICLE 47 SEPTAGE	30,000	.92	1.84	4.60	9.20
ARTICLE 50 HAYNES HOUSE	15,000	.46	.92	2.30	4.60
ARTICLE 56 FIRE & POLICE	25,000	.77	1.53	3.83	7.67
OTHER APPROPRIATIONS	192,000	5.89	11.78	29.45	58.90
LESS OTHER RECEIPTS	(2,441,854)	(74.90)	(149.80)	(374.52)	(749.03)
TOTAL TAX BILL	\$8,336,025	\$255.26	\$510.52	\$1,276.22	\$2,552.31

## ESTIMATED SUDBURY 1974-75 TAX RATE

(Prepared by the Finance Committee)

DEPARTMENT	2/3 OF 18 MONTH APPROPRIATION	1974-75 RECOMMENDATION	INCREASE	% INCREASE	% TOTAL
SCHOOLS					
Sudbury	\$3,767,290	\$3,885,000	\$117,710	3.1	37.4
LSRHS	2,441,364	2,894,465	453,101	18.1	27.8
MMRVTHS	81,243	192,503	111,260	136.9	1.8
Community Use	13,868	13,000	- 868	- 6.2	.1
DEBT	649,963	643,209	- 6,754	- 1.0	6.1
PROTECTION	889,062	905,640	16,578	1.8	8.7
HIGHWAY	708,784	810,707	101,923	14.1	7.8
GOVERNMENT	287,802	333,687	45,885	15.8	3.2
LIBRARY	96,499	109,842	13,343	13.8	1.0
PARKS & RECREATION	85,614	103,600	17,986	21.0	1.0
HEALTH	57,525	65,393	7,868	13.7	.6
VETERANS	11,568	11,700	132	1.0	.1
UNCLASSIFIED	384,348	457,025	71,509	18.6	4.4
	\$9,474,930	\$10,425,771	\$949,673	9.9	100.0
Special Articles Recommended		160,108			
Estimate of Classification Increases		70,000			
Estimate of Overlay & Assessments		122,000			
Gross Estimated Appropriation		\$10,777,879			
Less Estimated Receipts (Net)		1,194,427			
Less Free Cash		300,000			
Less Highway Receipts & Offsets		137,515			
Less Governmental Receipts		509,912			
Less Overlay Surplus		100,000			
Less Revenue Sharing		200,000			
		2,441,854			
TOTAL TO BE RAISED BY TAXATION		\$ 8,336,025			
Tax Rate Based on \$163,000,000 Assessed Valuation				\$51.14	



PROCEEDINGS  
ANNUAL TOWN MEETING  
April 1, 1974

The Moderator called the meeting to order at 8:00 P.M. at the Lincoln-Sudbury Regional High School Auditorium. He announced that a quorum was present.

He recognized the Reverend Michael E. Boardman of the First Parish Church of Sudbury, Unitarian, for the purpose of delivering the invocation.

At the request of the Moderator, consent was given for Mrs. Georgia Ireland, Regional Director of the National Revolutionary War Bicentennial Administration, and for Representative Ann C. Gannett, to address the hall.

Mrs. Ireland was recognized for the purpose of making a presentation to the Town of a Bicentennial flag and a certificate of recognition. She stated that there was a challenge made to about 40,000 governmental entities across the United States of America to become Bicentennial Communities. Today, 700 communities have met that challenge. Sudbury was the fifth in the State of Massachusetts to be so recognized and its bicentennial community program is one of exemplary proportion. She then congratulated the Town and presented the flag and certificate to Mr. John C. Powers, Chairman of the Sudbury Bicentennial Committee.

Representative Gannett was then recognized and presented to the Town a check for \$4,000.00 for Heritage Park.

Mr. Powers thanked Mrs. Ireland and Representative Gannett on behalf of the inhabitants of the Town and the Bicentennial Committee. He stated that the check represented 10% of the first grant of Federal funds to the State for Bicentennial programs and that Sudbury had done rather well.

The Moderator then led the citizens in the pledge of allegiance to the flag.

He announced that the amount of free cash, available funds, was \$333,506.00, as certified by John H. Wilson, Town Accountant. He also stated that he had examined the call of the meeting and the officer's return of service and had found them both in order.

*VOTED: TO DISPENSE WITH THE READING OF THE CALL OF THE MEETING AND  
THE OFFICER'S RETURN OF SERVICE AND TO WAIVE THE READING OF  
THE SEPARATE ARTICLES OF THE WARRANT.*

The Moderator announced that, under the Bylaws of the Town, he and the Town Clerk required that all motions of more than five or so words be reduced to writing and that interleaved carbon sets were available for that purpose. He also announced that the Consent Calendar had been handed out at the door, and that it would be the first order of business tomorrow night.

ARTICLE 1: To see if the Town will vote to hear, consider, and accept the reports of the Town boards, commissions, officers, and committees as printed in the 1973 Town Report or as otherwise presented, or act on anything relative thereto.

Submitted by the Board of Selectmen.

Finance Committee Report: (Mr. Frank T. LeBart)

An estimated total of more than 1,000 hours have been devoted by the members of your Finance Committee in preparing recommendations on the budgets and articles before you.

One of the major purposes of the Annual Town Meeting is to establish a financial plan for Town government and the local and regional school systems. The next budget covers from July 1, 1974, through the twelve-month period ending June 30, 1975. This is the first of our budgets to be prepared on the new fiscal year format as required by State statute. It was necessary, therefore, to exercise great care in both the preparation and review of budgets.

As we looked at the total proposed costs, to you as the taxpayers of the Town, of all budgets and articles as originally submitted and contemplated what had to be done to present a reasonable financial plan, the problem reminded me of the phrase attributed to Winston Churchill: "An enigma, within a dilemma, wrapped up in a riddle".

April 1, 1974

This is a very critical year for Sudbury. We must hold the line on expenses. We cannot do all that was proposed originally in budgets and articles. If we did, our tax rate would soar from the present \$49.50, adjusted recently to \$48.00, to \$65.55, an increase of more than 32%. And this, of course, would be superimposed on top of an increase of \$6.00 on the tax rate last year from \$43.50 to \$49.50, an increase of nearly 14%.

There are two summary tables in your Warrant which we hope you will find helpful. The first appears opposite the Finance Committee Report on page roman numeral i, [Proceedings, page 159], near the front of your booklet. You may wish to refer to that page now. This shows the impact of each major budget category and each article recommended for approval by the Finance Committee on your tax bill at four levels of assessed valuation.

You will note that the total amount to be raised by taxation is \$8,336,025, as indicated at the bottom of the first column. You will also note that the line above that total, labelled "Less Other Receipts", indicates that the impact on your tax rate is reduced by receipts totalling \$2,441,854.

On page roman numeral iii, [Proceedings, page 160], towards the bottom of the page, we show a breakdown of these receipts:

Less estimated receipts (Net)	[Cherry Sheet]
State Aid	\$1,194,427
Less free cash	300,000
Less highway receipts & offsets	137,515
Less governmental receipts (motor vehicle excise, fines, licenses, etc.)	509,912
Less overlay surplus (previously set aside by Assessors to cover abatements, refunds, uncollected taxes, etc.)	100,000
Less (Federal) Revenue Sharing	200,000
Total:	\$2,441,854

These receipts, we should caution, are estimates. The amounts anticipated for State Aid and Federal Revenue Sharing are especially subject to change. These amounts ultimately will be determined by the Governor and the State legislature and by the Federal government. They are beyond our direct control.

Last year, for example, there was a significant and unanticipated decrease in State Aid. As a result, all 351 communities in Massachusetts, including Sudbury, were caught short in their estimates. This caused our tax rate to increase more than anticipated.

As a result of last year's experience, we asked the Town Accountant to exercise great care, based on the best information he can obtain, in preparing these estimated receipts. We believe they are careful, responsible estimates which tend to be on the conservative side. Therefore, total receipts should equal or exceed the \$2,441,854 shown here.

The upper portion of the table on roman iii [page 160] provides you with a comparison of two-thirds of the eighteen-month budget with the Finance Committee's 1974-75 budget recommendations. The next two columns indicate the dollar and per cent increase of each budget sector and the final column shows the percentage that each budget category represents of the total. You will note that the total overall increase for the budget is 9.9%, as shown at the bottom of the fourth column--in spite of our best efforts to urge and request rigid cost control.

Our budget recommendations for 1974-75 are as shown in the second column. These are based on recommendations for reductions totalling \$304,353.

The Finance Committee Report which appears on pages roman ii and iii [page 158] indicates that each \$163,000 voted by you at this Annual Town Meeting amounts to \$1.00 on your tax rate. Due to the increase in total Town valuation recently announced by the Board of Assessors, \$164,548 is now equivalent to one dollar on your tax rate. If your house is assessed at \$25,000, this amount adds \$25 to your 1974-75 fiscal year tax bill.

The "monied" articles as originally submitted totalled \$2,410,508. We are recommending approval for thirteen of the monied articles. A summary of these articles, together with their impact on the tax rate, is shown on roman i [page 159]. The articles recommended for approval amount to a total of \$1,786,108, of which \$372,000 is expected to be reimbursed. This represents a reduction of \$624,400 over the original submissions, not including reimbursement.

April 1, 1974

In terms of the financing of the articles, we are recommending the following:

Direct appropriation	\$ 131,108
From available funds	215,000
To be bonded	<u>1,440,000</u>
Total:	\$1,786,108

A word now about bonding. We would prefer to stay on a pay-as-you-go basis --both philosophically and in terms of the economics. Bonding, in the long run, costs us all more money. As indicated in the table on page roman iii [page 160], our debt service payments on both interest and principal, will cost us \$643,209 or 6.1% of our total budget.

However, of this total debt, 95% is for school projects and only 5% is for municipal purposes. This underlines the high priority we have placed on schools and education and reflects the school population boom experienced by Sudbury.

There are now encouraging signs that the school growth is levelling off. This suggests that this is the right time to place a higher priority on other long-term community needs.

Now, bonding, while not as attractive in some ways as pay-as-you-go financing, does have some advantages. And the Puritan ethic notwithstanding, bonding is not amoral nor a mortal sin. Most of our citizens here tonight have mortgages on their houses and bonding for a municipality is quite similar.

One advantage to bonding is that it permits you to make long-term capital purchases at a time when the need or priority is the greatest. A second is that you buy with today's dollars and, if the present inflationary spiral continues, you pay back tomorrow with cheaper dollars. Thus, to cite two examples, we can build a new police-fire headquarters at a time when it is needed at less cost and we can buy open land for parks and recreation and conservation purposes at a time when open land is still available and at a reasonable price.

The bonding we are proposing will add approximately one dollar to your tax rate next year as debt service and will gradually decrease over the next ten years. In terms of legal limit, the school debt is excluded from consideration which means that our present legal debt is \$153,400 compared with a permissible level of \$8.2 million.

Two final points on our overall financial plan. We are recommending the use of \$300,000 of free cash and the use of \$100,000 from overlay surplus to the Finance Committee Reserve Fund. The latter action will reduce your tax rate by that amount.

Last year we of the Finance Committee stated: "The key issue, as we see it, is the need for Sudbury to take a more aggressive approach to planning and land management. We need a comprehensive plan designed to influence the Town's growth in a positive manner."

We continue to believe that this is the key issue for the Town and have reconfirmed our position in a formal vote. Accordingly, we have made only one major exception to our policy of recommending no increase in Town personnel, and that is our support of the Planning Board's recommendation for a full-time planning administrator. We believe that this is a sound move, consistent with the Town's highest priority need.

If you follow our recommendation on budget and the "monied" articles and other aspects of our total financial plan, your tax rate will be about \$51.00 compared with the current rate of \$49.50.

This represents about a 3% increase compared with inflation of 7-8%. (Incidentally, the tax rate is estimated at \$51.06 on page roman ii [page 158] and at \$51.14 on page roman iii [page 160]--all of which underlines the apparent impact of inflation--that's 4 cents per page). Seriously, we believe an estimate of \$51.00 is about right, in any event.

As you look at the previous year comparisons shown in the budgets in Article 4, keep in mind that the Warrant indicates 1972 and 1973 expenses in terms of impact on the tax rate. In the case of some boards and committees, two notable examples, the Highway Commission and Park and Recreation, there are seasonal expenditures patterns which make comparisons with the 1974-75 fiscal year somewhat misleading. Please be assured, however, that we have considered this factor in our recommendations.

April 1, 1974

As you know, our printed recommendations in the Warrant were made as of our press date of February 15. Some of those comments will require amplification, clarification or repetition. In several cases, new information has been developed since our press date. For these reasons, we feel it necessary to report orally on several of the articles and budget categories; but to expedite Town Meeting, we plan to limit our comments to as few as possible.

Board of Selectmen Report: (Mr. John C. Powers)

Your Board of Selectmen, as the chief administrative board in the Town of Sudbury, believes that it has the responsibility of advising you at the threshold of this town meeting of our view of the state of your Town government. With your help and support, we have commenced a strong program in conjunction with other towns and State-wide organizations to assure that our State government will meet its financial responsibilities to the towns. Already, in response to such pressure, the Governor has endorsed a multi-million dollar program to assure proper reimbursement. Our re-evaluation suit is soon to go to trial with a key decision due apparently in late summer.

But, if we are to ask State government to be responsible, we must do the same thing here ourselves. We can only achieve responsible government and a reasonable fiscal balance if we address ourselves to the development of a planned, integrated program of governmental action. We believe that it is time to recognize that the Town is entitled to be presented with a unified program - a program that will have within it an agreed consensus of priority which aims at balance and which is keyed to a balanced program of capital expenditures, a program which will not be keyed just to one year, but which will allow you, the taxpayer, to have some confidence in the present and future tax demands of your government. We can no longer afford to present to you each year a disorganized scramble of new programs and projects which have been unanticipated even in the year before, which are hurriedly and often sketchily prepared, which are not coordinated with the activities of other Town boards and departments, but, most especially, which are unrelated to a balanced fiscal program.

We are not minimizing the importance or desirability of any given project. We are certainly not minimizing the sincerity and dedication of any of our hard working, dedicated boards and commissions. Nor do we blame them or ourselves for doing what has been customary.

But, the time has come to mend our ways and improve our product. It is time for our boards and committees to remember the old sailor's adage, "One hand for yourself, and one for the ship", and lend one hand to their special interest and one to their Town. We have, with your help, made a strong start in the development of a key professional staff whose specialized training has aided in the vast improvement of management of line operations, uniform fiscal planning and inter-departmental coordination. Good management saves money and improves product, provided it is properly supported in fiscal program.

We call your attention to the fact that housing starts in Sudbury are at their lowest point in a decade. We further advise you that the increase in population is the lowest since 1953. We believe that this situation, based upon the general economy, will be with us for at least one and probably two more years. The importance of this respite is that it should allow us the proper opportunity to hold on many large special project articles in favor of accomplishing an overall integrated capital program for the ensuing years which is in the best interests of the Town.

In the light of these comments, the Selectmen are making certain recommendations to you on items within the 1974 Warrant. You will find these in your hand-out, which also indicates whether the position represents the unanimous or a majority opinion of the board. We will take the requisite action under the various line items.

No new departmental programs are recommended in line with our enforced guidelines. We will move to postpone indefinitely any special article that has not been part of the on-going, long range, capital expenditure program of the Town, which would contribute to impacting this and future tax rates. In short, we are asking your support to send these articles back to the planning process so that they may be properly evaluated, not merely on their individual merit, but in the light of overall program.

We support the Planning Administrator as essential to the process we have urged upon you. Sudbury can no longer afford to bring new major zoning and land use articles before you without a coordinated land use plan which reflects the economics of the Town and also general support of its government and its people.

April 1, 1974

We differ from our friends on the Finance Committee in that we only recommend bonding for projects previously planned and reported in the Long Range Capital Expenditures report. With an annual carrying cost of \$833,000 for bonding alone, we believe that we must exercise extreme care in bonding practices particularly in a high interest market. We must develop a coordinated plan for bonding policies particularly in view of the major capital programs which are headed our way, such as septage, sewage, and highway reconstruction. Now is not the time to use bonding for items which normally would fall into regular expenditure categories.

Our request for additional funds in line items reflects the collective bargaining agreements and items to continue present needed levels of departmental operation and services. Again, we urge your support for a program that will keep tax increases at a minimum and that will allow for continuation of vital services. You will note that our estimated tax impact is exactly the same as the Finance Committee's - \$51.00.

Above all, we urge upon you that you, in your actions at this meeting, reflect your desire as well as ours, to insist upon a much higher quality of planning, development, coordination and balance than we have had in the past.

The Moderator stated that it has become traditional within the past few years to recognize for the purpose of making a motion under Article 1, someone who has served us for many years, and who will soon be leaving our service. Such a man is the one I am about to recognize. He has served as a member and chairman of the Planning Board. He has served as Building Inspector, Wiring Inspector and Fire Chief of the Town. If you add up all his years of service to Sudbury, in all of his various capacities, you would come very close to fifty or sixty years. For the motion under Article 1, the Moderator recognized Chief Albert St. Germain.

Chief St. Germain received a standing ovation from the hall prior to making his motion.

*UNANIMOUSLY VOTED: THAT THE TOWN ACCEPT THE REPORTS OF THE TOWN BOARDS, COMMISSIONS, OFFICERS AND COMMITTEES AS PRINTED IN THE 1973 TOWN REPORT, SUBJECT TO THE CORRECTIONS OF ERRORS IF AND WHEN FOUND.*

ARTICLE 2: To see if the Town will vote to amend Article XI of the Town Bylaws, entitled: "The Personnel Administration Plan", by striking out the Personnel Classification Plan and Salary Schedule therein and by replacing it Bylaw: with the following:  
Salary Plan  
Art. XI

REVISED CLASSIFICATION PLAN AND SALARY SCHEDULE

As of March 26, 1974

CLASSIFICATION	HRS PER WEEK	START	STEP 1	STEP 2	STEP 3	STEP 4
<u>CLERICAL</u>						
<u>ANNUALLY RATED</u>						
Administrative Secretary	35	\$ 7,746	\$ 7,969	\$ 8,195	\$ 8,423	\$ 8,648
Assistant to Town Clerk	35	7,746	7,969	8,195	8,423	8,648
Principal Clerk	35	6,900	7,110	7,359	7,544	7,753
Senior Clerk	35	6,206	6,400	6,672	6,814	7,020
Junior Clerk	35	5,439	5,646	5,840	6,047	6,236
<u>HOURLY RATED</u>						
Senior Part-time Clerk		3.18	3.29	3.42	3.54	3.68
Junior Part-time Clerk		2.51	2.62	2.72	2.81	2.92
<u>FIRE DEPARTMENT</u>						
<u>ANNUALLY RATED</u>						
Fire Chief		INDIVIDUALLY RATED - \$20,000				
Fire Captain	42	\$11,959	\$12,258	\$12,565	\$12,871	\$13,206
Fire Fighter	42	9,721	9,966	10,217	10,463	10,736
<u>SINGLE RATE</u>						
Call Fire Fighter		\$47.19 per year and \$4.54 per hour				
Shift Replacement						
Fire Fighter		10-hour shift - \$35.95				
Fire Fighter		14-hour shift - \$49.44				

April 1, 1974

CLASSIFICATION	HRS PER WEEK	START	STEP 1	STEP 2	STEP 3	STEP 4
<u>POLICE DEPARTMENT</u>						
<u>ANNUALLY RATED</u>						
Police Chief		INDIVIDUALLY RATED - \$20,000				
Sergeant	37 1/3	\$11,651	\$11,945	\$12,250	\$12,550	\$12,818
Patrolman	37 1/3	9,908	10,159	10,418	10,672	10,902
<u>SINGLE RATE</u>						
Administrative Assistant				\$ 600 per year		
Fingerprint Officer				\$ 600 per year		
Juvenile Officer				\$ 300 per year		
Safety Officer				\$ 300 per year		
Provisional Patrolman (Temporary Civil Service)				\$ 8,526 per year		
Police Woman (School Traffic Duty)				\$ 36.65 per week		
Police Matron				\$ 3.02 per hour		
<u>HIGHWAY DEPARTMENT</u>						
<u>ANNUALLY RATED</u>						
Highway Superintendent		INDIVIDUALLY RATED - MAXIMUM \$21,000				
Asst. Highway Superintendent		INDIVIDUALLY RATED - MAXIMUM \$14,300				
Foreman - Highway	45	\$11,172	\$11,469	\$11,768	\$12,087	\$12,384
Foreman - Tree & Cemetery	45	11,172	11,469	11,768	12,087	12,384
<u>HOURLY RATED</u>						
Mechanic	45	4.23	4.43	4.63	4.85	5.04
Heavy Equipment Operator	45	3.87	4.04	4.22	4.35	4.54
Tree Surgeon	45	3.87	4.04	4.22	4.35	4.54
Truck and/or Light Equipment Operator	45	3.54	3.68	3.83	3.99	4.11
Tree Climber	45	3.54	3.68	3.83	3.99	4.11
Laborer (Heavy)	45	3.21	3.31	3.45	3.59	3.72
Laborer (Light)	45	2.53	2.63	2.74	2.84	2.97
<u>LIBRARY</u>						
<u>ANNUALLY RATED</u>						
Library Director		INDIVIDUALLY RATED - \$13,000				
Children's Librarian	35	INDIVIDUALLY RATED - \$ 7,700				
Asst. Library Director	35	\$ 8,307	\$ 8,637	\$ 9,074	\$ 9,532	\$10,011
Reference Librarian	35	7,988	8,307	8,722	9,159	9,617
Librarian Assistant	35	6,206	6,400	6,672	6,814	7,020
<u>HOURLY RATED</u>						
Asst. Children's Librarian		3.51	3.67	3.83	4.05	4.26
Librarian Asst., part-time		3.17	3.29	3.41	3.55	3.68
Junior Librarian Asst.		2.18	2.32	2.41	2.51	2.60
Library Page		1.60	1.70	1.81		
<u>PARK &amp; RECREATION DEPARTMENT</u>						
<u>HOURLY RATED</u>						
Assistant Recreation Director (Swimming)		3.54	3.68	3.83	3.99	4.11
Recreation Maintenance Supervisor		3.54	3.68	3.83	3.99	4.11
Assistant Recreation Director (Playground)		3.25	3.38	3.51	3.66	3.77
College Work Study Counselor		2.92	3.04	3.15	3.29	3.43
Swimming Instructor		2.92	3.04	3.15	3.29	3.43
Playground Supervisor		2.62	2.72	2.81	2.95	3.01
Assistant Swimming Instructor		2.32	2.41	2.51	2.60	2.72
Playground Leader		2.32	2.41	2.51	2.60	2.72
Wading Pool Leader		2.32	2.41	2.51	2.60	2.72
<u>SINGLE RATE</u>						
Recreation Director				\$ 4,473 per year		
<u>TOWN ADMINISTRATION</u>						
<u>ANNUALLY RATED</u>						
Executive Secretary		INDIVIDUALLY RATED - MAXIMUM \$24,000				
Town Accountant		INDIVIDUALLY RATED - MAXIMUM \$15,500				
Town Engineer/Surveyor		INDIVIDUALLY RATED - MAXIMUM \$18,500				
Building Inspector & Zoning Enforcement Agent		INDIVIDUALLY RATED - MAXIMUM \$15,500				
Director of Health		INDIVIDUALLY RATED - MAXIMUM \$17,000				
Junior Civil Engineer	40	\$10,678	\$11,098	\$11,541	\$12,007	\$12,494
Building Services Coord.	40	9,291	9,526	9,763	10,000	10,250
Assistant Dog Officer		6,900	7,110	7,359	7,544	7,753

April 1, 1974

CLASSIFICATION	HRS PER WEEK	START	STEP 1	STEP 2	STEP 3	STEP 4
<u>TOWN ADMINISTRATION</u>						
<u>HOURLY RATED</u>						
Senior Engineering Aide		4.13	4.30	4.47	4.65	4.84
Junior Engineering Aide		3.26	3.40	3.54	3.67	3.82
Student Engineering Aide		2.58	2.68	2.79	2.90	3.01
Custodian		3.18	3.29	3.42	3.55	3.68
Custodian (part-time)		2.51	2.62	2.72	2.81	2.95
<u>SINGLE RATE SCHEDULE</u>						
Veterans Agent & Director			\$ 1,405 per year			
Animal Inspector			405 per year			
Custodians of Voting Machines			3.83 per hour			
Census Taker			3.09 per hour			
Election Warden			3.09 per hour			
Deputy Election Warden			3.09 per hour			
Election Clerk			3.09 per hour			
Deputy Election Clerk			3.09 per hour			
Election Officers & Tellers			2.94 per hour			
Plumbing Inspector			75% of established permit fees			

Submitted by the Personnel Board.

[Note: This article as it appears above was distributed prior to the first session of the Annual Town Meeting. The article as it appeared in the Warrant for the 1974 Annual Town Meeting is on file with the Town Clerk. For further action on this article re the Police Department and the paragraphs of the Classification Plan and Salary Schedule covering working hours, overtime and longevity, see page 301 in these Proceedings.]

Mr. Anthony M. Fredella of the Personnel Board *moved that the Town amend Article XI of the Town Bylaws, entitled: "Administration Plan", by striking out the Classification Plan and Salary Schedule therein and replacing it with the language contained in the handout distributed to each voter at the door, entitled: "Revised Classification Plan and Salary Schedule, As of March 26, 1974."*

Personnel Board Report: (Mr. Fredella) We regret that it had to be done in this manner. However, the collective bargaining is not yet completed, and it is impossible to tell you exactly what the impact is going to be as far as the changes in the Classification Plan and Salary Schedule. What we have attempted to do is to show you that, in fact, the Classification Plan and Salary Schedule will be increased. As of right now, the best figure we have is 6.5% and that is the figure that is contained in the handout sheet that you have now. When the Warrant went to press, the figures were 5%. I dare say that the 6.5% may not be the final figure as well. It is just to show you that there will be an impact, and we hope it will be about 6.5%.

Finance Committee Report: (Mr. John J. Drum) The Finance Committee recommends approval of this article.

Town Counsel Report: It is the opinion of Town Counsel that if the Bylaw amendment proposed in Article 2 in the Warrant for the 1974 Annual Town Meeting is properly moved, seconded and adopted by a majority vote in favor of the motion, it will become a valid amendment to the Sudbury Bylaws.

Mr. Richard E. Thompson, Executive Secretary, then *moved that that portion of the Classification Plan and Salary Schedule entitled: "Police Department", in Article 2 be laid on the table.*

Mr. Thompson stated that we are still negotiating with the Police Department, and we feel that this is the most equitable manner in which to handle the matter.

As a further explanation of the motion to table, Mr. Powers, Chairman of the Board of Selectmen, stated that under the State law, we are required to collectively bargain with the representatives of the various unions. Unless and until we complete the bargaining situation, we have an open door problem in front of us. We have reached conclusive arrangements with all of the unions involved, with the exception of the Police Department.

April 1, 1974

After the first of July, under State law, all matters of negotiation are subject to compulsory arbitration, and the results of compulsory arbitration will be an assessment upon the Town. Our concern is that, in the last period we have before the effective date of that act, we can conclude the negotiations with the one remaining union. We are simply asking the people of the Town to give us an extra week or so that we think will be necessary to bring it to a final conclusion, and, one way or the other, you may rest assured that this meeting will be given a figure to vote on.

VOTED: *THAT THAT PORTION OF THE CLASSIFICATION PLAN AND SALARY SCHEDULE ENTITLED, "POLICE DEPARTMENT" IN ARTICLE 2 BE LAID ON THE TABLE.*

After discussion, it was

VOTED: *THAT THE TOWN AMEND ARTICLE XI OF THE TOWN BYLAWS ENTITLED, "ADMINISTRATION PLAN" BY STRIKING OUT THE CLASSIFICATION PLAN AND SALARY SCHEDULE THEREIN AND REPLACING IT WITH THE LANGUAGE CONTAINED IN THE HANDOUT DISTRIBUTED TO EACH VOTER AT THE DOOR, ENTITLED, "REVISED CLASSIFICATION PLAN AND SALARY SCHEDULE, AS OF MARCH 26, 1974."*

ARTICLE 3: To see if the Town will vote to amend Article XI of the Town Bylaws, entitled: "The Personnel Administration Plan", as follows:

Personnel

Bylaw:

Employee

Benefits

Art. XI

A. By amending Section 7. by adding the following provision at the end of sub-section (8):

"The Town may recognize courses or degrees taken or granted prior to employment with the Sudbury Police or Fire Department if the same are approved by the chief of the respective department and the Personnel Board. In making a determination hereunder the chief and Personnel Board shall consider the professional appropriateness of the prior courses or degree. The decision of the Personnel Board shall be final."

B. By amending sub-section (3) in Section 7. to read as follows:

"(3) Vacation. A permanent full-time employee with at least five months continuous service shall be entitled to paid vacation during the first calendar year of employment in accordance with the following schedule:

<u>First Year of Employment</u> <u>Date of Employment</u>	<u>Paid Vacation</u> <u>Entitlement</u>
January or February	2 weeks
March through July	1 week
August through December	None

After the first year of employment, vacation entitlement shall be based on the years of continuous service completed on the anniversary of date of employment, as follows:

<u>Years of</u> <u>Continuous Service</u>	<u>Vacation Entitlement</u>
1 through 6 years	2 weeks
7 through 12 years	3 weeks
13th year and over	4 weeks

Vacation entitlement may not be carried forward from one anniversary year to the next. Leave granted for temporary military service may not be charged against an employee's vacation without his consent.

A part-time employee with regularly scheduled working hours shall be eligible for a paid vacation after each 12 consecutive months of employment as follows: such employee shall be entitled to two weeks vacation and shall be paid in an amount equal to 1/26th of the pay for his regularly scheduled work during the previous 12 months.";

or act on anything relative thereto.

Submitted by the Personnel Board.



April 1, 1974

Personnel Board Report: (Mr. Fredella) Section A as written in your Warrant involves a clarification of the present Bylaw. At the present time, there is a career incentive program for Police and Fire, and if they take certain approved courses, they are entitled to a certain increase in their salary. We found, however, that there was not anything to cover the situation where an individual has previous courses, or a previous degree, prior to coming into Town, and we had no way of knowing whether or not we are entitled to pay him for that.

In order to clarify it, and to make it a uniform policy, we would allow credit for those courses and those degrees only if they received approval of the Personnel Board and the head of the department.

The matter is, however, now a matter of collective bargaining, and we understand that it is the position of some that perhaps it should not properly be before this Town Meeting. However, we feel that we would like to know what this Town feels about it. Do they want us to give prior approval to courses and degrees when a man enters the department? That is why it is before you now.

Finance Committee Report: (Mr. Drum) The Finance Committee recommends approval of this article.

Mr. Fredella was then recognized for a further explanation of Section B of Article 3 as follows: We found that there were some individuals who were hired in the beginning of a given year and, under the present Bylaw, they are not credited with any of the time up until December 31st of that same year since their vacation entitlement starts on a calendar year basis. We felt that that was unfair. If a man starts on July 1st, his anniversary date should govern his vacation entitlement, and not the calendar year basis. In order to prevent any duplication of vacations in the next twelve months, the language as you see it before you was added whereby the department head will determine whether or not there are inequities.

Town Counsel Report: It is the opinion of Town Counsel that if the Bylaw amendment proposed in Article 3 in the Warrant for the 1974 Annual Town Meeting is properly moved, seconded and adopted by a majority vote in favor of the motion, it will become a valid amendment to the Sudbury Bylaws.

*VOTED: THAT THE TOWN AMEND ARTICLE XI OF THE TOWN BYLAWS ENTITLED, "THE PERSONNEL ADMINISTRATION PLAN", AS FOLLOWS:*

- A. BY AMENDING SECTION 7. BY ADDING A NEW PROVISION AT THE END OF SUB-SECTION (8) TO READ AS PRINTED IN ARTICLE 3 OF THE WARRANT FOR THIS MEETING.*
- B. BY AMENDING SUB-SECTION (3) IN SECTION 7. TO READ AS PRINTED IN ARTICLE 3 IN THE WARRANT FOR THIS MEETING EXCEPT THAT THE TABLE ENTITLED, "YEARS OF CONTINUOUS SERVICE", SHALL BE AMENDED TO READ AS FOLLOWS:*

<u>YEARS OF CONTINUOUS SERVICE</u>	<u>VACATION ENTITLEMENT</u>
AFTER 1 YEAR THROUGH 6 YEARS	2 WEEKS
AFTER 6 YEARS AND THROUGH 12 YEARS	3 WEEKS
AFTER 12 YEARS	4 WEEKS

*AND THE FOLLOWING SHALL BE ADDED AT THE END THEREOF: "DURING THE CALENDAR YEAR 1974 AND DURING THE FIRST 12 MONTHS THAT THIS BYLAW REVISION IS IN EFFECT THE DEPARTMENT HEADS SHALL MAKE ADJUSTMENTS TO VACATION ENTITLEMENT SO THAT THE CHANGE FROM A CALENDAR YEAR TO AN ANNIVERSARY YEAR BASIS FOR VACATION ENTITLEMENT SHALL NOT RESULT IN INEQUITIES FOR TOWN EMPLOYEES IN THE TOWN OF SUDBURY."*

ARTICLE 4: To see if the Town will vote to raise and appropriate, or appropriate from available funds, the following sums, or any other sum or sums, for any or all Town expenses and purposes, including debt and interest, to fix the salaries of all elected officials and to provide for a Reserve Fund, all for the fiscal year July 1, 1974, through June 30, 1975, inclusive, in accordance with the following schedule, which is incorporated herein by reference, or act on anything relative thereto.

Bndget

April 1, 1974

100 EDUCATION: 110 SUDBURY PUBLIC SCHOOLS

	EXPENSES 1972	EXPENSES 1973	REQUESTED 1974-5	RECOMMENDED 1974-5
(pupils)	(3250)	(3551)	(3400)	
1100 School Committee	3,151	3,425	3,660	3,660
1200 Supt. Office	90,778	99,430	101,026	101,026
<u>1000 ADMINISTRATION TOTAL</u>	<u>93,929</u>	<u>102,855</u>	<u>104,686</u>	<u>104,686</u>
2200 Principals	188,827	211,325	226,380	226,380
2300 Teachers	1,979,259	2,169,832	2,252,984	2,252,984
2400 Textbooks	28,990	26,011	24,542	24,542
2500 Library	42,598	57,705	59,130	59,130
2600 Audio-Visual	29,723	30,913	35,060	35,060
2700 Guidance	88,844	104,586	123,950	123,950
2800 Pupil Personnel	18,673	214,884	308,437	308,437
<u>2000 INSTRUCTION TOTAL</u>	<u>2,376,914</u>	<u>2,815,256</u>	<u>3,030,483</u>	<u>3,030,483</u>
3100 Attendance	200	200	200	200
3200 Health Services	47,586	59,190	63,010	63,010
3300 Transportation	196,393	224,833	230,080	230,080
3400 Food Services	10,998	20,869	22,221	22,221
3500 Student Activities	2,011	2,440	2,605	2,605
<u>3000 OTHER SERVICES TOTAL</u>	<u>257,188</u>	<u>307,532</u>	<u>318,116</u>	<u>318,116</u>
4100 Operation	261,427	250,450	298,375	298,375
4200 Maintenance	69,713	92,325	98,723	98,723
<u>4000 OPER. &amp; MAINT. TOTAL</u>	<u>331,140</u>	<u>342,775</u>	<u>397,098</u>	<u>397,098</u>
7300 Acquisition	36,604	11,780	17,242	17,242
7400 Replacement	6,366	8,302	7,175	7,175
<u>7000 EQUIPMENT TOTAL</u>	<u>42,970</u>	<u>20,082</u>	<u>24,417</u>	<u>24,417</u>
<u>9000 TUITION</u>	<u>8,281</u>	<u>9,200</u>	<u>10,200</u>	<u>10,200</u>
<u>TOTAL BUDGET</u>	<u>3,110,431</u>	<u>3,597,700</u>	<u>3,885,000</u>	<u>3,885,000</u>
Community Use of Buildings	3,779	13,000	13,000	13,000

Mr. Roger H. Bender of the Finance Committee *moved that the Town raise and appropriate \$3,885,000.00, to be expended under the direction of the Sudbury School Committee for all items in Account 100, Education, 110 Sudbury Public Schools, in Article 4.*

Finance Committee Report: The Finance Committee supports this budget request. The School Committee has made an effort to hold down expenses, but cost reductions anticipated because of lower school population and absence of the extra one time payment of July-August salaries were compensated for by the inflationary effect of salaries, increased cost of heating, utilities and paper, and new requirements for special education required by law. Recommend approval.

Mr. Alfred C. Cron of the Sudbury School Committee *moved that the appropriation for Item 100-110 in Article 4 be amended to \$3,901,500.00.*

School Committee Report: (Mr. Cron) The amendment is in the amount of \$16,500. We have a contractual item called longevity which is paid every year as part of our contract. Last year it amounted to \$16,500. When the budget was put together in its final form, there was unfortunately a set of brackets around that number, and it was deleted from the total. We believe the \$16,500 is an error in the budget and that is why we are asking for the amendment.

The overall budget, we believe, is reasonably tight. The Superintendent pared it. We started out with a budget that was some \$100,000 above what we are currently asking for. The School Committee then pared it down to the number you see printed in the Warrant.

We have several items of major impact in the budget this year. One is the State law which will change in September under Chapter 766. It is a programmatic change, a revision of the special education program. It is a direction in which we have been moving for years, but it tends to accelerate it. It costs the Town of Sudbury for that program about \$86,000.

April 1, 1974

In addition, we have seen severe fuel increases. Last year we were paying \$4.24 a barrel. The last oil delivery we had was \$16.22. We hope that fuel will go down. If it continues at that rate, we will be about \$70,000 in the hole.

The Finance Committee will present an article before you later on to increase the Reserve Fund to cover such contingencies. We would support that and have not put it in the budget.

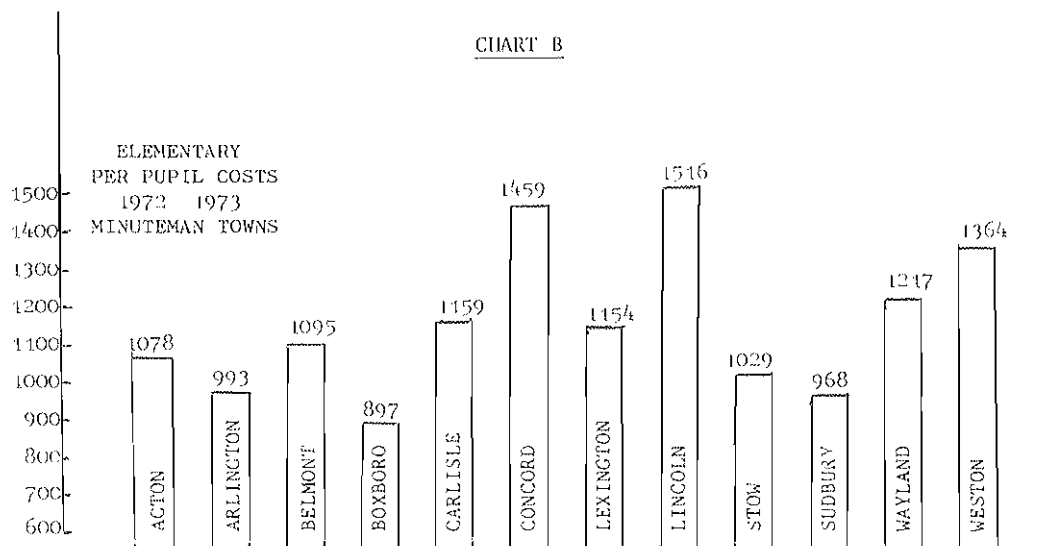
We, as well as the rest of the Town departments, are in collective bargaining. We have gone through mediation. The end result of that mediation and the settlement for this year was ratified by the Teachers' Association this afternoon. That settlement is also in excess of what we are carrying in the budget by about \$42,000. We are going to attempt to make some programmatic changes to cover that deficit.

Under collective bargaining it is getting harder and harder each year to show some educational return for the dollars expended, and our major problem is to show some return to the children for the dollars. The Town settlements that were voted earlier are around 6.5% on the salary schedule. The school settlement is about 6% on the salary schedule. We think it is a reasonable settlement although we would like to see it lower and see more dollars go toward a return to the children.

CHART A  
PER PUPIL COSTS

YEAR	\$ PER PUPIL	PUPILS
1972-1973	\$ 950	3551
1973-1974	\$ 1038	3466
1974-1975	\$ 1147	3400

This chart is the per pupil cost for the new type of year, from the first of July to the end of June each year. We are facing a slowly decreasing population in the elementary schools. We anticipate that will slowly continue. We have a contracting school population, and we will have reduction in force to follow, except, however, the per pupil cost tends to rise a little more rapidly than we can contract.



We tried to compare where we are in respect to surrounding towns. The ones I picked for comparison happen to be the vocational district, the towns of Acton, Arlington, Belmont, Boxboro, Concord, Carlisle, Lexington, Lincoln, Sudbury, Stow, Wayland and Weston.

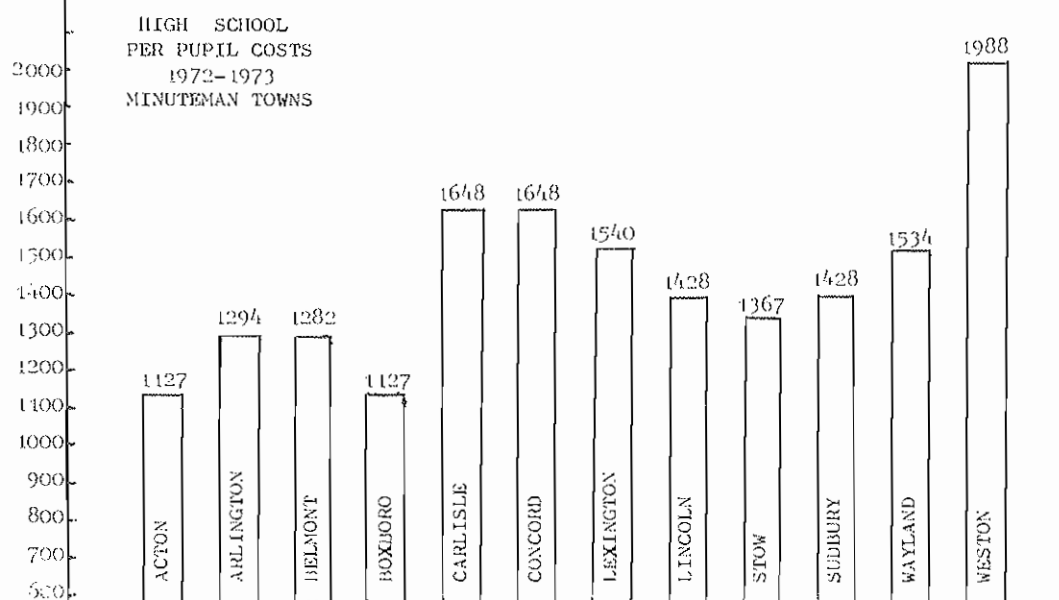
April 1, 1974

CHART C

## MINUTEMAN TOWNS COMPARATIVE DATA

	1972-73 Equalized Valuation/ School Attending Child	1973 Tax Rate Equalized	School Tax Rate Equalized	Average Gross Income/Pupil
ACTON	25,080	51.98	32.74	6,643
ARLINGTON	34,645	52.82	26.78	22,169
BELMONT	51,140	45.57	22.21	29,948
BOXBORO	29,345	36.00	23.50	6,651
CARLISLE	29,536	53.76	38.94	12,177
CONCORD	37,990	50.49	34.55	12,402
LEXINGTON	31,306	58.63	43.05	17,953
LINCOLN	42,735	51.68	30.98	20,191
STOW	23,059	52.50	36.74	6,288
SUDBURY	30,156	49.50	34.03	8,292
WAYLAND	30,607	57.40	36.00	17,823
WESTON	62,422	37.72	23.91	30,966

This chart shows the same towns as the previous one and gives on the left the equalized valuation per school age child. It turns out we are not the lowest but we are down near the bottom end. That is a measure of ability to pay. On the equalized school tax rate, we do not fare too badly. Weston, of course, with its spectacular tax base, is \$23.91. Sudbury is at \$34.00. Lincoln does a little better, as do Boxboro, Belmont and Arlington. The average gross income per pupil in 1970 is shown in the last column. Sudbury is one of the poorer towns on that measure. We are quite aware of the difficulty of paying for schools.

CHART D

This chart shows that when we compare ourselves with those high schools, we are boat out by Concord-Carlisle and the Town of Weston. Sudbury sits quite near the top of the rest.

April 1, 1974

I have looked at most of the towns in the vocational district, and the ratio of elementary costs to high school costs is essentially 1.3 to 1. In this Town, the ratio is 1.5 to 1. If you assume the ratio should be 1.3 to 1, either our budget is \$600,000 too low, or the Regional budget is \$700,000 too high. I do not think either extreme is correct.

Mr. Eugene L. Naegele, on behalf of the Sudbury Taxpayers' Association, then *moved that the Town vote to commit the Sudbury Public School Budget back to the Sudbury School Committee for the purpose of considering a reduction in their requested amount of \$3,901,500 by approximately \$131,000, and to request that Committee to present the results of their consideration to the session of this 1974 Annual Town Meeting which convenes one week from today at which session the Committee's presentation shall be the first item in order of business.*

The Moderator stated that he would recognize a pre-arranged speaking order consisting of Mr. Naegele and Mr. Ira M. Potell for the Sudbury Taxpayers' Association, and that they would have a total of fifteen minutes between them.

Mr. Naegele: The question always comes up in these school budgets as to what is a reasonable school cost and how can you tell when the budget is going up excessively and what can the taxpayer do about it. Town Counsel has explained to us that one of the things we cannot do is to vote it down completely. However, the motion to commit is legal. It merely asks them to reconsider and asks if they could save us some money.

How do you measure what is a reasonable cost for schools. As a taxpayer, I might just look at the tax impact, but that really is not quite fair because the number of pupils changes every year. We all hear a lot today about unit pricing and in the case of schools unit pricing is called the per pupil cost.

#### CHART E

##### PER PUPIL COSTS

	1972	1973	1974-75
"TOTAL" BUDGET	3,110,431	3,597,700	3,885,000
÷ NUMBER OF PUPILS	3250	3551	3400
= PER PUPIL COST	\$957	\$1013	\$1144
PER CENT INCREASE	$100 \times \frac{1013 - 957}{957} = +6\%$		$100 \times \frac{1144 - 1013}{1013} = +13\%$

#### NOT THE WHOLE STORY!

##### ACCOUNT 200, PAGE 11

SCHOOL BOND INTEREST	144,718	127,963	102,830
PRINCIPAL, SCHOOLS	435,000	435,000	435,000
SUBTOTAL	579,718	562,963	537,830
ACTUAL BUDGET	3,690,149	4,160,663	4,425,830
ACTUAL PER PUPIL	\$1135	\$1172	\$1302

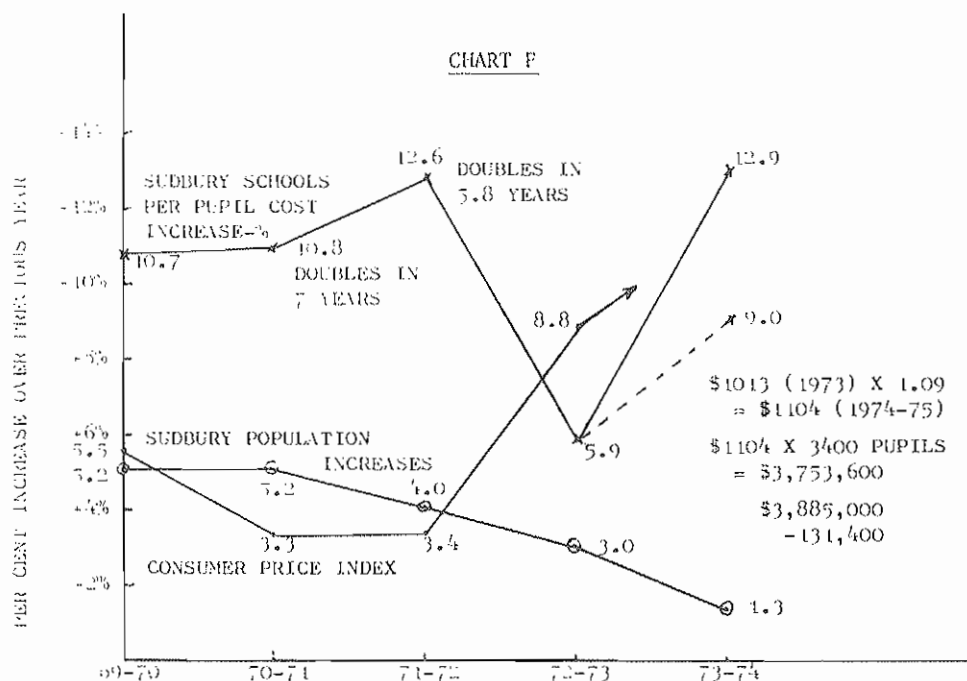
The budgets that were listed for the school are shown in the top line of this chart. If you divide the total budget by the number of pupils, you very simply come up with the per pupil cost. I have for later reference an indication of the increase which is represented for this new year in comparison with the old year. There is a 13% increase in per pupil cost for the proposed budget over the previous year.

Unfortunately, the budget that you see is not the whole thing. Debt service is another item which accounts for the schools, and, in the case of the Sudbury Schools, it is not included with their budget. In the case of the Regional School, it is.

If you add the amounts for principal on school bonds and the payment of interest, you will see the amount shown on the bottom of the chart.

Debt service is, of course, water over the dam. There is no way the school administration can influence those costs once they are voted. There again, they are going down.

April 1, 1974



This chart plots the percentage increase in school budget from year to year. Between 1969 and 1970, there was a 10.7% increase in per pupil cost. Between 1970 and 1971 there was a 10.8% increase. If the per cent increase in per pupil costs continued at 10 or 11% every year, the per pupil cost would double in seven years. Between 1971 and 1972 we had a 12.6% increase. Between 1972 and 1973 we had a lower number of 5.9% and this year's amount is 12.9%.

For comparison purposes, I have included the per cent increase in Sudbury population. The population increase goes down to 1.3% in this year.

In addition, the consumer price index is included, and you can see that the consumer price indexes were well below the school budget increases until this past year when it had an increase of 8.8 compared with the school of 5.9.

The Taxpayers' Association proposes that there only be a 9% increase and has asked for this. The amount was obtained as follows: If you noticed the calculation, it was \$1013 per pupil in 1973. If you multiply that by 1.09, representing a 9% increase, you get the number \$1104 per pupil which is what we recommend should be the maximum for 1974-75. If you multiply that by the expected number of pupils, 3,400, the recommended school budget is \$3,753,600, or \$131,440 less than the original amount requested. We would like to ask them to cut the budget by about \$130,000.

Mr. Potell: In regard to the statement about what towns can do about school budgets, there were rumors which we have checked. We found out that the Town of Groton, in one instance, has removed the administrative total and voted it as a separate item. It has cut it twice with no repercussions from the courts. This is the only town that has ever really done anything in this area as far as the school budgets are concerned. I am not saying we recommend it, but if the discussion should come up, this is something they have done. We just wanted to make the point clear.

There was also a rumor that the Town of Lenox had a bylaw which said that if the Finance Committee turned down the budget, it required a two-thirds vote of the town to approve it. This is not so. It requires a majority, and they have never tested the school budget. The Moderator of the Town of Lenox feels that the day they test the school budget, they will be going to court.

After discussion, it was

**VOTED:** THAT THE TOWN VOTE TO COMMIT THE SUDBURY PUBLIC SCHOOL BUDGET BACK TO THE SUDBURY SCHOOL COMMITTEE FOR THE PURPOSE OF CONSIDERING A REDUCTION IN THEIR REQUESTED AMOUNT OF \$3,901,500 BY APPROXIMATELY \$131,000, AND TO REQUEST THAT COMMITTEE TO PRESENT THE RESULTS OF THEIR CONSIDERATION TO THE SESSION OF

April 1, 1974

THIS 1974 ANNUAL TOWN MEETING WHICH CONVENES ONE WEEK FROM TODAY  
AT WHICH SESSION THE COMMITTEE'S PRESENTATION SHALL BE THE FIRST  
ITEM IN ORDER OF BUSINESS.

In Favor - 359; Opposed - 337. (Total - 696)

[For final action under Account 400, 110 Sudbury Public Schools, see page 209]

ARTICLE 4: 100 EDUCATION: 120 COMMUNITY USE OF SCHOOLS

Upon a motion made by the Finance Committee, it was

VOTED: THAT THE TOWN RAISE AND APPROPRIATE A SUM OF \$13,000.00 FOR  
COMMUNITY USE OF SCHOOLS.

ARTICLE 4: 100 EDUCATION: 130 LINCOLN-SUDBURY REGIONAL SCHOOL DISTRICT

A BUDGET

	EXPENDITURES	AVAILABLE	REQUESTED	ASSESSED
	1972-73	FUNDS	1974-75	1974-75
(pupils)	(1965)	(1971)		
1100 School Committee	17,789	11,316	9,190	9,190
1200 Supt. Office	97,555	103,860	114,480	114,480
1000 ADMINISTRATION TOTAL	115,344	115,176	123,670	123,670
2200 Principals	123,461	141,390	150,537	150,537
2300 Teaching	1,565,413	1,692,561	2,053,359	2,053,359
2400 Textbooks	28,025	28,497	30,099	30,099
2500 Library	52,482	55,834	57,392	57,392
2600 Audio-Visual	38,585	46,108	48,241	48,241
2700 Pupil Services	134,830	138,688	155,710	155,710
2800 Psychological Services	14,383	17,657	25,947	25,947
2000 INSTRUCTION TOTAL	1,957,179	2,120,735	2,521,285	2,521,285
3100 Attendance	550	550	550	550
3200 Health Services	23,748	29,230	29,678	29,678
3300 Pupil Transportation	217,933	287,171	256,800	256,800
3400 Food Services	3,373	14,679	11,605	11,605
3500 Student Activities	40,744	50,520	48,967	48,967
3000 OTHER SERVICES	286,348	382,150	347,600	347,600
4100 Operation	182,414	241,737	293,960	293,960
4200 Maintenance	131,999	179,703	201,753	201,753
4000 OPER. & MAINT. TOTAL	314,413	421,440	495,713	495,713
5100 Employee Retirement	33,534	17,386	25,710	25,710
5200 Insurance	36,299	74,754	68,537	68,537
5000 FIXED CHARGES	69,833	92,140	94,247	94,247
6200 Use of School	1,024	2,322	1,800	1,800
6000 COMMUNITY SERVICES	1,024	2,322	1,800	1,800
7200 Improvements	4,189	9,628	4,900	4,900
7300 New Equipment	39,730	14,616	44,643	44,643
7400 Replacement of Equip.	19,598	18,176	15,174	15,174
7000 ACQUISITION OF FIXED ASSETS	63,517	42,420	64,717	64,717
8000 DEBT RETIREMENT & SERVICE	373,741	631,134	613,831.25	613,831.25
9100 Programs with other Systems in Massachusetts	20,818	10,923	17,100	17,100
9000 PROGRAMS WITH OTHER SYSTEMS	20,818	10,923	17,100	17,100
CONTINGENCY		93,000	75,000	75,000
TOTAL BUDGET	3,202,217	3,911,440	4,354,963.25	4,354,963.25
OPERATING BUDGET	2,763,935	3,142,564	3,599,615	3,599,615
PER PUPIL COST	1,407	1,594	1,714	1,714*

\* Excludes \$176,583 for July and August, 1975,  
salaries included in budget as required by law.

April 1, 1974

B SUDBURY ASSESSMENT	<u>18-Month</u>	<u>1974-75</u>
Operating Expenses including Contingency	3,310,074.72	2,651,346.24
Community Service	2,972.64	1,319.76
Equipment	46,412.96	51,579.45
Debt Service	<u>301,981.57</u>	<u>190,220.08</u>
TOTAL	3,661,441.89	2,894,465.53

Finance Committee Report: In a very difficult budget year, the Regional High School has followed our budget guidelines for the third consecutive year. In a joint meeting with the finance committees from both Lincoln and Sudbury they consented to the requested additional reductions. Special requirements for expenditures for salaries covering July and August of 1975, State requirements for special education, the rapidly increasing price for heating oil, and a slight increase in the student population account for 9.0% of the 18.2% increase to Sudbury. Salary negotiations account for another 3.8% leaving only 5.4% from all other sources. Recommend approval.

Lincoln-Sudbury Regional School District Committee Report: (Mr. William T. Maloney) This is an old budget. It began back in September when the Superintendent began feeding budget information to the School Committee. It went on through the month of October with weekly meetings, through the month of November with weekly meeting. In the early part of November, it saw two public budget hearings, one in Lincoln and one in Sudbury. About the middle of November it saw a public meeting with the full finance committees of Lincoln and Sudbury where the entire budget was presented, criticized, reductions were requested, and we did our best to comply. Before December 1st, in accordance with our agreement, we voted. The six members of the Committee voted by December 1st, and the Treasurer of the District certified to the towns by January 1st the amounts of their respective assessments. At that point the Regional Budget became an assessment on the towns, and there is no legal way for us to increase or decrease that budget in the course of the year. For that reason we carry a contingency in our budget of about 2% to guard against unforeseen contingencies.

Obviously we are not going to do justice to a 3 1/2 million dollar budget in ten minutes so I am just going to try to hit the high points to give you some good news and some bad news.

#### CHART C

	<u>1972-3</u>	<u>1973-4</u>	<u>% INCR.</u>
PUPILS	1971	1997	1.3
AVAILABLE FUNDS:	\$3,142,564		
OPER. BUDGET*		\$3,423,032	8.9
OPER. BUDGET**		\$3,599,615	14.5
COST/PUPIL*	1594	1714*	7.5

\* EXCLUDES \$176,583 FOR JULY-AUGUST 1975 SALARIES

\*\* INCLUDES \$176,583 FOR JULY-AUGUST 1975 SALARIES

The first line in this chart is the good news. Our pupil population next year is predicted to be up by only 1.3%. It looks as if we are finally peaking out. The next line, called "available funds" is what we have in place of a budget. It is the amount left from our 18-month budget after we spend for six months. That will have to do for a 1972-73 budget.

The operating budget with two stars represents a 14.5% increase over the available funds. That is the bad news. However, the reason the increase is so large is that the State requires now that we budget funds for teachers' salaries in the budget period in which the salaries were earned. Sixty per cent of our teachers take their salaries in twelve payments rather than ten. Last year the State allowed us to put over those sixty per cent into this year's budget. They are not allowing us to do it now. So we have a one-time inflation this year for July and August salaries in 1975. Without that requirement, we would show an 8.9% budget increase and on that basis, the cost per pupil would be 7.5%.

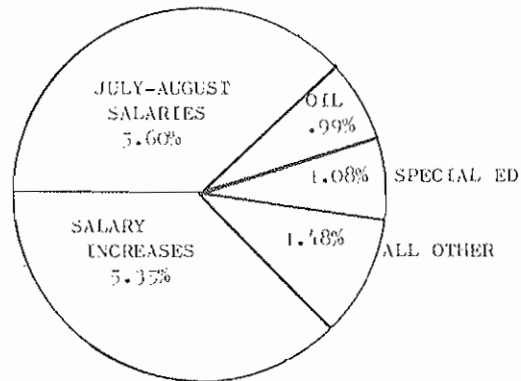


April 1, 1974

At this time last year, the Finance Committee report in the Sudbury Town Warrant looked forward to a Regional budget increase of less than 7.4% per pupil. Neither the Finance Committee nor the School Committee anticipated the kind of inflation we have seen in the last year. Still, 7.5% is pretty close.

CHART H

BREAKDOWN OF BUDGET INCREASE  
1973-4 TO 1974-5



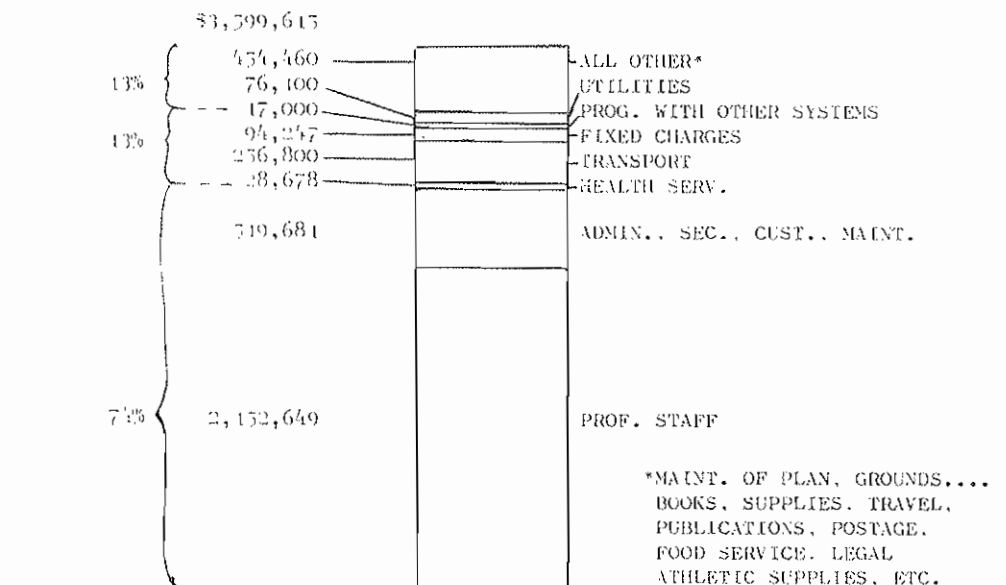
This chart represents the 14.5% increase. The biggest single increase, 5.6%, is attributable to the July and August salaries. The next major item is salary increases. We budgeted 5.5% of total compensation in the budget in addition to the step increases. This represents salary increases for all personnel.

Special Education represents a budget increase due to Chapter 766, another State mandated program. The increase in the cost of oil alone and the increased requirements of oil for the building addition amount to a full 1% of the increase in the budget. Everything else, including additional teachers, additional maintenance personnel, increased cost of paper, general inflation, all amount to less than 1.5% in the budget.

If you exclude the two State mandated requirements, the per pupil cost would be 6.5%.

CHART I

BUDGET BREAKDOWN 1974-1975



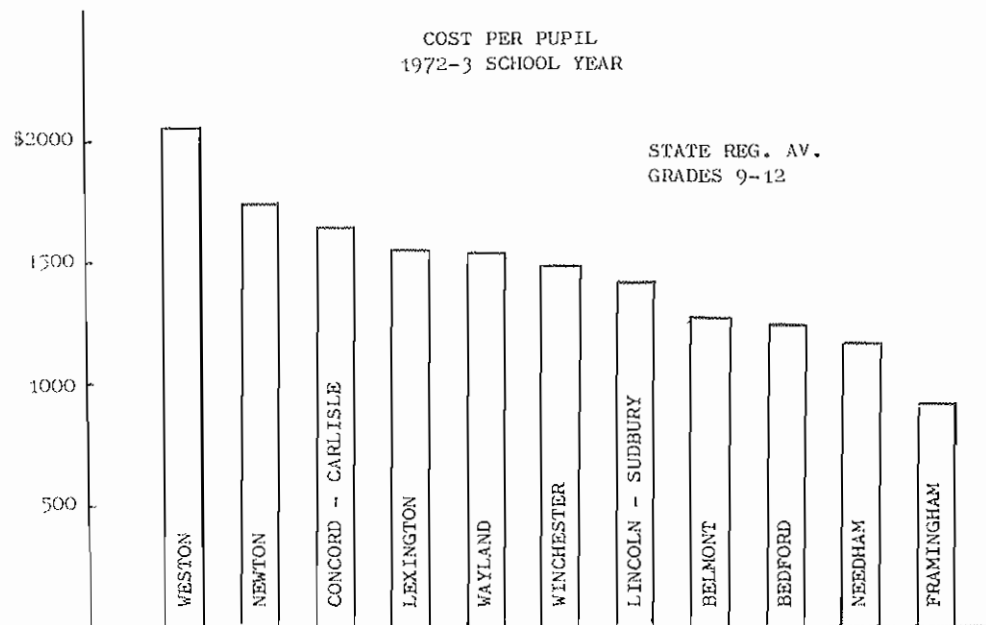
April 1, 1974

This chart [see preceeding page] shows a different way of breaking down the total budget. The major part of our funds are in professional staff. 74% of our funds are in personnel. Of the remaining 26%, half of it is represented in health services, fixed charges, retirement and insurance, programs with other systems, utilities. Those are things that we can hardly affect at all. Transportation, which is nearly fully reimbursed, is a quarter of a million dollars.

This leaves 13% of the budget for everything else. Everything else means all of the maintenance supplies, custodial supplies, books, travel, publications, postage, food service, legal fees, athletic supplies. Were you to think of cutting this 13% in half, you would save slightly over a dollar on the Sudbury tax rate and you would shut down the existing program. This is just to show you the kind of constraints that we are up against.

This is not an austerity budget, but it is a tight budget. It is a very tight budget for the program that we are trying to offer and any significant cuts mean a different program.

CHART J



This chart compares our cost per pupil for the 1972-73 school year with the systems that we traditionally compare with. They are all good suburban systems. Lincoln-Sudbury is seventh from the top out of the group of eleven. We used to be sixth. We have dropped back slightly. This may be a cause for comfort, or it may be a cause for concern.

We think it is a good budget. We have worked on it for a long time, and we urge you to support it.

Mr. Naegele, on behalf of the Sudbury Taxpayers' Association, *moved to recommit this budget back to the Regional High School Committee for a reduction to approximately a 9% increase in per pupil cost total, or a reduction in total budget of approximately \$130,000.*

In support of his motion, Mr. Naegele stated that the impact of adding the two additional months of July and August salary is more than the taxpayers should be required to bear entirely by themselves. Between 1969 and 1970 the per pupil cost for operation went up 9.1%. In 1970-71 it went up 9.2%. In 1971-72 it went up another 8%. 1972-73 it went up 13.3%. This year, including the July and August salary, the figure comes to 13.1% increase in per pupil cost.

If the school budget continues to increase at this rate, it will double in 5 1/2 years. From the Taxpayers' point of view, we think that perhaps there should be some change in program. Perhaps this year there should be an austerity

April 1, 1974

budget. We do not want to pick out any one area. We think that the School Committee is the one to do that to determine just where these cuts should be made. We think a 4% cut, about \$130,000, is a very modest one to make. It would have a significant impact on the tax rate. If you take the per pupil cost of \$1,594 for 1973-74, which is the last number we had, increase it by 9%, you get \$1,737. If you multiply that by the 1,997 pupils you come up with a budget of \$3,469,703, about \$129,900 under the recommended operating budget of \$3,599,615.

After discussion, Mr. Naegele's motion to commit was defeated.

VOTED: THAT THE TOWN RAISE AND APPROPRIATE \$2,894,465.53 FOR THE SUDBURY PORTION OF THE LINCOLN-SUDBURY REGIONAL DISTRICT ASSESSMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 1974.

ARTICLE 4: 100 EDUCATION: 140 MINUTEMAN REGIONAL VOCATIONAL TECHNICAL SCHOOL DISTRICT

A BUDGET	ASSESSED 1973-74 (18 Months)	REQUESTED 1974-75 (12 Months)	RECOMMENDED 1974-75
1100 School Committee	4,780	5,400	5,400
1200 Supt. Office	123,915	68,463	68,463
1200 Business Office	----	43,974	43,974
<u>1000 ADMINISTRATION TOTAL</u>	<u>128,695</u>	<u>117,837</u>	<u>117,837</u>
2100 Supervision	84,750	32,456	32,456
2100 Data Processing	----	93,989	93,989
<u>2000 SUPERVISION TOTAL</u>	<u>84,750</u>	<u>126,445</u>	<u>126,445</u>
2200 Ass't Superintendent	46,700	39,811	39,811
2300 Teaching	171,000	528,453	528,453
2400 Textbooks	----	16,980	16,980
2500 Library	12,190	29,660	29,660
2500 Library (Curr. Dev.)	----	4,200	4,200
2500 Library (Dep. Room)	----	15,360	15,360
2600 Audio-Visual	7,690	35,410	35,410
2700 Guidance	72,300	169,892	169,892
2800 Psychological Services	----	6,000	6,000
2900 Educational T.V.	----	2,500	2,500
<u>2000 INSTRUCTIONAL TOTAL</u>	<u>309,880</u>	<u>848,266</u>	<u>848,266</u>
3100 Attendance	----	1,500	1,500
3200 Health Services	----	23,235	23,235
3300 Transportation	----	150,000	150,000
3400 Food Services	5,330	48,573	48,573
3500 Student Activities	----	8,000	8,000
<u>3000 SERVICES TOTAL</u>	<u>5,330</u>	<u>231,308</u>	<u>231,308</u>
4110 Custodial	----	94,562	94,562
4120 Heat	----	35,000	35,000
4130 Utility	----	112,000	112,000
4210 Grounds	----	28,772	28,772
4200 Building	----	12,059	12,059
4230 Equipment	----	34,000	34,000
<u>4000 OPER. &amp; MAINT. TOTAL</u>	<u>----</u>	<u>316,393</u>	<u>316,393</u>
5200 Insurance	22,800	38,754	38,754
5400 Loans & Rent	5,000	15,000	15,000
<u>5000 FIXED CHARGES TOTAL</u>	<u>27,800</u>	<u>53,754</u>	<u>53,754</u>
6000 COMMUNITY SERVICE	----	8,000	8,000
7000 ACQUISITION OF FIXED ASSETS	----	25,000	25,000
9000 PROGRAMS WITH OTHER DISTRICTS	----	----	----
<u>TOTAL OPERATING BUDGET</u>	<u>556,455</u>	<u>1,727,003</u>	<u>1,727,003</u>
B SUDBURY ASSESSMENT		1973-74	1974-75
TOTAL		121,853.34	192,503

April 1, 1974

Finance Committee Report: The Finance Committee supports the requested budget. The increase over 1973-1974 reflects the requirements of the first year of operation. During the budget negotiations, the School Committee was quite responsive to the wishes of the finance committees of the twelve towns and the School Committee's action resulted in a reduction of approximately \$56,000 in Sudbury's allocation. Recommend approval.

Minuteman Regional Vocational Technical School District Committee Report:  
(Mr. Alfred C. Cron)

CHART KDISTRICT ASSESSMENT

## I OPERATING

Total Operating Budget	\$1,494,677
Anticipated Reimbursement	- 237,585
	\$1,257,092
Unexpended Balance (1972)	- 137
	\$1,256,955
Surplus	- 22,955
Net Operating Assessment	\$1,234,000

## II CAPITAL

Capital Payment	\$1,300,000
Interest Payment	542,250
Total Capital Budget	\$1,842,250
Anticipated Reimbursement	1,103,135
	739,115
Surplus	60,115
Net Capital Assessment	\$ 679,000

Total Assessment	\$1,913,000
------------------	-------------

The Minuteman Regional School took advantage of the change in legislation and did not vote its final budget until the 8th of January. The total budget for the operation and maintenance of the school is \$1,494,677 as contrasted to the \$1,727,000 that is printed in the Warrant.

The chart shows our total operating budget, our anticipated reimbursement, unexpended balances and net operating assessment on the district. The capital assessment on the district is \$679,000. Of this district, Sudbury is a little over 10% and the total assessment on the Town is the number that was presented by the Finance Committee.

We will have 46 students going to this school this year from the Town of Sudbury.

*VOTED: THAT THE TOWN RAISE AND APPROPRIATE \$192,503.00 FOR THE SUDBURY PORTION OF THE MINUTEMAN REGIONAL VOCATIONAL TECHNICAL SCHOOL DISTRICT ASSESSMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 1974.*

April 1, 1974

ARTICLE 4: 200 DEBT SERVICE

	EXPENSES 1972	EXPENSES 1973	REQUESTED 1974-75	RECOMMENDED 1974-75
201 Loan Interest	42,883	97,806	50,000	50,000
202 School Bond Interest	144,718	127,963	102,830	102,830
203 Other Bond Interest	7,684	5,870	3,379	3,379
204 Principal, Schools	435,000	435,000	435,000	435,000
205 Principal, Others	52,000	52,000	52,000	52,000
TOTAL	682,285	718,639	643,209	643,209

Finance Committee Report: Recommend approval.

*VOTED: THAT THE TOWN RAISE AND APPROPRIATE \$643,209.00 FOR ALL ITEMS IN ACCOUNT 200, DEBT SERVICE, IN ACCORDANCE WITH THE ALLOCATIONS SET FORTH IN THE RECOMMENDED COLUMN.*

Upon a motion made by Mr. Richard E. Thompson, Executive Secretary, for the purpose of avoiding the possibility of having to reconsider several line item budgets in the event that certain unclassified appropriations are not voted, it was

*VOTED: THAT ACCOUNT 950, UNCLASSIFIED, BE TAKEN UP OUT OF ORDER AT THIS TIME.*

The Moderator announced that the vote in favor was greater than the four-fifths required under the Bylaws.

ARTICLE 4: 950 UNCLASSIFIED

	EXPENSES 1972	EXPENSES 1973	REQUESTED 1974-75	RECOMMENDED 1974-75
950-11 Blue Cross/Shield	75,000	99,367	102,000	102,000
950-12 Life Insurance	2,829	3,245	3,500	3,500
950-21 Fidelity Bonds	867	589	1,500	1,500
950-31 Casualty Insurance	49,634	67,882	60,000	60,000
950-41 Print Town Report	7,255	8,000	9,000	9,000
950-51 Memorial Day	691	669	3,000	1,500
950-61 Veterans' Graves	115	89	200	200
950-71 Fire Pension	1,500	1,500	1,500	1,500
950-81 Reserve Fund	60,000	11,173	100,000	100,000
950-91 Hosmer House Contract	2,000	2,000	2,000	2,000
950-92 Communications	3,771	2,396	3,500	3,500
950-93 Hydrant Rental	20,545	20,650	21,525	21,525
950-94 Copying Service	2,285	3,193	4,000	4,000
950-96 Retirement Fund	82,067	133,201	122,000	122,000
950-97 Town Meetings	5,954	6,577	7,500	6,500
950-98 Postage	976	3,932	3,500	3,500
950-99 Telephone	1,624	5,711	6,000	6,000
950-100 Salary Adjustments	--	--	10,000	8,800
950 TOTAL	317,113	370,174	460,725	457,025

Mr. Bender of the Finance Committee moved that the Town raise and appropriate \$377,025.00 for all items in Account 950, Unclassified, in accordance with the allocations set forth in the recommended column of the Warrant, with a change in Account 950-11, to \$122,000.00, and that the Town appropriate and transfer \$100,000.00 from the Overlay Account to the Reserve Fund, 950-81.

Finance Committee Report: (Mr. Bender) Account 950-11 is the Blue Cross/Blue Shield Major Medical account. As a result of our negotiations with the collective bargaining, we have added an additional \$20,000 to this account to cover major medical which has been granted to the employees.

Account 950-81 is the Reserve Fund. Normally, we have used approximately \$60,000 a year as the appropriation for the Finance Committee Reserve Fund. This year, we are asking for \$100,000. We feel that the year forthcoming carries

April 1, 1974

uncertainty in several areas, certainly in the area of fuel and energy costs in general, certainly because of the inflationary impact, and because of as yet unappreciated expenses which will result from collective bargaining, and because we see that there may be an impact on public health and public protection coming at April 19th, 1975. We expect perhaps large crowds in Concord and Lexington and overflowing into Sudbury where we must provide additional funds for the police force and other functions in Town. So, for that reason, we are asking for an amount for the Reserve Fund larger than normal. However, we are asking that this money be transferred from the Overlay Account, and it will not have a direct impact on the tax rate. The Overlay Account monies can only be used for unexpected expenses, which means either for the Reserve Fund or as a result of action of a special town meeting.

One final account I wish to comment on is 950-100, Salary Adjustment Account. The Finance Committee has agreed with the Selectmen that we should set up a fund to permit management of salaries of individually rated personnel. We are for this because we do not believe it is the Finance Committee's function to give personnel management in Town by having to approve the exact salary of every employee. We would prefer to reserve this function to the Selectmen.

Secondly, we find that we can save money by using a pool for these salary increases rather than having to put an extra amount in the budget in each separate line item. The amount we are recommending there is less than the total would have been had it been spread as it has been in previous years.

#### RESERVE FUND TRANSFERS

During 1973 the Finance Committee approved the following requests for transfer from the Reserve Fund:

<u>100</u>	<u>EDUCATION</u>	<u>\$7,925.85</u>
	Maintenance	\$7,925.85
<u>300</u>	<u>PROTECTION</u>	<u>250.00</u>
	Police - Travel	250.00
<u>500</u>	<u>GENERAL GOVERNMENT</u>	<u>1,855.75</u>
	Selectmen - Clerical Overtime	600.00
	Planning Board - Clerical	900.00
	Moderate Income Housing	355.75
	<u>ARTICLE #6 - 1971</u>	<u>1,141.99</u>
	<u>TOTAL AMOUNT TRANSFERRED</u>	<u>\$11,173.59</u>

Mr. William F. Toomey of the Board of Selectmen then moved that item 950-81, Reserve Fund, be amended to \$70,000.

In support of his amendment Mr. Toomey stated that in past years this account has run about \$60,000 per year. We have recommended \$70,000. We have discussed this with the Building Maintenance Supervisor, Mr. White. We did have an impact on fuel this year that we did not expect. Mr. White tells me that our tanks were empty when prices went up and this is not going to happen again.

There is no question that we will probably have an impact from the Bicentennial. Do we take care of the Bicentennial event in a Reserve Fund, or do we appropriate money at town meeting? Do you tell us what you want us to spend on a function like this, or do we just spend it from a fund?

Our Overlay Account right now is \$195,000. We are keeping a lot of money in this account that should be back and used to reduce the taxes. We feel that if we have \$70,000 in the Reserve Fund, we better not spend any more than \$70,000. If we have \$100,000, we probably will have requests to spend the hundred thousand.

The Moderator then pointed out that the total amount in Account 950 had not been adjusted by Mr. Toomey's amendment. After discussion with the Selectmen, he asked for and received unanimous consent of the hall for Mr. Toomey to withdraw his amendment.

Mr. Toomey then moved to amend the total appropriation of 950, Unclassified, to \$447,025, and the amount transferred from Overlay to the Overlay Surplus and to the Reserve Fund, 950-81, to \$70,000.

After several questions were raised concerning the figures appearing in the amendment, the Moderator stated that the confusion comes because of the fact that

April 1, 1974

there is no total in there. If there were a total in the main motion as was given to us by Mr. Bender, it would be for \$477,025.

After further discussion, Mr. Toomey's amendment was voted. In favor - 124; Opposed - 117. (Total - 241)

Mr. Martin E. Doyle was then recognized and moved to amend the motion to change the total from \$447,025 by \$3,500 to \$443,525, and by adding the following: and that Memorial Day Account, 950-51, be decreased to \$800, and that Salary Adjustment Account, 950-100, be decreased to \$6,000.

In support of his amendment, Mr. Doyle commented that last year we spent \$669 and the previous year \$691 for Memorial Day. I fail to see, regardless of what year next year is, how we can validate an increase of practically a thousand dollars in this account. I do not hear of any extra plans for the Memorial Day affair. I think by appropriating \$800 to this account, it is quite adequate.

With respect to the salary adjustments, this is a new departure and as a member of the Taxpayers' Association, I heartily agree with it. If we are to have merit raises, we should vote a certain sum to the Board of Selectmen which they can then adjust to the various salaries under their jurisdiction as they see fit. However, this town meeting should control the amount of that budget. I have examined the budget for which this is proposed, and there are four classifications under it: the Executive Secretary, the Town Accountant, the Town Engineer and the Building Inspector. Their total salary is approximately \$64,500. The top limit in their salary bracket as we voted earlier would come to \$73,500. That means that if we vote \$8,800, as is proposed in this budget item, we will bring every member up to the full salary we voted earlier. An \$8,800 increase on a total budget of \$64,500 approximates 13.6%. The other people who work for the Town this year have been awarded raises of approximately 9.2%. What the Taxpayers' Association is proposing here is a budget of \$6,000, which is approximately 9.2% like the other Town employees. There are very few people in this hall tonight who received a 13.6% raise this year.

Upon a motion made by Mr. Powers of the Board of Selectmen, it was

VOTED: TO DIVIDE THE QUESTION INTO A MOTION TO REDUCE THE MEMORIAL DAY ACCOUNT, 950-51, TO \$800.00, AND ANOTHER MOTION THAT THE SALARY ADJUSTMENTS ACCOUNT, 950-100, BE DECREASED TO \$6,000.00.

VOTED: TO REDUCE THE MEMORIAL DAY ACCOUNT, 950-51, TO \$800.00.

With respect to the motion to decrease the salary adjustment account, Mr. Taft of the Board of Selectmen stated that there are not four jobs which would be affected. There are now eleven positions under the Classification Plan that are individually rated which come under the Board of Selectmen, the Highway Commission, the Library Trustees and the Board of Health. The total salaries of these positions is about \$180,000, not \$65,000 as was stated. This is a substantially different picture than what was represented. Mr. Thompson, Executive Secretary, stated that the Town employees were not going to receive a 9.2% increase but a 6.5% increase. Salary Adjustments Account, 950-100, includes six people who are under the Board of Selectmen as follows: the Executive Secretary, Police Chief, Fire Chief, Town Engineer, Building Inspector and Town Accountant. The Finance Committee wanted to set up some mechanism whereby we could include all individually rated positions in this type of line item. However, it was impossible to get it worked out by the time of Town Meeting, so they are starting this year trying to do it with those people who are directly under the Selectmen.

VOTED: THAT THE SALARY ADJUSTMENTS ACCOUNT, 950-100, BE DECREASED TO \$6,000.00.

VOTED: TO AMEND THE TOTAL APPROPRIATION OF 950, UNCLASSIFIED, TO \$443,525.00; AND THAT THE TOWN RAISE AND APPROPRIATE \$373,525.00 FOR ALL ITEMS IN ACCOUNT 950, UNCLASSIFIED, IN ACCORDANCE WITH THE ALLOCATIONS SET FORTH IN THE RECOMMENDED COLUMN OF THE WARRANT, WITH A CHANGE IN ACCOUNT 950-11 TO \$122,000.00; TO REDUCE THE MEMORIAL DAY ACCOUNT, 950-51, TO \$800.00; THAT THE SALARY ADJUSTMENTS ACCOUNT, 950-100, BE DECREASED TO \$6,000.00; AND THAT THE TOWN APPROPRIATE AND TRANSFER \$70,000.00 FROM OVERLAY TO OVERLAY SURPLUS TO THE RESERVE FUND.

In accordance with the Bylaws of the Town, the meeting adjourned at 11:46 P.M. to April 2, 1974, at 8:00 P.M. in the same hall.

## PROCEEDINGS

## ADJOURNED ANNUAL TOWN MEETING

April 2, 1974

The Moderator called the meeting to order at 8:00 P.M. at the Lincoln-Sudbury Regional High School Auditorium. He declared that a quorum was present.

He announced that the Consent Calendar would be the first order of business and explained the procedure.

*UNANIMOUSLY VOTED: TO TAKE OUT OF ORDER AND TOGETHER AT THIS TIME THE FOLLOWING ARTICLES: 10, 22, 23, 26, 36, 38, 41, 42, AND 45.*

*UNANIMOUSLY VOTED: IN THE WORDS OF THE MOTIONS AS DISTRIBUTED.*

(See individual articles for motions voted.)

Consent of the hall was granted for Mrs. Gloria Stoccardo, Nurse Director of the Sudbury Public Health Nursing Association and a resident of Concord, to sit in the assembly and answer questions should that become necessary.

ARTICLE 4: 300 PROTECTION OF PERSONS AND PROPERTY

	EXPENSES 1972	EXPENSES 1973	REQUESTED 1974-75	RECOMMENDED 1974-75
<u>310 FIRE DEPARTMENT</u>				
310-11 Salaries	293,855	306,120	315,635	315,635
310-12 Overtime & Extra Hire	38,616	56,246	58,237	58,237
310-21 General Expense	1,547	2,375	3,060	3,060
310-31 Maintenance Expense	4,999	6,197	6,900	6,900
310-51 Equip. Purchase	2,529	4,052	2,500	2,500
310-61 Fire Alarm Extension	1,280	200	500	500
310-62 Fire Alarm Maint. & Repair	200	126	200	200
310-71 Uniforms	2,514	2,835	2,925	2,925
310-81 Vehicle Replacement	5,936	3,744	0	0
<u>310 TOTAL</u>	<u>351,476</u>	<u>381,895</u>	<u>389,957</u>	<u>389,957</u>
<u>320 POLICE DEPARTMENT</u>				
320-11 Salaries	220,000	239,642	279,710	279,710
320-12 Overtime & Extra Hire	29,928	27,926	39,597	30,000
320-13 Clerical	10,530	6,897	7,084	7,084
320-16 Crossing Guards	3,657	3,634	3,981	3,981
320-21 General Expense	12,031	7,559	16,040	15,000
320-31 Maintenance	13,759	13,706	14,250	14,250
320-41 Travel Expense	169	215	300	300
320-51 Equip. Purchase	9,805	6,248	21,550	13,000
320-61 Auxiliary Police	0	0	2,000	0
320-71 Uniforms	3,309	4,010	5,375	5,375
<u>320 TOTAL</u>	<u>303,188</u>	<u>309,837</u>	<u>389,887</u>	<u>368,700</u>
<u>340 BUILDING INSPECTOR</u>				
340-11 Salaries	13,200	14,243	14,243	14,243
340-12 Overtime	173	215	250	250
340-13 Clerical	7,400	8,798	12,896	9,595
340-14 Dep. Inspector	415	800	1,000	1,000
340-15 Custodial	18,709	20,010	23,675	21,215
340-21 General Expense	2,312	2,315	3,050	1,200
340-31 Vehicle Maintenance	495	444	325	325
340-32 Town Hall Maintenance	15,510	14,187	13,900	12,900
340-33 Centre School Maint.	8,343	8,160	8,930	8,500
340-34 Loring Parsonage Maint.	1,042	1,362	2,580	2,580
340-35 Police Building Maint.	2,380	2,511	3,700	3,400
340-51 Equipment	---	3,040	100	100
<u>340 TOTAL</u>	<u>69,979</u>	<u>76,085</u>	<u>84,649</u>	<u>75,308</u>



April 2, 1974

	EXPENSES 1972	EXPENSES 1973	REQUESTED 1974-75	RECOMMENDED 1974-75
<u>350 DOG OFFICER</u>				
350-11 Salary	4,275	6,706	7,120	7,120
350-21 General Expense	5,625	4,765	5,850	7,180
350-51 Equip. Purchase	0	0	3,600	0
350 TOTAL	9,900	11,471	16,570	14,300
<u>360 CONSERVATION COMMISSION</u>				
360-13 Clerical	845	799	3,250	1,250
360-21 General Expense	1,791	4,071	12,075	4,875
360-31 Maintenance	231	292	1,500	1,500
360-41 Travel	136	95	300	300
360-51 Conservation Fund	41,000	45,100	49,600	46,000
360 TOTAL	44,003	50,357	66,725	53,925
<u>370 BOARD OF APPEALS</u>				
370-13 Clerical	1,166	653	2,000	2,000
370-21 General Expense	865	997	1,400	1,200
370-51 Equip. Purchase	0	0	350	0
370 TOTAL	2,031	1,650	3,750	3,200
<u>390 CIVIL DEFENSE</u>				
390-21 General Expense	348	65	300	250
300 TOTAL	780,925	831,360	951,838	905,640

Mr. John J. Hennessy of the Finance Committee moved that the Town appropriate \$640,083 for all items in Account 300, Protection of Persons and Property, in accordance with the allocations set forth in the recommended column, except that item 310-11 be \$347,167; item 310-12 be \$47,366; item 320-13 be \$7,544; item 320-16 be \$4,239; item 320-21 be \$15,600; item 320-61 be \$500; item 340-12 be \$266; 340-13 be \$10,219; item 340-15 be \$22,431; item 310-71 be \$3,360; 350-11 be \$7,583; item 360-13 be \$1,331; item 370-13 be \$2,130; that the Town raise and appropriate \$540,083 and appropriate and transfer \$100,000 from the Town of Sudbury P.L. 92-512, Federal Revenue Sharing Account for Fire Department salaries under item 310-11; and place items 320-11 and 320-12 on the table.

#### Finance Committee Report:

310: The total budget request of the Fire Department, ex collective bargaining, is only 4% over two-thirds of the 18 month budget approved at the Annual Town Meeting of 1973. It includes no additional positions, and capital expenditures are held to a minimum level. Proposed increases in personal services are restricted to mandatory step increases. Recommend approval.

320: The original budget request, ex collective bargaining, was approximately 10% above the two-thirds of the 18 month budget. The Finance Committee recommends reduction of \$9,597 in the Overtime and Extra Hire Account. The capital expenditures requested include \$20,000 for replacement of six patrol cruisers. It is suggested that the replacement period for Police cruisers be extended from nine to eleven months, and that this request be reduced to \$12,000 allowing the purchase of four vehicles in this fiscal year. The Finance Committee recommends a total budget of \$368,700.

340: This account includes the Building Inspector budget as well as the maintenance budgets for most Town buildings. These two accounts were separate last year. Centralizing the responsibility for these maintenance functions under the Building Inspector will provide for better control and efficiency. If the Finance Committee recommendation is approved, these composite accounts show only a modest increase over last year's budget.

350: The cost of dog control has apparently been stabilized showing a slight decrease over last year's 12 month appropriation if the Town accepts the Finance Committee's recommendation that the purchase of a van be deferred.

360: The Finance Committee recommends a cut of \$2,000 in Account 360-13. This sum was requested for a part time land management aide. Since the 1971 reassessment of the Town, the Conservation Commission, with Finance Committee support, has budgeted .0275% of the Town's assessed valuation to the Conservation Fund for land purchase. The Finance Committee recommends that, in the future, the appraisals required for land acquisition be taken from the Conservation Fund.

April 2, 1974

This change accounts for the bulk of the \$7,300 reduction recommended in Account 360-21. It should be noted, however, that when the Conservation Fund is used for appraisals or other purposes the money available for land purchase is reduced. Recommend approval.

370: The slight reduction recommended by the Finance Committee represents the cost of an electric typewriter. We encourage the sharing of office equipment. Sudbury does not need a typewriter for each and every Town board, committee and commission.

Mr. Ronald L. Blecher further reported to the meeting for the Finance Committee as follows: The motion that is before you, in general, follows very closely our recommendations in the Warrant including the effect of collective bargaining. There is one particular point that we think deserves special attention. We are recommending in this motion that the salary increase for the Police Chief and the Fire Chief be inserted directly in the line items that are appropriated. The reason for this is, in part, the action of the Town Meeting last night. As was noted, any increases in the patrolmen's and firemen's salary automatically represents an increase in the chiefs' salaries. By State law, we have to pay 1.8 times for the chiefs. Therefore, the 6 1/2% firemen's salary increase and whatever increase may be appropriated to the police, will automatically result in this increase for the chiefs' salaries.

The original intent of the Finance Committee and the Selectmen was to use the Salary Adjustment Account, 950-100, to take care of the salary adjustments for all the individually rated employees under the direction of the Selectmen. This would come to six individuals, including the Police Chief and the Fire Chief. The motion that was presented last night by the Sudbury Taxpayers' Association and which passed as the final order of business, suggested a cut in this account on the basis of, we believe, four salaries. As a result, the Finance Committee believes that the reduced Salary Adjustment Account should be used as a merit pool for only the four individuals and the Fire Chief and Police Chief increases should be in their departmental budgets.

If this is not done, the approximately \$2,400 that represents the legislative increases for the chiefs will come from the \$6,000 merit pool voted last night. This would leave somewhat less than \$3,600 for the rest of the four employees, and would mean less than a 5% increase on average for these people. We think that this is inappropriate. We think that last night's action forced this upon us, and we urge your support.

Mr. Donald D. Bishop was then recognized. He stated that the Sudbury Taxpayers' Association has a position on this article, and is at this moment adjusting to what is a very last minute change. He asked for time to make the adjustments.

The Moderator opened the discussion to the floor while the Association was adjusting its figures. After several questions from the floor relative to the Finance Committee motion, Mr. Bishop was again recognized and stated that the Sudbury Taxpayers' Association prepared for this with copies of articles which were distributed some time ago. Like the Warrant, it is not really what we are talking about tonight. These copies were distributed, and they were the latest information available. They were the positions, I believe, of the Finance Committee several days ago. That is a normal event for this occasion this time of the year. Much of my remarks will be related to the relationship between what we expected to be asked to vote on and what we see tonight. I will make some attempt to bridge the remaining gap.

Mr. Bishop then asked if he might make an amendment at this time. The Moderator stated that an amendment would be in order.

Mr. LeBart of the Finance Committee raised a point of order stating that if the Sudbury Taxpayers' Association is going to make detailed amendments to each of these budget motions, I think it is only right and proper that we be given copies of those motions so that we can study them in an honest attempt to evaluate them and respond to them.

The Moderator ruled that "that is not required under the rules under which we operate. A motion to amend is in order as long as it is in writing and it can be placed into writing as little as ten seconds before it is presented."

April 2, 1974

Mr. Bishop then moved to amend the motion under Account 300 to: that the Town appropriate \$533,250 for all items in Account 300, Protection of Persons and Property, according to the following allocations: 310, Fire Department, \$385,000; 340, Building Inspector, \$80,000; 350, Dog Officer, \$14,000; 360, Conservation Commission, \$52,000; 370, Board of Appeals, \$2,000; 390, Civil Defense, \$250; and that Account 320, Police Department, be deleted; and to meet the appropriation the Town raise and appropriate \$333,250, appropriate and transfer \$100,000 from free cash, and appropriate and transfer \$100,000 from the Town of Sudbury, P.L. 92-512, Federal Revenue Sharing Account, for the Fire Department salaries under item 310-11.

Mr. Powers of the Board of Selectmen moved that the question be divided into seven separate questions: 310, Fire Department, \$385,000; 340, Building Inspector, \$80,000; 350, Dog Officer, \$14,000; 360, Conservation Commission, \$52,000; 370, Board of Appeals, \$2,000; 390, Civil Defense, \$250; and that Account 320, Police Department, be deleted.

Mr. Bishop then commented in support of his amendment as follows: I have no complaint with the Town departments. I think that the department heads and the boards have worked very hard and well throughout the year and in the budget preparation cycle. They have done their best and have achieved some success in presenting to us a plan which will provide to us good services, to which we are now accustomed. We can live in that style.

I have no complaint with the Finance Committee. They have done more than the hard work they told us about. They have shown some results. They have made an honest estimate of Town benefits to be derived. They have given us clear statements for our guidance on these articles.

I do complain with my own wallet. Not everyone in Town got a raise this year. I, and others, must re-adjust the services I would like to buy. Meat prices resulted in a number of housewives and perhaps some house-husbands putting on a meat strike. But now hamburger is up. I don't happen to like spaghetti, but I buy more of it these days. The gas has gone up in price and for that reason and for conservation reasons, although I hate the restrictions of a bus schedule, some people have seen me on the bus more lately. It is convenient. It is available. I recommend it, but don't expect a nice story if you ask me how I like it. It is what I think I can afford. I cannot afford all the things I used to buy.

We are not complaining about services. These dollars will reduce the benefits we have been receiving. You may be told they will cripple the departments. I do not believe that is true. It will cripple the proper desires of the departments to provide excellent service. It will not cripple the ultimate performance of these departments.

Some comment has been made as to how this will operate. These values that you see against each of the areas in the budget are less than recommended by the Finance Committee, and in most cases throughout the budget the recommendation by the Finance Committee is less than the department asked for. You could ask, "How would the departments operate at the Finance Committee recommendations?" I say they will operate under this figure and just as well. They will accommodate.

In addition, this year we are not voting the operating funds and the salaries, etc., after they have already spent one-fourth of the year's money. They have another couple of months to readjust and get ready. Then they have the full twelve months to plan to spend the money that we vote here in this Town Meeting.

There has been a story in Town that the Taxpayers' Association's recommended figures will mean that all the difference will come out of salaries. I submit to you that that is not a true statement.

These, you will note, are bottom line figures unfortunately. We do not make adjustments by individual line items and subject ourselves to a division of the argument on those. We have not analyzed the full department operation. We say that this is the level of support which we can give. This means the level of benefits and services we can expect.

You may want to compare with the expenditures for 1973 which are reported in your Warrant from the Town Accountant. Last year, we heard about the problem of spring and fall expenditures because we added a winter-spring to a twelve month year. This is twelve months against twelve months. It is a valid comparison. 1973 is a valid comparison unless the department was negligent in submitting its

April 2, 1974

vouchers, in which case it looks as if it spent less last year. I am not suggesting they are. I am saying that the only errors that I see creeping in would mean that they had not really shown what they really expended. The reason for that would, it seems to me, be negligence.

In summary, we think the departments worked very hard and prepared good budgets for the services they want to provide. We think the Finance Committee has given us good explanations of the changes and they have made recommendations about what they think the Town should receive as benefits. But, we think our pocket-books speak louder tonight, here, when the chips are down.

The Moderator stated that he wished to say a couple of things about mechanics. "This is a shotgun blast motion to amend. We are becoming more and more convinced that this is not the way to go about it. A better way on all further sub-sections of this budget would be to go through it category by category. If there is a motion to amend on any one of those categories, take it at that time, rather than taking one big enormous, horrendous, all-encompassing motion to amend." He asked Mr. Bishop and the Taxpayers' Association to take his comments into account.

After considerable discussion, it was

VOTED: THAT THE QUESTION BE DIVIDED INTO SEVEN SEPARATE QUESTIONS: 310, FIRE DEPARTMENT, \$385,000.00; 340, BUILDING INSPECTOR, \$80,000.00; 350, DOG OFFICER, \$14,000.00; 360, CONSERVATION COMMISSION, \$52,000.00; 370, BOARD OF APPEALS, \$2,000.00; 390, CIVIL DEFENSE, \$250.00; AND THAT ACCOUNT 320, POLICE DEPARTMENT, BE DELETED.

The Taxpayers' Association amendment relative to the Fire Department was then defeated. The Moderator then placed the amendment relative to the Building Inspector's budget on the floor for discussion.

After discussion, the Taxpayers' Association amendment relative to the Building Inspector's budget was defeated.

The remaining sections of the Taxpayers' Association amendment were all defeated.

Mr. Bishop then moved to reduce the amount to be raised by taxation from \$540,083 to \$440,083, and to transfer \$100,000 from free cash to Account 300. He stated that this conforms to what we had understood was the plan in the funding of this account. There is some time tonight or tomorrow night going to be a movement from free cash to help reduce the tax rate. I had understood this was a plan of the Finance Committee. We accommodated that plan. It was not in the motion as they presented it. We went right ahead. It is your choice whether you would like to take it now or perhaps find out from the Finance Committee where they do intend to transfer it.

Mr. LeBart, Chairman of the Finance Committee, stated that as part of our total financial plan, the best way to handle free cash is at the very end of the Town Meeting. There are reasons for this part of the total plan. One is that the one way that you can make a down payment towards the bonding of articles is from free cash. There are various proposals from the Conservation Committee and from other boards and committees which could result in that action. Therefore, the prudent way to treat free cash which will reduce your tax rate by that amount whenever it is acted upon, is to wait to see what the action of this body is with regard to those various proposals. We would like to suggest that you be patient and support us in this method of handling free cash. Otherwise we could have some serious financial problems as we proceed through the rest of the Warrant.

After discussion, Mr. Bishop's motion was defeated. In favor - 205; Opposed - 264. (Total - 469)

After a question was raised that the various items in the main motion did not add up to the total amounts given, a corrective amendment was unanimously voted which adjusted the total appropriation from \$640,083 to \$621,374, and the total to be raised and appropriated from \$540,083 to \$521,374.

April 2, 1974

VOTED: THAT THE TOWN APPROPRIATE \$621,374.00 FOR ALL ITEMS IN ACCOUNT 300, PROTECTION OF PERSONS AND PROPERTY, IN ACCORDANCE WITH THE ALLOCATIONS SET FORTH IN THE RECOMMENDED COLUMN, EXCEPT THAT ITEM 310-11 BE \$347,167.00; ITEM 310-12 BE \$47,366.00; ITEM 320-13 BE \$7,544.00; ITEM 320-16 BE \$4,239.00; ITEM 320-21 BE \$15,600.00; ITEM 320-61 BE \$500.00; ITEM 340-12 BE \$266.00; ITEM 340-13 BE \$10,219.00; ITEM 340-15 BE \$22,431.00; ITEM 310-71 BE \$3,350.00; ITEM 350-11 BE \$7,583.00; ITEM 360-13 BE \$1,331.00; ITEM 370-13 BE \$2,130.00; THAT THE TOWN RAISE AND APPROPRIATE \$521,374.00, AND APPROPRIATE AND TRANSFER \$100,000.00 FROM THE TOWN OF SUDBURY PUBLIC LAW 92-512, FEDERAL REVENUE SHARING ACCOUNT, FOR FIRE DEPARTMENT SALARIES UNDER ITEM 310-11; AND PLACE ITEMS 320-11 AND 320-12 ON THE TABLE.

[For further action under Article 4, Account 320, Police Department, see page 302]

## ARTICLE 4: 400 HIGHWAY DEPARTMENT

	EXPENSES 1972	EXPENSES 1973	REQUESTED 1974-75	RECOMMENDED 1974-75
410-11 Supt. & Asst. Salary	12,807	16,480	35,500	32,300
410-13 Clerical	11,783	11,968	13,140	13,140
410-14 Commission Salary	1,600	1,600	1,600	1,600
410-21 General Expense	5,692	3,629	4,880	4,880
410-31 Maintenance	9,814	10,288	21,455	14,000
410-41 Travel	20	111	200	200
410-42 Out-of-State Travel	---	---	300	300
410-51 Admin. Equipment	893	1,091	2,175	1,700
410-71 Uniforms	4,937	3,504	6,000	6,000
420-11 Operating Salary	174,242	188,855	219,787	219,787
420-12 Operating Overtime	19,993	16,374	41,700	35,000
420-20 Road Work				
- 1 Operating Materials	29,182	20,283	25,000	25,000
- 3 Hired Equipment	23,350	3,248	8,000	8,000
- 4 Contractors	---	133,747	135,000	135,000
- 5 Signs & Markings	9,100	7,821	10,500	10,500
420-20 Sum	61,632	165,099	178,500	178,500
420-30 Trees				
- 1 Tree Materials	3,128	2,394	2,000	2,000
- 3 Hired Equipment	736	193	1,000	1,000
- 4 Contractors	6,875	7,576	11,800	11,800
420-30 Sum	10,739	10,163	14,800	14,800
420-40 Landfill				
- 1 Materials	1,386			
- 3 Hired Equipment	3,047	6,491	3,000	3,000
420-40 Sum	4,433	6,491	3,000	3,000
420-50 Cemeteries				
- 1 Materials	6,483	1,205	2,000	2,000
- 5 Contractors	---	---	2,500	2,500
420-50 Sum	6,483	1,205	4,500	4,500
420-61 Chap. 81 Maint.	34,452	40,777	34,500	34,500
420-62 Chap. 90 Maint.	17,000	25,500	62,500	0
420-63 Chap. 90 Const.	36,000	---	37,000	37,000
430 Machinery				
-20 Fuels & Lubr.	13,160	8,261	17,500	17,500
-30 Parts & Repairs	35,157	28,204	32,000	32,000
-40 Equipment	6,029	62,166	29,000	29,000
430 Sum	54,346	98,631	78,500	78,500
460 Snow & Ice				
-30 Materials	48,128	19,764	50,000	50,000
-40 Equipment	10,445	1,239	59,500	9,000
-50 Contractors	17,173	3,234	20,000	20,000
-12 Overtime	20,581	3,017	20,000	20,000
-60 Sweeping	---	---	12,000	7,000
460 Sum	96,327	27,254	161,500	106,000

April 2, 1974

		EXPENSES 1972	EXPENSES 1973	REQUESTED 1974-75	RECOMMENDED 1974-75
470	Street Lighting	16,389	15,175	25,135	25,000
	New Locations	---	---	4,200	0
470	Sum	16,389	15,175	29,335	25,000
400	TOTAL	577,982	642,595	950,872	810,707

Mr. Karl E. Clough of the Finance Committee moved that the Town appropriate \$832,481.00 for all items in Account 400, Highway Department, in accordance with the allocations set forth in the recommended column, except that item 410-11 be \$33,300.00; item 410-13 be \$13,994.00; item 420-11 be \$233,292.00; item 420-12 be \$37,275.00; item 460-12 be \$21,300.00; and to meet the appropriation the Town raise and appropriate \$796,981.00, appropriate and transfer the following sums from the following accounts for 420-11, Operating Salary Account, and 420-50, Cemetery Materials Account: Mt. Pleasant Cemetery Account, \$1,900.00, Mt. Wadsworth Cemetery Account, \$1,500.00, Town Cemetery Account, \$1,100.00, the North Sudbury Cemetery Account, \$2,900.00; and appropriate and transfer \$28,100.00 from Public Law 1140 funds to the Chapter 90 Construction Account, 420-63.

Finance Committee Report: The Highway Department's original request of \$590,872 has been reduced to the recommended budget of \$810,707 primarily through the transfer of major capital equipment and Chapter 90 Road Maintenance expenditures to Warrant Articles #5, 6 and 7. The Finance Committee's recommendation represents an increase of \$101,923 over the nominal two-thirds of the 18 month budget approved by the 1973 Annual Town Meeting but is in line with previous annual expenditures. We support the Highway Commission's efforts to provide Sudbury with good roads and services in a cost-effective manner. The stone seal road resurfacing program introduced successfully in 1972 was continued in 1973 with the resulting 23 miles of resurfaced roadway within the \$135,000 budget for that account (420-20-4). The same amount is recommended for fiscal 1975 to carry on the planned renewal of all Sudbury's roads over a five-year period. Increases are budgeted in areas of General Expense, Overtime & Extra Hire, Fuels and Lubricants and the 460 Snow & Ice Account. The Overtime & Extra Hire category serves the basic needs of the Tree, Cemetery, Landfill and Roadway Departments for temporary summer help plus the required overtime which cannot be avoided. The Fuel Account is based on a projected 25% increase in cost. The Snow & Ice cost varies from year to year. Although this account represents an increase over last year's budget, which was voted after a very mild winter, it is not out of line with average experience. Recommend approval.

Highway Commission Report: (Mr. Ronald P. Espinola) The major activity carried on by the Highway Department involves the reconstruction and maintenance of roads. This year, we do not plan to do any reconstruction, but rather try to continue the major maintenance program at as low a level as we feel commensurate with good practice.

In 1974 we continued the stone seal program at the same level that we are proposing for this year. In that year, we were able to do 23 miles. An additional 11 miles were maintained under Chapter 81 funds and 2 miles on Concord and Hudson Roads.

In 1975 we plan to complete the Boston Edison patching work and, under Article 5 of the Warrant, perform the Chapter 90 maintenance work that is described.

In addition to the road maintenance work, normal sign and markings will continue. In 1974 we erected 91 signs and marked all the school walkways. 225 curb-miles were swept in Town, and this year we hope to do this more rapidly so that the Town will be free of the sand that results from winter operations much earlier in the summer.

Roadside mowing accounts for approximately 80 miles of brush cutting and mowing. The snow and ice account involves the activities that we are all familiar with. In addition to this, the ice storm of December 1974 required the take down of 500 trees and limbs. This winter we experienced about 18 inches of snow. Who knows what next year will bring. Our snow activities will also involve clearing of walkways, present and future.

The Highway Commission is also responsible for the solid waste activities. I think you are all familiar with the landfill operations which have been greatly enhanced by the compactor and loader which Town Meeting approved last year. In

April 2, 1974

addition, we were fortunate to purchase cover material at about one-half the market price so that this year we are not asking for anything more than the minimal funds for operation of the landfill.

The recycling operation is one that has been disappointing to say the least because of the general lack of participation by the townspeople. We hope that we can continue it, but we need much greater support. We are looking into a new operation which may be more appealing to many people.

In addition to these activities, members of the Commission are involved with long-range planning on the Minuteman Regional Refuse Disposal Planning Committee and on the Wayland-Sudbury committees which are looking into joint landfill operations and the sludge disposal facility.

Our drainage activities during the year will involve maintenance of existing systems and, if Town Meeting approves Articles 39 and 40, implementation of the recommendations of the Master Drainage Plan. Because we feel a coordinated implementation of that plan is necessary, we have declared a moratorium on any major drainage programs until we can begin implementing the recommendations of that study.

Cemeteries is another area of activity of the department. We will continue our upgraded maintenance program in all Town cemeteries and do some reconstruction of roads and iron work in those cemeteries that are in dire need.

The tree department will continue a take down program as required. We are striving to strike a balance between safety and aesthetics. It is a very difficult road to walk. We plan to continue our planting program as well as the disease control program which involves both spraying and implementation of the new Dutch Elm disease control program.

We feel that the departmental reorganization which occurred last year under our new superintendent has resulted in more efficient operations. We hope that will continue to be an improving situation. We will continue to issue new regulations and procedures, to review old ones and update them as appropriate. It is planned to implement training programs for personnel, an area which has been overlooked for many years. We hope to resume our activities in the administration of the contract for walkway construction.

Then there is an area which is very hard to categorize, where the department has participated and interacted with many other Town boards and committees. This is often the one that is the most fun. We, in the past, have aided in Town clean-ups with the Conservation Commission and with P.R.I.D.E., assisted the Board of Health and Housing Authority in digging percolation test pits, assisted in brush chipping for Conservation and Heritage Park, assisted in painting parking lots for the Town Hall, the Library and several schools, assisted in grading the Loring Playground and in putting together some of the imaginative playgrounds at the Haynes, Fairbank, and Horse Pond Schools.

This is a very brief sketch of the activities of the department. The financial breakdown is shown in your Warrant, and if you have any questions about the finances, I welcome them.

Mr. Pierre J. Bonin *moved to amend the main motion by striking out the figure \$832,481.00 and substituting the figure \$760,000.00 and by striking out the figure to be raised by taxation of \$796,981.00 and substituting \$746,242.00.*

In support of his amendment, Mr. Bonin stated that this budget represents a 14.1% increase over last year. That does not seem reasonable to me. About 21% of the increase you can attribute to salaries. The Finance Committee report in the Warrant mentions increases in general expense, overtime and extra hire, fuels and lubricants, and the 460, snow and ice account. I found a lot more increases than that in this budget, and I don't know why they don't mention the other areas. The Finance Committee report also states that it supports the Highway Commission's efforts to provide Sudbury with good roads and services in a cost effective manner. We should all have good roads and services. Everybody would be for good roads.

But I'd like to ask you that maybe we should not be for good roads. Think about some of the things that the good roads bring us, and maybe they are not all good. A good road means that it is wider, and it is a better road if it is smoother. You can go a lot faster, and you kill more people and animals that way. I'm not so sure I'm for good roads in Sudbury. I like the ones that have pot

April 2, 1974

holes in them, that are narrow and force people to go slowly by my house. I think this is an argument when every year we have to appropriate money to fix up a road that really is not in that bad a shape and makes people slow down a little.

After a short discussion, the question was moved. A point of order was raised in that the total appropriation figure was in error. The Moderator obtained unanimous consent to change the total appropriation figure in the amendment from \$760,000 to \$753,674.

After taking the vote on the motion of the question, the Moderator announced that it had prevailed by greater than the required two-thirds.

VOTED: TO AMEND THE MAIN MOTION BY STRIKING OUT THE FIGURE \$832,481.00 AND SUBSTITUTING THE FIGURE \$753,674.00 AND BY STRIKING OUT THE FIGURE TO BE RAISED BY TAXATION OF \$796,981.00 AND SUBSTITUTING \$746,242.00 [sic].

Mr. Philip Felleman pointed out that the numbers still did not add up properly. After several questions were raised concerning the number and several suggestions were made as to what the numbers should be, the Moderator called a five minute recess.

After the recess, the Moderator called the meeting to order and declared that a quorum was still present. Upon a motion requested by the Moderator, it was

VOTED: TO CHANGE THE AMOUNT TO BE RAISED BY TAXATION FROM \$746,274.00 TO \$718,174.00.

Mr. Clough of the Finance Committee then moved that the Town appropriate \$832,481.00 for all items in Account 400 as in the previous main motion.

The Moderator ruled that this was a motion for reconsideration and as such, under the Bylaws of the Town, it required a two-thirds affirmative vote to pass.

Mr. Clough's motion was defeated by a majority.

VOTED: THAT THE TOWN APPROPRIATE \$753,674.00 FOR ALL ITEMS IN ACCOUNT 400, HIGHWAY DEPARTMENT, IN ACCORDANCE WITH THE ALLOCATIONS SET FORTH IN THE RECOMMENDED COLUMN, EXCEPT THAT ITEM 410-11 BE \$33,300.00; ITEM 410-13 BE \$13,994.00; ITEM 420-11 BE \$233,292.00; ITEM 420-12 BE \$37,275.00; ITEM 460-12 BE \$21,300.00; AND TO MEET THE APPROPRIATION THE TOWN RAISE AND APPROPRIATE \$718,174.00, APPROPRIATE AND TRANSFER THE FOLLOWING SUMS FROM THE FOLLOWING ACCOUNTS, FOR 420-11, OPERATING SALARY ACCOUNT, AND 420-50, CEMETERY MATERIALS ACCOUNT: MT. PLEASANT CEMETERY ACCOUNT, \$1,900.00; MT. WADSWORTH CEMETERY ACCOUNT, \$1,500.00; TOWN CEMETERY ACCOUNT, \$1,100.00; THE NORTH SUDBURY CEMETERY ACCOUNT, \$2,900.00; AND APPROPRIATE AND TRANSFER \$28,100.00 FROM PUBLIC LAW 1140 FUNDS TO THE CHAPTER 90 CONSTRUCTION ACCOUNT, 420-63.

[For Reconsideration of Account 400, Highway Department, see page 207]

[For final disposition of Account 400, Highway Department, see page 302]

VOTED: THAT THE MEETING ADJOURN UNTIL TOMORROW NIGHT AT 8:00 O'CLOCK IN THIS HALL.

The Moderator announced that the motion to adjourn had passed by the required two-thirds. The meeting adjourned at 10:45 P.M.



## PROCEEDINGS

## ADJOURNED ANNUAL TOWN MEETING

April 3, 1974

The Moderator called the meeting to order at 8:04 P.M. at the Lincoln-Sudbury Regional High School Auditorium. He declared that a quorum was present.

He announced that a notice of intent to move reconsideration of Account 400, Highway Department, in Article 4 of the Warrant for the 1974 Annual Town Meeting, had been filed with the Town Clerk. He stated that, in accordance with the By-laws of the Town, this motion for reconsideration would be the first order of business on Monday, April 8, 1974, and that it would take precedence over the recommitted school budget.

The Moderator then recognized Mr. LeBart, Chairman of the Finance Committee, who *moved that all motions to increase, decrease or alter in any way the budgets proposed as Finance Committee recommendations as published in the Warrant for this Town Meeting shall specify a line item and sub-code to which they refer.*

In support of his motion, Mr. LeBart stated that a vote for this motion is essential to restore the integrity and responsibility to the proceedings of this Town Meeting. For two nights now we have had delays, confusion and frankly, some poor legislation. Last night we voted to cut \$78,807 from the Highway Commission budget. No one, not the Highway Commission, not the Taxpayers' Association, not the Finance Committee, no one really knows what this means. One view is that we may have given the Commission a blank check to spend \$753,674 in any way that they see fit. Another is that the cuts would require a pro-rated reduction of each line item, which could require dropping one or more employees because of the impact on the salary budget. Another is that the Highway Commission will have to recommend cuts and resubmit their budget to this Town Meeting for a vote on a line item basis. The point is that no one really knows.

More importantly, we have permitted the Taxpayers' Association to encourage us to act in an irresponsible way. Last night we made a blind vote without really knowing what it means. Deep in our hearts, we know that that was unfair. We were voting our pocketbooks, not our conscience. We put our self-interest ahead of public interest.

Sudbury prides itself in being one of the few towns that permits taxpayers to consider budgets on a line item basis so you will really know where your dollars are being spent. The Finance Committee has resisted pressures to simplify and condense the budget format in the Warrant. The principle of full disclosure is involved here, your right to know.

With that right goes a responsibility, the responsibility to consider and vote budgets on a line item basis. It is easy, but irresponsible, to vote a reduction of a budget when we don't really know what we are eliminating. A vote for this motion will force us to look at each item in detail. This way we will minimize confusion. This way we can make informed votes in a responsible way. We urge your support of this motion.

After discussion, Mr. LeBart's motion was defeated. In favor - 174; Opposed - 206. (Total - 380)

ARTICLE 4: 500 GENERAL GOVERNMENT

	EXPENSES 1972	EXPENSES 1973	REQUESTED 1974-75	RECOMMENDED 1974-75
<u>501 SELECTMEN</u>				
501-11 Exec. Sec'y Salary	14,088	20,400	21,000	21,000
501-12 Overtime	2,169	489	2,000	1,000
501-13 Clerical Salary	18,555	19,430	23,605	21,050
501-14 Selectmen's Salary	1,600	1,600	1,600	1,600
501-21 General Expense	7,823	5,438	5,350	5,000
501-31 Equip. Maintenance	175	193	200	200
501-41 Travel	1,462	2,487	2,200	2,200
501-51 Equip. Purchase	2,061	1,006	3,325	350
501-71 Out-of-State Travel	142	57	1,000	750
501-81 Surveys & Studies	0	2,000	2,000	2,000
<u>501 TOTAL</u>	<u>48,135</u>	<u>53,100</u>	<u>62,280</u>	<u>55,150</u>

April 3, 1974

	EXPENSES 1972	EXPENSES 1973	REQUESTED 1974-75	RECOMMENDED 1974-75
<u>502 ENGINEERING</u>				
502-11 Salaries	48,241	70,067	57,262	57,262
502-12 Overtime	0	0	1,600	1,600
502-13 Clerical Salary	0	0	6,398	6,398
502-14 Temporary Engrg. Aides	0	0	24,000	2,740
502-21 General Expense	4,482	5,382	5,300	5,300
502-31 Maint. & Repair, Vehicles	299	948	1,900	1,800
502-41 Travel Expense	492	376	600	500
502-51 Equip. Purchase	4,591	2,975	7,000	5,200
502-71 Out-of-State Travel	0	0	0	250
<u>502 TOTAL</u>	<u>58,105</u>	<u>79,748</u>	<u>104,060</u>	<u>81,050</u>
<u>503 LAW</u>				
503-11 Retainer	8,000	7,999	8,400	8,400
503-21 General Expense	8,842	5,778	11,000	11,000
<u>503 TOTAL</u>	<u>16,842</u>	<u>13,777</u>	<u>19,400</u>	<u>19,400</u>
<u>504 ASSESSORS</u>				
504-12 Overtime	0	0	750	0
504-13 Clerical Salary	15,345	13,401	15,850	15,850
504-14 Assessors' Salaries	2,500	2,500	2,500	2,500
504-21 General Expense	2,999	1,916	5,150	5,150
504-41 Travel	600	600	600	600
504-51 Equip. Purchase	0	0	200	200
<u>504 TOTAL</u>	<u>21,444</u>	<u>18,417</u>	<u>25,050</u>	<u>24,300</u>
<u>505 TAX COLLECTOR</u>				
505-11 Collector's Salary	8,850	8,866	10,000	9,300
505-13 Clerical Salary	8,050	5,857	15,433	10,000
505-14 Attorney's Salary	0	0	2,200	2,200
505-21 General Expense	4,941	2,904	6,805	6,530
505-41 Travel Expense	0	0	200	100
505-51 Equip. Purchase	0	0	200	0
<u>505 TOTAL</u>	<u>21,841</u>	<u>17,627</u>	<u>34,838</u>	<u>28,130</u>
<u>506 TOWN CLERK &amp; REGISTRARS</u>				
506-11 Town Clerk's Salary	5,000	7,824	9,664	9,664
506-13 Clerical Salary	16,413	17,707	20,763	19,700
506-14 Registrars	450	550	550	550
506-21 General Expense	6,469	5,707	8,056	7,100
506-41 Travel Expense	246	185	250	250
506-51 Equip. Purchase	6,768	888	811	810
506-61 Elections	7,514	2,890	7,858	7,858
<u>506 TOTAL</u>	<u>42,860</u>	<u>35,751</u>	<u>47,952</u>	<u>45,932</u>
<u>507 TREASURER</u>				
507-11 Treasurer's Salary	6,150	6,604	10,000	7,500
507-13 Clerical Salary	2,967	3,499	4,200	4,000
507-21 General Expense	1,194	1,422	1,455	300
507-41 Travel Expense	210	316	300	300
507-51 Equip. Purchase	---	---	400	400
507-61 Tax Title Expense	55	197	100	100
507-71 Bond & Note Issue Exp.	116	168	100	100
<u>507 TOTAL</u>	<u>10,692</u>	<u>12,206</u>	<u>16,555</u>	<u>12,700</u>
<u>508 FINANCE COMMITTEE</u>				
508-13 Clerical Salary	438	56	1,200	1,200
508-21 General Expense	214	196	400	400
508-41 Travel Expense	0	10	100	100
<u>508 TOTAL</u>	<u>652</u>	<u>262</u>	<u>1,700</u>	<u>1,700</u>
<u>509 MODERATOR SALARY</u>	80	80	100	100
<u>510 PERMANENT BUILDING COMMITTEE</u>				
510-13 Clerical Salary	69	64	100	100
510-21 General Expense	122	15	150	150
<u>510 TOTAL</u>	<u>191</u>	<u>79</u>	<u>250</u>	<u>250</u>
<u>511 PERSONNEL BOARD</u>				
511-13 Clerical Salary	800	766	900	900
511-21 General Expense	363	249	200	200
<u>511 TOTAL</u>	<u>1,163</u>	<u>1,015</u>	<u>1,100</u>	<u>1,100</u>

April 3, 1974

	EXPENSES 1972	EXPENSES 1973	REQUESTED 1974-75	RECOMMENDED 1974-75
<u>512 PLANNING BOARD</u>				
512-11 Planning Admin. Salary	0	0	17,800	16,400
512-13 Clerical Salary	1,592	2,073	3,200	3,100
512-21 General Expense	2,511	4,964	4,000	3,400
<u>512 TOTAL</u>	<u>4,103</u>	<u>7,037</u>	<u>25,000</u>	<u>22,900</u>
<u>513 ANCIENT DOCUMENTS COMMITTEE</u>				
513-21 General Expense	172	1,070	1,600	1,600
<u>514 HISTORIC DISTRICTS COMMISSION</u>				
514-13 Clerical	80	29	150	150
514-21 General Expense	100	58	150	150
<u>514 TOTAL</u>	<u>180</u>	<u>87</u>	<u>300</u>	<u>300</u>
<u>517 REVOLUTIONARY BICENT. COMM.</u>				
517-11 Coordinator	0	0	5,000	0
517-13 Clerical	0	0	3,000	3,000
517-21 General Expense	26	305	16,955	3,000
517-31 Maintenance	0	0	3,000	3,000
517-51 Equip. Purchase	0	0	5,000	0
<u>517 TOTAL</u>	<u>26</u>	<u>305</u>	<u>32,955</u>	<u>9,000</u>
<u>519 TALENT SEARCH COMMITTEE</u>	26	0	100	100
<u>520 COMM. ON TOWN ADMINISTRATION</u>	73	62	450	300
<u>521 ACCOUNTING</u>				
521-11 Town Accountant Salary	2,214	12,786	12,500	12,500
521-12 Overtime	0	0	400	400
521-13 Clerical	14,838	13,426	17,317	15,000
521-21 General Expense	647	686	1,110	910
521-31 Maintenance	896	425	765	765
521-41 Travel	0	0	100	100
521-51 Equip. Purchase	0	0	19,768	0
<u>521 TOTAL</u>	<u>18,595</u>	<u>27,323</u>	<u>51,960</u>	<u>29,675</u>
<u>500 TOTAL</u>	<u>245,154</u>	<u>267,946</u>	<u>425,550</u>	<u>333,687</u>

Finance Committee Report:

501: The recommendation of the Finance Committee represents a reduction in the Personnel Account of approximately \$4,350 and \$3,000 in the Capital Equipment Account. This will maintain the Town Hall staff at its current level as opposed to the addition of a telephone operator-receptionist requested by the Selectmen. The \$3,000 cost of a car for the Executive Secretary is felt to be unwarranted at this time.

502: The recommended budget represents a reduction of approximately \$23,000 from the original budget submission of \$104,068. The Finance Committee commends the Engineering Department in its effort to hold the line in most areas and regrets the suggested cut which is primarily in its temporary hire category. However, nearly \$20,000 is requested for students who were paid out of the walkway program funds in fiscal year 1974. If the walkway program is continued, funding for these temporary personnel will be available through the appropriate articles. Disapproval of these articles will obviate the need for these students. Recommend approval of \$81,050.

503: Although the request is apparently comparable to last year's appropriation, there has been an increase in this account for a professional negotiator which offset last year's extraordinary expense associated with anticipated legal fees in support of the Conservation Commission. Recommend approval.

504: The Finance Committee recommends the deletion of overtime in the Personnel Account (\$750).

505: In the past year the position of Principal Clerk has been unfilled and the Tax Collector has performed the functions. The reduction in the Personnel Account represents the deletion of this unfilled position from the budget, thereby eliminating the need to raise unspent funds through taxation.

506: It is recommended that the Town Clerk's office staff be held constant. The purchase of a special electric typewriter will enhance the effectiveness of the Town Clerk's office.

April 3, 1974

507: The Finance Committee recommendation for the Town Treasurer's salary is 10% over last year. The remaining reductions are due to the establishment of a single postage and telephone account and the deletion of these elements from the individual department budgets.

512: The Finance Committee supports the establishment of a Planning Administrator under the direction of the Planning Board. The Town needs planning in many areas, traffic and land use, for example, to be better able to direct the growth that is coming. A Planning Administrator will be able to assist Town boards and committees in their planning efforts to provide an updated Master Plan for the Town and work towards its implementation.

513: This account is devoted largely to microfilming of documents in the Town offices, and a pilot program of records management. Recommend approval.

517: The Finance Committee recognizes the desire of many Town citizens and the Bicentennial Committee to honor the contributions Sudbury citizens have made to our heritage. In keeping with the true spirit of the forefathers, the Finance Committee feels that the spirit of the Bicentennial Celebration might best be presented primarily through voluntary contributions of funds and services by the Town citizens. A total amount of \$9,000 is recommended to assist the Bicentennial Committee in organizing a voluntary effort to achieve its goals.

521: The Town Accountant was hired in the summer of 1973. As a result, the comparison of this year's Accounting Budget with two-thirds of the 18 month budget is not appropriate. The major difference between the budget request and the Finance Committee recommendation is the deferral of the purchase of a data processing unit for the Town. Although a Town owned and operated data processor may be a reality in the future, the Finance Committee feels that there should be additional study before this major step is undertaken. Recommend approval.

After making the main motion to raise and appropriate \$350,511.00 for Account 500, General Government, including many changes in line item amounts from the figures as printed in the Warrant, Mr. Ronald Blecher further reported to the meeting for the Finance Committee as follows: The Finance Committee is no happier than you are about the fact that we have to read all these numbers off. I hope everybody understands that this happens because negotiations are not completed at the time we go to press. We have to put in the numbers that we have at our disposal. We don't want to impact negotiations, so we put in no increases. When these increases come due, we have to change the numbers, and that is why we have to go through this tedious process.

In general, our recommendations printed in the Warrant speak for themselves. There are several points which should be made with regard to these changes though. The major changes are due to collective bargaining and are almost always in salary accounts.

There are, however, two very specific accounts that should be addressed, and these in particular are 501-13, the Clerical Salary Account for the Selectmen, which we have recommended be changed to \$25,419 from the original recommendation of \$21,050. That change cannot all be attributed to collective bargaining.

The other major change is in account 502-14, Temporary Engineering Aides, in the Engineering Department where we are recommending that the amount be changed to \$8,418 from the previously printed \$2,740, again, clearly an increase which cannot be justified on the basis of collective bargaining.

The first one, 501-13, the clerical salary increase in the Selectmen's office, is for the addition of a telephone operator-receptionist clerk to the staff in the Town Hall. We have had this discussion before, and the Finance Committee has historically objected and rejected the idea of having this additional person. But, we have been impressed by the sincere persistence of the Selectmen. They have always come to us with the same thing, never deviating. At this time, we are convinced that they truly need this person, especially in light of the Bicentennial that is coming upon us. There will be additional calls upon the people in Town Hall to answer questions and answer telephones. The increase is rather a modest one and really reflects about a half a person because we have reduced the overtime account and increased the clerical salary. This amounts to changing one of the half-time people to a full-time person.

Now let me address 502-14. Temporary Engineering Aides are additional employees and co-op students that work with the Town Engineer. In general, the Town Engineer has been able to fund co-op students from Northeastern University

April 3, 1974

when he gets walkway money that is approved in warrant articles. Now, if the warrant articles are approved, that's fine. But if the warrant articles are not approved, he does not get that money. We feel very, very strongly that if, in fact, you don't pass the warrant articles for walkways and there is no engineering to be done that, in general, you do not need these people. But we do feel that the co-op program is a very useful program, and so what we are recommending is the following: a minimal increase of \$5,500, plus the negotiated salary increases, to the engineering account to allow a very, very low level of participation in the co-op program even if the walkway programs are not approved.

If the walkway programs are approved, when you get to vote on those, the amount requested for engineering services will be reduced by \$5,500, and we will see no net increase in this budget. What we are particularly concerned about is having to drop out of this very useful program, the co-op program with Northeastern University.

You may ask legitimately, "If we have no walkways, is there any work to be done by these co-op students, even a minimal level?" I think the answer is, "Yes". There is work that we have consistently deferred. This person can be put to very good use.

Those are the major changes--salary increases due to negotiation, changes in account 501-13 for the telephone operator-receptionist clerk, and changes in 502-14 for the minimal participation on the Northeastern co-op program.

Mr. Louis G. Edwards of the Committee on Town Administration *moved to amend the budget as follows: change line items 511-11 to zero, 512-21 to \$5,400, 512 Total to \$8,702, 500 Total to \$336,111.00.*

Committee on Town Administration Report: (Mr. Edwards) The purpose of this amendment is to remove the Planning Administrator from the budget and place back into the General Expense account an amount for special studies almost equal to that spent last year, approximately \$3,500.

The growth of the Town has caused the Town boards, commissions and committees to generate ever-increasing amounts of data. The efforts of the past year have resulted in a number of five-year plans. All of this data must be consolidated before a coherent statement can be created of where the Town is now, where it is going in the near and intermediate future, and where those plans overlap and/or conflict with each other.

The CTA agrees that the need exists for long-term planning, coordination of plans between the various Town agencies, remaining up-to-date on the availability of State and Federal programs, etc. The question is how to fulfill the planning needs at a price that fits the benefits and in a time frame that makes it useful.

The CTA is not taking the position that a professional planner will never be needed, but rather, that a professional planner is not needed at this stage of data gathering, data consolidation and initial evaluation of the five-year plans. This type of function is the kind most frequently mentioned for the professional planner. However, it was not clear at the joint meeting of the CTA and the Planning Board, nor is it clear from the draft job description, whether the expertise of the administrator is to be in day-to-day operations, long-term planning in general, or in some particular aspect of planning, for example, land use, transportation, zoning, State and Federal funding programs. Finally, it did not appear to members of the CTA at this meeting that the Planning Board members were themselves in agreement on what particular expertise would be looked for when they were considering applicants.

The CTA believes that continuing work toward the creation of a data base from information already available or easily made available should be the level of activity for this coming year. This would provide the following:

- A. continued formal recognition and approval of the need for long-range planning and coordination of plans;
- B. a rate of expenditures no greater than this past year for this part of the planning budget;
- C. no need for a professional planner this coming year;
- D. a year for the need or lack of need for a professional to jell in the minds of the townspeople;
- E. a year for a firmer job description to be considered and generated by the Planning Board.

April 3, 1974

The CTA believes this program provides continued progress at a price the Town can afford and avoids prematurely creating another professional permanent position. We urge your support for this amendment.

Planning Board Minority Report: (Mr. Paul H. McNally) I believe that hiring a planning administrator at this particular time is not in the best interests of the Town for the following reasons.

A planning administrator would be hired and paid for by the Planning Board. The Planning Board at its option could allocate time to other boards, but, since all Town boards are autonomous under our present form of government, each board must implement and be responsible for their own planning decisions. It is difficult for me to believe that the Planning Board can impose its planner on the wishes of other Town boards.

I proposed to the current members of the Planning Board that we walk before we run, and I suggested that we hire the services of a planning firm on a retainer basis at the rate of one or two days a month for one or two years. I believe that this approach would provide a learning curve for the present Board with regard to setting priorities and would also be of help in developing the expertise as to what we can expect from professional planning services when the Town is ready to pay for a full-time planning administrator or planner. This type of service will also act as a guide for the preparation of scope of services when future projects are proposed.

I believe that because of the nature and variety of planning projects, a planning administrator would require consultant services of a professional planning firm competent in whatever project may be of interest at a particular time. It would be misleading to say that a planning administrator or planner could, for all projects, be considered as one and the same man. I do not believe that the planning administrator proposed by the Planning Board will fill the immediate needs of the Town for planning. The cost of hiring a planning administrator will run between \$14,000 and \$20,000. The cost of an hydrology study as proposed in Article 27 of this Warrant, which would be performed by a consultant, will cost \$12,000.

I believe that this Town Meeting must choose between a planning administrator or consultants to take care of some of the many planning needs before us. It is proposed that the planning administrator would apply some of his time and talent to keeping informed of State and Federal spending programs, with respect to whatever benefits Sudbury might derive. I understand that at present, State and Federal programs are funneled through the Executive Secretary's office here in Sudbury.

The Planning Board at present uses the services of the Engineering Department for all subdivisions and site plan review and thus allows for more in planning by the members regarding local and regional matters, such as sewerage and solid waste disposal. It appears to me that hiring a planning administrator-planner on a full-time basis would, at least in part, be the same as having two men doing the same job regarding the subdivision and site plan review. The Planning Board members have, within our present form of government, the responsibility to plan for Sudbury and adding one more administrator will perhaps ease the burden but will not remove the obligation. I believe that it is too soon for Sudbury to go the full-time administrator or professional planner route.

Planning Board Majority Report: (Mr. Eben B. Stevens) The concern shown by the CTA and others over the proposed creation of a new position and the resulting increase in the Planning Board budget is understandable and not unexpected. We, too, are taxpayers and well aware of our tax rate in Sudbury.

But, as members of the Planning Board, we have a particular responsibility to you all to bring to your attention the problems which face the Town and to present to you the best possible solutions. In explaining to you the need for Sudbury having a professional planning administrator, we could have told you that we were overworked. Last year we had 52 regular meetings plus 40 special meetings, for instance. We could have pointed out that everyone else, from the Selectmen to the Highway Department, Board of Health, Park and Recreation, etc., have employed the professional help they need to work effectively. But those are not real reasons why Sudbury needs this planning administrator.

We need him or her now because we are at the crossroads of our development as a community, the 50% point. It took 300 years for Sudbury to reach the population of 15,000. In only another 20 years, we will be at 30,000. This attractive

April 3, 1974

west-of-Boston suburb we live in is going to continue to be a part of the major growth area, and we must answer the critical questions of what we want to be like in 20 years and how are we going to achieve that objective.

Why this year? Why not next year, or the year after? The Planning Board feels that the Town needs the help now because it is going to take two or three years to analyze our present collection of data and come up with a workable plan. Then, once we agree on the plan, and the Town Meeting should necessarily be involved in that agreement, it takes more time to set up the priorities, debate the alternatives and get things done. Already it is close to 1980.

Based upon the statistical data obtained this year in our analysis of open land still left in Sudbury, we have somewhere between 3,000 and 4,000 house lots available. How many of us really ever thought about this situation? Even the five-year plans that the various boards and committees have made, submitted to the Finance Committee and updated annually, do not really address themselves to this reality. Do you realize that this many more new homes might mean a population pushing 35,000, with its inherent impact on the schools and other municipal facilities, to say nothing of the potential budget of nearly 30 million dollars. The Planning Board asks, "What do we want for Sudbury?" Do we want to become another Lexington, Wakefield, Newton or Wellesley, towns which started planning too late with their open land almost all built up? Do we want to be able to pace our capital expenditures wisely, or do we want to face annual Town warrants with multiple capital programs time and time again? Or do we want to plan budget growth based on facts, supported by analysis of relevant data?

In short, do we want to destroy the present nature of Sudbury, or do we want to face the future intelligently with a good plan in hand and sensible ways of implementing it? That is the problem, and, in our opinion, we must start working on the answer now, not five or ten years from now. It is a big, time-consuming job and one we honestly believe cannot be done without additional professional help.

After the Planning Board realized the magnitude of the question, we then asked ourselves, "Who should be most concerned with getting the answer? Whose responsibility should it be to formulate the policies and guide the activities leading up to the answers?" Chapter 40 of the State Law is pretty clear on this point. It is the Planning Board's responsibility to develop the plans.

The Board then did its homework. We have read, researched, interviewed and done cost-effective studies on the possible methods of getting this work done. First we looked to ourselves. Could the Planning Board do it without help? How much more time could the five elected members put in? Maybe a little bit, if we took more time off from our jobs or gave up all other forms of recreation other than Planning Board meetings. But still the job takes too much time, and the professional knowledge would be lacking.

Then we looked around to see if there was anyone else already working for the Town who would have the time, energy and professional skill to do the job. We could not identify any Town employee, group or office to do the job the way it needs to be done.

Then we thought and investigated the possibility of part-time help to do the job, townspeople, sharing a planner with another town or two, student interns, and so on. Any of these could be of some assistance, but our investigations revealed serious drawbacks in the area of time, availability, and on the job direction and supervision.

Then we thought about hiring a professional consultant. Mr. McNally's proposal of two days a week year round represents \$12,500 for about 1,000 hours of work. We have no doubt the job could be done this way and done well, but our 2 1/2 years of recent experience in hiring consultants showed this to be a very expensive method. The cost is significantly higher. Other communities have also discovered this. No matter how well you have written the scope of work, the retainer fee never seems to cover the answer to your urgent emergency questions, and the additional charges mount up rapidly. Two more important side problems to the retaining of a consultant are 1) that the information you get from such a firm can never really reflect the Town's wishes adequately because their professional relationship to the people of the Town is too remote, and 2) even if you do get a good plan from your consultant, implementing that plan is quite another thing. You usually end up having to hire that same consultant again to get things accomplished.

April 3, 1974

We also looked at various combinations of other possibilities, and all had serious cost and effectiveness drawbacks. We came at length to the conclusion that a full-time planning administrator will give us the most for our money. We will get more hours on the job. We will get the most contact with the citizens. We will get close involvement with and good advice for all Town boards and committees. He will represent us, listen to us, then put it all together in the context of what is possible. And the cost is reasonable.

This is the overview of the information we presented in more detail to the Finance Committee. In past years the Finance Committee recommended against adding a planner or planning administrator to the Town's staff. They now support this budget item. Other boards and committees also have recognized the need for and the usefulness of having this person working for Sudbury. The Selectmen, the Park and Recreation Commission, the Board of Health, the Personnel Board, the Conservation Commission are all among them. We strongly feel that it is a question of now or never, a question of whether we are going to have a real say in our future or whether we are going to hide our heads in the sand and hope for the best while doing nothing. Ten years from now, or maybe even five, the die will be cast. We urge you to care what shape that die will be. We urge you to vote "No" on the CTA amendment and vote "Yes" on planning for our future.

Highway Commission Report: (Mr. Espinola) The Highway Commission would like to state that it supports the concept of an administrator and the way it is proposed by the Planning Board.

After some discussion, it was

VOTED: TO AMEND THE BUDGET AS FOLLOWS: CHANGE LINE ITEMS 512-11 TO ZERO, 512-21 TO \$5,400.00, 512 TOTAL TO \$3,702.00, 500 TOTAL TO \$336,111.00.

Mr. Roger A. Bump of the Revolutionary War Bicentennial Committee moved that Account 517 be amended to \$32,955 as set forth in the requested column in Article 4 for individual items.

The Moderator announced that he would recognize a pre-arranged speaking order of Mr. Bump, Mr. Francis Koppeis, Innkeeper of the Wayside Inn, Chief Nicholas Lombardi of the Police Department, Mr. Victor Walsh, Mr. William Vollheim, Colonel of the Sudbury Minute Company, and Mr. Richard E. Thompson, Executive Secretary, and that they would have a total of fifteen minutes for their presentation.

Mr. Bump: I am Director of News and Public Affairs for a Boston radio station. I am also an Assistant Professor at a college in the greater Boston area. With these two particular jobs, I am kept very well informed concerning funds being allocated for Bicentennial celebrations.

The first point that should be made is that Massachusetts will be jumping the gun by almost a full year as opposed to the rest of the country. Therefore, this particular celebration will be underway here for two years.

I think that it should also be considered that between three and six million people will be in the Town of Sudbury over that two year period. I consider that the money being suggested here is similar to an insurance policy. It is not our fault that we just happen to be in Middlesex County. It is not our fault that we just happen to be in a very outstanding town related to the Revolutionary days. It just happens to be that way. There is nothing we can do about it. The people will be here.

You have the Olympics in Montreal. You also have many other plans, not only nationally, but internationally, by residents across the ocean who are planning to come to this country for this particular celebration, and they, of course, would like to view the New England area. My personal knowledge of information as relayed to me, for example, by automobile associations throughout the country, indicates that there will be millions of people flocking to this area, and I feel we should be prepared.

This is a small amount of money overall because we do plan to have enough volunteers, enough items that will bring money back, and we will be able to cross this whole thing off. The Town will make the funding that we are suggesting here, and it will erase itself, which I think is the best news here tonight.



April 3, 1974

Mr. Koppeis: From the activity we are having at the Wayside Inn by way of letters and correspondence inquiring about the Inn and the Revolutionary War activities that we are going to be re-enacting in many cases, I think it would be foolhardy if we overlooked that we are going to have a lot of problems with traffic, with information, with people, and where to put them for a rest room. It is innumerable, the number of items that you can think about that folks are going to require and desire.

This past ten days, I have had three magazines who have asked for information and have taken pictures. One of them spent a full day taking pictures. In each of these situations, we keep bragging at the Inn about the Town of Sudbury because it is the first place of democratic form of government, our Town Meeting. We mention that there were more men at the North Bridge from Sudbury than any other town. Not all of the publications include those in their little comments, but so much of it rubs off they keep speaking and referring not only to just the Inn but to Sudbury, Middlesex County and the rest. This means people are coming whether we want them or not. They are going to be here.

I am a country boy from Missouri. When I was out there, we looked on the Boston area as being a sort of sacred place, or a place of awe and something to reverence because that's where Bunker Hill, the Concord Bridge and those other things took place that made our country possible. Now I find that we sort of take things too much for granted, but folks are coming to see these things that they have read and heard so much about. I do hope that we make adequate plans and do not find ourselves having to rush about with an emergency program of some kind.

Chief Lombardi: I am not looking forward with any great enthusiasm to the prospect of moving all these visitors in and out of Sudbury during the Bicentennial. An awful lot of people are playing down this Bicentennial, and I just can't understand their attitude. I think the Town of Sudbury is going to be swamped. Most of the problems of getting these people around are going to wind up on my desk. I would like to make it a little easier for us on the Police Department. I think if we can get some money to this committee so that they can set up their information centers, put out their brochures, get some guides or guidelines to the people so that they can get around and visit the places of interest in Town without having to be led by the hand or directed by the Police on extra details, etc., it is going to be a great help to all of us. I strongly urge your support for the Committee's request for these funds.

Mr. Walsh: The Committee has been working on a volunteer basis for two years on this Bicentennial. We assure you we will continue to work for another two years on a volunteer basis. We are merely asking you to give us the tools to work with. We would also like to remind everyone that a substantial amount of money was voted by Town Meeting last year to get the records at the Town Hall up to date, and we plan to use those. We also would like to remind you that this is only a once-in-a-hundred-year request and that we will liquidate the entire amount.

Mr. Vollheim: This expenditure that we are considering tonight is extremely important. If you will go back through your history books, through Puritan Village, through Hudson's History of Sudbury, for example, in 1875, this was a disaster area, with horses and wagons, if you please. There were no automobiles. All of us in this room will be renting out our lawns to people with trailers. They are going to be coming through here by the millions. If we do not get this money, which is strictly for the materials with which to do the job, we will be dead. This is going to be a disaster area. The people that are in charge of this at the State level are closing their eyes to this problem. We will have a problem. At this point in time I would not want Chief Lombardi's job. I urge you to vote for this money.

Mr. Thompson: I would just like to give the Town Meeting a little additional information as to what other towns are doing as far as costs are concerned. Lincoln, one of our nearest neighbors, requested \$12,000, and town meeting approved that amount. Framingham, which is really not the impacted area, requested \$35,000, and their town meeting hasn't started yet. Concord requested \$52,700, and they have not had their town meeting this year, but they have already appropriated \$69,000. Lexington has requested \$150,000, and they already have \$100,000. There are some other towns, but they are smaller towns and not in the impacted area.

April 3, 1974

After some discussion, Mr. Bump's amendment was defeated.

VOTED: THAT THE TOWN RAISE AND APPROPRIATE \$336,111.00 FOR ALL ITEMS IN ACCOUNT 500, GENERAL GOVERNMENT, IN ACCORDANCE WITH THE ALLOCATIONS SET FORTH IN THE RECOMMENDED COLUMN OF THE WARRANT WITH THE EXCEPTION OF CHANGES TO INDIVIDUAL LINE ITEMS AS FOLLOWS:

501-12	\$ 533.00	506-61	\$ 8,140.00
501-13	25,419.00	507-13	4,260.00
502-11	58,823.00	508-13	1,278.00
502-12	1,704.00	510-13	107.00
502-13	6,814.00	511-13	959.00
502-14	8,418.00	512-13	3,302.00
504-13	16,881.00	514-13	160.00
505-13	10,650.00	517-13	3,195.00
506-13	20,981.00	521-13	15,975.00
506-21	7,207.00	521-12	426.00

AND THAT LINE ITEMS 512-11 BE CHANGED TO ZERO, 512-21 TO \$5,400.00, 512 TOTAL TO \$8,702.00.

#### ARTICLE 4: 600 GOODNOW LIBRARY

	EXPENSES 1972	EXPENSES 1973	REQUESTED 1974-75	RECOMMENDED 1974-75
600-11 Salaries	58,009	66,519	86,997	72,000
600-21 General Expense	4,068	4,771	5,503	5,503
600-31 Maintenance	5,856	6,261	8,139	8,139
600-41 Travel	116	112	250	200
600-51 Equipment	555	500	1,513	1,000
600-52 Books	18,298	21,627	25,884	23,000
600 TOTAL	86,902	99,790	128,286	109,842
LESS RECEIPTS:				
State Aid				-5,064.75
County Dog License Refund				-4,596.03
Library Trust Fund				-1,500.00
TOTAL				98,681.22

Finance Committee Report: The Finance Committee recommends approval of \$109,842 for the Goodnow Library budget. While the amount is 14.4% less than requested by the Library, the recommended budget is 11.3% higher than the equivalent past budget period. It is the opinion of the Finance Committee that adequate library services can be provided to the Town on the basis of the recommended budget.

Mr. S. William Linko further reported to the meeting for the Finance Committee as follows: For your information, during the 1973 period, the number of Goodnow Library card holders has increased by 50%, from 5,000 to 7,000 cards. Commensurate with that, circulation has increased by 33%, from 100,000 volumes to 133,000 volumes. These figures indicate that on the average, Sudbury citizens check out 500 books per day, roughly 60 per hour or 1 per minute. We feel that the budget as recommended is adequate for library service to the Town.

VOTED: THAT THE TOWN APPROPRIATE \$114,053.00 FOR ALL ITEMS IN ACCOUNT 600, GOODNOW LIBRARY, IN ACCORDANCE WITH THE ALLOCATIONS SET FORTH IN THE RECOMMENDED COLUMN EXCEPT THAT ITEM 600-11 BE \$76,211.00, AND TO MEET THE APPROPRIATION THE TOWN RAISE AND APPROPRIATE \$102,892.22, AND FURTHER THAT THE TOWN APPROPRIATE AND TRANSFER THE FOLLOWING SUMS FOR BOOKS FROM THE ACCOUNTS UNDER ITEM 600-52:

STATE AID FOR LIBRARY ACCOUNT	\$5,064.75
MIDDLESEX COUNTY DOG LICENSE REFUND ACCOUNT	4,596.03
GOODNOW LIBRARY FUND	1,500.00.

April 3, 1974

ARTICLE 4: 700 PARK AND RECREATION

	EXPENSES 1972	EXPENSES 1973	REQUESTED 1974-75	RECOMMENDED 1974-75
700-11 Salaries	38,686	40,619	52,000	50,000
700-21 General Expense	959	1,027	1,000	1,000
700-31 Maintenance	21,950	17,847	25,000	25,000
700-41 Travel	208	186	300	300
700-51 Equipment	3,800	1,963	9,300	9,300
700-61 Special Programs	18,629	18,647	20,000	18,000
700 TOTAL	84,232	80,289	107,600	103,600

Finance Committee Report: This account shows about a 20% increase over the spending rate of the past two years. About \$8,000 of this is in the Salary Account, where Park and Recreation has requested increases for part-time maintenance men (largely for ball field maintenance on school grounds) and for skating rink supervisors. The -31 Account (Maintenance) is also up, reflecting improvements to Feeley Park, and general price increases. The -61 Account (Program Expense) shows an increase also. This reflects several new programs (e.g. gymnastics) that have been well received. It should be noted that most of these -61 Account programs are on a subscription basis, and produce revenue for the Town which is not reflected in the budget figures. The Town took in \$11,000 last year from such Park and Recreation activities. Recommend approval at \$103,600 total.

Mr. John J. Drum further reported to the meeting for the Finance Committee as follows: The addition of an overtime account item was originally requested by the Parks and Recreation Commission and by mistake it was added in to the regular salaries. At this time, we would like to bring it out and put it in the Warrant as a separate item.

In reviewing the Parks and Recreation budget, I would like to mention the problem of fiscal transition. We are presently in an 18-month accounting period that will end on June 30th. The budget now being considered starts next July 1st and goes for 12 months. As a result, all budget comparisons need some kind of extrapolation and are subject to interpretation.

In December, when the Finance Committee considered the Parks and Recreation budget request, 1973 spending figures were not available, and we used the current appropriation level as one of our guidelines. Thus, the Finance Committee report may not relate too well to the figures you see above it. Column 2 needs to be interpreted because the \$80,289 figure there is substantially below the appropriation level. If you pro-rated the appropriation uniformly, the figure for 1973 would be \$85,614. I presume that Parks and Recreation husbanded their funds in 1973 with the expectation of increased spending toward the end of the 18-month budget period.

Looking at column 1, the 1972 total does not include a pick-up truck that was purchased for \$5,290 on a special article. The point is that it is especially difficult this year to make comparisons. I believe that our recommended figure of \$106,597 can be considered in relation to a past spending level of \$85-90,000. The Parks and Recreation Department persuasively supported their budget before the Finance Committee in December, and I expect that they will do likewise before this meeting. The Finance Committee recommends approval.

Mr. Ira M. Potell, of the Sudbury Taxpayers' Association, *moved to amend by striking out the figure \$106,597 and substituting \$90,000 as the total in Account 700.*

In support of his amendment, Mr. Potell commented as follows: The Parks and Recreation Department has produced excellent programs, and there is no complaint with what is being currently done. However, the figure published in the Warrant on page Roman numeral iii [Proceedings, page 160] for a 12-month Park and Recreation budget is \$85,614. The printed recommendation shows \$103,600, or up 21%. The 1973 expenses were \$80,289, and the recommended budget \$103,600. This is an increase of 28.75%. 23% of this is in the salary account and with the new salary number, it is an even higher percentage. Equipment is up over 400%, maintenance is up 39%. We know that Park and Recreation returns monies to the Town every year, but if it costs us \$23,000 more, will we get back at least \$20,000 instead of the \$11,000 they returned last year?

April 3, 1974

I have heard the comment that this is a good tight budget, reflecting an attempt to relieve the taxpayers' burden. If this is the case, I am somewhat shaken.

We are recommending a 12.8% increase over last year's expenditures and hope that our fellow taxpayers feel that this is a reasonable amount for Park and Recreation to provide us with excellent service and still expand their services at the rate of 3% per year, and not 12% per year.

Park and Recreation Commission Report: (Mr. Pasquale T. Piscitelli) We have seen many figures tonight, and I like to compare apples with apples. If you take the same fiscal period of July 1st to June 30th, you will notice that July 1, 1973, through June 30, 1974, the amount spent and to be spent comes to \$109,112. We have asked the Finance Committee for \$103,600. According to these figures, it looks as though we have cut our budget, not increased it.

Mr. Piscitelli requested that the Town Accountant verify the figure of \$109,112.

In response to the request, Mr. John H. Wilson, Town Accountant, stated that, based on the amount of money that was left in the Park and Recreation account as of June 30th, 1973, the amount that Mr. Piscitelli has stated which may be spent by June 30th, 1974, is correct.

Mr. Piscitelli continued his report as follows: On general programs, we have a budget of \$18,000, of which we get back \$11,000 a year, which goes into free cash. That means it only costs the Town \$7,000 to provide swimming, tennis, arts and crafts, softball and so forth, which I think is very low.

We are talking about \$9,300 for a pick-up truck and some new facilities at Feeley Park, a new ball field.

The salaries are \$50,000 this year. We have picked up the expense of the school fields. We have the Heritage Park to get involved with. We take care of the Town Center and many other parks in Town.

I think this budget is right in line, and I hope you support it.

After a short discussion, Mr. Potell's amendment was defeated. In favor - 164; Opposed - 209. (Total - 373)

VOTED: THAT THE TOWN RAISE AND APPROPRIATE \$106,597.00 FOR ALL ITEMS IN ACCOUNT 700, PARKS AND RECREATION, IN ACCORDANCE WITH THE ALLOCATIONS SET FORTH IN THE RECOMMENDED COLUMN, EXCEPT THAT ITEM 700-11 BE \$30,750.00, AND TO ADD A NEW LINE ITEM, 700-12, OVERTIME, \$2,247.00.

#### ARTICLE 4: 800 HEALTH

	EXPENSES 1972	EXPENSES 1973	REQUESTED 1974-75	RECOMMENDED 1974-75
800-11 Director's Salary	4,984	8,317	16,000	16,000
800-13 Clerical Salary	4,318	4,037	5,800	5,800
800-21 General Expense	1,364	1,308	1,700	1,700
800-31 Lab Expense	1,308	747	1,200	1,200
800-41 Travel	0	337	1,200	500
800-51 Equipment	77	119	600	400
800-61 SPHNA	13,000	18,198	19,543	19,543
800-71 Mosquito Control	11,800	18,572	15,000	15,000
800-81 Consultant Fees	0	250	500	500
800-91 Mental Health	4,862	4,338	4,750	4,750
800-92 Nuisance Control	---	---	1,000	0
800 TOTAL	41,713	56,224	67,293	65,393

Finance Committee Report: The Finance Committee recommends approval of a \$63,393 budget for the Health Department. While the amount recommended represents a 4% reduction from the requested amount, it constitutes an 11% increase over the previous equivalent budget period and is sufficient to assure adequate Town health services.

April 3, 1974

Mr. Linko further reported to the meeting for the Finance Committee as follows: The Town approved a full-time directorship for the Board of Health. The increase in Account 800-11 results from a full-time director coming on board as of August, 1973.

VOTED: THAT THE TOWN RAISE AND APPROPRIATE \$65,770.00 FOR ALL ITEMS IN ACCOUNT 800, HEALTH, IN ACCORDANCE WITH THE ALLOCATIONS SET FORTH IN THE RECOMMENDED COLUMN, EXCEPT THAT ITEM 800-13 BE \$6,177.00.

ARTICLE 4: 900 VETERANS

	EXPENSES 1972	EXPENSES 1973	REQUESTED 1974-75	RECOMMENDED 1974-75
900-11 Agent's Salary	1,250	1,321	1,500	1,500
900-21 General Expense	214	111	200	200
900-61 Benefits	4,744	6,441	10,000	10,000
900 TOTAL	6,208	7,873	11,700	11,700

Finance Committee Report: The Finance Committee recommends approval as requested. The requirements for the existence of a benefit fund are defined under the General Laws of the Commonwealth, and the amount of the fund is the same as last year with only a slight increase in administrative expense.

Mr. Roger Bender further reported to the meeting for the Finance Committee as follows: The salary item was changed to be in accord with the salaries approved in Article 2.

VOTED: THAT THE TOWN RAISE AND APPROPRIATE \$11,605.00 FOR ALL ITEMS IN ACCOUNT 900, VETERANS' BENEFITS, IN ACCORDANCE WITH THE ALLOCATIONS SET FORTH IN THE RECOMMENDED COLUMN IN THE WARRANT, EXCEPT THAT ITEM 900-11, AGENT'S SALARY, BE CHANGED FROM \$1,500.00 TO \$1,405.00.

[For action under Account 950, Unclassified, see page 181].

Mr. LeBart, Chairman of the Finance Committee, then moved as follows:

- A. That the Town establish that all wage and salary increases voted at this Annual Town Meeting, unless otherwise specifically provided, shall be effective as of July 1st, 1974;
- B. That all automobile mileage shall be paid at the rate of 12¢ per mile upon submission of a proper voucher;
- C. That with the exception of Accounts 100, Sudbury Public Schools, 130, Lincoln-Sudbury Regional High School District, and 140, Minuteman Regional Vocational Technical School District, all items in all other accounts have been voted as segregated items for accounting and expenditure purposes.

The Moderator raised a question as to whether or not the last phrase was correct in so far as the Highway Commission budget was concerned.

Town Counsel stated that he had advised the Finance Committee that if the Town wants to treat these budgets as segregated budgets, then this is the proper motion. If the Town wants to amend this and eliminate a budget as a segregated budget, it can do so. The Finance Committee has suggested that it wants segregated budgets and the motion has been prepared to do that.

After some discussion of the problem of the Highway Commission budget, Mr. LeBart moved to amend his motion by adding the words "and 400, Highway Department", after the word "District", so that it would read "...with the exception of Accounts 100, Sudbury Public Schools, 130, Lincoln-Sudbury Regional High School District, 140, Minuteman Regional Vocational Technical School District, and 400, Highway Department, all items in all other accounts have been voted as segregated items for accounting and expenditure purposes".

April 3, 1974

Mr. Sidney Wittenberg then *moved that we table this motion until all individual items that are as yet unresolved are resolved.*

The Moderator stated that he would like the motion to be a little more specific.

After several questions and suggestions, the motion was changed to read as follows: *Move to table the final motion under Article 4 until such time as item 320, Police Department, under Section 300, is disposed of.*

After several other questions relative to reconsideration of the Highway Department budget and the meaning of a segregated budget, it was

VOTED: *TO TABLE THE FINAL MOTION UNDER ARTICLE 4 UNTIL SUCH TIME AS ITEM 320, POLICE DEPARTMENT, UNDER SECTION 300, IS DISPOSED OF.*

VOTED: *TO ADJOURN UNTIL MONDAY, APRIL 8, 1974, IN THIS HALL.*

The Moderator announced that the vote was greater than the two-thirds required. The meeting adjourned at 10:55 P.M.

## PROCEEDINGS

## ADJOURNED ANNUAL TOWN MEETING

April 8, 1974

The Moderator called the meeting to order at 8:00 P.M. at the Lincoln-Sudbury Regional High School Auditorium. He declared that a quorum was present.

He announced that the Talent Search Committee had sign-up cards available at the entrance for anyone interested in serving in various capacities in the Town government.

He then recognized Mr. Powers, Chairman of the Board of Selectmen, for an announcement. Mr. Powers stated that at the commencement of this meeting and in the Warrant, both the Finance Committee and the Selectmen indicated that they were being conservative on their estimates of State receipts that would come in this year. This was primarily due to the horrible shock we had last year. This past Friday, the Town received its so-called "Cherry Sheet" showing County taxes, State assessments plus estimated Local Aid. What all this means is that Sudbury will be getting a larger amount of the State's Local Aid in the 1974-75 budget year than originally estimated. According to the latest information, following either the Selectmen's or the Finance Committee's recommendations will mean no tax rate increase and more likely, a tax rate decrease.

On September 10, 1973, the Board of Selectmen's public statement on the 1973 tax rate stated in part, "Next year's tax rate should remain stable, or even decrease, if the Town maintains the same level of increased property valuation and uses free cash and revenue sharing funds appropriately." However, much of the credit for the increased State Local Aid receipts this year is due, in no small part, to the collective action at the State House and the Governor's Office by the Massachusetts Selectmens' Association, the Mayors' Association and the Massachusetts League of Cities and Towns.

This information we feel is extremely important to you, and it is my understanding that this is a joint statement by both the Finance Committee and the Selectmen. It is my understanding from talking to Mr. Wilson that the magic number is a \$1.95 improvement in our fiscal picture. We thought you ought to know that before we go on with the meeting.

The Moderator then recognized Mr. Ronald Espinola of the Highway Commission who moved that the Town reconsider Article 4, Account 400, Highway Department Budget.

After Mr. Espinola's motion was seconded, the Moderator commented as follows: "On Tuesday night last, the Finance Committee made a motion to appropriate \$832,481 for the purposes of Article 4, Account 400, Highway Commission. There was a motion from the floor to amend that Finance Committee figure on the Highway Department Budget from \$832,481 to \$753,674. That motion passed.

"There was then a motion to amend that figure back up to \$832,481. That was obviously a motion to reconsider, and I ruled it so to be. Under Article II, Section 13, of the Town Bylaws, a motion to reconsider any matter at the same session as that at which it was decided requires a two-thirds vote. When put to a vote, this motion to reconsider was defeated by a majority.

"The following morning, within the time specified in the Bylaws, Mr. Espinola of the Highway Commission filed in the Town Clerk's office a notice of intent to seek reconsideration of the action. The question now arises whether or not there may be a second reconsideration of this matter. I would like what I am about to say to be re-printed verbatim in the Proceedings.

"There is some parliamentary authority to the effect that once there has been a motion to reconsider and it has been defeated, there can be no second motion. This appears in a book called Town Meeting Time, a handbook used by moderators all over New England as a guide. It appears in the rules of the Massachusetts House of Representatives. It appears in Bolton's Rules, Demeter's Rules and in Robert's Rules. The last name is the most commonly used rule book in the country.

"This meeting does not use any of those. Under our Bylaws, the rule book of this meeting is Cushing's Manual of Parliamentary Procedure. In Cushing's Manual there is no prohibition against a second motion for reconsideration. In the Town Bylaws, there is no prohibition as such on a second motion for reconsideration although as a practical matter there are limitations on it because of other rules.

April 8, 1974

"The matter of ancient custom and usage now raises itself. Is there an ancient custom and usage that prohibits a second motion for reconsideration? I have been unable to find one. I have reviewed the Proceedings of the 1969 Annual Town Meeting, and I don't find them relevant. They proceeded on an entirely different question. Ancient custom and usage is a shaky ground upon which to base a ruling anyway because one never knows whether something that is ancient is also a custom and usage. Or, was it just some moderator, heaven knows how many years ago, saying, 'You're out of order', and nobody daring to challenge it? If there ever was an ancient custom and usage in this connection, it cannot have any remaining vitality in the face of such complete rules as we now have on the subject of reconsideration, where the rules are lengthy and specific as they are here. There is no room to rely on ancient custom and usage.

"Therefore, I rule that the motion to reconsider with proper notice is in order. I have consulted with Town Counsel on this, and he is of the opinion that the motion is in order. He rests his opinion on the fact that the first motion to reconsider was directed only to the motion to amend, whereas the present one is directed to the entire question of Account 400. I agree with his reasoning, but I choose to rest the decision on broader grounds.

"There is just no law against a second motion to reconsider. There are practical limitations on it, as I said before. 1) In order to pass at the same session or at a later session, a two-thirds vote is required. 2) In order to be brought up at a later session, certain notice must be given through the Town Clerk and the Chair. This means that at a later session, the motion may be reconsidered only once. The motion to reconsider itself cannot be reconsidered. That is in Cushing's Manual.

"This means that, at the same session of a meeting at which a matter is passed, if anyone feels that the opinion of the hall has changed enough, or enough people have left so that there might be two-thirds in favor of reversing a previous decision, he may make a motion for reconsideration without foreclosing any of his later session rights. Some say that this will unduly lengthen the meeting. But, I think it will have another effect. The knowledge that a matter might be reconsidered later in the evening will lead those who might otherwise leave to stay around and help with the rest of the work for the evening. And, if anyone here has any thoughts about bringing in large numbers of people to vote for or against a particular article, he better make sure that they can spend the whole evening."

Mr. Espinola was then recognized for his presentation relative to his motion to reconsider and commented as follows: We believe that the reasons for reconsideration are very simply stated. We wish to rectify inequities, legal ambiguities and errors which will arise if the original motion stands as voted. Those of you who attended last Tuesday night's massacre, saw this deliberative body take action which nobody could understand at that time. Mr. Bonin, who presented the article, when questioned, did not know what some of the elements of it were. The Sudbury Taxpayers' Association, the Finance Committee, the Town Accountant, Town Counsel and the Highway Commission--none of us knew what the ramifications of that action were. When the dust had settled, we found ourselves with a Highway Department budget which was cut by an amount even greater than the Taxpayers' Association had originally suggested. We found the budget at a level which was even lower than they had wished to move.

Town Meeting, last Tuesday, voted only a bottom line number. We agree with the Finance Committee that this is not a fiscally responsible state of affairs for the usual budgetary controls do not apply. They no longer exist to the budget as it was voted. It is conceivable that the legal ambiguities which arose as a result of that meeting may be settled after months or years. But, that leaves us in a very tenuous position until such resolution occurs. For that reason, we wish to reconsider the motion and present to Town Meeting a revised version of the budget that was originally voted.

Some of the legal ambiguities that exist are, how is the budget to be apportioned, to be pro-rated? Is every line item to be reduced by approximately 9%, or should the five Commissioners split up the \$750,000 and just take a jaunt to Brazil? We have no desire to reduce the Department personnel by 9%. Nothing is more calculated to destroy a department's morale and therefore a department's functioning if members can be removed without cause.

We also wish to avoid a special town meeting which would cost many thousands of dollars to resolve the question of what the new Highway Department budget should look like.



April 8, 1974

For these reasons, we wish to resubmit a line item budget for your consideration. In fact, we wish to submit two budgets, one of which totals the amount voted last Tuesday night, and one of which totals an amount between the amount voted and the amount that we had originally submitted.

The question before us at the moment is not what that total is, although our intention is to give you your choice. The question before us is, "Should that budget be a line item budget or should that budget be one which has only the bottom line and with it the legal ambiguities and the accounting ambiguities?"

It is worth noting that the Cherry Sheet improvement that Mr. Powers just announced includes the original Highway Department budget amounts, but that is something that we will come to later. We ask you to assess the situation that we have gotten ourselves into, to allow us, the Town of Sudbury, the Sudbury Highway Commission and all other Town bodies to provide a line item budget which is the result of Highway Commission reassessment of priorities.

We hope that the budget that we would propose if reconsideration is approved, will be one that you will understand more than perhaps the one you saw last week. But, in any case, we wish the opportunity to present the unambiguous distribution of funds that we now propose. We ask you to assess the question carefully, deliberately. Let's not get into the situation we had last Tuesday night and vote for reconsideration.

Finance Committee Report: (Mr. Clough) The Finance Committee, in its statutory capacity as your advisor on fiscal responsibility, supports this motion to reconsider the Town Meeting's action of Tuesday evening on Article 4, Account 400, Highway Department. It has always been the policy of your Finance Committees up to now to require the various Town boards, commissions, committees and departments to submit line item budgets so that they may be studied, questioned, evaluated and changed as necessary prior to recommendation by the Finance Committee to the Town for amendment and/or approval by Town Meeting vote.

Only the school budgets are voted as bottom line figures, because the vocational and regional high school budgets are assessments on the Town by law, and the elementary school budget is voted by the School Committee under its legal fiscal autonomy. The final motion by the Finance Committee after total budget approval always specifies that, with the above school exceptions, all line items are voted as segregated items for accounting and expenditure purposes.

Your Finance Committee is deeply concerned over the fact that the Highway Department budget as presently approved permits no real Town accounting fiscal control over the various line items since only a bottom line figure has been established. The reduction from the original budget submission may be spread across all items proportionately or certain line items may be segregated, depending upon Town Counsel's ruling. Either way, it does not permit the Highway Commission, which is your elected body, to reassess their priorities and adjust their line item budgets in accordance with your voted bottom line amount.

By voting reconsideration at this time you will establish fiscal control in an orderly manner. The Highway Commission will be able to submit a new, responsible line item budget for your approval. The Town Accountant will be able to perform his legal duty to assure you that the budget is spent in accordance with your decision. The Finance Committee recommends your approval of this motion for reconsideration of Article 4, Account 400, Highway Department.

Mr. William F. Toomey of the Board of Selectmen was recognized and requested that the Moderator rule again concerning what reconsideration was in the past and what his ruling is tonight. He stated, "I think you're making a decision for the hall that we should remember. We have followed certain rules in the past, and I honestly think that you should get it right out there again and say it like it is."

The Moderator then summarized his ruling relative to reconsideration. [See pages 207-208 for the full text.]

After discussion, Mr. Espinola's motion to reconsider was defeated.

The Moderator announced that Article 4, 100-110, Sudbury Public Schools Budget, was before the hall as it had been committed back to the School Committee for consideration, and under that vote was scheduled to be discussed tonight. He stated that there was presently on the floor a motion to amend the Finance Committee's amount of \$3,885,000 to \$3,901,500. If the motion to amend is passed, it will affect the main motion and raise the total figure to \$3,901,500. If it is not passed, then the main motion will be before you.

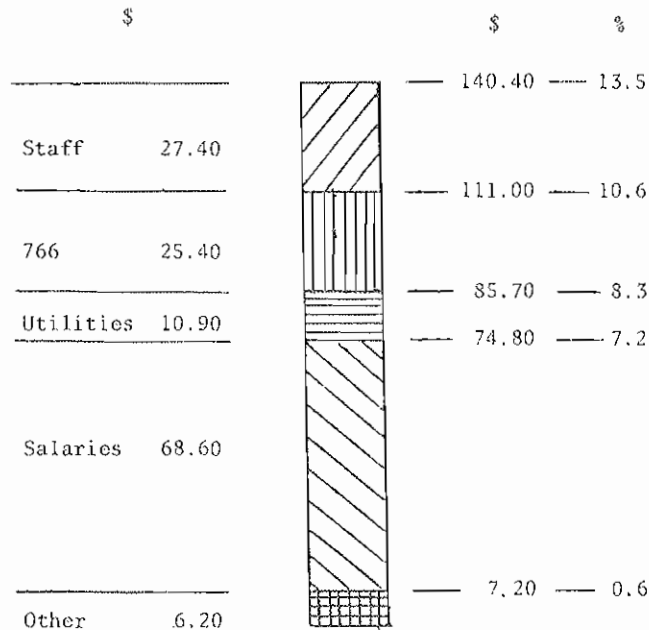
April 8, 1974

School Committee Report: (Mr. Cron) I would like to report on our consideration of the motion that committed the budget back to the School Committee. In that consideration we took six things into account: the program balance we offer in the elementary school, our per pupil cost, the impact of collective bargaining on our budget, how we compare with other towns that offer similar or the same programs, the impact of reductions on our budget and finally, the impact of our budget on Sudbury's tax rate.

The number of students published in the Warrant listed for the year '73-'74 was actually the October, 1973, number of students. If you use the correct number of students, our per pupil cost was \$950 for the school year 1972-73. This year it is \$1147 proposed. That is an increase in per pupil cost of 10.5%.

# CHART I

## INCREASES IN PER PUPIL COSTS



On this chart, I would like to illustrate the impact of what we have done on per pupil cost. On the bar chart, on the left, I have listed "other" which essentially are increases in transportation and contracted services, such as Sudbury Public Health, etc. That was an increase of per pupil cost of \$6.20, and it is 0.6% in the increase in pupil costs. The major impact on pupil cost was salaries, \$68.60. Those two items alone bring it up to \$74.80, or 7.2% of the per pupil increase.

We saw, as everybody in the Town did, a major increase in the cost of utilities, and, adding that in, above what a normal projection would be, our per pupil cost increased 8.3%, which I think was in the guidelines of the 9% offered by the Sudbury Taxpayers' Association. So, for offering the same program we did in previous years, we have increased 8.3% on a per pupil basis.

However, in addition to that, we did make a programmatic change. The State has passed a law on special education called Chapter 766. The impact of that on our budget brings our total per pupil cost to a little over 10.5%, which is the budget we have now presented to you.

Chapter 766 may be either the best law the Commonwealth has ever passed or the worst one. It is really now in the hands of the school committees to implement it. The law basically says that we should not categorize children and put

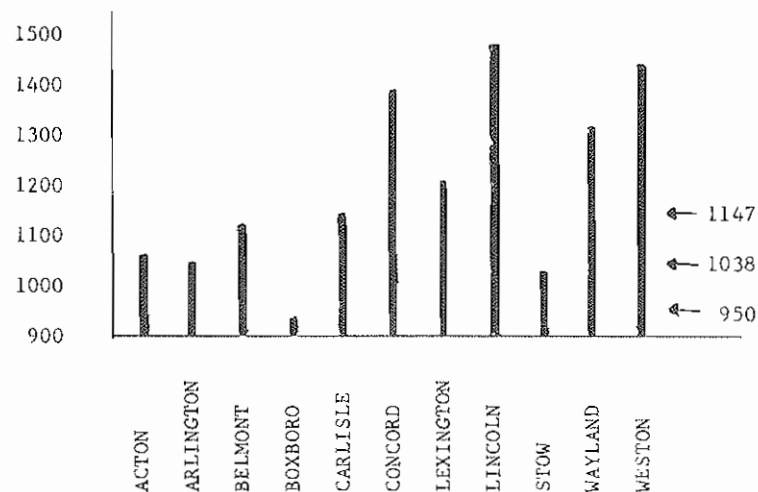
April 8, 1974

them in little boxes unless we can do something about it. It says we shall consider each child as an individual. We shall diagnose his problem. We shall prescribe a program. We shall teach, evaluate, and if nothing happens, we throw the program out and start again. But, it has a very positive bent. We have moved in that direction over the last four or five years. We believe it is the way to go. If we can solve the problem down in the grade level, it is going to save a lot of money trying to solve the problem at the high school.

I would just like to illustrate one more point on this chart. We did face a decrease in pupils, and we have reduced staff on those categories accordingly. If we had not responded in that direction, the per pupil cost would have increased to \$140, or 13.5% on our budget.

CHART M

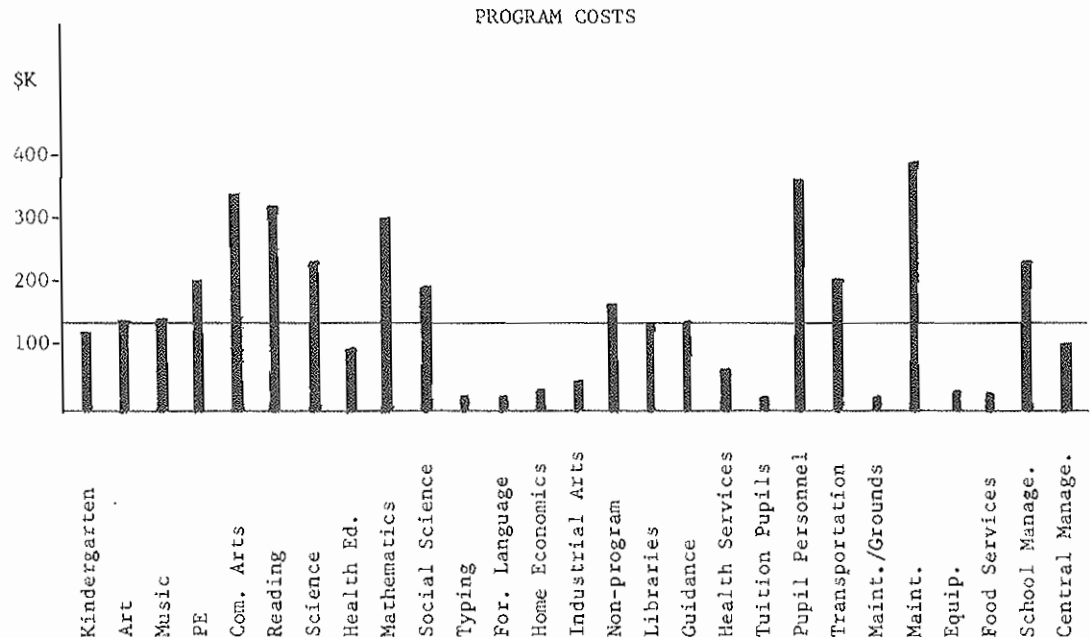
## PER PUPIL COSTS



This chart is the per pupil cost from the State data for the school year 1972-73 for elementary schools. The solid line with the arrow on the right indicates Sudbury's elementary per pupil cost at \$950. One year later our cost was \$1038. Now it is \$1147. You can see our relative position two years after the data of the comparable towns.

One reason our costs are low is that we have long had a policy of not taking rapid action to try and reduce budgets. One item most school committees tend to cut when asked to reduce their budgets is operation and maintenance. I think we have maintained a very well planned program, and I think what you see is it pays off. We pay \$116 per pupil to operate and maintain our buildings. The high school costs \$248 and Lincoln \$283. We have found that if you put off these costs, it costs you more than double the amount in following years to catch up. It is a snowballing effect. We think that is a valuable place to save.

April 8, 1974

CHART N

This bar chart actually indicates in thousands of dollars the amounts of money we spend by program category, ranging from kindergarten, art, music, PE, all the way down to maintenance, operation of schools. The line drawn across was the amount of money we were asked to reduce the budget and how it compares to many of our programs. It is a major amount of money. In equivalent staff, it is eleven to twelve teachers. It is essentially what would happen if we closed one of the elementary schools. If the population keeps going down, we may do that, but this is not the year.

Our budget is predominately salaries. We are a very labor-intensive industry. To cut that kind of money out means reduction in staff and reducing staff generally means, right now with the fixed number of pupils, we have a reduction in program.

The last thing is the impact on the tax rate. As was mentioned before, the Town has received on the Cherry Sheet an increase in estimated receipts. For tax purposes last year you took a terrible belt from schools because the 18-month budget folded into the Town essentially 1.7 times what we normally spend on education because of the way the school year was divided. The State aid that was received in that period was divided in a two-thirds, one-third basis for purposes of calculating the tax rate. If I compare the two-thirds aid we received last year with the anticipated school aid to be received this year, that which is directly assignable to the elementary schools is \$133,000. The Chapter 70 aid that the Town receives increased by \$217,000, and the elementary share is two-thirds of that, or \$144,000. That is a total increase in aid directly attributable to education of \$278,000.

The increase in the elementary budget which also goes on a two-thirds, one-third basis, as shown in the front of your Warrant, was \$117,000. We amended it and added \$16,000, so that it is \$134,000. The end result of the elementary budget is that aid increases by \$144,000 over what we have increased in the budget. In essence that is 90¢ tax reduction due to the elementary schools. We have not, I think, had a severe impact on the budget.

The School Committee, in its consideration, would ask you to support the budget at the amount we originally submitted of \$3,901,500.

April 8, 1974

After some discussion, Mr. Naegele *moved to amend this motion by striking out the number \$3,901,500, and by substituting therefor \$3,770,500, which is a reduction in the amount of \$131,000.*

The Moderator ruled Mr. Naegele's motion to amend out of order since there was already a motion to amend on the floor.

The question was then moved and prevailed by more than the two-thirds required.

VOTED: TO AMEND THE APPROPRIATION FOR ITEM 100-110 IN ARTICLE 4  
TO \$3,901,500.00.

After further discussion, Mr. Philip Felleman moved the question relative to the main motion as amended. Before accepting Mr. Felleman's motion, the Moderator asked if there would be any other motion to amend. He then recognized Mr. Naegele who *moved to amend the motion before the floor now to delete the bottom line amount, \$3,901,500, and to replace it by the sum of \$3,770,500, or a reduction of \$131,000 in the requested amount.*

The Moderator stated, "Once again I am constrained to decide whether or not this is in fact a motion for reconsideration. A few minutes ago, we voted a certain bottom line figure. We are now asked to change that. I rule, therefore, that this is a motion for reconsideration and as such it requires a two-thirds vote in favor in order to pass."

Mr. Toomey of the Board of Selectmen then raised a point of order asking that the Moderator state again whether or not Mr. Naegele's motion to amend is reconsideration and what Mr. Naegele is presenting to the hall.

The Moderator stated that "this is a motion for reconsideration and debate on this, as a motion for reconsideration, will be confined to the question of whether or not the matter should be reconsidered."

Mr. Toomey again raised a point of order and asked if the main motion had been made. If not, we are then having reconsideration of a motion that has not yet been made.

The Moderator explained that "there was a Finance Committee motion made last week. Last week, a motion was made to amend that figure upward. That motion was never voted upon last week. Instead, it was moved and voted to recommit the School Committee budget to the School Committee itself, to reconsider it and report to the meeting tonight. That it has done.

"When it came back on the floor tonight, that motion to amend, that is the motion to amend up to \$3,901,500, was on the floor. It was voted in favor. There is now a motion before you to amend it back down below the original figure.

"Now there is more than one way to make a motion for reconsideration. The hall must always beware of motions for reconsideration that fly different flags. One of the possible flags that a motion for reconsideration can fly, is a motion to amend something that has already been amended. That is precisely the situation we have before us. There is a motion to amend something that has already been amended. It has already been amended up. It is now proposed to amend it down.

"As such, the rules of reconsideration must be applied to it. They are two, in so far as this is a motion to reconsider at the same session of the meeting: 1) debate under it is confined to the question of whether or not there should be a reconsideration and 2) a two-thirds vote in favor is required."

After further recapitulation by the Moderator of the motions and procedures in response to another question, Mr. Naegele was recognized for the purpose of making a presentation relative to his motion to amend.

Mr. Naegele stated that the purpose of the motion is to give the Town a chance to vote on the subject for which it referred the budget back to the School Committee in the first place, that is, to see whether or not the budget should be reduced by \$131,000. My motion to reconsider is based upon that fact, and perhaps in some of the parliamentary procedure which has occurred, we may not have understood what has happened. We are voting on this now to determine whether or not there should be any reduction in the proposed school budget based upon the report by the School Committee.

April 8, 1974

After a short discussion, Mr. Naegele's motion was defeated.

*VOTED: THAT THE TOWN RAISE AND APPROPRIATE \$3,901,500.00 TO BE EXPENDED UNDER THE DIRECTION OF THE SUDBURY SCHOOL COMMITTEE FOR ALL ITEMS IN ACCOUNT 100, EDUCATION, 110 SUDBURY PUBLIC SCHOOLS, IN ARTICLE 4.*

ARTICLE 5: To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$62,500, or any other sum, to be expended under the direction of the Highway Commission, for Chapter #90 maintenance program, or act on anything relative thereto.

Submitted by the Highway Commission.

Highway Commission Report: (Mr. Daniel D. Carter) Prior to 1973, Chapter 90 projects were financed 50% by the State, 25% by the County, and 25% by the local authorities. The new policy of the Department of Public Works is that the State's share will be 75% except in the cases where the roads to be improved are considered to be a primary system, Chapter 90 road. A primary system Chapter 90 road is one that serves traffic through one town to another. In that case, the State will appropriate 100% of the funds.

However, when you use these funds, you must repair and maintain the road up to State standards.

The requested funds will be used this year to perform approximately three years of Chapter 90 maintenance work within one construction season in order to reduce the amount of work on roads during the Bicentennial Celebration period. The State has allotted a total of \$90,600 for Sudbury.

The \$62,500 requested, when voted, will leave \$28,100 within the Fund for Sudbury's account. It is the present intention of the Highway Department to use the balance of these funds for Landham Road reconstruction when that job is ready to be done.

Finance Committee Report: The Highway Department usually budgets \$25,500 annually for maintenance of County roads, with minimal reimbursement from State funds. The \$62,500 requested in this article is a one time cost to cover the projected cost of repair and maintenance of three major County roads, with all of the work being done during 1974 to minimize the impact of the bicentennial travel in 1975 and 1976. No funds for Chapter 90 Maintenance will be requested by the Highway Department for those two years, although Sudbury will automatically receive annual payments of approximately \$43,000 from the State during that period. The Finance Committee supports this proposal of concentrating the work in one year as being cost effective and recommends approval.

*VOTED: THAT THE TOWN APPROPRIATE AND TRANSFER \$62,500.00 FROM HIGHWAY CHAPTER 1140 FUNDS TO BE EXPENDED UNDER THE DIRECTION OF THE HIGHWAY COMMISSION FOR THE CHAPTER 90 MAINTENANCE PROGRAM.*

ARTICLE 6: To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$41,500, or any other sum, to be expended under the direction of the Highway Commission, for purchase of a self-propelled highway snow remover, or act on anything relative thereto.

Submitted by the Highway Commission.

Mr. Anthony L. Galeota, Jr., of the Highway Commission moved Indefinite Postponement.

Mr. Galeota stated that the Highway Commission intended to move Indefinite Postponement on Article 7 also. The Moderator asked Mr. Galeota to report on both Article 6 and Article 7 at the same time.

Highway Commission Report: (Mr. Galeota) We are asking for Indefinite Postponement on both these articles because at the time of the article consideration we were expecting considerably more walkways to be included in the Warrant for construction during this year. On that basis, we felt that it was necessary to purchase these pieces of equipment in order to maintain the walkways during the winter season. However, that did not come to pass. The number of miles of walkways that the Finance Committee is recommending will make it unnecessary to ask for funds this year to purchase these pieces of equipment.

April 8, 1974

However, we will be back. If funds are appropriated next year for a similar amount of walkways, it will be necessary at that point to come back and seek funds to buy this kind of equipment in order to maintain them during the winter months.

Finance Committee Report: While the type of equipment requested by the Highway Department is very efficient and desirable for large towns and cities with side-walks, the Finance Committee feels that our present snow removal needs can be met adequately within the desired clean up period after an average snow storm. Our walkway construction program is still in a limited stage and we do not foresee major implementation of this program at this time because of the cost effect on our tax rate. Recommend disapproval.

*UNANIMOUSLY VOTED: INDEFINITE POSTPONEMENT.*

ARTICLE 7: To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$9,000, or any other sum, to be expended under the direction of the Highway Commission, for purchase of a walkway snow plow, or act on anything relative thereto.  
Submitted by the Highway Commission.

Highway Commission Report: See Article 6.

Finance Committee Report: The Finance Committee is sympathetic to the Highway Department to provide snow-free walkways as quickly as possible after a snow fall so that our school children may safely travel to their destination. However, the need for an additional walkway plow is primarily to provide snow removal of additional walkways which may be constructed within the next four years. The Finance Committee recommends that the proposed purchase of this second walkway plow be deferred until such time as its requirement is justified and therefore recommends disapproval.

*UNANIMOUSLY VOTED: INDEFINITE POSTPONEMENT.*

ARTICLE 8: To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$2,500, or any other sum, to be expended under the direction of the Park and Recreation Commissioners, for the purpose of providing a septic system for the already approved installation of a toilet facility to be constructed at the tennis court area of the Feeley Park property located on Raymond Road of Sudbury, or act on anything relative thereto.  
Submitted by the Park and Recreation Commission.

Park and Recreation Commission Report: (Mr. John E. Murray) The Park and Recreation Department seeks the support of Article 8 to enable it to build a much needed comfort station in Feeley Park. The original estimate for the construction of this facility was made in November, 1970, and was presented and passed at a town meeting in the spring of 1971. The Commission was not fully aware in selecting their site that it rested within a 400 foot circle of a proposed future well site. This means that we will have to carry the waste material some 380 feet to the opposite side of the tennis courts and parking lot, or across Raymond Road onto Water District land where the material for draining is quite suitable. In either case, it is an additional cost that could not be foreseen by the Board of Commissioners at the time of the original request.

Finance Committee Report: The Finance Committee recommends approval of this article to permit completion of this vital portion of the Feeley Park facility.

*VOTED: THAT THE TOWN RAISE AND APPROPRIATE \$2,500.00 TO BE EXPENDED UNDER THE DIRECTION OF THE PARK AND RECREATION COMMISSIONERS. FOR THE PURPOSE OF PROVIDING A SEPTIC SYSTEM FOR THE ALREADY APPROVED INSTALLATION OF A TOILET FACILITY TO BE CONSTRUCTED AT THE TENNIS COURT AREA OF THE FEELEY PARK PROPERTY LOCATED ON RAYMOND ROAD IN SUDBURY.*

April 8, 1974

ARTICLE 9: To see if the Town will vote to amend the Town Bylaws by the addition of an article to be numbered by the Town Clerk in the appropriate section of the Bylaws for Town Meetings, reading as follows:

Create  
Maximum  
Tax Rate  
Petition

"No appropriation shall be made by the Town which shall result in a tax rate greater than five per cent (5%) of assessed evaluation, or fifty dollars (\$50.00) per thousand dollars of assessed evaluation, except by a vote which is four fifths or greater of these present and voting. If a firm tax rate can not be established by the Board of Assessors at the time of the town meeting, a list will be proposed by the Finance Committee and voted by the Town with specific reductions to be made in priority at such time when the tax rate can be established, so as to reduce appropriations to an amount equal to or less than the limit imposed by this article. Appropriations for Sudbury or regional school districts including Sudbury may be included in this priority list for reductions, subject to such confirming action of the School Committee as may be required by State law."

or act on anything relative thereto.

Submitted by Petition.

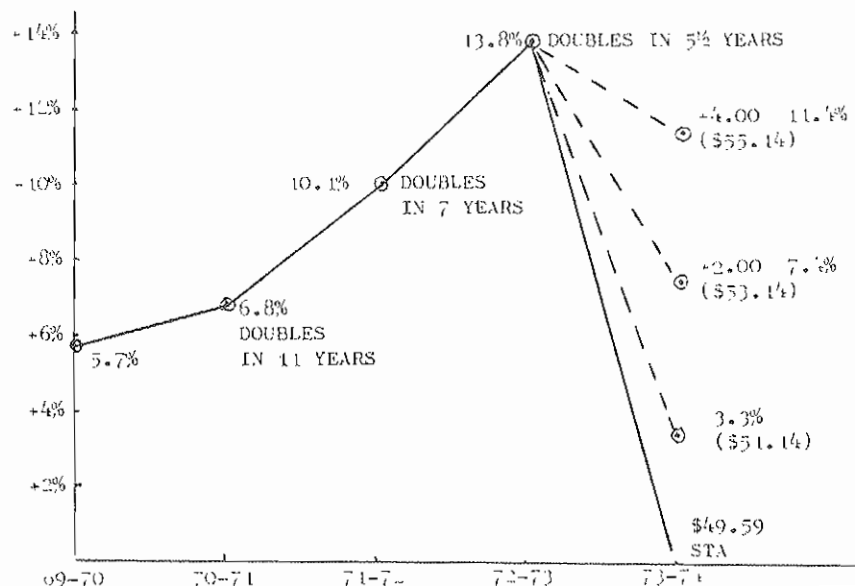
Mr. Eugene L. Naegele, representing the petitioners, moved that [A] the Town amend the Town Bylaws by the addition of an article to be numbered by the Town Clerk in the appropriate section of the Bylaws for Town Meetings to read as printed in Article 9 in the Warrant for this meeting; further, [B] that the Town direct the Selectmen to prepare a petition to the General Court for a special law authorizing Sudbury to ordain a bylaw in the words of Article 9 in the Warrant for this meeting to be submitted without further approval by the Town in the event the Massachusetts Attorney General declares the bylaw illegal without the authority of such special legislation; and, finally, [C] that the Town direct the Finance Committee to establish working procedures with all other Town boards, commissions, committees and regional agencies with which the Town is participating by agreement for preparation of the July 1975-76 fiscal year budget in accordance with Bylaws, Part A above, of this motion, pending final resolution of Parts A and B.

Petitioners' Report: (Mr. Naegele) You often see advertising about a gift for the man or woman who has everything. This Warrant article is not for them. It's just for the man or woman who's had enough.

I'd like you to look at three principal points tonight: our tax problem, how a tax ceiling could work, and the benefit to you as the taxpayers.

CHART O

SUDBURY TAX RATE PERCENTAGE INCREASE 1969-1974





April 8, 1974

This chart shows the essential nature of the problem, the year-to-year percentage increase in taxes. 1969 to 1970, the tax rate increased from \$35 to \$37, or a 5.7% increase. 1970 to '71 from \$37 to \$39.50, or a 6.8% increase. Between '71 and '72 it went up \$4 more to \$43.50, for a 10.1% increase. From '72 to '73, it went up \$6, for a 13.8% increase.

The various dotted lines that are shown at the right of the chart represent the range of possibilities depending upon what is the final amount of money that the Town receives and what assessments are made by County adjustments to our Cherry Sheet and so forth, as to what our tax rate will actually be. The range is from \$49.59, which was the original Sudbury Taxpayers' Association recommendation, up to the amount of \$55.14, which is what could happen if the eventual assessment on the Town resulted in a rate \$4 above that recommended by the Finance Committee. It is anyone's guess as to how much money the Town is going to get, and so the tax rate is always in doubt.

We have had news about our Cherry Sheet in which the amount is \$320,000 more than we expected, as was announced at the beginning of this meeting. I did not hear, however, announcement of another item which was in Friday's newspaper about an increase in the County tax assessment of \$250,000 for the Town of Sudbury, under the new formula. The present assessment is based upon something in 1913, and it is obviously way out of date. I bring this up, not to try to scare anybody, but it is pretty obvious that what the State gives you, the State takes away. If they are going to give us something in our Cherry Sheet this year, they can just as easily take it back again by increasing the assessment on the counties.

Last year there were two bills in the legislature which in essence would prohibit any reimbursement to the so-called wealthier towns, towns which were above average in per capita assessed evaluation, which is the basis for school aid. State aid for schools ranges from something like 15% for the richest towns to about 75% for the poorer towns under the guidelines of per capita assessed evaluation. In other words, it is a way of substituting the State income tax for part of your property taxes. If the bill had been passed, or if it is introduced again and passed at some later time, your tax rate again could go up in the future. Also, last year our assessed evaluation was estimated at 165 million and ended up with only 160 million, for a 3.1% increase, or \$1.35 on your tax rate. There are any one of a number of things that could happen to upset your tax rate. The essence of the problem is the continually increasing tax rate which could result in your tax rate doubling in a period of five to seven years if they go on at the current rate.

I'd like now to take a brief look at how the tax ceiling might work. I would like to talk about it in two parts: first, what would happen before the Annual Town Meeting, and then, what could happen during the Annual Town Meeting.

Under the proposed bylaw, the Finance Committee would be required to prepare at least one budget which, in their estimation, would result in a tax rate no higher than the amount proposed by this bylaw. In addition to that, they would be required to come up with a list of priorities which, in essence, would say, if the assessed evaluation is not as high, if we have a lower Cherry Sheet than we expect, if Federal aid, State aid, comes in lower than we expect, then we may have to cut some money in order to retain a tax rate at a fixed value. This would be listed in order of priority.

If the Finance Committee wished to propose a higher budget than was contained in the bylaw, that is to say, one which had the tax higher than \$50, they would have to propose early in the Town Meeting a change in the bylaw to set a new tax rate. This tax rate would not be rigid, it would merely require a positive acknowledgement that your tax rate was going up. It would merely be a budget on the basis of a tax rate, rather than just on dollars which don't really show us what the impact is going to be on our own pockets.

At the Annual Town Meeting, when the Finance Committee came in with their proposals, first of all, it would take a two-thirds vote to change the tax rate. Secondly, it would be an ordinary majority vote for you to change any of their recommended priorities as to what you would like to cut out of the budget to bring the tax rate down. Thirdly, it would take a four-fifths majority in order to exceed the tax rate, if the bylaw were not changed by your vote.

If, at the beginning of Town Meeting, we would have a number of people who would like to come in and set a budget but were unable for various reasons to spend the entire six or nine days that are usually spent in these Town Meetings, they would be able to come in and indicate how much money they thought they were prepared

April 8, 1974

to spend on Town activities and then leave it up to all those people who had a greater interest and knowledge about the various proposals to determine how that money ought to be spent.

The third item to consider is the protections and benefits to you as the taxpayer. There are several protections. All of us set our own budgets at home based upon how much money we are going to earn, not a budget based upon what are all the things that you would like to spend money on. You also perhaps might establish some contingency items on which you might spend money if you end up having enough left at various times in a year as you evaluate your budget. So this again would be just the same thing.

In addition to this, it has protections that if everyone cannot attend all the sessions of town meetings, then a small group would not be able to have a serious impact on your pocketbook at a later time.

The question is going to come up as to legality of this. Town Counsel is going to give you his opinion that it is the right of a simple majority to raise taxes to any level they want. I sent this proposed bylaw to the Assistant Attorney General and to the Town Counsel for a ruling on whether or not this is legal. One thing that the Assistant Attorney General said was that they do not give rulings until the Town actually votes the bylaw. The second thing he did say, not as an opinion of the Attorney General's office but as his own idea, was that the four-fifths vote might be in conflict with the General Laws. As a matter of fact, I would like to point up for you where these same numbers are in existence or proposed in other areas. The Town Counsel assisted the Selectmen and several other citizens, including myself, in a proposed special article to petition the State for a General Law to allow the Town citizens to override a school budget by a four-fifths vote. A four-fifths vote is not an uncommon item. It also takes a four-fifths vote to change the order of articles in presentation at this Town Meeting.

But we cannot solve any legal questions on this floor. I think it is pertinent to note, however, that the legality would only be determined by the office of the Attorney General after the Town voted the bylaw, and he examined it at that time.

Part B says that the Town would direct the Selectmen to prepare, with the assistance of Town Counsel, of course, a special law which would authorize us to make such a bylaw. So, if you do vote in favor of this item, and even if it is declared illegal when it reaches the office of the Attorney General, we are not through. The petition for a special act to allow us to pass such a bylaw would be in the works and perhaps could be ready by our next Town Meeting. In addition, if you vote in favor of this bylaw, you indicate to the Town boards, committees and officials that you are actually in favor of a proposed Town budget by setting a tax rate.

The article also provides, in Part C, provisions whereby the Finance Committee is directed to commence the preparation of their next year's budget on the basis of this tax rate of \$50. I request your vote in favor of this article.

Finance Committee Report: (Mr. Frank T. LeBart) I would like to point out that the figure that was reported earlier from the Cherry Sheet was the net figure. It represented \$310,079 net, which included the adjustment for the county assessment which, by the way, was in error. For the Town of Sudbury it went from approximately \$19,800 to about \$6,000.

I think this just underlines the kinds of problems that this kind of bylaw would create for the Town. I would like to stress first, however, that the Finance Committee to a person is in favor of the objectives of Mr. Naegele and his associates, and we have worked hard for four months to try to reduce the budgets and to recommend cuts in many other areas in order to achieve that goal.

However, we see in this procedure certain legal administrative problems that would tend to generate more of the kind of confusion that we have had here the last few nights of Town Meeting. One of these is the problem of trying to estimate the Cherry Sheet. As I reported the first night, we asked the Town Accountant to be conservative because we wanted no surprises in terms of an upward pressure on the tax rate. We were pleased that it went down close to \$2.00. We have a similar problem with Federal Revenue Sharing. We still do not know what that number is. We have a comparable problem with the county assessment.

April 8, 1974

But also built into the dynamics of the system is a problem which can create, in our judgment, distortions. You have heard that kind of problem that we have with regard to school budgets, the threat of a taxpayers' suit if not approved. The school budget represents 67% of the total budget. The only portion, if this bylaw were otherwise workable, that could be dealt with at all would be the remaining percentage, the rest of Town government. This could very well result in distortions where the schools could go ahead with their own budgeting and leave very little, if anything, for the Town. So that is a possible distortion.

Let me explain how we really work on the School Committee budgets. We do it through continuing meetings, through attending early sessions of the School Committee. We do it through persuasion, and might I say that the School Committees have been very responsive to our recommendations.

The real way, believe me, to keep your tax rate down is to come to these hearings: the School Committee hearings, the hearings before the Finance Committee. We made a special effort to have copies of the budget available for the public during our hearings so you could follow item by item.

For all these reasons, we think that the proposed bylaw is not workable. However, we do endorse the objective.

Town Counsel Report: It is the opinion of Town Counsel that if the Bylaw amendment proposed in Article 9 in the Warrant for the 1974 Annual Town Meeting is properly moved, seconded and adopted by a majority vote in favor of the motion, it will NOT become a valid amendment to the Sudbury Bylaws.

Town Counsel further reported to the meeting as follows: This is one of those cure all things that sounds good when you first hear it. When you take the time to analyze it, it really won't work, and let me give you an example. I received today from the State Tax Commission their equalized valuation for Sudbury. They equalized the total assessed value of all the property in Sudbury at 216 million dollars. That is up from 155 million that they said your property was worth in 1972. If we apply the \$50 rule, or the 5% rule, you end up with \$10,800,000. Your total budget this year to be raised by taxation is something under \$9,000,000, and it will probably be around \$8,600,000. Even if this bylaw were in effect, your Town officials, if they wanted to act irresponsibly, or if you the voters wanted to vote irresponsibly, could vote another million or million and a half dollars, in addition to what has been requested in this Warrant. All you have to do is raise the total value of all the property in Sudbury and that figure can be jockeyed back and forth. If somebody really wants to spend more money, this bylaw is not going to stop them.

In a letter I have from the Attorney General's office, he says, in addition to the four-fifths vote that causes grave difficulty from a legal point of view, the General Laws set forth what you can and cannot do in your bylaws. This does not fall within any of those statutory authorizations. In addition, the General Laws specify that you shall provide for schools, you shall provide for roads that are safe and convenient for travelers at all seasons of the year, you shall do certain things with regard to public health, you shall do certain things with regard to your Police, and you shall do certain things with all employees who are under a collective bargaining agreement.

If the Assessors do not choose to monkey with the total assessed valuation figures of the Town, and this bylaw were enacted, you probably could not meet your statutory obligations with this as a restriction. From a purely legal point of view I raise the issue that this would prevent you from doing what statutes direct you to do and, therefore, it really is not legislation that you should enact.

There is one final thing that bothers me and that is, it really is an infringement on your right to vote for something. If you enact this and something comes along and you want to spend the money and you go over the \$50, it would be almost impossible to get a four-fifths vote. It means that a majority, or even a two-thirds vote, as required for land acquisition and bonding, will be stymied. You, the voter, will be unable to vote on some project which you may find desirable and necessary, or maybe for an emergency purpose. For all of these reasons, I think the Town would be well advised to vote against the proposed bylaw.

Mr. Naegel's motion was defeated.

April 8, 1974

ARTICLE 10: To see if the Town will vote to authorize the Town Treasurer, with the approval of the Selectmen, to borrow money from time to time in anticipation of revenue of the financial year beginning July 1, 1974, in accordance with the provisions of General Laws, Chapter 44, Section 4, and to issue a note or notes therefor, payable within one year, and to renew any note or notes as may be given for a period of less than one year in accordance with General Laws, Chapter 44, Section 17, or act on anything relative thereto.

Temporary  
Borrowing

Submitted by the Board of Selectmen.

Board of Selectmen Report: The wording of this article is submitted, as it appears, on recommendation of the State Director of the Bureau of Accounts.

Finance Committee Report: Recommend approval.

*UNANIMOUSLY VOTED: (CONSENT CALENDAR) IN THE WORDS OF THE ARTICLE.*

ARTICLE 11: To see if the Town will vote to authorize and empower the Selectmen, upon the written request of the Conservation Commission, under the provisions of General Laws, Chapter 40, Section 8C, as amended, to acquire in fee simple, by purchase or by a taking by eminent domain, for conservation purposes, the following described land:

Acquire  
Whitman  
Land

Approximately 18 acres of land situated on the easterly side of the Boston Post Road in Sudbury, shown on a plan entitled: "Compiled Plan of Land in Sudbury Massachusetts for Conservation Purposes", dated: December 31, 1973, by the Town of Sudbury Engineering Department, a copy of which is on file in the Town Clerk's office, which plan is incorporated herein by reference,

and to appropriate therefor, and all expenses in connection therewith, \$20,200, or any other sum, and to determine whether the same shall be raised by taxation, transferred from available funds, provided by borrowing, or by any combination of the foregoing, with all land acquired hereunder to be under the management and control of the Conservation Commission, or act on anything relative thereto.

Submitted by the Conservation Commission.

[\$2,200 of appropriation is for Engineering Services]

[For diagram, see next page]

*Mr. Peter H. Scott of the Conservation Commission moved that the Town authorize and empower the Selectmen, upon written request of the Conservation Commission, under the provision of the General Laws, Chapter 40, Section 8B, as amended, to acquire in fee simple, by purchase, or by a taking by eminent domain, for conservation purposes, the land described in Article 11 in the Warrant for this meeting and to appropriate and transfer \$18,000 from Conservation Funds therefor and all expenses in connection therewith, with all land acquired hereunder to be under the management and control of the Conservation Commission.*

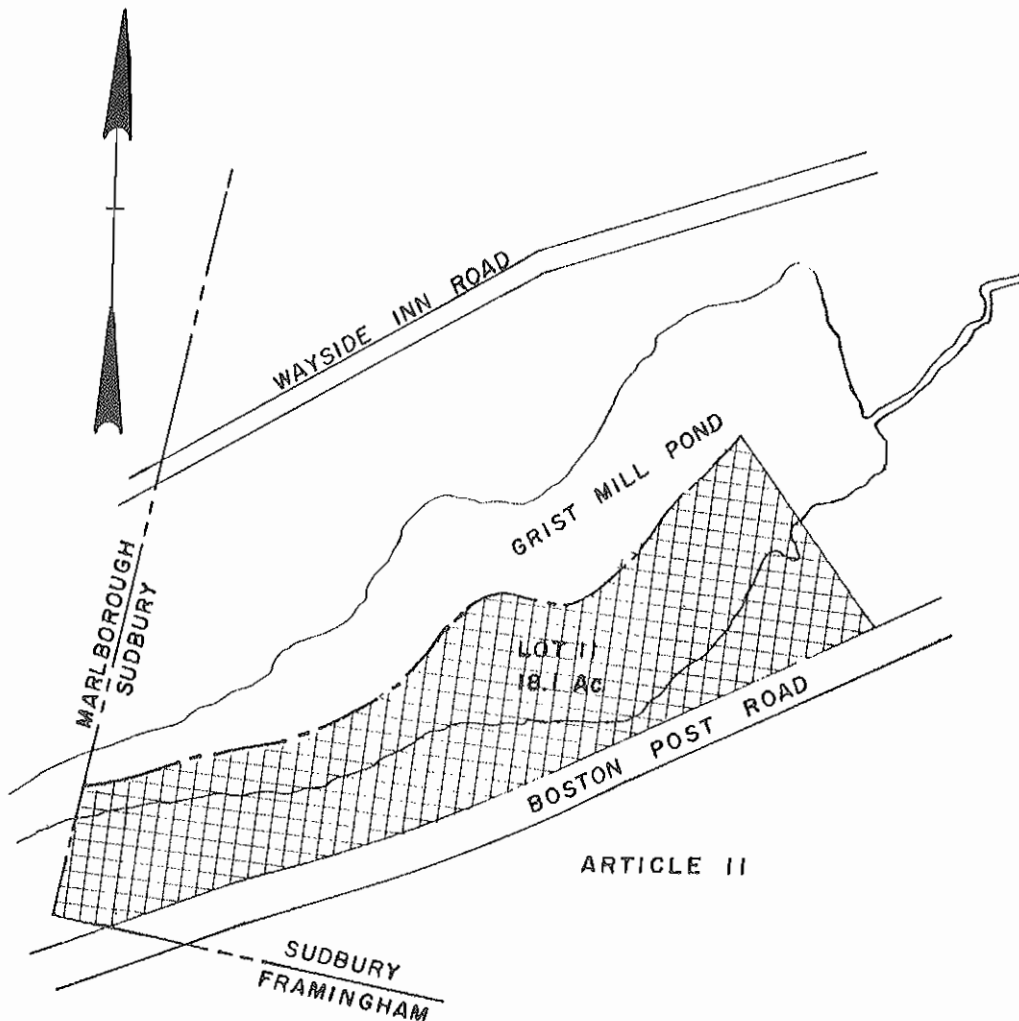
Conservation Commission Report: (Mr. Scott) The land in question runs to the southwest corner of the Town of Sudbury along the south side of the Grist Mill Pond, and extends out to the median line of the pond. It is a piece of land which will provide good Town access for use of the Grist Mill Pond. The land is near the Wayside Inn Trust land, some 125 acres of quasi-public land. It would extend the lands around the Grist Mill Pond for public use.

Mr. Scott then presented colored slides of the area to the meeting and commented as follows while the slides were being shown:

There is a small piece of land that joins the land proposed for acquisition and the Wayside Inn Trust which extends about 100 feet up the edge of the pond. We would hope to acquire this at a later time.

There is a path along this pond and it provides a scenic area for light recreation. It is also an area for aquatic forms, such as purple loosestrife.

April 8, 1974



## ARTICLE II

I think the words of the Department of Natural Resources investigator describe this land far better than I might, and I would like to read his comments.

"This area is a sanctuary for water fowl. Its location precludes its use as a hunting area though many forms of outdoor recreation abound. There are two small stands of white pine on the property, and there is an excellent chance for conservation education, both water and forestry oriented. An historic monument was erected in honor of George Washington's passage through this area. The monument was erected by the D.A.R. and mentions a tree that was planted in his memory. The tree is a large Norway spruce. This property is located upstream from the Wayside Inn and the historic Grist Mill. Its acquisition will protect this aesthetic and historic site.

"I highly recommend the acquisition of this property. The price is well worth it and the location of this property indicates that it should be in public ownership. This acquisition is recommended for high priority under the Self-Help Program."

I would like next to discuss the proposed funding of this land and of the land in the next two articles, so that you may see in context exactly what the Conservation Commission is planning and what its potential effect will be on the tax dollar. The lands in our articles are eligible for supporting funds from both Federal and State agencies. These are specifically the Bureau of Outdoor Recreation, or BOR, Federal funding, and the State Self-Help Program, both of which are administered under the Department of Natural Resources. Either of these can return on a property up to 50% of the land purchase. One might ideally say that the Town would indeed be fortunate if we could get 50% of the land purchase from BOR and 50% from Self-Help, and then we wouldn't have to pay anything ourselves. Unfortunately, things never work that way, and the most that one can

April 8, 1974

get on any single property is 75% reimbursement. Under such a case, it would be 50% from BOR and 25% from Self-Help.

The cost of the properties comes to a total of \$570,600. Of this, \$200,000 we propose to contribute from the Conservation Fund. This is essentially the amount of money we now have available in the Conservation Fund. A portion of the Davis property is Park and Recreation property and as such would require a down payment from the General Fund of \$4,600. We can hope to obtain State and Federal reimbursement of approximately \$383,000. However, that reimbursement does not become available immediately, but after approximately two years from the time of purchase. Therefore, we would be required to borrow, on short term, to cover the total \$372,000 [sic]. This money can be borrowed short term in anticipation of receipt of the State and Federal funds.

This would affect the tax rate as follows: In 1975, the free cash appropriation for the Park and Recreation down payment would add about 2.8¢ to the tax rate and the short term borrowing would be 9.8¢ for a total of 12.6¢ affecting your tax dollar in 1975. In 1976, you would again pay your 9.8¢. There would be a principal repayment which would account for \$2.30 on the tax rate, but with a reimbursement credit of \$2.352, the net effect on the 1976 tax rate would be 4.6¢. After this, the entire debt would be discharged.

These are slightly high side estimates because of the \$163,000 tax base which we used to calculate them.

You will note on the Whitman land, in the article under present discussion, the initial cost is \$18,000 which is appropriated from the Conservation Fund. We stand to get \$9,000 of that back. This is a very good buy to the Town in that the \$18,000 is already in the Fund. We are only asking you to give us permission to use it, and in return, we promise to get \$9,000 of it back for you.

The money that the State and Federal governments make available for reimbursement for land purchases are made available to whatever cities and towns apply for them. Those towns and cities that do not apply for them still have taxpayers who pay taxes that go to support these funds. This is a way to get those funds back to Sudbury.

I would like to just review those people supporting the Whitman property purchase. These are the Massachusetts Federation of Women's Clubs, P.R.I.D.E., Wayside Inn Trust, the Planning Board, the Board of Health and the Finance Committee.

Finance Committee Report: Monies in the Conservation Fund will be used to purchase this land. A positive vote on this article will make possible application for 50% reimbursement to the Town from State Self-Help funds. Recommend approval.

Board of Selectmen Report: The Board of Selectmen is in favor of this article.

After discussion, a motion to table Article 11 until the hall considers Article 19, made by Mr. Doyle, was defeated.

After further discussion, the Conservation Commission's motion for the purchase of the Whitman land was defeated. In favor - 290; Opposed - 162. (Total - 452; two-thirds vote in favor required.)

Upon a motion made by Mrs. Anne Donald, it was

VOTED: THAT WE ADJOURN UNTIL TOMORROW NIGHT, APRIL 9, 1974, IN THIS HALL.

The Moderator announced that the vote was greater than the two-thirds required by bylaw.

The meeting adjourned at 10:45 P.M.

## PROCEEDINGS

## ADJOURNED ANNUAL TOWN MEETING

April 9, 1974

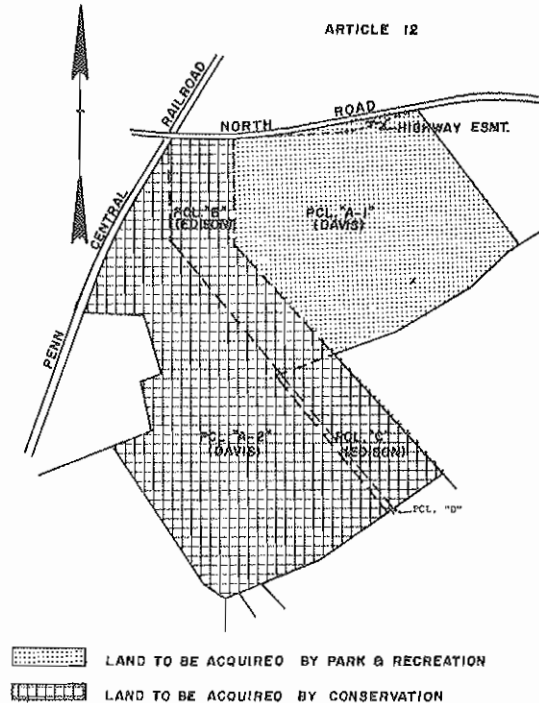
The Moderator called the meeting to order at 8:00 P.M. in the Lincoln-Sudbury Regional High School Auditorium. He announced that a quorum was present.

ARTICLE 12: To see if the Town will vote to authorize and empower the Selectmen to acquire, in fee simple, by purchase, by gift or by a taking by eminent domain, the land situated on the southerly side of North Road, containing approximately 78.5 acres, shown as Parcels A1, A2, B, C and D on a plan entitled: "Compiled Plan of Land in Sudbury, Massachusetts for Conservation, Park and Recreation Purposes", dated: December 28, 1973, by the Town of Sudbury Engineering Department, a copy of which is on file with the Town Clerk's office, which plan is incorporated herein by reference, with Parcel A1 to be acquired for Park and Recreation purposes and to be under the custody and control of the Park and Recreation Commission, and with Parcels A2, B, C and D to be acquired for conservation purposes, under the provisions of General Laws, Chapter 40, Section 8C, as amended, and to be under the custody and control of the Conservation Commission, and to appropriate therefor, and all expenses in connection therewith, \$273,800, or any other sum, and to determine whether the same shall be raised by taxation, transferred from available funds, provided by borrowing or by any combination of the foregoing, or act on anything relative thereto.

Acquire  
Davis  
Land

Submitted by the Conservation Commission and the Park and Recreation Commission.

[\$7,200 of appropriation is for Engineering Services]



April 9, 1974

Conservation Commission Report: (Mr. Eric S. Lind) The property is divided into two portions. The portion to the right and to the east, fronting on Route 117, would be for Park and Recreation purposes. There is a proposed highway easement along Route 117 to straighten out that very dangerous curve.

The Park and Recreation portion is primarily open field bordered on the south by a very beautiful tall row of spruce, and is very suitable for development for recreation facilities. The parcel consists of approximately 29 acres.

The Boston Edison right-of-way was acquired by Boston Edison at the time they planned an overhead transmission line. The Town saw that the transmission line was put underground. Therefore, this land is excess and consists of approximately 15 acres. There is a small pond and a stream running through this parcel. Much of it is low land.

The major portion of the Conservation land is the 37 acre parcel which is owned by Mr. Hazen Davis. It consists of a hill, open fields to the south and low lying woodlands.

Mr. Lind then showed colored slides of the area.

The purchase price, including land use plan and engineering survey, is \$261,600. The Conservation Fund applied to this article is \$132,000. The Conservation Fund can only be applied to the Conservation land. We cannot use our fund to purchase Park and Recreation land. That money has to be appropriated.

In order to borrow, \$4,600 would have to be appropriated from free cash in order to serve as seed money. We would need to borrow \$125,000, but please note the reimbursement anticipated from both the Federal Bureau of Outdoor Recreation and the Self-Help State Funding would be, just for this article, \$156,000. In effect, we will be getting back more than we have to borrow in relation to this particular article. This amount would be coming back over a two year period. We feel our chances are excellent for getting this money. Our record in the past has been 100%. There are sufficient Federal monies available now. If this article passes, we plan to complete our land use plan and complete our application for Federal funding.

The Davis land is valued, based of course on our purchase and sales agreement with Mr. Davis, at \$117,000 for the 37 acres, and we have an agreement on the Boston Edison right-of-way for \$15,000, or a total of \$132,000. Our Conservation Fund will apply to that.

With respect to the Park and Recreation land, the purchase and sales agreement is for \$114,000. We have a 3% contingency because we do not know the exact acreage. To allow for any possible deviation in the acreage, we have \$6,900. Engineering that includes placing the bounds and making the survey determining the exact acreage amounts to \$7,200. The land use plan is \$1,500 and is required in order to receive Federal funding. We must hire a landscape architect to work with us on the land use plan. This makes a total of \$129,600.

The reimbursement will be \$123,000 from Federal funding which we anticipate we would get in approximately one year. State Self-Help funding of \$33,000 would probably take close to two years to get back.

The effect on the tax rate would be 2 to 2.8¢ for 1975 for the \$4,600 free cash and interest on short term would be 3.8¢ for a total in the first year of 6.6¢. In 1976, assuming that we have not received any of the reimbursement funds, the interest on short term \$125,000 is 3.8¢, principal repayment would be 75¢. Reimbursement credit is 94.8¢.

The cost to the Town, of course, of a planned 50-house subdivision, when you consider schools and services involved and the fact that new homes today in Sudbury are a liability on the tax rate, would certainly more than offset the money required to pay for the short term borrowing. We are talking in the order of \$5,000 per year on the short term borrowing.

Other sites are not available now in the North Sudbury area. Although Park and Recreation land is not planned for immediate development, the chances of our finding a suitable site for recreation purposes in North Sudbury is very slim. Presently, North Sudbury is one of the fastest growing areas in the Town. There are at present four major subdivisions in various stages of development. Most of the suitable land for recreation purposes is tied up. We do not anticipate finding another site that is as good as the Davis land for this purpose.

The average price of \$3,100 per acre will never be less than that. State and federal monies may not be available in the future for this purchase.



April 9, 1974

The Conservation Commission urges you to support this article in the interests of lower taxes, future recreation facilities, conservation of open space, wildlife and improving the quality of life for every Sudbury citizen.

Park and Recreation Commission Report: (Mr. John R. Carter) In all probability, the population of Sudbury will be somewhere between 30,000 and 35,000 people in the next 15 to 20 years. Park and Recreation Commission, whose responsibility it is to serve the recreational needs of the Town, must plan for this predicted population growth. These plans are based on two basic principals. The first is that present types of recreational facilities must be periodically increased to keep pace with this growth. Secondly, the amount of land area and its location needed for this growth must be considered now.

The first is fairly simple in that we can project the facilities needed for population density from known studies and reports from both private and governmental agencies. The second is more difficult. The amount of land needed and its general location can be predicted fairly accurately, but just what land will be available and its future cost at the time of need should be of immediate concern. The ultimate savings in total dollars are great if land is purchased now and set aside for the future needs of our townspeople.

In 1972 the Park and Recreation Commission submitted a Five Year Plan to help guide the present and future commissioners in effectively anticipating our growing Town's recreational needs. Any attempt at long range projection inevitably points to the need for additional land acquisition.

Sudbury's formal commitment to provide the means for outdoor recreation essentially started with the purchase of Featherland Park in 1960. This was followed by the purchase of the Raymond property in 1961. Both of these were purchased for about \$1,000 per acre. During the 60's Featherland Park was developed, and in the late 60's development of what is now Feeley Park began.

The Five Year Plan strongly recommended suitable sites of approximately 30 acres in size to be sought and purchased for future development in the western and northern sections of Town during this time period. In 1973 the Haskell property with about 29 acres of choice land was purchased for just over \$6,000 an acre; 50% of this price was reimbursed to the Town from BOR funding.

That portion of the Davis parcel shown as Parcel A-1 in your Warrant, compares most favorably to the Haskell land. First of all, it is open farm land which lends itself to lower development costs. Secondly, it has easy access from the main road of Sudbury. Thirdly, it is handy to existing utilities, and lastly, it is of adequate size to meet the requirements set forth in the Five Year Plan.

A unique feature of this article if passed, is that eventually we would have a park featuring additional facilities for tennis, basketball, soccer, football, softball, baseball and any other activity popular at that time, directly adjacent to 50 acres of Conservation land, that can be used for more passive forms of recreation.

North Sudbury is the fastest growing section of this Town. If we fail to exercise our option to buy the Davis land at this time, in all probability it will be sold to a developer. This in itself will reflect in that area's growth rate. All of these circumstances will inevitably precipitate an urgent need to purchase land for recreational purposes in that area within the next year or two. We know of no other parcels of land in North Sudbury that are now, or are apt to be in the near future, available for purchase that could compare to the advantages offered by the Davis land.

If the Town approves the purchase of this land, we would immediately apply for 50% reimbursement for Park and Recreation portion to the BOR. We understand that substantial funds are still available for this fiscal year. There is no way of telling if they will continue to be available in the future. In consideration of the Davis land's ideal geographical location, its excellent suitability for future development and the ultimate savings of future Town's dollars, the Park and Recreation Commission unanimously urges support of this article.

Board of Selectmen Majority Report: (Mr. Powers) At the opening of this meeting, we indicated to you our strong opinion that unless and until we develop a coordinated, timed, scheduled development of capital programming in this Town, we are going to be in continued financial difficulty. We pointed out to you that at the present time, we are spending \$833,000 in debt service alone. That is something

April 9, 1974

like 8% of your total tax rate. We have indicated that we would urge upon you a very careful consideration to try to send a message, albeit gentle, to the boards and committees of this Town who are planning capital improvements, to develop a plan and to stay with the plan, to give us some way of putting together the various conflicting and competing demands upon your tax dollar.

CHART P

CONSERVATION COMMISSION - LONG RANGE LAND PURCHASE PLANS  
AS REPORTED IN THE FOLLOWING YEARS

	<u>1969</u>	<u>1970</u>	<u>1971</u>	<u>1972</u>	<u>1973*</u>
1970	30,000				
1971	30,000	30,000			
1972	30,000	30,000	37,000		
1973	30,000	30,000	40,000	70,000	67,650
1974	30,000	30,000	43,000	50,000	1,049,600
1975	30,000	30,000	46,000	55,000	54,600
1976		30,000	49,000	60,000	1,060,000
1977			52,000	---	66,000

\* Conservation Commission's Five Year Plan dated September 17, 1973.

This chart shows the Five Year Plans as submitted by the Conservation Commission with projections as to how much money would be spent in what year. The row across the top shows the years in which they submitted their projections for expenditure. Underneath them, on the equivalent year, is the amount of money that they requested.

You will notice that in what is listed as 1974, the figure jumped from what it was running, \$30,000 to \$43,000 to \$50,000, a general increase into the Conservation Fund, to a requested figure of \$1,049,600. The difference between what you see here and what is in your Warrant is the article [Article 14] that was withdrawn. You will also note that two years from now they are proposing another \$1,060,000 series of acquisitions. This is a matter of some concern to us because we think it is not five year planning.

This piece of land is a beautiful piece of land, there is no question. The Town of Sudbury has a great deal of beautiful land in it and we love it. But here are some figures from Engineering. This Town contains 15,800 acres. Right now, 3,600 acres, or 24% of the surface of the Town, are already in public or semi-public ownership. We have a right to ask, where are we going? How much? What acres? What priority system? Where do we begin? And, indeed, several years ago we did ask.

In 1971, when the Conservation Commission proposed its Five Year Plan, they had a land acquisition schedule, and they published it in your Town Report. The chairman of the Commission was asked at that time how many additional acres would be in the Plan. The answer was, "It is easy to remember because it is the same as the year, 1971 additional acres."

My problem is simply this: We have in private ownership some 12,200 acres. We have approximately another 38% of the Town, 6,000 to 6,100 acres, that are prime undeveloped land. When you put all the acreages together for all of the articles we have in this Warrant, you'll see that it isn't many acres. I question whether it is effective to do some of the things you have been talking about until we get further data and can see where it is going. Where does it go? What is the program? Can we hear the program? Can you know what the figures are?

In regard to the Park and Recreation Commission, I have read their Five Year Plan with great care. I note that it is not scheduled in their plan either. The 1973 Five Year Plan has in it an acquisition schedule. The scheduled piece

April 9, 1974

for acquisition for this year was not in this location at all. The scheduled acquisition for a piece of land in North Sudbury was for the year 1977, not 1975, and it stated that the minimum requirement would be 30 acres. This is under 30 acres.

I suggest we have a problem, and the problem is simply this: Are we going to continue to make major and sudden shifts and adjustments? Are we going to continue to do what we have been doing? Every time somebody comes here with a fine piece of land, are we going to say, "We must do it", or are we going to try to get some hard answers to some hard questions and do some hard planning?

For example, there are a couple of statements that love to be made. One of them is that there is a developer waiting for the land. I suppose that is always true, and there are other developers waiting for other pieces of land. We pointed out to you that the projections upon which these needs were based, even the Park and Recreation projections, were based upon an annual increase of over 1,000 citizens per year. In fact, we have had 174. Our building starts are at the lowest level in 20 years. We do not have a panic. We have a time break. It may not last long, but this is the time to plan. If we keep approving articles like this that are forwarded in good faith by good boards, but that are unplanned and are untimed, we will never have a program and we will never have a control of our tax rate.

These are the reasons the majority of the Board urges you to send this article and the next one back to the drawing board to see if we can get some internal discipline and some internal order in your government.

Board of Selectmen Minority Report: (Mr. John E. Taft) First of all, let us understand what the Conservation Fund is. It will be used to pay for approximately half the purchase price of the Davis land. The Conservation Fund is made up of monies that we, the taxpayers, pay every year. We have been paying them for a number of years. They have varied from about \$30,000 per year to \$46,000 this year, which we voted back in Section 300 of Article 4, the budget. That money goes into the Conservation Fund which can then be used by this Town Meeting to vote for the purchase of land. The Fund presently has in it approximately \$200,000 exclusive of the \$46,000 that we voted for next year.

That money does not come out of the tax rate for next year. The \$132,000 that is taken from that Fund is there already. We have paid our taxes already for that money. The money has earned some interest in the Fund in addition. But it is not an impact on the tax rate, and I hope that is quite clear.

Now, the previous speaker showed a chart which showed the long range capital plan of the Conservation Commission. You may have recognized numbers like 30,000, 30,000, 30,000, and then it built up to 46,000, 46,000, and so on. Those numbers are in fact the payments to the Conservation Fund that were programmed ahead by the Conservation Commission. There is no way they could program buying pieces of land that came out exactly what they were programming in the way of putting money in the Fund. What we are proposing is to continue to put money in the Fund. Granted, in the last year, they decided to take a departure from past practice and say that we would be smart to bond some of this. That is what they are proposing here tonight, and I would like to explore that with you a little more. But understand that the difference between those lines you saw was whether the money is going in the Conservation Fund or whether, in fact, we are going to do something else, like spend more than we have in the Conservation Fund.

With respect to the subject of planning purchases of land and actually making purchases of land, I am sure we all recognize that it would be folly to plan exactly which pieces of land you are going to buy and then go out and buy them. As anyone who has bought land knows, you only buy it when the owner wants to sell it, that is, if you want to get a reasonably good trade. Otherwise you will pay very dearly for the land.

The Conservation Plan, in fact, does show land in this part of Town. It shows the immediate adjacent piece of land, the one on the other side of the spruce trees. It does not show the Davis parcel, but it does show a piece of land in this part of Town. I think everyone recognizes that it was a desirable place to have Conservation land, but the Davis land has come on the market, not the one next door. Mr. Davis is going to sell his land. He wants to sell his land. When somebody wants to sell their land, that is the time you buy it if you want to have a reasonably good price for it.

April 9, 1974

You know what land is. We are used, in this country, to an economy of surplus. We have learned some new lessons in the past year with regard to gasoline and oil. But I think land is the one item that we all have to think differently about because they don't make any of it anymore. There is only so much of it around. There is no more coming on the market. What is there is there. It is not going to appear any more. I would say now there could be no better time to buy the Davis property than now. We have the money in the Conservation Fund to pay for the Conservation portion. We will be able to apply for and, hopefully, get 60% reimbursement for the total purchase from the Federal and the State government. It will have very little impact on the tax rate; it is down in the cents.

The price of this land is not going to go down or of any land in the Town is not going to go down. It was mentioned by Mr. Carter that we bought parcels like Featherland Park and the Raymond land for \$1,000 an acre. Those were not all high and dry land. I don't think we should kid ourselves on that. The Raymond land is about 50% wet, and the Featherland Park piece is perhaps 30% wet in the back. We saw last year that we had to pay \$6,000 an acre for land to get dry land, not all frontage land either. A good part of it was back land, but that is what it costs.

The piece that you are talking about here in the Davis-Boston Edison piece works out to about \$3,300 an acre. I suggest that that is a very good price for land in that part of the Town, in that situation, partly wet but mostly dry, quite buildable, quite developable. The owner is going to sell the land. He is either going to sell it to the Town, or he is going to sell it to a developer. He wants to sell it. He wants to retire. It is his retirement kitty.

I think we would be very prudent to buy that land instead of watching it go up into a bunch of houses.

Finance Committee Report: (Mrs. Carolyn Edwards) The Town has appropriated, over the years, a sum of money into the Conservation Fund because we recognize that land does not become available in neatly spaced intervals. That Conservation Fund has now built up to \$200,000. We appropriated that money over the years because we intended it to be spent for land.

The Conservation Commission can spend that money for land without coming to the Town Meeting for approval. It has come to the Town Meeting for approval in order to qualify for the reimbursement. Without the approval of Town Meeting, we would not qualify for reimbursement.

Now, the land does not become available in neatly spaced intervals. Park and Recreation has that same problem. Land does not become available for Park and Recreation use in neatly spaced intervals. Park and Recreation, however, does not have a fund from which to draw and must ask the Town Meeting for approval to borrow money to fund that purchase. As in the presentation, the effect on the tax rate of the short term borrowing will be 7¢ in this year, less in the next. 7¢ on the tax rate comes to \$3.50 on a \$50,000 house.

Park and Recreation has land in East Sudbury, East-Central Sudbury, South Sudbury and West Sudbury. Now this piece of land has become available in North Sudbury. Its purchase would have a minimal effect on the tax rate, and the Finance Committee recommends approval.

After some discussion, it was

*VOTED: THAT THE TOWN AUTHORIZE AND EMPOWER THE SELECTMEN TO ACQUIRE, IN FEE SIMPLE, BY PURCHASE, BY GIFT OR BY A TAKING BY EMINENT DOMAIN, THE LAND SITUATED ON THE SOUTHERLY SIDE OF NORTH ROAD, CONTAINING APPROXIMATELY 81 ACRES, SHOWN AS PARCELS A1, A2, B, C AND D ON THE PLAN ENTITLED: "COMPILED [PLAN] OF LAND IN SUDBURY, MASSACHUSETTS FOR CONSERVATION AND PARK AND RECREATION PURPOSES", DATED: DECEMBER 20, 1973, BY THE TOWN OF SUDBURY ENGINEERING DEPARTMENT, A COPY OF WHICH IS ON FILE AT THE TOWN CLERK'S OFFICE, WHICH PLAN IS INCORPORATED HEREIN BY REFERENCE, WITH PARCEL A1 TO BE ACQUIRED FOR PARK AND RECREATION PURPOSES AND TO BE UNDER THE CUSTODY AND CONTROL OF THE PARK AND RECREATION COMMISSION, AND WITH PARCELS A2, B, C, AND D TO BE ACQUIRED FOR CONSERVATION PURPOSES UNDER THE PROVISIONS OF GENERAL LAWS, CHAPTER 40, SECTION 8C, AS AMENDED, AND TO BE UNDER THE CUSTODY AND CONTROL OF THE CONSERVATION COMMISSION, AND TO APPROPRIATE THEREFOR AND ALL EXPENSES IN CONNECTION THEREWITH, \$261,600.00, AND*

April 9, 1974

TO MEET THE APPROPRIATION, TO APPROPRIATE AND TRANSFER \$4,600.00 FROM FREE CASH, APPROPRIATE AND TRANSFER \$132,000.00 FROM THE CONSERVATION FUND, AND AUTHORIZE THE TREASURER WITH THE APPROVAL OF THE SELECTMEN, TO BORROW \$125,000.00 UNDER GENERAL LAWS, CHAPTER 44, AS AMENDED.

In favor - 431; Opposed - 55. (Total - 486.)

ARTICLE 13: To see if the Town will vote to authorize and empower the Selectmen, upon the written request of the Conservation Commission, under the provisions of General Laws, Chapter 40, Section 8C, as amended, to acquire, in fee simple, by purchase or by a taking by eminent domain, for Conservation purposes, the following described land:

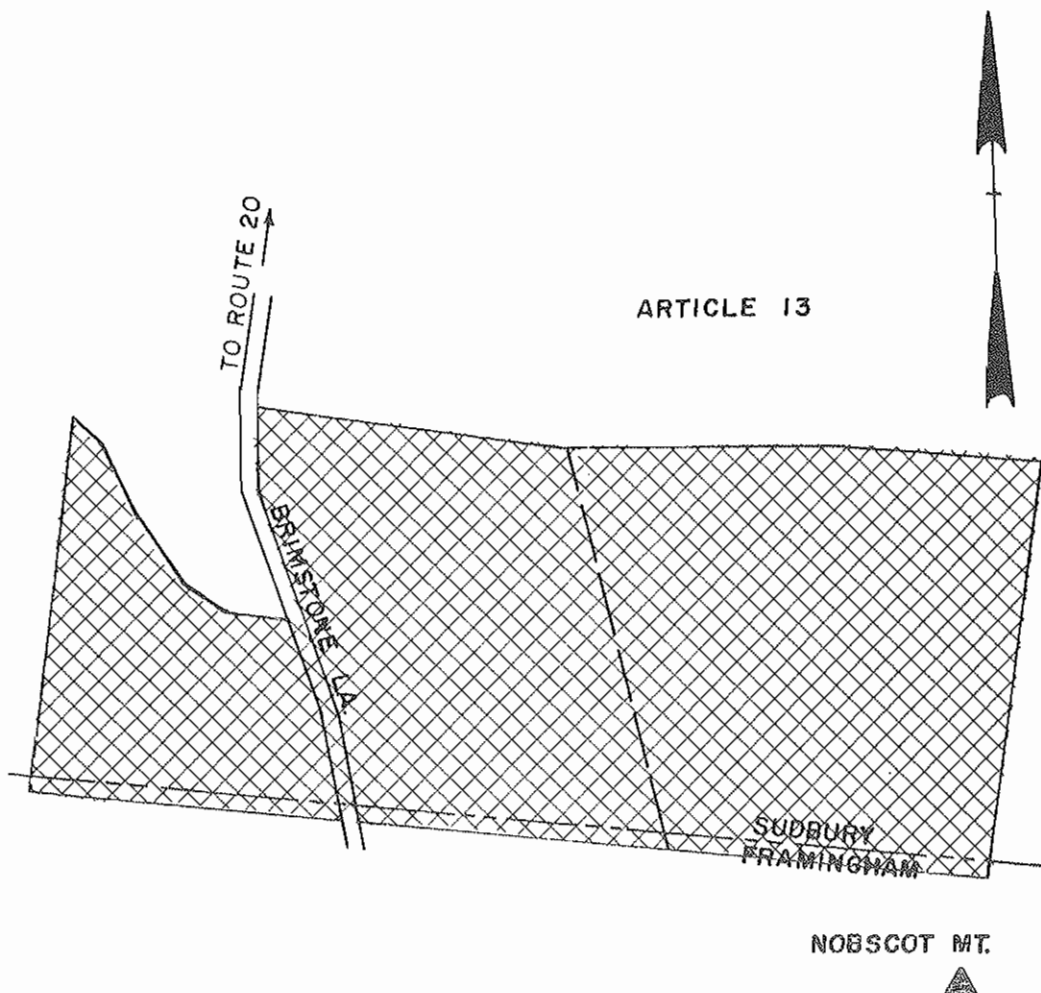
Acquire  
Hulbert  
Land

Approximately 78 acres of land situated on Nobscot Mountain, so-called, owned in whole or in part by Hulbert, shown on a plan entitled: "Compiled Plan of Land in Sudbury and Framingham, Massachusetts for Conservation Purposes", dated: December 27, 1973, by the Town of Sudbury Engineering Department, a copy of which is on file in the Town Clerk's office, which plan is incorporated herein by reference,

and to appropriate therefor, and all expenses in connection therewith, \$292,000, or any other sum, and to determine whether the same shall be raised by taxation, transferred from available funds, provided by borrowing or by any combination of the foregoing, with all land acquired hereunder to be under the management and control of the Conservation Commission, or act on anything relative thereto.

Submitted by the Conservation Commission.

[\$7,000 of appropriation is for Engineering Services]



April 9, 1974

Conservation Commission Report: (Mrs. Margaret E. Langmuir) The three questions I hope to answer in this presentation are: Why buy this particular piece of land? Assuming we should buy it, why buy it now? And, assuming we buy it now, how do we pay for it?

First, why buy this particular piece of land? There are many pieces of land available in Sudbury, many of them come to our attention. There is no way that the Town can buy them all. We must, therefore, pick out those that are particularly unique and important to keep in public ownership. This parcel is unique. No other piece of land in Sudbury is like it, primarily, because of its location.

The land in question is the Hulbert property, 78 acres on the Sudbury-Framingham line. It is adjacent to over 500 acres of the Norumbega Boy Scout Council property. The area in Framingham is 92 acres of Commonwealth of Massachusetts' land. That would bring the entire open space area to about 700 acres in this section of Sudbury.

In addition to that, we have nearby 125 acres of Wayside Inn Trust land. The land between is owned by about two or three owners and is presently held in open space. This is an opportunity to add a significant acreage to already existing quasi-public open space.

It is also unique because of its altitude. It is the highest land in Sudbury. It is unique because of the amazing variety of terrain, and therefore it supports an amazing variety of plant and animal life.

Many Sudbury families have taken advantage of the cross country ski trips and the guided tours we had in February and March. All of them have been very impressed with its beauty.

Mrs. Langmuir then presented a series of colored slides of the area and commented as follows:

If we drive up Brimstone Lane and park our cars at the northern stone wall, we can take a short hike up the hill through an orchard to a spot where we get a sweeping view. We can see Marlboro, Mt. Wachusett, Mt. Wattatik. In the distance we can see Temple and the Waupack Ridge and Monadnock in New Hampshire.

By climbing a little higher, we can get more of a view of Sudbury itself. We see the Martha-Mary Chapel, Carding Mill Pond and houses on Dutton Road. One thing we notice is that Sudbury is hidden under a cloak of trees, and it looks more like a rural area than a town of 15,000 plus. It gives you an amazing feeling of being out away from building. With binoculars, the amateur astronomers could have seen Kahoutek from here as the sun set behind Mt. Wachusett.

If we can tear our eyes away from the view, we can turn and follow a trail through the orchard and into the overgrown pasture that serves as a habitat for mice, rabbits, grouse, pheasant and hawks. We received a recent report from the Scout Reservation that six deer were seen in the area this winter.

We can take a turn to the south and find ourselves at the doorstep of General Nixon's homestead. There are two cellar holes next to the overgrown carriage road that used to go over Nobscot Hill where this Revolutionary War hero once lived. He was important enough in our history to have a Sudbury school named after him. Perhaps this place is too important to our heritage and important to save from the developer's bulldozer.

The trail winds on through an open clearing with an undergrowth of Canada mayflower. The trail goes on down a steeper pitch into a dense wood of black cherry, oak and pine, underlain with mosses and partridge berry. This indeed is a place where we, like today's winter-chilled apple trees, can awaken to the warmth of spring and to renewal and promise. Shouldn't we preserve this area for ourselves and our children to enjoy? We have the chance now.

This brings us to the question, "Why buy now?"

When an owner of such land is ready to sell, he is ready. If the Town doesn't buy it, someone else will. It would take an unusual person to give us a second chance at it. Land costs continue to rise. It will cost more next year if it is still available.

An additional reason to buy it now is that other open space planning groups concur that it is an important acquisition. A portion of this piece of land was on our 1970 Open Space Plan shown as P-15. [Map included in 1970 Annual Town Report.] This Open Space Plan has been approved by the Department of Natural

April 9, 1974

Resources and because of the approval of this Open Space Plan, we are in line to receive State Self-Help funding for all of our acquisitions. This area is also on the Metropolitan Area Planning Council Open Space Plan. It is known as the Tippling Rock-Nobscot Hill Reservation on the Framingham-Sudbury border. They comment that we have here a unique opportunity to join open space and historic points of interest.

The Department of Natural Resources land inspector, who inspected the land in response to our application for Federal and State funding, also concurs that its use for open space and recreation is a good determination. The fact that these two groups consider the area a good one to acquire means we stand an excellent chance of getting both State and Federal reimbursement, which in this case amounts to 75% of the purchase price.

We have complied with every requirement of both State and Federal programs. The next step is yours.

I would like to explain the money portion of this article now. The total cost of \$292,000 includes \$285,000 for the land itself and \$7,000 for the perimeter survey which is required. From the Conservation Fund, from existing funds, we are asking you to transfer \$67,000. This leaves \$225,000 to borrow, and we expect 75% reimbursement or \$213,750. For a two year short term borrowing, I believe we can get rates of 4.8% to 5%. The interest on that amounts to 6.8¢ on the tax rate in 1975. In 1976, we have that same interest for the borrowing plus a principal repayment of \$1.367. We show a reimbursement credit of the 75% which gives us \$1.299 credit and a total cost in the second year of 13.6¢. If we view that along with the reimbursement credit of 15¢ that we expect from the Davis land that you just purchased, we would have for both purchases a small credit of 2¢.

The next step is yours. The Town must approve the purchase and authorize funding before we can proceed further. We hope you will take this step by voting "Yes" on Article 13. In response to our notification of intent to apply under BOR funds, we have a letter from MAPC, and I call your attention particularly to the second paragraph. "The proposed acquisition of the Hulbert property is consistent with previous Sudbury Conservation Commission action in this area and is consistent with the Council's Regional Open Space Plans and Policies. The Council believes that the acquisition of the Hulbert property is another significant step in preserving the Nobscot Hill-Tippling Rock area for public open space and recreation use. The Council, therefore, strongly endorses the intentions of the Sudbury Conservation Commission with regard to the Hulbert property and awaits the opportunity to review the final application."

This article also has the support of the Norumbega Boy Scout Council, our largest abutter.

Finance Committee Report: (Mrs. Edwards) Each of us came to Sudbury for a variety of reasons, for the schools, because it was close to work, or because, when we came house hunting, it looked like a pleasant place in which to live. Sudbury looks pleasant in part because of the existing open land. But its land is a limited resource. Once land is built upon, it cannot be reclaimed for use by us all.

The Conservation Commission, in its Master Plan, has listed areas especially desirable for the Town to keep as open land. The land described in this article is very high on that list.

However, we are all concerned about the tax rate. Based on past experience and encouragement received from the Department of Natural Resources, we have reason to hope for 50 to 75% reimbursement of the purchase price of this land. Between this reimbursement and money existing in the Conservation Fund, the entire cost of this purchase would be covered.

However, since the reimbursement cannot be received immediately, the Finance Committee supports the use of short term borrowing until this reimbursement is received by the Town. As stated by the Conservation Commission, the effect in the year 1975 would be 7¢ on the tax rate, again \$3.50 for a \$50,000 house. In the following year, a net effect of zero on the tax rate.

The Finance Committee recommends approval of Article 13.

April 9, 1974

Board of Selectmen Majority Report: (Mr. Powers) I want to assure the hall that we have nothing against the mice or the goldfinch. We have a thing about the grouse. But we are now talking about another and different kind and dimension of program than one you have supported before. It represents a serious and significant departure.

I did not talk about funding on the last article because the bonding part dealt with Park and Recreation uses. But we are now doing something quite different.

A number of years ago we established the Conservation Fund. The purpose of that Fund, as we were repeatedly told by the Conservation Commission, was to build up a kitty of funds that would be available so we could pay cash for land acquisitions.

Key to this article is the funding problem and that is what disturbs us. Once again, we think it is a beautiful part of the mountain. We have no quarrel with the fact that this is a beautiful piece of ground, and it is part of a very large mountain which has a lot more beautiful ground in it.

But what you are asked to do here is to embark upon a program whose limits have not been defined for you, and to fund it by using the Conservation Fund as a down payment for a borrowing obligation. If you wish to do this, know what you are doing. Whether it is short term borrowing or bonding, nobody is getting something for nothing. You are paying ultimately in cold hard dollars whatever the purchase price of that particular piece of real estate is, and, in addition, you are paying on top of that an interest charge to the banking institution which will lend it to you. If we are getting money back on the previous article, the Davis land, I don't see how you can tack that onto this one.

You are borrowing a fairly large sum of money at approximately 5% interest, based upon some if's. The short term borrowing program has to do with the 1973 amendment to Section 8C of Chapter 44 of the General Laws, which reads as follows: "...city or town which has appropriated money for the acquisition of land to be expended together with a sum or sums of money allotted by the Commissioner of Natural Resources under Section 11 of Chapter 132A, or by the United States, or by both, may, if the city or town is required primarily to pay a portion of the expense of acquiring such land which is to be reimbursed by the Commonwealth or the United States, incur debt outside of the debt limit in the amount of the reimbursable expense, and may issue notes therefor which shall be payable in or within two years from their dates, provided that prior to the issuances of such notes, such reimbursement has been agreed upon by the Commonwealth or the United States or by both, and provided further, that the proceeds of such reimbursement will be applied to the payment of the notes without further appropriation."

Now the fact of the matter is that we do not have, under this article or indeed under the other one, any guarantee other than an experience factor which changes from year to year, that the Bureau of Outdoor Recreation of the Federal government will, in fact, fund this particular program. We think you should know that because we think it will affect your decision, or at least you should think about it.

No one here, despite the letters that have been read, can tell you anything other than that you do not at this moment have State approval, and you do not at this moment have Federal approval. What direction you want to go and what programs the Town wants to embark on, is in your hands. The concern of your Board of Selectmen is that you know where it is going and that you are clear what the problems and pitfalls are. Do you want to change the policy that you have had before on the limitation into the Conservation Fund and use that Fund as a down payment into a bonding program of many, many millions of dollars.

Also, we want to make it very clear that this is not one piece of land about which you can say there is a crowding, brooding group of developers waiting, and the appraisals of the Conservation Commission themselves indicate that that is not a factor.

Board of Selectmen Minority Report: (Mr. Taft) The view from this piece of land really is different than the view we usually have of Sudbury or of anything else around. This is the highest point in Town. It is a beautiful sight. I suspect that of all the conservation parcels in this Town that the Town decides to buy, this one will be most frequented by the people of this Town. They may



April 9, 1974

not stay long. They may just go up for just a few minutes to see the view. Some will go up to ski or to see the old foundation, or see the remains of the old coach road that actually went over the hill. I think a lot of people will go up to see it and appreciate it more than any other piece of land that the Town has.

It isn't really proposed that we bond for this land. It is a borrowing provision. This is a new approach for Sudbury. We haven't done this before. We have been able to acquire the portions and parcels of land that we wanted out of the Conservation Fund itself.

However, I think that this is another one of those "opportunities" that we would be well advised not to pass by. Mr. Hulbert has retired. He does not actively run that apple orchard that you saw in the pictures. He hasn't for several years. He lives in a beautiful house just above this land which is actually in the Town of Framingham. He has even a better view than we can get from Sudbury. But nonetheless, the Sudbury view is spectacular. I think that it's a case of the land is available. It's on the market. He's interested in disposing of it. He's retired. He's going to sell it. I think that the price that is proposed, which comes to about \$3,500 an acre, is a reasonable price for that parcel of land.

I think the Town would be well advised again to take advantage of this opportunity. We will certainly all make use of that property in the years to come.

After discussion, it was

*VOTED: THAT THE TOWN AUTHORIZE AND EMPOWER THE SELECTMEN, UPON THE WRITTEN REQUEST OF THE CONSERVATION COMMISSION, UNDER THE PROVISIONS OF GENERAL LAWS, CHAPTER 40, SECTION 8C, AS AMENDED, TO ACQUIRE, IN FEE SIMPLE, BY PURCHASE, OR BY A TAKING BY EMINENT DOMAIN, FOR CONSERVATION PURPOSES, THE LAND DESCRIBED IN ARTICLE 13 IN THE WARRANT OF THIS MEETING, AND TO MEET THE APPROPRIATION, TO APPROPRIATE AND TRANSFER \$67,000.00 FROM THE CONSERVATION FUND, AND AUTHORIZE THE TREASURER, WITH THE APPROVAL OF THE SELECTMEN, TO BORROW \$225,000.00 UNDER GENERAL LAWS, CHAPTER 44, AS AMENDED, WITH ALL LAND ACQUIRED HEREUNDER TO BE UNDER THE MANAGEMENT AND CONTROL OF THE CONSERVATION COMMISSION.*

*In favor - 372; Opposed - 130. (Total - 502)*

ARTICLE 14: (Article withdrawn)

Acquire Land  
(Bowditch/  
Post Roads)

ARTICLE 15: To see if the Town will vote to transfer any one or more of the following described parcels to the custody and control of the Conservation Commission for all purposes included in General Laws, Chapter 40, Section 8C, as it now reads or may hereafter be amended:

Conservation A. Lot 130 shown on a plan entitled: "Plan of Land Sudbury, Mass." dated: January 21, 1966, by Bradford Saivetz & Associates, Inc., Consulting Civil Engineers, recorded with Middlesex South District Deeds in Book 11188, page 286 as Plan 987 of 1966 and bounded and described, according to said plan, as follows:

Northerly	by Hudson Road
Easterly	by land now or formerly of Wight
Southerly	by land now or formerly of Lyons Builders, Inc.
Westerly	by land now or formerly of Pitchel and by land now or formerly of Seymour

B. Lots 76 and 77, Block A, shown on a plan entitled: "Plan of Pine Lakes Sudbury Mass.", dated: April 1927, by Robert B. Bellamy, Surveyor, recorded with Middlesex South District Deeds in Plan Book 394, Plan 37, and bounded and described, according to said plan, as follows:

April 9, 1974

Northerly by Lake Shore Drive  
 Easterly by land now or formerly of Borden  
 Southerly by land now or formerly of Walkama  
 Westerly by land now or formerly of Walkama

- C. Lots 21 and 22, Block G, shown on a plan entitled: "Plan of Pine Lakes Sudbury Mass.", dated: April 1927 by Robert B. Bellamy, Surveyor, recorded with Middlesex South District Deeds in Plan Book 394, Plan 37, and bounded and described, according to said plan, as follows:

Northerly by land now or formerly of Town of Sudbury and  
 by land now or formerly of Woodlee  
 Easterly by Willis Lake Drive  
 Southerly by land now or formerly of Dunne  
 Westerly by Arborwood Drive

- D. Lot 3, Block I, shown on a plan entitled: "Plan of Pine Lakes Sudbury Mass.", dated: April 1927, by Robert B. Bellamy, Surveyor, recorded with Middlesex South District Deeds in Plan Book 394, Plan 37, and bounded and described, according to said plan, as follows:

Northerly by land now or formerly of Nugent  
 Easterly by land now or formerly of Callahan  
 Southerly by Birchwood Avenue  
 Westerly by Lot 4

- E. Lot 4, Block I, shown on a plan entitled: "Plan of Pine Lakes Sudbury Mass.", dated: April 1927, by Robert B. Bellamy, Surveyor, recorded with Middlesex South District Deeds in Plan Book 394, Plan 37, and bounded and described, according to said plan, as follows:

Northerly by land now or formerly of Nugent  
 Easterly by land now or formerly of Town of Sudbury  
 Southerly by Birchwood Avenue  
 Westerly by land now or formerly of Town of Sudbury

- F. Lots 5, 6, and 7, Block I, shown on a plan entitled: "Plan of Pine Lakes Sudbury Mass.", dated: April 1927, by Robert B. Bellamy, Surveyor, recorded with Middlesex South District Deeds in Plan Book 394, Plan 37, and bounded and described, according to said plan, as follows:

Northerly by land now or formerly of Jones  
 Easterly by Lot 4  
 Southerly by Birchwood Avenue  
 Westerly by land now or formerly of Lachance

- G. Lots 38 and 39, Block K, shown on a plan entitled: "Plan of Pine Lakes Sudbury Mass.", dated: April 1927, by Robert B. Bellamy, Surveyor, recorded with Middlesex South District Deeds in Plan Book 394, Plan 37, and bounded and described, according to said plan, as follows:

Northerly by land now or formerly of Todesco and by land  
 now or formerly of Felloni  
 Easterly by Great Lake Drive  
 Southerly by Lot 40  
 Westerly by land now or formerly of Meister

- H. Lots 40, 41, 42, 43 and 44, Block K, shown on a plan entitled: "Plan of Pine Lakes Sudbury Mass.", dated: April 1927, by Robert B. Bellamy, Surveyor, recorded with Middlesex South District Deeds in Plan Book 394, Plan 37, and bounded and described, according to said plan, as follows:

Northerly by land now or formerly of Town of Sudbury  
 Easterly by Great Lake Drive  
 Southerly by land now or formerly of Welch  
 Westerly by land now or formerly of Cummings and by land  
 now or formerly of Meister

or act on anything relative thereto.

Submitted by the Conservation Commission.

April 9, 1974

Mrs. Olga P. Reed of the Conservation Commission *moved that the Town transfer Parcels A, B, C, D, E, F, G, and H, as set forth in and described in Article 15 in the Warrant for this meeting to the custody and control of the Conservation Commission for all purposes included in General Laws, Chapter 40, Section 8C.*

Conservation Commission Report: (Mrs. Reed) The Conservation Commission received from the Selectmen a list of thirty-three tax possession parcels. Along with the list came a request for recommendations about possible use for municipal purposes. The parcels were reviewed and inspected and eight were selected which we think should be protected from development. They should be preserved for Conservation purposes. This means access to ponds, protection of wetland, recreation and protection of wildlife.

The parcel described in paragraph A is the most recent addition to the list. This is Lot 130 with frontage on Hudson Road. It was added after the Town Treasurer had offered it at auction last September. There were no bids. The lot slopes from Hudson Road south to a wet area which also covers a portion of the adjoining lot. A twenty foot wide walkway easement goes through the lot. There is no conflict between conservation purposes and the walkway construction as the easement is along a high dry path on the west side of the lot.

The remainder of the parcels are in the area known as Pine Lakes. The area described in paragraph B has frontage on Lake Shore Drive which borders Willis Lake. This is part of a high point of land which slopes to Willis Lake to the north and a wet marshy area on the south and east. Its elevation provides an excellent scenic view of Willis Lake through both black and white birch trees. Hemlock provides some green throughout the year.

Paragraph C describes a nearby parcel which abuts conservation land transferred to the Commission by Town Meeting vote in 1971. The Park and Recreation Commission has jurisdiction of the area across Willis Lake Drive from Parcel C. The north area of Willis Lake is the Military Reservation land which has been exceded, and if the Town or if the State acquires the property for recreation purposes, this means that we would have access to use Willis Lake for quiet boating.

Paragraphs D, E, and F describe contiguous lots on Birchwood Avenue. Lots 5, 6, and 7 were offered at auction last September. There were no bids. About half the area of those lots is wet. About a third of Lot 4 and only a small corner of Lot 3 is low and wet.

Paragraphs G and H describe two parcels which comprise seven adjoining lots. This property slopes quickly down from Great Lake Drive to a large wetland with open water as well as plant growth which includes wild azaleas and sweet pepper bush. The area offers a haven for ducks and many song birds and a full complement of frogs and other aquatic fauna, mayflies, caddis flies, and mosquitoes. Lots 38 and 39 were offered at auction last September. Again, there were no bids.

There is no acquisition cost to the Town for this property as it is presently tax possession and your affirmative vote would not remove any revenue-producing land from the Town tax rolls.

Finance Committee Report: These parcels represent less than 2 1/2 acres now under the custody and control of the Selectmen. The Finance Committee sees no significant advantage and perhaps some disadvantages to the Town in their transfer to the Conservation Commission. Recommend disapproval.

Mr. Martin E. Doyle then *moved to amend Article 15 by deleting Parcel C.* In support of his amendment, he stated that he was representing an elderly couple, Bob and Mary Dunne, whose land adjoins Parcel C.

The area in which these lots are situated is in the western end of the Town off Hudson Road. During the 1920's the area was subdivided for summer camps and at that time one-sixteenth acre lots were established. However, since then zoning laws were passed which prohibited building on a one-sixteenth acre lot. Quite a number of these lots have become tax possession of the Town, and it has become the habit of the people who reside in Pine Lakes to acquire these lots to add to their existing property and in that way to build themselves a reasonable lot size around their property.

Bob and Mary Dunne have resided at 14 Arborwood Drive for twenty-four years. Over that period they have acquired lots 9 to 20 and the two lots in question here are Lots 21 and 22. The Dunne's were not aware of the fact that these lots

April 9, 1974

were for sale though they do assure me that at one time they wrote to the Town and asked to be advised whenever these lots were for sale so that they could bid upon them.

The purpose of this amendment is to give them the opportunity to purchase these lots. They do not intend to build on them if they are allowed to buy them and certainly the Town Bylaws prohibit it. They only intend to buy them to add to their present property. I would advise you to support this amendment.

After a short discussion, Mr. Doyle's amendment was voted.

Mr. Robert K. Coe then moved to amend Article 15 by deleting Parcel A and all reference thereto. In support of his amendment, Mr. Coe stated that the thing I see happening here is that we are propagating the same old patchwork acquisition of conservation land that we have done in the past. I just don't see why it has to be continued now. The Conservation Commission has admitted that this land was put up for sale at auction and nobody bid on it. The idea that it has to be preserved from development is rather ridiculous. If you have been to see that piece of land, calling it a lot is a bit of a strain on the English language. It is just a hole with water in it. I think it is, in fact, covered by the Wetlands Act because it adjoins several bigger wet areas. I don't think it could be filled in any event. It seems to me that it makes more sense to try to find an abuttor that is willing to pay the taxes on it and let him take it over. I can't imagine what earthly use it would be to the Conservation Commission.

After a short discussion, Mr. Coe's amendment was defeated.

After further discussion, it was

VOTED: THAT THE TOWN TRANSFER PARCELS A, B, D, E, F, G, AND H, AS SET FORTH IN AND DESCRIBED IN ARTICLE 15 IN THE WARRANT FOR THIS MEETING TO THE CUSTODY AND CONTROL OF THE CONSERVATION COMMISSION FOR ALL PURPOSES INCLUDED IN GENERAL LAWS, CHAPTER 40, SECTION 8C.

In favor - 255; Opposed - 117. (Total - 372)

Upon a motion made by Mr. Eben B. Stevens, it was

VOTED: THAT WE ADJOURN THIS MEETING UNTIL TOMORROW NIGHT, APRIL 10, 1974, AT 8 O'CLOCK IN THIS HALL.

The Moderator declared that the vote in favor was two-thirds as required by Bylaw. The meeting adjourned at 10:45 P.M.

## PROCEEDINGS

## ADJOURNED ANNUAL TOWN MEETING

April 10, 1974

The Moderator called the meeting to order at 8:05 P.M. at the Lincoln-Sudbury Regional High School Auditorium. He declared that a quorum was present.

ARTICLE 16: To see if the Town will vote to amend Article IX of the Town Bylaws, entitled: "Zoning Bylaw", Section I, "General", G, "Flood Plains", by addition of a new sub-paragraph 4 to read as follows:

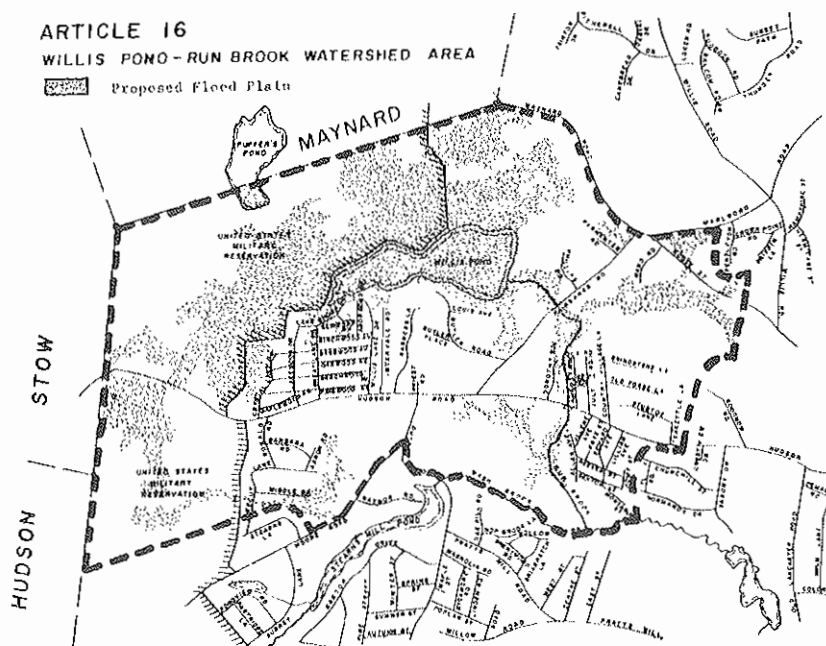
Flood  
Plains

Art. IX  
Sec. I, G

"4. 'Map of Flood Plains and Wetlands in the Willis Pond-Run Brook Watershed Area' prepared by the Town of Sudbury Engineering Department, dated January 4, 1974, a copy of which is on file in the Town Clerk's office and which is incorporated herein by reference.",

or act on anything relative thereto.

Submitted by the Conservation Commission.



Mrs. Marion P. Harris of the Conservation Commission moved in the words of the motion as distributed.

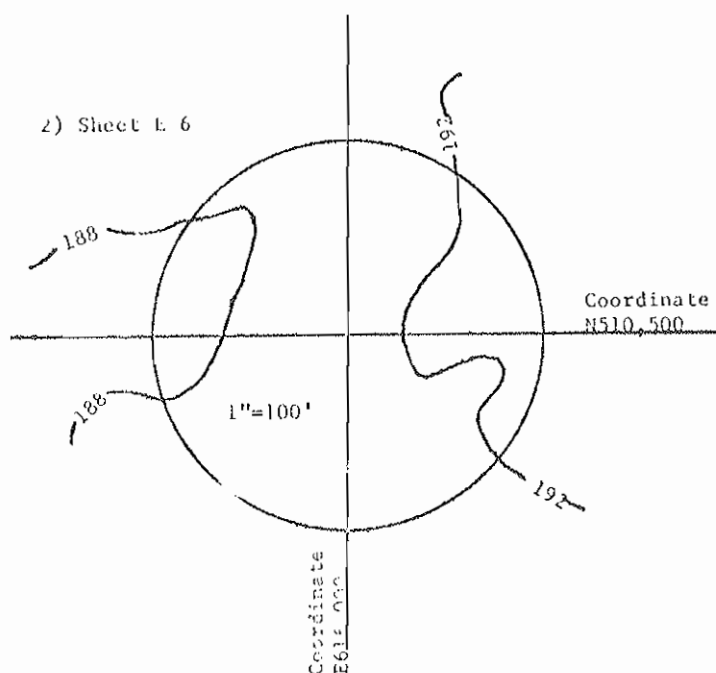
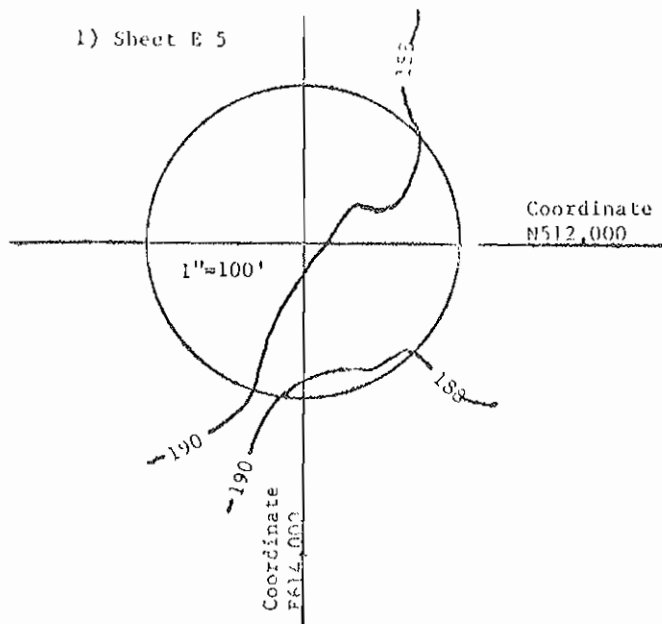
The following is the motion as distributed prior to the April 10th session of the Annual Town Meeting:

*Move that the Town amend Article IX of the Town Bylaws, entitled: "Zoning Bylaw", Section I, "General", G, "Flood Plains", by the addition of a new sub-paragraph 4, to read as printed in Article 16 in the Warrant for this meeting, but with the following modifications to the flood plain areas shown on the map referred to in sub-paragraph 4.*

1. On Sheets No. E5 and E6, a 188 foot contour line shown thereon shall enclose and delimit the flood plain of Cuttings' Town Line Pond, so-called, from the Northeast end of the dam at the Town line clockwise around the pond to the point shown in the detail shown on the plan entitled: "Article 16, March 29, 1974, Revision of Flood Plain Map", hereinafter called the Revision Map, where said contour line approaches within 100 feet of the intersection of coordinates

April 10, 1974

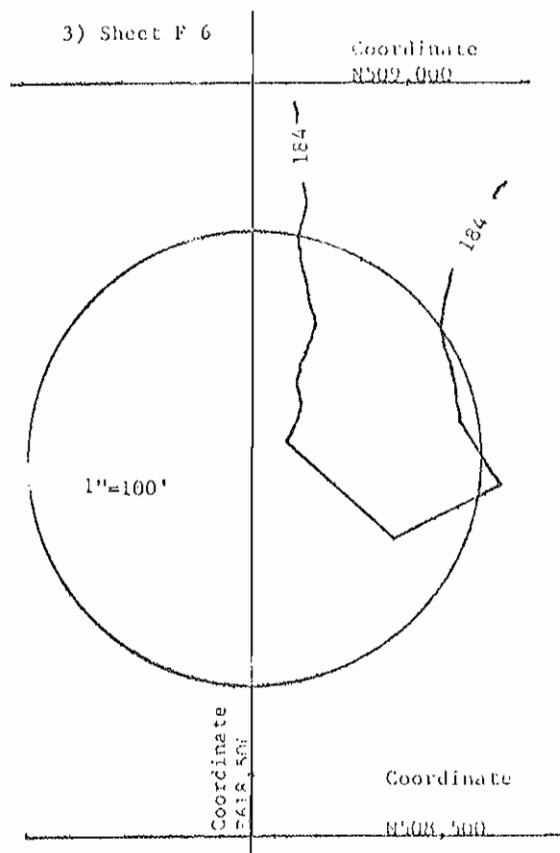
N512,000 and E614,000, within which radius the said detail in the Revision Map shall apply; thence from the Northern edge of said detail on the 188 foot contour to the Town line; thence along the Town line to the point of beginning.



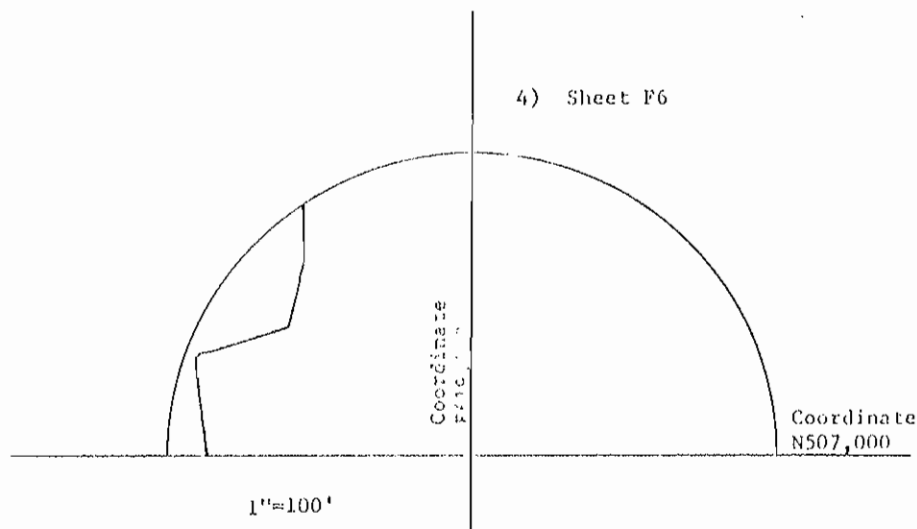
2. On Sheet No. E6, within a radius of 125 feet of the intersection of coordinates N510,500 and E616,000, the delimitation shown in the Revision Map.

April 10, 1974

3. On Sheet No. F6, within a radius of 150 feet of the intersection of coordinates N508,750 and E618,500, the delimitation shown in the Revision Map.



4. On Sheet No. F6, within a radius of 200 feet of the intersection of coordinates N507,000 and E619,000, the delimitation shown in the Revision Map.



5. On Sheet No. F7, the 192 foot contour shown near the Northwest property bound of a 4.3 acre parcel on Marlboro Road, presently owned by Benny P. Tartaglia and Gilda Tartaglia, 52 Marlboro Road, shall delimit the only area on said parcel to be included within the flood plain district by this sub-section, all other land and water bodies shown at a higher elevation on this parcel are excluded.

April 10, 1974

Conservation Commission Report: (Mrs. Harris) The motion just distributed simply proposes that certain wetlands and their banks in the Willis Pond-Run Brook watershed be added to the wetlands already protected by your existing Flood Plain Zoning Bylaw. Many of you have seen the maps which are now hanging in the lobby. A copy of these is on file with the Town Clerk and another with the Town Engineer.

The first page is the key only and is neither accurate nor official. The areas that are proposed for addition to the Flood Plain District are enclosed by green lines on the next thirteen sheets. All other areas, outside the green lines on these maps, will not be subject to the provisions of this Bylaw. The five modifications read into the motion all represent reductions in the areas to be included.

When you buy an automobile, it is yours. However, you do not buy it with the right to use it in any way you wish. Your misuse of it may cause injury or damage. The community expects and has a right to regulate the use of automotive property to safeguard the welfare of others. When careless driving results in an accident, the cause and effect relationship is obvious and everyone is outraged.

The cause and effect relationship between poor wetland use and flood and water supply problems is just as compelling as the one between poor auto use and accidents. Being a bit less obvious, it has taken a bit longer to understand and to cause outrage, but it has been established now beyond a shadow of a doubt.

The community expects and has a right to regulate land use to protect the welfare of others. You do this by making whatever laws you want your Town boards to enforce. That is why you, the community, are here tonight, to amend the laws to protect yourselves against poor land use. The protection of your wetlands is a vital part of Sudbury's long range planning in land use. You and your Town boards have been flood plain zoning together for over ten years. It costs you zero cents on your tax rate, but may save you millions if fully implemented as rapidly as possible.

Sudbury's foresight in wetland protection began in 1962 when the marshes along the Sudbury River were protected by Town Meeting. This was a very important first step in that it provided for storage of storm run-off water from all areas upstream. During a storm, or spring thaw, such as the one in 1968, water running off the surface of the land in Sudbury, Framingham and all other communities upstream of our stretch of the Sudbury River would have an area to rise and spread out over. The marsh vegetation would slow the water down enough so that silt could settle out and so that the flood crest downstream would peak later and lower and do less damage.

By now, it should be clear that in the area of flood control, it is the fellow downstream that is the beneficiary of good land use planning upstream.

After the initial Bylaw in 1962, eight years passed before action was taken to add to the protection district. Why? The first flood plain zone had been easy to delineate. The area along the Sudbury River and lower Hop Brook is so flat that a single elevation could be given as the boundary of the wetlands to be protected. Now we face the problem of defining the boundaries in the rest of Sudbury which is less flat.

The need to get on with the job was pointed up by these three considerations. First, the wetlands along Hop Brook began to succumb to business development. Second, the State laws that were supposed to regulate alterations in wetlands were not doing the job we needed done in Sudbury. And third, the quality of the water entering Sudbury's Hop Brook at the Marlboro line was far from desirable because it received the effluent from Marlboro's sewage plant.

This brings us to the second important function of a wetland. Polluted water percolating through a wetland, marsh or swamp can be purified to a remarkable degree in only a few short miles. This has great significance in a town full of septic tanks like Sudbury. If you live back up to a swamp and stream as I do, and your septic system fails, as mine did this week, the wetland plants and the bacteria in the marsh mud and the mud itself act upon the polluted water before it can reach the stream. Thus, the marsh acts as a backup for the septic systems, a buffer between leaching fields and open water ways.

Again, it is clear that the guy downstream is the beneficiary of good land use upstream.

With the need so clear, the Town Meeting voted in 1970 to spend the only money that has been spent to date specifically on wetland zoning. \$4,000 was used to fund



April 10, 1974

an aerial photograph and delineation of the wetlands along Hop Brook upstream to Dutton Road. At the 1971 Annual Town Meeting, this section was added to the Bylaw.

At about the same time, your Town Meeting voted funds for one of the most useful planning tools this Town has ever had. Almost \$75,000 was invested in aerial maps of the entire Town. These are being used constantly by many departments in the Town for many purposes. Among other things, they have made it possible to continue the delineation of wetlands with no additional cost to the taxpayer. Thus, last March, we were able to bring to the Annual Town Meeting, the remainder of the Hop Brook Flood Plain upstream from Dutton Road to the Marlboro town line. You, the Town Meeting, voted unanimously to add this to the Bylaw.

The need now is to consider the watersheds that lie completely, or almost completely, within the Town of Sudbury. Most of these lie in what we would consider the uplands of the Town, but again, the same principles apply. Let us review them.

First, filling in wetlands pushes rain and snow run-off downstream faster causing flooding. Filling in wetlands removes the de-polluting buffer between the failing septic systems and our water ways. And now a third function of the wetlands comes into play. We call it ground water recharge. What it means simply is that every drop of rain that does not run off into our streams, or evaporate back into the air, sinks into the ground to become part of ground water.

Ground water recharge is an important function of open land surfaces. Wetlands are much better at this function than rolled and mowed lawns on fill. Since everybody in Sudbury gets his water from the self same ground water, planning in our upland wetlands will benefit everybody in Town, not just the fellow downstream.

Working with upland watersheds presented a different set of circumstances than we had encountered in our previous years of delineation. We found ourselves working in areas with many more single house lots than ever previously. We have found streams interrupted by culverts of varying sizes and adequacy. We have found ourselves agonizing over whether to include streams that have been channelized to "nothing more than a drainage ditch". We have found ourselves confronting the water retention value of isolated wetlands. We have had to grapple with the drainage pattern already changed by unregulated development and houses already built in what we would call wetland.

A recent flood in North Sudbury will help to illustrate the problems and needs. Bowker II was built on a wetland and is kept from floating away by a system of open ditches and culverts. On March 21st of this year, a two inch rainfall combined with a partially clogged culvert and produced flooding.

The Master Drainage Study upon which most of the future road work in Town may very probably be based, permits a water back up to occur periodically. A house built in a flood plain runs a one-in-fifty chance of being inundated at least once every year, even if the culvert is perfectly clear. The more silt in the culvert, the more frequent will be the flooding.

So much for the need and the history. You, the voters, have recognized the need in time and have made the history so far.

Now a word about the method and the law. With the help of enormous input from the public at two public hearings, from other Town boards, and from the Master Drainage Study, we have evolved a set of criteria for delineating the protection zone tailored to this upland type of watershed. The criteria are first of all, not to exceed two feet above the vegetation which shows that there is usually a fairly high water cycle, not to be more than two feet above isolated water such as isolated ponds or wetlands. Where the culvert size can be measured and its height can be measured, or we know it from records, the upstream side of the culvert should allow water back up of at least one foot not to exceed two feet above the top of the culvert.

In the absence of any other criteria, we would flood plain ten feet on either side of the thread of a stream. When more than one of these apply, we would use the one which includes the largest area. When a conservation easement or restriction exists, we would try to conform to that restriction where appropriate.

We would not include simple farm and drainage ditches, very small ponds, those less than one acre that are isolated and have no outflow, or isolated marshes or bogs that are smaller than an acre. We would exclude all public ways.

Tonight we present you with the first of the upland watersheds which we are calling the Willis Pond-Run Brook Watershed. We propose here to protect about

April 10, 1974

230 acres of government land, most of which may soon revert to the State or Town, about 165 acres of privately owned open land, and about 30 acres of fragments of individual house lots. That is a total of about 425 acres.

How do we accomplish this protection? By voting to add the maps with the green lines to the Bylaw you already have. A "Yes" vote tonight will add a new paragraph to Section I, G of the Zoning Bylaws, describing the Willis Pond-Run Brook Maps.

There is another section to this Bylaw which is not being amended tonight called the use provisions. This is a very important section because it describes the purpose of this zone and spells out exactly what the owner of the flood plain zoned land may and may not do with it. For example, he may garden on it, he may forest it, he may camp on it, sell it, count it as part of his building lot for purposes of minimum acreage, set back, etc., and he may keep anyone he wants off it, including me. He may maintain and repair structures already on it. He may not fill it or drain it or build on it or change the water patterns on it without first having a hearing before the Appeals Board to which you, the public, will be invited. Therein lies the safety valve for the owner and the public alike.

Let us end by reviewing the purposes of this Bylaw: to preserve and protect the streams and other watercourses in Town and their adjoining lands; to protect the health and safety of persons and property against the hazards of flooding; to preserve and maintain the ground water table for water supply purposes.

Please vote for Article 16.

Planning Board Report: (Mrs. Jane F. Gillespie) The Planning Board supports this article and that position requires an explanation. The Planning Board voted on March 20th, 1974, by a vote of 3 - 2 to oppose flood plain zoning proposed in this article submitted by the Conservation Commission. Our reason was not that the Planning Board is opposed to flood plain zoning. Our reasons were that we felt that the drainage problems in Town should be looked at in toto rather than piecemeal. The position of the majority of the Planning Board was that the total package of flood plain zoning, hydrological study, Master Drainage Study, should be complete at the time flood plain zoning is voted. Following that vote, the Conservation Commission approached the Planning Board with precisely the data which the Planning Board needed to support flood plain zoning. This data was funded by the Army Corps of Engineers and is published in the geological survey documents which cover the northwest section of Sudbury. It was prepared to study the possible placement of a nuclear reactor in the Military Reservation many years ago. Unfortunately, the Corps of Engineers did not study all of Sudbury, which would have eliminated the need for Article 27, the hydrological-geological study in this year's Warrant.

The Planning Board is unanimous in its support of this article and urges you to approve it.

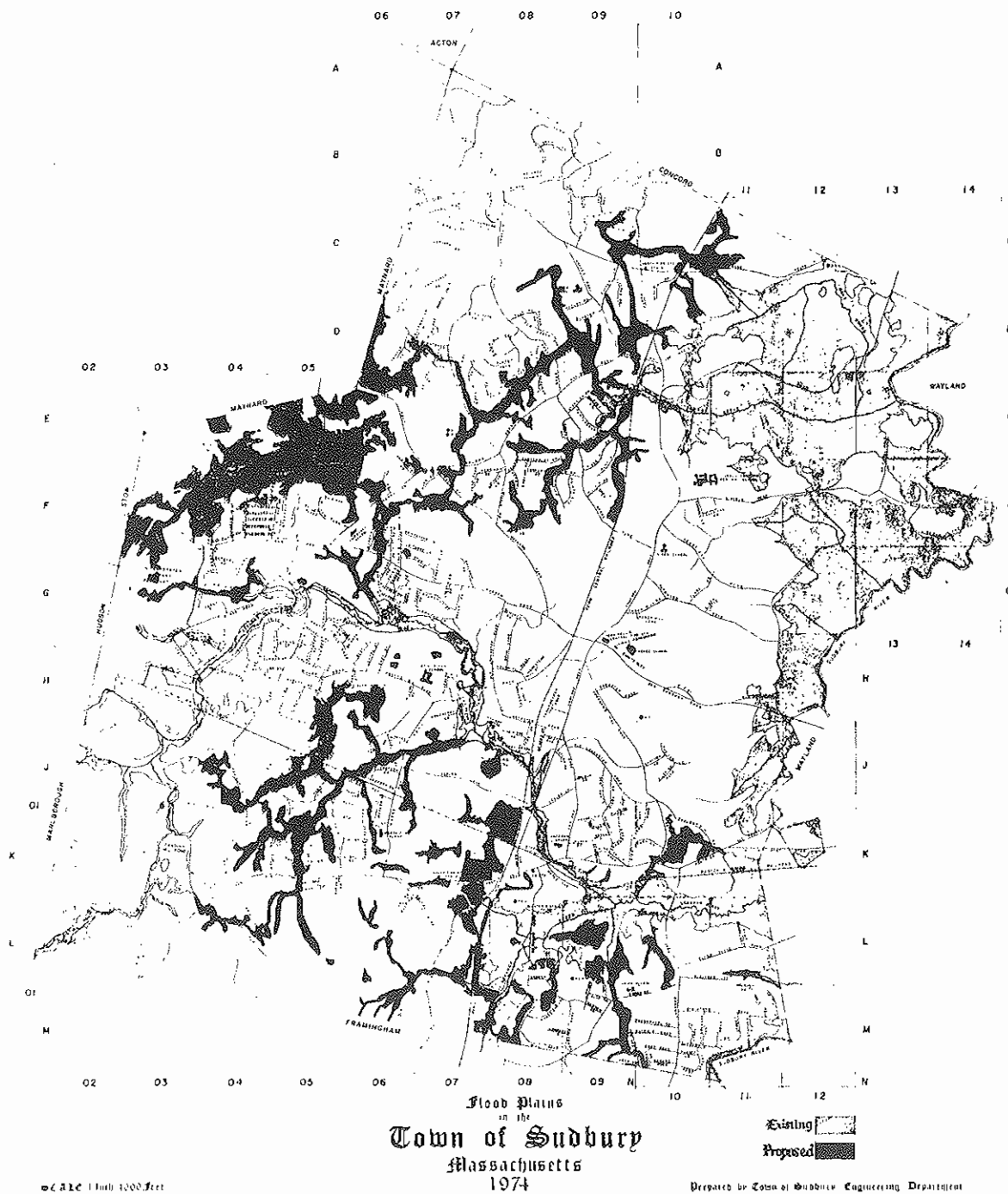
Finance Committee Report: (Mrs. Edwards) The Finance Committee supports the extension of flood plain zoning to appropriate areas in all sections of the Town. Recommend approval of Article 16.

Board of Selectmen Report: (Mr. Powers) The Board of Selectmen opposes this article. What you are asked to vote on here tonight once again is a major policy departure which, in the opinion of this Board, affects the entire Town, which can be looked at only in terms of its total impact on the Town, and which we think has serious consequences as yet unanalyzed dealing with the tax base of this Town.

In the fall of this year when the Conservation Commission came forward with this article, we were interested and concerned with what they were doing. On January 21st of this year, we had a meeting with the Conservation Commission and with the Planning Board and with others. At that time, their proposal was what you see on the following map. [See next page.]

I want you to note, that every one of those darkened areas whether large or small is an area that would be subject to flood plain zoning if the overall plan were approved. I think you will find that something like 17% of the Town of Sudbury is already in flood plain zoning according to the Conservation Commission's figures. But, when we asked them whether this represented their total program or not, they answered, "No". They stated that limitations and constrictures of time precluded them from addressing themselves to the remaining one-third of the Town which does not appear on the map and which deals with an area to the north and to the east.

April 10, 1974



The magnitude of the number of acres involved in this distressed us. We asked them to tell us how many acres were in it, and they could not. To this date, they have not told us about acreage until right now. We asked them how many lots and how many owners were involved, and they could not tell us. I don't know if they know now for the particular section they are dealing with, but they could not tell us then. When we met well after January 21st with the Planning Board, they could not tell us either.

This creates a problem for us. We are concerned about the tax base of this Town. We are concerned about fair notice to the owners of the land of what is involved, what is coming.

April 10, 1974

What you are doing is not, in the opinion of the Board, flood plain zoning. If it were flood plain zoning, then somebody would still have to explain to me why the land that they proposed includes some land on the top of Nobscot Mountain, the highest point in Town. Unless I start seeing animals pairing up two by two, I'm not distressed about that at the moment. What this is, is not related to flooding. The language that they are using is language which deals more with wetlands protection.

Is this an approach the Town should engage in without knowing what the consequences are going to be? We mentioned to you last night and at the beginning of the meeting, we were very concerned about major changes being made when we did not know, because of lack of sufficient data, the effect of programs that you were embarking on. This is a perfect example of just that.

You have heard about where the boundaries are. That is the \$64,000 question. Where are the boundaries? We do not know. The motion refers to a map. It refers to a thing called "Article 16, March 29, 1974, Revision of the Flood Plain Map". I have yet to see it. Is it sixteen pages of something that is outside on the wall? Is it sixteen pages, the lines on which have been changed four or five times since the public hearing was held? If it is supposed to be, as the original notice setting up the Planning Board hearing said, "In accordance with the map on file with the Town Clerk", it is interesting to note that at that time there was no plan on file with the Town Clerk. We have been having trouble and the Engineering Department has been having trouble finding out what it is.

If you are going to establish a zone in a Town and say to an owner that he may not use his property for this purpose, the very least the Town ought to do, in the exercise of that police power and in fairness to the owner, is to tell him where the boundary is. I am informed reliably that if the Town were to undertake that obligation, it simply does not have enough engineering force or funds available in the Engineering budget, or any other budget, to cover the cost of going into this area alone to delineate the boundaries on the land.

If we are again keying in the photogrammetric map, I point out to you that photogrammetries are marvelous, but there is one problem with them. They have a built-in two foot error in terms of the vertical. Two feet in terms of where water goes could be two feet vertically and 150 feet horizontally. It is not a precise tool. Ground survey is the precise tool.

We have heard that it was done in conjunction with the Master Drainage Study, which was interesting because the Master Drainage Study was not available for anyone to look at until after the initial meetings had been held. We think this is a serious problem.

This project is ultimately going to involve literally thousands of acres of various types and spots all over this land. When you say to the owners that this is all right because they have a right to go to the Board of Appeals, you are asking them to plead for an exception. You are making that citizen, at his own expense, go to a board. I can assure you that, if this continues in the manner in which it is, we are going to do a great deal more funding and staffing for the Board of Appeals.

We earnestly suggest that you send this back to the drawing table until we have the precise areas, until we have had a colloquy on it, until we can determine what the impact on assessed values in going to be for the total program. If you do not and you start saying, "Well, it's only a little section this time", you have established a precedent. Next time it will be more, and the next time it will be more until inevitably we are where the total plan is. If what you wish to vote for is the total plan, then by all means do. But, I don't think we have sufficient information to make a judgment on it. We do not know what the economic impact is. The first plan that came down, for example, would wipe out a substantial portion of the industrial land in this Town. That is very much of concern to us in terms of value.

We urge you to defeat this article.

Town Counsel Report: It is the opinion of Town Counsel that if the Zoning Bylaw change set forth in Article 16 in the Warrant for the 1974 Annual Town Meeting is properly moved and seconded, a report is given by the Planning Board, as required by law, and the motion is adopted by a two-thirds vote in favor of the motion, the proposed change will become a valid amendment to the Sudbury Zoning Bylaw.

After discussion, the Conservation Commission's motion was defeated. In favor - 129; Opposed - 258. (Total - 387.)

April 10, 1974

ARTICLE 17: To see if the Town will vote to amend Article IX of the Town Bylaws, the Zoning Bylaw, Section IV, "Intensity Regulations", Paragraph A, "General Requirements", by striking out subparagraph 2, "Recorded Lots", in its entirety, and by adding a new subparagraph 2 to read as follows:

Art. IX  
Sec. IV,A,2      "2. Recorded Lots  
                    Lawfully laid out lots are governed and protected under the provisions of G.L., C. 40A, Section 5A.",  
  
or act on anything relative thereto.  
  
Submitted by the Planning Board.

Planning Board Report: (Mr. Eben B. Stevens) The Planning Board recommends approval of this Bylaw change for the following reasons: 1) it brings our Bylaw into conformity with the State enabling legislation; 2) it sets the minimum lot size for previously recorded lots at 5,000 square feet and 50 feet frontage; 3) it requires continuous lots under common ownership to be built on within five years or lose their exemption; 4) the effect on valuation is minimal since there are less than a hundred existing lots that do not meet the present standards and of these less than five do not meet the State minimums; and 5) this change does not affect any existing non-subdivision lots for three years nor subdivision lots for seven years.

Finance Committee Report: Recommend approval.

Town Counsel Report: It is the opinion of Town Counsel that if the Zoning Bylaw change set forth in Article 17 in the Warrant for the 1974 Annual Town Meeting is properly moved and seconded, a report is given by the Planning Board, as required by law, and the motion is adopted by a two-thirds vote in favor of the motion, the proposed change will become a valid amendment to the Sudbury Zoning Bylaw.

UNANIMOUSLY VOTED: THAT THE TOWN AMEND ARTICLE IX OF THE TOWN BYLAWS, THE ZONING BYLAW, SECTION IV, "INTENSITY REGULATIONS", PARAGRAPH A, "GENERAL REQUIREMENTS", BY STRIKING OUT SUBPARAGRAPH 2, "RECORDED LOTS", IN ITS ENTIRETY, AND BY ADDING A NEW SUBPARAGRAPH 2 TO READ AS FOLLOWS:

"2. RECORDED LOTS  
LAWFULLY LAID OUT LOTS ARE GOVERNED AND PROTECTED UNDER THE PROVISIONS OF GENERAL LAW, CHAPTER 40A, SECTION 5A.

ARTICLE 18: To see if the Town will vote to amend the Zoning Bylaw of the Town of Sudbury by creating a new district under Article IX, Section II, Create  
Open Space      "Establishment of Districts", Part A, "Types of Districts", by  
Districts      adding a new Section #9, "Open Space Districts, OSD-"; and further  
                    by amending Article IX, Section IV, B, by adding to the "Schedule  
Art. IX      of Intensity Regulations" after "Ind. Pk. Dist., 1PD-" a new schedule  
Sec. II,A      called "Open Space Districts" and to add under "Minimum Lot Dimen-  
Sec. IV,B,C      sions, Area Sq. Ft.", 600,000, all other restrictions on the schedule  
                    to be "None"; and further to amend Article IX, Section IV, C,  
                    "Modifications and Exceptions", subsection 1, "Building Coverage  
                    and Open Space", by adding a new item "d. Open Space Districts", to  
                    read as follows:

"d. Open Space Districts:

- (1) The Open Space Districts comprise certain lands shown on the Zoning Map for which the owner(s) have no development plans other than the intent to preserve such lands in their natural state of beauty for the enjoyment thereof.
- (2) No land included in the Open Space Districts shall be included in any of the other districts defined by this Bylaw.
- (3) No building or structure for human occupancy shall be allowed or erected in Open Space Districts.
- (4) Any action to change any other existing district to an Open Space District shall be initiated by the legal owner(s) of record of the land described at the time the change is proposed.

April 10, 1974

- (5) Structures designed to provide shelter and well-being for animals and plant life both wild and domesticated, shall be a permitted use in an Open Space District.",

or act on anything relative thereto.

Submitted by the Planning Board.

Mr. Paul H. McNally of the Planning Board *moved* that the Town amend the Zoning Bylaw of the Town of Sudbury by creating a new district under Article IX, Section II, "Establishment of Districts", Part A, "Types of Districts", by adding a new section, Number 9, "Open Space Districts", otherwise called OSD-; and further, by amending Article IX, Section IV, B, by adding to the "Schedule of Intensity Regulations", after "Industrial Park Districts, IPD-", a new schedule called "Open Space Districts", and to add under "Minimum Lot Dimensions, Area Sq. Ft.", 600,000, all other restrictions on the schedule to be "None"; and further to amend Article IX, Section IV, C, "Modifications and Exceptions", subsection 1, "Building Coverage and Open Space", by adding a new item "d. Open Space Districts", to read as printed in Article 18 in the Warrant for this meeting.

Planning Board Report: (Mr. McNally) This amendment to the Zoning Bylaw will parallel action already taken by the Legislature of the Commonwealth of Massachusetts under Chapter 1118 of the Acts of 1973 which provides for special assessment of horticultural land at a value based upon its agricultural uses.

Article 18 will provide a similar tool at the local Town level for those land owners in the Town of Sudbury who would, for whatever purposes, hope or desire to maintain the open space character and beauty of the Town. Landowners having parcels exceeding fifteen acres may voluntarily place their land into a zoning district called Open Space District. They may, they do not have to.

A two-thirds vote of the Town Meeting is required for a landowner to have his land included in the Open Space District, and likewise, a two-thirds vote is required to have land in the district removed for whatever new proposed zoning or use.

The Planning Board also proposes passage of a resolution asking the Board of Assessors of the Town to study the possibility of land valuation at a lower level than the present formula allows with the hope to encourage voluntary inclusion of greater than fifteen acre parcels into the zoning district. This Bylaw change hopefully will help to keep larger parcels of land off the real estate market and in some cases might even spare the Town the cost of purchase in the immediate future of those parcels now for sale due to high tax pressures and of interest to the Town at some future date.

Massachusetts General Laws allow for special assessment for parcels in excess of five acres used primarily for agriculture. This Bylaw requires a minimum of fifteen acres of any type of land, without the burden of having to work the land as in farming or horticultural uses. Sudbury will gain by preservation of its natural character and open space if these large lots are left undeveloped.

The Planning Board urges passage of this article and asks for favorable action on its resolution to the Board of Assessors.

Finance Committee Report: Recommend approval.

Town Counsel Report: It is the opinion of Town Counsel that if the Zoning Bylaw change set forth in Article 18 in the Warrant for the 1974 Annual Town Meeting is properly moved and seconded, a report is given by the Planning Board, as required by law, and the motion is adopted by a two-thirds vote in favor of the motion, the proposed change will become a valid amendment to the Sudbury Zoning Bylaw.

After discussion, Mr. Donald D. Bishop *moved* to amend paragraph (4) to change the words "to an Open Space District" to read "to or from an Open Space District".

In support of his amendment, Mr. Bishop stated that a person can ask and by a two-thirds vote of the Town have his land put in an Open Space District. This amendment would then mean that with the same mechanism a person's land can be removed from the Open Space District. If I want my land in an Open Space District, I have to initiate that myself. Having done that and the Town by a two-thirds vote were to approve it, it seems unreasonable to say that then anyone else can initiate action to take it back out again.

Mr. Bishop's motion was *voted*.

April 10, 1974

Mr. Robert K. Coe then moved reconsideration of the amendment. He stated that when we say any action to change any other existing district to or from an Open Space District, it doesn't make sense.

Mr. Coe's motion was defeated. In favor - 194; Opposed - 102. (Total - 296. Two-thirds vote required)

Mrs. Anne W. Donald then moved to amend paragraph (4) by striking out "other existing district" and substituting "land". Mrs. Donald's amendment was voted.

Mrs. Margaret E. Langmuir then moved Indefinite Postponement. She stated that it has just come to our attention that the creation of this district may, in fact, if land is put into this district, remove that land from existing flood plain zoning. Everybody agrees and has agreed in times past, that it is very necessary for those lands now in flood plain zoning to be protected from filling, excavating, dredging, etc. If land is allowed to be put into the open space zone, thus negating the flood plain zoning on that land, you can't build a house on it, but there would be no provision that precludes dredging, filling, or any other land changes. I therefore hope you will indefinitely postpone this article. I think there are enough other questions left open that should be ironed out before we pass this new type of zone.

After discussion, it was

VOTED: INDEFINITE POSTPONEMENT.

A motion to adjourn until Tuesday, April 16, 1974, at 8 o'clock was defeated.

ARTICLE 19: To see if the Town will vote to amend Article IX of the Town of Sudbury Zoning Bylaws by adding a new subsection (5) to Section IV, Wetland Minimum Lot Size "Intensity Regulations", to read as follows:

Art. IX  
Sec. IV  
"In the Residential Districts, a minimum of 30,000 contiguous square feet, which are determined by the Board of Health not be swampland, wetland, a body of water, or marshland, shall be used in determining minimum lot size as required herein, except that this paragraph shall not apply to any lot lawfully laid out by plan or deed duly recorded, as defined in G.L. c.41, s.81L, prior to the effective date of this paragraph, to any lot shown on a plan endorsed, prior to the effective date of this paragraph, with the words 'approval under the subdivision control law not required' or words of similar import, pursuant to G.L. c.41, s.81P, or to any lot shown on a definitive plan endorsed with the words 'approved under the subdivision control law' or words of similar import, pursuant to G.L.c.41, s.81U, which complied at the time of such recording or endorsement whichever is earlier, with all the minimum area requirements set forth in these Zoning Bylaws, except for this subparagraph 5, provided, however, that this subparagraph 5 shall apply to any subdivision under the subdivision control law, aforesaid, submitted to the Planning Board on or after the effective date of this subsection."

or act on anything relative thereto.

Submitted by the Planning Board.

Mr. McNally of the Planning Board moved that the Town amend Article IX of the Town of Sudbury Zoning Bylaw by adding a new subsection 5 to Section IV, "Intensity Regulations", to read as printed in Article 19 in the Warrant for this meeting, except that the words in the fourth and in the fifth lines of the proposed amendment that read "used in determining minimum lot size as required therein" shall be deleted and shall be replaced by "required in all lots".

Planning Board Report: (Mr. McNally) The intent of this article is to provide sufficient well-drained, good percolating land for septic leach bed use. A majority of the Planning Board recognizes that under its present rules and regulations and the Zoning Bylaws of the Town, it is still possible to find septic leach systems installed which function for a time, but are later found inadequate due to improper leaching and seepage. Too often when septic systems fail,

## PROCEEDINGS

## ADJOURNED ANNUAL TOWN MEETING

April 16, 1974

The Moderator called the meeting to order at 8:04 P.M. at the Lincoln-Sudbury Regional High School Auditorium. He declared that a quorum was present.

ARTICLE 20: To see if the Town will vote to amend Article IX of the Zoning Bylaws of the Town of Sudbury, Section III, C, 2, by adding a new subsection "i" to read as follows:

Animal Shelters, "i. Animal shelters, animal hospitals, boarding and training kennels and other activities related thereto which are operated by public or semi-public institutions of a philanthropic or charitable character, provided that a permit for such use be granted by the Board of Selectmen, subject to appropriate conditions and safeguards.",

Etc. or act on anything relative thereto.

Art. IX Submitted by the Planning Board.

Sec. III,C

Planning Board Report: (Mrs. Gillespie) The Special Town Meeting of November, 1971, approved the proposed permitted use in a business zone. In practice, many of Sudbury's business zones are narrow strips of land, some only a hundred to a hundred and fifty feet in depth. Due to the incompatibility of open air runs with close residential abutters to the business districts, a more appropriate location for such uses is in industrially zoned parcels where it is possible to locate animal shelters so that dogs and people are not in conflict.

The Board of Selectmen and the Planning Board urge your support of this article.

Finance Committee Report: Recommend approval.

Town Counsel Report: It is the opinion of Town Counsel that if the Zoning Bylaw change set forth in Article 20 in the Warrant for the 1974 Annual Town Meeting is properly moved and seconded, a report is given by the Planning Board, as required by law, and the motion is adopted by a two-thirds vote in favor of the motion, the proposed change will become a valid amendment to the Sudbury Zoning Bylaw.

*UNANIMOUSLY VOTED: THAT THE TOWN AMEND ARTICLE IX OF THE ZONING BYLAW FOR THE TOWN OF SUDBURY, SECTION III, C, 2, BY ADDING A NEW SUBSECTION "i" TO READ AS PRINTED IN ARTICLE 20 IN THE WARRANT FOR THIS MEETING.*

ARTICLE 21: To see if the Town will vote to amend the Zoning Bylaw, Article IX of the Town of Sudbury Bylaws, by adding a sentence at the end of the first paragraph in subsection A, of Part V, entitled, "Site Plan Approval", to read as follows:

Site Plans "A site plan shall also show all contiguous land owned by the applicant or owner of the property, whether or not such land is in the regulated zone.",

Art. IX or act on anything relative thereto.

Sec. V,A Submitted by the Planning Board.

Planning Board Report: (Mr. Edward W. Connors, Jr.) Site plan approval is required before any business or industrial building can be erected or externally enlarged on land zoned for such usage. No business or industrial use can be established or expanded in ground area except in conformity with a site plan which shows, among other things, all existing proposed buildings, all above ground and underground storage tanks, all signs, all parking spaces, all landscape features and changes to existing topography, as well as facilities for sewerage disposal and surface water drainage. Any person desiring approval of a site plan must submit said plan to the Board of Selectmen who shall thereafter transmit it to the Planning Board for a report and recommendation thereon.

A building permit cannot be issued until the Board of Selectmen shall have approved the site plan or have allowed 45 days to elapse from the date of submission of the plan.



April 16, 1974

Building Inspector Report: This article provides for enforcement of street numbers for buildings and certificates of occupancy. As of January 1, 1975, our local building code will no longer exist. This would put the requirement of posting a street number on all buildings before a certificate of occupancy can be issued in the Zoning Bylaws rather than lose the requirement when the new mandatory State-wide Building Code goes into effect. The posting of a street number is a necessity to the Fire and Police Departments.

Finance Committee Report: The contents of this article are currently contained in the Building Code but, because of State action, must be transferred to the Bylaws before January 1, 1975, if the Town wishes to retain these enforcement provisions. Recommend approval.

Town Counsel Report: It is the opinion of Town Counsel that if the Zoning Bylaw change set forth in Article 22 in the Warrant for the 1974 Annual Town Meeting is properly moved and seconded, a report is given by the Planning Board, as required by law, and the motion is adopted by a two-thirds vote in favor of the motion, the proposed change will become a valid amendment to the Sudbury Zoning Bylaw.

Planning Board Report: The Planning Board favors passage of this article.

*UNANIMOUSLY VOTED: (CONSENT CALENDAR) IN THE WORDS OF THE ARTICLE.*

ARTICLE 23: To see if the Town will vote to amend Article IX of the Sudbury Bylaws, entitled: "Zoning Bylaw", by amending Section V., entitled: "Special Regulations", by adding a new section M, to read as follows:

Add New  
Section  
to Pools

Art. IX  
Sec. V

"M. Pools, whether above or below ground, shall be so enclosed as to prevent children or animals from accidentally falling into them. As a minimum, any pool at ground level shall be enclosed by a five-foot high fence, which cannot be climbed through or under. Any above-ground pool shall be enclosed by a fence at least thirty inches in height above the edge of the pool and the top of any fence shall be at least five feet above the ground. Any fence shall have at any opening or doorway, a self-latching type gate or door which is not operable by preschool aged children. Any stairway to any pool or pool area shall be protected by a fence, the top of which is at least five feet above the ground."

or act on anything relative thereto.

Submitted by the Building Inspector.

Building Inspector Report: This article adds swimming pool fencing regulations to the Zoning Bylaw. Because, on January 1, 1975, a new State-wide mandatory Building Code will supersede our local building code and the pool fencing regulations voted by the Town would be void unless transferred to the Zoning Bylaws, this article is submitted to retain that protection.

Finance Committee Report: As with Article 22, the Town must transfer their pool regulations to the Bylaws to retain their effect. Recommend approval.

Town Counsel Report: It is the opinion of Town Counsel that if the Zoning Bylaw change set forth in Article 23 in the Warrant for the 1974 Annual Town Meeting is properly moved and seconded, a report is given by the Planning Board, as required by law, and the motion is adopted by a two-thirds vote in favor of the motion, the proposed change will become a valid amendment to the Sudbury Zoning Bylaw.

Planning Board Report: The Planning Board favors passage of this article.

*UNANIMOUSLY VOTED: (CONSENT CALENDAR) IN THE WORDS OF THE ARTICLE.*

April 16, 1974

matter, sufficient for identification, to be posted by the Town Clerk, to be mailed or delivered to the Board of Selectmen, the Planning Board, the Building Inspector and the applicant.

The Building Inspector, who is charged with the enforcement of the Zoning Bylaw, shall, at reasonable times and upon presentation of appropriate credentials, have the power to enter upon the premises on which any sign is erected or maintained in order to inspect said sign.

The set back requirements in this bylaw which apply to signs may be varied by the Sign Review Board by a waiver.

## 5. General Regulatory Provisions

### a. Signs

Signs in the residence districts shall not exceed 2 square feet in area.

Signs in all districts, other than the residence districts, shall meet the following requirements:

The total area of signs, other than signs attached to or part of the architectural design of a building, shall not exceed the more restrictive of the following: i) 1 square foot for each 7 lineal feet of principal street frontage occupied by the business or industrial use to which it pertains, or ii) forty square feet on any side. The height of any sign shall not be higher than the roof or ridge line of any associated structure, and in no case shall exceed 20 feet in height. Not more than one such sign shall be permitted for each separate and distinct enterprise on the premises. Signs attached to, or part of the architectural design of the building shall not exceed: in total area more than 10% of the two dimensional elevation of the building or structure of which they are a part, and in height, the top of the roof or ridge line.

The above limitations, in the districts other than the residence districts, may be varied by application to and approval of the Sign Review Board.

### b. Temporary Signs

Paper and other temporary type signs which describe a special situation or event are permitted provided:

- i) the temporary sign attached to the inside of a window may not cover more than 30% of the window area.
- ii) all temporary signs attached to the outside of a building may not exceed 5% of the two dimensional elevation of the buildings.
- iii) the above limitations may be varied by application to and approval of the Sign Review Board.

### c. Special Signs

- i) Real estate signs are permitted provided:
  - a) the size of sign shall not exceed 6 square feet in residence districts and 40 square feet in all other districts.
  - b) the sign advertises only the premises on which it is located.
  - c) the sign is removed promptly after the completion of the sale or rental.
  - d) the above limitations may be varied by application to and approval of the Sign Review Board.
- ii) Construction signs are permitted provided:
  - a) the size of sign shall not exceed 6 square feet in residence districts and 40 square feet in all other districts
  - b) the sign is to be maintained on premises during actual construction and must be removed within 2 days after issuance of certificate of occupancy.

April 16, 1974

Mr. Francis E. White, Chairman of the Sign Bylaw Revision Committee, moved that the Town amend the Zoning Bylaws, Article IX of the Sudbury Bylaws, by deleting Section J., entitled: "Exterior Signs", in Section V, and by replacing it with the provisions printed in Article 24 in the Warrant for this meeting, except that in Section 4., entitled: "Administration and Enforcement", a new paragraph shall be inserted before the first paragraph to read as follows:

"A building permit from the building inspector shall be required for the erection, construction or alteration of a sign. The application for a permit shall be submitted in such form as the Sign Review Board may prescribe, and shall include such information as may be required for a complete understanding of the proposed work. In reviewing applications which are not required to be referred to the Sign Review Board, the building inspector shall apply the same four standards itemized above in a manner consistent with the interpretations and discretions of the Sign Review Board."

and by adding in the third paragraph of Section 4. as printed in Article 24 in the Warrant for this meeting, after "building inspector", the words, "and zoning enforcement agent".

Report: In 1973, the Selectmen appointed a Sign Bylaw Revision Committee, to study the existing regulations concerning signs, set forth in the Zoning Bylaw, and to prepare a revised regulation governing signs. The Committee completed its work in December, 1973, and submitted the sign bylaw, set forth in the Warrant for the Annual Town Meeting as Article 24. A table is set forth below that compares the provisions of the new sign bylaw with the existing regulation. (Article IX, Section V,J)

<u>Paragraph and Title</u>	<u>New Provision</u>	<u>Existing Provisions</u>
1. Purposes	A new provision that sets forth the purposes of the regulation.	Not included in the present bylaw.
2. Authority & Interpretation	A new provision that sets forth the legal basis for the regulation and the nature of the regulation.	Not included in the present bylaw.
3. Definitions	The word "sign" has been redefined and definitions for "area of sign" and "temporary sign" have been added.	The word "sign" is defined, in an all inclusive definition.
4. Administration & Enforcement	The Building Inspector continues to be the enforcement official, however, a Sign Review Board, with the power to vary the requirements for signs, has been added.	The Building Inspector is the enforcement official.
5. General Regulatory Provisions	General regulatory provisions have been set forth in four parts. Each part is reviewed below:	
	a. Signs - adds a new provision for signs in residential districts. The remaining provisions are the same as paragraphs 2 and 3 in the old bylaw.	Paragraphs 2 and 3 in the existing bylaw govern exterior signs.
	b. Temporary Signs - adds new provisions concerning temporary signs.	Not included in the present bylaw.
	c. Special Signs - adds new provisions concerning special signs (real estate and construction signs).	Not included in the present bylaw.
	d. Parking Signs - adds new provisions concerning parking signs.	Not included in the present bylaw.

April 16, 1974

we will try it for a while. If they do not get this flood of applications that is expected, then they can be abolished, and the function can be delegated to the Board of Appeals.

In non-residential areas the Sign Review Board must review the area of signs, the height of signs, the number of signs, and the use of temporary and special signs. All self-illuminated signs must go before the Sign Review Board. If people want to change a non-conforming sign, again, they would have to go to that Board.

The proposal that is before you under this article is the work of all the people that I mentioned before. All of the interests were represented, and we worked it out as a reasonable compromise. The Committee recommends it to you.

Planning Board Report: (Mrs. Gillespie) The Planning Board unanimously supports this revision of Sudbury's Sign Bylaw and urges you to vote in favor of it. We are aware that it is not a perfect bylaw. There is no such thing in our opinion. We do feel that it offers major improvements over the one now in effect and is a much stronger bylaw giving the Town much more control than it had in the past.

The proposed bylaw is an honest compromise between viewpoints on the subcommittee. Every group represented on the subcommittee--Town boards, businessmen, P.R.I.D.E.--gave in on at least one cherished point in order to come up with a practical workable bylaw. The proposed bylaw will permit a businessman to put up a medium-sized sign properly set back from the road simply by getting a permit from the Building Inspector.

Only if he wants to do something not allowed in the bylaw will he have to go to the Sign Review Board for a special permit. This provision was a major compromise between those who felt no sign review committee was necessary and those who felt that such a committee should review all signs whether or not they conformed to the bylaw.

The Sign Review Board, as proposed, will be able to grant waivers based on general guidelines as set forth in Section 4.

Another area of compromise involved the overall size of signs to be allowed. Those who favored either small or no free standing signs compromised with those who felt no size limit should be imposed. The compromise was an increase, but a controlled one.

Other things in this bylaw we think are particularly important include the 30% limitation on the window area that can be covered by temporary signs, the elimination of the word "exterior" so that signs mounted inside a store window but viewed from the outside are subject to all the restrictions of the bylaw, specific prohibition against billboards in all districts, and all illuminated signs in residential districts, and, of course, the creation of an independent Sign Review Board which can act, not just make recommendations.

The Planning Board urges you to vote "Yes" on this article.

Finance Committee Report: This article creates a Sign Review Board which has the authority and flexibility to improve the appearance of signs in Town. Recommend approval.

Upon a motion made by Mr. Donald D. Bishop, it was

*VOTED: TO AMEND THE MAIN MOTION BY ADDING AT THE END OF THE SECOND FULL PARAGRAPH OF SECTION 4., THE WORDS "AND ABUTTORS".*

*UNANIMOUSLY VOTED: THAT THE TOWN AMEND THE ZONING BYLAWS, ARTICLE IX OF THE SUDBURY BYLAWS, BY DELETING SECTION J., ENTITLED: "EXTERIOR SIGNS", IN SECTION V., AND BY REPLACING IT WITH THE PROVISIONS PRINTED IN ARTICLE 24 IN THE WARRANT FOR THIS MEETING, EXCEPT THAT IN SECTION 4., ENTITLED: "ADMINISTRATION AND ENFORCEMENT", A NEW PARAGRAPH SHALL BE INSERTED BEFORE THE FIRST PARAGRAPH, TO READ AS FOLLOWS:*

*"A BUILDING PERMIT FROM THE BUILDING INSPECTOR SHALL BE REQUIRED FOR THE ERECTION, CONSTRUCTION OR ALTERATION OF A SIGN. THE APPLICATION FOR A PERMIT SHALL BE SUBMITTED IN SUCH FORM AS THE SIGN REVIEW BOARD MAY PRESCRIBE AND SHALL INCLUDE SUCH INFORMATION AS MAY BE REQUIRED FOR A*

April 16, 1974

However, when you do receive 60 to 65% of a vote, you must assume that your request is not completely out of line, so you try again with the hope that some previously encountered loose ends might be drawn together producing an acceptable zoning change.

An important change in this rezoning is the removal of all agreements pertaining to particular roadway bypasses and their construction as a condition of the zoning. With this in mind, and in order to give added strength to my "no road" commitment, I have redrawn the original boundary line of the zoning request 50 feet in a westerly direction away from its previous point of meeting at Raymond Road and the northerly point of land belonging to the Sudbury Water District. In addition, I will extend the deeded conservation easement to the Town of Sudbury to run parallel to all of the westerly side of Raymond Road to the northern boundary of the Water District property. This zone will keep the land involved in its natural state, restricting all structures, roadways, parking lots and so on. This buffer also formally recognizes the final easterly boundary of limited business zoning for this land.

The article before you will enlarge the presented Limited Business District #6 to include approximately 6 1/2 acres on the easterly side. The land involved has never been considered desirous residential property and has always supported business endeavors. Some were in existence prior to zoning regulations being accepted by the Town and others have operated under variances.

Mr. Vana then showed a series of colored slides and commented as follows:

Now located and doing business in this area is the golf driving range operating for over 50 years. Also operating within the area of requested zoning is a real estate office, previously a clothing outlet and before that a gift and antique shop. Also located within this zoning request is the Sudbury Police Station that was previously the American Legion Hall dating back to World War I. Realistically speaking, how long can this land be considered a residential zone while its only use has always been commercial in nature.

The Sudbury Police Station has been included in this area at the request of Town boards and is basically an office type business function. When the Police Department moves into proposed new quarters, its function would remain the same if retained by the Town, or if it were sold outright.

The area considered for this zoning totals about 6 1/2 acres. However, after we removed the two acre buffer zone, the one-half acre supporting the real estate office building and the one-half acre of the Sudbury Police Station, we are actually talking about 3 to 3 1/2 acres of buildable land, hardly enough to substantiate fears of a mammoth shopping center. Then add to this the bylaw restricting building to 60% of the area, and parking and leaching facilities. You really don't have the buildable area seemingly involved in the original 6 1/2 acre zoning.

Not only do we believe the zoning request is a logical one, but one that can do a great deal to benefit the Town. The potential tax relief is obvious. Potential development as the Town grows and consumer demands increase, could mean a substantial tax revenue at no cost to the Town. This would be one article not costing the taxpayer money on this year's Warrant.

Job opportunities would be increased significantly. These would be comprised mostly of part-time employment and become a welcome opportunity for many job-hunting teenagers and others who find difficulty in finding jobs in Town.

Renovation of the existing First National center would become possible and the first order of business as new capital needed to finance such an undertaking would become available. Up to date traffic engineering would be conducted as a crucial part of any development of the property involved. Route 20 traffic is always the favorite emotional objection of anybody campaigning against any business expansion in Sudbury. Route 20 has a very interesting history. It is, of course, one of the oldest commercial highways in the United States. It was the first and only roadway used to travel from Boston to New York and points west. Up to and including the early 1940's all commercial trucking, bussing, and commuter traffic came through Sudbury. Those of us who lived within a quarter mile of the Post Road will well remember shaking foundations as the long truck convoys roared through the Town into the morning hours.

These problems revolving around Route 20 were solved when new roadways were built to accommodate an ever-increasing population. First came the Worcester Turnpike in the 1940's, then the Mass Turnpike in the 1950's. Route 20 was

April 16, 1974

10% every tenth year of the lease." Present day inflation is closer to 10% each year. However, and this is the key to the future renovation and improvement of what is there now, the only way they can expand will be through my cooperation because I control all of the land necessary to do so, and also must be involved in any large mortgage assignments. It is here that my control will be exerted on behalf of my family and that of the Town in establishment of a concept that will be developed in the image of the Town. The present complex on its own will not generate the necessary financing for the renovation.

What is my concept for this area should this zoning pass? First, let me say that architectural renderings, site plans, engineering and other renderings mean tens of thousands of dollars. I am not in the position to expend this money at this time. However, I do have a concept of how development will be carried out. Any new development will be physically attractive architecturally, a town house concept, with each building having its own individual character rather than one long straggled line of concrete blocks. Existing landscaped areas and trees would be retained in this area. It would be kept between the new buildings and the Post Road. Parking facilities would be placed in the least conspicuous areas, preferably behind buildings so that the attractiveness from the Boston Post Road would be accentuated. One main entrance opposite Union Avenue with traffic lights would allow the shopper into the center out of the commuter traffic. Once inside the area, the shopper could walk or drive within the complex free of the commuter traffic and congestion of Route 20. The retail specialty shops would be those allowed in limited business areas as opposed to those allowed in business areas. There would be no gas stations, fast food service, drive-ins or large areas used for outdoor display.

At this point, you have heard in detail what I believe to be valid reasons for requesting this zoning change. I have mentioned the zoning and its effect on the land and the benefits to the Town as a logical step forward. Although of necessity I represent this land, I am truly representing the people, three generations of the Vana family, who are part of the land and in turn a part of Sudbury. On their behalf, and mine, I ask for your confidence and "Yes" vote on Article 25.

Planning Board Report: (Mr. Connors) Sudbury is a growing community which needs a broad tax base to prosper. The enlargement of Limited Business District #6 to include this parcel of land will allow development of business in an area of Town which can support business expansion. The area beginning at the intersection of Concord Road and Route 20 and ending at the Star Market and Raytheon is quite familiar to us all, whether we have lived in Town one year or a lifetime.

If we take an overview of the Town of Sudbury as it exists today, we can see we have residential areas tied together by a circulatory system whose center is this area. The residentially zoned areas of Town have a capacity to support another 3-4,000 housing units which translates into an ultimate population of 30,000 plus people.

The center of Sudbury's circulatory system will remain fixed as Sudbury grows. This area which is already highly developed with respect to any other area of Town will have pressure placed upon it to provide additional facilities for functions ranging from marketing to production, as well as public transportation to large urban centers. This area must, by its very nature, become a core of high density development surrounded by less densely developed residential areas. Attractive towns have one continuously developed center which is more densely built than the rest. Sudbury is no exception. The Sudbury Planning Board has long recognized this fact. Here are some quotes from the 1954 Annual Report of the Planning Board. That is 20 years ago.

"The Board has taken a searching sidewise look at the Town. This has given us information from which we can report on the condition of the Town. Our resources taxwise are limited. Our resources are hard to evaluate. We have an intersection of a north and south and east and west railway. We have a high tax rate. What other resources will become available? Probably some additional stores and businesses. We suggest immediately zoning additional areas for business, not only for financial reasons but for convenience. The borders of State Road must be considered largely as a business district."

That was 20 years ago, but yet today the same things can be said. The mistake made 20 years ago was to consider the borders of the State Road as a business district. This has led to strip zoning along Route 20 and in other areas of Town.

April 16, 1974

ARTICLE 26: To see if the Town will vote to amend the "Official Map of the Town of Sudbury", by George D. White, Town Engineer, dated January 1970, by the addition of the following designation:

Add Transportation  
Corridors  
to  
Official  
Map

"All railroad rights-of-way presently existing in the Town of Sudbury, now or formerly of the Boston & Maine and Penn Central (formerly New Haven, New York, and Hartford), and their assigns, are hereby designated as transportation corridors and these corridors are to be shown on an addendum to the Official Map, a copy of which is on file in the Town Clerk's office, which addendum to the Official Map is incorporated herein by reference, to be kept on file in the Town Clerk's office.",

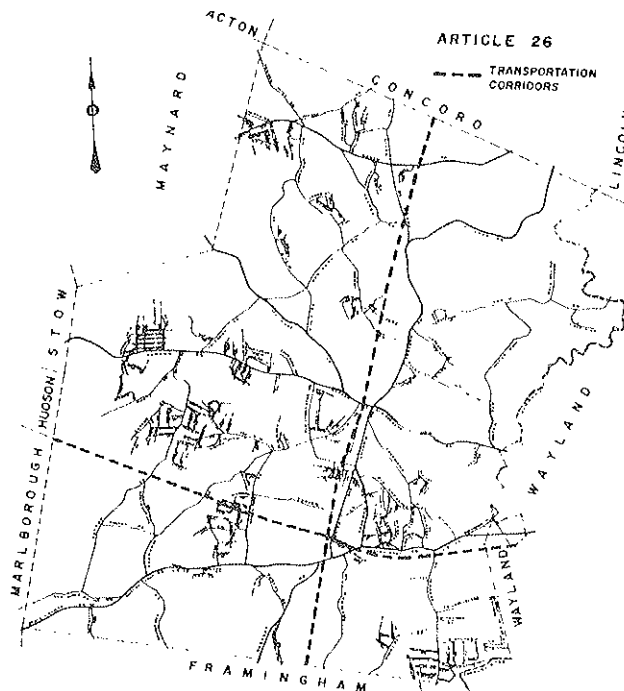
or act on anything relative thereto.

Submitted by the Planning Board.

Planning Board Report: One of the purposes of the Official Map is the designation of important land uses. The present railroad rights-of-way are important assets to Sudbury and to the whole region both now and in the future and these rights-of-way should not be allowed to disappear. This is especially true in the light of the current energy crisis and the obvious need for better future mass transportation.

Finance Committee Report: Recommend approval.

*UNANIMOUSLY VOTED: (CONSENT CALENDAR) IN THE WORDS OF THE ARTICLE.*



ARTICLE 27: To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$12,000, or any other sum, to be expended under the direction of the Planning Board, for a hydrological and geological study of the Town of Sudbury, or act on anything relative thereto.

Hydrological  
and  
Geological  
Study

Submitted by the Planning Board.

Planning Board Report: (Mr. Stevens) Since the Town of Sudbury is nearly half developed, the Planning Board feels that it is extremely important to determine the ability of the land, both developed and undeveloped, to handle both the waste products and the byproducts of the present and future residents. Zoning is founded on the premise that health, welfare and safety of the residents must be protected and the densities which any zoning bylaw permits are based on the

April 16, 1974

We feel that we have done the work necessary to provide the tools such a person would need to come up with a land use plan in one year. The need for a review and evaluation of the direction and goals of the Town of Sudbury has been apparent for some time. This review must be more comprehensive than similar fragmented, sometimes insular studies done before. Specific policies and plans of each elected and appointed board or committee must be opened for review and evaluation. Accomplishment of this task requires development of a planning process which provides the joint attack that so many problems require, if success in their solution and adaptation into practice is to be obtained. Proposals and recommendations derived from such a planning process will result in a comprehensive land use plan.

Each of us, at some time, has studied the situation in which we found ourselves, studied it by collecting as much information and facts as we could in order to determine what steps should be taken to bring the matter under consideration into a successful conclusion. It is essentially a process of study, selection of objectives and taking action to reach those objectives. It is a process involving the collection of information of value, the analysis of that information to determine possible courses of action, and the carrying out of those courses by all means available.

The task facing the Planning Board and the Town is a need to develop a comprehensive land use plan. By a comprehensive land use plan, we mean a plan that sets down the description of what Sudbury wants to be like in 1990 and establishes a means of implementation to guide the various Town boards and committees and the Town Meeting. The plan must necessarily recognize the regional and State influences and forces and thus must have the necessary flexibility to adjust when and if these place new requirements on Sudbury. Most importantly, the plan must address itself to the overall land uses and densities and thus the ultimate character of Sudbury.

In order to establish this plan, the following steps have already been taken by your Planning Board. First, a statistical base going back to 1945 showing where Sudbury has come from, its pattern of growth, and what Sudbury is today. The Planning Board has collected this data during the years 1972-73 and has the data in tabulated form. However, only tentative analysis has been made.

Second, a review and cataloguing of all the remaining open land and a determination of what Sudbury can develop into based on the current zoning bylaws and regional trends has been done. The Planning Board has formulated a questionnaire which has been distributed to all residents for the purpose of determining who we are, why we came here and what we want Sudbury to be. This will help in setting a framework of what Sudbury of 1990 should be like.

Finally, with the determination of what Sudbury wants to be in 1990, a plan to guide Sudbury from now to then has to be developed. This plan obviously has to address itself to population characteristics, school requirements, municipal services and the other land intensive uses that will be required by the population in 1990. A priority list method of implementation, time schedule, and estimated financial impact would and could all be established. Additionally, regional, State, and Federal factors and their impacts on Sudbury would have to be considered and hopefully the plan would have the flexibility to bend where necessary. \$20,000 would establish a lot in this regard.

The Planning Board urges your support.

Mr. Paul H. McNally of the Planning Board then moved Indefinite Postponement of this article.

In support of his motion, Mr. McNally stated, "I heard about this article and the motion that you have before you by telephone this afternoon. I am rather disturbed. I have been reading my Warrant for many days now trying to decide what I would do when this article came before the Town Meeting, whether or not I would support it. The Planning Board has already voted at one of its meetings to support this article for the \$45,000 in the article as printed in your Warrant.

"I submit that at the present time, we have insufficient warning of the real intent of this article, namely the spending of \$20,000 for one person, a consultant. I would question what is the scope of services he is going to be giving us. We have a copy of Thomas Associates' scope of services, which cost this Town \$1,500 of Planning Board money, to bring before the Planning Board a scope of what would be required to give the Town a good land use plan and transportation study.



April 16, 1974

year you spend some money for a consultant. It is a broader question. It is whether or not, as a Town, we are going to accept the responsibility of looking right in the face of some very unpleasant facts that may be headed our way. We must try to figure out, right now, what those facts are, what the situation is, and what we ought to do about it. We urge your support.

After discussion, it was

*VOTED: INDEFINITE POSTPONEMENT.*

*VOTED: TO ADJOURN TO TOMORROW NIGHT, APRIL 17th, 1974, AT 8 P.M.  
IN THIS HALL.*

The Moderator announced that the motion passed by more than the required two-thirds. The meeting adjourned at 10:59 P.M.

April 17, 1974

Furthermore, if this transit system charges a fare of 25¢ a rider, we find that the system could break even and not cost the Town any money if the total ridership was 3,600 rides a week. Of the people who responded, we have enough to make the system break even. If we extrapolate to the whole Town, I think it shows a highly successful system.

Our primary purpose in providing bus transportation in Sudbury is to serve the kids, the teenagers, the pre-teens, who have a great many places to go and no means of getting there other than a bicycle alongside a very narrow road or mother-power. The kids go to friends' houses, they go to sporting events or skating, bowling, tennis, to the library, to music lessons, to religious instruction, dance instruction. They go all over the Town and they do it largely on mother-power, that is, automobiles with the mother. Every trip by a teenager is two round trips by a parent.

Those of you who are long time residents know that there once was a bus in Sudbury running down Hudson Road. It was a very convenient system I am told. It was a very friendly system such that parents could put even their very small children aboard the bus knowing that they were in the hands of a reliable and responsible driver. I think that this is the kind of a system that we can establish here in Sudbury, one that the kids would have no problem at all in using.

There are other users. There are the wives whose husbands take the car to work. Potentially there might be some people who will be able to get along on only one car if there is a local bus transportation system. There are the elderly. The housing for the elderly will concentrate those people, and they will need a method of getting to their shopping. Also there are the gas conscious people.

There is currently a bus that runs down Route 20 and goes into Boston. Our local Sudbury bus system could serve as a method of bringing those people to the Boston bound bus and avoid the so-called "kiss ride" situation in which the wife has got to drive the commuting husband down to the bus stop.

Finally, there are the shoppers. I realize that you cannot carry large packages on a bus, but for incidental shopping it can be used. There are special situations in which cars are out of service and you could use the bus. This is what this bus system is all about: mainly the kids plus all other purposes.

What kind of a system might we be able to provide? We are asking in this article for \$25,000. We think that a two bus system could cost approximately \$45,000 and could bring in \$20,000 in fares.

We have made a guess as to how the routes might look, but we have not yet analyzed the origin-destination material on the Planning Board Survey. The Committee that would be appointed by the Selectmen would have to finalize routes on the basis of those returns. But the plan we have made up shows two routes. The first one is about one hour in duration having perhaps 28 stops. The second one, about 40 minutes in duration, has 16 stops. The average trip on the first route would be about half an hour. The average trip on the second one, about 20 minutes. It is possible to design routes even in a sparse town that go very close to most of the homes in Sudbury so it is possible to walk out and get the bus. It also passes all of your churches, your shopping facilities, your ball-fields, any place that any number of people in Sudbury would want to go.

Our citizens group also examined ways in which Sudbury could provide service. The Town is authorized under Chapter 704 of the Acts of 1972 to engage in transportation, to contract for service, for example, so there is no legal difficulty. One possibility is the Town buys busses and operates them. Our group felt that that would be quite risky during the first year because we do envision this as an experimental system. Another possibility is the Town leases busses and hires drivers with maintenance provided by the people who provide the leasing. The third, and I think this is the best bet because we are new at this business, is to contract for the service at least during the first year of operation and then to expand to something more Town-owned later on.

How much is this going to cost you? We hope that the system will break even, but perhaps it will not. If it does not, then \$25,000 will be the cost. That represents 16¢ on the tax rate. If your assessed valuation is \$40,000, that will cost you \$6.40 a year which is the sum that we are asking you to vote tonight. If you translate that in terms of today's gas prices, you see that \$6.40 represents just eleven gallons of gasoline. Think of it in those terms. It is not very much, and you can save that amount of gasoline by taking the bus every once in a while.

April 17, 1974

is not very much in favor of becoming a miniature MBTA board of directors. We think that has some human problems in it, and we plaintively ask you to consider that situation.

We are concerned that we have not seen what happens in terms of liability. What impact would this system, once in operation, have in terms of liability insurance costs to the Town? If you have a carrier that is on contract, you are going to have a municipal liability. We would like an opportunity to get an answer on that from the Insurance Advisory Committee, but it is a matter which could be a major concern.

Once you start this system and have a delivery capability, then you begin to have built-in service. A built-in service, sooner or later, is going to involve drivers and a dispatcher, and again, here come the personnel that go into a service of this sort. The one key experience factor with the MBTA and every other carrier is that labor relations between the drivers, the operators and the administrative people is the toughest part of labor relations in any organization going. This is primarily the reason given by the MBTA board repeatedly as to why they cannot bring the cost down. When you start this, you are beginning to walk in that direction and had better think very carefully about it before you do.

The Committee has done a lot of work. They have made a good beginning, but we do not think they are ready at this point to get into the business of answering in some detail some of the operational questions. We would also point out that we would be operating presumably under Chapter 1017 of the Acts of 1973. We would have to have, in any event, a route that would be approved by the State Department of Public Utilities. There are a number of subsidiary questions we are just completely unclear on. We think it is premature and there is more study that needs to be done. At the moment, we ask that you defeat it and would hope that the Committee would try to continue and put together the rest of these features.

Board of Selectmen Minority Report: (Mr. Taft) I guess this is one of those issues that you can view the glass of water as being half empty or half full. If you want the thing to succeed, it looks half full. If you don't want it to, it looks half empty. I think when a good number of people filled out their questionnaires for the Planning Board this past year, they thought things were half empty because they couldn't buy gas. They knew that mass transportation was something that was a good thing. I suspect a good many of them decided that we could really use a bus, partly on emotion and partly maybe because they had just driven Johnny or Susie to the movies or the ball game or something else. So a very large number of them said they wanted to give it a try. They knew it wasn't going to be for free.

If tonight we decide the glass of water is half full, maybe it could succeed. It won't cost the full \$25,000. There will be some income. It will be an expense to the Town though.

The schedules of the various affairs in Town might have to be adjusted to work with a bus schedule. You obviously cannot haul every child in Town that is a participant in Little League to the same series of parks at the same time every day. I don't think that we can plan the whole program here at this meeting.

I think that the Committee has done sufficient work to indicate how it could be done. I think if we recognize that we have not seen the end of the energy crisis in this country, that we haven't seen the end of needing something in the mass transportation line, we ought to give this a try. I think the glass is half full. Let's take a crack at filling it up the rest of the way.

Planning Board Majority Report: (Mr. Stevens) The Planning Board supports this article. We recognize that when the survey was placed, the energy crisis was on us at its height and everybody had that on their minds. We are also convinced that the energy problem is not over, and we feel that the only way this Town can come to grips with whether or not it wants to have a service, or likes it, or it is feasible, is to try it. We feel that this is a modest attempt at an experiment.

Obviously the key to that attempt is how you respond to it. Do you use it? Do you ignore it? Do you help it or do you hinder it? And, in that vein, it is your choice. We think it is worth a try to see how you respond and see how it works within the confines of the community.

Now as far as the Selectmen go with telephone calls, they can always delegate that back to the Committee. Very clearly, it is a very easy thing. They have the authority to do it.

April 17, 1974

current funding in the area of subsidized housing is based upon prior commitments made from the Massachusetts Home Finance Agency. There are no Federal funds available for the purchase and renovation of existing housing.

The Advisory Committee also learned that there is some Federal subsidy funding available for the construction of condominiums and cooperative housing. However, it was decided that this was not apropos to the charge of developing a strategy for using existing housing.

The picture which began to come into focus showed that funds available at present to provide subsidized housing is coming from the State Rental Assistance Program defined in Chapter 707 of the General Laws and the State Subsidy Program available under Chapter 705 which provides funds to acquire and renovate existing housing for occupancy by families meeting eligibility standards contained in the Department of Community Affairs directive dated August 9, 1973.

Money allocated by the State legislature to fund these programs is administered by the Massachusetts Department of Community Affairs and made available to local communities upon application from the local housing authority.

Mr. Abrams: Under Chapter 774, the so-called "anti-snob zoning law", the Town had a requirement based on 1970 census figures that it have 339 units of subsidized housing. It is prudent for the Town to act on that requirement of its own will and volition and that is the kind of a program we are talking about here tonight. It is a program that affords this Town another opportunity to act on its own volition to satisfy some of these requirements.

There have been recent cases out of the Supreme Judicial Court, particularly in Hanover and in Concord, upholding Chapter 774 and its constitutionality.

The Sudbury Housing Authority is already moving in the area of constructing housing for the elderly in this Town, and those units are going to satisfy part of this requirement of the 339 units of housing in the Town. The program that we are giving you tonight will give us another chance to add to that action by the Housing Authority and combined together this will equal approximately one-third of the Town's requirement under the statute.

I have had a tendency to be skeptical of State programs and how they operate and the validity of what the State sometimes says to us. Consequently, this Committee in dealing with the Department of Community Affairs, which is the agency that administers the Chapter 705 program, we have gotten all of their promises and all of their representations about the 705 program reduced to writing and signed by officials of the DCA. That is important because, when questions are brought forward as we present the plan, you will know that the information we are giving you is information that we can rely on. It is not something that is going to be changed tomorrow.

One other factor that I would like to point out is that several times already during this Town Meeting we have heard people criticize articles as the result of the failure of the proponents to have a detailed specific program and be able to answer the questions that the Town Meeting has. We believe that we have that detailed program, and we believe that we are ready to answer the questions. The combined effort of the several people in Town who have been working on this Committee for the past year to present this program, has produced a product that is worthy of your attention, and I urge your support of this article.

Mr. Williams: My concern with the content of this article began in 1972 when I gave a very short discourse at the Town Meeting concerning some of the traditional methods by which low income housing is provided. At that time I evidenced some concern with the fact that the tendency has been in cities and in larger suburbs to build traditional style brick boxes which was like putting a neon sign right on the front of those edifices saying, "The Poor Live Here". I decried that then as much as I do now.

However, having spoken out, I paid the price, for it was shortly thereafter that I was appointed to this Committee by the Planning Board and the search for a program began to see whether or not, in fact, there were existing resources in this Town which could be used to meet the need which may or may not exist in this Town.

We met with several groups in those early months, and many of them had very hard questions. Very many people believe that there is not a need in Sudbury for this kind of program, that there are not low income people here who need assistance with housing or people of moderate income who might need assistance with housing, so there were some hard questions to answer right at the beginning.

April 17, 1974

authority is eligible for an annual appropriation to cover deficiencies in their budgets, those deficiencies being debt service, taxes, extraordinary maintenance costs or operating costs. One of the big features of this program is that while Federal funding has become less and less available to meet the needs of our citizens, and while Federal programs are not very creative in responding to those needs at this particular point in time, funding for this program is available now.

We have certain authorization with the DCA to be effective by July 1. There will be approximately \$20,000,000 of uncommitted funds in the 705 account, that is, the DCA will have authorization to borrow that amount which is not committed elsewhere.

Mr. Connors: The Planning Board unanimously supports Article 30 and urges you to vote "Yes".

Finance Committee Report: Based upon the 1970 census data Chapter 774 guidelines specify 339 units of subsidized low and moderate income housing in Sudbury. The Sudbury Housing Authority is already planning to build at least fifty units of housing for the elderly. Passage of this article would permit the Authority to acquire with State funds up to fifty scattered units to provide low and moderate income housing. After purchase by the Housing Authority the Town would receive in lieu of taxes an annual payment equal to the tax revenue produced by the property prior to that purchase.

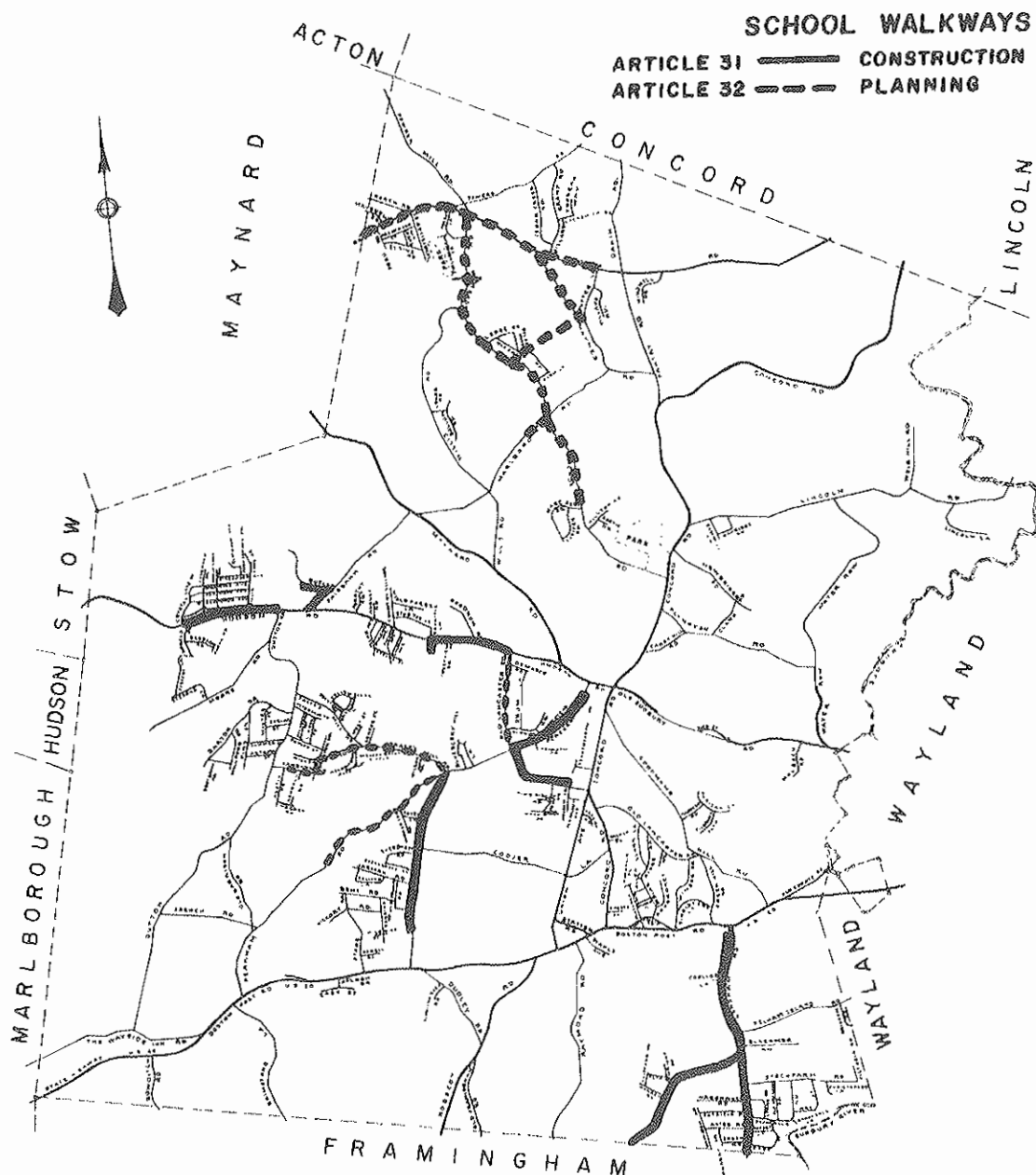
Housing Authority Report: (Mr. Douglas A. Miranda) The Sudbury Housing Authority was created to provide housing for elderly persons of low income and has endeavored to work within that limitation. Information given to the Sudbury Housing Authority by the study committee indicates that this is an effective program which can help some people remain in Sudbury. The Sudbury Housing Authority will administer this program if the Town so votes.

After discussion, it was

*VOTED: THAT THE TOWN EXTEND THE MANDATE OF THE SUDBURY HOUSING AUTHORITY BY AUTHORIZING THE SUDBURY HOUSING AUTHORITY TO ACQUIRE NOT MORE THAN FIFTY (50) UNITS FROM EXISTING HOUSING STOCK IN THE TOWN OF SUDBURY FOR RENTAL TO FAMILIES OF MODERATE AND LOW INCOME; SUCH HOUSING TO BE PURCHASED BY THE SUDBURY HOUSING AUTHORITY AS IT BECOMES AVAILABLE IN THE PRIVATE MARKET, WITH FUNDING FOR SUCH ACQUISITION TO BE PROVIDED, AT NO COST TO THE TOWN OF SUDBURY OR THE SUDBURY HOUSING AUTHORITY, BY PARTICIPATION IN THE STATE SPONSORED SUBSIDY PROGRAM AVAILABLE UNDER CHAPTER 705 OF THE ACTS OF 1966, AS AMENDED, AND ADMINISTERED BY THE DEPARTMENT OF COMMUNITY AFFAIRS.*

- ARTICLE 31: To see if the Town will vote to appropriate \$122,000, or any other sum, to be expended under the direction of the Board of Selectmen and/or the Highway Commissioners, for the final engineering and construction of the sidewalks, walkways and bikeways of brick, stone or concrete, as follows:
- School  
Walkways -  
Final  
Engineering/  
Construction
- A. In the Loring School District, within one and one-half miles of the school in rights of way or easements already acquired, or to be acquired, in the following locations:
    - LA. Along Woodside Road, from the Loring School to the existing walkway on Rambling Road at the Framingham Town Line on the southwest, a distance of 2,900 feet, more or less;
    - LB. Along Woodside Road, from the Loring School to the proposed walkway on Landham Road on the northeast, a distance of 2,000 feet, more or less;
    - LC. Along Landham Road, from the intersection of Woodside Road, to the Framingham Town Line on the south, a distance of 3,100 feet, more or less;
    - LD. Along Landham Road, from the intersection of Woodside Road, to house numbered 277 on the north, a distance of 3,800 feet, more or less;
  - B. In the Horse Pond School District, within one and one-half miles of the school in rights of way or easements already acquired, or to be acquired, in the following locations:

April 17, 1974



The third thing to remember, and there is an excellent reason, is that these walkways do not connect up with main roads. If a walkway connects up a residential area to a public facility like a medical center or a church or a shopping center, even though that same walkway serves a school, it would be considered by the School Aid people as a general walkway, and we would not get the one-third of the cost back. Therefore, there are little gaps at the ends of the school walkways. We have been told by school officials that this reimbursement covers not only the engineering and construction but also some of the maintenance, so it looks like too good a deal to lose.

We voted most of the cost of the Landham and Woodside walkways, Sections 1A. through 1D., last year. This revote will make them eligible for reimbursement. The form of the motion was not correct last year, so we held off until this building season. Added to last year's figure is an amount, slightly over \$14,000, to cover the rising cost of asphalt. Asphalt, unfortunately, is an oil-based product. Also covered in this \$14,000 is the cost of police for traffic directions, an item that we did not figure on last year but found, in the process of building Concord Road,

April 17, 1974

Mr. Julius A. R. Rarus, representing the Sudbury Taxpayers' Association, moved Indefinite Postponement.

In support of his motion, Mr. Rarus stated: "As late as 8:10 tonight, I was prepared to offer an amendment deleting certain sections of this article. When I talked with the Planning Board, I attempted to receive an answer to the following question: How much more money will we need to finish the Loring School Project? I was told that we would need \$82,795. Of course, that does not jibe with the figures we have seen here. Rather than go through the torture that we had several weeks ago over the amendment to the Highway Department budget, we are going to try to get this indefinitely postponed this year."

It might behoove us to ask the Planning Board to come back next year with a review of the entire walkway program, because this program was approved by the Town in 1962. Since that time, the Town has grown tremendously, and it might very well be in order for the entire walkway program to be submitted to the voters once again.

Section A in Article 31 is not a simple re-vote. It is my impression that the plan was drawn erroneously which made it ineligible for State Aid and that is why they are coming back once again to correct an error that was made originally.

The Sudbury Taxpayers' Association thinks it is time for all of us to take a financial deep breath because we are talking about almost \$300,000 in this article and in the next three articles. Just this evening, the South Middlesex News carried a story regarding the State Tax Commission and their attempt, which will probably be successful, to upgrade our equalized valuation to about 216 million dollars. The story goes on to say that we are looking at anywhere from a \$2-3 tax rate increase on our 1975 tax bill. I don't think we are going to win the pending appeal in the face of the State Tax Commission, and perhaps we should just sit a little tighter on our dollar outlay.

I urge you to consider supporting the motion to indefinitely postpone this particular article.

Sudbury School Committee Report: (Mrs. Phyllis Prager) Right now, every school bus costs this Town \$8,100. This is a continuing cost as long as we have school children.

In Article 31, the Woodside Road, 1A, 1B, 1C, 1D, we would be without one and possibly two busses when this walkway is completed. We would need one or two crossing guards. These are supplied by the Police Department, and each crossing guard costs about \$2,000. Each school bus is \$8,000. It would be \$16,000 minus \$4,000.

In the Horse Pond School District, 1A, 1B, 1C, 1D, we cannot predict a diminishing of school bus costs. However, at the present moment, we do a double run. We have an elementary school run that goes to the Horse Pond Road School at approximately 8:30 and previous to that we have a Noyes-Curtis run. If we have a completion of the Peakham-Old Lancaster Road and the Horse Pond Road walkways, we will be able to come up with another plan possibly that will eliminate Noyes-Curtis run. The problem now is even children who live within walking distance to Curtis Junior High School could get on a bus because the bus has to stop within walking distance for the children who attend Noyes School. They cannot walk from Peakham Road and Blueberry Hill Lane to Noyes, but they could walk to Curtis.

The Fairbank Road walkway, 1A, is a Butler Road walkway. Right now, we have a legal opinion from the Safety Officer of the Police Force and the parents have militated very strongly for a walkway there. If we do not put in the walkway, we will have to add a bus that is not in our present contract. Our contract will go up \$8,000.

Concerning the rest of the walkway along Hudson Road, at this point in time, we cannot say we will definitely save a bus because right now we are talking about three-quarters of a mile, or a mile on school walkways. If it is a mile, we will save a bus. If it is three-quarters, we will not. The information we have gotten from our school survey is that many, many people in Town want their children to walk. If we have the walkways, they can do it. If you do not have them, then we have no choice.

Long Range Capital Expenditures Committee Report: (Mr. William T. Rynne) The Long Range Capital Expenditures Committee, in studying the capital expenditures to be made by the Town in the next few years, rates the walkway system and the completion of the walkway system very high in the list of priorities for the Town. We support the Planning Board in this article.

## PROCEEDINGS

## ADJOURNED ANNUAL TOWN MEETING

April 29, 1974

The Moderator called the meeting to order at 8:16 P.M. at the Lincoln-Sudbury Regional High School Auditorium. He declared that a quorum was present.

In accordance with the vote taken on April 17, 1974, the Moderator announced that Article 44 was before the hall.

ARTICLE 44: To see if the Town will vote to reaffirm the approval granted under Article 46 of the Warrant for the 1973 Annual Town Meeting in respect of the issuance by Lincoln-Sudbury Regional School District of bonds not exceeding \$175,000 (authorized by said School District Committee on March 20, 1973) for the purpose of financing improvement to the athletic fields at the High School to correct drainage problems, notwithstanding that contrary to earlier expectations, such improvements will not qualify for State Aid, or act on anything relative thereto.

Submitted by the Lincoln-Sudbury Regional District School Committee.

Lincoln-Sudbury Regional School Committee Report: (Mr. John R. Flather, Jr.)  
We seek to reaffirm the approval granted at last year's Town Meeting to issue bonds to improve the athletic field drainage. The reason we are back this year is because most of the drainage work has been found to be non-qualifying for State reimbursement of 65% of the costs. Tonight, Robert Bierig, Chairman of the Regional Building Committee, and I are going to review three elements of the playing field drainage situation with you: one, an updating of the drainage problem; two, a review of the funding history, an explanation of why this article is in the Warrant for reaffirmation; three, a documentation with final plan and firm bid of what we propose to do about the drainage.

The playing fields are wet into the spring. After a heavy rainfall, at least two to three days are required for the water to be absorbed. In 1972, a particularly bad year, the varsity soccer team did not play one game on the varsity soccer field because it was under water. Large parts of our athletic and physical education activities are geared for use of outdoor facilities. In fact, over 40% of our spring and fall classes are dependent on playable field conditions. Therefore, outdoor physical education activities must be curtailed and games have to be scheduled elsewhere. This year, the first two weeks of baseball games have been played elsewhere. Lacross practice has been cancelled six times to date. The net effect is that the poor field conditions adversely affect student morale and the effectiveness of physical education and our athletic programs.

Let us now turn to the funding history. Last year, the Regional School Committee voted to authorize indebtedness of \$175,000, and the Annual Town Meeting approved such bonding with the expectation of 65% reimbursement from the State. Contrary to our expectations, it was subsequently determined by State authorities that most of the project did not qualify for such reimbursement.

The School Committee decided two things. First, to authorize \$23,000 for drainage work that did qualify for State reimbursement. This work was in and around the sewage treatment plant and the bleachers and was best and most efficiently done at the time that those two improvements were being accomplished, not after the fact.

Second, the School Committee also decided to return to the Town Meeting for reaffirmation of approval of prior action which is what I am presenting to you tonight. While we have the legal authority, as you know, to proceed, the ground rules have changed, and we recognize that.

This year, we have obtained firm bids. These were opened on April 4th. We intend to accept the lowest bidder whose bid has been found acceptable in all respects. The Regional School Committee has agreed to bond the total project cost of \$148,000, not the original \$175,000 that was authorized last year. \$148,000 will be bonded over ten years at 5.5% interest. Sudbury's share, 80%, is \$118,400. The cost on the 1974-75 tax rate is zero because this year's budget has been already voted and funded. The cost on the 1975-76 tax rate will be eleven cents approximately.

Plans call for work to begin almost immediately pending your approval, with completion 150 days later. This article has the support of the Long Range Capital Expenditures Committee, Park and Recreation Committee, the Finance Committee and the Board of Selectmen. Those four groups also supported the article one year ago.



April 29, 1974

After discussion, it was

*VOTED: THAT THE TOWN REAFFIRM THE APPROVAL GRANTED UNDER ARTICLE 46 OF THE WARRANT FOR THE 1973 ANNUAL TOWN MEETING IN RESPECT TO THE ISSUANCE BY THE LINCOLN-SUDBURY REGIONAL SCHOOL DISTRICT OF BONDS NOT TO EXCEED \$175,000.00, AUTHORIZED BY SAID SCHOOL DISTRICT COMMITTEE ON MARCH 20, 1973, FOR THE PURPOSE OF FINANCING IMPROVEMENTS TO THE ATHLETIC FIELDS AT THE HIGH SCHOOL TO CORRECT DRAINAGE PROBLEMS NOTWITHSTANDING THAT, CONTRARY TO EARLIER EXPECTATIONS, SUCH IMPROVEMENTS WILL NOT QUALIFY FOR STATE AID.*

*In favor - 158; Opposed 95. (Total - 253)*

- ARTICLE 32: To see if the Town will vote to appropriate \$51,000, or any other sum, to be expended under the direction of the Board of Selectmen and/or the Planning Board, for planning and preliminary engineering for the following sidewalks, walkways and bikeways of brick, stone, or concrete, as follows:
- School  
Walkways -  
Planning/  
Prelim.  
Engineering
- A. In the Haynes School District, within one and one-half miles of the school in rights of way or easements already acquired, or to be acquired, in the following locations:
    - HA. Along Haynes Road, from the Haynes School to the intersection of North Road (Route 117) on the northwest, a distance of 2,000 feet, more or less;
    - HB. Along North Road, from the intersection of Haynes Road to the intersection of Puffer Lane on the east, a distance of 2,000 feet, more or less;
    - HC. Along North Road, from the intersection of Haynes Road to the intersection of Great Road and Longfellow Street on the west, a distance of 4,200 feet, more or less;
    - HD. Along Great Road, from the intersection of North Road and Longfellow Street on the east, to the Maynard Town Line on the west, a distance of 1,600 feet, more or less;
    - HE. Along Haynes Road, from the Haynes School, to the intersection of Puffer Lane and Dunster Road on the southeast, a distance of 1,100 feet, more or less;
    - HF. Along a proposed easement, from the vicinity of the Haynes Road, Hadley Road, Dunster Road and Puffer Lane area, to the vicinity of the Mossman Road, Silver Hill Road, Farm Lane, Old Coach Road, Ledge Road and Sylvan Way area on the southwest, a distance of 3,000 feet, more or less;
    - HG. Along Mossman Road, from the intersection of Ledge Road near Silver Hill Road, to the intersection of North Road on the north, a distance of 4,200 feet, more or less;
    - HH. Along Mossman Road, from the intersection of Ledge Road near Silver Hill Road, to the intersection of Marlboro Road near Morse Road on the southeast, a distance of 3,500 feet, more or less;
    - HI. Along Marlboro Road, from the intersection of Mossman Road near Morse Road, to the intersection of Minuteman Lane on the southwest, a distance of 600 feet, more or less;
    - HJ. Along Morse Road, from the intersection of Marlboro Road near Mossman Road, to the intersection of Wake Robin Road on the southeast, a distance of 7,200 feet, more or less;
  - B. In the Curtis Junior High School District, within one and one-half miles of the school in rights of way or easements already acquired, or to be acquired, in the following locations:
    - CC. Along Peakham Road, from the existing walkway on Pratt's Mill Road, at the intersection of Horse Pond Road to the intersection of Robert Best Road near Bent Road on the southwest, a distance of 6,700 feet, more or less;
    - CD. Along Old Lancaster Road, from the existing walkway on Peakham Road on the south, to the intersection of Hudson Road on the north, a distance of 3,200 feet, more or less;

April 29, 1974

Board of Selectmen Report: (Mr. Powers) The Selectmen are in favor of this portion of Article 32.

Mr. John J. Drum *moved* to amend the article by adding the paragraph, "Any requests for the construction of walkways that arise out of this appropriation shall be accompanied by data giving the separation distance between the proposed walkway and the adjacent road surface, in particular for each 1,000 feet or less of the proposed walkway; the percentage of length shall be given for which the separation distance shall be A. less than six feet, and B. less than four feet."

In support of his motion, Mr. Drum stated that a principal factor in walkway quality is the separation distance between the walkway and the road surface. Safety is closely related to separation. In looking over a number of these walkways in Town that presently exist, I came to the conclusion that a minimum separation of six feet is desirable. Unfortunately, it is not always possible to maintain this six foot separation distance. In fact, there are many pressures on the planners and the surveyors to reduce this distance, and you can see the results along Concord Road, along Warren Road, Pratt's Mill Road, and other places.

The purpose of this amendment is two-fold. First, simply to establish the principle that we are interested in maintaining a minimum distance there. So far to this date, I don't believe anybody has stated that the separation distance is a matter of interest.

Secondly, I think when a construction article comes in and this data is presented, the Town will be alerted to proposed construction in which the quality is likely to be low simply because of a minimal separation distance. In fact, I envision the possibility that if the percentages were too high, the Town could simply turn down an article for that reason and say, "Come back next year with a revised proposal of some kind". At any rate, the Town could weigh the cost of the walkway against the implied quality of the walkway as given by the distances and then decide on things more realistically. Incidentally, I am in favor of this section of Article 32.

Upon the suggestion of Mr. Buxbaum, and the approval of Mr. Drum, the Moderator requested and received unanimous consent to change the motion so that the paragraph to be added would read, "Any plans for the construction of walkways that arise out of this appropriation...".

Mr. Drum's motion, as changed by unanimous consent, was voted.

After further discussion, it was

VOTED: THAT THE TOWN RAISE AND APPROPRIATE \$21,000.00 TO BE EXPENDED UNDER THE BOARD OF SELECTMEN, SUBJECT TO THE SPECIFICATIONS OF THE PLANNING BOARD, FOR THE PLANNING AND PRELIMINARY ENGINEERING FOR THE SIDEWALKS, WALKWAYS AND BIKEWAYS OF BRICK, STONE, CONCRETE OR BITUMINOUS CONCRETE, DESCRIBED IN ARTICLE 32 OF THE WARRANT FOR THIS MEETING AS HF, CC, CD, CE, CF, AND CG; AND THAT ANY PLANS FOR THE CONSTRUCTION OF WALKWAYS THAT ARISE OUT OF THIS APPROPRIATION SHALL BE ACCOMPANIED BY DATA GIVING THE SEPARATION DISTANCE BETWEEN THE PROPOSED WALKWAY AND THE ADJACENT ROAD SURFACE, IN PARTICULAR FOR EACH 1,000 FEET OR LESS OF THE PROPOSED WALKWAY, THE PERCENTAGE OF LENGTH SHALL BE GIVEN FOR WHICH THE SEPARATION DISTANCE SHALL BE A. LESS THAN SIX FEET, AND B. LESS THAN FOUR FEET.

Mrs. Gillespie then *moved* that the Town raise and appropriate \$29,000, to be expended under the Board of Selectmen, subject to the specifications of the Planning Board, for the planning and preliminary engineering of the sidewalks, walkways and bikeways of brick, stone, concrete or bituminous concrete, described in Article 32 in the Warrant for this meeting as HA, HB, HC, HD, HE, HF, HG, HH, HI, AND HJ.

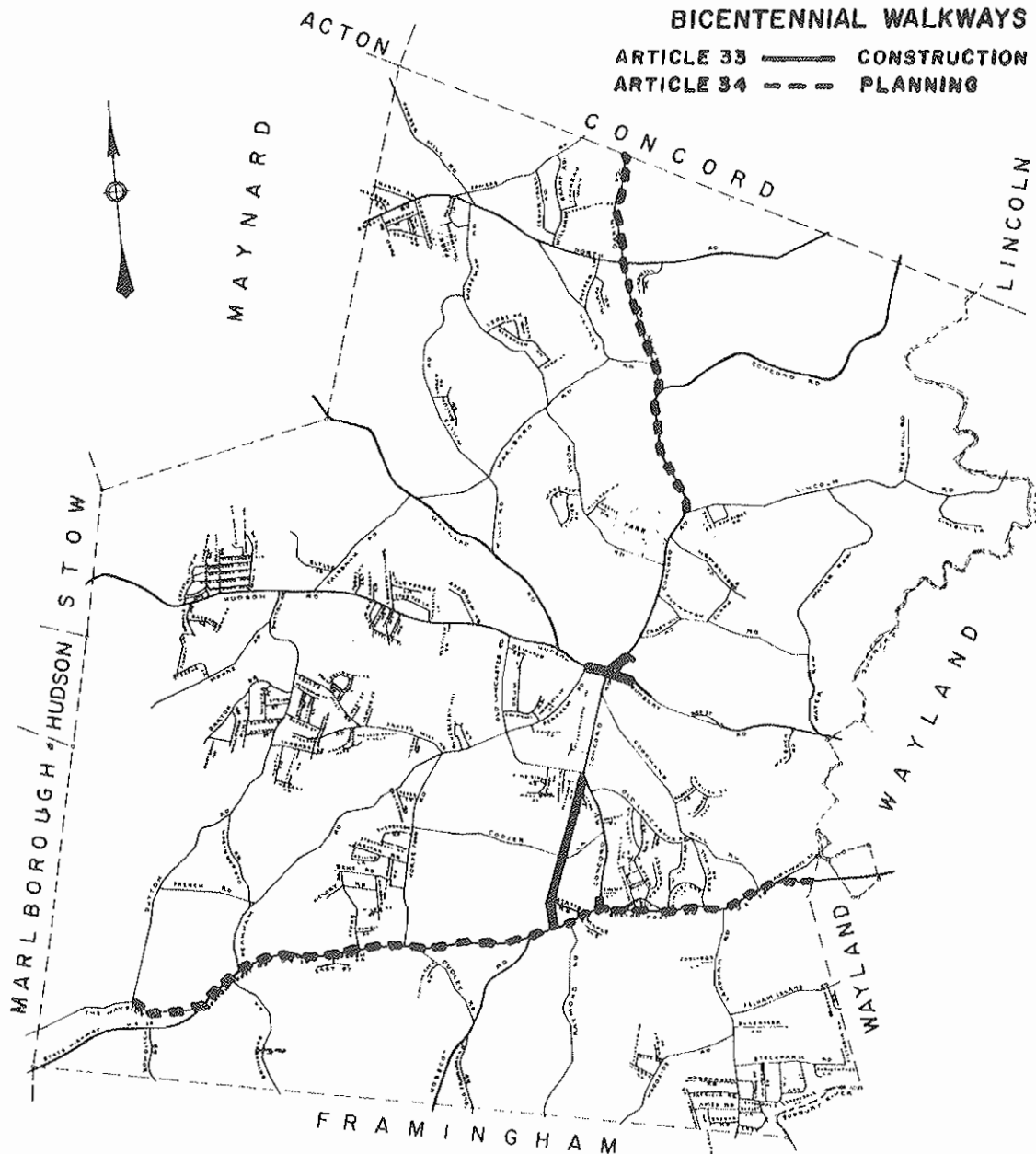
Planning Board Report: (Mrs. Gillespie) The Planning Board feels that these are important walkways. North Sudbury has long been the step-child in the walkway program. This is quite unfair. There are many families up there who are equally anxious for their children to be able to walk and bike safely. Let's not try and kid ourselves into thinking that the roads in North Sudbury will magically become safer or the construction costs will become lower as the years slip by. We need these walkways as much, or more, than any others. Think of Route 117, Haynes Road, etc. They are high speed, heavily travelled roads. We urge you to consider these

April 29, 1974

BF. Along Union Avenue, from the Boston and Maine Railroad, Central Massachusetts Division, crossing at the intersection of Station Road on the south, to the existing walkway on Concord Road at the intersection of Old Lancaster Road on the north, a distance of 4,130 feet, more or less;

and to determine whether the appropriation shall be raised by taxation, transferred from available funds, provided by borrowing, or by any combination of the foregoing, or act on anything relative thereto.

Submitted by the Planning Board.



April 29, 1974

ARTICLE 34: To see if the Town will vote to appropriate \$34,000, or any other sum, to be expended under the direction of the Board of Selectmen and/or the Planning Board, for planning and preliminary engineering for sidewalks, walkways and bikeways of brick, stone or concrete, in conjunction with the Massachusetts Bicentennial Commission's program of a bikeway system in rights of way or easements already acquired, or to be acquired, as follows:

- BG. Along Wayside Inn Road, from the intersection of Dutton Road at the Wayside Inn to the intersection of Boston Post Road on the east, a distance of 2,500 feet, more or less;
- BH. Along Boston Post Road, from the intersection of Wayside Inn Road to the Wayland Town Line on the east, a distance of 20,100 feet, more or less;
- BI. Along Concord Road, from the existing walkway at the intersection of Lincoln Road to the intersection of Pantry Road on the north, a distance of 4,300 feet, more or less;
- BJ. Along Pantry Road, from the intersection of Concord Road to the intersection of North Road at Dakin Road on the north, a distance of 4,200 feet, more or less;
- BK. Along Dakin Road, from the intersection of North Road at Pantry Road to the Concord Town Line on the north (being 350 feet, more or less, from an existing walkway/bikeway system in the Town of Concord, leading to Concord Center), a distance of 3,730 feet, more or less;

and to determine whether the appropriation shall be raised by taxation, transferred from available funds, provided by borrowing, or by any combination of the foregoing, or act on anything relative thereto.

Submitted by the Planning Board.

[For diagram, see page 287]

*Mrs. Gillespie moved that the Town appropriate \$5,000 to be expended under the direction of the Board of Selectmen subject to the specifications of the Planning Board for the planning and preliminary engineering of sidewalks, walkways and bikeways of brick, stone, bituminous concrete or concrete in conjunction with the Massachusetts Bicentennial Commission's program of a bikeway system in rights of way or easements already acquired or to be acquired in locations described in Article 34 of the Warrant for this meeting as BG, BH, BI, BJ, and BK.*

Planning Board Report: (Mrs. Gillespie) We have had many requests over the years on the Planning Board for a walkway along Route 20, and it certainly seems to us that providing a safe path for walkers and bikers along the busiest thoroughfare is necessary. Since the Route 20 walkway would not be eligible for funding under School Aid and we realize that its construction would be costly, and since State officials have said they are not interested in paying for it, we have been looking for other planning and construction money. The only possible source that we see on the horizon, no matter how dubious it is, is the Bicentennial Bikeway Program. In order to be eligible for it, we had to tie together historic points. So we tied together historic Wayside Inn with the historic Wayland Town Line. We are tying together historic Boston Post Road and historic Lincoln-Sudbury High School with the historic Concord Town Line. It is better than nothing, and it might get us back some money.

We are proposing under this article to spend a very token amount, \$5,000, to do some preliminary engineering and planning for some portions of this walkway. If and when the Bicentennial Program is funded, we will have shown good faith and intent and will be first in line for whatever planning and construction money is available. The actual amount of money needed to do the planning and engineering for these two portions of walkway is about \$34,000. If we don't approve this token amount this year and the program is funded, it is extremely dubious that we would be eligible for any reimbursement. We urge you to vote this amount. We will use it wisely, and the planning money will never be wasted.

Finance Committee Report: Recommend disapproval.

April 29, 1974

- Y. Normandy Drive, from Saxony Drive northwesterly, a distance of 1,677 feet, more or less, to a dead end;
- Z. Saxony Drive, from Hudson Road southwesterly and southeasterly, a distance of 1,856 feet, more or less, to a dead end;
- AA. Tudor Road, from Hampshire Drive southwesterly, a distance of 555 feet, more or less, to Normandy Drive;
- \*AB. Aaron Road, from Firecut northeasterly, a distance of 635 feet, more or less, to a dead end;
- \*AC. Barbara Road, from Ronald Road southeasterly, a distance of 950 feet, more or less, to Aaron Road;
- \*AD. Firecut Lane, from Stearns Lane northeasterly, northerly and southeasterly, a distance of 2,232 feet, more or less, to a dead end;
- AE. Middle Road, from Firecut Lane southeasterly, a distance of 1,025 feet, more or less, to a dead end;
- \*AF. Ronald Road, from Hudson Road southwesterly and southeasterly, a distance of 979 feet, more or less, to Firecut Lane;
- \*AG. Stearns Lane, from Moore Road northeasterly and southwesterly, a distance of 1,574 feet, more or less, to a dead end;
- AH. Partridge Lane, from Surrey Lane northwesterly, a distance of 722 feet, more or less, to Pondview Road;
- AI. Pondview Road, from Surrey Lane northwesterly, westerly and southwesterly, a distance of 1,272 feet, more or less, to a dead end;
- AJ. Surrey Lane, from Moore Road southwesterly, a distance of 2,080 feet, more or less, to a dead end;
- AK. Raynor Road, from Moore Road easterly, a distance of 1,238 feet, more or less, to a dead end;
- AL. Oak Hill Road, from Pratt's Mill Road northerly, a distance of 1,005 feet, more or less, to a dead end;
- AM. Kendall Road, from Tanbark Road southwesterly, a distance of 1,107 feet, more or less, to Hobart Road;
- AN. Forest Street, from Peakham Road southerly, a distance of 1,562 feet, more or less, to a dead end;
- AO. Woodberry Road, from Forest Street westerly, a distance of 356 feet, more or less, to a dead end;
- AP. Pride's Crossing Road, from The Wayside Inn Road northerly, northeasterly and westerly, a distance of 4,811 feet, more or less, to the Marlborough Town Line;
- AQ. Lafayette Drive, from Boston Post Road northerly, a distance of 1,744 feet, more or less, to a dead end;
- AR. Revere Street, from Lafayette Drive easterly, a distance of 480 feet, more or less, to Washington Drive;
- AS. Revolutionary Road, from Washington Drive northerly, a distance of 700 feet, more or less, to a dead end;
- AT. Washington Drive, from Revere Street northerly, a distance of 273 feet, more or less, to a dead end and southeasterly, a distance of 1,831 feet, more or less, to a dead end;
- AU. Woodland Road, from Dudley Road easterly, a distance of 860 feet, more or less, to a dead end;
- AV. Metacomet Way, from Winsor Road northerly, a distance of 557 feet, more or less, to a dead end;
- AW. Moran Circle, from Raymond Road northwesterly and southwesterly, a distance of 1,060 feet, more or less, to a dead end;
- AX. Cider Mill Road, from Raymond Road southeasterly, a distance of 2,292 feet, more or less, to Rambling Road;

April 29, 1974

ARTICLE 36: To see if the Town will vote to accept the layout of Elsbeth Road, from Ford Road southwesterly, a distance of 767 feet, more or less, to the Maynard Town Line, as laid out by the Highway Commissioners, in accordance with the descriptions and plans now on file in the Town Clerk's office, to authorize the acquisition, in fee simple, by purchase, by gift or by a taking by eminent domain, of the property shown on said plans, and to raise and appropriate, or appropriate from available funds, \$8,000, or any other sum, therefor, and the repair thereof, or act on anything relative thereto.

Accept  
Layout-  
Elsbeth  
Road

Submitted by the Highway Commission.

Highway Commission Report: This article is the result of an investigation by the Planning Board to find what ways in the Town, which are commonly used as public ways, were not legally accepted as public ways by the Town. The funds sought for in the article are to be expended for filing the necessary documents in the Registry of Deeds, and in addition, funds to provide necessary repairs on Elsbeth Road.

Finance Committee Report: The Finance Committee supports this article to correct long standing unsatisfactory condition of a development roadway and recommends approval of the requested cost of \$8,000 to be expended for its repair and acceptance as a public way.

*UNANIMOUSLY VOTED: (CONSENT CALENDAR) INDEFINITE POSTPONEMENT.*

ARTICLE 37: To see if the Town will vote to accept the layout of a portion of Robbins Road and Howell Road, as laid out by the Highway Commissioners, in accordance with the descriptions and plans now on file in the Town Clerk's office and to authorize the acquisition in fee simple, by purchase, by gift or by a taking by eminent domain, of the property shown on said plans, and to raise and appropriate, or appropriate from available funds, \$3,000, or any other sum, therefor, and the repair thereof, or act on anything relative thereto.

Accept  
Layout-  
Robbins/  
Howell  
Roads

Submitted by the Board of Selectmen.

Board of Selectmen Report: (Mr. Powers) This article was submitted by the Board on behalf of the residents on Robbins and Howell Roads who have had a great deal of trouble over the past many years with the conditions of this road. The change in the amount of the dollar figure that is represented here is based upon engineering studies made by the Town Engineer in conjunction with the Highway Department and should be sufficient to put this road in the same condition as the others were.

Planning Board Report: (Mr. Stevens) The Planning Board has discussed this, but has not taken an official vote on this article.

Highway Commission Report: (Mr. Welch) The Highway Commission supports and recommends your approval of the layout and acceptance of Robbins and Howell Roads. The proposition before you this evening is the result of appropriate citizen interaction through the petition process with their elected and appointed officials. All but a small portion of the entire length of these streets are presently paved. The funds requested will provide for the proper construction of the remaining portions of these streets and for the completion of the yet unfinished drainage facility located on these streets. The Highway Commission is of the opinion that acceptance and construction should be accomplished at this time.

We recommend approval.

Finance Committee Report: (Mr. Clough) The \$11,000 cost now requested by the Highway Commission is the result of a joint agreement between the Town Surveyor and the Highway Superintendent on the actual cost to be incurred in preparing the roads under consideration for acceptance. This acceptance of this particular portion of Robbins Road and Howell Road is long overdue. The Finance Committee recommended approval of the article.

## PROCEEDINGS

## ADJOURNED ANNUAL TOWN MEETING

April 30, 1974

The Moderator called the meeting to order at 8:20 P.M. at the Lincoln-Sudbury Regional High School Auditorium. He declared that a quorum was present.

He announced that Mr. Galeota of the Highway Commission had indicated that he wished to make a joint presentation on Articles 39 and 40. He stated that discussion of both articles would take place under Article 39, but that the motions and votes would be separated.

ARTICLE 39: To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$13,500, or any other sum, to be expended under the direction of the Highway Commission, for the purchase of contract engineering drawings and specifications for drainage systems construction, or act on anything relative thereto.

Drainage System Engineering Plans

Submitted by the Highway Commission.

Mr. Galeota *moved that the Town raise and appropriate \$13,500 to be expended under the direction of the Highway Commission for the purchase of contract engineering drawings and specifications for drainage system construction in the Pine Lakes area.*

The Moderator then requested and received consent for Mr. Elliot Tucker to sit in the hall and answer questions relative to this article and Article 40.

Highway Commission Report: (Mr. Galeota) As far back as we can remember, surface drainage in Sudbury has been a serious problem. The seriousness of Sudbury's drainage problems are emphasized in the Finance Committee Report way back in 1967 relative to the Highway Department budget. It became of paramount concern to the Highway Commission during the construction of the drainage system on Goodman Hill Road from 1967 to 1972 with a total cost to the Town of over \$125,000. We were concerned about that sort of expenditure for a small leg of drainage and about its impact downstream.

Once again at the 1972 Annual Town Meeting, the Highway Commission, after review of the cost estimates for the reconstruction of a portion of Old Lancaster Road, moved Indefinite Postponement because the surface drainage costs were more than the actual reconstruction costs of the roadway. Once again, we did not know what impact that was going to have downstream.

We then knew we had to take a much broader view of the Town's entire drainage problems. We stopped our roadway reconstruction program in 1972, and in 1973 we asked you to take a long hard look at the problem with us. You did and appropriated \$40,000 to engage a consultant to provide us with an extensive overview of the Town's drainage problems.

The study was to tell us where the problems existed, how to remove the surface drainage from the public ways in the Town, and how to conserve the runoff in ponding areas in line with our water conservation goals. Immediately after the Town Meeting, the Commission established a scope for the study and advertised for bids. Prior to the bid opening, the Commission held a pre-bid conference attended by the Commission, our Superintendent and eight representatives from the consultant engineering firms well equipped to perform this type of study. As part of the scope, we established that a section of the report evaluating the Pine Lakes area be completed and returned to the Commission no later than August, 1973, in order that we could submit a proposal to you at this Town Meeting. This order was complied with, and the entire report was furnished to the Commission in February of 1974.

You might ask why the Pine Lakes area rather than other drainage areas of the Town. The drainage areas of the Town have been problems for many years. The Highway Commission, over the last three to four years, has expended approximately \$25,000 in this area in an attempt to provide relief for those taxpayers who are annually flooded out by storm water running off the roads and flooding their homes, their sewerage leaching areas and raising the possibility of contaminating their water supply systems, which in many cases in that area are shallow dug wells.

April 30, 1974

our intent. We did not want you to spend tax dollars for another report to sit on a shelf. We asked for your help in obtaining the report so that we could implement it. To implement the entire plan could cost the Town some 2 1/2 million dollars at today's prices.

During 1974, the Commission will discuss with other concerned boards and committees the entire report, and we will be back to you before the next Annual Town Meeting with a total comprehensive report for the continuing drainage construction program including the optimum financing plan for the Town. This year we know that this drainage system must be acted upon to alleviate the severe drainage problems of the Pine Lakes area.

On the first evening of Town Meeting, we were rather surprised to see that the Board of Selectmen are intending to recommend an amendment to Article 40 which would reduce the dollar value to \$56,500 to do "immediate action items". The Board of Selectmen have not consulted with the Commission regarding the amendment, and it appears to us that the Board of Selectmen has read verbatim the drainage report and have completely missed its entire intent.

First, an explanation of the items labeled "immediate action items". We noticed that terminology and questioned our consultant. He responded this way: "The work which we recommended for immediate action is that which could be done by Town forces such as unclogging culverts, clearing drainage ditches and improving streams. Performing this work in the drainage area cannot by itself reduce further drainage problems caused by inadequately sized or non-existent or collapsed culverts. It can offer no alleviation where rain water ponds on streets or washes over private property adjacent to them.

"On the other hand, there is a possible danger in enlarging or providing culverts where there are no restrictions downstream. Our intention was to show that certain portions of the drainage improvements could be done by Town forces with the advantages of providing employment for local labor and performing the work more economically than if it were included in the contract work.

"The work which we recommended for contract construction is that which requires greater physical plant, specially trained labor that Town forces because of their other commitments and responsibilities cannot provide. It was our recommendation in the report, and we wish to emphasize it here, that the work should be classified on a drainage area basis and that the order of work be required to proceed from the lower end of each basin to the upper reaches.

"Contract work that is to be done by the Town forces should be scheduled concurrently so that a clear channel is available when the contractor eliminates a constriction and so that this work allows the upstream channels to more freely drain and be made more accessible to the Town clearing crews."

We have also heard that the Planning Board is concerned about this article and their basis for concern is that it should wait for the hydrological and geological study, Article 27 of this Town Meeting, to be completed. We sought an opinion from our consultant who answered in this way: "The drainage improvements which we have recommended should not have a significant effect on the ground water level. Design of the improvements is based on the concept that a certain amount of rainfall will infiltrate or seep into the ground at a relatively slow rate, decreasing as the ground surface becomes saturated. That portion of the water which does not seep into the ground runs overland, either to Town roads or to natural brooks and streams. Our design provides for the water which does not seep into the ground. The street drainage improvements are intended to carry off water which would otherwise pond on the roads and become a hazard to travel or which run off the pavement at a low point and inundate adjoining private lands.

"The proposed improvements other than street drainage are installations, replacement or enlargement of culverts which presently do not fulfill their function of passing streams flowing beneath the roadways. The function of culverts is not to deliberately cause a restriction of flow, but rather to continue the natural stream bed beneath the man-made obstruction, namely the road. By maintaining the present level of the bottoms of the culverts to be replaced, the ground water level in the vicinity of the adjoining streams should remain essentially at the same elevations.

"However, it may be the Sudbury Planning Board intends to use the hydrological and geological study to show that creating large paved areas in impervious groups will reduce quantities of infiltration by delivering more rainfall to the paved streets and then directly to the stream beds. This in essence means that they would recommend smaller sized lots which would give more paved area and more roof area.



April 30, 1974

about at the last Town Meeting would have eight catch basins in it. So you can appreciate that there was a lot of work planned for the Pine Lakes area.

This section of Town, like many others, has drainage problems. There is one particular intersection that floods during severe rainstorms and when that happens it floods the homeowner's septic system and the people must leave the house. It was my turn last summer to get the phone call from the very distraught homeowner who had that happen to them for the first time. When I called the Fire Department for help, I did not even have to describe where the house was. They knew where it was from past experience. There are problems of that sort in Pine Lakes.

I venture that we could repair and alleviate some of those problems without a \$250,000 solution. This section of Town is also blessed with some very nice sandy soil. It does not hold water very well, and consequently it percolates very well. The water does not stay in most of the area. I think that another factor in this area is the high cost of proposed construction. They did an analysis in the report and this comes out to be the highest cost section for their proposed reconstruction program.

We should get on with the \$56,500, and, by the way, we have discussed this issue with the Highway Commission on several occasions. We inquired of them if there was money in their present budget to accommodate the \$56,500 of proposed drainage work, and we were assured there was not. I think it would be a bad mistake to be starting any of this construction until we do these items that need to get done by the Town work forces. That is why we proposed under Article 40 to move the amendment.

This will then give the Highway Commission the opportunity to digest this report and to decide where are the priority places. Are they on main roads which have drainage problems and which are travelled by many hundreds of townspeople? Are they in neighborhood sections like Pine Lakes? Just where do we take on this job or is it most efficient to do it all at once? The report proposed that you would bond the entire thing, maybe chop it up into several contracts, but essentially do the entire program within several years period. That is an opportunity and a decision we should give the Highway Commission a chance to make after studying the report.

Finance Committee Report (Articles 39 and 40): At the 1973 Annual Town Meeting, the Finance Committee urged the Town to support an overall surface water drainage study as an item of high priority. This warrant article and Article 40 represent implementation of the first portion of the resulting recommendation of this study program. The Finance Committee endorses these two articles. The conditions uncovered in the initial phase confirms the experiences of those who live in the Pine Lakes area. The Finance Committee feels that correction of this unfortunate drainage problem is a Town responsibility which has been ignored in the past and must be met now for factors of health and public safety. The total program is estimated to cost \$2.5 million over a period of approximately ten years. We recommend approval of both articles with funding to be accomplished through a bond issue in the amount requested in these articles.

Mr. Clough further reported to the meeting for the Finance Committee as follows: We urge you to read our printed report carefully. At the last Town Meeting we recommended and supported the study program which was adopted at \$40,000. We again reiterate that we don't spend \$40,000 unnecessarily. We should examine the recommendations of our report and act on them accordingly.

However, the Finance Committee wishes to emphasize the proposed implementation of this drainage program for Sudbury is one of the highest priorities in our opinion. There seems to be a misinterpretation of terminology by some of those reading the consultant's detailed report and summary. We recommend detailed reading of this report by all Sudbury residents as it represents one of the most important programs for Sudbury's future.

We would like to repeat the actual recommendation which is found on page 3, paragraph 4, of the Weston and Sampson Report entitled: "Town of Sudbury Massachusetts Drainage Plan": "Immediate action projects are those which can be accomplished by Town labor forces and require immediate attention. Deferred action projects also require immediate action but need Town Meeting approval because of the magnitude of the program." The Highway Department budget for fiscal 1975 does not have funding for any immediate action project.

April 30, 1974

about just how much should be put in that particular area in the way of drainage facilities, what the trade-off's are between slope changes in the roads, drainage catch basins, etc. The preliminary recommendation given by the engineering firm shows more catch basins per square foot in Pine Lakes than in any section of the Town, existing or planned. It would be wise for the Town to wait to see the results of the engineering study before we plan any major construction of drainage. We do need \$56,500 worth of immediate work.

In opposition to the amendment, Mr. Espinola of the Highway Commission read again what the Report said about "immediate action items". He continued as follows: Immediate action items apply to the entire Town, to the implementation of this entire 2 1/2 million dollar drainage program. They should be undertaken in parallel with the implementation of the major plan as it progresses through the Town. In addition, they should be undertaken in such a way that the areas which are located low are treated first, and we work uphill rather than cleaning areas which have high elevations and would only encounter obstructions as water progresses down hill.

The number of catch basins per square foot in the Pine Lakes area indicates that there is a severe problem in that area. The remedy is more severe because the problem is more severe. This is not a program which is undertaken in haste. Although the entire program was not available until February, we had the Pine Lakes program available late in the fall. We knew the magnitude of the problem at that time and decided to continue as had been our original intention.

After discussion, Mr. Taft's amendment was voted. In favor - 121; Opposed - 106. (Total - 227).

Mr. Galeota then moved Indefinite Postponement.

He stated that the Highway Commission does not have the manpower to implement \$56,500 worth of drainage work this year or in following years as we see it now. We see that by implementing this program, we would be causing additional drainage problems downstream and would be asking for a considerable amount of dollars more next year for a much larger program than \$250,000.

VOTED: INDEFINITE POSTPONEMENT.

The Moderator then stated that there are several items left undone under Articles 2 and 4 in this Warrant. Police salaries remain on the table subject to being voted. There is one master clean-up motion under budget Article 4 to be voted. Since we are nearing the end of the Warrant and it is essential that we act upon these items now, the chair recognizes Mr. Powers of the Board of Selectmen.

Upon a motion made by Mr. Powers, it was

VOTED: THAT THE PORTION OF ARTICLE 2 INVOLVING THE POLICE DEPARTMENT BE TAKEN FROM THE TABLE AT THIS TIME AND BE ACTED UPON.

After making a motion relative to Police Department salaries under Article 2, Mr. Powers stated that we had been hoping we might be able to resolve the collective bargaining process with the Police Department by the time this Warrant closed. We have not been able to do that. The mediation process will continue. But it will become essential that we have a section in our bylaws. This is merely the one that we have there now so that we do have the Personnel Bylaw in order. When we come to the next article dealing with money, we again will be asking for an appropriation at that time so that we may be able to continue with the negotiations and pay the Police Department.

VOTED: THAT THE POLICE DEPARTMENT CLASSIFICATION PLAN AND SALARY SCHEDULE BE AS PRINTED IN THE TOWN BYLAWS AND THAT THE AVERAGE WEEKLY WORK SCHEDULE, OVERTIME AND LONGEVITY PROVISIONS SHALL BE AS PRINTED IN ARTICLE 2 ON PAGE 4 OF THE WARRANT FOR THIS MEETING.

[See page 165 for other action taken under Article 2.]

April 30, 1974

<u>ROAD WORK</u>	
420-20-1 OPERATING MATERIALS	\$ 17,233
-3 HIRED EQUIPMENT	0
-4 CONTRACTORS	135,000
-5 SIGNS & MARKINGS	10,500
	<u>\$162,733</u>
<u>TREES</u>	
420-30-1 TREE MATERIALS	0
-3 HIRED EQUIPMENT	1,000
-4 CONTRACTORS	8,000
	<u>\$9,000</u>
<u>LANDFILL</u>	
420-40-1 LANDFILL MATERIALS	0
-3 HIRED EQUIPMENT	1,000
	<u>\$1,000</u>
<u>CEMETERIES</u>	
420-50-1 MATERIALS	2,000
-2 HIRED CONTRACTORS	0
	<u>\$2,000</u>
420-61 CHAPTER #81 MAINT.	34,500
420-62 CHAPTER #90 MAINT.	0
420-63 CHAPTER #90 CONST.	28,100
<u>MACHINERY</u>	
430-20 FUELS & LUBRICANTS	\$17,500
-30 PARTS & REPAIRS	32,000
-40 EQUIPMENT	25,000
	<u>\$74,500</u>
<u>SNOW &amp; ICE</u>	
460-30 MATERIALS	\$30,000
-40 EQUIPMENT	9,000
-50 CONTRACTORS	15,000
-12 OVERTIME	16,300
-60 SWEEPING	0
	<u>\$70,300</u>
<u>STREET LIGHTING</u>	
470 STREET LIGHTING	\$25,000
NEW LOCATIONS	0
	<u>\$25,000</u>
TOTAL	<u>\$753,674</u>

D. THAT THE TOWN APPROPRIATE AND TRANSFER \$300,000.00 FROM FREE CASH TO BE APPLIED TO THE APPROPRIATIONS IN ARTICLE 4 BY THE TOWN ACCOUNTANT;

E. THAT THE TOWN CORRECT THE TRANSFER FOR ACCOUNT 400, HIGHWAY DEPARTMENT, SO THAT THE CEMETERY ACCOUNT TRANSFERS ARE AS FOLLOWS:

TOWN CEMETERY ACCOUNT	\$ 2,900.00
NORTH SUDBURY CEMETERY ACCOUNT	\$ 1,100.00

ARTICLE 41: To see if the Town will vote to approve the petition set forth herein providing for certain corrective legislation to the act which created the Board of Highway Commissioners, and authorize and request the Board of Selectmen to petition the General Court of the Commonwealth of Massachusetts to enact the special law set forth in said petition and without further submissions to a Town Meeting:

Amend  
Act  
Creating  
Highway  
Commission

"The Commonwealth of Massachusetts

In the year one thousand nine hundred and seventy four. An Act to make certain corrective changes in an Act authorizing the Town of Sudbury to establish a Highway Commission. Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

April 30, 1974

Highway Commission Report: (Mr. Welch) This does not appear to be the appropriate year to ask for these funds, as we have seen during the course of this Town Meeting. We will be back next year with a comprehensive program for your analysis.

Finance Committee Report: In this period of rising tax rates and living costs in general, the Finance Committee feels that priorities are necessary in the determination of programs to be funded. While we are in agreement with the desire of the Highway Commission to provide additional services to Sudbury citizens, we are very concerned over any expenditure of funds - even for planning money - for a project which we feel could be deferred. Recommend disapproval.

Upon a motion made by Mr. Welch of the Highway Commission, it was

*UNANIMOUSLY VOTED: INDEFINITE POSTPONEMENT.*

ARTICLE 44: This article was taken up out of order on April 29, 1974. For action, see page 281.

ARTICLE 45: To see if the Town will vote to raise and appropriate \$6,008, or any other sum, for the purpose of meeting this Town's allocable share of expenses incurred or to be incurred by any Regional Refuse Disposal Planning Board joined by this Town's Regional Refuse Disposal Planning Committee in connection with studying the advisability of establishing a Regional Refuse Disposal District pursuant to Massachusetts General Laws Chapter 40 Section 44B, et seq., and how such a district may be organized, operated and controlled, and studying alternatives with respect to the selection, construction, maintenance and operation of a refuse disposal facility and the reclamation and recovery of resources and/or energy in connection therewith (such expenses may include, but shall not be limited to, fees and expenses of consultants and other experts and the costs of preparing and publishing a plan and/or report summarizing the results of any such board's study), or act on anything relative thereto.

Regional  
Refuse  
Disposal  
District-  
Funds for  
Study

Submitted by the Regional Refuse Disposal Planning Committee.

Regional Refuse Disposal Planning Committee Report: Passage of this article would fund Sudbury's share of a feasibility study for establishing the Minuteman Regional Refuse Disposal District and the type of facilities best suited for the needs of the district.

The Minuteman Regional Refuse Disposal Planning Board, of which Sudbury is a member, includes the towns of Bedford, Boxborough, Burlington, Carlisle, Concord, Lincoln, Maynard and Stow.

We feel that this type of long range regional planning is needed to provide Sudbury with a feasible means of solid waste disposal, at a reasonable cost, in future years.

Finance Committee Report: The Finance Committee recommends approval of this article. Such action does not commit Sudbury to join the region, but rather provides us the benefit of further study so that we can decide intelligently when the time comes. Such participation in this preliminary activity may also deter the Commonwealth from arbitrarily assigning Sudbury to a region which might be disadvantageous to Sudbury's best interests.

*UNANIMOUSLY VOTED: (CONSENT CALENDAR) IN THE WORDS OF THE ARTICLE, EXCEPT FOR THE WORDS, "OR ANY OTHER SUM", AND PLUS THE WORDS, "SAID SUM TO BE EXPENDED UNDER THE DIRECTION OF THE REGIONAL REFUSE DISPOSAL PLANNING COMMITTEE".*

The Moderator announced that Articles 46 and 47 would be discussed together, but that motions and votes would be taken separately.

April 30, 1974

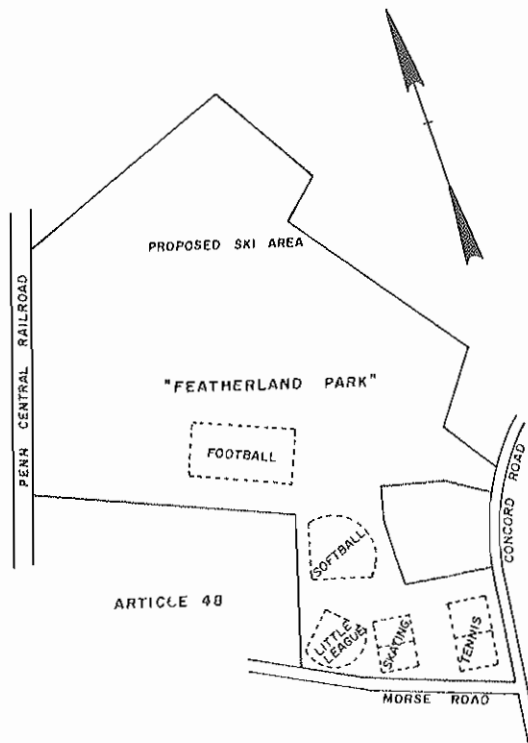
Upon a motion made by Mr. Cooper, it was

VOTED: *INDEFINITE POSTPONEMENT.*

ARTICLE 48: To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$175,000, or any other sum, to be expended under the direction of the Department of Park and Recreation, for the purpose of developing the Featherland Park Ski Area, or act on anything relative thereto.

Featherland  
Park  
Ski Area

Submitted by the Park and Recreation Commission.



Mr. Arthur A. Walker of the Park and Recreation Commission *moved that the Town raise and appropriate \$175,000 to be expended under the direction of the Park and Recreation Commissioners for the purpose of developing the Featherland Park Ski Area.*

Park and Recreation Commission Report: (Mr. Frank A. Lundblad) Last October, the Park and Recreation Commission appointed a subcommittee to study the feasibility of developing a physical ski area for the Town of Sudbury, and secondly, to look at it and see whether it was economically feasible. They put a constraint on the committee in that it should not add to the tax base, and if the land is not physically suitable, it should be aborted.

The subcommittee was appointed from a group of concerned taxpayers and were selected for their professional competence. In addition, they had to have some competence in skiing and some knowledge which they could impart to the Town. We also employed outside resources.

None of our committee members felt competent to design a particular configuration on the slope, so we employed an outside consultant. We also gathered data

April 30, 1974

Board of Selectmen Report: (Mr. Powers) The Board of Selectmen is unanimously opposed to this article, as we indicated at the beginning of the meeting. Once again, we are concerned with where the programs are going. In the 1973 Five Year Plan of the Park and Recreation Commission, the skiing facility was to be built in the year 1990. A little more than a year ago, we voted \$180,000 for the purpose of commencing with a swimming program. We do not think that this is the kind of timing or the kind of planning that we should fall into. We said at the beginning, we are in favor of some kind of planning increment, some kind of warning increment. We would prefer very much to see and hear about the swimming program. This one seemed to us to be very much out of phase with the recommendations made to the Town by the Park and Recreation Commission in its own Five Year Plan.

Mrs. Martha Coc moved to amend the main motion by adding at the end the following sentence: *"The Park and Recreation Commissioners will be responsible for the development and operation of the ski facility funded by this article."*

In support of her motion, Mrs. Coc stated that there is some confusion in my mind and evidently it is not straight forward to a lot of people, as to whether or not this ski hill is going to be operated by Park and Recreation, or if it is going to be operated by another small group that collects the \$80 or the \$20. If the Park and Recreation Commission handles it, it would be better for us all.

The main question, I feel, is the question of safety. As any skier knows, much of the safety is dependent upon the operators, maintenance of lifts and trails, provision of adequate ski patrols and the like. If the ski area is poorly maintained and if it is run by a private group, how do we get action? If the Park and Recreation Department is inefficient, we can take care of that inefficiency at the polls.

After discussion, Mrs. Coc's amendment was voted.

Mr. Walker's main motion, as amended, was then defeated.

ARTICLE 49: To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$10,000, or any other sum, to be expended under the direction of the Park and Recreation Commissioners, for the purpose of building new recreational facilities, including a girls softball field and a neighborhood playground area on the Haskell property, or act on anything relative thereto.

Haskell  
Land  
Recreation  
Facility

Submitted by the Park and Recreation Commission.

Park and Recreation Commission Report: (Mr. Pasquale T. Piscitelli) We have had a tremendous growth in softball this past year. We have had close to 300 girls sign up. We have had tremendous growth in soccer also. We have decided perhaps we better start moving fast for more fields.

We have developed a Master Plan for the Haskell land. What we are asking for now is \$10,000 to build two baseball fields which are considered softball fields, a soccer field and an open play area. The remaining Master Plan is part of our Five Year Plan and that will come up in the future. It is very necessary that we start right away on this to have the soccer program for the fall.

Finance Committee Report: (Mr. Drum) About three weeks ago, the Park and Recreation Commission submitted a proposed layout of the Haskell Recreation Area to the Finance Committee. This layout is a positive step toward development of the property. However, we have not seen any schedule for development or any estimate of overall costs to go along with this layout. So we feel that the plan has not been developed adequately. The Finance Committee recommends disapproval.

Board of Selectmen Report: (Mr. Powers) The Board of Selectmen is unanimously in favor of this article. Last year we spent \$180,000 for this land for recreation purposes. The presentation made by the Park and Recreation Commission at that time included, in addition to the swimming facilities, other facilities on the site. We hope we are on the threshold of getting the \$90,000 of reimbursement which is conditioned upon the area being used for a developed recreation area. We urge your support.

April 30, 1974

This site, containing slightly under four acres, should be preserved for posterity.

The Bicentennial Committee urges its immediate acquisition and plans to restore the Garrison House with volunteer help and public subscription for dedication as an historic park on April 19, 1976.

Finance Committee Report: The purchase of this historic parcel of land has a financial impact on the Town which goes beyond the purchase price. In spite of the fact that the Sudbury Minutemen have generously offered to reconstruct, at no cost to the Town, the Haynes Garrison House, there will be continuing costs. There is not enough data available to provide a useful estimate of cost, but the reconstructed house will require furnishings, maintenance and staffing. Although these costs could be reduced or eliminated by volunteer efforts, the Finance Committee feels that the Town should act on this article with the realization that the Town may ultimately be required to assume the financial responsibility for this desirable addition to Sudbury. Recommend approval.

Board of Selectmen Report: (Mr. Powers) We are moving Indefinite Postponement at the request of the property owners. We have been in negotiation with them. We came to a hiatus. Recently they have indicated they would like one more round of negotiations and in view of that fact we are moving Indefinite Postponement so that we can go back and talk further with them.

Upon a motion made by Mr. Powers, it was

UNANIMOUSLY VOTED: INDEFINITE POSTPONEMENT.

ARTICLE 51: To see if the Town will vote to authorize and empower the Selectmen to acquire, in fee simple, by purchase, by gift or by a taking by eminent domain, the Hadley house and land, situated on the south-easterly side of Concord Road, bounded and described as follows:

Purchase  
Hadley  
House

Northwesterly by Concord Road;  
Northeasterly and Southeasterly by Parcel "A";  
Southwesterly by Parcel B;

containing 0.64 acres, more or less, and shown as Parcel "C" on the plan entitled: "Plan of Land in Sudbury, Massachusetts known as Heritage Park", by the Town of Sudbury Engineering Department, dated August 13, 1973, a copy of which is on file in the Town Clerk's office, which plan is incorporated herein by reference, and to raise and appropriate, or appropriate from available funds, \$35,000, or any other sum, therefor, and all expenses in connection therewith, or act on anything relative thereto.

Submitted by the Board of Selectmen.

[See diagram on next page]

*Mr. Powers moved that the Town authorize and empower the Selectmen to acquire in fee simple, by purchase, by gift, or by a taking by eminent domain, for public park purposes and for preservation as an historic landmark, the Hadley house and land situated on the southeasterly side of Concord Road, bounded and described as printed in Article 51 in the Warrant for this meeting and to raise and appropriate \$35,000 therefor and all expenses in connection therewith.*

Board of Selectmen Report: (Mr. Thompson) Approximately one year ago, the Selectmen's office was approached by the Hadley family through their church to see if the Town was interested in buying this piece of land. After bringing this to the attention of the Selectmen, I was authorized to negotiate with the family through their intermediary. Shortly thereafter, as some of you know, Mr. Hadley passed away. Shortly after that, Mrs. Hadley had a fall and was confined to a nursing home. Acting on her behalf, her daughter continued negotiations, and I requested through their attorney an offer or selling price for the property.

I informed the Selectmen of the price of the offer, and they then authorized an independent appraisal of the property. The figure in the Warrant is between the high and low of the appraisals that were done.

April 30, 1974

ARTICLE 52: To see if the Town will vote to enlarge the Board of Selectmen from three to five members in order to make possible and sure the election of a representative from each precinct as well as one representing the Town as a whole. To insure continuity and for the first election only following this change the term of the new member-at-large shall be for one year. The terms of the two new members representing specific precincts shall be for two and three years, the specific term of each to be determined by lot according to a procedure to be established by the election officers of the Town. In subsequent elections the terms of members of the Board of Selectmen shall be for three years. Voters will cast their ballots only for the candidate(s) from their precinct and the candidate(s) running for the position of member-at-large, or act on anything relative thereto.

Submitted by Petition.

Mr. George W. Gibson, representing the Petitioners, *moved Indefinite Postponement*. He commented as follows: I have moved Indefinite Postponement of the article, not because I have changed my mind about its desirability or because of a fear that it might not pass, but for other reasons. Since submitting this petition, I have learned that an increasing number of experts on municipal law have come to the conclusion that the only valid legal way to change town government in this manner is by Charter Commission. Therefore, so long as a reasonable doubt exists as to the legal propriety of this article, it would be imprudent to press for its passage at this time. Furthermore, I would like to point out that prior to my submission of the article, I consulted with a number of people on the proper method by which it should be put forth. I think it is only fair to point out that Mr. Turner, Town Counsel, was the only one in this group who had the foresight to recognize this trend that Charter Commission was the way to do it.

Finance Committee Report: The Board of Selectmen is an executive body and need not be constituted in proportion to Town population. The current size of the Board contributes to concentration of awareness by the individual Selectmen and permits the Town to easily pinpoint responsibility. Increasing the Board to five members will diffuse responsibility and diminish responsiveness to the public without increasing efficiency. Recommend disapproval.

UNANIMOUSLY VOTED: INDEFINITE POSTPONEMENT.

ARTICLE 53: To see if the Town will vote to establish a study committee for the purpose of reviewing the feasibility of creating an Architectural Planning Review Board, whose main objectives would be to establish "minimum" standards for unity and conformity in the growth of the business community, to give the Town leverage to control the aesthetics of business development coming in to Sudbury--following broad guidelines such as outside facade materials, setback, landscaping, parking areas, colors, signs, and lighting, etc., with the committee to consist of at least one member of the Planning Board, one member from the business community, one member of P.R.I.D.E. (Post Road Indeed Deserves Effort), and one design consultant, appointed by the Moderator, or act on anything relative thereto.

Submitted by Petition (P.R.I.D.E.).

Mrs. Judith A. Cope, representing the Petitioners, *moved Indefinite Postponement*. She stated that she intended to move Indefinite Postponement of Article 54 also, and commented that while P.R.I.D.E. still feels that the idea of these articles is worthwhile and that the intent to help control the quality and quantity of the structures along the Post Road is desirable, we also feel that we are capable of working up a study within our own group and propose that we act as your study committee. Hopefully, we will prepare articles for the 1975 Annual Town Meeting.

There is one point I would like to clear up, however, and that is the recommendation of the Finance Committee in regard to Article 54, the proposal for a study committee to review possibilities of enlarging historic districts along the Post Road. Rather than what they would lead you to believe, the Historic Districts Commission does not study, recommend or establish new areas within the Town. Their function is to maintain those areas that have been so declared. It is through private initiative and a vote of the Town Meeting that they are rezoned.



April 30, 1974

THEREFORE, BE IT

RESOLVED THAT THE TOWN MEETING OF SUDBURY RECORD IN ITS PERMANENT RECORDS ITS LOVING APPRECIATION OF ITS QUIET NEIGHBOR AND SERVANT, RODNEY C. HADLEY.

UNANIMOUSLY VOTED:

WHEREAS THE TOWN OF SUDBURY IS FIRST AND FOREMOST THE SUM OF ALL ITS PEOPLE, AND

WHEREAS CONTRIBUTIONS AND CIVIC DUTY AND PUBLIC SERVICE HAVE BEEN RENDERED BY ONE OF ITS CITIZENS WHO HAS PASSED FROM AMONG US;

THEREFORE, BE IT

RESOLVED THAT THE TOWN EXTEND ITS HEARTFELT SYMPATHY TO THE FAMILY OF RICHARD THOMPSON CUTLER, WHO WAS BORN IN THE TOWN OF SUDBURY ON FEBRUARY 22, 1912, AND DIED OCTOBER 8, 1973;

AND BE IT FURTHER

RESOLVED THAT THE TOWN MEETING TAKE COGNIZANCE OF RICHARD THOMPSON CUTLER'S SERVICES AND DEDICATION TO THE TOWN OF SUDBURY, AS PARK AND RECREATION COMMISSIONER FROM THE COMMISSION'S INCEPTION IN 1959 TO HIS DEATH IN 1973; AS A MEMBER OF THE AUXILIARY POLICE FORCE FROM 1952 UNTIL 1961; AS SUDBURY'S FIRST CUB SCOUT PACK LEADER FROM 1949 TO 1956; AS PAST PRESIDENT AND MINOR LEAGUE COMMISSIONER OF SUDBURY'S LITTLE LEAGUE, ALSO SERVING MEMORIAL CONGREGATIONAL CHURCH IN MANY CAPACITIES INCLUDING AUDITOR, DEACON, AND BUILDING COMMITTEE MEMBER.

AND BE IT FURTHER

RESOLVED THAT THE TOWN OF SUDBURY, IN TOWN MEETING ASSEMBLED, RECORD FOR POSTERITY IN THE MINUTES OF THIS MEETING, ITS RECOGNITION AND ITS APPRECIATION FOR THE UNSUNG EFFORTS OF RICHARD THOMPSON CUTLER TO MAKE THIS TOWN A BETTER PLACE IN WHICH TO LIVE.

UNANIMOUSLY VOTED:

WHEREAS THE SUDBURY WATER DISTRICT WAS SERVED ABLY AND HONORABLY BY HERBERT J. TEBO FOR MORE THAN TEN YEARS OF SERVICE AS A MEMBER OF THE BOARD OF WATER COMMISSIONERS, AND

WHEREAS HE RESIGNED JUNE 12, 1973, TO MOVE TO HIS NEW HOME IN WATERTOWN, AND

WHEREAS HE PASSED AWAY ON JULY 6, 1973,

NOW, THEREFORE, BE IT

RESOLVED THAT THE TOWN OF SUDBURY HEREBY EXTEND ITS SINCERE SYMPATHY TO MRS. HERBERT J. TEBO, AND EXPRESS ITS GRATITUDE FOR THE MANY YEARS OF SERVICE RENDERED BY HIM.

UNANIMOUSLY VOTED:

WHEREAS THE TOWN OF SUDBURY NOTED THE SUDDEN AND UNTIMELY PASSING OF ROBERT PLANT McCRAW, JR., ON AUGUST 24, 1973, AND

WHEREAS PLANT McCRAW WAS A DEDICATED CITIZEN OF SUDBURY FOR THIRTEEN YEARS AND A WELL-KNOWN JOURNALIST IN THE CENTRAL MASSACHUSETTS AREA, AND CONTRIBUTED, AS A VERY IMPARTIAL PERSON, HIS TALENTS TO THE SECTION OF SUDBURY TOWN GOVERNMENT WHERE THERE WOULD BE NO CONFLICT OF INTEREST, NAMELY THE TOWN REPORT PREPARATION COMMITTEE FOR THREE YEARS, AND

WHEREAS HIS EDITORIAL COMPETENCY AND TECHNICAL EXPERTISE DURING THOSE YEARS HELPED TO SHAPE SUDBURY'S TOWN REPORT INTO THE ACCURATE, APPEALING AND INFORMATIVE PUBLICATION IT IS TODAY, AND

WHEREAS HIS POSSESSION OF A TREMENDOUS WIT AND SENSE OF HUMOR WAS ENJOYED BY ALL WHO KNEW HIM AND HIS CONCERN FOR EDUCATIONALLY HANDICAPPED CHILDREN LED HIM TO BECOME THE BOYS' ATHLETIC COORDINATOR AT ST.

April 30, 1974

Mr. William M. Bell of the Permanent Building Committee, *moved that the Town divide Article 56 into two parts; the first part to involve the design of the building, the second part to involve the question of appropriation and authorization for the project.*

Mr. Bell stated that what we would like to do is simply answer the question of the difference in the designs by a sort of a straw vote, and then come back to the Town in the fall for the appropriation.

The Moderator then asked Mr. Bell if his intention was to seek the will of the Town on design and then move Indefinite Postponement on the financing so we would not build as a result of this article. Mr. Bell stated that that was correct.

Mr. Bell's motion to divide the question was voted.

Permanent Building Committee Report: (Mr. Bell) We request that the Moderator determine by a show of hands for the guidance of the Permanent Building Committee whether this meeting prefers a colonial or a contemporary design for the proposed fire and police headquarters building. This motion is in the nature of a resolution to determine design choice only and in no way constitutes an approval or disapproval of the fire and police building project.

Let me explain what course of action we are pursuing by dividing the question and in asking for design decision first. There has been disagreement between the Selectmen and the Permanent Building Committee over the exterior design of the building. However, we have reached agreement on two alternative designs and we also agree that the Town will wisely choose between the two. We would like to get your approval of either the contemporary or the colonial design so that we can obtain firm bids on the approved design with the remainder of the January 1973 appropriation of \$40,000.

We plan to Indefinitely Postpone the appropriation part of this question and come back to the Town in the fall for the final approval. We still expect to obtain a Civil Defense reimbursement of \$50,000. This delay will not cause any additional cost increase due to escalation.

In 1969, the need for a new fire headquarters was recognized, but a proposal for construction of a new facility on the Gray land, the corner of Old Lancaster and Hudson Roads, was defeated primarily due to location. In 1970, the Selectmen appointed a Municipal Facilities Study Committee to review the space needs of Town government and survey what facilities were available, making recommendations as to action to satisfy these needs. In their report, dated December 1971, they recommended, among other things, that the Town should proceed with enlarged police and fire headquarters. Their estimate of 1981 needs for fire and police was about 13,480 square feet. Our present program is 15,225 square feet.

Over the past two years, the need for a new fire and police headquarters has been fully supported by the Selectmen, the Executive Secretary, and both Fire and Police Departments. The Finance Committee and the Long Range Capital Expenditures Committee have concurred. The Town began, through a series of decision points, to implement this need. The 1972 Town Meeting voted \$3,000 for an option to buy the Oliver land, and we also voted \$8,000 to study alternatives. In 1973, at a Special Town Meeting, we voted \$77,000 to buy the Oliver land and \$40,000 to prepare final plans and secure bids for construction on the Oliver land.

In June, final space program was approved by the Selectmen and the chiefs. In July, the Historic Districts Commission gave preliminary design approval. In September, the Police and Fire Departments approved design including site plan, building plans, elevations and specifications. September 10th, the Permanent Building Committee approved design, the Selectmen did not. They were concerned that the Town would not approve the selected contemporary design thus halting the project. I might add, an honest disagreement here. On September 21st, the Selectmen requested alternative exterior designs. We felt that their request was proper. December 19th, the Selectmen voted to support the Permanent Building Committee request for a \$3,000 transfer from the Finance Committee to develop an alternative exterior design. On January 16th, the Finance Committee approved the \$3,000 transfer. January 29th, the Historic Districts Commission held a public hearing for both designs and gave final approval of the contemporary design. On February 1st, the architect presented us with cost estimates on both designs and later on in February, the Historic Districts Commission approved the colonial design. In March, we ended up with final cost estimates from the architect.

April 30, 1974

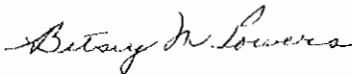
location of the central fire headquarters must be resolved, and there are also other alternatives to be considered. The Permanent Building Committee feels the scope of the project and the parameters must be re-examined. We urge you to support the motion for Indefinite Postponement.

Finance Committee Report: The expenditure of any addition funds on Town Hall renovations, which may ultimately lead to extremely high costs for the small additional space obtained, is not a sound move. The necessity for more space is clear to the Finance Committee but more options should be considered before the Town wastes planning money on impractical projects. Recommend disapproval.

VOTED: INDEFINITE POSTPONEMENT.

VOTED: TO ADJOURN.

The meeting adjourned at 11:45 P.M.

A True Record, Attest:   
Betsey M. Powers  
Town Clerk

## REPUBLICAN BALLOT (continued)

	<u>Pct. 1</u>	<u>Pct. 2</u>	<u>Pct. 3</u>	<u>Pct. 4</u>	<u>Total</u>
DISTRICT ATTORNEY (Northern District)					
Blanks	133	173	159	249	714
COUNTY COMMISSIONER (Middlesex County)					
Blanks	133	173	159	249	714
SHERIFF (Middlesex County)					
John J. Buckley	113	122	123	195	553
Scattering				1	1
Blanks	20	51	36	53	160

## DEMOCRATIC BALLOT

	<u>Pct. 1</u>	<u>Pct. 2</u>	<u>Pct. 3</u>	<u>Pct. 4</u>	<u>Total</u>
GOVERNOR					
Michael S. Dukakis	226	306	292	295	1119
Robert H. Quinn	43	43	66	28	180
Blanks	3	3	6	3	15
LIEUTENANT GOVERNOR					
Eva B. Hester	42	66	63	73	244
Christopher A. Iannella	36	50	57	40	183
John Pierce Lynch	18	15	15	7	55
Thomas P. O'Neill III	134	147	149	138	568
Thomas Martin Sullivan	9	15	18	10	52
Blanks	33	59	62	58	212
ATTORNEY GENERAL					
Francis X. Bellotti	32	48	57	33	170
Barry T. Hannon	17	5	3	3	28
Edward F. Harrington	94	113	105	119	431
Edward M. O'Brien	6	14	6	8	34
S. Loster Ralph	75	76	92	96	339
George L. Sacco	37	67	74	39	217
Blanks	11	29	27	28	95
SECRETARY OF STATE					
John F. X. Davoren	36	50	48	39	173
Paul H. Guzzi	217	262	286	256	1021
Blanks	19	40	30	31	120
STATE TREASURER					
Robert Q. Crano	103	132	129	117	481
Charles Mark Furcolo	127	148	169	130	574
Blanks	42	72	66	79	259
STATE AUDITOR					
Thaddeus Buczko	174	196	196	177	743
Blanks	98	156	168	149	571
CONGRESSMAN (4th District)					
Robert F. Drinan	228	271	270	266	1035
Scattering			2		2
Blanks	44	81	92	60	277
COUNCILLOR (3rd District)					
Herbert L. Connolly	150	158	174	147	629
Blanks	122	194	190	179	685

PROCEEDINGS  
SPECIAL TOWN MEETING

October 22, 1974

The Moderator called the meeting to order at 8:02 P.M. at the Lincoln-Sudbury Regional High School Auditorium. He declared that a quorum was present.

He recognized the Reverend Stanley Russell, Minister of the Memorial Congregational Church for the purpose of delivering the invocation.

The Moderator then led the citizens in the pledge of allegiance to the flag. He announced that the amount of free cash available for this Special Town Meeting is \$326,951.67 as certified to the Town by John H. Wilson, Town Accountant.

He also stated that he had examined the call of the meeting and the officer's return of service, and the Town Clerk's return of mailing to each household and had found them all in order.

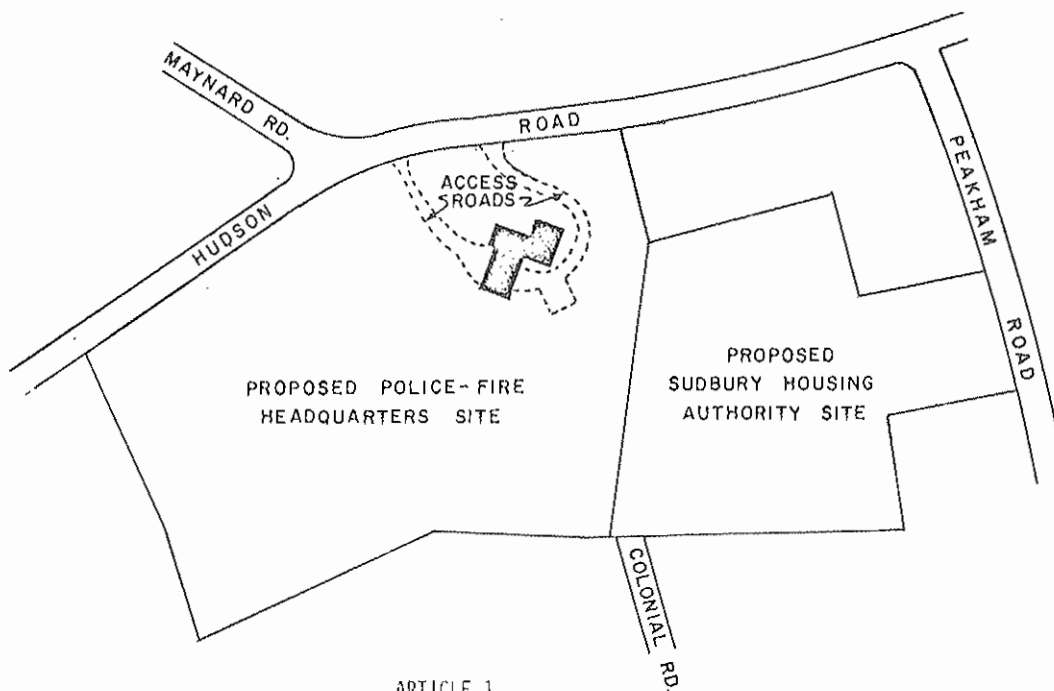
*UNANIMOUSLY VOTED: TO DISPENSE WITH THE READING OF THE CALL OF THE MEETING AND THE RETURN OF THE OFFICER WHO SERVED IT AND TO WAIVE THE READING OF THE SEVERAL ARTICLES OF THE WARRANT.*

ARTICLE 1: To see if the Town will vote to appropriate \$775,000,\* or any other sum, to be expended under the direction of the Permanent Building Committee, for the construction, including the cost of original equipment and furnishings, of a new fire and police headquarters building, to be located on the Oliver Land site, so-called, and to determine whether the appropriation will be transferred from available funds, provided by borrowing or by any combination of the foregoing, or act on anything relative thereto.

Police/  
Fire  
Hdqtrs.  
Construc-  
tion &  
Equipping

\* \$735,000 total construction cost and \$40,000 for equipment and communications.

Submitted by the Permanent Building Committee and the Board of Selectmen.



ARTICLE 1

April 3, 1974

Mr. Koppeis: From the activity we are having at the Wayside Inn by way of letters and correspondence inquiring about the Inn and the Revolutionary War activities that we are going to be re-enacting in many cases, I think it would be foolhardy if we overlooked that we are going to have a lot of problems with traffic, with information, with people, and where to put them for a rest room. It is innumerable, the number of items that you can think about that folks are going to require and desire.

This past ten days, I have had three magazines who have asked for information and have taken pictures. One of them spent a full day taking pictures. In each of these situations, we keep bragging at the Inn about the Town of Sudbury because it is the first place of democratic form of government, our Town Meeting. We mention that there were more men at the North Bridge from Sudbury than any other town. Not all of the publications include those in their little comments, but so much of it rubs off they keep speaking and referring not only to just the Inn but to Sudbury, Middlesex County and the rest. This means people are coming whether we want them or not. They are going to be here.

I am a country boy from Missouri. When I was out there, we looked on the Boston area as being a sort of sacred place, or a place of awe and something to reverence because that's where Bunker Hill, the Concord Bridge and those other things took place that made our country possible. Now I find that we sort of take things too much for granted, but folks are coming to see these things that they have read and heard so much about. I do hope that we make adequate plans and do not find ourselves having to rush about with an emergency program of some kind.

Chief Lombardi: I am not looking forward with any great enthusiasm to the prospect of moving all these visitors in and out of Sudbury during the Bicentennial. An awful lot of people are playing down this Bicentennial, and I just can't understand their attitude. I think the Town of Sudbury is going to be swamped. Most of the problems of getting these people around are going to wind up on my desk. I would like to make it a little easier for us on the Police Department. I think if we can get some money to this committee so that they can set up their information centers, put out their brochures, get some guides or guidelines to the people so that they can get around and visit the places of interest in Town without having to be led by the hand or directed by the Police on extra details, etc., it is going to be a great help to all of us. I strongly urge your support for the Committee's request for these funds.

Mr. Walsh: The Committee has been working on a volunteer basis for two years on this Bicentennial. We assure you we will continue to work for another two years on a volunteer basis. We are merely asking you to give us the tools to work with. We would also like to remind everyone that a substantial amount of money was voted by Town Meeting last year to get the records at the Town Hall up to date, and we plan to use those. We also would like to remind you that this is only a once-in-a-hundred-year request and that we will liquidate the entire amount.

Mr. Vollheim: This expenditure that we are considering tonight is extremely important. If you will go back through your history books, through Puritan Village, through Hudson's History of Sudbury, for example, in 1875, this was a disaster area, with horses and wagons, if you please. There were no automobiles. All of us in this room will be renting out our lawns to people with trailers. They are going to be coming through here by the millions. If we do not get this money, which is strictly for the materials with which to do the job, we will be dead. This is going to be a disaster area. The people that are in charge of this at the State level are closing their eyes to this problem. We will have a problem. At this point in time I would not want Chief Lombardi's job. I urge you to vote for this money.

Mr. Thompson: I would just like to give the Town Meeting a little additional information as to what other towns are doing as far as costs are concerned. Lincoln, one of our nearest neighbors, requested \$12,000, and town meeting approved that amount. Framingham, which is really not the impacted area, requested \$35,000, and their town meeting hasn't started yet. Concord requested \$52,700, and they have not had their town meeting this year, but they have already appropriated \$69,000. Lexington has requested \$150,000, and they already have \$100,000. There are some other towns, but they are smaller towns and not in the impacted area.

April 3, 1974

After some discussion, Mr. Bump's amendment was defeated.

VOTED: THAT THE TOWN RAISE AND APPROPRIATE \$336,111.00 FOR ALL ITEMS IN ACCOUNT 500, GENERAL GOVERNMENT, IN ACCORDANCE WITH THE ALLOCATIONS SET FORTH IN THE RECOMMENDED COLUMN OF THE WARRANT WITH THE EXCEPTION OF CHANGES TO INDIVIDUAL LINE ITEMS AS FOLLOWS:

501-12	\$ 533.00	506-61	\$ 8,140.00
501-13	25,419.00	507-13	4,260.00
502-11	58,823.00	508-13	1,278.00
502-12	1,704.00	510-13	107.00
502-13	6,814.00	511-13	959.00
502-14	8,418.00	512-13	3,302.00
504-13	16,881.00	514-13	160.00
505-13	10,650.00	517-13	3,195.00
506-13	20,981.00	521-13	15,975.00
506-21	7,207.00	521-12	426.00

AND THAT LINE ITEMS 512-11 BE CHANGED TO ZERO, 512-21 TO \$5,400.00, 512 TOTAL TO \$8,702.00.

#### ARTICLE 4: 600 GOODNOW LIBRARY

	EXPENSES 1972	EXPENSES 1973	REQUESTED 1974-75	RECOMMENDED 1974-75
600-11 Salaries	58,009	66,519	86,997	72,000
600-21 General Expense	4,068	4,771	5,503	5,503
600-31 Maintenance	5,856	6,261	8,139	8,139
600-41 Travel	116	112	250	200
600-51 Equipment	555	500	1,513	1,000
600-52 Books	18,298	21,627	25,884	23,000
600 TOTAL	86,902	99,790	128,286	109,842
LESS RECEIPTS:				
State Aid				-5,064.75
County Dog License Refund				-4,596.03
Library Trust Fund				-1,500.00
TOTAL				98,681.22

Finance Committee Report: The Finance Committee recommends approval of \$109,842 for the Goodnow Library budget. While the amount is 14.4% less than requested by the Library, the recommended budget is 11.3% higher than the equivalent past budget period. It is the opinion of the Finance Committee that adequate library services can be provided to the Town on the basis of the recommended budget.

Mr. S. William Linko further reported to the meeting for the Finance Committee as follows: For your information, during the 1973 period, the number of Goodnow Library card holders has increased by 50%, from 5,000 to 7,000 cards. Commensurate with that, circulation has increased by 33%, from 100,000 volumes to 133,000 volumes. These figures indicate that on the average, Sudbury citizens check out 500 books per day, roughly 60 per hour or 1 per minute. We feel that the budget as recommended is adequate for library service to the Town.

VOTED: THAT THE TOWN APPROPRIATE \$114,053.00 FOR ALL ITEMS IN ACCOUNT 600, GOODNOW LIBRARY, IN ACCORDANCE WITH THE ALLOCATIONS SET FORTH IN THE RECOMMENDED COLUMN EXCEPT THAT ITEM 600-11 BE \$76,211.00, AND TO MEET THE APPROPRIATION THE TOWN RAISE AND APPROPRIATE \$102,892.22, AND FURTHER THAT THE TOWN APPROPRIATE AND TRANSFER THE FOLLOWING SUMS FOR BOOKS FROM THE ACCOUNTS UNDER ITEM 600-52:

STATE AID FOR LIBRARY ACCOUNT	\$5,064.75
MIDDLESEX COUNTY DOG LICENSE REFUND ACCOUNT	4,596.03
GOODNOW LIBRARY FUND	1,500.00.

April 3, 1974

ARTICLE 4: 700 PARK AND RECREATION

	EXPENSES 1972	EXPENSES 1973	REQUESTED 1974-75	RECOMMENDED 1974-75
700-11 Salaries	38,686	40,619	52,000	50,000
700-21 General Expense	959	1,027	1,000	1,000
700-31 Maintenance	21,950	17,847	25,000	25,000
700-41 Travel	208	186	300	300
700-51 Equipment	3,800	1,963	9,300	9,300
700-61 Special Programs	18,629	18,647	20,000	18,000
700 TOTAL	84,232	80,289	107,600	103,600

Finance Committee Report: This account shows about a 20% increase over the spending rate of the past two years. About \$8,000 of this is in the Salary Account, where Park and Recreation has requested increases for part-time maintenance men (largely for ball field maintenance on school grounds) and for skating rink supervisors. The -31 Account (Maintenance) is also up, reflecting improvements to Feeley Park, and general price increases. The -61 Account (Program Expense) shows an increase also. This reflects several new programs (e.g. gymnastics) that have been well received. It should be noted that most of these -61 Account programs are on a subscription basis, and produce revenue for the Town which is not reflected in the budget figures. The Town took in \$11,000 last year from such Park and Recreation activities. Recommend approval at \$103,600 total.

Mr. John J. Drum further reported to the meeting for the Finance Committee as follows: The addition of an overtime account item was originally requested by the Parks and Recreation Commission and by mistake it was added in to the regular salaries. At this time, we would like to bring it out and put it in the Warrant as a separate item.

In reviewing the Parks and Recreation budget, I would like to mention the problem of fiscal transition. We are presently in an 18-month accounting period that will end on June 30th. The budget now being considered starts next July 1st and goes for 12 months. As a result, all budget comparisons need some kind of extrapolation and are subject to interpretation.

In December, when the Finance Committee considered the Parks and Recreation budget request, 1973 spending figures were not available, and we used the current appropriation level as one of our guidelines. Thus, the Finance Committee report may not relate too well to the figures you see above it. Column 2 needs to be interpreted because the \$80,289 figure there is substantially below the appropriation level. If you pro-rated the appropriation uniformly, the figure for 1973 would be \$85,614. I presume that Parks and Recreation husbanded their funds in 1973 with the expectation of increased spending toward the end of the 18-month budget period.

Looking at column 1, the 1972 total does not include a pick-up truck that was purchased for \$5,290 on a special article. The point is that it is especially difficult this year to make comparisons. I believe that our recommended figure of \$106,597 can be considered in relation to a past spending level of \$85-90,000. The Parks and Recreation Department persuasively supported their budget before the Finance Committee in December, and I expect that they will do likewise before this meeting. The Finance Committee recommends approval.

Mr. Ira M. Potell, of the Sudbury Taxpayers' Association, *moved to amend by striking out the figure \$106,597 and substituting \$90,000 as the total in Account 700.*

In support of his amendment, Mr. Potell commented as follows: The Parks and Recreation Department has produced excellent programs, and there is no complaint with what is being currently done. However, the figure published in the Warrant on page Roman numeral iii [Proceedings, page 160] for a 12-month Park and Recreation budget is \$85,614. The printed recommendation shows \$103,600, or up 21%. The 1973 expenses were \$80,289, and the recommended budget \$103,600. This is an increase of 28.75%. 23% of this is in the salary account and with the new salary number, it is an even higher percentage. Equipment is up over 400%, maintenance is up 39%. We know that Park and Recreation returns monies to the Town every year, but if it costs us \$23,000 more, will we get back at least \$20,000 instead of the \$11,000 they returned last year?



April 3, 1974

I have heard the comment that this is a good tight budget, reflecting an attempt to relieve the taxpayers' burden. If this is the case, I am somewhat shaken.

We are recommending a 12.8% increase over last year's expenditures and hope that our fellow taxpayers feel that this is a reasonable amount for Park and Recreation to provide us with excellent service and still expand their services at the rate of 3% per year, and not 12% per year.

Park and Recreation Commission Report: (Mr. Pasquale T. Piscitelli) We have seen many figures tonight, and I like to compare apples with apples. If you take the same fiscal period of July 1st to June 30th, you will notice that July 1, 1973, through June 30, 1974, the amount spent and to be spent comes to \$109,112. We have asked the Finance Committee for \$103,600. According to these figures, it looks as though we have cut our budget, not increased it.

Mr. Piscitelli requested that the Town Accountant verify the figure of \$109,112.

In response to the request, Mr. John H. Wilson, Town Accountant, stated that, based on the amount of money that was left in the Park and Recreation account as of June 30th, 1973, the amount that Mr. Piscitelli has stated which may be spent by June 30th, 1974, is correct.

Mr. Piscitelli continued his report as follows: On general programs, we have a budget of \$18,000, of which we get back \$11,000 a year, which goes into free cash. That means it only costs the Town \$7,000 to provide swimming, tennis, arts and crafts, softball and so forth, which I think is very low.

We are talking about \$9,300 for a pick-up truck and some new facilities at Feeley Park, a new ball field.

The salaries are \$50,000 this year. We have picked up the expense of the school fields. We have the Heritage Park to get involved with. We take care of the Town Center and many other parks in Town.

I think this budget is right in line, and I hope you support it.

After a short discussion, Mr. Potell's amendment was defeated. In favor - 164; Opposed - 209. (Total - 373)

VOTED: THAT THE TOWN RAISE AND APPROPRIATE \$106,597.00 FOR ALL ITEMS IN ACCOUNT 700, PARKS AND RECREATION, IN ACCORDANCE WITH THE ALLOCATIONS SET FORTH IN THE RECOMMENDED COLUMN, EXCEPT THAT ITEM 700-11 BE \$30,750.00, AND TO ADD A NEW LINE ITEM, 700-12, OVERTIME, \$2,247.00.

#### ARTICLE 4: 800 HEALTH

	EXPENSES 1972	EXPENSES 1973	REQUESTED 1974-75	RECOMMENDED 1974-75
800-11 Director's Salary	4,984	8,317	16,000	16,000
800-13 Clerical Salary	4,318	4,037	5,800	5,800
800-21 General Expense	1,364	1,308	1,700	1,700
800-31 Lab Expense	1,308	747	1,200	1,200
800-41 Travel	0	337	1,200	500
800-51 Equipment	77	119	600	400
800-61 SPHNA	13,000	18,198	19,543	19,543
800-71 Mosquito Control	11,800	18,572	15,000	15,000
800-81 Consultant Fees	0	250	500	500
800-91 Mental Health	4,862	4,338	4,750	4,750
800-92 Nuisance Control	---	---	1,000	0
800 TOTAL	41,713	56,224	67,293	65,393

Finance Committee Report: The Finance Committee recommends approval of a \$63,393 budget for the Health Department. While the amount recommended represents a 4% reduction from the requested amount, it constitutes an 11% increase over the previous equivalent budget period and is sufficient to assure adequate Town health services.

April 3, 1974

Mr. Linko further reported to the meeting for the Finance Committee as follows: The Town approved a full-time directorship for the Board of Health. The increase in Account 800-11 results from a full-time director coming on board as of August, 1973.

VOTED: THAT THE TOWN RAISE AND APPROPRIATE \$65,770.00 FOR ALL ITEMS IN ACCOUNT 800, HEALTH, IN ACCORDANCE WITH THE ALLOCATIONS SET FORTH IN THE RECOMMENDED COLUMN, EXCEPT THAT ITEM 800-13 BE \$6,177.00.

ARTICLE 4: 900 VETERANS

	EXPENSES 1972	EXPENSES 1973	REQUESTED 1974-75	RECOMMENDED 1974-75
900-11 Agent's Salary	1,250	1,321	1,500	1,500
900-21 General Expense	214	111	200	200
900-61 Benefits	4,744	6,441	10,000	10,000
900 TOTAL	6,208	7,873	11,700	11,700

Finance Committee Report: The Finance Committee recommends approval as requested. The requirements for the existence of a benefit fund are defined under the General Laws of the Commonwealth, and the amount of the fund is the same as last year with only a slight increase in administrative expense.

Mr. Roger Bender further reported to the meeting for the Finance Committee as follows: The salary item was changed to be in accord with the salaries approved in Article 2.

VOTED: THAT THE TOWN RAISE AND APPROPRIATE \$11,605.00 FOR ALL ITEMS IN ACCOUNT 900, VETERANS' BENEFITS, IN ACCORDANCE WITH THE ALLOCATIONS SET FORTH IN THE RECOMMENDED COLUMN IN THE WARRANT, EXCEPT THAT ITEM 900-11, AGENT'S SALARY, BE CHANGED FROM \$1,500.00 TO \$1,405.00.

[For action under Account 950, Unclassified, see page 181].

Mr. LeBart, Chairman of the Finance Committee, then moved as follows:

- A. That the Town establish that all wage and salary increases voted at this Annual Town Meeting, unless otherwise specifically provided, shall be effective as of July 1st, 1974;
- B. That all automobile mileage shall be paid at the rate of 12¢ per mile upon submission of a proper voucher;
- C. That with the exception of Accounts 100, Sudbury Public Schools, 130, Lincoln-Sudbury Regional High School District, and 140, Minuteman Regional Vocational Technical School District, all items in all other accounts have been voted as segregated items for accounting and expenditure purposes.

The Moderator raised a question as to whether or not the last phrase was correct in so far as the Highway Commission budget was concerned.

Town Counsel stated that he had advised the Finance Committee that if the Town wants to treat these budgets as segregated budgets, then this is the proper motion. If the Town wants to amend this and eliminate a budget as a segregated budget, it can do so. The Finance Committee has suggested that it wants segregated budgets and the motion has been prepared to do that.

After some discussion of the problem of the Highway Commission budget, Mr. LeBart moved to amend his motion by adding the words "and 400, Highway Department", after the word "District", so that it would read "...with the exception of Accounts 100, Sudbury Public Schools, 130, Lincoln-Sudbury Regional High School District, 140, Minuteman Regional Vocational Technical School District, and 400, Highway Department, all items in all other accounts have been voted as segregated items for accounting and expenditure purposes".

April 3, 1974

Mr. Sidney Wittenberg then *moved that we table this motion until all individual items that are as yet unresolved are resolved.*

The Moderator stated that he would like the motion to be a little more specific.

After several questions and suggestions, the motion was changed to read as follows: *Move to table the final motion under Article 4 until such time as item 320, Police Department, under Section 300, is disposed of.*

After several other questions relative to reconsideration of the Highway Department budget and the meaning of a segregated budget, it was

VOTED: *TO TABLE THE FINAL MOTION UNDER ARTICLE 4 UNTIL SUCH TIME AS ITEM 320, POLICE DEPARTMENT, UNDER SECTION 300, IS DISPOSED OF.*

VOTED: *TO ADJOURN UNTIL MONDAY, APRIL 8, 1974, IN THIS HALL.*

The Moderator announced that the vote was greater than the two-thirds required. The meeting adjourned at 10:55 P.M.

## PROCEEDINGS

## ADJOURNED ANNUAL TOWN MEETING

April 8, 1974

The Moderator called the meeting to order at 8:00 P.M. at the Lincoln-Sudbury Regional High School Auditorium. He declared that a quorum was present.

He announced that the Talent Search Committee had sign-up cards available at the entrance for anyone interested in serving in various capacities in the Town government.

He then recognized Mr. Powers, Chairman of the Board of Selectmen, for an announcement. Mr. Powers stated that at the commencement of this meeting and in the Warrant, both the Finance Committee and the Selectmen indicated that they were being conservative on their estimates of State receipts that would come in this year. This was primarily due to the horrible shock we had last year. This past Friday, the Town received its so-called "Cherry Sheet" showing County taxes, State assessments plus estimated Local Aid. What all this means is that Sudbury will be getting a larger amount of the State's Local Aid in the 1974-75 budget year than originally estimated. According to the latest information, following either the Selectmen's or the Finance Committee's recommendations will mean no tax rate increase and more likely, a tax rate decrease.

On September 10, 1973, the Board of Selectmen's public statement on the 1973 tax rate stated in part, "Next year's tax rate should remain stable, or even decrease, if the Town maintains the same level of increased property valuation and uses free cash and revenue sharing funds appropriately." However, much of the credit for the increased State Local Aid receipts this year is due, in no small part, to the collective action at the State House and the Governor's Office by the Massachusetts Selectmens' Association, the Mayors' Association and the Massachusetts League of Cities and Towns.

This information we feel is extremely important to you, and it is my understanding that this is a joint statement by both the Finance Committee and the Selectmen. It is my understanding from talking to Mr. Wilson that the magic number is a \$1.95 improvement in our fiscal picture. We thought you ought to know that before we go on with the meeting.

The Moderator then recognized Mr. Ronald Espinola of the Highway Commission who moved that the Town reconsider Article 4, Account 400, Highway Department Budget.

After Mr. Espinola's motion was seconded, the Moderator commented as follows: "On Tuesday night last, the Finance Committee made a motion to appropriate \$832,481 for the purposes of Article 4, Account 400, Highway Commission. There was a motion from the floor to amend that Finance Committee figure on the Highway Department Budget from \$832,481 to \$753,674. That motion passed.

"There was then a motion to amend that figure back up to \$832,481. That was obviously a motion to reconsider, and I ruled it so to be. Under Article II, Section 13, of the Town Bylaws, a motion to reconsider any matter at the same session as that at which it was decided requires a two-thirds vote. When put to a vote, this motion to reconsider was defeated by a majority.

"The following morning, within the time specified in the Bylaws, Mr. Espinola of the Highway Commission filed in the Town Clerk's office a notice of intent to seek reconsideration of the action. The question now arises whether or not there may be a second reconsideration of this matter. I would like what I am about to say to be re-printed verbatim in the Proceedings.

"There is some parliamentary authority to the effect that once there has been a motion to reconsider and it has been defeated, there can be no second motion. This appears in a book called Town Meeting Time, a handbook used by moderators all over New England as a guide. It appears in the rules of the Massachusetts House of Representatives. It appears in Bolton's Rules, Demeter's Rules and in Robert's Rules. The last name is the most commonly used rule book in the country.

"This meeting does not use any of those. Under our Bylaws, the rule book of this meeting is Cushing's Manual of Parliamentary Procedure. In Cushing's Manual there is no prohibition against a second motion for reconsideration. In the Town Bylaws, there is no prohibition as such on a second motion for reconsideration although as a practical matter there are limitations on it because of other rules.

April 8, 1974

"The matter of ancient custom and usage now raises itself. Is there an ancient custom and usage that prohibits a second motion for reconsideration? I have been unable to find one. I have reviewed the Proceedings of the 1969 Annual Town Meeting, and I don't find them relevant. They proceeded on an entirely different question. Ancient custom and usage is a shaky ground upon which to base a ruling anyway because one never knows whether something that is ancient is also a custom and usage. Or, was it just some moderator, heaven knows how many years ago, saying, 'You're out of order', and nobody daring to challenge it? If there ever was an ancient custom and usage in this connection, it cannot have any remaining vitality in the face of such complete rules as we now have on the subject of reconsideration, where the rules are lengthy and specific as they are here. There is no room to rely on ancient custom and usage.

"Therefore, I rule that the motion to reconsider with proper notice is in order. I have consulted with Town Counsel on this, and he is of the opinion that the motion is in order. He rests his opinion on the fact that the first motion to reconsider was directed only to the motion to amend, whereas the present one is directed to the entire question of Account 400. I agree with his reasoning, but I choose to rest the decision on broader grounds.

"There is just no law against a second motion to reconsider. There are practical limitations on it, as I said before. 1) In order to pass at the same session or at a later session, a two-thirds vote is required. 2) In order to be brought up at a later session, certain notice must be given through the Town Clerk and the Chair. This means that at a later session, the motion may be reconsidered only once. The motion to reconsider itself cannot be reconsidered. That is in Cushing's Manual.

"This means that, at the same session of a meeting at which a matter is passed, if anyone feels that the opinion of the hall has changed enough, or enough people have left so that there might be two-thirds in favor of reversing a previous decision, he may make a motion for reconsideration without foreclosing any of his later session rights. Some say that this will unduly lengthen the meeting. But, I think it will have another effect. The knowledge that a matter might be reconsidered later in the evening will lead those who might otherwise leave to stay around and help with the rest of the work for the evening. And, if anyone here has any thoughts about bringing in large numbers of people to vote for or against a particular article, he better make sure that they can spend the whole evening."

Mr. Espinola was then recognized for his presentation relative to his motion to reconsider and commented as follows: We believe that the reasons for reconsideration are very simply stated. We wish to rectify inequities, legal ambiguities and errors which will arise if the original motion stands as voted. Those of you who attended last Tuesday night's massacre, saw this deliberative body take action which nobody could understand at that time. Mr. Bonin, who presented the article, when questioned, did not know what some of the elements of it were. The Sudbury Taxpayers' Association, the Finance Committee, the Town Accountant, Town Counsel and the Highway Commission--none of us knew what the ramifications of that action were. When the dust had settled, we found ourselves with a Highway Department budget which was cut by an amount even greater than the Taxpayers' Association had originally suggested. We found the budget at a level which was even lower than they had wished to move.

Town Meeting, last Tuesday, voted only a bottom line number. We agree with the Finance Committee that this is not a fiscally responsible state of affairs for the usual budgetary controls do not apply. They no longer exist to the budget as it was voted. It is conceivable that the legal ambiguities which arose as a result of that meeting may be settled after months or years. But, that leaves us in a very tenuous position until such resolution occurs. For that reason, we wish to reconsider the motion and present to Town Meeting a revised version of the budget that was originally voted.

Some of the legal ambiguities that exist are, how is the budget to be apportioned, to be pro-rated? Is every line item to be reduced by approximately 9%, or should the five Commissioners split up the \$750,000 and just take a jaunt to Brazil? We have no desire to reduce the Department personnel by 9%. Nothing is more calculated to destroy a department's morale and therefore a department's functioning if members can be removed without cause.

We also wish to avoid a special town meeting which would cost many thousands of dollars to resolve the question of what the new Highway Department budget should look like.

April 8, 1974

For these reasons, we wish to resubmit a line item budget for your consideration. In fact, we wish to submit two budgets, one of which totals the amount voted last Tuesday night, and one of which totals an amount between the amount voted and the amount that we had originally submitted.

The question before us at the moment is not what that total is, although our intention is to give you your choice. The question before us is, "Should that budget be a line item budget or should that budget be one which has only the bottom line and with it the legal ambiguities and the accounting ambiguities?"

It is worth noting that the Cherry Sheet improvement that Mr. Powers just announced includes the original Highway Department budget amounts, but that is something that we will come to later. We ask you to assess the situation that we have gotten ourselves into, to allow us, the Town of Sudbury, the Sudbury Highway Commission and all other Town bodies to provide a line item budget which is the result of Highway Commission reassessment of priorities.

We hope that the budget that we would propose if reconsideration is approved, will be one that you will understand more than perhaps the one you saw last week. But, in any case, we wish the opportunity to present the unambiguous distribution of funds that we now propose. We ask you to assess the question carefully, deliberately. Let's not get into the situation we had last Tuesday night and vote for reconsideration.

Finance Committee Report: (Mr. Clough) The Finance Committee, in its statutory capacity as your advisor on fiscal responsibility, supports this motion to reconsider the Town Meeting's action of Tuesday evening on Article 4, Account 400, Highway Department. It has always been the policy of your Finance Committees up to now to require the various Town boards, commissions, committees and departments to submit line item budgets so that they may be studied, questioned, evaluated and changed as necessary prior to recommendation by the Finance Committee to the Town for amendment and/or approval by Town Meeting vote.

Only the school budgets are voted as bottom line figures, because the vocational and regional high school budgets are assessments on the Town by law, and the elementary school budget is voted by the School Committee under its legal fiscal autonomy. The final motion by the Finance Committee after total budget approval always specifies that, with the above school exceptions, all line items are voted as segregated items for accounting and expenditure purposes.

Your Finance Committee is deeply concerned over the fact that the Highway Department budget as presently approved permits no real Town accounting fiscal control over the various line items since only a bottom line figure has been established. The reduction from the original budget submission may be spread across all items proportionately or certain line items may be segregated, depending upon Town Counsel's ruling. Either way, it does not permit the Highway Commission, which is your elected body, to reassess their priorities and adjust their line item budgets in accordance with your voted bottom line amount.

By voting reconsideration at this time you will establish fiscal control in an orderly manner. The Highway Commission will be able to submit a new, responsible line item budget for your approval. The Town Accountant will be able to perform his legal duty to assure you that the budget is spent in accordance with your decision. The Finance Committee recommends your approval of this motion for reconsideration of Article 4, Account 400, Highway Department.

Mr. William F. Toomey of the Board of Selectmen was recognized and requested that the Moderator rule again concerning what reconsideration was in the past and what his ruling is tonight. He stated, "I think you're making a decision for the hall that we should remember. We have followed certain rules in the past, and I honestly think that you should get it right out there again and say it like it is."

The Moderator then summarized his ruling relative to reconsideration. [See pages 207-208 for the full text.]

After discussion, Mr. Espinola's motion to reconsider was defeated.

The Moderator announced that Article 4, 100-110, Sudbury Public Schools Budget, was before the hall as it had been committed back to the School Committee for consideration, and under that vote was scheduled to be discussed tonight. He stated that there was presently on the floor a motion to amend the Finance Committee's amount of \$3,885,000 to \$3,901,500. If the motion to amend is passed, it will affect the main motion and raise the total figure to \$3,901,500. If it is not passed, then the main motion will be before you.

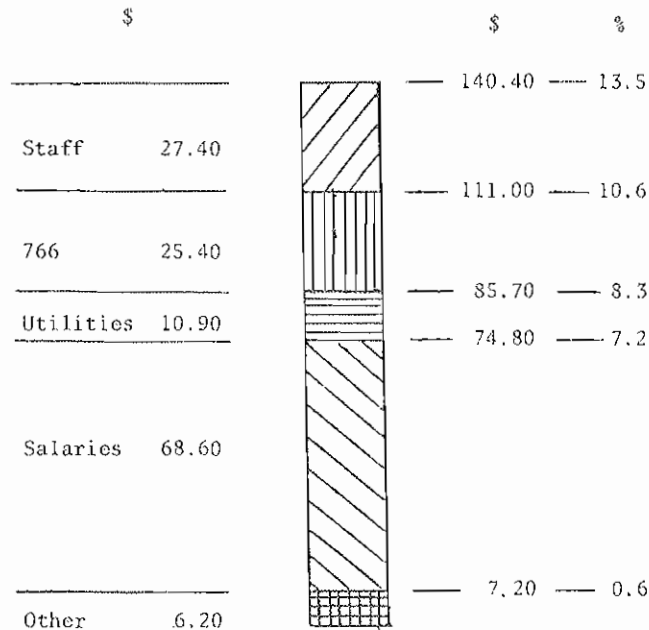
April 8, 1974

School Committee Report: (Mr. Cron) I would like to report on our consideration of the motion that committed the budget back to the School Committee. In that consideration we took six things into account: the program balance we offer in the elementary school, our per pupil cost, the impact of collective bargaining on our budget, how we compare with other towns that offer similar or the same programs, the impact of reductions on our budget and finally, the impact of our budget on Sudbury's tax rate.

The number of students published in the Warrant listed for the year '73-'74 was actually the October, 1973, number of students. If you use the correct number of students, our per pupil cost was \$950 for the school year 1972-73. This year it is \$1147 proposed. That is an increase in per pupil cost of 10.5%.

# CHART I

## INCREASES IN PER PUPIL COSTS



On this chart, I would like to illustrate the impact of what we have done on per pupil cost. On the bar chart, on the left, I have listed "other" which essentially are increases in transportation and contracted services, such as Sudbury Public Health, etc. That was an increase of per pupil cost of \$6.20, and it is 0.6% in the increase in pupil costs. The major impact on pupil cost was salaries, \$68.60. Those two items alone bring it up to \$74.80, or 7.2% of the per pupil increase.

We saw, as everybody in the Town did, a major increase in the cost of utilities, and, adding that in, above what a normal projection would be, our per pupil cost increased 8.3%, which I think was in the guidelines of the 9% offered by the Sudbury Taxpayers' Association. So, for offering the same program we did in previous years, we have increased 8.3% on a per pupil basis.

However, in addition to that, we did make a programmatic change. The State has passed a law on special education called Chapter 766. The impact of that on our budget brings our total per pupil cost to a little over 10.5%, which is the budget we have now presented to you.

Chapter 766 may be either the best law the Commonwealth has ever passed or the worst one. It is really now in the hands of the school committees to implement it. The law basically says that we should not categorize children and put

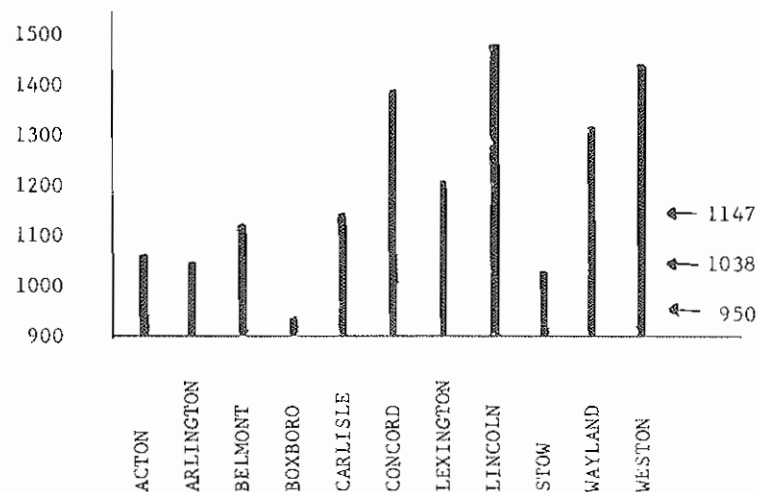
April 8, 1974

them in little boxes unless we can do something about it. It says we shall consider each child as an individual. We shall diagnose his problem. We shall prescribe a program. We shall teach, evaluate, and if nothing happens, we throw the program out and start again. But, it has a very positive bent. We have moved in that direction over the last four or five years. We believe it is the way to go. If we can solve the problem down in the grade level, it is going to save a lot of money trying to solve the problem at the high school.

I would just like to illustrate one more point on this chart. We did face a decrease in pupils, and we have reduced staff on those categories accordingly. If we had not responded in that direction, the per pupil cost would have increased to \$140, or 13.5% on our budget.

CHART M

## PER PUPIL COSTS

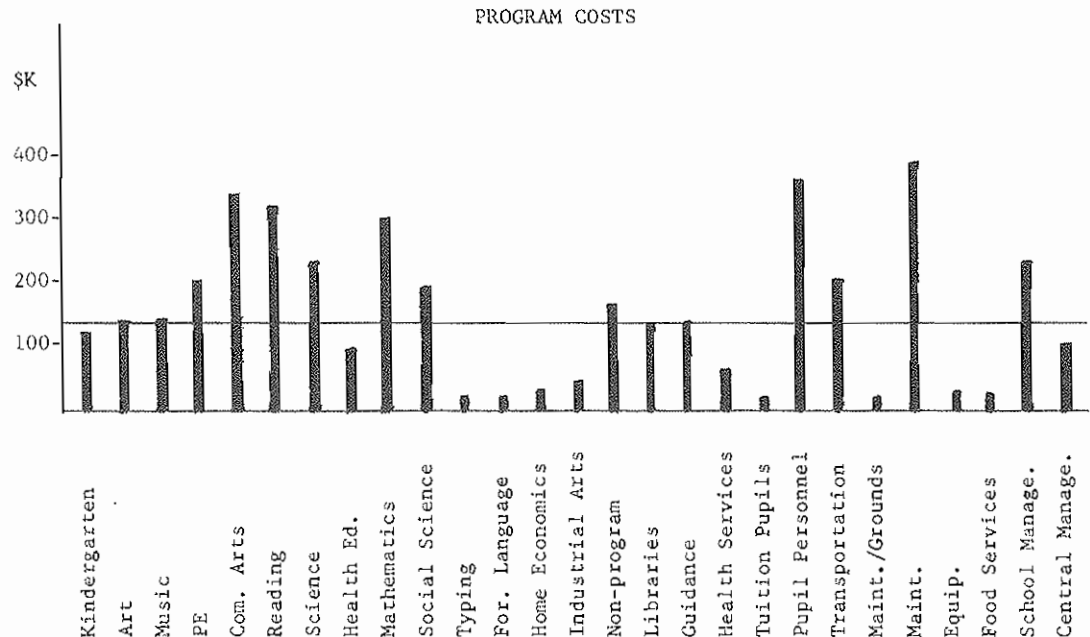


This chart is the per pupil cost from the State data for the school year 1972-73 for elementary schools. The solid line with the arrow on the right indicates Sudbury's elementary per pupil cost at \$950. One year later our cost was \$1038. Now it is \$1147. You can see our relative position two years after the data of the comparable towns.

One reason our costs are low is that we have long had a policy of not taking rapid action to try and reduce budgets. One item most school committees tend to cut when asked to reduce their budgets is operation and maintenance. I think we have maintained a very well planned program, and I think what you see is it pays off. We pay \$116 per pupil to operate and maintain our buildings. The high school costs \$248 and Lincoln \$283. We have found that if you put off these costs, it costs you more than double the amount in following years to catch up. It is a snowballing effect. We think that is a valuable place to save.



April 8, 1974

CHART N

This bar chart actually indicates in thousands of dollars the amounts of money we spend by program category, ranging from kindergarten, art, music, PE, all the way down to maintenance, operation of schools. The line drawn across was the amount of money we were asked to reduce the budget and how it compares to many of our programs. It is a major amount of money. In equivalent staff, it is eleven to twelve teachers. It is essentially what would happen if we closed one of the elementary schools. If the population keeps going down, we may do that, but this is not the year.

Our budget is predominately salaries. We are a very labor-intensive industry. To cut that kind of money out means reduction in staff and reducing staff generally means, right now with the fixed number of pupils, we have a reduction in program.

The last thing is the impact on the tax rate. As was mentioned before, the Town has received on the Cherry Sheet an increase in estimated receipts. For tax purposes last year you took a terrible belt from schools because the 18-month budget folded into the Town essentially 1.7 times what we normally spend on education because of the way the school year was divided. The State aid that was received in that period was divided in a two-thirds, one-third basis for purposes of calculating the tax rate. If I compare the two-thirds aid we received last year with the anticipated school aid to be received this year, that which is directly assignable to the elementary schools is \$133,000. The Chapter 70 aid that the Town receives increased by \$217,000, and the elementary share is two-thirds of that, or \$144,000. That is a total increase in aid directly attributable to education of \$278,000.

The increase in the elementary budget which also goes on a two-thirds, one-third basis, as shown in the front of your Warrant, was \$117,000. We amended it and added \$16,000, so that it is \$134,000. The end result of the elementary budget is that aid increases by \$144,000 over what we have increased in the budget. In essence that is 90¢ tax reduction due to the elementary schools. We have not, I think, had a severe impact on the budget.

The School Committee, in its consideration, would ask you to support the budget at the amount we originally submitted of \$3,901,500.

April 8, 1974

After some discussion, Mr. Naegele *moved to amend this motion by striking out the number \$3,901,500, and by substituting therefor \$3,770,500, which is a reduction in the amount of \$131,000.*

The Moderator ruled Mr. Naegele's motion to amend out of order since there was already a motion to amend on the floor.

The question was then moved and prevailed by more than the two-thirds required.

VOTED: TO AMEND THE APPROPRIATION FOR ITEM 100-110 IN ARTICLE 4  
TO \$3,901,500.00.

After further discussion, Mr. Philip Felleman moved the question relative to the main motion as amended. Before accepting Mr. Felleman's motion, the Moderator asked if there would be any other motion to amend. He then recognized Mr. Naegele who *moved to amend the motion before the floor now to delete the bottom line amount, \$3,901,500, and to replace it by the sum of \$3,770,500, or a reduction of \$131,000 in the requested amount.*

The Moderator stated, "Once again I am constrained to decide whether or not this is in fact a motion for reconsideration. A few minutes ago, we voted a certain bottom line figure. We are now asked to change that. I rule, therefore, that this is a motion for reconsideration and as such it requires a two-thirds vote in favor in order to pass."

Mr. Toomey of the Board of Selectmen then raised a point of order asking that the Moderator state again whether or not Mr. Naegele's motion to amend is reconsideration and what Mr. Naegele is presenting to the hall.

The Moderator stated that "this is a motion for reconsideration and debate on this, as a motion for reconsideration, will be confined to the question of whether or not the matter should be reconsidered."

Mr. Toomey again raised a point of order and asked if the main motion had been made. If not, we are then having reconsideration of a motion that has not yet been made.

The Moderator explained that "there was a Finance Committee motion made last week. Last week, a motion was made to amend that figure upward. That motion was never voted upon last week. Instead, it was moved and voted to recommit the School Committee budget to the School Committee itself, to reconsider it and report to the meeting tonight. That it has done.

"When it came back on the floor tonight, that motion to amend, that is the motion to amend up to \$3,901,500, was on the floor. It was voted in favor. There is now a motion before you to amend it back down below the original figure.

"Now there is more than one way to make a motion for reconsideration. The hall must always beware of motions for reconsideration that fly different flags. One of the possible flags that a motion for reconsideration can fly, is a motion to amend something that has already been amended. That is precisely the situation we have before us. There is a motion to amend something that has already been amended. It has already been amended up. It is now proposed to amend it down.

"As such, the rules of reconsideration must be applied to it. They are two, in so far as this is a motion to reconsider at the same session of the meeting: 1) debate under it is confined to the question of whether or not there should be a reconsideration and 2) a two-thirds vote in favor is required."

After further recapitulation by the Moderator of the motions and procedures in response to another question, Mr. Naegele was recognized for the purpose of making a presentation relative to his motion to amend.

Mr. Naegele stated that the purpose of the motion is to give the Town a chance to vote on the subject for which it referred the budget back to the School Committee in the first place, that is, to see whether or not the budget should be reduced by \$131,000. My motion to reconsider is based upon that fact, and perhaps in some of the parliamentary procedure which has occurred, we may not have understood what has happened. We are voting on this now to determine whether or not there should be any reduction in the proposed school budget based upon the report by the School Committee.

April 8, 1974

After a short discussion, Mr. Naegele's motion was defeated.

*VOTED: THAT THE TOWN RAISE AND APPROPRIATE \$3,901,500.00 TO BE EXPENDED UNDER THE DIRECTION OF THE SUDBURY SCHOOL COMMITTEE FOR ALL ITEMS IN ACCOUNT 100, EDUCATION, 110 SUDBURY PUBLIC SCHOOLS, IN ARTICLE 4.*

ARTICLE 5: To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$62,500, or any other sum, to be expended under the direction of the Highway Commission, for Chapter #90 maintenance program, or act on anything relative thereto.

Submitted by the Highway Commission.

Highway Commission Report: (Mr. Daniel D. Carter) Prior to 1973, Chapter 90 projects were financed 50% by the State, 25% by the County, and 25% by the local authorities. The new policy of the Department of Public Works is that the State's share will be 75% except in the cases where the roads to be improved are considered to be a primary system, Chapter 90 road. A primary system Chapter 90 road is one that serves traffic through one town to another. In that case, the State will appropriate 100% of the funds.

However, when you use these funds, you must repair and maintain the road up to State standards.

The requested funds will be used this year to perform approximately three years of Chapter 90 maintenance work within one construction season in order to reduce the amount of work on roads during the Bicentennial Celebration period. The State has allotted a total of \$90,600 for Sudbury.

The \$62,500 requested, when voted, will leave \$28,100 within the Fund for Sudbury's account. It is the present intention of the Highway Department to use the balance of these funds for Landham Road reconstruction when that job is ready to be done.

Finance Committee Report: The Highway Department usually budgets \$25,500 annually for maintenance of County roads, with minimal reimbursement from State funds. The \$62,500 requested in this article is a one time cost to cover the projected cost of repair and maintenance of three major County roads, with all of the work being done during 1974 to minimize the impact of the bicentennial travel in 1975 and 1976. No funds for Chapter 90 Maintenance will be requested by the Highway Department for those two years, although Sudbury will automatically receive annual payments of approximately \$43,000 from the State during that period. The Finance Committee supports this proposal of concentrating the work in one year as being cost effective and recommends approval.

*VOTED: THAT THE TOWN APPROPRIATE AND TRANSFER \$62,500.00 FROM HIGHWAY CHAPTER 1140 FUNDS TO BE EXPENDED UNDER THE DIRECTION OF THE HIGHWAY COMMISSION FOR THE CHAPTER 90 MAINTENANCE PROGRAM.*

ARTICLE 6: To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$41,500, or any other sum, to be expended under the direction of the Highway Commission, for purchase of a self-propelled highway snow remover, or act on anything relative thereto.

Submitted by the Highway Commission.

Mr. Anthony L. Galeota, Jr., of the Highway Commission moved Indefinite Postponement.

Mr. Galeota stated that the Highway Commission intended to move Indefinite Postponement on Article 7 also. The Moderator asked Mr. Galeota to report on both Article 6 and Article 7 at the same time.

Highway Commission Report: (Mr. Galeota) We are asking for Indefinite Postponement on both these articles because at the time of the article consideration we were expecting considerably more walkways to be included in the Warrant for construction during this year. On that basis, we felt that it was necessary to purchase these pieces of equipment in order to maintain the walkways during the winter season. However, that did not come to pass. The number of miles of walkways that the Finance Committee is recommending will make it unnecessary to ask for funds this year to purchase these pieces of equipment.

April 8, 1974

However, we will be back. If funds are appropriated next year for a similar amount of walkways, it will be necessary at that point to come back and seek funds to buy this kind of equipment in order to maintain them during the winter months.

Finance Committee Report: While the type of equipment requested by the Highway Department is very efficient and desirable for large towns and cities with side-walks, the Finance Committee feels that our present snow removal needs can be met adequately within the desired clean up period after an average snow storm. Our walkway construction program is still in a limited stage and we do not foresee major implementation of this program at this time because of the cost effect on our tax rate. Recommend disapproval.

*UNANIMOUSLY VOTED: INDEFINITE POSTPONEMENT.*

ARTICLE 7: To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$9,000, or any other sum, to be expended under the direction of the Highway Commission, for purchase of a walkway snow plow, or act on anything relative thereto.  
Submitted by the Highway Commission.

Highway Commission Report: See Article 6.

Finance Committee Report: The Finance Committee is sympathetic to the Highway Department to provide snow-free walkways as quickly as possible after a snow fall so that our school children may safely travel to their destination. However, the need for an additional walkway plow is primarily to provide snow removal of additional walkways which may be constructed within the next four years. The Finance Committee recommends that the proposed purchase of this second walkway plow be deferred until such time as its requirement is justified and therefore recommends disapproval.

*UNANIMOUSLY VOTED: INDEFINITE POSTPONEMENT.*

ARTICLE 8: To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$2,500, or any other sum, to be expended under the direction of the Park and Recreation Commissioners, for the purpose of providing a septic system for the already approved installation of a toilet facility to be constructed at the tennis court area of the Feeley Park property located on Raymond Road of Sudbury, or act on anything relative thereto.  
Submitted by the Park and Recreation Commission.

Park and Recreation Commission Report: (Mr. John E. Murray) The Park and Recreation Department seeks the support of Article 8 to enable it to build a much needed comfort station in Feeley Park. The original estimate for the construction of this facility was made in November, 1970, and was presented and passed at a town meeting in the spring of 1971. The Commission was not fully aware in selecting their site that it rested within a 400 foot circle of a proposed future well site. This means that we will have to carry the waste material some 380 feet to the opposite side of the tennis courts and parking lot, or across Raymond Road onto Water District land where the material for draining is quite suitable. In either case, it is an additional cost that could not be foreseen by the Board of Commissioners at the time of the original request.

Finance Committee Report: The Finance Committee recommends approval of this article to permit completion of this vital portion of the Feeley Park facility.

*VOTED: THAT THE TOWN RAISE AND APPROPRIATE \$2,500.00 TO BE EXPENDED UNDER THE DIRECTION OF THE PARK AND RECREATION COMMISSIONERS. FOR THE PURPOSE OF PROVIDING A SEPTIC SYSTEM FOR THE ALREADY APPROVED INSTALLATION OF A TOILET FACILITY TO BE CONSTRUCTED AT THE TENNIS COURT AREA OF THE FEELEY PARK PROPERTY LOCATED ON RAYMOND ROAD IN SUDBURY.*

April 8, 1974

ARTICLE 9: To see if the Town will vote to amend the Town Bylaws by the addition of an article to be numbered by the Town Clerk in the appropriate section of the Bylaws for Town Meetings, reading as follows:

Create  
Maximum  
Tax Rate  
Petition

"No appropriation shall be made by the Town which shall result in a tax rate greater than five per cent (5%) of assessed evaluation, or fifty dollars (\$50.00) per thousand dollars of assessed evaluation, except by a vote which is four fifths or greater of these present and voting. If a firm tax rate can not be established by the Board of Assessors at the time of the town meeting, a list will be proposed by the Finance Committee and voted by the Town with specific reductions to be made in priority at such time when the tax rate can be established, so as to reduce appropriations to an amount equal to or less than the limit imposed by this article. Appropriations for Sudbury or regional school districts including Sudbury may be included in this priority list for reductions, subject to such confirming action of the School Committee as may be required by State law."

or act on anything relative thereto.

Submitted by Petition.

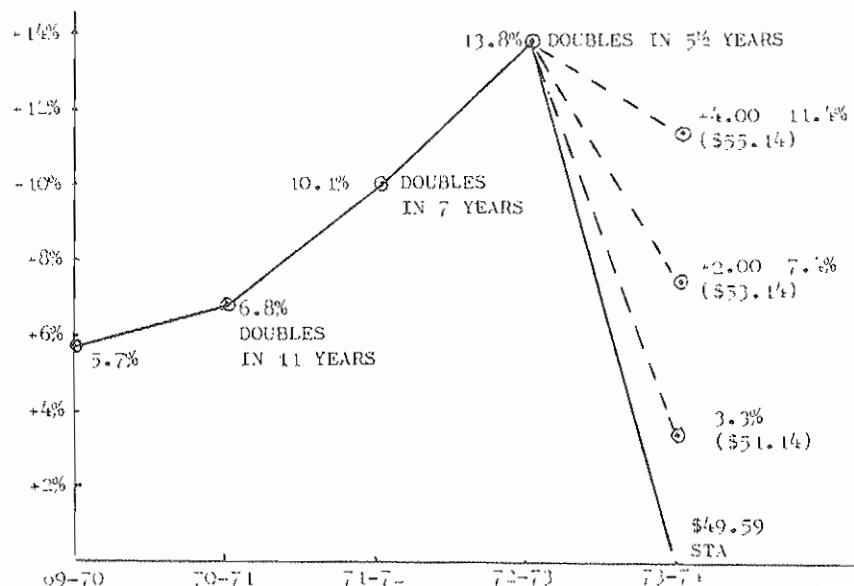
Mr. Eugene L. Naegele, representing the petitioners, moved that [A] the Town amend the Town Bylaws by the addition of an article to be numbered by the Town Clerk in the appropriate section of the Bylaws for Town Meetings to read as printed in Article 9 in the Warrant for this meeting; further, [B] that the Town direct the Selectmen to prepare a petition to the General Court for a special law authorizing Sudbury to ordain a bylaw in the words of Article 9 in the Warrant for this meeting to be submitted without further approval by the Town in the event the Massachusetts Attorney General declares the bylaw illegal without the authority of such special legislation; and, finally, [C] that the Town direct the Finance Committee to establish working procedures with all other Town boards, commissions, committees and regional agencies with which the Town is participating by agreement for preparation of the July 1975-76 fiscal year budget in accordance with Bylaws, Part A above, of this motion, pending final resolution of Parts A and B.

Petitioners' Report: (Mr. Naegele) You often see advertising about a gift for the man or woman who has everything. This Warrant article is not for them. It's just for the man or woman who's had enough.

I'd like you to look at three principal points tonight: our tax problem, how a tax ceiling could work, and the benefit to you as the taxpayers.

CHART O

SUDBURY TAX RATE PERCENTAGE INCREASE 1969-1974



April 8, 1974

This chart shows the essential nature of the problem, the year-to-year percentage increase in taxes. 1969 to 1970, the tax rate increased from \$35 to \$37, or a 5.7% increase. 1970 to '71 from \$37 to \$39.50, or a 6.8% increase. Between '71 and '72 it went up \$4 more to \$43.50, for a 10.1% increase. From '72 to '73, it went up \$6, for a 13.8% increase.

The various dotted lines that are shown at the right of the chart represent the range of possibilities depending upon what is the final amount of money that the Town receives and what assessments are made by County adjustments to our Cherry Sheet and so forth, as to what our tax rate will actually be. The range is from \$49.59, which was the original Sudbury Taxpayers' Association recommendation, up to the amount of \$55.14, which is what could happen if the eventual assessment on the Town resulted in a rate \$4 above that recommended by the Finance Committee. It is anyone's guess as to how much money the Town is going to get, and so the tax rate is always in doubt.

We have had news about our Cherry Sheet in which the amount is \$320,000 more than we expected, as was announced at the beginning of this meeting. I did not hear, however, announcement of another item which was in Friday's newspaper about an increase in the County tax assessment of \$250,000 for the Town of Sudbury, under the new formula. The present assessment is based upon something in 1913, and it is obviously way out of date. I bring this up, not to try to scare anybody, but it is pretty obvious that what the State gives you, the State takes away. If they are going to give us something in our Cherry Sheet this year, they can just as easily take it back again by increasing the assessment on the counties.

Last year there were two bills in the legislature which in essence would prohibit any reimbursement to the so-called wealthier towns, towns which were above average in per capita assessed evaluation, which is the basis for school aid. State aid for schools ranges from something like 15% for the richest towns to about 75% for the poorer towns under the guidelines of per capita assessed evaluation. In other words, it is a way of substituting the State income tax for part of your property taxes. If the bill had been passed, or if it is introduced again and passed at some later time, your tax rate again could go up in the future. Also, last year our assessed evaluation was estimated at 165 million and ended up with only 160 million, for a 3.1% increase, or \$1.35 on your tax rate. There are any one of a number of things that could happen to upset your tax rate. The essence of the problem is the continually increasing tax rate which could result in your tax rate doubling in a period of five to seven years if they go on at the current rate.

I'd like now to take a brief look at how the tax ceiling might work. I would like to talk about it in two parts: first, what would happen before the Annual Town Meeting, and then, what could happen during the Annual Town Meeting.

Under the proposed bylaw, the Finance Committee would be required to prepare at least one budget which, in their estimation, would result in a tax rate no higher than the amount proposed by this bylaw. In addition to that, they would be required to come up with a list of priorities which, in essence, would say, if the assessed evaluation is not as high, if we have a lower Cherry Sheet than we expect, if Federal aid, State aid, comes in lower than we expect, then we may have to cut some money in order to retain a tax rate at a fixed value. This would be listed in order of priority.

If the Finance Committee wished to propose a higher budget than was contained in the bylaw, that is to say, one which had the tax higher than \$50, they would have to propose early in the Town Meeting a change in the bylaw to set a new tax rate. This tax rate would not be rigid, it would merely require a positive acknowledgement that your tax rate was going up. It would merely be a budget on the basis of a tax rate, rather than just on dollars which don't really show us what the impact is going to be on our own pockets.

At the Annual Town Meeting, when the Finance Committee came in with their proposals, first of all, it would take a two-thirds vote to change the tax rate. Secondly, it would be an ordinary majority vote for you to change any of their recommended priorities as to what you would like to cut out of the budget to bring the tax rate down. Thirdly, it would take a four-fifths majority in order to exceed the tax rate, if the bylaw were not changed by your vote.

If, at the beginning of Town Meeting, we would have a number of people who would like to come in and set a budget but were unable for various reasons to spend the entire six or nine days that are usually spent in these Town Meetings, they would be able to come in and indicate how much money they thought they were prepared

April 8, 1974

to spend on Town activities and then leave it up to all those people who had a greater interest and knowledge about the various proposals to determine how that money ought to be spent.

The third item to consider is the protections and benefits to you as the taxpayer. There are several protections. All of us set our own budgets at home based upon how much money we are going to earn, not a budget based upon what are all the things that you would like to spend money on. You also perhaps might establish some contingency items on which you might spend money if you end up having enough left at various times in a year as you evaluate your budget. So this again would be just the same thing.

In addition to this, it has protections that if everyone cannot attend all the sessions of town meetings, then a small group would not be able to have a serious impact on your pocketbook at a later time.

The question is going to come up as to legality of this. Town Counsel is going to give you his opinion that it is the right of a simple majority to raise taxes to any level they want. I sent this proposed bylaw to the Assistant Attorney General and to the Town Counsel for a ruling on whether or not this is legal. One thing that the Assistant Attorney General said was that they do not give rulings until the Town actually votes the bylaw. The second thing he did say, not as an opinion of the Attorney General's office but as his own idea, was that the four-fifths vote might be in conflict with the General Laws. As a matter of fact, I would like to point up for you where these same numbers are in existence or proposed in other areas. The Town Counsel assisted the Selectmen and several other citizens, including myself, in a proposed special article to petition the State for a General Law to allow the Town citizens to override a school budget by a four-fifths vote. A four-fifths vote is not an uncommon item. It also takes a four-fifths vote to change the order of articles in presentation at this Town Meeting.

But we cannot solve any legal questions on this floor. I think it is pertinent to note, however, that the legality would only be determined by the office of the Attorney General after the Town voted the bylaw, and he examined it at that time.

Part B says that the Town would direct the Selectmen to prepare, with the assistance of Town Counsel, of course, a special law which would authorize us to make such a bylaw. So, if you do vote in favor of this item, and even if it is declared illegal when it reaches the office of the Attorney General, we are not through. The petition for a special act to allow us to pass such a bylaw would be in the works and perhaps could be ready by our next Town Meeting. In addition, if you vote in favor of this bylaw, you indicate to the Town boards, committees and officials that you are actually in favor of a proposed Town budget by setting a tax rate.

The article also provides, in Part C, provisions whereby the Finance Committee is directed to commence the preparation of their next year's budget on the basis of this tax rate of \$50. I request your vote in favor of this article.

Finance Committee Report: (Mr. Frank T. LeBart) I would like to point out that the figure that was reported earlier from the Cherry Sheet was the net figure. It represented \$310,079 net, which included the adjustment for the county assessment which, by the way, was in error. For the Town of Sudbury it went from approximately \$19,800 to about \$6,000.

I think this just underlines the kinds of problems that this kind of bylaw would create for the Town. I would like to stress first, however, that the Finance Committee to a person is in favor of the objectives of Mr. Naegele and his associates, and we have worked hard for four months to try to reduce the budgets and to recommend cuts in many other areas in order to achieve that goal.

However, we see in this procedure certain legal administrative problems that would tend to generate more of the kind of confusion that we have had here the last few nights of Town Meeting. One of these is the problem of trying to estimate the Cherry Sheet. As I reported the first night, we asked the Town Accountant to be conservative because we wanted no surprises in terms of an upward pressure on the tax rate. We were pleased that it went down close to \$2.00. We have a similar problem with Federal Revenue Sharing. We still do not know what that number is. We have a comparable problem with the county assessment.

April 8, 1974

But also built into the dynamics of the system is a problem which can create, in our judgment, distortions. You have heard that kind of problem that we have with regard to school budgets, the threat of a taxpayers' suit if not approved. The school budget represents 67% of the total budget. The only portion, if this bylaw were otherwise workable, that could be dealt with at all would be the remaining percentage, the rest of Town government. This could very well result in distortions where the schools could go ahead with their own budgeting and leave very little, if anything, for the Town. So that is a possible distortion.

Let me explain how we really work on the School Committee budgets. We do it through continuing meetings, through attending early sessions of the School Committee. We do it through persuasion, and might I say that the School Committees have been very responsive to our recommendations.

The real way, believe me, to keep your tax rate down is to come to these hearings: the School Committee hearings, the hearings before the Finance Committee. We made a special effort to have copies of the budget available for the public during our hearings so you could follow item by item.

For all these reasons, we think that the proposed bylaw is not workable. However, we do endorse the objective.

Town Counsel Report: It is the opinion of Town Counsel that if the Bylaw amendment proposed in Article 9 in the Warrant for the 1974 Annual Town Meeting is properly moved, seconded and adopted by a majority vote in favor of the motion, it will NOT become a valid amendment to the Sudbury Bylaws.

Town Counsel further reported to the meeting as follows: This is one of those cure all things that sounds good when you first hear it. When you take the time to analyze it, it really won't work, and let me give you an example. I received today from the State Tax Commission their equalized valuation for Sudbury. They equalized the total assessed value of all the property in Sudbury at 216 million dollars. That is up from 155 million that they said your property was worth in 1972. If we apply the \$50 rule, or the 5% rule, you end up with \$10,800,000. Your total budget this year to be raised by taxation is something under \$9,000,000, and it will probably be around \$8,600,000. Even if this bylaw were in effect, your Town officials, if they wanted to act irresponsibly, or if you the voters wanted to vote irresponsibly, could vote another million or million and a half dollars, in addition to what has been requested in this Warrant. All you have to do is raise the total value of all the property in Sudbury and that figure can be jockeyed back and forth. If somebody really wants to spend more money, this bylaw is not going to stop them.

In a letter I have from the Attorney General's office, he says, in addition to the four-fifths vote that causes grave difficulty from a legal point of view, the General Laws set forth what you can and cannot do in your bylaws. This does not fall within any of those statutory authorizations. In addition, the General Laws specify that you shall provide for schools, you shall provide for roads that are safe and convenient for travelers at all seasons of the year, you shall do certain things with regard to public health, you shall do certain things with regard to your Police, and you shall do certain things with all employees who are under a collective bargaining agreement.

If the Assessors do not choose to monkey with the total assessed valuation figures of the Town, and this bylaw were enacted, you probably could not meet your statutory obligations with this as a restriction. From a purely legal point of view I raise the issue that this would prevent you from doing what statutes direct you to do and, therefore, it really is not legislation that you should enact.

There is one final thing that bothers me and that is, it really is an infringement on your right to vote for something. If you enact this and something comes along and you want to spend the money and you go over the \$50, it would be almost impossible to get a four-fifths vote. It means that a majority, or even a two-thirds vote, as required for land acquisition and bonding, will be stymied. You, the voter, will be unable to vote on some project which you may find desirable and necessary, or maybe for an emergency purpose. For all of these reasons, I think the Town would be well advised to vote against the proposed bylaw.

Mr. Naegel's motion was defeated.



April 8, 1974

ARTICLE 10: To see if the Town will vote to authorize the Town Treasurer, with the approval of the Selectmen, to borrow money from time to time in anticipation of revenue of the financial year beginning July 1, 1974, in accordance with the provisions of General Laws, Chapter 44, Section 4, and to issue a note or notes therefor, payable within one year, and to renew any note or notes as may be given for a period of less than one year in accordance with General Laws, Chapter 44, Section 17, or act on anything relative thereto.

Temporary  
Borrowing

Submitted by the Board of Selectmen.

Board of Selectmen Report: The wording of this article is submitted, as it appears, on recommendation of the State Director of the Bureau of Accounts.

Finance Committee Report: Recommend approval.

*UNANIMOUSLY VOTED: (CONSENT CALENDAR) IN THE WORDS OF THE ARTICLE.*

ARTICLE 11: To see if the Town will vote to authorize and empower the Selectmen, upon the written request of the Conservation Commission, under the provisions of General Laws, Chapter 40, Section 8C, as amended, to acquire in fee simple, by purchase or by a taking by eminent domain, for conservation purposes, the following described land:

Acquire  
Whitman  
Land

Approximately 18 acres of land situated on the easterly side of the Boston Post Road in Sudbury, shown on a plan entitled: "Compiled Plan of Land in Sudbury Massachusetts for Conservation Purposes", dated: December 31, 1973, by the Town of Sudbury Engineering Department, a copy of which is on file in the Town Clerk's office, which plan is incorporated herein by reference,

and to appropriate therefor, and all expenses in connection therewith, \$20,200, or any other sum, and to determine whether the same shall be raised by taxation, transferred from available funds, provided by borrowing, or by any combination of the foregoing, with all land acquired hereunder to be under the management and control of the Conservation Commission, or act on anything relative thereto.

Submitted by the Conservation Commission.

[\$2,200 of appropriation is for Engineering Services]

[For diagram, see next page]

*Mr. Peter H. Scott of the Conservation Commission moved that the Town authorize and empower the Selectmen, upon written request of the Conservation Commission, under the provision of the General Laws, Chapter 40, Section 8B, as amended, to acquire in fee simple, by purchase, or by a taking by eminent domain, for conservation purposes, the land described in Article 11 in the Warrant for this meeting and to appropriate and transfer \$18,000 from Conservation Funds therefor and all expenses in connection therewith, with all land acquired hereunder to be under the management and control of the Conservation Commission.*

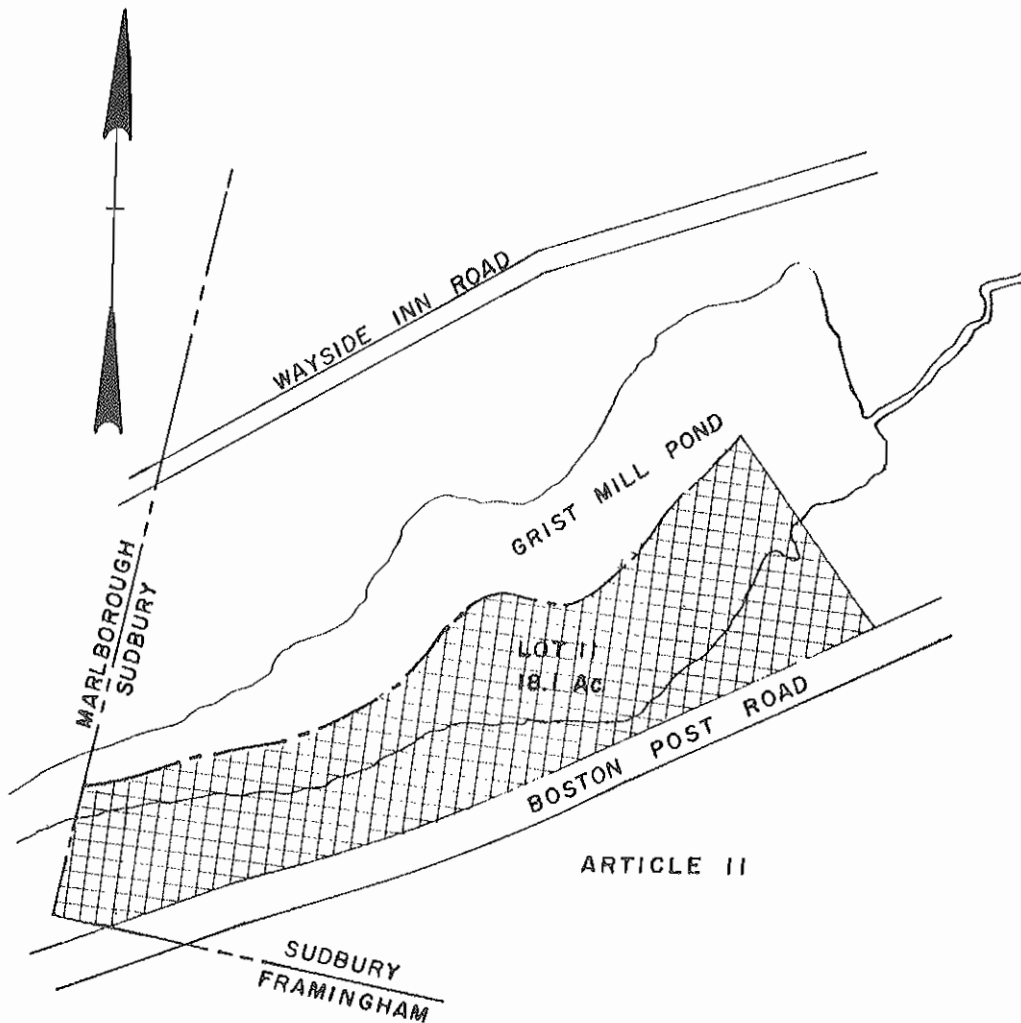
Conservation Commission Report: (Mr. Scott) The land in question runs to the southwest corner of the Town of Sudbury along the south side of the Grist Mill Pond, and extends out to the median line of the pond. It is a piece of land which will provide good Town access for use of the Grist Mill Pond. The land is near the Wayside Inn Trust land, some 125 acres of quasi-public land. It would extend the lands around the Grist Mill Pond for public use.

Mr. Scott then presented colored slides of the area to the meeting and commented as follows while the slides were being shown:

There is a small piece of land that joins the land proposed for acquisition and the Wayside Inn Trust which extends about 100 feet up the edge of the pond. We would hope to acquire this at a later time.

There is a path along this pond and it provides a scenic area for light recreation. It is also an area for aquatic forms, such as purple loosestrife.

April 8, 1974



I think the words of the Department of Natural Resources investigator describe this land far better than I might, and I would like to read his comments.

"This area is a sanctuary for water fowl. Its location precludes its use as a hunting area though many forms of outdoor recreation abound. There are two small stands of white pine on the property, and there is an excellent chance for conservation education, both water and forestry oriented. An historic monument was erected in honor of George Washington's passage through this area. The monument was erected by the D.A.R. and mentions a tree that was planted in his memory. The tree is a large Norway spruce. This property is located upstream from the Wayside Inn and the historic Grist Mill. Its acquisition will protect this aesthetic and historic site.

"I highly recommend the acquisition of this property. The price is well worth it and the location of this property indicates that it should be in public ownership. This acquisition is recommended for high priority under the Self-Help Program."

I would like next to discuss the proposed funding of this land and of the land in the next two articles, so that you may see in context exactly what the Conservation Commission is planning and what its potential effect will be on the tax dollar. The lands in our articles are eligible for supporting funds from both Federal and State agencies. These are specifically the Bureau of Outdoor Recreation, or BOR, Federal funding, and the State Self-Help Program, both of which are administered under the Department of Natural Resources. Either of these can return on a property up to 50% of the land purchase. One might ideally say that the Town would indeed be fortunate if we could get 50% of the land purchase from BOR and 50% from Self-Help, and then we wouldn't have to pay anything ourselves. Unfortunately, things never work that way, and the most that one can

April 8, 1974

get on any single property is 75% reimbursement. Under such a case, it would be 50% from BOR and 25% from Self-Help.

The cost of the properties comes to a total of \$570,600. Of this, \$200,000 we propose to contribute from the Conservation Fund. This is essentially the amount of money we now have available in the Conservation Fund. A portion of the Davis property is Park and Recreation property and as such would require a down payment from the General Fund of \$4,600. We can hope to obtain State and Federal reimbursement of approximately \$383,000. However, that reimbursement does not become available immediately, but after approximately two years from the time of purchase. Therefore, we would be required to borrow, on short term, to cover the total \$372,000 [sic]. This money can be borrowed short term in anticipation of receipt of the State and Federal funds.

This would affect the tax rate as follows: In 1975, the free cash appropriation for the Park and Recreation down payment would add about 2.8¢ to the tax rate and the short term borrowing would be 9.8¢ for a total of 12.6¢ affecting your tax dollar in 1975. In 1976, you would again pay your 9.8¢. There would be a principal repayment which would account for \$2.30 on the tax rate, but with a reimbursement credit of \$2.352, the net effect on the 1976 tax rate would be 4.6¢. After this, the entire debt would be discharged.

These are slightly high side estimates because of the \$163,000 tax base which we used to calculate them.

You will note on the Whitman land, in the article under present discussion, the initial cost is \$18,000 which is appropriated from the Conservation Fund. We stand to get \$9,000 of that back. This is a very good buy to the Town in that the \$18,000 is already in the Fund. We are only asking you to give us permission to use it, and in return, we promise to get \$9,000 of it back for you.

The money that the State and Federal governments make available for reimbursement for land purchases are made available to whatever cities and towns apply for them. Those towns and cities that do not apply for them still have taxpayers who pay taxes that go to support these funds. This is a way to get those funds back to Sudbury.

I would like to just review those people supporting the Whitman property purchase. These are the Massachusetts Federation of Women's Clubs, P.R.I.D.E., Wayside Inn Trust, the Planning Board, the Board of Health and the Finance Committee.

Finance Committee Report: Monies in the Conservation Fund will be used to purchase this land. A positive vote on this article will make possible application for 50% reimbursement to the Town from State Self-Help funds. Recommend approval.

Board of Selectmen Report: The Board of Selectmen is in favor of this article.

After discussion, a motion to table Article 11 until the hall considers Article 19, made by Mr. Doyle, was defeated.

After further discussion, the Conservation Commission's motion for the purchase of the Whitman land was defeated. *In favor - 290; Opposed - 162. (Total - 452; two-thirds vote in favor required.)*

Upon a motion made by Mrs. Anne Donald, it was

*VOTED: THAT WE ADJOURN UNTIL TOMORROW NIGHT, APRIL 9, 1974, IN THIS HALL.*

The Moderator announced that the vote was greater than the two-thirds required by bylaw.

The meeting adjourned at 10:45 P.M.

## PROCEEDINGS

## ADJOURNED ANNUAL TOWN MEETING

April 9, 1974

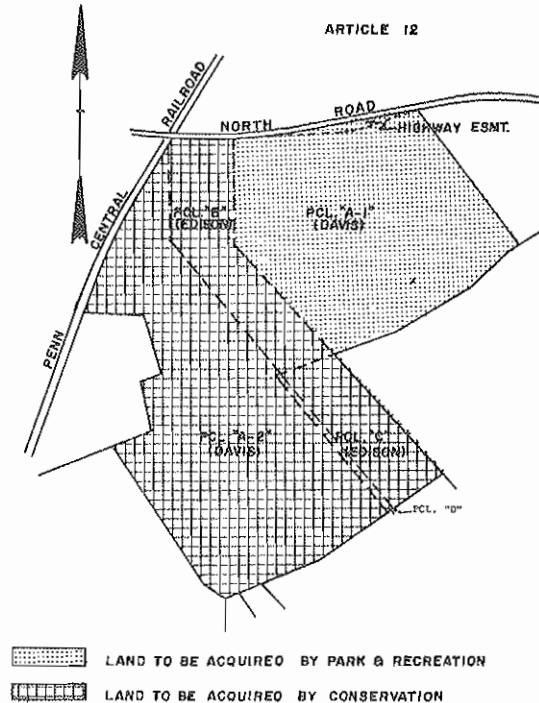
The Moderator called the meeting to order at 8:00 P.M. in the Lincoln-Sudbury Regional High School Auditorium. He announced that a quorum was present.

ARTICLE 12: To see if the Town will vote to authorize and empower the Selectmen to acquire, in fee simple, by purchase, by gift or by a taking by eminent domain, the land situated on the southerly side of North Road, containing approximately 78.5 acres, shown as Parcels A1, A2, B, C and D on a plan entitled: "Compiled Plan of Land in Sudbury, Massachusetts for Conservation, Park and Recreation Purposes", dated: December 28, 1973, by the Town of Sudbury Engineering Department, a copy of which is on file with the Town Clerk's office, which plan is incorporated herein by reference, with Parcel A1 to be acquired for Park and Recreation purposes and to be under the custody and control of the Park and Recreation Commission, and with Parcels A2, B, C and D to be acquired for conservation purposes, under the provisions of General Laws, Chapter 40, Section 8C, as amended, and to be under the custody and control of the Conservation Commission, and to appropriate therefor, and all expenses in connection therewith, \$273,800, or any other sum, and to determine whether the same shall be raised by taxation, transferred from available funds, provided by borrowing or by any combination of the foregoing, or act on anything relative thereto.

Acquire  
Davis  
Land

Submitted by the Conservation Commission and the Park and Recreation Commission.

[\$7,200 of appropriation is for Engineering Services]



April 9, 1974

Conservation Commission Report: (Mr. Eric S. Lind) The property is divided into two portions. The portion to the right and to the east, fronting on Route 117, would be for Park and Recreation purposes. There is a proposed highway easement along Route 117 to straighten out that very dangerous curve.

The Park and Recreation portion is primarily open field bordered on the south by a very beautiful tall row of spruce, and is very suitable for development for recreation facilities. The parcel consists of approximately 29 acres.

The Boston Edison right-of-way was acquired by Boston Edison at the time they planned an overhead transmission line. The Town saw that the transmission line was put underground. Therefore, this land is excess and consists of approximately 15 acres. There is a small pond and a stream running through this parcel. Much of it is low land.

The major portion of the Conservation land is the 37 acre parcel which is owned by Mr. Hazen Davis. It consists of a hill, open fields to the south and low lying woodlands.

Mr. Lind then showed colored slides of the area.

The purchase price, including land use plan and engineering survey, is \$261,600. The Conservation Fund applied to this article is \$132,000. The Conservation Fund can only be applied to the Conservation land. We cannot use our fund to purchase Park and Recreation land. That money has to be appropriated.

In order to borrow, \$4,600 would have to be appropriated from free cash in order to serve as seed money. We would need to borrow \$125,000, but please note the reimbursement anticipated from both the Federal Bureau of Outdoor Recreation and the Self-Help State Funding would be, just for this article, \$156,000. In effect, we will be getting back more than we have to borrow in relation to this particular article. This amount would be coming back over a two year period. We feel our chances are excellent for getting this money. Our record in the past has been 100%. There are sufficient Federal monies available now. If this article passes, we plan to complete our land use plan and complete our application for Federal funding.

The Davis land is valued, based of course on our purchase and sales agreement with Mr. Davis, at \$117,000 for the 37 acres, and we have an agreement on the Boston Edison right-of-way for \$15,000, or a total of \$132,000. Our Conservation Fund will apply to that.

With respect to the Park and Recreation land, the purchase and sales agreement is for \$114,000. We have a 3% contingency because we do not know the exact acreage. To allow for any possible deviation in the acreage, we have \$6,900. Engineering that includes placing the bounds and making the survey determining the exact acreage amounts to \$7,200. The land use plan is \$1,500 and is required in order to receive Federal funding. We must hire a landscape architect to work with us on the land use plan. This makes a total of \$129,600.

The reimbursement will be \$123,000 from Federal funding which we anticipate we would get in approximately one year. State Self-Help funding of \$33,000 would probably take close to two years to get back.

The effect on the tax rate would be 2 to 2.8¢ for 1975 for the \$4,600 free cash and interest on short term would be 3.8¢ for a total in the first year of 6.6¢. In 1976, assuming that we have not received any of the reimbursement funds, the interest on short term \$125,000 is 3.8¢, principal repayment would be 75¢. Reimbursement credit is 94.8¢.

The cost to the Town, of course, of a planned 50-house subdivision, when you consider schools and services involved and the fact that new homes today in Sudbury are a liability on the tax rate, would certainly more than offset the money required to pay for the short term borrowing. We are talking in the order of \$5,000 per year on the short term borrowing.

Other sites are not available now in the North Sudbury area. Although Park and Recreation land is not planned for immediate development, the chances of our finding a suitable site for recreation purposes in North Sudbury is very slim. Presently, North Sudbury is one of the fastest growing areas in the Town. There are at present four major subdivisions in various stages of development. Most of the suitable land for recreation purposes is tied up. We do not anticipate finding another site that is as good as the Davis land for this purpose.

The average price of \$3,100 per acre will never be less than that. State and federal monies may not be available in the future for this purchase.

April 9, 1974

The Conservation Commission urges you to support this article in the interests of lower taxes, future recreation facilities, conservation of open space, wildlife and improving the quality of life for every Sudbury citizen.

Park and Recreation Commission Report: (Mr. John R. Carter) In all probability, the population of Sudbury will be somewhere between 30,000 and 35,000 people in the next 15 to 20 years. Park and Recreation Commission, whose responsibility it is to serve the recreational needs of the Town, must plan for this predicted population growth. These plans are based on two basic principals. The first is that present types of recreational facilities must be periodically increased to keep pace with this growth. Secondly, the amount of land area and its location needed for this growth must be considered now.

The first is fairly simple in that we can project the facilities needed for population density from known studies and reports from both private and governmental agencies. The second is more difficult. The amount of land needed and its general location can be predicted fairly accurately, but just what land will be available and its future cost at the time of need should be of immediate concern. The ultimate savings in total dollars are great if land is purchased now and set aside for the future needs of our townspeople.

In 1972 the Park and Recreation Commission submitted a Five Year Plan to help guide the present and future commissioners in effectively anticipating our growing Town's recreational needs. Any attempt at long range projection inevitably points to the need for additional land acquisition.

Sudbury's formal commitment to provide the means for outdoor recreation essentially started with the purchase of Featherland Park in 1960. This was followed by the purchase of the Raymond property in 1961. Both of these were purchased for about \$1,000 per acre. During the 60's Featherland Park was developed, and in the late 60's development of what is now Feeley Park began.

The Five Year Plan strongly recommended suitable sites of approximately 30 acres in size to be sought and purchased for future development in the western and northern sections of Town during this time period. In 1973 the Haskell property with about 29 acres of choice land was purchased for just over \$6,000 an acre; 50% of this price was reimbursed to the Town from BOR funding.

That portion of the Davis parcel shown as Parcel A-1 in your Warrant, compares most favorably to the Haskell land. First of all, it is open farm land which lends itself to lower development costs. Secondly, it has easy access from the main road of Sudbury. Thirdly, it is handy to existing utilities, and lastly, it is of adequate size to meet the requirements set forth in the Five Year Plan.

A unique feature of this article if passed, is that eventually we would have a park featuring additional facilities for tennis, basketball, soccer, football, softball, baseball and any other activity popular at that time, directly adjacent to 50 acres of Conservation land, that can be used for more passive forms of recreation.

North Sudbury is the fastest growing section of this Town. If we fail to exercise our option to buy the Davis land at this time, in all probability it will be sold to a developer. This in itself will reflect in that area's growth rate. All of these circumstances will inevitably precipitate an urgent need to purchase land for recreational purposes in that area within the next year or two. We know of no other parcels of land in North Sudbury that are now, or are apt to be in the near future, available for purchase that could compare to the advantages offered by the Davis land.

If the Town approves the purchase of this land, we would immediately apply for 50% reimbursement for Park and Recreation portion to the BOR. We understand that substantial funds are still available for this fiscal year. There is no way of telling if they will continue to be available in the future. In consideration of the Davis land's ideal geographical location, its excellent suitability for future development and the ultimate savings of future Town's dollars, the Park and Recreation Commission unanimously urges support of this article.

Board of Selectmen Majority Report: (Mr. Powers) At the opening of this meeting, we indicated to you our strong opinion that unless and until we develop a coordinated, timed, scheduled development of capital programming in this Town, we are going to be in continued financial difficulty. We pointed out to you that at the present time, we are spending \$833,000 in debt service alone. That is something

April 9, 1974

like 8% of your total tax rate. We have indicated that we would urge upon you a very careful consideration to try to send a message, albeit gentle, to the boards and committees of this Town who are planning capital improvements, to develop a plan and to stay with the plan, to give us some way of putting together the various conflicting and competing demands upon your tax dollar.

CHART P

CONSERVATION COMMISSION - LONG RANGE LAND PURCHASE PLANS  
AS REPORTED IN THE FOLLOWING YEARS

	<u>1969</u>	<u>1970</u>	<u>1971</u>	<u>1972</u>	<u>1973*</u>
1970	30,000				
1971	30,000	30,000			
1972	30,000	30,000	37,000		
1973	30,000	30,000	40,000	70,000	67,650
1974	30,000	30,000	43,000	50,000	1,049,600
1975	30,000	30,000	46,000	55,000	54,600
1976		30,000	49,000	60,000	1,060,000
1977			52,000	---	66,000

\* Conservation Commission's Five Year Plan dated September 17, 1973.

This chart shows the Five Year Plans as submitted by the Conservation Commission with projections as to how much money would be spent in what year. The row across the top shows the years in which they submitted their projections for expenditure. Underneath them, on the equivalent year, is the amount of money that they requested.

You will notice that in what is listed as 1974, the figure jumped from what it was running, \$30,000 to \$43,000 to \$50,000, a general increase into the Conservation Fund, to a requested figure of \$1,049,600. The difference between what you see here and what is in your Warrant is the article [Article 14] that was withdrawn. You will also note that two years from now they are proposing another \$1,060,000 series of acquisitions. This is a matter of some concern to us because we think it is not five year planning.

This piece of land is a beautiful piece of land, there is no question. The Town of Sudbury has a great deal of beautiful land in it and we love it. But here are some figures from Engineering. This Town contains 15,800 acres. Right now, 3,600 acres, or 24% of the surface of the Town, are already in public or semi-public ownership. We have a right to ask, where are we going? How much? What acres? What priority system? Where do we begin? And, indeed, several years ago we did ask.

In 1971, when the Conservation Commission proposed its Five Year Plan, they had a land acquisition schedule, and they published it in your Town Report. The chairman of the Commission was asked at that time how many additional acres would be in the Plan. The answer was, "It is easy to remember because it is the same as the year, 1971 additional acres."

My problem is simply this: We have in private ownership some 12,200 acres. We have approximately another 38% of the Town, 6,000 to 6,100 acres, that are prime undeveloped land. When you put all the acreages together for all of the articles we have in this Warrant, you'll see that it isn't many acres. I question whether it is effective to do some of the things you have been talking about until we get further data and can see where it is going. Where does it go? What is the program? Can we hear the program? Can you know what the figures are?

In regard to the Park and Recreation Commission, I have read their Five Year Plan with great care. I note that it is not scheduled in their plan either. The 1973 Five Year Plan has in it an acquisition schedule. The scheduled piece

April 9, 1974

for acquisition for this year was not in this location at all. The scheduled acquisition for a piece of land in North Sudbury was for the year 1977, not 1975, and it stated that the minimum requirement would be 30 acres. This is under 30 acres.

I suggest we have a problem, and the problem is simply this: Are we going to continue to make major and sudden shifts and adjustments? Are we going to continue to do what we have been doing? Every time somebody comes here with a fine piece of land, are we going to say, "We must do it", or are we going to try to get some hard answers to some hard questions and do some hard planning?

For example, there are a couple of statements that love to be made. One of them is that there is a developer waiting for the land. I suppose that is always true, and there are other developers waiting for other pieces of land. We pointed out to you that the projections upon which these needs were based, even the Park and Recreation projections, were based upon an annual increase of over 1,000 citizens per year. In fact, we have had 174. Our building starts are at the lowest level in 20 years. We do not have a panic. We have a time break. It may not last long, but this is the time to plan. If we keep approving articles like this that are forwarded in good faith by good boards, but that are unplanned and are untimed, we will never have a program and we will never have a control of our tax rate.

These are the reasons the majority of the Board urges you to send this article and the next one back to the drawing board to see if we can get some internal discipline and some internal order in your government.

Board of Selectmen Minority Report: (Mr. John E. Taft) First of all, let us understand what the Conservation Fund is. It will be used to pay for approximately half the purchase price of the Davis land. The Conservation Fund is made up of monies that we, the taxpayers, pay every year. We have been paying them for a number of years. They have varied from about \$30,000 per year to \$46,000 this year, which we voted back in Section 300 of Article 4, the budget. That money goes into the Conservation Fund which can then be used by this Town Meeting to vote for the purchase of land. The Fund presently has in it approximately \$200,000 exclusive of the \$46,000 that we voted for next year.

That money does not come out of the tax rate for next year. The \$132,000 that is taken from that Fund is there already. We have paid our taxes already for that money. The money has earned some interest in the Fund in addition. But it is not an impact on the tax rate, and I hope that is quite clear.

Now, the previous speaker showed a chart which showed the long range capital plan of the Conservation Commission. You may have recognized numbers like 30,000, 30,000, 30,000, and then it built up to 46,000, 46,000, and so on. Those numbers are in fact the payments to the Conservation Fund that were programmed ahead by the Conservation Commission. There is no way they could program buying pieces of land that came out exactly what they were programming in the way of putting money in the Fund. What we are proposing is to continue to put money in the Fund. Granted, in the last year, they decided to take a departure from past practice and say that we would be smart to bond some of this. That is what they are proposing here tonight, and I would like to explore that with you a little more. But understand that the difference between those lines you saw was whether the money is going in the Conservation Fund or whether, in fact, we are going to do something else, like spend more than we have in the Conservation Fund.

With respect to the subject of planning purchases of land and actually making purchases of land, I am sure we all recognize that it would be folly to plan exactly which pieces of land you are going to buy and then go out and buy them. As anyone who has bought land knows, you only buy it when the owner wants to sell it, that is, if you want to get a reasonably good trade. Otherwise you will pay very dearly for the land.

The Conservation Plan, in fact, does show land in this part of Town. It shows the immediate adjacent piece of land, the one on the other side of the spruce trees. It does not show the Davis parcel, but it does show a piece of land in this part of Town. I think everyone recognizes that it was a desirable place to have Conservation land, but the Davis land has come on the market, not the one next door. Mr. Davis is going to sell his land. He wants to sell his land. When somebody wants to sell their land, that is the time you buy it if you want to have a reasonably good price for it.



April 9, 1974

You know what land is. We are used, in this country, to an economy of surplus. We have learned some new lessons in the past year with regard to gasoline and oil. But I think land is the one item that we all have to think differently about because they don't make any of it anymore. There is only so much of it around. There is no more coming on the market. What is there is there. It is not going to appear any more. I would say now there could be no better time to buy the Davis property than now. We have the money in the Conservation Fund to pay for the Conservation portion. We will be able to apply for and, hopefully, get 60% reimbursement for the total purchase from the Federal and the State government. It will have very little impact on the tax rate; it is down in the cents.

The price of this land is not going to go down or of any land in the Town is not going to go down. It was mentioned by Mr. Carter that we bought parcels like Featherland Park and the Raymond land for \$1,000 an acre. Those were not all high and dry land. I don't think we should kid ourselves on that. The Raymond land is about 50% wet, and the Featherland Park piece is perhaps 30% wet in the back. We saw last year that we had to pay \$6,000 an acre for land to get dry land, not all frontage land either. A good part of it was back land, but that is what it costs.

The piece that you are talking about here in the Davis-Boston Edison piece works out to about \$3,300 an acre. I suggest that that is a very good price for land in that part of the Town, in that situation, partly wet but mostly dry, quite buildable, quite developable. The owner is going to sell the land. He is either going to sell it to the Town, or he is going to sell it to a developer. He wants to sell it. He wants to retire. It is his retirement kitty.

I think we would be very prudent to buy that land instead of watching it go up into a bunch of houses.

Finance Committee Report: (Mrs. Carolyn Edwards) The Town has appropriated, over the years, a sum of money into the Conservation Fund because we recognize that land does not become available in neatly spaced intervals. That Conservation Fund has now built up to \$200,000. We appropriated that money over the years because we intended it to be spent for land.

The Conservation Commission can spend that money for land without coming to the Town Meeting for approval. It has come to the Town Meeting for approval in order to qualify for the reimbursement. Without the approval of Town Meeting, we would not qualify for reimbursement.

Now, the land does not become available in neatly spaced intervals. Park and Recreation has that same problem. Land does not become available for Park and Recreation use in neatly spaced intervals. Park and Recreation, however, does not have a fund from which to draw and must ask the Town Meeting for approval to borrow money to fund that purchase. As in the presentation, the effect on the tax rate of the short term borrowing will be 7¢ in this year, less in the next. 7¢ on the tax rate comes to \$3.50 on a \$50,000 house.

Park and Recreation has land in East Sudbury, East-Central Sudbury, South Sudbury and West Sudbury. Now this piece of land has become available in North Sudbury. Its purchase would have a minimal effect on the tax rate, and the Finance Committee recommends approval.

After some discussion, it was

*VOTED: THAT THE TOWN AUTHORIZE AND EMPOWER THE SELECTMEN TO ACQUIRE, IN FEE SIMPLE, BY PURCHASE, BY GIFT OR BY A TAKING BY EMINENT DOMAIN, THE LAND SITUATED ON THE SOUTHERLY SIDE OF NORTH ROAD, CONTAINING APPROXIMATELY 81 ACRES, SHOWN AS PARCELS A1, A2, B, C AND D ON THE PLAN ENTITLED: "COMPILED [PLAN] OF LAND IN SUDBURY, MASSACHUSETTS FOR CONSERVATION AND PARK AND RECREATION PURPOSES", DATED: DECEMBER 20, 1973, BY THE TOWN OF SUDBURY ENGINEERING DEPARTMENT, A COPY OF WHICH IS ON FILE AT THE TOWN CLERK'S OFFICE, WHICH PLAN IS INCORPORATED HEREIN BY REFERENCE, WITH PARCEL A1 TO BE ACQUIRED FOR PARK AND RECREATION PURPOSES AND TO BE UNDER THE CUSTODY AND CONTROL OF THE PARK AND RECREATION COMMISSION, AND WITH PARCELS A2, B, C, AND D TO BE ACQUIRED FOR CONSERVATION PURPOSES UNDER THE PROVISIONS OF GENERAL LAWS, CHAPTER 40, SECTION 8C, AS AMENDED, AND TO BE UNDER THE CUSTODY AND CONTROL OF THE CONSERVATION COMMISSION, AND TO APPROPRIATE THEREFOR AND ALL EXPENSES IN CONNECTION THEREWITH, \$261,600.00, AND*

April 9, 1974

TO MEET THE APPROPRIATION, TO APPROPRIATE AND TRANSFER \$4,600.00 FROM FREE CASH, APPROPRIATE AND TRANSFER \$132,000.00 FROM THE CONSERVATION FUND, AND AUTHORIZE THE TREASURER WITH THE APPROVAL OF THE SELECTMEN, TO BORROW \$125,000.00 UNDER GENERAL LAWS, CHAPTER 44, AS AMENDED.

In favor - 431; Opposed - 55. (Total - 486.)

ARTICLE 13: To see if the Town will vote to authorize and empower the Selectmen, upon the written request of the Conservation Commission, under the provisions of General Laws, Chapter 40, Section 8C, as amended, to acquire, in fee simple, by purchase or by a taking by eminent domain, for Conservation purposes, the following described land:

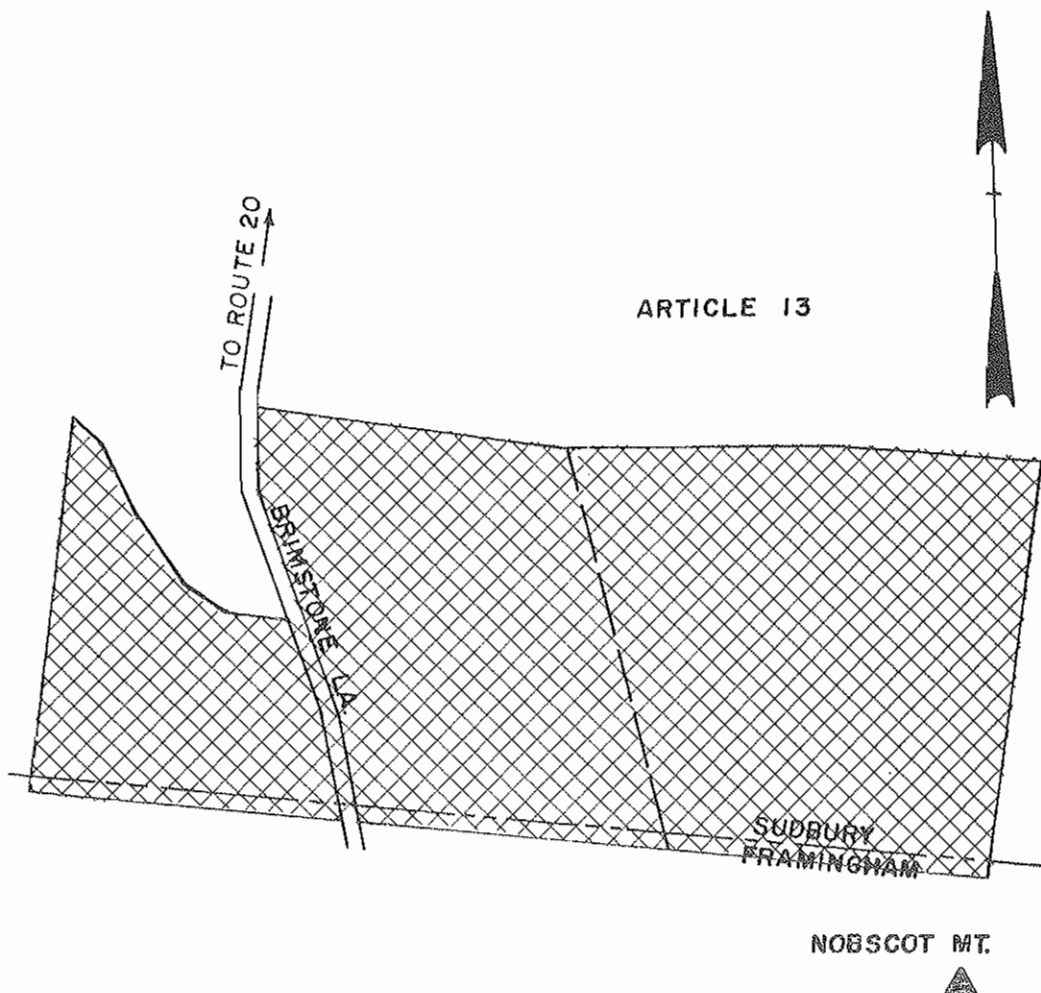
Acquire  
Hulbert  
Land

Approximately 78 acres of land situated on Nobscot Mountain, so-called, owned in whole or in part by Hulbert, shown on a plan entitled: "Compiled Plan of Land in Sudbury and Framingham, Massachusetts for Conservation Purposes", dated: December 27, 1973, by the Town of Sudbury Engineering Department, a copy of which is on file in the Town Clerk's office, which plan is incorporated herein by reference,

and to appropriate therefor, and all expenses in connection therewith, \$292,000, or any other sum, and to determine whether the same shall be raised by taxation, transferred from available funds, provided by borrowing or by any combination of the foregoing, with all land acquired hereunder to be under the management and control of the Conservation Commission, or act on anything relative thereto.

Submitted by the Conservation Commission.

[\$7,000 of appropriation is for Engineering Services]



April 9, 1974

Conservation Commission Report: (Mrs. Margaret E. Langmuir) The three questions I hope to answer in this presentation are: Why buy this particular piece of land? Assuming we should buy it, why buy it now? And, assuming we buy it now, how do we pay for it?

First, why buy this particular piece of land? There are many pieces of land available in Sudbury, many of them come to our attention. There is no way that the Town can buy them all. We must, therefore, pick out those that are particularly unique and important to keep in public ownership. This parcel is unique. No other piece of land in Sudbury is like it, primarily, because of its location.

The land in question is the Hulbert property, 78 acres on the Sudbury-Framingham line. It is adjacent to over 500 acres of the Norumbega Boy Scout Council property. The area in Framingham is 92 acres of Commonwealth of Massachusetts' land. That would bring the entire open space area to about 700 acres in this section of Sudbury.

In addition to that, we have nearby 125 acres of Wayside Inn Trust land. The land between is owned by about two or three owners and is presently held in open space. This is an opportunity to add a significant acreage to already existing quasi-public open space.

It is also unique because of its altitude. It is the highest land in Sudbury. It is unique because of the amazing variety of terrain, and therefore it supports an amazing variety of plant and animal life.

Many Sudbury families have taken advantage of the cross country ski trips and the guided tours we had in February and March. All of them have been very impressed with its beauty.

Mrs. Langmuir then presented a series of colored slides of the area and commented as follows:

If we drive up Brimstone Lane and park our cars at the northern stone wall, we can take a short hike up the hill through an orchard to a spot where we get a sweeping view. We can see Marlboro, Mt. Wachusett, Mt. Wattatik. In the distance we can see Temple and the Waupack Ridge and Monadnock in New Hampshire.

By climbing a little higher, we can get more of a view of Sudbury itself. We see the Martha-Mary Chapel, Carding Mill Pond and houses on Dutton Road. One thing we notice is that Sudbury is hidden under a cloak of trees, and it looks more like a rural area than a town of 15,000 plus. It gives you an amazing feeling of being out away from building. With binoculars, the amateur astronomers could have seen Kahoutek from here as the sun set behind Mt. Wachusett.

If we can tear our eyes away from the view, we can turn and follow a trail through the orchard and into the overgrown pasture that serves as a habitat for mice, rabbits, grouse, pheasant and hawks. We received a recent report from the Scout Reservation that six deer were seen in the area this winter.

We can take a turn to the south and find ourselves at the doorstep of General Nixon's homestead. There are two cellar holes next to the overgrown carriage road that used to go over Nobscot Hill where this Revolutionary War hero once lived. He was important enough in our history to have a Sudbury school named after him. Perhaps this place is too important to our heritage and important to save from the developer's bulldozer.

The trail winds on through an open clearing with an undergrowth of Canada mayflower. The trail goes on down a steeper pitch into a dense wood of black cherry, oak and pine, underlain with mosses and partridge berry. This indeed is a place where we, like today's winter-chilled apple trees, can awaken to the warmth of spring and to renewal and promise. Shouldn't we preserve this area for ourselves and our children to enjoy? We have the chance now.

This brings us to the question, "Why buy now?"

When an owner of such land is ready to sell, he is ready. If the Town doesn't buy it, someone else will. It would take an unusual person to give us a second chance at it. Land costs continue to rise. It will cost more next year if it is still available.

An additional reason to buy it now is that other open space planning groups concur that it is an important acquisition. A portion of this piece of land was on our 1970 Open Space Plan shown as P-15. [Map included in 1970 Annual Town Report.] This Open Space Plan has been approved by the Department of Natural

April 9, 1974

Resources and because of the approval of this Open Space Plan, we are in line to receive State Self-Help funding for all of our acquisitions. This area is also on the Metropolitan Area Planning Council Open Space Plan. It is known as the Tippling Rock-Nobscot Hill Reservation on the Framingham-Sudbury border. They comment that we have here a unique opportunity to join open space and historic points of interest.

The Department of Natural Resources land inspector, who inspected the land in response to our application for Federal and State funding, also concurs that its use for open space and recreation is a good determination. The fact that these two groups consider the area a good one to acquire means we stand an excellent chance of getting both State and Federal reimbursement, which in this case amounts to 75% of the purchase price.

We have complied with every requirement of both State and Federal programs. The next step is yours.

I would like to explain the money portion of this article now. The total cost of \$292,000 includes \$285,000 for the land itself and \$7,000 for the perimeter survey which is required. From the Conservation Fund, from existing funds, we are asking you to transfer \$67,000. This leaves \$225,000 to borrow, and we expect 75% reimbursement or \$213,750. For a two year short term borrowing, I believe we can get rates of 4.8% to 5%. The interest on that amounts to 6.8¢ on the tax rate in 1975. In 1976, we have that same interest for the borrowing plus a principal repayment of \$1.367. We show a reimbursement credit of the 75% which gives us \$1.299 credit and a total cost in the second year of 13.6¢. If we view that along with the reimbursement credit of 15¢ that we expect from the Davis land that you just purchased, we would have for both purchases a small credit of 2¢.

The next step is yours. The Town must approve the purchase and authorize funding before we can proceed further. We hope you will take this step by voting "Yes" on Article 13. In response to our notification of intent to apply under BOR funds, we have a letter from MAPC, and I call your attention particularly to the second paragraph. "The proposed acquisition of the Hulbert property is consistent with previous Sudbury Conservation Commission action in this area and is consistent with the Council's Regional Open Space Plans and Policies. The Council believes that the acquisition of the Hulbert property is another significant step in preserving the Nobscot Hill-Tippling Rock area for public open space and recreation use. The Council, therefore, strongly endorses the intentions of the Sudbury Conservation Commission with regard to the Hulbert property and awaits the opportunity to review the final application."

This article also has the support of the Norumbega Boy Scout Council, our largest abutter.

Finance Committee Report: (Mrs. Edwards) Each of us came to Sudbury for a variety of reasons, for the schools, because it was close to work, or because, when we came house hunting, it looked like a pleasant place in which to live. Sudbury looks pleasant in part because of the existing open land. But its land is a limited resource. Once land is built upon, it cannot be reclaimed for use by us all.

The Conservation Commission, in its Master Plan, has listed areas especially desirable for the Town to keep as open land. The land described in this article is very high on that list.

However, we are all concerned about the tax rate. Based on past experience and encouragement received from the Department of Natural Resources, we have reason to hope for 50 to 75% reimbursement of the purchase price of this land. Between this reimbursement and money existing in the Conservation Fund, the entire cost of this purchase would be covered.

However, since the reimbursement cannot be received immediately, the Finance Committee supports the use of short term borrowing until this reimbursement is received by the Town. As stated by the Conservation Commission, the effect in the year 1975 would be 7¢ on the tax rate, again \$3.50 for a \$50,000 house. In the following year, a net effect of zero on the tax rate.

The Finance Committee recommends approval of Article 13.

April 9, 1974

Board of Selectmen Majority Report: (Mr. Powers) I want to assure the hall that we have nothing against the mice or the goldfinch. We have a thing about the grouse. But we are now talking about another and different kind and dimension of program than one you have supported before. It represents a serious and significant departure.

I did not talk about funding on the last article because the bonding part dealt with Park and Recreation uses. But we are now doing something quite different.

A number of years ago we established the Conservation Fund. The purpose of that Fund, as we were repeatedly told by the Conservation Commission, was to build up a kitty of funds that would be available so we could pay cash for land acquisitions.

Key to this article is the funding problem and that is what disturbs us. Once again, we think it is a beautiful part of the mountain. We have no quarrel with the fact that this is a beautiful piece of ground, and it is part of a very large mountain which has a lot more beautiful ground in it.

But what you are asked to do here is to embark upon a program whose limits have not been defined for you, and to fund it by using the Conservation Fund as a down payment for a borrowing obligation. If you wish to do this, know what you are doing. Whether it is short term borrowing or bonding, nobody is getting something for nothing. You are paying ultimately in cold hard dollars whatever the purchase price of that particular piece of real estate is, and, in addition, you are paying on top of that an interest charge to the banking institution which will lend it to you. If we are getting money back on the previous article, the Davis land, I don't see how you can tack that onto this one.

You are borrowing a fairly large sum of money at approximately 5% interest, based upon some if's. The short term borrowing program has to do with the 1973 amendment to Section 8C of Chapter 44 of the General Laws, which reads as follows: "...city or town which has appropriated money for the acquisition of land to be expended together with a sum or sums of money allotted by the Commissioner of Natural Resources under Section 11 of Chapter 132A, or by the United States, or by both, may, if the city or town is required primarily to pay a portion of the expense of acquiring such land which is to be reimbursed by the Commonwealth or the United States, incur debt outside of the debt limit in the amount of the reimbursable expense, and may issue notes therefor which shall be payable in or within two years from their dates, provided that prior to the issuances of such notes, such reimbursement has been agreed upon by the Commonwealth or the United States or by both, and provided further, that the proceeds of such reimbursement will be applied to the payment of the notes without further appropriation."

Now the fact of the matter is that we do not have, under this article or indeed under the other one, any guarantee other than an experience factor which changes from year to year, that the Bureau of Outdoor Recreation of the Federal government will, in fact, fund this particular program. We think you should know that because we think it will affect your decision, or at least you should think about it.

No one here, despite the letters that have been read, can tell you anything other than that you do not at this moment have State approval, and you do not at this moment have Federal approval. What direction you want to go and what programs the Town wants to embark on, is in your hands. The concern of your Board of Selectmen is that you know where it is going and that you are clear what the problems and pitfalls are. Do you want to change the policy that you have had before on the limitation into the Conservation Fund and use that Fund as a down payment into a bonding program of many, many millions of dollars.

Also, we want to make it very clear that this is not one piece of land about which you can say there is a crowding, brooding group of developers waiting, and the appraisals of the Conservation Commission themselves indicate that that is not a factor.

Board of Selectmen Minority Report: (Mr. Taft) The view from this piece of land really is different than the view we usually have of Sudbury or of anything else around. This is the highest point in Town. It is a beautiful sight. I suspect that of all the conservation parcels in this Town that the Town decides to buy, this one will be most frequented by the people of this Town. They may

April 9, 1974

not stay long. They may just go up for just a few minutes to see the view. Some will go up to ski or to see the old foundation, or see the remains of the old coach road that actually went over the hill. I think a lot of people will go up to see it and appreciate it more than any other piece of land that the Town has.

It isn't really proposed that we bond for this land. It is a borrowing provision. This is a new approach for Sudbury. We haven't done this before. We have been able to acquire the portions and parcels of land that we wanted out of the Conservation Fund itself.

However, I think that this is another one of those "opportunities" that we would be well advised not to pass by. Mr. Hulbert has retired. He does not actively run that apple orchard that you saw in the pictures. He hasn't for several years. He lives in a beautiful house just above this land which is actually in the Town of Framingham. He has even a better view than we can get from Sudbury. But nonetheless, the Sudbury view is spectacular. I think that it's a case of the land is available. It's on the market. He's interested in disposing of it. He's retired. He's going to sell it. I think that the price that is proposed, which comes to about \$3,500 an acre, is a reasonable price for that parcel of land.

I think the Town would be well advised again to take advantage of this opportunity. We will certainly all make use of that property in the years to come.

After discussion, it was

*VOTED: THAT THE TOWN AUTHORIZE AND EMPOWER THE SELECTMEN, UPON THE WRITTEN REQUEST OF THE CONSERVATION COMMISSION, UNDER THE PROVISIONS OF GENERAL LAWS, CHAPTER 40, SECTION 8C, AS AMENDED, TO ACQUIRE, IN FEE SIMPLE, BY PURCHASE, OR BY A TAKING BY EMINENT DOMAIN, FOR CONSERVATION PURPOSES, THE LAND DESCRIBED IN ARTICLE 13 IN THE WARRANT OF THIS MEETING, AND TO MEET THE APPROPRIATION, TO APPROPRIATE AND TRANSFER \$67,000.00 FROM THE CONSERVATION FUND, AND AUTHORIZE THE TREASURER, WITH THE APPROVAL OF THE SELECTMEN, TO BORROW \$225,000.00 UNDER GENERAL LAWS, CHAPTER 44, AS AMENDED, WITH ALL LAND ACQUIRED HEREUNDER TO BE UNDER THE MANAGEMENT AND CONTROL OF THE CONSERVATION COMMISSION.*

*In favor - 372; Opposed - 130. (Total - 502)*

ARTICLE 14: (Article withdrawn)

Acquire Land  
(Bowditch/  
Post Roads)

ARTICLE 15: To see if the Town will vote to transfer any one or more of the following described parcels to the custody and control of the Conservation Commission for all purposes included in General Laws, Chapter 40, Section 8C, as it now reads or may hereafter be amended:

Transfer  
Tax  
Possessions  
Conservation A. Lot 130 shown on a plan entitled: "Plan of Land Sudbury, Mass." dated: January 21, 1966, by Bradford Saivetz & Associates, Inc., Consulting Civil Engineers, recorded with Middlesex South District Deeds in Book 11188, page 286 as Plan 987 of 1966 and bounded and described, according to said plan, as follows:

Northerly	by Hudson Road
Easterly	by land now or formerly of Wight
Southerly	by land now or formerly of Lyons Builders, Inc.
Westerly	by land now or formerly of Pitchel and by land now or formerly of Seymour

B. Lots 76 and 77, Block A, shown on a plan entitled: "Plan of Pine Lakes Sudbury Mass.", dated: April 1927, by Robert B. Bellamy, Surveyor, recorded with Middlesex South District Deeds in Plan Book 394, Plan 37, and bounded and described, according to said plan, as follows:

April 9, 1974

Northerly by Lake Shore Drive  
 Easterly by land now or formerly of Borden  
 Southerly by land now or formerly of Walkama  
 Westerly by land now or formerly of Walkama

- C. Lots 21 and 22, Block G, shown on a plan entitled: "Plan of Pine Lakes Sudbury Mass.", dated: April 1927 by Robert B. Bellamy, Surveyor, recorded with Middlesex South District Deeds in Plan Book 394, Plan 37, and bounded and described, according to said plan, as follows:

Northerly by land now or formerly of Town of Sudbury and  
 by land now or formerly of Woodlee  
 Easterly by Willis Lake Drive  
 Southerly by land now or formerly of Dunne  
 Westerly by Arborwood Drive

- D. Lot 3, Block I, shown on a plan entitled: "Plan of Pine Lakes Sudbury Mass.", dated: April 1927, by Robert B. Bellamy, Surveyor, recorded with Middlesex South District Deeds in Plan Book 394, Plan 37, and bounded and described, according to said plan, as follows:

Northerly by land now or formerly of Nugent  
 Easterly by land now or formerly of Callahan  
 Southerly by Birchwood Avenue  
 Westerly by Lot 4

- E. Lot 4, Block I, shown on a plan entitled: "Plan of Pine Lakes Sudbury Mass.", dated: April 1927, by Robert B. Bellamy, Surveyor, recorded with Middlesex South District Deeds in Plan Book 394, Plan 37, and bounded and described, according to said plan, as follows:

Northerly by land now or formerly of Nugent  
 Easterly by land now or formerly of Town of Sudbury  
 Southerly by Birchwood Avenue  
 Westerly by land now or formerly of Town of Sudbury

- F. Lots 5, 6, and 7, Block I, shown on a plan entitled: "Plan of Pine Lakes Sudbury Mass.", dated: April 1927, by Robert B. Bellamy, Surveyor, recorded with Middlesex South District Deeds in Plan Book 394, Plan 37, and bounded and described, according to said plan, as follows:

Northerly by land now or formerly of Jones  
 Easterly by Lot 4  
 Southerly by Birchwood Avenue  
 Westerly by land now or formerly of Lachance

- G. Lots 38 and 39, Block K, shown on a plan entitled: "Plan of Pine Lakes Sudbury Mass.", dated: April 1927, by Robert B. Bellamy, Surveyor, recorded with Middlesex South District Deeds in Plan Book 394, Plan 37, and bounded and described, according to said plan, as follows:

Northerly by land now or formerly of Todesco and by land  
 now or formerly of Felloni  
 Easterly by Great Lake Drive  
 Southerly by Lot 40  
 Westerly by land now or formerly of Meister

- H. Lots 40, 41, 42, 43 and 44, Block K, shown on a plan entitled: "Plan of Pine Lakes Sudbury Mass.", dated: April 1927, by Robert B. Bellamy, Surveyor, recorded with Middlesex South District Deeds in Plan Book 394, Plan 37, and bounded and described, according to said plan, as follows:

Northerly by land now or formerly of Town of Sudbury  
 Easterly by Great Lake Drive  
 Southerly by land now or formerly of Welch  
 Westerly by land now or formerly of Cummings and by land  
 now or formerly of Meister

or act on anything relative thereto.

Submitted by the Conservation Commission.

April 9, 1974

Mrs. Olga P. Reed of the Conservation Commission *moved that the Town transfer Parcels A, B, C, D, E, F, G, and H, as set forth in and described in Article 15 in the Warrant for this meeting to the custody and control of the Conservation Commission for all purposes included in General Laws, Chapter 40, Section 8C.*

Conservation Commission Report: (Mrs. Reed) The Conservation Commission received from the Selectmen a list of thirty-three tax possession parcels. Along with the list came a request for recommendations about possible use for municipal purposes. The parcels were reviewed and inspected and eight were selected which we think should be protected from development. They should be preserved for Conservation purposes. This means access to ponds, protection of wetland, recreation and protection of wildlife.

The parcel described in paragraph A is the most recent addition to the list. This is Lot 130 with frontage on Hudson Road. It was added after the Town Treasurer had offered it at auction last September. There were no bids. The lot slopes from Hudson Road south to a wet area which also covers a portion of the adjoining lot. A twenty foot wide walkway easement goes through the lot. There is no conflict between conservation purposes and the walkway construction as the easement is along a high dry path on the west side of the lot.

The remainder of the parcels are in the area known as Pine Lakes. The area described in paragraph B has frontage on Lake Shore Drive which borders Willis Lake. This is part of a high point of land which slopes to Willis Lake to the north and a wet marshy area on the south and east. Its elevation provides an excellent scenic view of Willis Lake through both black and white birch trees. Hemlock provides some green throughout the year.

Paragraph C describes a nearby parcel which abuts conservation land transferred to the Commission by Town Meeting vote in 1971. The Park and Recreation Commission has jurisdiction of the area across Willis Lake Drive from Parcel C. The north area of Willis Lake is the Military Reservation land which has been exsessed, and if the Town or if the State acquires the property for recreation purposes, this means that we would have access to use Willis Lake for quiet boating.

Paragraphs D, E, and F describe contiguous lots on Birchwood Avenue. Lots 5, 6, and 7 were offered at auction last September. There were no bids. About half the area of those lots is wet. About a third of Lot 4 and only a small corner of Lot 3 is low and wet.

Paragraphs G and H describe two parcels which comprise seven adjoining lots. This property slopes quickly down from Great Lake Drive to a large wetland with open water as well as plant growth which includes wild azaleas and sweet pepper bush. The area offers a haven for ducks and many song birds and a full complement of frogs and other aquatic fauna, mayflies, caddis flies, and mosquitoes. Lots 38 and 39 were offered at auction last September. Again, there were no bids.

There is no acquisition cost to the Town for this property as it is presently tax possession and your affirmative vote would not remove any revenue-producing land from the Town tax rolls.

Finance Committee Report: These parcels represent less than 2 1/2 acres now under the custody and control of the Selectmen. The Finance Committee sees no significant advantage and perhaps some disadvantages to the Town in their transfer to the Conservation Commission. Recommend disapproval.

Mr. Martin E. Doyle then *moved to amend Article 15 by deleting Parcel C.* In support of his amendment, he stated that he was representing an elderly couple, Bob and Mary Dunne, whose land adjoins Parcel C.

The area in which these lots are situated is in the western end of the Town off Hudson Road. During the 1920's the area was subdivided for summer camps and at that time one-sixteenth acre lots were established. However, since then zoning laws were passed which prohibited building on a one-sixteenth acre lot. Quite a number of these lots have become tax possession of the Town, and it has become the habit of the people who reside in Pine Lakes to acquire these lots to add to their existing property and in that way to build themselves a reasonable lot size around their property.

Bob and Mary Dunne have resided at 14 Arborwood Drive for twenty-four years. Over that period they have acquired lots 9 to 20 and the two lots in question here are Lots 21 and 22. The Dunne's were not aware of the fact that these lots



April 9, 1974

were for sale though they do assure me that at one time they wrote to the Town and asked to be advised whenever these lots were for sale so that they could bid upon them.

The purpose of this amendment is to give them the opportunity to purchase these lots. They do not intend to build on them if they are allowed to buy them and certainly the Town Bylaws prohibit it. They only intend to buy them to add to their present property. I would advise you to support this amendment.

After a short discussion, Mr. Doyle's amendment was voted.

Mr. Robert K. Coe then moved to amend Article 15 by deleting Parcel A and all reference thereto. In support of his amendment, Mr. Coe stated that the thing I see happening here is that we are propagating the same old patchwork acquisition of conservation land that we have done in the past. I just don't see why it has to be continued now. The Conservation Commission has admitted that this land was put up for sale at auction and nobody bid on it. The idea that it has to be preserved from development is rather ridiculous. If you have been to see that piece of land, calling it a lot is a bit of a strain on the English language. It is just a hole with water in it. I think it is, in fact, covered by the Wetlands Act because it adjoins several bigger wet areas. I don't think it could be filled in any event. It seems to me that it makes more sense to try to find an abuttor that is willing to pay the taxes on it and let him take it over. I can't imagine what earthly use it would be to the Conservation Commission.

After a short discussion, Mr. Coe's amendment was defeated.

After further discussion, it was

VOTED: THAT THE TOWN TRANSFER PARCELS A, B, D, E, F, G, AND H, AS SET FORTH IN AND DESCRIBED IN ARTICLE 15 IN THE WARRANT FOR THIS MEETING TO THE CUSTODY AND CONTROL OF THE CONSERVATION COMMISSION FOR ALL PURPOSES INCLUDED IN GENERAL LAWS, CHAPTER 40, SECTION 8C.

In favor - 255; Opposed - 117. (Total - 372)

Upon a motion made by Mr. Eben B. Stevens, it was

VOTED: THAT WE ADJOURN THIS MEETING UNTIL TOMORROW NIGHT, APRIL 10, 1974, AT 8 O'CLOCK IN THIS HALL.

The Moderator declared that the vote in favor was two-thirds as required by Bylaw. The meeting adjourned at 10:45 P.M.

## PROCEEDINGS

## ADJOURNED ANNUAL TOWN MEETING

April 10, 1974

The Moderator called the meeting to order at 8:05 P.M. at the Lincoln-Sudbury Regional High School Auditorium. He declared that a quorum was present.

ARTICLE 16: To see if the Town will vote to amend Article IX of the Town Bylaws, entitled: "Zoning Bylaw", Section I, "General", G, "Flood Plains", by addition of a new sub-paragraph 4 to read as follows:

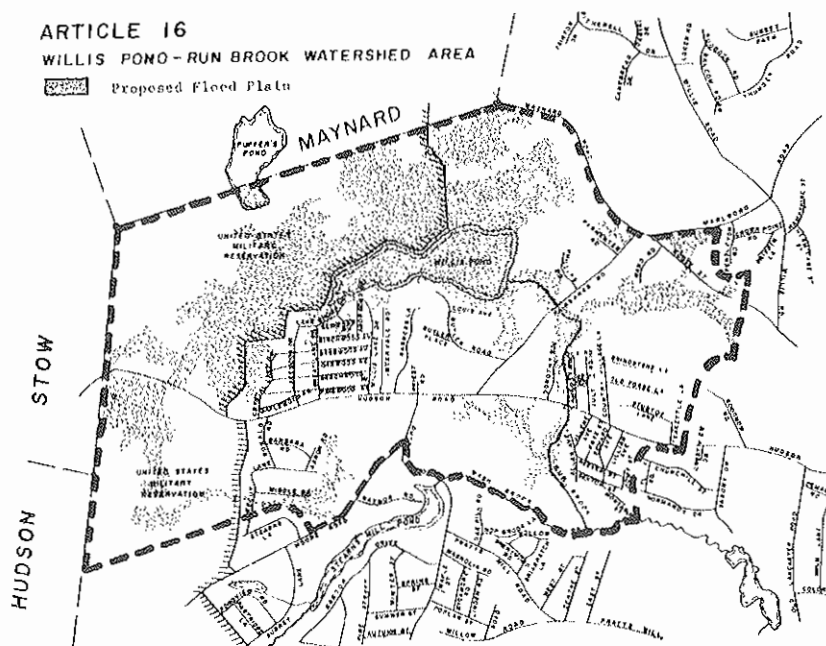
Flood  
Plains

Art. IX  
Sec. I, G

"4. 'Map of Flood Plains and Wetlands in the Willis Pond-Run Brook Watershed Area' prepared by the Town of Sudbury Engineering Department, dated January 4, 1974, a copy of which is on file in the Town Clerk's office and which is incorporated herein by reference.",

or act on anything relative thereto.

Submitted by the Conservation Commission.



Mrs. Marion P. Harris of the Conservation Commission moved in the words of the motion as distributed.

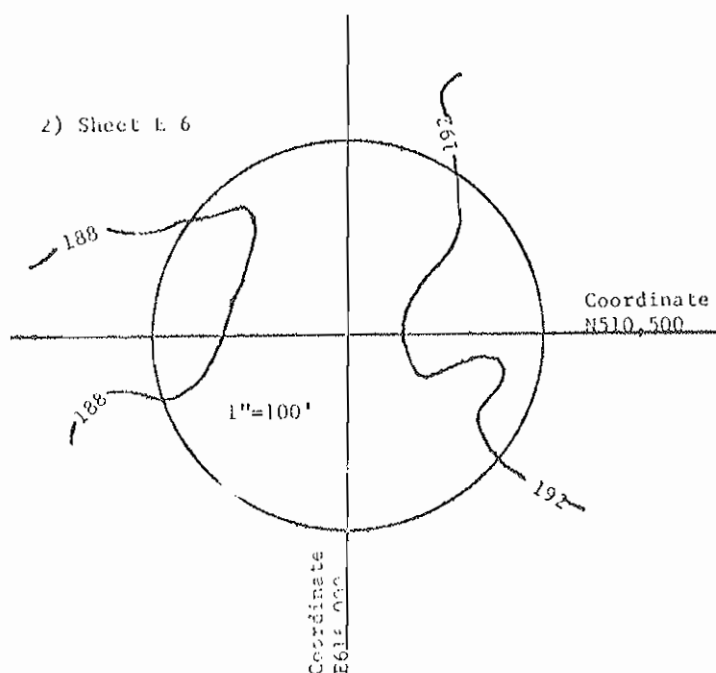
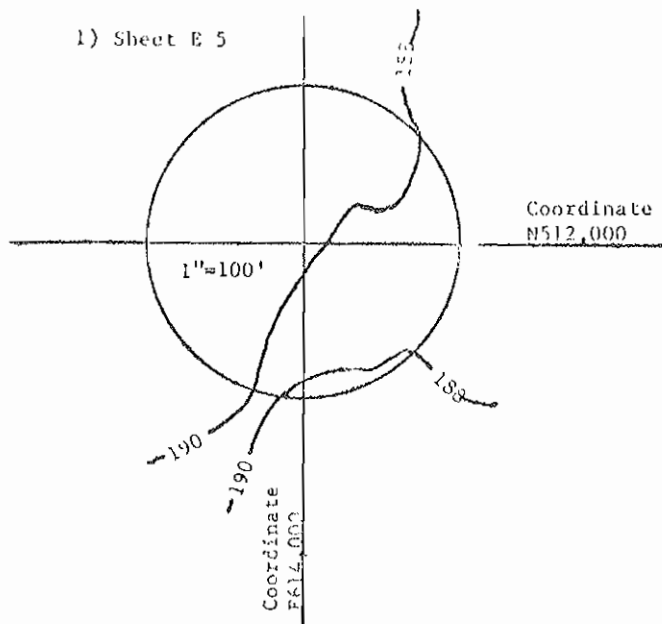
The following is the motion as distributed prior to the April 10th session of the Annual Town Meeting:

Move that the Town amend Article IX of the Town Bylaws, entitled: "Zoning Bylaw", Section I, "General", G, "Flood Plains", by the addition of a new sub-paragraph 4, to read as printed in Article 16 in the Warrant for this meeting, but with the following modifications to the flood plain areas shown on the map referred to in sub-paragraph 4.

1. On Sheets No. E5 and E6, a 188 foot contour line shown thereon shall enclose and delimit the flood plain of Cuttings' Town Line Pond, so-called, from the Northeast end of the dam at the Town line clockwise around the pond to the point shown in the detail shown on the plan entitled: "Article 16, March 29, 1974, Revision of Flood Plain Map", hereinafter called the Revision Map, where said contour line approaches within 100 feet of the intersection of coordinates

April 10, 1974

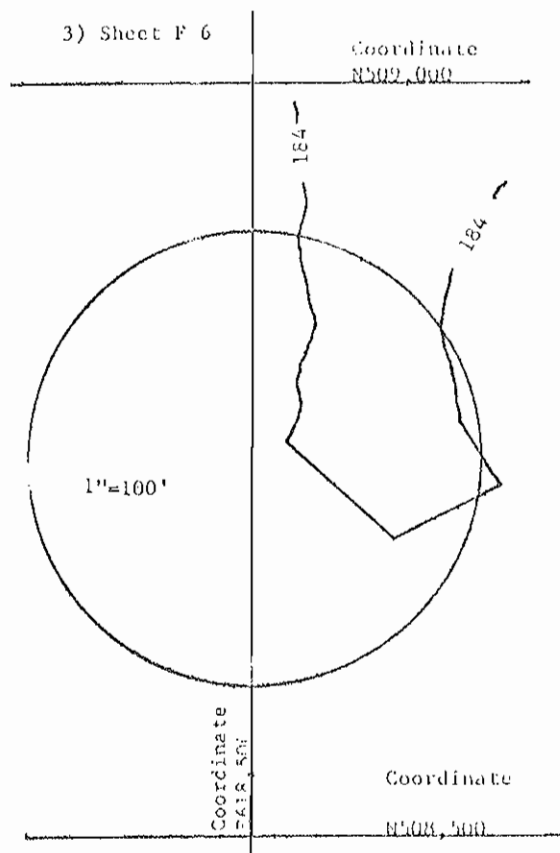
N512,000 and E614,000, within which radius the said detail in the Revision Map shall apply; thence from the Northern edge of said detail on the 188 foot contour to the Town line; thence along the Town line to the point of beginning.



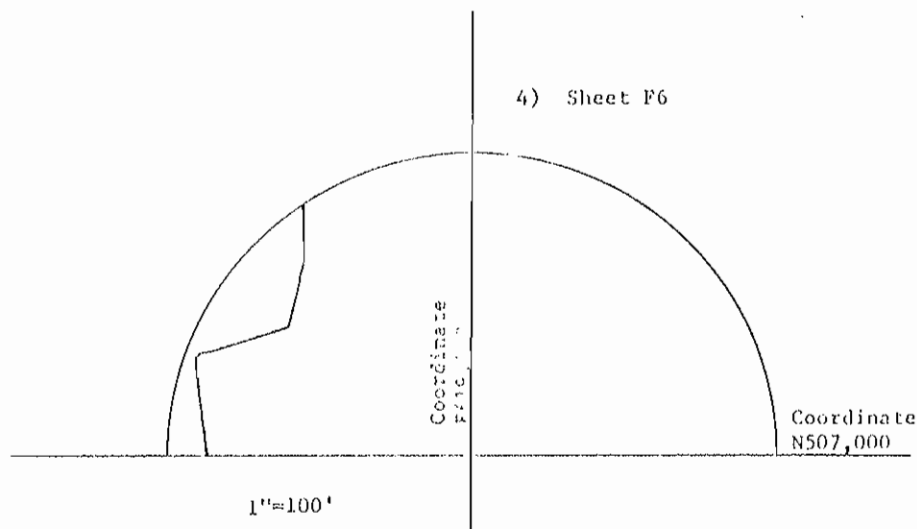
2. On Sheet No. E6, within a radius of 125 feet of the intersection of coordinates N510,500 and E616,000, the delimitation shown in the Revision Map.

April 10, 1974

3. On Sheet No. F6, within a radius of 150 feet of the intersection of coordinates N508,750 and E618,500, the delimitation shown in the Revision Map.



4. On Sheet No. F6, within a radius of 200 feet of the intersection of coordinates N507,000 and E619,000, the delimitation shown in the Revision Map.



5. On Sheet No. F7, the 192 foot contour shown near the Northwest property bound of a 4.3 acre parcel on Marlboro Road, presently owned by Benny P. Tartaglia and Gilda Tartaglia, 52 Marlboro Road, shall delimit the only area on said parcel to be included within the flood plain district by this sub-section, all other land and water bodies shown at a higher elevation on this parcel are excluded.

April 10, 1974

Conservation Commission Report: (Mrs. Harris) The motion just distributed simply proposes that certain wetlands and their banks in the Willis Pond-Run Brook watershed be added to the wetlands already protected by your existing Flood Plain Zoning Bylaw. Many of you have seen the maps which are now hanging in the lobby. A copy of these is on file with the Town Clerk and another with the Town Engineer.

The first page is the key only and is neither accurate nor official. The areas that are proposed for addition to the Flood Plain District are enclosed by green lines on the next thirteen sheets. All other areas, outside the green lines on these maps, will not be subject to the provisions of this Bylaw. The five modifications read into the motion all represent reductions in the areas to be included.

When you buy an automobile, it is yours. However, you do not buy it with the right to use it in any way you wish. Your misuse of it may cause injury or damage. The community expects and has a right to regulate the use of automotive property to safeguard the welfare of others. When careless driving results in an accident, the cause and effect relationship is obvious and everyone is outraged.

The cause and effect relationship between poor wetland use and flood and water supply problems is just as compelling as the one between poor auto use and accidents. Being a bit less obvious, it has taken a bit longer to understand and to cause outrage, but it has been established now beyond a shadow of a doubt.

The community expects and has a right to regulate land use to protect the welfare of others. You do this by making whatever laws you want your Town boards to enforce. That is why you, the community, are here tonight, to amend the laws to protect yourselves against poor land use. The protection of your wetlands is a vital part of Sudbury's long range planning in land use. You and your Town boards have been flood plain zoning together for over ten years. It costs you zero cents on your tax rate, but may save you millions if fully implemented as rapidly as possible.

Sudbury's foresight in wetland protection began in 1962 when the marshes along the Sudbury River were protected by Town Meeting. This was a very important first step in that it provided for storage of storm run-off water from all areas upstream. During a storm, or spring thaw, such as the one in 1968, water running off the surface of the land in Sudbury, Framingham and all other communities upstream of our stretch of the Sudbury River would have an area to rise and spread out over. The marsh vegetation would slow the water down enough so that silt could settle out and so that the flood crest downstream would peak later and lower and do less damage.

By now, it should be clear that in the area of flood control, it is the fellow downstream that is the beneficiary of good land use planning upstream.

After the initial Bylaw in 1962, eight years passed before action was taken to add to the protection district. Why? The first flood plain zone had been easy to delineate. The area along the Sudbury River and lower Hop Brook is so flat that a single elevation could be given as the boundary of the wetlands to be protected. Now we face the problem of defining the boundaries in the rest of Sudbury which is less flat.

The need to get on with the job was pointed up by these three considerations. First, the wetlands along Hop Brook began to succumb to business development. Second, the State laws that were supposed to regulate alterations in wetlands were not doing the job we needed done in Sudbury. And third, the quality of the water entering Sudbury's Hop Brook at the Marlboro line was far from desirable because it received the effluent from Marlboro's sewage plant.

This brings us to the second important function of a wetland. Polluted water percolating through a wetland, marsh or swamp can be purified to a remarkable degree in only a few short miles. This has great significance in a town full of septic tanks like Sudbury. If you live back up to a swamp and stream as I do, and your septic system fails, as mine did this week, the wetland plants and the bacteria in the marsh mud and the mud itself act upon the polluted water before it can reach the stream. Thus, the marsh acts as a backup for the septic systems, a buffer between leaching fields and open water ways.

Again, it is clear that the guy downstream is the beneficiary of good land use upstream.

With the need so clear, the Town Meeting voted in 1970 to spend the only money that has been spent to date specifically on wetland zoning. \$4,000 was used to fund

April 10, 1974

an aerial photograph and delineation of the wetlands along Hop Brook upstream to Dutton Road. At the 1971 Annual Town Meeting, this section was added to the Bylaw.

At about the same time, your Town Meeting voted funds for one of the most useful planning tools this Town has ever had. Almost \$75,000 was invested in aerial maps of the entire Town. These are being used constantly by many departments in the Town for many purposes. Among other things, they have made it possible to continue the delineation of wetlands with no additional cost to the taxpayer. Thus, last March, we were able to bring to the Annual Town Meeting, the remainder of the Hop Brook Flood Plain upstream from Dutton Road to the Marlboro town line. You, the Town Meeting, voted unanimously to add this to the Bylaw.

The need now is to consider the watersheds that lie completely, or almost completely, within the Town of Sudbury. Most of these lie in what we would consider the uplands of the Town, but again, the same principles apply. Let us review them.

First, filling in wetlands pushes rain and snow run-off downstream faster causing flooding. Filling in wetlands removes the de-polluting buffer between the failing septic systems and our water ways. And now a third function of the wetlands comes into play. We call it ground water recharge. What it means simply is that every drop of rain that does not run off into our streams, or evaporate back into the air, sinks into the ground to become part of ground water.

Ground water recharge is an important function of open land surfaces. Wetlands are much better at this function than rolled and mowed lawns on fill. Since everybody in Sudbury gets his water from the self same ground water, planning in our upland wetlands will benefit everybody in Town, not just the fellow downstream.

Working with upland watersheds presented a different set of circumstances than we had encountered in our previous years of delineation. We found ourselves working in areas with many more single house lots than ever previously. We have found streams interrupted by culverts of varying sizes and adequacy. We have found ourselves agonizing over whether to include streams that have been channelized to "nothing more than a drainage ditch". We have found ourselves confronting the water retention value of isolated wetlands. We have had to grapple with the drainage pattern already changed by unregulated development and houses already built in what we would call wetland.

A recent flood in North Sudbury will help to illustrate the problems and needs. Bowker II was built on a wetland and is kept from floating away by a system of open ditches and culverts. On March 21st of this year, a two inch rainfall combined with a partially clogged culvert and produced flooding.

The Master Drainage Study upon which most of the future road work in Town may very probably be based, permits a water back up to occur periodically. A house built in a flood plain runs a one-in-fifty chance of being inundated at least once every year, even if the culvert is perfectly clear. The more silt in the culvert, the more frequent will be the flooding.

So much for the need and the history. You, the voters, have recognized the need in time and have made the history so far.

Now a word about the method and the law. With the help of enormous input from the public at two public hearings, from other Town boards, and from the Master Drainage Study, we have evolved a set of criteria for delineating the protection zone tailored to this upland type of watershed. The criteria are first of all, not to exceed two feet above the vegetation which shows that there is usually a fairly high water cycle, not to be more than two feet above isolated water such as isolated ponds or wetlands. Where the culvert size can be measured and its height can be measured, or we know it from records, the upstream side of the culvert should allow water back up of at least one foot not to exceed two feet above the top of the culvert.

In the absence of any other criteria, we would flood plain ten feet on either side of the thread of a stream. When more than one of these apply, we would use the one which includes the largest area. When a conservation easement or restriction exists, we would try to conform to that restriction where appropriate.

We would not include simple farm and drainage ditches, very small ponds, those less than one acre that are isolated and have no outflow, or isolated marshes or bogs that are smaller than an acre. We would exclude all public ways.

Tonight we present you with the first of the upland watersheds which we are calling the Willis Pond-Run Brook Watershed. We propose here to protect about

April 10, 1974

230 acres of government land, most of which may soon revert to the State or Town, about 165 acres of privately owned open land, and about 30 acres of fragments of individual house lots. That is a total of about 425 acres.

How do we accomplish this protection? By voting to add the maps with the green lines to the Bylaw you already have. A "Yes" vote tonight will add a new paragraph to Section I, G of the Zoning Bylaws, describing the Willis Pond-Run Brook Maps.

There is another section to this Bylaw which is not being amended tonight called the use provisions. This is a very important section because it describes the purpose of this zone and spells out exactly what the owner of the flood plain zoned land may and may not do with it. For example, he may garden on it, he may forest it, he may camp on it, sell it, count it as part of his building lot for purposes of minimum acreage, set back, etc., and he may keep anyone he wants off it, including me. He may maintain and repair structures already on it. He may not fill it or drain it or build on it or change the water patterns on it without first having a hearing before the Appeals Board to which you, the public, will be invited. Therein lies the safety valve for the owner and the public alike.

Let us end by reviewing the purposes of this Bylaw: to preserve and protect the streams and other watercourses in Town and their adjoining lands; to protect the health and safety of persons and property against the hazards of flooding; to preserve and maintain the ground water table for water supply purposes.

Please vote for Article 16.

Planning Board Report: (Mrs. Jane F. Gillespie) The Planning Board supports this article and that position requires an explanation. The Planning Board voted on March 20th, 1974, by a vote of 3 - 2 to oppose flood plain zoning proposed in this article submitted by the Conservation Commission. Our reason was not that the Planning Board is opposed to flood plain zoning. Our reasons were that we felt that the drainage problems in Town should be looked at in toto rather than piecemeal. The position of the majority of the Planning Board was that the total package of flood plain zoning, hydrological study, Master Drainage Study, should be complete at the time flood plain zoning is voted. Following that vote, the Conservation Commission approached the Planning Board with precisely the data which the Planning Board needed to support flood plain zoning. This data was funded by the Army Corps of Engineers and is published in the geological survey documents which cover the northwest section of Sudbury. It was prepared to study the possible placement of a nuclear reactor in the Military Reservation many years ago. Unfortunately, the Corps of Engineers did not study all of Sudbury, which would have eliminated the need for Article 27, the hydrological-geological study in this year's Warrant.

The Planning Board is unanimous in its support of this article and urges you to approve it.

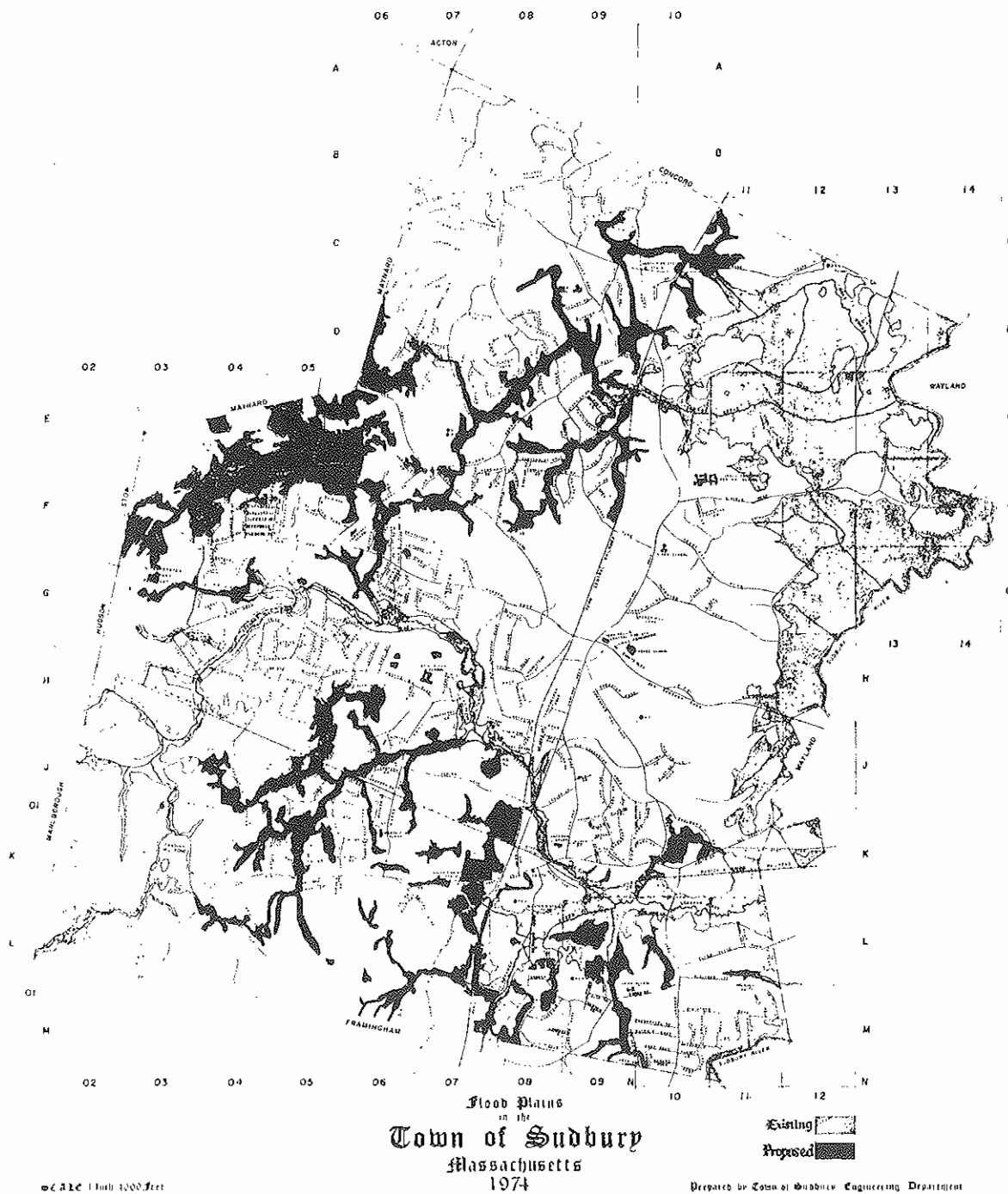
Finance Committee Report: (Mrs. Edwards) The Finance Committee supports the extension of flood plain zoning to appropriate areas in all sections of the Town. Recommend approval of Article 16.

Board of Selectmen Report: (Mr. Powers) The Board of Selectmen opposes this article. What you are asked to vote on here tonight once again is a major policy departure which, in the opinion of this Board, affects the entire Town, which can be looked at only in terms of its total impact on the Town, and which we think has serious consequences as yet unanalyzed dealing with the tax base of this Town.

In the fall of this year when the Conservation Commission came forward with this article, we were interested and concerned with what they were doing. On January 21st of this year, we had a meeting with the Conservation Commission and with the Planning Board and with others. At that time, their proposal was what you see on the following map. [See next page.]

I want you to note, that every one of those darkened areas whether large or small is an area that would be subject to flood plain zoning if the overall plan were approved. I think you will find that something like 17% of the Town of Sudbury is already in flood plain zoning according to the Conservation Commission's figures. But, when we asked them whether this represented their total program or not, they answered, "No". They stated that limitations and constrictures of time precluded them from addressing themselves to the remaining one-third of the Town which does not appear on the map and which deals with an area to the north and to the east.

April 10, 1974



The magnitude of the number of acres involved in this distressed us. We asked them to tell us how many acres were in it, and they could not. To this date, they have not told us about acreage until right now. We asked them how many lots and how many owners were involved, and they could not tell us. I don't know if they know now for the particular section they are dealing with, but they could not tell us then. When we met well after January 21st with the Planning Board, they could not tell us either.

This creates a problem for us. We are concerned about the tax base of this Town. We are concerned about fair notice to the owners of the land of what is involved, what is coming.



April 10, 1974

What you are doing is not, in the opinion of the Board, flood plain zoning. If it were flood plain zoning, then somebody would still have to explain to me why the land that they proposed includes some land on the top of Nobscot Mountain, the highest point in Town. Unless I start seeing animals pairing up two by two, I'm not distressed about that at the moment. What this is, is not related to flooding. The language that they are using is language which deals more with wetlands protection.

Is this an approach the Town should engage in without knowing what the consequences are going to be? We mentioned to you last night and at the beginning of the meeting, we were very concerned about major changes being made when we did not know, because of lack of sufficient data, the effect of programs that you were embarking on. This is a perfect example of just that.

You have heard about where the boundaries are. That is the \$64,000 question. Where are the boundaries? We do not know. The motion refers to a map. It refers to a thing called "Article 16, March 29, 1974, Revision of the Flood Plain Map". I have yet to see it. Is it sixteen pages of something that is outside on the wall? Is it sixteen pages, the lines on which have been changed four or five times since the public hearing was held? If it is supposed to be, as the original notice setting up the Planning Board hearing said, "In accordance with the map on file with the Town Clerk", it is interesting to note that at that time there was no plan on file with the Town Clerk. We have been having trouble and the Engineering Department has been having trouble finding out what it is.

If you are going to establish a zone in a Town and say to an owner that he may not use his property for this purpose, the very least the Town ought to do, in the exercise of that police power and in fairness to the owner, is to tell him where the boundary is. I am informed reliably that if the Town were to undertake that obligation, it simply does not have enough engineering force or funds available in the Engineering budget, or any other budget, to cover the cost of going into this area alone to delineate the boundaries on the land.

If we are again keying in the photogrammetric map, I point out to you that photogrammetries are marvelous, but there is one problem with them. They have a built-in two foot error in terms of the vertical. Two feet in terms of where water goes could be two feet vertically and 150 feet horizontally. It is not a precise tool. Ground survey is the precise tool.

We have heard that it was done in conjunction with the Master Drainage Study, which was interesting because the Master Drainage Study was not available for anyone to look at until after the initial meetings had been held. We think this is a serious problem.

This project is ultimately going to involve literally thousands of acres of various types and spots all over this land. When you say to the owners that this is all right because they have a right to go to the Board of Appeals, you are asking them to plead for an exception. You are making that citizen, at his own expense, go to a board. I can assure you that, if this continues in the manner in which it is, we are going to do a great deal more funding and staffing for the Board of Appeals.

We earnestly suggest that you send this back to the drawing table until we have the precise areas, until we have had a colloquy on it, until we can determine what the impact on assessed values in going to be for the total program. If you do not and you start saying, "Well, it's only a little section this time", you have established a precedent. Next time it will be more, and the next time it will be more until inevitably we are where the total plan is. If what you wish to vote for is the total plan, then by all means do. But, I don't think we have sufficient information to make a judgment on it. We do not know what the economic impact is. The first plan that came down, for example, would wipe out a substantial portion of the industrial land in this Town. That is very much of concern to us in terms of value.

We urge you to defeat this article.

Town Counsel Report: It is the opinion of Town Counsel that if the Zoning Bylaw change set forth in Article 16 in the Warrant for the 1974 Annual Town Meeting is properly moved and seconded, a report is given by the Planning Board, as required by law, and the motion is adopted by a two-thirds vote in favor of the motion, the proposed change will become a valid amendment to the Sudbury Zoning Bylaw.

After discussion, the Conservation Commission's motion was defeated. In favor - 129; Opposed - 258. (Total - 387.)

April 10, 1974

ARTICLE 17: To see if the Town will vote to amend Article IX of the Town Bylaws, the Zoning Bylaw, Section IV, "Intensity Regulations", Paragraph A, "General Requirements", by striking out subparagraph 2, "Recorded Lots", in its entirety, and by adding a new subparagraph 2 to read as follows:

Art. IX  
Sec. IV,A,2      "2. Recorded Lots  
                    Lawfully laid out lots are governed and protected under the provisions of G.L., C. 40A, Section 5A.",  
or act on anything relative thereto.  
Submitted by the Planning Board.

Planning Board Report: (Mr. Eben B. Stevens) The Planning Board recommends approval of this Bylaw change for the following reasons: 1) it brings our Bylaw into conformity with the State enabling legislation; 2) it sets the minimum lot size for previously recorded lots at 5,000 square feet and 50 feet frontage; 3) it requires continuous lots under common ownership to be built on within five years or lose their exemption; 4) the effect on valuation is minimal since there are less than a hundred existing lots that do not meet the present standards and of these less than five do not meet the State minimums; and 5) this change does not affect any existing non-subdivision lots for three years nor subdivision lots for seven years.

Finance Committee Report: Recommend approval.

Town Counsel Report: It is the opinion of Town Counsel that if the Zoning Bylaw change set forth in Article 17 in the Warrant for the 1974 Annual Town Meeting is properly moved and seconded, a report is given by the Planning Board, as required by law, and the motion is adopted by a two-thirds vote in favor of the motion, the proposed change will become a valid amendment to the Sudbury Zoning Bylaw.

*UNANIMOUSLY VOTED: THAT THE TOWN AMEND ARTICLE IX OF THE TOWN BYLAWS, THE ZONING BYLAW, SECTION IV, "INTENSITY REGULATIONS", PARAGRAPH A, "GENERAL REQUIREMENTS", BY STRIKING OUT SUBPARAGRAPH 2, "RECORDED LOTS", IN ITS ENTIRETY, AND BY ADDING A NEW SUBPARAGRAPH 2 TO READ AS FOLLOWS:*

*"2. RECORDED LOTS  
LAWFULLY LAID OUT LOTS ARE GOVERNED AND PROTECTED UNDER  
THE PROVISIONS OF GENERAL LAW, CHAPTER 40A, SECTION 5A.*

ARTICLE 18: To see if the Town will vote to amend the Zoning Bylaw of the Town of Sudbury by creating a new district under Article IX, Section II, Create  
Open Space      "Establishment of Districts", Part A, "Types of Districts", by  
Districts      adding a new Section #9, "Open Space Districts, OSD-"; and further  
                    by amending Article IX, Section IV, B, by adding to the "Schedule  
Art. IX      of Intensity Regulations" after "Ind. Pk. Dist., 1PD-" a new schedule  
Sec. II,A      called "Open Space Districts" and to add under "Minimum Lot Dimen-  
Sec. IV,B,C      sions, Area Sq. Ft.", 600,000, all other restrictions on the schedule  
                    to be "None"; and further to amend Article IX, Section IV, C,  
                    "Modifications and Exceptions", subsection 1, "Building Coverage  
                    and Open Space", by adding a new item "d. Open Space Districts", to  
                    read as follows:

"d. Open Space Districts:

- (1) The Open Space Districts comprise certain lands shown on the Zoning Map for which the owner(s) have no development plans other than the intent to preserve such lands in their natural state of beauty for the enjoyment thereof.
- (2) No land included in the Open Space Districts shall be included in any of the other districts defined by this Bylaw.
- (3) No building or structure for human occupancy shall be allowed or erected in Open Space Districts.
- (4) Any action to change any other existing district to an Open Space District shall be initiated by the legal owner(s) of record of the land described at the time the change is proposed.

April 10, 1974

- (5) Structures designed to provide shelter and well-being for animals and plant life both wild and domesticated, shall be a permitted use in an Open Space District.",

or act on anything relative thereto.

Submitted by the Planning Board.

Mr. Paul H. McNally of the Planning Board *moved* that the Town amend the Zoning Bylaw of the Town of Sudbury by creating a new district under Article IX, Section II, "Establishment of Districts", Part A, "Types of Districts", by adding a new section, Number 9, "Open Space Districts", otherwise called OSD-; and further, by amending Article IX, Section IV, B, by adding to the "Schedule of Intensity Regulations", after "Industrial Park Districts, IPD-", a new schedule called "Open Space Districts", and to add under "Minimum Lot Dimensions, Area Sq. Ft.", 600,000, all other restrictions on the schedule to be "None"; and further to amend Article IX, Section IV, C, "Modifications and Exceptions", subsection 1, "Building Coverage and Open Space", by adding a new item "d. Open Space Districts", to read as printed in Article 18 in the Warrant for this meeting.

Planning Board Report: (Mr. McNally) This amendment to the Zoning Bylaw will parallel action already taken by the Legislature of the Commonwealth of Massachusetts under Chapter 1118 of the Acts of 1973 which provides for special assessment of horticultural land at a value based upon its agricultural uses.

Article 18 will provide a similar tool at the local Town level for those land owners in the Town of Sudbury who would, for whatever purposes, hope or desire to maintain the open space character and beauty of the Town. Landowners having parcels exceeding fifteen acres may voluntarily place their land into a zoning district called Open Space District. They may, they do not have to.

A two-thirds vote of the Town Meeting is required for a landowner to have his land included in the Open Space District, and likewise, a two-thirds vote is required to have land in the district removed for whatever new proposed zoning or use.

The Planning Board also proposes passage of a resolution asking the Board of Assessors of the Town to study the possibility of land valuation at a lower level than the present formula allows with the hope to encourage voluntary inclusion of greater than fifteen acre parcels into the zoning district. This Bylaw change hopefully will help to keep larger parcels of land off the real estate market and in some cases might even spare the Town the cost of purchase in the immediate future of those parcels now for sale due to high tax pressures and of interest to the Town at some future date.

Massachusetts General Laws allow for special assessment for parcels in excess of five acres used primarily for agriculture. This Bylaw requires a minimum of fifteen acres of any type of land, without the burden of having to work the land as in farming or horticultural uses. Sudbury will gain by preservation of its natural character and open space if these large lots are left undeveloped.

The Planning Board urges passage of this article and asks for favorable action on its resolution to the Board of Assessors.

Finance Committee Report: Recommend approval.

Town Counsel Report: It is the opinion of Town Counsel that if the Zoning Bylaw change set forth in Article 18 in the Warrant for the 1974 Annual Town Meeting is properly moved and seconded, a report is given by the Planning Board, as required by law, and the motion is adopted by a two-thirds vote in favor of the motion, the proposed change will become a valid amendment to the Sudbury Zoning Bylaw.

After discussion, Mr. Donald D. Bishop *moved* to amend paragraph (4) to change the words "to an Open Space District" to read "to or from an Open Space District".

In support of his amendment, Mr. Bishop stated that a person can ask and by a two-thirds vote of the Town have his land put in an Open Space District. This amendment would then mean that with the same mechanism a person's land can be removed from the Open Space District. If I want my land in an Open Space District, I have to initiate that myself. Having done that and the Town by a two-thirds vote were to approve it, it seems unreasonable to say that then anyone else can initiate action to take it back out again.

Mr. Bishop's motion was *voted*.

October 22, 1974

3. Personnel Quarters.
  - A. Due to the increase in manpower over the years the quarters for personnel is under-sized and insufficient. Three men must eat, live, study and exist in one room, approximately 18' x 20' partly below grade.  
Moisture in and around outside walls creates a constant damp condition.  
There is inadequate ventilation for stove in kitchen apparatus.  
Due to the age and condition of the heating system it is sporadic and highly uncontrollable.
4. Bathroom facilities are small and there is not sufficient space for man-power using same.
  - A. Lavatory is of insufficient size and is out-dated. (21 years old)
  - B. Pipes running thru over-head of shower and entire bathroom area are low and may cause injury to tall individuals using same.
  - C. There is no type of legal vent to the outside air. At times when the toilet is used the Chief has to vacate his office because of the odor.
5. Present work shop (former coal bin) is too small for any type work.  
In the past there has been up to six inches of water in the shop area from run-off of outside ground water and rain.
6. Insufficient area for Chief's office. Up until two years ago the Chief had no office. At that time the Chief and personnel partitioned off part of the Town Hall kitchen (about 8' x 10') and created a makeshift office. There are no windows or ventilation.
7. No area for use of audio-visual aids in training.
8. No library and study areas.
9. The accessibility of any and all parts of the station is extremely poor. Under emergency conditions this fact alone creates a safety hazard to all personnel involved. The area immediately around all apparatus is especially hazardous under these conditions, the narrow stairways and access areas. Equipment mounted on the apparatus, such as ladders, hose connections, mirrors, lights, pike poles, and equipment stored around apparatus bays are a hazard which may cause serious injury to personnel or visitors.
10. Due to the size of existing apparatus bays, (height, width, depth) it is not possible to update and modernize equipment or house existing or specialized equipment such as an ambulance, ladder truck or Chief's car. The present utility truck which is also the officers' vehicle must be left outside the year round.

I would also like to point out that I have a one car garage on my property for which I pay taxes. For the past ten years the entire building has been used for the storage of fire department supplies consisting mostly of fire alarm supplies. Also part of my yard is being used to store other materials such as reels of fire alarm cable.

No other surrounding town has a fire headquarters as disgraceful as Sudbury. I feel ashamed to have other Fire Chiefs or classes of school children pay us a visit.

A check of town reports for the past several years will reveal my urging for a suitable headquarters to operate a modern, well-trained fire department.

A new headquarters building has been recommended by Consultant, Mr. Moulton, Mr. Downes in the Master Plan and the New England Fire Insurance Rating Bureau in 1962.

As one of my last acts I strongly urge the townspeople of Sudbury to approve the bonding for this new building as the need is great and building costs are increasing tremendously.

/s/ Albert St. Germain

Chief of the Fire Department

October 22, 1974

These are the only changes that could be made as the rest of the building is made up of the cell blocks and not movable.

As stated before, I do not endorse this idea, but if we are forced into it, it could become a workable alternative for a short time.

We would still be without additional storage and office space of any kind and of course, this is one of our biggest problems.

Very truly yours,

/s/ Nicholas Lombardi

Chief of Police

Mr. John C. Powers further reported to the meeting for the Selectmen as follows:

We meet together tonight as a town to seek a final solution to the problem which has held the attention of this town and its people for more than a dozen years. It is unlikely that many other projects in the history of our ancient town have been so persistent or have been worked on by so many members of so many boards and committees of our fellow townsmen.

The last time that Sudbury appropriated funds for capital facilities either fire or police, other than minor renovations, was 1961. In that year Sudbury housed 9,000 people in something under 2,400 homes. Our total assessed valuation of real property was \$17,845,000 based upon the 35% valuation. Since that last appropriation, we have grown to a population of close to 15,000 dwelling in more than 3,600 houses. Our property valuation has increased to \$155,078,000. Sperry Rand has been completed. Raytheon has been completed and enlarged. Today, 81 commercial properties and 24 industrial properties representing over \$20,000,000 worth of value stand in our town. Our need for proper public safety has grown steadily on all fronts.

And yet, as early as 1962, the inadequacy of our central fire station was noted by Charles Downe, who said in the Master Plan, "The present situation in the basement of the Town Hall does not provide the kind of space and equipment necessary for an efficient, well trained fire department and should be replaced as soon as possible." By 1963, the inspection report of the New England Fire Insurance Rating Association said, "Immediate consideration should be given to the erection of a new headquarters station to replace the present headquarters." By 1965, special fire consultant, Robert Moulton, reported to the town, "A major expenditure which the town must eventually face is the construction of a new central fire station. The conditions in the present quarters in the basement of the Town Hall are, in my opinion, disgraceful and unsanitary."

In 1967, as a result of these many observations, the then Board of Selectmen appointed an informal study committee consisting of two fire department representatives, one Finance Committee representative, one Personnel Board representative, one Planning Board representative, a representative from the Permanent Building Committee and two representatives of the Selectmen. That committee recommended that a new headquarters fire station be built on a site on Hudson Road east of Old Lancaster. That was followed with further reports from such town committees as the Municipal Facilities Committee of the early 1970's and others.

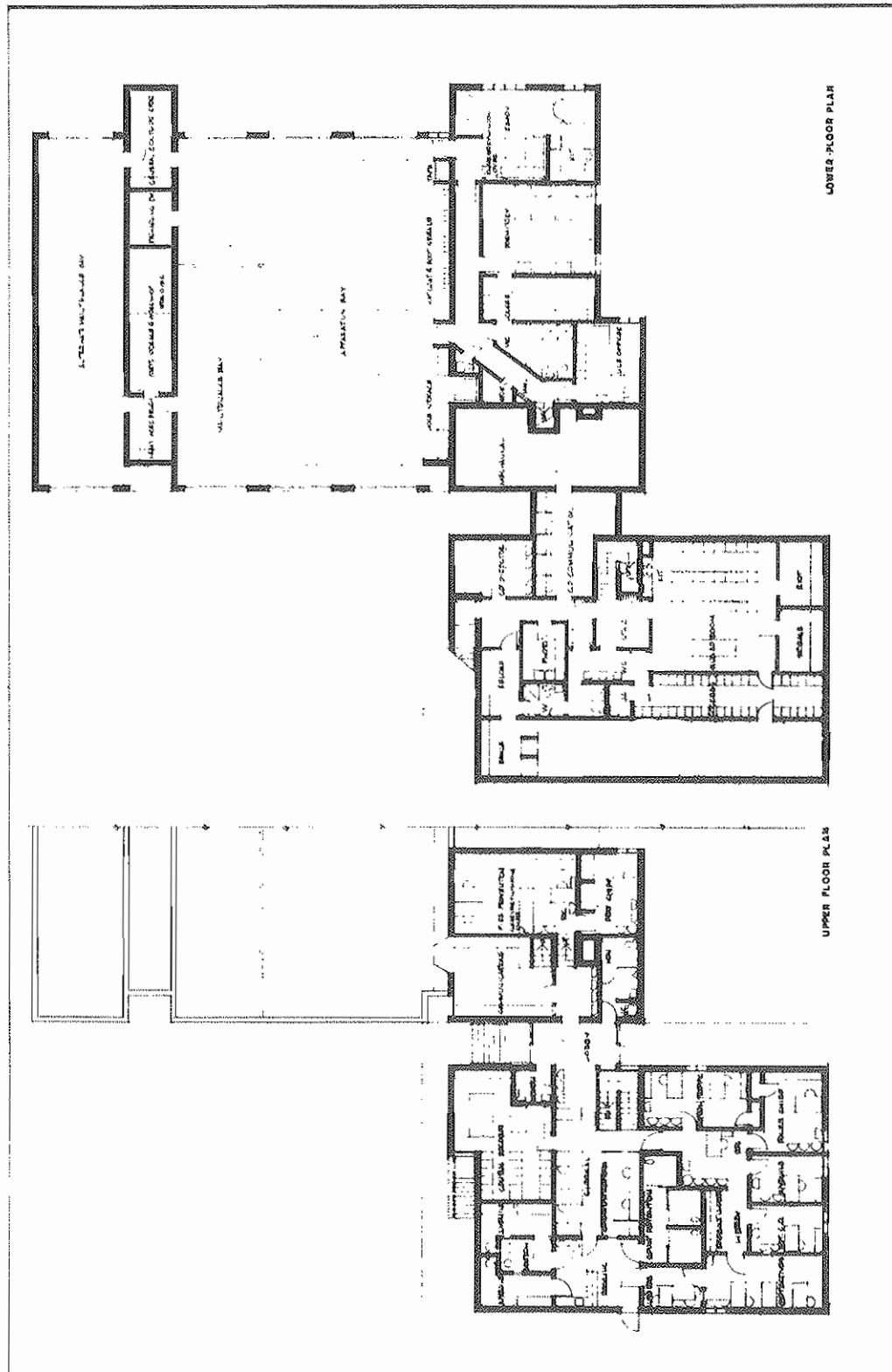
During the same time the police department witnessed a sharp and steady change, not only in the amount of crime, but in the type of crime which is more and more being exported to suburbia. Over this period, the nature and scope of the police functions have been forced to change, and their quarters, cramped at best, have become almost incapable of efficiently housing modern police facilities.

As the years rolled by, Sudbury had other matters which claimed civic priority and we made capital expenditures for schools, school additions and regional additions, park and recreation land and conservation land, and a host of other activities that make up the part and parcel of municipal government. We all said, "Well, the fire and police can wait." And wait they did. They are still waiting, but their responsibilities haven't waited at all.

By 1970, the police/fire station problem had risen to the top of every single one of the planned capital improvement program studies the town ever had. And finally, in April of 1972, you made the first concrete steps for a long overdue solution. Money was voted for schematic plans and estimates for alternative sites. In January of 1973, the Oliver land was purchased by you as a site for a combined facility and \$40,000, more or less, were appropriated to prepare final plans and specifications.

October 22, 1974

In January 1973, the Permanent Building Committee was directed by a vote of the Town to prepare final plans and specifications and secure bids for the construction of a combined fire/police headquarters facility located on the Oliver Land. We are back tonight with the final plans. The chart on page 1 of the warrant [see page 323] shows the location of the building and the access roads. The following chart shows the floor plan, both upper and lower floors:



October 22, 1974

TABLE 1 - IMPACT OF POLICE FIRE STATION APPROVAL ON TAX RATE

Year	Down Payment	Bond* Princ. & Int.	Increased Maintenance Cost	Civil Defense	Total	Tax Rate Impact
		(\$600,000 over 10 years)				
1975	\$133,000	\$17,250	—		\$150,250	\$0.88
1976		94,500	\$15,000	-\$40,000	69,500	0.40
1977		91,050	15,300		106,350	0.59
1978		87,600			102,900	0.56
1979		84,150			99,450	0.52
1980		80,700			96,000	0.49
1981		77,250			92,550	0.46
1982		73,800			89,100	0.43
1983		70,350			85,650	0.41
1984		66,900			82,200	0.38
1985		63,450			78,750	0.36
			15,300		15,300	0.07

\* 10 Year - 5.75%

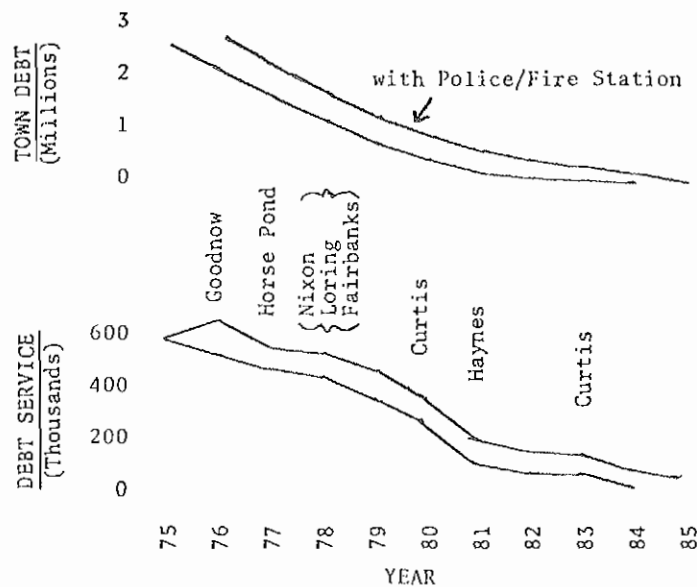
In the first year, the debt service will be fairly modest because we will simply be in a construction phase and we won't be occupying the building. We will have some interest payments basically of \$17,250, which will give us, for the first year of 1975, a total impact of \$150,250. If one will assume \$170,000,000 assessed valuation, then the impact on the tax rate is 88¢.

The second year is peculiar as well. There is expected substantial civil defense reimbursement. We have estimated \$40,000 civil defense reimbursement. We may do better. But \$40,000 subtracted from the first year debt service of \$94,500 gives us our second figure of 40¢.

Subsequent years then primarily are the debt service with the incremental maintenance costs attributable to the new facility. We figured out what it would cost to maintain the new facility in terms of utilities and custodial services, subtracting the cost of the previous two facilities. This gives an incremental cost of \$15,300 per year.

The ten year bond at 5.75% has been verified with the bank through the Town Treasurer.

FIGURE 1 - SUDBURY DEBT - EXCLUDES LSRHS DEBT AND 1974 SHORT TERM (2 YR) CONSERVATION BONDING



October 22, 1974

Long Range Capital Expenditures Committee Report: (Mr. William T. Rynne)

It is the responsibility of the Long Range Capital Expenditures Committee to ascertain reports from all of the boards, commissions and committees in Town dealing with projected capital expenditures and then to make a suggested or recommended schedule of priorities on these expenses. Our committee is currently updating this and the capital improvement program.

In the near future, the Town will be confronted with capital improvements that include things such as Town Hall renovations, conservation land, septage disposal facilities, swimming pool, walkways, ski slope, highway drainage and construction, park and recreational development, highway equipment and garage facilities and many others. All of these items are either necessary or desirable or both. In this context, however, our committee feels that the proposed police/fire station should rank high in our list of scheduled priorities, and we recommend approval of this article.

Sudbury Taxpayers' Association: (Mr. Martin E. Doyle)

I would like everybody in the hall to understand that the position of the Sudbury Taxpayers' Association is not a criticism of the job our firemen and policemen are doing. We know our police and firemen will continue to do an outstanding professional job and will not be influenced by buildings or other considerations from doing it.

The Sudbury Taxpayers' Association's prime motive in opposing this motion is that in the face of present economic and inflationary pressures, it is unwise and imprudent to embark on such a major project. We feel that the present facilities are not totally inadequate and can be improved to suffice until our economic position improves. The fancy new station will not improve the quality or number of men responding to a fire or police call.

From the reports of the Chiefs as printed in the warrant, many of the major problems can be solved within the present system. For example, you don't build a new house because you have trouble with your septic system. You fix the septic system. There is available within Town adequate storage space for the things they quote as needing storage. Two places come to mind, and I'll just toss these out at random. One is the basement of the White Building and the other is the MacRae building on Featherland Park.

The schools in Town are available for in-service training and are better equipped for this purpose than any restricted area we can provide. As a matter of fact, one of the more important aspects of in-service training is physical training which can only be accomplished in a fully equipped gymnasium. The pistol range included which the Chief has referred to is an expensive item, and our police could continue to use the pistol range for their qualification once a year at the State Police Barracks or at any of the local ranges. The Police Chief has suggested his own answer to office space problems. Within the Town Hall complex, it would not be a problem to provide additional office space for the fire department if a reasonable amount of thought were given to the problem. There is also a possibility that within a few years we may have vacant school space which could be converted to this purpose.

It is worth noting that the present police headquarters on Boston Post Road was built to accommodate a second story in the event of expansion. But, apparently this fact has been forgotten or was not considered. For a number of years, as a matter of fact since 1967, the Town has refused to appropriate for property and plans for a fire headquarters. It was only when this was combined with a police headquarters in 1972, that the Town did indeed buy a site and appropriate for plans.

This is not the first time this has happened. Consider the Goodnow Library. It could not be used and it could not be added to. We had to have a new library building until the town meeting refused funds. Then all of a sudden it was perfectly adequate and we were able to add on to it. Another example is the White Building next door to the Town Hall. We were going to raze the White Building and build a special building for school headquarters until the Town refused to do it. All of a sudden we were able to renovate the White Building and it is perfectly adequate.

Now, I'd like to turn to the national issue. President Ford and our other leaders have exhorted us to tighten our belts and reduce our spending to fight inflation and depression. One of their conclusions is that a major cause of inflation is long term debt. We have mortgaged our future and it's catching up with us now. Particularly inflationary are federal, state and municipal borrowing. This takes away funds available for business and other expansion. Yet we sit here considering spending close to three-quarters of a million dollars.



October 22, 1974

Mr. Douglas Miranda was then recognized and stated that the Housing Authority did not wish to expand on its report in the warrant. However, the Housing Authority had an amendment it would like to offer to this article at the appropriate time.

Finance Committee Report: Three ways of access to the land of the Sudbury Housing Authority have been considered. The first choice, access to Peakham Road, was found to have too steep a grade. Access via Colonial Road was considered. This would have brought heavy equipment through a residential neighborhood during the construction phase. The Finance Committee believes access to Hudson Road through Town-owned land, by a route negotiated by the Selectmen with the Housing Authority, provides a better alternative. The Finance Committee recommends approval of Article 2.

Planning Board Report: (Mrs. Jane F. Gillespie)

Ours is not an official position of support or nonsupport, but we do want to be on record as we have been in previous meetings that this access onto Hudson Road is far superior to access onto Colonial Road which at one time was proposed.

Mr. Miranda then *moved to amend Article 2 by striking out the words "an amount not less than \$3,000 nor more than \$6,000" and substituting "the sum of \$1.00"*.

In support of the amendment Mr. Miranda stated that the Sudbury Housing Authority shares the townspeople's concern with our local tax dollars. We are equally concerned with the stewardship of your state tax dollars. We are, in fact, an operating arm of the Commonwealth of Massachusetts, and we therefore believe that you should be aware of several facts before your vote on this article.

This project is intended to serve the needs of the Town of Sudbury. The housing for elderly of low income will serve the elderly of our Town who are currently forced to seek aid elsewhere. The project will include a community building to be utilized by others in this community, other groups, senior citizens' organizations. We would like to point out that development costs of our project are higher than many, many others in the state.

Your Housing Authority will pay the Town of Sudbury \$37,500 for that parcel of land, which averages out to a cost of about \$586 per unit. We are talking about 66 units. The average for the state in land purchase is somewhere between \$400 and \$500. As a matter of fact, about one-third of the towns in Massachusetts who have housing authorities have managed to purchase land for their housing development from their communities for the sum of \$1.00 which is the equivalent to a gift. A few of these towns are Framingham, Winchester, Brimfield, Peabody, Lowell, Somerville, Cambridge, City of Boston, and Arlington.

What we spend on developing the land will be taken from what we will spend on the housing units themselves. We have endeavored to hold costs down by utilizing building components of low initial and maintenance costs to provide reasonably safe and pleasant surroundings for the elderly tenants.

Any more than a token payment from the Sudbury Housing Authority would require an appraisal and an approval by the state, a policy intended for the protection of your state tax dollars. Purchase of this initial parcel of land required two appraisals which cost the taxpayers of this Commonwealth \$500 for each appraisal. We paid \$1,000 for that. Admittedly, the portion of land that we are looking for for the easement will probably total somewhere around one-third acre of land, plus or minus. Obviously an appraisal for that would cost less, but regardless, we would have to go out and hire someone to do this and submit our figures to the state. We do not feel that you want to spend more state tax dollars to transfer somewhere between \$3,000 and \$6,000 from your state tax pocket to your local tax pocket.

The Housing Authority requests your support for this amendment so we can get on to the business of granting the Authority the necessary easement.

After discussion, Mr. Miranda's amendment was *defeated*.

After further discussion, it was

*VOTED: THAT THE TOWN AUTHORIZE AND EMPOWER THE BOARD OF SELECTMEN TO NEGOTIATE WITH AND CONVEY, FOR AN AMOUNT NOT LESS THAN \$3,000 NOR MORE THAN \$6,000, TO THE SUDBURY HOUSING AUTHORITY, AN EASEMENT FOR ALL PURPOSES FOR WHICH ROADS ARE USED IN THE TOWN OF SUDBURY, TO BE USED AS AN ACCESS ROADWAY FROM HUDSON ROAD TO THE SITE FOR ELDERLY PERSONS OF LOW INCOME PROJECT, OVER, ACROSS AND*

## STATE ELECTION

November 5, 1974

The Biennial State Election was held at the Peter Noyes School with the polls open from 6:30 A.M. to 8:00 P.M. There were 4,955 votes cast, including 105 absentee ballots (Precinct 1 - 20; Precinct 2 - 14; Precinct 3 - 36; Precinct 4 - 35). Twenty voting machines were used. The results were announced by the Precinct Clerks by 9:59 P.M.

	<u>Pct. 1</u>	<u>Pct. 2</u>	<u>Pct. 3</u>	<u>Pct. 4</u>	<u>Total</u>
GOVERNOR and LT. GOVERNOR					
Sargent and Dwight	637	698	749	880	2,964
Dukakis and O'Neill	380	510	535	411	1,836
Gurewitz and Bivins	2	7	6	9	24
Kahian and Creco	11	15	29	27	82
Blanks	17	11	12	9	49
ATTORNEY GENERAL					
Francis X. Bellotti	214	308	298	185	1,005
Josiah A. Spaulding	810	890	993	1,115	3,808
Jeanne Lafferty	6	18	9	15	48
Blanks	17	25	31	21	94
SECRETARY OF STATE					
Paul H. Guzzi	534	739	748	636	2,657
John M. Quinlan	478	453	534	653	2,118
Blanks	35	49	49	47	180
STATE TREASURER					
Robert Q. Crane	668	809	842	775	3,094
Scattering		1			1
Blanks	379	431	489	561	1,860
STATE AUDITOR					
Thaddeus Buczko	636	756	818	793	3,003
Blanks	411	485	513	543	1,952
CONGRESSMAN (4th District)					
Robert F. Drinan	447	615	558	560	2,180
Alvin Mandell	294	247	314	384	1,239
Jon Rotenberg	279	346	431	365	1,421
Blanks	27	33	28	27	115
COUNCILOR (3rd District)					
Herbert L. Connolly	566	710	739	690	2,705
Scattering		1			1
Blanks	481	530	592	646	2,249
SENATOR (Middlesex and Worcester District)					
Chester G. Atkins	599	814	787	725	2,925
George F. Rohan	382	349	437	521	1,689
Blanks	66	78	107	90	341
REPRESENTATIVE IN GENERAL COURT (40th Middlesex District)					
Genevra R. Counihan	393	-	-	-	393
Wesley E. Young	599	-	-	-	599
Blanks	55	-	-	-	55
REPRESENTATIVE IN GENERAL COURT (53rd Middlesex District)					
Ann C. Gannett	-	742	845	1,013	2,600
Douglas A. Miranda	-	442	425	286	1,153
Blanks	-	57	61	37	155

## STATE ELECTION

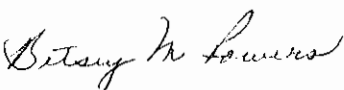
## RECOUNT

November 18, 1974

Under the provisions of Chapter 54, Sections 135 and 135A, as amended, of the General Laws, a recount of the ballots cast at the Biennial State Election of November 5, 1974, for the office of Representative in the General Court, 40th Middlesex District, in Precinct 1, was held on November 18, 1974. The results were as follows:

Genevra R. Counihan	393
Wesley E. Young	599
Blanks	55
Total	1,047

A true record, Attest:



Betsey M. Powers  
Town Clerk