

INDEX

Annual Town Election, March 28, 1977
 Special Town Meeting, April 4, 1977
 Annual Town Meeting, April 4, 1977

	<u>Art.</u>	<u>Page</u>	
Accessory Dwelling Units (Art. IX, Sec. III, A)	27	118	DF
Acts, General Laws, acceptance of			
Chapter 40, Section 6N, Temporary Repairs on Private Ways	23	111	
Chapter 41, Section 100I, Indemnification of Municipal Officers	7	92	
Acts, Special			
Town Clerk Fees (Chapter 379, Acts of 1976)	6	91	
Special Police	18	102	
Ambulance Fees	RES.	138	
Borrowing, authorization for	2	18	
Budgets, 1976-77			
amendments for salary plan adjustments (all except fire)	2	7	
amendments for salary plan adjustments (fire)	2	146	
Budgets, 1977-78	5	28	
amendments for salary plan adjustments (fire)	4	147	
Bylaws, amendments (except Art. IX-Zoning and XI-Personnel)			
Enforcement (Art. VI, Sec. 2)	20	103	
Public Safety (Sanitary Landfill) (Art. V, Sec. 11 and 12)	21	104	
Town Clerk Fees (Art. III, Sec. 7)	6	91	
Town Meetings (Art. I, Sec. 3)	13	95	
Town Seal (Art. XVI)	11	95	
Cemetery Rules and Regulations	22	104	
Clerical Positions Study	25	113	
Committees, abolished: Power and Light Committee	12	95	
Committees, established: Housing Policy Committee	26	115	
Compulsory Arbitration	RES.	129	
Debt Service, budget	5(200)	58	
Dog Pound Facilities	4	10	DF
Drainage Study (Peakham, Old Lancaster, Union, Concord, Station)	33	135	
Election, Annual Town, March 28, 1977		1	
Enforcement (Art. VI, Sec. 2)	20	103	
Finance Committee Report, 1977		12	
Fire Department: Area Dispatch Center	24	112	
General Government, budget	5(500)	76	
Haskell Land, development	37	140	
Health, budget	5(800)	88	
Highway Department, budget	5(400)	71	
Horse Pond Road School			
funds for 1977-78	15	97	DF
uses of for 1977-78	16	101	IP
Housing Policy	26	115	
Hudson Road Relocation/Reconstruction	31	131	
Hudson Road Walkway-RR Crossing	9	94	
Indemnification of Municipal Officers (Chap. 41, Sec. 100I, G.L.)	7	92	
Land, development of Haskell Land	37	140	
Landham Road Bridge to DPW	8	93	
Landham Road Land Damages	3	9	DF
	6	148	
Library, budget	5(600)	85	
parking lot and driveway	36	138	
Municipal Officers, Indemnification of (Chap. 41, Sec. 101I, G.L.)	7	92	
Old Lancaster Road Walkway-RR Crossing	10	94	
Park and Recreation, budget	5(700)	87	
Personnel Bylaw (Art. XI)			
Classification Plan and Salary Schedule, 1976-77	1	4	
1976-77 (Fire)	1	145	
1977-78	3	19	
1977-78 (Fire)	3	146	
Amendments to Personnel Administration Plan	4	21	DF

	<u>Art.</u>	<u>Page</u>	
Police, Special (Special Act)	18	102	
Power and Light Committee, abolish	12	95	
Private Ways, Temporary Repairs on (Chapter 40, Sec. 6N, G.L.)	23	111	
Protection of Persons and Property, budget	5(300)	59	
Public Works Employment Act Funds	32	132	
	5	147	
Reports, Town Boards, Committees, Officials, accept	1	16	
Reserve Fund, transfers from		89	
Resolutions			
Ambulance Fees		138	
Buxbaum, Paul J.		125	
Compulsory Arbitration		129	
Flynn, Alan F.		124	
High School Budget		55	
Noyes, F. Alvin		125	
Revolutionary War Bicentennial Committee		90	
Stone, Caroline Maude Evans		126	
Trimper, Ernest C.		126	
Revaluation	38	141	DF
Revolutionary War Bicentennial Committee	RES.	90	
Schools:			
Horse Pond Road School, funds for 1977-78	15	97	DF
uses for 1977-78	16	101	IP
Lincoln-Sudbury Regional High School, budget	5(130)	41	
	RES.	55	
Minuteman Regional Vocational Technical High School, budget	5(140)	56	
Sudbury Schools, budget	5(110)	28	
reconsideration		68	DF
Summer School	17	101	
Streets, acceptances			
Bowen Circle	29	129	
Elsbeth Road	30	130	
Streets, reconstruction/relocation (Hudson Road)	31	131	
Sudbury Skating and Tennis Club, Inc., purchase	5	10	IP
Town Clerk Fees (accept Chapter 379, Acts of 1976, amend Art. III, Sec. 7)	6	91	
Town Hall, generator	35	138	
sewerage system	34	137	
Town Meetings (Art. I, Sec. 3)	13	95	
Town Seal (Art. XVI)	11	95	
Unclassified, budget	5(950)	89	
Unpaid Bills	14	96	
Veterans, budget	5(900)	89	
Walkways, planning and construction (Morse, Mossman)	28	126	
Hudson Road-RR Crossing	9	94	
Old Lancaster Road-RR Crossing	10	94	
Zoning Bylaws (Art. IX)			
Penalty (Sec. VI, D)	19	103	
Single Accessory Dwelling Unit (Sec. III, A)	27	118	DF

DF Defeated
IP Indefinite Postponement

ANNUAL TOWN ELECTION

March 28, 1977

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 3,517 votes cast, including 52 absentee ballots. Twenty-three voting machines were used. The results were announced by Town Clerk Betsey M. Powers at 10:00 P.M.

MODERATOR: For One Year

Frank R. Sherman	1395
J. Owen Todd	2029
Blanks	93

SELECTMAN: For Three Years

William F. Toomey	2153
Frederick W. Welch	1121
Scattering	1
Blanks	242

ASSESSOR: For Three Years

Frank H. Grinnell	2644
Blanks	873

TAX COLLECTOR: For Three Years

Isabelle K. Stone	2828
Blanks	689

TREASURER: For Three Years

William E. Downing	2143
Hubert A. Keenan	1031
Blanks	343

TOWN CLERK: For Three Years

Betsey M. Powers	2837
Blanks	680

CONSTABLE: For Three Years

Dorothy H. Roberts	2626
Blanks	891

HIGHWAY SURVEYOR: For One Year

Robert A. Noyes	2811
Blanks	706

TREE WARDEN: For One Year

Allan P. Snow	2685
Blanks	832

GOODNOW LIBRARY TRUSTEE:

For Three Years (Vote For Two)	
Sylvia M. Throckmorton	2403
Jeffrey R. Gibson	1048
Carol Hull	1497
Blanks	2086

BOARD OF HEALTH: For One Year
(To Fill Vacancy)

E. Lawrence Gogolin	1609
Lacl M. Meixsell	1276
Blanks	632

BOARD OF HEALTH: For Three Years

James J. Healy	2695
Blanks	822

PLANNING BOARD: For Five Years

William R. Firth	2437
Blanks	1080

SUDBURY SCHOOL COMMITTEE:

For Three Years	
Steven M. Fisch	1435
Paul Langner	1902
Blanks	180

BOARD OF PARK AND RECREATION

COMMISSIONERS:	
For Three Years (Vote For Two)	
John E. Murray	1672
Claire J. Feeley	1727
Nancy D. Lewis	2085
Blanks	1550

SUDBURY HOUSING AUTHORITY:

For One Year (To Fill Vacancy)	
Russell Loftus	2461
Blanks	1056

SUDBURY HOUSING AUTHORITY:

For Five Years	
Thomas R. Blanchette	2526
Blanks	991

LINCOLN-SUDBURY REGIONAL SCHOOL

DISTRICT SCHOOL COMMITTEE:	
For One Year (To Fill Vacancy)	
Dante Germanotta	1335
Bernard J. Hennessy	1697
Blanks	485

LINCOLN-SUDBURY REGIONAL SCHOOL

DISTRICT SCHOOL COMMITTEE:	
For Three Years (Vote For Two)	
Richard H. Davison	1603
Richard F. Brooks	1942
Cyrus H. Kano	945
Allan C. Morgan	1790
Blanks	754

(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*
Town Clerk

PROCEEDINGS
SPECIAL TOWN MEETING

April 4, 1977

The Moderator called the meeting to order at 7:48 P.M. at the Lincoln-Sudbury Regional High School Auditorium. He announced that a quorum was present.

The Rev. Stanley G. Russell of the Memorial Congregational Church was recognized for the purpose of presenting an invocation, following which the Moderator led the citizens in the pledge of allegiance to our flag.

The Moderator announced that the amount of free cash as certified to the Town by John H. Wilson, Town Accountant, was \$345,875.12. He stated that he had examined the call of the meeting, the officer's return of service and the Town Clerk's return of mailing notice of the meeting, and had found each of them in order.

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

UNANIMOUSLY VOTED: TO DISPENSE WITH THE READING OF THE CALL OF THE MEETING, THE OFFICER'S RETURN OF SERVICE AND THE TOWN CLERK'S RETURN OF MAILING TO EACH HOUSEHOLD IN THE TOWN AND TO WAIVE THE READING OF THE SEPARATE ARTICLES OF THE WARRANT FOR THE SPECIAL TOWN MEETING.

The Moderator then announced that all motions of more than a few words must be submitted in writing to the Town Clerk.

He further announced that since the Annual Town Meeting was called for eight o'clock this evening, it is proposed to go on with the Special Town Meeting until approximately eight o'clock. At that time, the Special Town Meeting will be recessed for the purpose of convening the Annual Town Meeting. After the preliminaries of the Annual Town Meeting are taken care of, the hall will return to the Special Town Meeting to complete its business.

He announced that the Little Theatre has been provided with closed circuit TV and two-way microphones due to the large number of voters expected, and he asked that all non-voters move to the Little Theatre.

Following several other announcements, the Moderator recognized Mr. Powers who gave the following report:

Board of Selectmen Report:

As is customary, the Board of Selectmen wishes to make a brief statement about the state of the Town. We have reached a point of decision about our Town, our government and our way of life as a community. To a great extent, this is because of financial pressures associated with the continuing recession. But, in reality, it is far deeper than just a question of money.

It is a question of our beliefs about what kind of town we are, about our compassion for our neighbors, our young people, our elderly and all of those good people of modest means who want to be able to continue to live in Sudbury. It is a question of what the purpose, extent and cost of Sudbury's government should be, not for one program or one group of employees or one segment of the public which benefits from a particular service. It is a question of our resolve as a town to stand up to a state government which has demonstrated a callous disregard for its legal obligations to local government and to the real property taxpayer, and to an insulated, uncaring administration and legislature which piously seeks to balance its budget and fund its pet project by repeatedly diverting into its own pocket millions of dollars earmarked by law for local roads, school busses and school costs, and which continues to add to the burden of the local taxpayer, the obligation to fund, from the property tax, state mandated unfunded programs. It is a time to rethink our positions and our priorities.

The Massachusetts Constitution states that the end of government is to furnish the individuals who control it with the power of enjoying in safety and tranquility their natural rights and the blessings of life. The first article

April 4, 1977

in the Declaration of Rights gives to each person certain essential rights, specifically including that of acquiring, possessing and protecting property. Here tonight in this place, we face a blunt reality. We are at or near the point where the power to tax for governmental services has become the power to destroy the right of prudent citizens of modest means to continue to own a home in the Town of Sudbury.

Last year, the average tax bill was over \$1,600. In the budgets and special articles before you are costs which will skyrocket the tax rate from \$10 to \$15 per thousand more. The power to tax will become the power to confiscate if we are not very careful in what we do. We hope you will agree that this is unconscionable.

We believe that Sudbury cares enough about its elderly, the individuals on fixed incomes, the young people who earn modest salaries, the women and children who are living on fixed marriage settlements, to assure them that we want them and need them in our town. We do not want to change the quality of life in this town or turn it into a plutocracy, but we are facing just that choice.

There are approximately 15,000 men, women and children in this town located in approximately 3,800 households. They are being asked to approve expenditures tonight of \$15,718,000 for local government.

The Town has not grown in several years, new taxable real estate has not appeared in any appreciable amount, new money has dried up, our ability to pay has been curtailed seriously. Our county costs have risen to \$504,000. Our MBTA assessment has jumped another \$43,000 so that Sudbury will be forced to raise \$174,000 for that service, and the state has slashed its support of school bussing by \$70,000 and Chapter 70 School Aid by more than \$306,000.

There are two things that we must do as a town. We must tighten our belts and change the direction of our spending habits to meet our ability to pay. We must take the necessary steps to fight, both singly and in concert with other towns, the state's failure to meet its mandated duty to support its own programs or to repeal them.

Neither will be easy. Tough choices must be made.

At the outset, let us all realize that we need understanding and careful concern, however tempting reckless budget cuts might be. We know, as you do, that such cuts can actually cost more than they save. Our real options have to be weighed against maintaining a necessary and proper level of services for the town and its people. We must be fair to those who perform these services, whether in the area of general government or school budgets. We have contract obligations which we should meet. We should be careful where we cut and how much we cut. Remember that many boards and committees have worked very hard for months to boil down budget requests. We believe, however, that more must be done. We hope you will agree.

During this meeting, the Selectmen will request your help in certain areas. We know that there is disagreement among boards and committees in some of these, and you will have to make the decision. We will ask you to support the negotiated contracts we have arrived at for Highway and Police, representing six per cent for the current year and six per cent for the next year. We believe that these are fair and reasonable and that the two-year contracts will, in these areas, bring us a period of labor peace. We ask the same treatment for the non-union personnel who should not be penalized merely because they are non-unionized.

In saying this, however, we want you to know that it is our belief that these raises should bring municipal salaries to a ceiling and that there ought to be a moratorium on any other further raises until there is a substantial improvement in our municipal financial picture.

We have not settled with the Fire Union.

We will ask you to oppose the purchase of the skating and tennis facility which is totally unacceptable. \$1,850,000 is not available from the public coffers no matter how funded. We will ask you to defer the \$100,000 walkway expenditure for this year as an emergency measure. We will ask you to defer the \$47,359 Conservation Fund appropriation for this year as an emergency measure. We ask you to defeat the \$125,000 Horse Pond Road School article and also the \$50,000 alteration money for Horse Pond Road School. We ask you to cut the appropriation for Sudbury Schools by \$211,000, so that we may challenge the state's failure to supply those funds under Chapter 70. We will ask you to reduce the

April 4, 1977

Lincoln-Sudbury School budget by \$69,870, which is Sudbury's share of the contingency fund which we are advised is an illegal item. We ask your support in cutting Blue Cross/Blue Shield and retirement funds \$25,000 each, or a total of \$50,000. We are certain that you may wish to make other cuts in appropriations, and we will be bound by your decisions in these matters, whether you agree with us or whether you don't.

For our part, we are pledged to continue our efforts in court, if necessary, to implement the constitutional requirement of equalized valuation for all cities and towns in Massachusetts. That will mean literally hundreds of thousands of dollars more relief for Sudbury. We will take strong and definitive action to free Sudbury from the massive burden of the MBTA assessment for which we receive absolutely nothing, and we will, with your help, seek a restoration of state aid for school bussing, Chapter 70 school aid and 766 special education funding.

We will speak to each of these specific recommendations when the time is proper under each article. We will also ask your support for a resolution directing and instructing our legislators to vote for the repeal of state-mandated compulsory and binding arbitration in fire and police labor contracts so that control of municipal employees' salaries in these areas can be returned to you, the voter.

We thank you for your time and attention and remind you once more, that you alone have the power to appropriate. We can only recommend. It is your judgment, your consideration and your vote that controls every single appropriation before you.

Upon a motion made and seconded, it was

VOTED: TO RECESS THE SPECIAL TOWN MEETING SO THAT WE CAN CONVENE THE ANNUAL TOWN MEETING AT THE TIME IT WAS CALLED AND FOR JUST SO LONG AS IT TAKES TO TAKE CARE OF THE PRELIMINARIES OF THE ANNUAL TOWN MEETING.

The Annual Town Meeting was then called to order, and the preliminaries, including the supplementary report of the Finance Committee, were completed. [See page 16.]

The Moderator then announced that the Special Town Meeting was reconvened.

ARTICLE 1: To see if the Town will vote to amend the Classification Plan and Salary Plan, Schedule "A & B", in Article XI of the Town Bylaws to read as follows:

Class. & "1976 - 1977
Salary Plan SCHEDULE A & B
Art. XI CLASSIFICATION PLAN AND SALARY PLAN

CLASSIFICATION	HRS PER WEEK	START	STEP 1	STEP 2	STEP 3	STEP 4
<u>CLERICAL</u>						
<u>ANNUALLY RATED</u>						
Administrative Secretary	35	\$ 8,908	\$ 9,165	\$ 9,426	\$ 9,687	\$ 9,946
Assistant to Town Clerk	35	8,908	9,165	9,426	9,687	9,946
Principal Clerk	35	7,936	8,177	8,464	8,676	8,917
Senior Clerk	35	7,138	7,361	7,673	7,837	8,074
Junior Clerk	35	6,255	6,494	6,716	6,955	7,172
<u>HOURLY RATED</u>						
Senior Part-time Clerk		3.66	3.78	3.93	4.07	4.23
Junior Part-time Clerk		2.88	3.01	3.13	3.23	3.36
<u>FIRE DEPARTMENT</u>						
<u>ANNUALLY RATED</u>						
Fire Chief		INDIVIDUALLY RATED - MAXIMUM \$22,300				
Fire Captain	42	\$13,064	\$13,365	\$13,674	\$13,976	\$14,312
Fire Fighter	42	10,621	10,866	11,117	11,363	11,636
Fire Fighter/Emergency Medical Technician		10,621	10,866	11,117	11,363	11,636
<u>SINGLE RATED</u>						
Call Fire Fighter		\$51.20 per year and \$4.93 per hour				

April 4, 1977

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 - BY STATE LAW - \$23,100				
Sergeant	37 1/3	\$14,048	\$14,375	\$14,712	\$15,043	\$15,343
Patrolman	37 1/3	11,707	11,979	12,260	12,536	12,786
Provisional Patrolman		10,039				
<u>SINGLE RATE</u>						
Administrative Assistant		1,000 per year				
Fingerprint Officer		600 per year				
Juvenile-Safety Officer		600 per year				
Detective		600 per year				
Police Woman (School Traffic Duty)		42.75 per week				
Police Matron		5.00 per hour				
<u>HIGHWAY DEPARTMENT</u>						
<u>ANNUALLY RATED</u>						
Asst. Highway Surveyor		INDIVIDUALLY RATED - MAXIMUM \$16,000				
Operations Assistant		INDIVIDUALLY RATED - MAXIMUM \$12,400				
Foreman - Highway	42.5	\$12,122	\$12,444	\$12,768	\$13,114	\$13,437
Foreman - Tree & Cemetery	42.5	12,122	12,444	12,768	13,114	13,437
<u>HOURLY RATED</u>						
Mechanic	42.5	4.85	5.08	5.32	5.57	5.78
Heavy Equipment Operator	42.5	4.44	4.64	4.84	4.99	5.21
Tree Surgeon	42.5	4.44	4.64	4.84	4.99	5.21
Truck and/or Light Equipment Operator	42.5	4.07	4.22	4.39	4.57	4.71
Tree Climber	42.5	4.07	4.22	4.39	4.57	4.71
Laborer (Heavy)	42.5	3.74	3.85	4.02	4.17	4.33
Laborer (Light)	42.5	3.21	3.34	3.49	3.60	3.77
Temporary Laborer	42.5	2.68	2.78	2.90	3.01	3.15
<u>LIBRARY</u>						
<u>ANNUALLY RATED</u>						
Library Director		INDIVIDUALLY RATED - MAXIMUM \$14,500				
Asst. Library Director	35	\$ 9,554	\$ 9,954	\$10,436	\$10,963	\$11,514
Children's Librarian	35	9,186	9,554	10,031	10,534	11,060
Reference Librarian	35	9,186	9,554	10,031	10,534	11,060
Librarian Assistant	35	7,138	7,361	7,673	7,837	8,074
Junior Library Assistant	35	6,255	6,494	6,716	6,955	7,172
<u>HOURLY RATED</u>						
Asst. Children's Librarian		4.04	4.22	4.41	4.65	4.90
Librarian Asst., part-time		3.65	3.78	3.92	4.08	4.23
Junior Librarian Asst.		2.51	2.67	2.77	2.88	2.99
Library Page		2.35	2.45	2.55		
<u>PARK AND RECREATION DEPARTMENT</u>						
<u>ANNUALLY RATED</u>						
Maintenance Foreman		INDIVIDUALLY RATED - MAXIMUM \$12,000				
Recreation Director, part-time		\$ 4,711	\$ 4,899	\$ 5,144	\$ 5,410	\$ 5,681
<u>SEASONALLY RATED</u>						
Swimming Director		1,304	1,356	1,424	1,496	1,570
Playground Supervisor		1,006	1,046	1,098	1,153	1,212
Arts and Crafts Supervisor		1,006	1,046	1,098	1,153	1,212
<u>HOURLY RATED</u>						
Maint. Asst./Equipment Operator		4.11	4.28	4.46	4.65	4.81
Laborer (Heavy)		3.74	3.85	4.02	4.17	4.33
Swimming Instructor		3.36	3.50	3.63	3.78	3.94
Laborer (Light)		3.21	3.34	3.49	3.60	3.77
Playground Instructor		3.01	3.13	3.23	3.39	3.47
Temporary Laborer		2.67	2.77	2.88	2.99	3.13
Assistant Swimming Instructor		2.67	2.77	2.88	2.99	3.13
Monitors (Tennis Court and Ice Skating)		2.67	2.77	2.88	2.99	3.13
<u>TOWN ADMINISTRATION</u>						
<u>ANNUALLY RATED</u>						
Executive Secretary		INDIVIDUALLY RATED - MAXIMUM \$27,400				
Town Accountant		INDIVIDUALLY RATED - MAXIMUM \$18,000				
Town Engineer		INDIVIDUALLY RATED - MAXIMUM \$21,600				

April 4, 1977

CLASSIFICATION	HRS PER WEEK	START	STEP 1	STEP 2	STEP 3	STEP 4
<u>TOWN ADMINISTRATION</u>						
<u>ANNUALLY RATED (continued)</u>						
Building Inspector & Zoning Enforcement Agent		INDIVIDUALLY RATED - MAXIMUM \$17,900				
Director of Health		INDIVIDUALLY RATED - MAXIMUM \$18,100				
Junior Civil Engineer		\$12,281	\$12,763	\$13,273	\$13,810	\$14,369
Building Services Coord.		10,686	10,956	11,229	11,501	11,788
Assistant Dog Officer		7,936	8,177	8,464	8,676	8,917
<u>HOURLY RATED</u>						
Senior Engineering Aide		4.75	4.95	5.14	5.35	5.57
Junior Engineering Aide		3.75	3.91	4.07	4.22	4.39
Student Engineering Aide		2.97	3.08	3.21	3.34	3.47
Custodian		3.66	3.78	3.93	4.08	4.23
Custodian (part-time)		2.88	3.01	3.13	3.23	3.36
<u>SINGLE RATE SCHEDULE</u>						
Veterans Agent & Director		\$ 1,615 per year				
Animal Inspector		800 per year				
Custodian of Voting Machines		4.41 per hour				
Census Taker		3.55 per hour				
Election Warden		3.55 per hour				
Deputy Election Warden		3.55 per hour				
Election Clerk		3.55 per hour				
Deputy Election Clerk		3.55 per hour				
Election Officers & Tellers		3.38 per hour				
Plumbing Inspector		75% of established fees				

Overtime for non-unionized employees shall be paid at the rate of time and one-half in excess of 40 hours in any work week, when such additional work time is directed by the department supervisor. The overtime rate of time and one-half shall be computed upon the employee's base salary, which base salary shall not include longevity, career incentive, overtime or any other benefit.

Longevity shall be paid to all permanent full-time Town employees, except individually rated positions, having served continuously as an employee of the Town as follows: after six (6) years, an additional two per cent (2%); after ten (10) years, an additional one per cent (1%); and after fifteen (15) years, an additional one per cent (1%)."

or act on anything relative thereto.

Submitted by the Personnel Board.

Personnel Board Report: (Mrs. Margaret Bonarrigo)

There are many decisions which you, as voters of the Town of Sudbury, will be called upon to make, decisions this evening and in the evenings to come. There are few that are as important, in my opinion, as how we decide to treat our Town employees. I am sure that there is a feeling in Town that there should be no more spending. I know that there is a feeling among our Town employees that they cannot afford to live on what they are paid.

This is a dilemma that faces the Selectmen as they negotiate with the union, that faces the Personnel Board as it makes its decision on how to treat the non-union employee.

The salary schedule which is recommended in Article 1 of the Special Warrant reflects what I think is a reasonable and responsible response to the conflicting problem of trying to keep the tax rate down and trying to provide adequately for the Town employees. What these figures represent is a six per cent increase for all of the people who are listed in Article 1.

While it looks like a unified plan, it actually has a number of components. Historically, the way it was compiled is that the final contracts were entered into with the Police and with the Highway Department. As you have already heard, the Fire Department has not yet signed its contract for the period starting July 1, 1976.

The Selectmen, who are primarily responsible for the provisions of the union contract, are to be credited with the fact that they were able to hold the line at six per cent increases in their bargaining with the Police Union. The Highway

April 4, 1977

Department increases also reflect approximately a six per cent increase although they differ from the Police in that that is partly reflected in a reduction in the number of hours actually required to work. The contract for the Highway and the contract for the Police Department have been signed.

The non-union employees, which represent everybody else on your list, except the Fire Department people, in my opinion, should be afforded the same cost of living increase at the rate of six per cent.

While there may very well be a no-increase, no-spending attitude, I ask you to take into consideration the fact that all of the people who work for the Town are faced with the same increases in their cost of living and many of them who live in the Town, the same increases in the tax rate as those of you who are voting tonight.

The reason we are voting now the salaries for the period starting July 1, 1976, is that collective bargaining with the unions in Town is a very long and time-consuming process. There was no contract signed on July 1, 1976. It has taken until fairly recently to get the two that are signed completed. No increases were voted for non-union employees because it was felt that it would prejudice the bargaining with the union people if the Town voted on increases for the non-union people.

I respectfully request you to vote the six per cent increases for all of the employees listed in the Warrant.

Town Counsel Report: It is the opinion of the Town Counsel that the bylaw amendment proposed in Article 1 in the Warrant for the 1977 Special Town Meeting, if properly moved, seconded and adopted by a majority vote in favor of the motion, it will become a valid amendment to the Sudbury Bylaws.

Finance Committee Report: (Mr. Philip Felleman)

The Finance Committee supports this article.

VOTED: TO AMEND ARTICLE XI OF THE TOWN BYLAWS BY STRIKING THEREFROM THE CLASSIFICATION PLAN AND SALARY PLAN, SCHEDULE A AND B, AND SUBSTITUTING THEREFOR THE CLASSIFICATION PLAN AND SALARY PLAN, SCHEDULE A AND B, AS SET FORTH IN ARTICLE 1 OF THE WARRANT FOR THIS MEETING.

ARTICLE 2: To see if the Town will vote to appropriate from available funds, as additions to the line item appropriations in Article 6, voted at the 1976 Annual Town Meeting, the sums set forth in the following schedule which is incorporated herein by reference, or any other sum or sums; or act on anything relative thereto.

Budget
Adjustment
for
Collective
Bargaining

ACCOUNT

Protection

310-11	Fire Salaries (Chief)	\$ 1,260
310-13	Clerical	0
320-11	Police Salaries	21,251
320-12	Police Overtime	1,133
320-13	Police Clerical	516
320-16	Police Crossing Guards	276
340-11	Building Inspector	1,008
340-12	Overtime	0
340-13	Clerical	738
340-15	Custodial	1,131
350-11	Asst. Dog Officer	505
350-12	Overtime	0
360-13	Conservation Clerical	0
370-13	Board of Appeals Clerical	72
380-13	Industrial Dev. Clerical	0
385-13	Sign Review Clerical	0

April 4, 1977

ACCOUNTHighway

410-10	Highway Surveyor	\$ 0
410-11	Asst. Highway Surveyor	900
410-13	Clerical	863
420-12	Extra Hire	720
420-13	Overtime	370
460-12	Snow Overtime	914
460-30	Snow Materials	150

General Government

501-11	Executive Secretary	1,550
501-12	Overtime	0
501-13	Clerical	1,709
502-10	Town Engineer	1,400
502-11	Salaries	3,090
502-12	Overtime	0
502-13	Clerical	488
502-14	Engineering Aides	651
503-10	Law Retainer	0
503-11	Law Assistant	510
504-13	Assessors Clerical	1,218
505-11	Tax Collector's Salary	600
505-13	Clerical	758
506-11	Town Clerk's Salary	617
506-13	Clerical	1,409
506-21	Census Takers	151
506-61	Elections	366
507-11	Treasurer's Salary	480
507-13	Clerical	312
508-13	Finance Committee Clerical	102
510-13	Permanent Building Clerical	0
511-13	Personnel Board Clerical	60
512-13	Planning Board Clerical	0
514-13	Historic Districts Clerical	0
517-13	Bicentennial Clerical	30
520-13	Committee on Town Administration Clerical	0
521-11	Accountant Salary	1,500
521-12	Overtime	0
521-13	Clerical	1,075

Goodnow Library

600-13	Clerical	2,114
600-14	Salaries	1,565
600-15	Custodial	287
600-16	Pages	440

Park and Recreation

700-11	Park & Recreation Maint., Foreman	1,000
700-12	Overtime	0
700-15	Salaries	2,802

Health

800-11	Bd. of Health Director	1,020
800-13	Clerical	0

Veterans

900-11	Veterans Agent & Director	91
--------	---------------------------	----

Submitted by the Finance Committee.

April 4, 1977

Finance Committee Report: This article will appropriate funds for the recently negotiated contract with the Police Association, Local 315, plus all non-union Town employees' salaries for fiscal year, July 1, 1976, through June 30, 1977.

Board of Selectmen Report: The Board of Selectmen does not agree with this article as it relates to increases for individually-rated positions of Town Accountant and Town Engineer.

Upon a motion made by Mr. Felleman of the Finance Committee, it was

VOTED: THAT THE TOWN AMEND THE VOTE TAKEN UNDER ARTICLE 6 VOTED AT THE 1976 ANNUAL TOWN MEETING BY APPROPRIATING THE SUMS OF MONEY, TOTALLING \$58,822, SET FORTH IN ARTICLE 2 IN THE WARRANT FOR THIS MEETING BY ADDING SAID SUMS TO THE LINE ITEM APPROPRIATIONS UNDER ARTICLE 6 OF THE 1976 ANNUAL TOWN MEETING, WITH THE EXCEPTION THAT LINE ITEM 502-10, TOWN ENGINEER'S SALARY, BE \$1,202, AND LINE ITEM 521-11, TOWN ACCOUNTANT'S SALARY, BE \$1,308, SAID SUMS TO BE RAISED BY TRANSFERS FROM FREE CASH.

ARTICLE 3: To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$41,750.05, or any other sum, for reimbursement to the County of Middlesex for land damages awarded in connection with the County relocation of a portion of Landham Road in Sudbury; or act on anything relative thereto.

Landham
Road
Land
Damages

Submitted by the Board of Selectmen.

Mr. Powers, Chairman of the Board of Selectmen, *moved that the Town appropriate the sum of \$41,750.05 for reimbursement to the County of Middlesex for land damages awarded in connection with the County relocation of a portion of Landham Road in Sudbury, said sum to be raised by transfer from free cash.*

Board of Selectmen Report: On February 15, 1977, the Board of Selectmen was notified that reimbursement was due to the County of Middlesex in the amount of \$41,750.05 for the taking of land along Landham Road as easements for the proposed future widening. This is a statutory obligation based upon action previously taken pursuant to Town Meeting vote. The Board of Selectmen recommends approval of this article and will make further report at the Special Town Meeting.

Highway Surveyor Report: (Mr. Robert Noyes)

I favor the passage of this article. It is an obligation. The funds have been paid to all the landowners on Landham Road for the damages. If anyone would like to know the specific amount that any person received, I have a slide of that.

Finance Committee Report: (Mr. Donald Bishop)

In August, the County paid the bills necessary to acquire land rights to permit walkway construction and widening of Landham Road. The specific plans have been prepared and reviewed by the Town, the County and the State over several years. We were told as far back as the 1973 Annual Town Meeting that actual construction was possible that year. Payment by the County with reimbursement by the Town is normal procedure. In fact, this bill is an assessment on the Town by the County to be paid as such by the Treasurer whether we vote it tonight or not.

This article is almost a courtesy. Like several other items in the budget, we vote them in open town meeting each year. Some other governments do not. Although several sources of Town funds may be used to pay this current bill, they all result in a cost in taxes. The Finance Committee recommends approval of \$41,750.05, from free cash.

After a short discussion, Mr. Powers' motion was defeated.

April 4, 1977

ARTICLE 4: To see if the Town will vote to raise and appropriate, or appropriate from available funds, a sum of money for the construction, maintenance and operation of a place suitable for the detention and care of dogs caught and confined by the Dog Officer, said place to be constructed upon Town-owned land; or act on anything relative thereto.

Dog Pound
Facilities

Submitted by the Board of Selectmen.

Mr. William Toomey of the Board of Selectmen *moved* that the Town appropriate the sum of \$25,000 for the construction, maintenance and operation of a place suitable for the detention and care of dogs caught and confined by the Dog Officer, said place to be constructed on Town-owned land and said sum to be raised by transfer from free cash.

Board of Selectmen Report: (Mr. Toomey)

We have had a very good working agreement with the Buddy Dog Association for a number of years. Their activity has increased. It is the Board's understanding that with their increased activity, they just do not have the room for our dogs.

We have a situation in which the people on Dakin Road brought us to court and said that they don't want the dogs up there. We felt that we should bring this article to you tonight and ask you to appropriate this money so that we could build a feasible dog control center.

When you lose them, you want them to be happy. When you get them back, you have to pay the money, and then you hate us because we took them away, but that's the way it is. You have to take care of the dogs, and we would appreciate your vote on the article.

Finance Committee Report: (Mr. Felleman)

We have had dogs around for a long time, and we are going to have them for a long time. At present, the Dog Officer is doing his job. The dogs are being taken care of.

We are being asked here to spend \$25,000 to build a kennel somewhere, and we are also being asked, implicitly, to spend about \$12,000 a year from now on to take care of these dogs.

The Finance Committee does not believe that the Town is ready to do this at this time until all other less costly solutions have been thoroughly exhausted. There are other less costly solutions we believe.

Dog Officer Report: (Mr. Francis White)

If we don't have some facility to take care of these dogs as required by State law, we are going to have between 400 and 500 dogs with no facility to put them into. I think you will find that the County Dog Officer will not be very happy with that nor will anybody that has an animal and wants it cared for when it does run away from home.

We would have no place to put the animals, give them shelter or feed them. Many towns just simply have a chain link fence in the open with no food or anything else. If you want to take care of your pets when they get lost, then I recommend that you approve this article.

After discussion, Mr. Toomey's motion was *defeated*.

ARTICLE 5: To see if the Town will vote to authorize, empower or direct the Selectmen to enter into an agreement to purchase the property known and numbered as R. H. Wyner Associates, Inc., DBA Sudbury Skating and Tennis Club, 31 Union Avenue, in said Sudbury, and the property on the Boston Post Road, Route 20, known as the RADIN property in said Sudbury, for Park and Recreation purposes, all as set forth in a proposed agreement on file in the Town Clerk's Office, which agreement is incorporated herein by reference, and to authorize, empower or direct the Selectmen to purchase said property for said purpose and to raise and appropriate a sum of money for such acquisition and all expenses in connection therewith; and to determine whether the

Purchase
Sudbury
Skating &
Tennis
Club/
R.A.D.I.N.
Property
Petition

April 4, 1977

same shall be raised by taxation, transferred from available funds, provided by borrowing, or by any combination of the foregoing; to authorize, empower or direct the Selectmen or Park and Recreation Commission to enter into agreements with State or Federal agencies for financial aid or other assistance in connection with said acquisition, or act on anything relative thereto.

Submitted by Petition.

Mr. Frank J. McGourty *moved Indefinite Postponement of Article 5*. He stated that his remarks were authorized by and represent the opinion of the President of the Sudbury Youth Hockey Association.

Petitioners' Report: (Mr. McGourty)

The Board of Directors of the Sudbury Youth Hockey Association, through its President, have spent a considerable time studying this. I would like to make it clear that, at no time, did Mr. Wyner, the owner of the Sudbury Skating and Tennis Club, approach the Sudbury Youth Hockey Association nor any individual members of it, to attempt to sell this facility to us or through us to the Town. Certain individuals who happen to be members of the Sudbury Youth Hockey Association, approached Mr. Wyner first in an attempt to see if it could be purchased by the Association, and then, seeing that this would not work, perhaps put it before the Town to see if the Town would purchase it.

We had only three or four days from the date of notification that the building was to be sold to prepare the warrant that you see before you. Obviously, it was done in haste, but it was the only possibility that any of us had to study the article in any detail. The warrant had to be submitted and the studying commenced.

We have spent a great deal of time studying the figures. Mr. Wyner has made them available as he has compiled them. It has been a long process. We have spent many evenings working with this. But, on final determination, we have decided that we cannot actively support the price of \$1,850,000 for the entire parcel, nor \$1,600,000 for the rear section of land as presented in the warrant before you.

VOTED: INDEFINITE POSTPONEMENT.

UNANIMOUSLY VOTED: TO DISSOLVE THE SPECIAL TOWN MEETING.

The meeting adjourned at 9:45 P.M.

A true record, attest:

Betsy M. Powers

Betsy M. Powers
Town Clerk

1977 FINANCE COMMITTEE REPORT

The dominant fiscal issue facing this Town Meeting is the \$700,000 increase in our school systems budget. This represents 89% of our total town budget increase.

Three factors are primarily responsible:

1. Salaries and benefits (contractual and non-contractual)
2. Staffing
3. State mandated programs

Unless the Town takes steps to correct this situation, taxpayers can look forward to another 8-10% increase in the tax rate next year. The proper time to correct this year's problems has passed; the proper time to correct next year's problem is now!

The question must be raised about our ability to effect school budget changes on the floor of the Town Meeting. While the Town can vote any bottom line figure for each school budget that it chooses, the Finance Committee would be derelict in its duty if it did not advise against reducing any school budget at Town Meeting.

The Finance Committee is made up of citizens appointed by the Town Moderator for three-year terms, charged by Town Bylaw to review all moneyed articles, non-moneyed articles, and all budgets, and report to you in the Warrants and at Town Meetings. The Committee presents you an estimate of your tax rate for the coming year.

Your tax is based on the difference between the costs of the Town for the year and the net income from sources other than property taxes.

Basically our costs as a Town are categorized as follows:

- . Payment of State and county assessments. The amount used in estimating the tax rate in this Warrant is based upon last year's assessment.
- . Moneys appropriated at Town Meeting to provide services to the Town. These moneys are voted in the budget articles which provides for the basic operating expenses of the boards and departments, and in the special articles which provide for expenditures over and above the regular department budgets.
- . The maintaining of an overlay account. The overlay is an amount established by the assessors to cover any abatements granted.

The costs itemized above are paid for with money from the following sources:

- . Reimbursements from the Federal government through the Federal revenue sharing program and Federal antirecession program.
- . State receipts from motor vehicle excise taxes plus various permits and license fees.
- . Highway receipts and offsets distributed to Sudbury by the State to be used for road construction and maintenance.
- . Sudbury's share of State assistance and reimbursements to cities and towns in the Commonwealth. The amount of that share will not be known until Sudbury receives the Cherry Sheet from the State. The amounts used in estimating the tax rate in this Warrant are based upon last year's Cherry Sheet figures.
- . Free cash--moneys which were received by the Town from the State or from local appropriations in the past years and were not actually spent may be applied to the current year.
- . Overlay surplus. Usually there is an accumulated amount in the overlay account which is not used or required to be held. Sudbury applies a portion of that surplus to meet the appropriation for the Reserve Fund.
- . Your pocket. Whatever amount is required to meet the costs set out above and which is not raised by the above income sources must be met by property taxes paid by you.

The Finance Committee estimates that the tax rate for the coming year to meet that difference will be \$57 per thousand. However, it must be realized that this figure is based upon the estimated amount of receipts from the State, an estimated total valuation of the Town of \$175.5 million, and on the assumption that the Town will follow our recommendations regarding the budget and other articles in the Warrant. It is in this latter area that you, the taxpayer, exercise control of the final tax rate figure. Every \$100,000 that you spend adds \$.60 to your tax rate.

Control of the budget by the citizens of this Town is a subject that must be spoken to separately. Your Finance Committee devoted more than 1000 hours of hearings (from December through February), meeting at least once with most committees and boards in Sudbury. Our goal was to limit any increase in the tax rate to that which is absolutely essential. Nevertheless, an increase of \$5 is projected, representing a 10% increase over last year's tax rate. It is, with great frustration, that of this increase, \$4.00 or 80%, represents the increased budgets for the schools. The Finance Committee can only exercise an advisory role in the preparation or presentation of the school budgets.

In the exercise of that role it strongly urged reductions in the proposed budgets. While some reductions were accomplished, it is the view of this committee that they were insufficient. The committee notes with consternation that, while school enrollment is declining, costs are still escalating. The Finance Committee did approve a final figure for the Sudbury schools and, at the time of this writing, expects that that figure will be met. Final approval was given to the budgets for the regional schools, with the full knowledge that if the Town failed to appropriate the amounts requested, it would be subject to court action. Our approval does not signify satisfaction with the final figures.

Since 80% of the school budgets is made up of salaries, the Finance Committee, in an attempt to provide input, has requested that it have a member advise various teams negotiating salaries. In addition, we have requested the formation of joint subcommittees to begin working now in preparation of next year's budget. While we are frustrated with the inability to effect some suggested changes, we feel that the closing of Horse Pond Road School is a positive step.

The Finance Committee represents the citizens of this town in reviewing proposed expenditures. We recognize that our frustration is citizen frustration. However, we believe that while we lack certain statutory controls over school budget decisions, we can exert citizen pressure to be fiscally responsible. Specific steps are needed to make next year's cost burden smaller. Pressure on salary negotiation teams, evaluation of new or expanded programs, and year-round budget reviews prior to the formalization of actual budgets are all steps leading towards achievement of fiscal responsibility.

Respectfully submitted,

Donald Bishop
Lawrence Bussey
Karl Clough
Anne Donald
Philip Felleman
Linda Glass
Alan Grathwohl
Robert Hotch (Chairman)
Sheila MacKinnon (resigned)
Carol McKinley

ESTIMATED SUDBURY 1977-78 TAX RATE

DEPARTMENT	ATM 1976-77 APPROPRIATION	1977-78 RECOMMENDED	INCREASE or DECREASE	% of INCREASE or DECREASE	% of TOTAL BUDGET
SCHOOLS					
Sudbury	4,400,000	4,700,000	300,000	6.8	38.0
LSRHS	2,957,645	3,331,286	373,641	12.6	27.0
MMRVTHS	271,191	311,702	40,511	14.9	2.5
Community Use	18,360	20,000	1,640	8.9	-
Sub-total - Schools	7,647,196	8,362,988	715,792		67.5
PROTECTION	1,138,942	1,203,580	64,638	5.7	9.8
HIGHWAY	757,115	778,251	21,136	2.8	6.3
UNCLASSIFIED	638,123	714,905	76,782	12.0	5.8
DEBT	674,153	533,103	-141,020	-20.9	4.3
GOVERNMENT	390,384	411,725	21,341	5.5	3.3
LIBRARY	138,868	143,859	4,991	3.6	1.2
HEALTH	101,792	125,248	23,458	23.0	1.0
PARKS & RECREATION	108,290	107,526	764	-	0.8
VETERANS	11,824	11,874	50	-	-
	11,606,687	12,393,059	787,964	-	32.5
Estimate of State and County Assessments					
		550,000			
Special Articles					
		109,371			
Estimate of Classification Increases					
		135,000			
Estimate of Overlay & Overlay Deficit					
		125,000			
Gross Estimated Appropriation					
		13,312,430			
Less Estimated Receipts					
		1,850,000			
Less Free Cash					
		250,000			
Less Highway Receipts & Offsets					
		93,942			
Less Governmental Receipts					
		800,000			
Less Overlay Surplus					
		100,000			
Less Revenue Sharing					
		230,000			
Less School Federal Aid					
		19,913			
Less Miscellaneous Receipts (Anti-Recession Funds)					
		25,000			
		3,368,855			
TOTAL TO BE RAISED BY TAXATION					
		9,943,575			
Tax Rate Based on estimated \$175,500,000 Assessed Valuation					
				<u>\$56.65</u>	

NOTE: The following is the adjusted "ESTIMATED SUDBURY 1977-78 TAX RATE" prepared by the Finance Committee which was distributed to the citizens attending Town Meeting with the new budget line item figures adjusted to reflect the salary increases voted by the Special Town Meeting and recommended for the Annual Town Meeting and other line item adjustments. Adjusted budget line item figures as printed in the handout appear under the recommended column in each section of Article 5. [See Finance Committee Report under Article 1.]

ESTIMATED SUDBURY 1977-78 TAX RATE

DEPARTMENT	ATM 1976-77 APPROPRIATION	1977-78 RECOMMENDED	INCREASE or DECREASE	% of INCREASE or DECREASE	% of TOTAL BUDGET
SCHOOLS					
Sudbury	4,400,000	4,700,000	300,000	6.8	38.5
LSRHS	2,957,645	3,207,986	250,341	8.4	26.3
MMRVTHS	271,191	311,702	40,511	14.9	2.5
Community Use	18,360	20,000	1,640	8.9	-
	<u>7,647,196</u>	<u>8,239,688</u>	<u>592,492</u>		<u>67.3</u>
PROTECTION	1,138,942	1,268,591	129,649	11.4	10.2
HIGHWAY	757,115	789,972	32,857	4.3	6.4
UNCLASSIFIED	638,123	657,647	19,524	3.0	5.3
DEBT	674,153	533,103	-141,050	-20.9	4.2
GOVERNMENT	390,384	448,721	58,337	14.9	3.6
LIBRARY	138,868	154,293	15,425	11.1	1.2
HEALTH	101,792	128,153	26,361	25.9	1.0
PARKS & RECREATION	108,290	115,134	6,844	6.3	0.8
VETERANS	11,824	12,062	238	-	-
	<u>11,606,687</u>	<u>12,347,364</u>	<u>740,677</u>		<u>100.0</u>
Estimate of State and County Assessments		775,442			
Special Articles		96,560			
Estimate of Overlay & Overlay Deficit		<u>125,000</u>			
Gross Estimated Appropriation		13,344,366			
Less Estimated Receipts		1,609,432			
Less Free Cash		250,000			
Less Highway Receipts & Offsets		93,942			
Less Governmental Receipts		800,000			
Less Overlay Surplus		100,000			
Less Revenue Sharing		230,000			
Less School Federal Aid		19,663			
Less Miscellaneous Receipts (Anti-Recession Funds)		25,000			
		<u>3,128,037</u>			
TOTAL TO BE RAISED BY TAXATION		10,216,329			

Tax Rate Based on estimated \$175,500,000 Assessed Valuation \$58.21

PROCEEDINGS

ANNUAL TOWN MEETING

April 4, 1977

The Moderator called the meeting to order at 8:08 P.M. at the Lincoln-Sudbury Regional High School Auditorium. He announced that this was the 340th consecutive Annual Town Meeting for Sudbury.

He announced that a quorum was present and that the amount of free cash as certified by the Town Accountant was \$345,875.12.

He stated that he had examined the call of the Annual Meeting and the officers return of service and had found these to be in order.

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

UNANIMOUSLY VOTED: TO DISPENSE WITH THE READING OF THE CALL OF THE MEETING, THE OFFICER'S RETURN OF SERVICE AND WAIVE THE READING OF THE SEPARATE ARTICLES OF THE WARRANT FOR THE ANNUAL TOWN MEETING.

The Moderator announced that the Consent Calendar had been distributed and that it would be taken up immediately after completion of Article 5.

The Moderator then announced that since there were so many people attending the town meeting, arrangements were being made to use the library as well as the Little Theatre and that a microphone was being connected to that room. He asked Mr. Frank R. Sherman to serve as Assistant Moderator in the library. He also stated that Mr. Raymond P. Clark had been acting and would continue to act as Assistant Moderator in the Little Theatre.

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 1976 Town Report or as otherwise presented, or act on anything relative thereto.

Hear
Reports

Submitted by the Board of Selectmen.

Finance Committee Report: (Mr. Robert Hotch)

There has been much publicity about the cherry sheet and how it has affected our anticipated tax rate for the next year. For those of you who may be unfamiliar with the term "cherry sheet", it is a pink sheet that comes from the State setting out the amount we are assessed by the State and the amounts the State reimburses us under certain programs. The cherry sheet we received changed the amounts of the assessments and reimbursements from that which we had estimated in the Warrant. The changes are set out in the tax rate sheet handout that you received as you entered. [See page

The estimate of state and county assessments is \$775,442, which is \$225,442 over that which we had estimated and printed in your Warrant. The cherry sheet estimates of receipts of \$1,609,432 is down by \$240,568. The effect of the higher assessments, lower reimbursements and other offsets make up a \$464,000 cherry sheet loss.

Another change is that the Lincoln-Sudbury Regional High School recommended amount is \$3,331,286, but the recommended amount which appears in your handout is \$3,207,986, a reduction of \$123,000. While the Town anticipates less state reimbursement, the Lincoln-Sudbury Regional, as indicated on their own cherry sheet, anticipates more reimbursement. The Regional School Committee, at the suggestion of the Finance Committee, voted to reduce their assessment to Sudbury by the proportional share in increased reimbursement.

It must be pointed out that the amount of reimbursement as indicated on the cherry sheet is only an estimate. Although these amounts usually approximate the exact reimbursements, there is no guarantee that these figures will not change.

Please note that there is an item called "classification increases" printed in your Warrant. This item does not appear as a line item on the tax rate sheet

April 4, 1977

handout as the salary increases have been incorporated into each budget and appear under the general heading of each department on the tax rate handout. The increases reflected in the budgets on your handout sheet cover the proposed 76/77 increases which you will be voting for in the Special Town Meeting and the proposed 77/78 increase we recommend in Article 3 [Classification Plan and Salary Plan] of the Warrant for the Annual Town Meeting.

In the past, the Town has been asked to approve salary increases for a past year at a special town meeting and has funded these increases from free cash. According to State statute, funding for all special town meeting articles may only come from free cash. For example, in 1977, at the Special Town Meeting which will take place, we approve the salaries for 1976/77 and will, if you so appropriate, pay retroactively from free cash the total sum.

The Finance Committee, Personnel Board, and Selectmen voted to bring the salary decision up to date, include it in the proposed budgets and allow all to view and debate complete budgets for all departments at this Annual Town Meeting. The elimination of this one year lag in salary negotiations would add 24¢ to this year's tax rate. However, it would also put the discussion and appropriation of salaries in Annual Town Meeting where it belongs. It will remove the requirement of a special town meeting and its attendant cost for the purpose of such appropriations and will free up free cash for offsetting of future tax rates.

Another change is the unclassified account. In your Warrant, the Unclassified account is \$714,905. On your handout sheet it is \$657,647. This is not a typographical error, but an actual reduction. Increases to the County Retirement Fund and Blue Cross/Blue Shield rate increases are not to be as great as we anticipated.

The Finance Committee has reviewed all articles in the Warrant and the sum of \$96,950, appearing under special articles on the handout sheet, represents the cost of funding the Warrant articles that the Finance Committee has approved.

Please keep in mind that if you approve any additional Warrant articles, for every \$100,000 that you appropriate, your tax rate will go up 60¢.

During our budget hearings beginning in November and taking more than 1,000 hours of committee time, we performed the difficult task of debating with committee and board members determining priorities. With a total Town overview, we established our Committee recommendations which we hope you will follow.

All of our reports are printed in the Warrant. In some cases, new information will require a supplementary verbal report at the time of the article presentation. We will attempt to minimize our comments in order to expedite town meeting.

We have asked you to defer many on-going Town projects. We have asked you not to approve some equipment. In some departments, we have asked you not to increase the number of employees or the number of employee hours.

Unfortunately, citizen input during our hearings was minimal. Except for the press, the article proponents and some of the candidates for Town office, the number of townspeople attending our meetings totalled less than ten. This lack of interest was also displayed by other boards and committees by their absence from our hearings. The boards that are currently debating through the press were not to be found at the marathon committee hearings of November, December, January and February.

The only way to achieve responsible fiscal management is to plan and work through the year. Drastic blanket budget revision of a well thought out, thoroughly debated budget is potentially dangerous and irresponsible. Much of our budget is costs which do not allow a great deal of control, such as debt service, light, heat and power, and to a certain degree salaries.

Our total budget is \$12,347,364. Our total payroll is \$8,554,313. As you can see, seventy per cent of our recommended budget is salaries. Because salaries are such a large portion of the budget and difficult to control or affect after the fact, the Finance Committee has requested that we have representatives on the various teams negotiating salaries.

While you, as citizens, cannot sit on these committees, you can and you must discuss and recommend program changes with all committees. Nowhere is this need greater than in the area of the schools. As you know, the major fiscal impact is from the schools - \$8,239,000, or 67.3% of the budget.

April 4, 1977

When the school budgets are presented, the Finance Committee will elaborate on its published position.

At this time, we would recommend that citizen input begin immediately and continue year round. More formally, the Finance Committee has recommended the establishment of a joint Finance Committee and School Committee subcommittee to begin on next year's budget immediately following this town meeting.

Please keep in mind that we must at all times during this town meeting and also during the year, balance the level of services we require with the level of dollars we can afford.

The Moderator then announced that there has developed in Sudbury, the commendable tradition of expressing during the Annual Town Meeting, the Town's respect and admiration for one of its residents. This year, the Selectmen have chosen for this honor a man of tremendous versatility, a very busy attorney, an accomplished actor and entertainer, and yet a man who has found the time to be of great service to his town. Those of you with a long memory will remember him as a member of the Planning Board from 1963 to 1966. Thereafter, he served for nine years as the Ed Sullivan of the Town Meeting.

The Moderator then recognized Mr. Frank R. Sherman, upon whose motion it was

UNANIMOUSLY VOTED: THAT THE TOWN ACCEPT THE REPORTS OF THE TOWN BOARDS, COMMISSIONS, OFFICERS AND COMMITTEES AS PRINTED IN THE 1976 TOWN REPORT OR AS OTHERWISE PRESENTED, SUBJECT TO THE CORRECTION OF ERRORS, IF ANY, WHEN FOUND.

Upon a motion made and seconded, it was

VOTED: TO RECESS THE ANNUAL TOWN MEETING UNTIL THE SPECIAL TOWN MEETING IS DISSOLVED.

Following the completion of the Warrant for the Special Town Meeting and the dissolution of that meeting, the Moderator reconvened the Annual Town Meeting.

ARTICLE 2: 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, 1977, 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.

Submitted by the Board of Selectmen.

Board of Selectmen Report: This article provides for short-term borrowing in anticipation of tax revenue receipts. The Selectmen recommend approval of this article.

Finance Committee Report: Recommend Approval.

Upon a motion made by Mr. Powers, it was

VOTED: THAT THE TOWN VOTE TO AUTHORIZE THE TOWN TREASURER, WITH THE APPROVAL OF THE SELECTMEN, TO BORROW IN ANTICIPATION OF THE REVENUE FOR THE FINANCIAL YEAR BEGINNING JULY 1, 1977, IN ACCORDANCE WITH PROVISIONS OF GENERAL LAWS, CHAPTER 44, SECTION 4, AND ACTS IN AMENDMENT THEREOF, AND TO ISSUE A NOTE OR NOTES THEREFOR, PAYABLE WITHIN ONE YEAR, AND TO RENEW ANY NOTE OR NOTES THAT MAY BE GIVEN FOR A PERIOD OF LESS THAN ONE YEAR IN ACCORDANCE WITH GENERAL LAWS, CHAPTER 44, SECTION 17.

April 4, 1977

ARTICLE 3: To see if the Town will vote to amend the Classification Plan and Salary Plan, Schedules A & B, a copy of which is set forth below, in Article XI of the Town Bylaws:

Class. & "1977 - 1978
Salary Plan SCHEDULE A & B

Art. XI CLASSIFICATION PLAN AND SALARY PLAN

CLASSIFICATION	HRS PER WEEK	START	STEP 1	STEP 2	STEP 3	STEP 4
<u>CLERICAL</u>						
<u>ANNUALLY RATED</u>						
Administrative Secretary	35	\$9,442	\$9,715	\$9,992	\$10,268	\$10,543
Assistant to Town Clerk	35	9,442	9,715	9,992	10,268	10,543
Principal Clerk	35	8,412	8,668	8,972	9,197	9,452
Senior Clerk	35	7,566	7,803	8,133	8,307	8,558
Junior Clerk	35	6,630	6,884	7,119	7,372	7,602
<u>HOURLY RATED</u>						
Senior Part-time Clerk		3.88	4.01	4.17	4.32	4.48
Junior Part-time Clerk		3.05	3.19	3.32	3.42	3.56
<u>FIRE DEPARTMENT</u>						
<u>ANNUALLY RATED</u>						
Fire Chief		INDIVIDUALLY RATED - MAXIMUM \$24,100				
Fire Captain	42	\$13,064	\$13,365	\$13,674	\$13,976	\$14,312
Fire Fighter	42	10,621	10,866	11,117	11,363	11,636
Fire Fighter/Emergency Medical Technician	42	10,621	10,866	11,117	11,363	11,636
<u>SINGLE RATED</u>						
Call Fire Fighter		\$51.20 per year and \$4.93 per hour				
<u>POLICE DEPARTMENT</u>						
<u>ANNUALLY RATED</u>						
Police Chief		INDIVIDUALLY RATED - BY STATE LAW - \$24,900				
Sergeant	37 1/3	\$14,891	\$15,238	\$15,595	\$15,946	\$16,264
Patrolman	37 1/3	12,409	12,698	12,996	13,288	13,553
Provisional Patrolman		10,039	10,641			
<u>SINGLE RATE</u>						
Administrative Assistant		\$1,000 per year				
Fingerprint Officer		600 per year				
Juvenile-Safety Officer		600 per year				
Detective		600 per year				
Police Woman (School Traffic Duty)		45.31 per week				
Police Matron		5.00 per hour				
<u>HIGHWAY DEPARTMENT</u>						
<u>ANNUALLY RATED</u>						
Asst. Highway Surveyor		INDIVIDUALLY RATED - MAXIMUM \$17,500				
Operations Assistant		INDIVIDUALLY RATED - MAXIMUM \$13,700				
Foreman - Highway	40	\$12,122	\$12,444	\$12,768	\$13,114	\$13,437
Foreman - Tree & Cemetery	40	12,122	12,444	12,768	13,114	13,437
<u>HOURLY RATED</u>						
Mechanic	40	5.15	5.40	5.65	5.92	6.14
Heavy Equipment Operator	40	4.71	4.93	5.14	5.30	5.54
Tree Surgeon	40	4.71	4.93	5.14	5.30	5.54
Truck and/or Light Equipment Operator	40	4.32	4.49	4.67	4.86	5.00
Tree Climber	40	4.32	4.49	4.67	4.86	5.00
Laborer (Heavy)	40	3.97	4.10	4.28	4.43	4.60
Laborer (Light)	40	3.41	3.54	3.69	3.83	4.00
Temporary Laborer	40	2.83	2.94	3.06	3.17	3.32
<u>LIBRARY</u>						
<u>ANNUALLY RATED</u>						
Library Director		INDIVIDUALLY RATED - MAXIMUM \$16,000				
Asst. Library Director	35	\$10,127	\$10,551	\$11,062	\$11,621	\$12,205
Children's Librarian	35	9,737	10,127	10,633	11,166	11,724
Reference Librarian	35	9,737	10,127	10,633	11,166	11,724
Librarian Assistant	35	7,566	7,803	8,133	8,307	8,558
Junior Library Assistant	35	6,630	6,884	7,119	7,372	7,602

April 4, 1977

CLASSIFICATION	HRS PER WEEK	START	STEP 1	STEP 2	STEP 3	STEP 4
<u>LIBRARY (continued)</u>						
<u>HOURLY RATED</u>						
Asst. Children's Librarian		\$4.28	\$4.47	\$4.67	\$4.93	\$5.19
Librarian Asst., part-time		3.88	4.01	4.17	4.32	4.48
Junior Librarian Asst.		2.66	2.83	2.94	3.05	3.17
Library Page		2.50	2.60	2.70		
<u>PARK AND RECREATION DEPARTMENT</u>						
<u>ANNUALLY RATED</u>						
Maintenance Foreman		INDIVIDUALLY RATED - MAXIMUM \$13,300				
Recreation Director, part-time		\$4,994	\$5,193	\$5,453	\$5,735	\$6,022
<u>SEASONALLY RATED</u>						
Swimming Director		1,382	1,437	1,509	1,586	1,664
Playground Supervisor		1,066	1,109	1,164	1,222	1,285
Arts and Crafts Supervisor		1,066	1,109	1,164	1,222	1,285
Maintenance Asst./Equipment Operator		4.36	4.54	4.73	4.93	5.10
Laborer (Heavy)		3.96	4.08	4.26	4.42	4.59
Swimming Instructor		3.56	3.71	3.85	4.01	4.18
Laborer (Light)		3.40	3.54	3.70	3.82	4.00
Playground Instructor		3.19	3.32	3.42	3.59	3.68
Temporary Laborer		2.83	2.94	3.05	3.17	3.32
Assistant Swimming Instructor		2.83	2.94	3.05	3.17	3.32
Monitors (Tennis Court and Ice Skating)		2.83	2.94	3.05	3.17	3.32
<u>TOWN ADMINISTRATION</u>						
<u>ANNUALLY RATED</u>						
Executive Secretary		INDIVIDUALLY RATED - MAXIMUM \$29,500				
Town Accountant		INDIVIDUALLY RATED - MAXIMUM \$20,100				
Town Engineer		INDIVIDUALLY RATED - MAXIMUM \$23,900				
Building Inspector & Zoning Enforcement Agent		INDIVIDUALLY RATED - MAXIMUM \$19,400				
Director of Health		INDIVIDUALLY RATED - MAXIMUM \$19,600				
Junior Civil Engineer		\$13,018	\$13,529	\$14,069	\$14,639	\$15,231
Building Services Coord.		11,327	11,613	11,903	12,191	12,495
Assistant Dog Officer		8,412	8,667	8,972	9,197	9,452
<u>HOURLY RATED</u>						
Senior Engineering Aide		5.04	5.25	5.45	5.67	5.90
Junior Engineering Aide		3.98	4.14	4.31	4.47	4.65
Student Engineering Aide		3.15	3.26	3.40	3.54	3.68
Custodian		3.88	4.01	4.17	4.32	4.48
Custodian (part-time)		3.05	3.19	3.32	3.42	3.56
<u>SINGLE RATE SCHEDULE</u>						
Veterans Agent & Director		\$1,712 per year				
Animal Inspector		800 per year				
Custodian of Voting Machines		4.67 per hour				
Census Taker		3.76 per hour				
Election Warden		3.76 per hour				
Deputy Election Warden		3.76 per hour				
Election Clerk		3.76 per hour				
Deputy Election Clerk		3.76 per hour				
Election Officers & Tellers		3.58 per hour				
Plumbing Inspector		75% of established fees				

Overtime for non-unionized employees shall be paid at the rate of time and one-half in excess of 40 hours in any work week; when such additional work time is directed by the department supervisor. The overtime rate of time and one-half shall be computed upon the employee's base salary, which base salary shall not include longevity, career incentive, overtime or any other benefit.

Longevity shall be paid to all permanent full-time town employees, except individually rated positions, having served continuously as an employee of the town as follows: after six (6) years, an additional two per cent (2%); after ten (10) years an additional one per cent (1%); and after fifteen (15) years an additional one per cent (1%).";

or act on anything relative thereto.

Submitted by the Personnel Board.

April 4, 1977

[NOTE: The above Classification Plan and Salary Plan figures are those appearing in the Personnel Board's Town Meeting handout and are as voted. The figures published in the Warrant differed in that a 6.15% increase was proposed for non-union employees at the time the Warrant was printed.]

Personnel Board Report: (Mrs. Margaret Bonarrigo)

All of the remarks which I made with respect to the requested increases for the Town employees in the Special Town Meeting article apply equally as well to the requested increases with respect to this article. One of the reasons that you received these figures as you came in rather than published in the Warrant article is that there was a great deal of debate between the Personnel Board, the Finance Committee, and the Selectmen with respect to the treatment of these employees.

We come before you with a unified position tonight on these requests after considering at great length whether or not an additional request of six per cent should be asked for at this time. It is the opinion of the Personnel Board, the Finance Committee, and the Board of Selectmen that a six per cent increase for Town employees should be granted for fiscal 1977/78.

Finance Committee Report: (Mr. Philip Felleman)

What we are doing in supporting this new classification plan for the coming fiscal year is to recognize that the vast majority of the Town employees have already settled for their salaries for that fiscal year, all of the teachers in the three school systems that we support, the Police, the Highway, and the Fire Department which is presently under negotiation. That leaves us a very small number of people, approximately five per cent of the Town's employees who are not covered by collective bargaining. The Finance Committee supports the Personnel Board in this classification plan and hopes the Town will support it as well.

Town Counsel Report: It is the opinion of Town Counsel that if the Bylaw amendment proposed in Article 3 in the Warrant for the 1977 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. John E. Taft pointed out that the words, "Hourly Rated", were left out of the handout under the classifications for the Park and Recreation Department. He stated that he doubted anyone would work for \$4.36 per season and *moved to amend Article 3 by inserting in the handout under the classification Park and Recreation Department, the words, "Hourly Rated"*. Mr. Taft's amendment was unanimously voted.

VOTED: THAT ARTICLE XI OF THE TOWN BYLAWS BE AMENDED BY STRIKING THEREFROM THE CLASSIFICATION PLAN AND SALARY PLAN, SCHEDULES A & B, AND SUBSTITUTING THEREFOR THE CLASSIFICATION PLAN AND SALARY PLAN, SCHEDULES A & B, AS SET FORTH IN THE HANDOUT ENTITLED, "ARTICLE 3, PERSONNEL BYLAW, ARTICLE XI, 1977 ANNUAL TOWN MEETING", AND DATED, APRIL 4TH, 1977, AND TO AMEND ARTICLE 3 BY INSERTING IN THE HANDOUT UNDER THE CLASSIFICATION, PARK AND RECREATION DEPARTMENT, THE WORDS, "HOURLY RATED".

ARTICLE 4: To see if the Town will vote to amend Article XI of the Sudbury Bylaws, referred to as the "Personnel Administration Plan", by amending, deleting or adding the following sections as indicated:

Personnel Admin. Plan Section 3:

Art. XI By amending the title to read: "Definition of Terms and Classification Plan"; and

By adding, as the first paragraph thereof, the following:

"Employee - Any person working in the service of any department or whose services are divided between two or more departments who receives compensation for such services, unless such person is elected.

Full-time Employee - Any employee who works thirty-five or more hours during the regularly scheduled work week.

April 4, 1977

Part-time Employee - Any employee who works less than thirty-five hours during the regularly scheduled work week.

Temporary Employee - Any employee who has been hired for any position, whether full-time or part-time, which is seasonal and/or limited to include a known or approximate termination date.

Permanent Employee - Any employee, full or part-time, who has been appointed to an authorized position on an enduring basis.

Retiree - Any former employee who has worked a minimum of ten years and qualifies for retirement under the County Retirement System.";

Section 4:

By deleting the third and fourth paragraphs, and substituting therefor the following:

"Where the Salary Plan provides both a maximum and minimum salary for a position, both permanent part-time and permanent full-time employees holding the position shall be entitled to the salary set therefor in Steps 1 through 4 after continuous service in the position for the following periods:

Step 1	Step 2	Step 3	Step 4
Six Months	One Year	Two Years	Three Years

Temporary employees shall be paid the starting wage for the position they hold unless the Personnel Board authorizes a higher step within the range, based on the experience and qualifications of the employee. No employee of the Town at the time of amendment of the Salary Plan shall suffer a reduction of rate by virtue of such amendment.";

Section 7 (1):

By adding, as the second paragraph thereof, the following:

"If a sick day is taken on the day immediately before or the day immediately following a holiday, no holiday pay will be given without the specific approval of the department head.";

By deleting the words: "ten holidays", and substituting therefor the words: "eleven holidays"; and

By deleting the words: "ten (10) paid holidays" and substituting therefor the words: "eleven (11) paid holidays";

Section 7 (2):

By deleting, in the first paragraph, the words: "full time";

By adding after the words: "require," in the second paragraph, the words: "a designated member of"; and

By deleting the fourth paragraph and substituting therefor the following:

"The amount of payment for a permanent part-time employee for each sick leave day shall be determined by multiplying his normal rate times a fraction, the numerator of which shall be the normally scheduled hours per week and the denominator, the normally scheduled work week for his department.";

Section 7 (3):

By deleting the section and substituting therefor the following:

"(3) Vacation. A permanent full-time employee is entitled to one week of paid vacation after continuous employment of six months. This one week must be used prior to the first anniversary date of the employee and may not be carried forward.

April 4, 1977

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

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

A part-time employee with regularly scheduled working hours shall be eligible for one week of paid vacation after continuous employment of six months. This one week must be used prior to the first anniversary date and may not be carried forward; such part-time employee's vacation entitlement shall be paid in an amount equal to the average pay for the regularly scheduled work for the previous six months. After the first year of employment, vacation entitlement shall be based on the same formula as full-time employees as it relates to continuous service and vacation entitlement.

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."

Section 7 (4):

By deleting the section and substituting therefor the following:

"(4) Jury Duty. An employee called for jury duty or an employee subpoenaed by the court on days falling within his usual work period for the Town shall be paid for those days the difference between the compensation he would have received from the Town and his fees, exclusive of travel allowance for such service.";

Section 7 (7):

By deleting, in the third paragraph, the words: "of \$.10 per mile" and substituting therefor the words: "established by vote at Town Meeting";

Section 8:

By adding part (11), as follows:

"(11) The Personnel Board shall be involved in contract negotiations with the Town's union employees.";

Section 11:

By renumbering the present Section 11, to Section 13; and

By adding a new Section 11 as follows:

"Section 11. Health and Life Insurance Benefits

- (1) Permanent employees working a minimum of twenty hours per week are entitled to the Town's health and life insurance benefits program on the first day of employment as authorized by Chapter 32B of the General Laws of the Commonwealth.
- (2) Retired employees are entitled to the Town's health and life insurance benefits program as authorized by Chapter 32B of the General Laws of the Commonwealth.
- (3) A permanent employee who has been granted an authorized unpaid leave of absence is eligible to remain in the Town's health and life insurance benefits program but must pay 100% of the cost.
- (4) Health and life insurance benefits are authorized only for those permanent employees, working thirty or more hours, who are paid for services through Town appropriations. Any employee hired through the use of any other

April 4, 1977

funds such as federal or state programs, for example CETA or METCO, may be eligible for the benefits program through payroll deduction at 100% of the cost and/or through expenditures of the particular federal or state agency.";

Section 12:

By renumbering the present Section 12, to Section 14; and

By adding a new Section 12 as follows:

"Section 12. Approval of New Employees.

Any new employee must be approved by the Personnel Board prior to being appointed.";

or act on anything relative thereto.

Submitted by the Personnel Board.

Mrs. Margaret Bonarrigo, Chairman of the Personnel Board, *moved that Article XI of the Town Bylaws be amended as set forth in Article 4 of the Town Warrant for this meeting, except that the change to Section 8, paragraph (11) is deleted, and the word "thirty" as appearing in Section 11, paragraph (4), shall be changed to "twenty".*

Personnel Board Report: One intent of the changes to the bylaw is to define the terms employees, full-time, part-time, temporary or retired, and more clearly designate the employment benefits provided by the Town that apply to each such employee. These benefits include (1) longevity pay, (2) holiday pay, (3) sick leave pay, (4) vacation pay and (5) health & life insurance coverages. Another intent is that permanent part-time employees would now be considered as eligible for many of these benefits.

Other changes concern the Personnel Board's reaffirming its role in dealing with the Town's personnel policies, including (1) requirements for sick leave approval, (2) procedures for hiring new employees and (3) most importantly, some form of participation in the contract negotiations with the Town's unionized employees.

The references to eleven paid holidays are merely to bring the bylaw up to date and in conformance with past Town Meeting votes.

Mrs. Bonarrigo then further reported to the meeting for the Personnel Board as follows:

What the article does primarily is to put down in writing the policies that have been, for the most part, followed by the Town Accountant. There is nothing startling in the article with the possible exception of the section that we have asked to have deleted, which is Section 8. We had originally asked that the Personnel Board be involved in the contract negotiations with the union employees in the Town. As a result of discussion with the Board of Selectmen and as a result of a motion by the Board of Selectmen that there would be increased participation by the Personnel Board and, at the request of Town Counsel, we are asking that that part of the article be deleted.

Finance Committee Report: The Finance Committee supports this article, the primary purpose of which is to clarify health, insurance and vacation benefits for full-time, part-time, temporary and retired employees as defined in this proposed amendment to the bylaws. We concur also in the addition of the sections requiring the Personnel Board to be involved in the contract negotiations with the Town's union employees and the Board's approval of new employees prior to their appointment. This provides the Town with assurance that the Personnel Board is included in the decision-making process involving the Town's personnel. Recommend Approval.

Mr. Philip G. Felleman of the Finance Committee then *moved to amend by striking from the motion the words, "that the change to Section 8, paragraph (11), is deleted, and".*

Mr. Felleman then reported to the meeting for the Finance Committee as follows:

April 4, 1977

At the time the Finance Committee held its hearings on this article, we were very much in favor of the Personnel Board participating in the collective bargaining between the Town's union employees. We still hold that view and think that the Personnel Board should indeed be an active participant in contract negotiations.

Therefore, we would like the bylaw to so state, not just by an implicit agreement with the Board of Selectmen.

Board of Selectmen Report: (Mr. Powers)

The question is whether or not we change the Personnel Bylaw to add the Personnel Board to the parties who are doing the negotiating with the unions. When we first heard about this particular amendment, we immediately turned to Counsel and to Special Labor Counsel, who pointed out that, under the General Laws of the Commonwealth which govern collective bargaining, the Board of Selectmen are the bargaining agents and nobody else. Special Labor Counsel pointed out that if you start adding bodies and numbers here, you start tremendously complicating the entire collective bargaining picture because you will have the unions running to two or three people, laterally, sideways and up and down. In his opinion, it would have been illegal.

The Personnel Board's concern was with being fully informed as to what the various steps of the arrangements were, what the offers were, what the counter offers were, as we went along as a matter of information so that they would be able to have some input into the management side of the negotiating team.

We concurred with that and indicated that it could be handled very simply by a vote of the Board of Selectmen including them for that purpose. That is a totally different thing from what you have in Section 8, and we all agreed to remove it from the bylaw. It would be an incredible disservice to start injecting parties at this point in opposition to the position of Special Labor Counsel and Town Counsel.

Town Counsel Report: It is the opinion of Town Counsel that, if the Bylaw amendment proposed in Article 4 in the Warrant for the 1977 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.

Town Counsel further reported to the meeting as follows:

I concur with the remarks made by the Chairman of the Board of Selectmen and would like to amplify them further by indicating that the collective bargaining act provides that the employees of collective bargaining units negotiate with the executive officers or committees of the town. In this case, it is the Board of Selectmen. The field of collective bargaining has become extremely complex. The Selectmen have a professional negotiator and should receive input from the Personnel Board in particular and from many other boards in Town.

The problem is the wording in that it conflicts with the statutory enactment allowing for collective bargaining and is too broad. The position of the Board of Selectmen and the collective bargaining act is that these people should be providing input but not take actual part in the collective bargaining process

Mr. Felleman's motion to amend was defeated.

Mr. William W. Cooper IV then moved to amend by deleting "Section 12. Approval of New Employees. Any new employee must be approved by the Personnel Board prior to being appointed.", which appeared on page 8 of the Warrant, at the end of Article 3.

Mr. Cooper stated in support of his amendment as follows:

The wording in the Warrant under Section 12 would give the Personnel Board the authority to approve all Town employees that would henceforth be appointed. This raises a substantial question and problem for independent boards, such as the Board of Health, Highway Surveyor, Board of Selectmen, etc., whereby we are giving an appointed board authority over the action that would be taken by an elected board.

I suspect that this is in the bylaw with the intention to be sure that the various forms and procedures which the Personnel Board has set forth are, in fact, followed and that may indeed be their intent. I do not believe that is what the article, in fact, says.

April 4, 1977

Mrs. Bonarrigo reported on the amendment for the Personnel Board as follows:

The intention of Section 12 is not to second guess department heads in choosing personnel. The purpose is to try to work towards some sort of unified personnel policy in the Town of Sudbury. The Personnel Board would be concerned with such things as whether or not a person has had a physical as required and whether or not various general requirements for personnel in the Town of Sudbury have been fulfilled. I understand Mr. Cooper's problem, and I want to state that it is not the intent of the Personnel Board to use this to second guess department heads in selecting their personnel.

Mr. Cooper's amendment was voted.

Mr. Allan C. Morgan moved that we amend the motion so that the number of hours remain at thirty instead of being changed to twenty.

At the request of the Moderator, Town Counsel gave the following opinion:

Since General Laws in Chapter 32B, which provides for health insurance, define an employee as one working for twenty hours per week, the proposed motion by Mr. Morgan would be ineffective and illegal.

Mr. Frederick W. Welch then moved to amend the main motion under Article 4, entitled Section 4, so the section will read as follows:

Section 4:

By deleting the third and fourth paragraphs, and substituting therefor the following:

"Employees shall be hired, classified, promoted and granted salary increases in accordance with the Classification Plan and the policies and procedures herein set forth at rates of pay set forth in the appropriate schedule. No employee shall be hired or employed at a rate below the minimum rate for the classification nor be given an increase above the maximum.

A. Starting Rates

1. The starting rate shall be the minimum of the rate range of the job for which the new employee is hired, unless otherwise authorized by the Personnel Board.
2. The first six months of employment shall be a probationary period, upon satisfactory completion of which an employee may advance one step rate on the recommendation of the department head. Otherwise he shall come up for consideration after one year of continuous service.

B. Salary Increases

1. Employees in the continuous full-time service of the Town, who have a satisfactory performance record, shall be eligible for an advance of one step rate per year (the year to be counted from the date of the latest increase), but not more, on the recommendation of the department head. Any employee denied such an increase has the right of appeal to the Personnel Board, which will confer with both the employee and the department head. Permanent part-time employees shall receive step rate increases when they have worked the same number of hours as a permanent full-time in the same classification is required to work to advance one step rate.

Temporary employees shall be paid the starting wage for the position they hold unless the Personnel Board authorizes a higher step within the range, based on the experience and qualifications of the employee.;

and by amending the main motion under Article 4, entitled Section 11 (1), so that the section will read as follows:

- (1) Permanent employees working a minimum of thirty-five hours per week are entitled to the Town's health and life insurance benefits program on the first day of employment as authorized by Chapter 32B of the General Laws of the Commonwealth;

April 4, 1977

and by amending the main motion under Article 4, entitled Section 11 (4), by adding the word, "five", after the word "thirty", at the end of the second line.

In support of his motion to amend, Mr. Welch stated as follows:

Under Section 4 as it appears in the Warrant, there are four step rates allowed to municipal employees in the salary and management plan of the Town. They don't have to earn them. They are automatic. There is no recommendation of the department head. Whether he is a good or bad employee, he gets an automatic increase at the end of six months, at the end of one year, and the end of two years, and at the end of three years, until he advances to the top. I know of no other town that guarantees, without performance evaluation, automatic step rate increases for everybody across the board.

You will note that the same thing is provided for part-time employees, an unusual procedure. If I work forty hours per week for one year, I get a step raise. If someone else works twenty hours per week in the same classification in the same job for one year, they get a step raise. Something is very unequal about that. I certainly would not be satisfied to be a municipal employee in the Town of Sudbury and have that kind of situation.

The other amendment relates to Section 11 and the Town Counsel has just addressed himself to that. I know of no town that offers to pay 75% of all health and welfare benefits, master medical, Blue Cross/Blue Shield, life insurance, etc., for employees who work less than thirty-five hours per week. I understand Town Counsel's remark that the General Laws say that it could be a twenty hour per week position. However, I know of no town that does it, and I don't know why we should just because somebody in Boston says we should.

The same thing pertains to the amendment I propose under Section 11, part 4, where, in essence, there is a conflict, or there was a conflict until it was amended. That originally read, "employees working thirty or more hours a week". Now it has been amended to read "employees working twenty or more".

All I am doing is putting things back the way other towns have them by forcing individual department heads to rate and evaluate employees when they hire them and a probationary period to insure that they have satisfactory performances before giving them raises.

Mr. Floyd L. Stiles, Jr., then *moved* that the amendment under consideration be referred to the Personnel Board for a report at a future town meeting.

The Moderator explained that Mr. Stiles' motion was in the nature of a motion to commit the amendment and necessarily the main motion to the Personnel Board. He explained further that the motion to commit has very nearly the effect of dismissing this article from the Warrant. He then asked Mr. Stiles if he wished to continue to move to commit both the motion to amend and the main motion.

Mr. Stiles stated his intent was to commit only Mr. Welch's motion to amend. The Moderator then stated that it was not possible to commit just an amendment but that it had to take the main motion along with it.

Mr. Stiles' motion to commit was *defeated*.

Mr. Welch's amendment was then *defeated*.

The main motion under the article was then *defeated*.

In favor - 209; Opposed - 243. (Total - 452)

The Moderator announced the counted votes from the three halls in which there were voters as follows: Library: 32 in favor, 13 opposed; Little Theatre: 16 in favor, 16 opposed; Auditorium: 161 in favor, 214 opposed.

VOTED: TO ADJOURN UNTIL TOMORROW EVENING AT 8 P.M. IN THE SAME PLACE.

The meeting adjourned at 11:10 P.M.

[Number of names marked on the voting list as having attended the meeting: 1833]

PROCEEDINGS

ADJOURNED ANNUAL TOWN MEETING

April 5, 1977

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

ARTICLE 5: To see if the Town will vote to raise and appropriate, or appropriate from available funds, the following sums, or any other sum or sums, for any or all Town expenses and purposes, including debt and interest and out-of-state travel, to fix the salaries of all elected officials and to provide for a reserve fund, all for the fiscal year July 1, 1977, through June 30, 1978, inclusive, in accordance with the following schedule, which is incorporated herein by reference, or act on anything relative thereto.

Submitted by the Finance Committee.

*(Asterisk denotes that a transfer from the Reserve Fund is included in this figure.) All budgets include appropriations voted at the December 1975 Special Town Meeting.

100 EDUCATION: 110 SUDBURY PUBLIC SCHOOLS

	1975-76	1976-77	1977-78	1977-78
	Expenditures	Budget	Requested	Recommended
(pupils)	(3230)	(3059)	(2886)	
1100 School Committee	7,747	3,575	7,950	7,950
1200 Supt. Office	101,575	100,609	113,077	113,077
<u>1000 ADMINISTRATION TOTAL</u>	<u>109,322</u>	<u>104,184</u>	<u>121,027</u>	<u>121,027</u>
2200 Principals	220,452	249,342	244,628	244,628
2300 Teachers	2,425,188	2,621,598	2,774,217	2,747,653
2400 Textbooks	14,648	15,650	18,700	18,700
2500 Library	34,419	42,604	86,430	86,184
2600 Audio-Visual	17,075	9,250	25,160	25,160
2700 Guidance	118,145	138,862	152,938	152,266
2800 Pupil Personnel	291,193	307,646	337,405	335,987
<u>2000 INSTRUCTION TOTAL</u>	<u>3,121,120</u>	<u>3,384,952</u>	<u>3,639,478</u>	<u>3,610,578</u>
3100 Attendance	200	200	200	200
3200 Health Services	69,994	72,090	79,628	79,628
3300 Transportation	208,639	196,705	199,507	199,507
3400 Food Services	17,298	19,825	20,972	20,972
3500 Student Activities	2,986	2,959	3,770	3,770
<u>3000 SCHOOL ACTIVITIES TOTAL</u>	<u>299,117</u>	<u>291,779</u>	<u>304,077</u>	<u>304,077</u>
4100 Operation	353,020	404,617	421,154	421,154
4200 Maintenance	131,807	102,250	125,976	125,976
<u>4000 OPER. & MAINT. TOTAL</u>	<u>484,827</u>	<u>506,867</u>	<u>547,130</u>	<u>547,130</u>
7300 Acquisition	3,432	7,418	12,108	12,108
7400 Replacement	11,171	6,100	9,710	9,710
<u>7000 EQUIPMENT TOTAL</u>	<u>14,603</u>	<u>13,518</u>	<u>21,818</u>	<u>21,818</u>
<u>9000 TUITION</u>	<u>89,549</u>	<u>98,700</u>	<u>95,370</u>	<u>95,370</u>
<u>TOTAL BUDGET</u>	<u>4,118,538</u>	<u>4,400,000</u>	<u>4,728,900</u>	<u>4,700,000</u>
Federal Aid Applied	22,423	21,899	19,663	19,663
Community Use - Schools	16,471	18,360	20,000	20,000

Mr. Lawrence Bussey, Jr., of the Finance Committee, *moved that the Town appropriate the sum of \$4,700,000 for the support of the Sudbury Public Schools, to be expended under the direction and control of the Sudbury School Committee, said sum to be raised by transfer of \$19,663 from Public Law 874 Account, and the remaining sum of \$4,680,337 be raised by taxation; and to appropriate \$20,000 for Community Use of Schools, said sums to be raised by taxation.*

April 5, 1977

Finance Committee Report: The Finance Committee, like the School Committee and other concerned citizens, has pondered ways in which to minimize the increases in the school budget. The School Committee has trimmed the administration's requested fiscal year 1977 budget; however, the Finance Committee feels that this reduction did not adequately account for the 4% decrease in student enrollment, the planned closing of one school and the anticipated level of State aid to education. The Finance Committee recommends approval of \$4,700,000.

Mr. Bussey then further reported to the meeting for the Finance Committee as follows:

The Sudbury School budget is going to be a major issue tonight. Declining enrollments, reduced State aid to education and the slow growth of the Town's property valuation has caused the Finance Committee to go right to the heart of the educational process in a way that we have not done in the past. That is, we need to reduce the number of staff members in relationship to the decline in enrollment.

At this Annual Town Meeting, we need to examine three major factors affecting the school budget. They are enrollment decline, staff, and budget.

First, the Sudbury enrollment will be down by 4% to approximately 2,900 students for the next school year. This reflects a steady decline to a smaller enrollment since 1973. In fact, we have lost some 22% of our student population.

Second, we have maintained a fairly constant staff level over the past few years. This is due largely to the strong defense made by the teachers' unions against arbitrary reductions of staff. In fact, job security may replace salary level concerns as a major issue of negotiation.

This year, the Sudbury Schools will be without more than seven teachers because of the action taken by the School Committee to reduce staff. Reduction in staff is due to the closing, in part, of the Horse Pond Road School and the consolidation of programs.

Third, the school budget for next year is up some 6.8% to \$4,700,000. The major areas of increases are in operation, maintenance and equipment lines, transportation and salaries levels. Salaries are up some \$192,000, or approximately 5.4%. "Other Expenses", which includes equipment, operation and maintenance, are up some \$101,000, or 21.7%.

Tuition for special needs students, thankfully, is down by some 3.4%.

Since 1974, the school budget has increased by some 20%, from approximately \$3,900,000 to \$4,700,000 for the next fiscal year, in spite of a 22% decline in enrollment for the same period. It would seem reasonable then, since enrollments are going down and school costs are going up to now seek ways to reduce staff. This process should be instituted by the School Committee now with full citizen input into the deliberation. It should not be done on the town meeting floor since teachers should not be arbitrarily terminated or denied their rights under the law or negotiated teacher contracts. Issues related to grievance procedures, re-hiring considerations and taxpayers suits must be fully weighed to avoid hasty and unreasonable action.

The Finance Committee has made its recommendation on the Sudbury School budget. We should not disregard months of budget reviews and hearings and several budget reductions. We should encourage the School Committee to establish policies for reconciling staff reductions with the student decline. This should be done now with full citizen input.

Sudbury School Committee Report: (Mrs. Mary H. D'Andrea)

In response to the recent request made by the members of the School Committee about possible areas for cutting the budget, I would like to begin by establishing some background for our decision making. In the school year 1976-1977, the per pupil cost in Sudbury was \$1,438. We are the fourth lowest community taking into consideration the ten towns in the Minuteman District. These figures are significant in that they well illustrate Sudbury's tradition of providing quality education at relatively low cost.

Another factor to be considered is that starting in October, our budget process began. A series of cutbacks took place up to the final submission to the School Committee in December. For instance, in our largest account, the personnel area, we have dropped fourteen teachers in K-6 over a period of the past two years.

April 5, 1977

In accordance with our declining school population, the School Committee recommended the hiring of a library media coordinator which was a replacement position that had been vacant for one year due to budget constraints. This represented a cutback of 7.4% in staff reduction.

In the Sudbury School department, we have been able to provide excellent programs and have been most responsive to the community's wish to be as conservative as we can while maintaining an educational program which will meet the current needs of our pupils. The tension that exists between fiscal conservatism and quality education has been increasing each year. We all know it is inevitable. Dealing with it is one of the primary responsibilities of each School Committee member.

I am beginning to feel that we are fast approaching the point where the balance is going to be in the direction which will directly affect the quality of education and, along with others, we must look for substantial financial assistance from sources outside the local taxpaying community.

Some states are supporting their public schools by means other than the local property tax. If something similar does not soon happen in the state of Massachusetts and the present pressure to economize continues, I believe the tensions earlier referred to will become unbearable to those who understand and appreciate what is meant by the expression "quality education".

Mr. Jonathan J. Sirota of the School Committee then continued the report as follows:

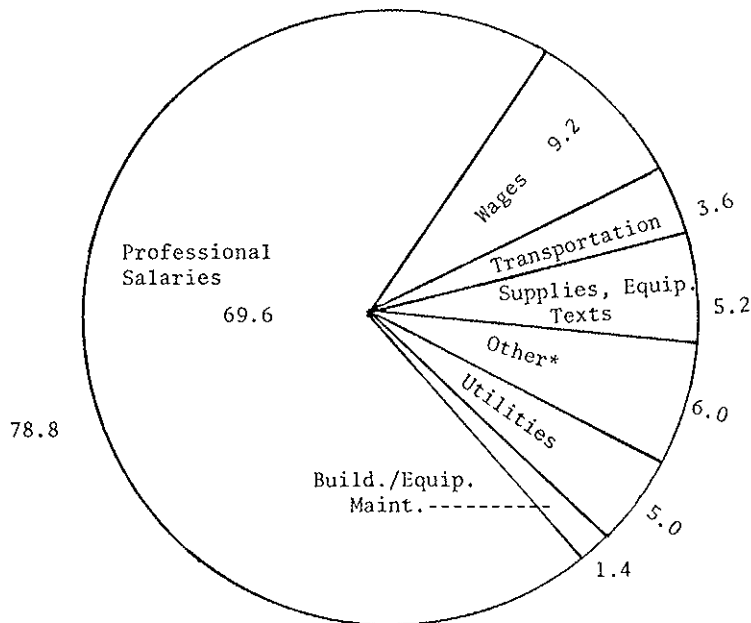
The bottom line of the budget that we are talking about tonight is lower than the budget printed in your warrant. It is in agreement with the Finance Committee motion of \$4,700,000. This \$4,700,000 is the result of months of detailed probing, questioning and changing. It is important to note that it represents a unanimous vote of the School Committee.

The Committee as a whole is sensitive to the pressures it exerts on the taxpayers and also is sensitive to meeting the educational needs of the Sudbury School children. The unanimity of the vote can be interpreted as a balance between those two somewhat conflicting needs. It is a budget which we can and do support.

CHART A

SUDBURY PUBLIC SCHOOLS - 1977/78 PROPOSED BUDGET

\$4,700,000



*Professional Improvement

Postage

Professional Journals

Conferences

Publications

Tuitions

Substitutes

Memberships

Contracted Services

April 5, 1977

Referring to the above chart, we see that the bulk, a total of about 80% of the costs, is in salaries and wages. 5% is in utilities, and transportation accounts for about 4%, leaving all other accounts at a maximum of 12%.

CHART B
SUDBURY PUBLIC SCHOOLS

	1975/76 Budget		1976/77 Budget		1977/78 Proposed Budget	
Administration						
1000	108,380	2.58%	104,184	2.37%	121,027	2.58%
Instruction						
2000	3,198,610	76.16%	3,384,952	76.93%	3,610,478	76.82%
Other Services						
3000	299,068	7.12%	291,779	6.63%	304,077	6.47%
Operation & Maint.						
4000	499,291	11.88%	506,867	11.52%	547,130	11.64%
Equipment						
7000	9,888	.24%	13,518	.31%	21,818	.46%
Tuitions						
9000	84,763	2.02%	98,700	2.24%	95,370	2.03%
	<u>4,200,000</u>	<u>100.00%</u>	<u>4,400,000</u>	<u>100.00%</u>	<u>4,700,000</u>	<u>100.00%</u>
<hr/>						
1975/76 Budget	4,200,000					
A. Salaries			3,262,158	77.67%		
B. Transportation			207,409	4.94%		
C. Utilities			222,018	5.29%	A,B,C only	87.90%
D. All Other Exp.			508,415	12.10%		
<hr/>						
1976/77 Budget	4,400,000					
A. Salaries			3,507,425	79.71%		
B. Transportation			197,590	4.49%		
C. Utilities			229,553	5.22%	A,B,C only	89.42%
D. All Other Exp.			465,432	10.58%		
<hr/>						
1977/78 Budget	4,700,000					
A. Salaries			3,699,566	78.71%		
B. Transportation			200,517	4.27%		
C. Utilities			233,300	4.96%	A,B,C only	87.94%
D. All Other Exp.			566,617	12.06%		

This chart shows how the major budget categories differ from previous years. The bottom part of the chart shows that percentagewise salaries are down although the dollars are up. Percentagewise, transportation is down with a slight increase of dollars. The same is true for utilities. The category "All Other Exp." is up and the dollars are up. All four of these categories here are variable and are under our control to some degree, but the only one that is readily controllable is the last 12%, \$566,617.

The salary scales, the first category, are fixed by contract to a large degree, and that contract is already set for next year although we do have the option of reducing personnel. We have done so in arriving at our budget. We have reduced the total professional staff by 7.5 out of 169, a 4.5% reduction. This is greater than the decrease in enrollment mentioned by Mr. Bussey, and, as a matter of fact, this is not the first year we have done that. We have been doing that consistently for the past three years as population has declined.

April 5, 1977

Transportation has also been reduced through a policy change which states that, except for kindergarten, children within 1 1/4 miles of the school will walk except if there is a safety hazard. This change was made for the current school year in an attempt to cut the transportation area.

Utilities have been cut through economy measures, and we will continue to do so.

The last category is the most discretionary and has been the subject of great scrutiny. It has been trimmed as far as our judgment has allowed.

One major act which was accomplished and which impacted all four areas was the closing of the Horse Pond Road School. In 1977 dollars, this represents about a \$137,000 net savings.

The top part of the chart on a line item grouping shows that 90% of our budget directly supports the instructional program and facilities for the children. That is 76.8%, 11.6%, and 2%, leaving only slightly less than 10% in non-direct areas or about \$447,000.

CHART C
SUDBURY PUBLIC SCHOOLS

	1976-77 Budget	1977-78 (12 Mo.) Proposed Budget	Estimated Reimbursement
1100 School Committee	3,575	7,950	
1200 Superintendent's Office	100,609	113,077	
TOTAL ADMINISTRATION	<u>104,184</u>	<u>121,027</u>	\$ 30,257
2200 Principals	249,342	244,628	
2300 Teachers	2,621,598	2,747,653	
2400 Texts	15,650	18,700	
2500 Libraries	42,604	86,184	
2600 Audio-Visual	9,250	25,160	
2700 Guidance	138,862	152,266	
2800 Pupil Personnel	307,646	335,987	
TOTAL INSTRUCTION	<u>3,384,952</u>	<u>3,610,578</u>	902,619
3100 Attendance	200	200	
3200 Health Services	72,090	79,628	
3300 Transportation	196,705	199,507	
3400 Food Services	19,825	20,972	
3500 Student Activities	2,959	3,770	
TOTAL OTHER SCHOOL SERVICES	<u>291,779</u>	<u>304,077</u>	152,038
4100 Operation	404,617	421,154	
4200 Maintenance	102,250	125,976	
TOTAL OPERATION AND MAINTENANCE	<u>506,867</u>	<u>547,130</u>	136,782
7200 Improvement	-	-	
7300 Acquisition	7,418	12,108	
7400 Replacement	6,100	9,710	
TOTAL IMPROV., ACQ., REPL.	<u>13,518</u>	<u>21,818</u>	0
9100 Tuitions	98,700	95,370	
TOTAL PROGRAM WITH OTHER	<u>98,700</u>	<u>95,370</u>	40,055
TOTALS	<u>4,400,000</u>	<u>4,700,000</u>	1,261,751

We did much more this year than just closing the Horse Pond Road School. The conventional line item budget as it appears on the chart above, while useful to the State for reporting purposes, can be and has been replaced by a program-oriented set of figures. Program budgeting is not new to Sudbury but has not been used here in the recent past. Instead of the line items, for example, lumping all instruction together, we have allocated all but \$158,000 to one of the twenty-six programs, as shown on the next chart.

April 5, 1977

CHART D
SUDBURY PUBLIC SCHOOLS
ANALYSIS OF PROGRAMS BY CATEGORIES, 1977-78 BUDGET

PROGRAM	SALARIES	SUPPLIES	TEXTS	EQUIPMENT	OTHER EXPENSE	CONT. SERV.	TOTAL PROGRAM
Non-Program	84,425 *7,250	25,111	-	1,818 * 156	34,425	12,085	157,863 *7,406
Kindergarten	103,312	6,500	-	-	-	-	109,812
Art	157,398	14,135	50	-	-	-	171,583
Music	191,344	2,326	610	-	-	-	194,280
Phys. Ed.	246,031	3,921	250	2,275	50	2,150	254,677
Comm. Arts	395,303	12,134	4,740	-	-	-	412,177
Reading	378,270	10,000	2,600	-	-	-	390,870
Science	242,200	11,500	600	200	-	-	254,500
Health Ed.	45,180	1,400	200	-	-	-	46,780
Math	350,050	12,500	5,500	-	-	-	368,050
Soc. Sci.	221,981	7,070 *6,245	2,350 *4,200	-	-	-	231,401 *10,445
Typing	28,810	1,550	650	3,540	-	-	34,550
For. Lang.	49,014	1,000	1,000	-	-	-	51,014
Home Ec.	43,196	2,232	50	-	-	-	45,478
Ind. Arts	57,771	5,000	100	800	-	-	63,671
Libraries	73,436	11,000 *4,472	14,652	10,870 *500	5,256	2,000	117,214 *4,972
Guidance	141,256	9,800	-	-	1,210	-	152,266
Health Serv.	-	-	-	-	-	79,628	79,628
Spec. Needs	251,543	4,450	-	-	-	45,000	300,993
Tuition	-	-	-	-	-	95,370	95,370
Pupil Pers.	58,634	2,500	-	-	1,860	2,200	65,194
Transportation	6,218	-	-	-	-	163,289	169,507
Maint./Gr.	-	550	-	-	-	1,500	2,050
Maint./Bldg.	237,200	27,500	-	5,115	246,300	34,080	550,195
Food Serv.	15,472	2,500	-	940	500	2,500	21,912
School Mgmt.	241,068	2,200	-	1,260	1,360	-	245,888
Central Mgmt.	86,772	4,500	-	-	7,305	14,500	113,077
TOTALS	3,705,884 + 7,250 <u>3,713,134</u>	181,378 +10,717 <u>192,095</u>	33,352 +4,200 <u>37,552</u>	26,818 + 656 <u>27,474</u>	298,266 <u>298,266</u>	454,302 <u>454,302</u>	4,700,000 + 22,823 <u>4,722,823</u>

*Funds provided by state and federal programs

In the process of reviewing the program allocations, we have examined objectives and defined program evaluation techniques as well as reviewing the budgeted dollar expenditures. The tool of program budgeting here in Sudbury needs a great deal of refining, but it does provide the basis for review of strengths and weaknesses in our program and allows for accountability to take place in each of the specific program areas.

April 5, 1977

CHART E
 SUDBURY PUBLIC SCHOOLS
 ANALYSIS OF PROGRAMS, 1977-78 BUDGET

	THOUSANDS OF DOLLARS					500	600
	0	100	200	300	400		
<u>INSTRUCTIONAL</u>							
KINGERGARTEN (109,812)							
ART (171,583)							
MUSIC (194,280)							
PHYS. ED. (254,677)							
COMM. ARTS (412,177)							
READING (390,870)							
SCIENCE (254,500)							
HEALTH ED. (46,780)							
MATH (368,050)							
SOC. STUDIES (231,401)							
TYPING 7-8 (34,550)							
FOR. LANG. 7-8 (51,014)							
HOME ECON. 7-8 (45,478)							
IND. ARTS 7-8 (63,671)							
NON-PROGRAM (125,938)							
SPEC. ED. (300,993)							
TUITION PUPILS (95,370)							
<u>INSTRUCTIONAL SUPPORT</u>							
LEARNING RESOURCES							
LIBRARIES (117,214)							
PUPIL PERSONNEL SERV.							
GUIDANCE (152,266)							
HEALTH SERVICES (79,628)							
PUPIL PERSONNEL (65,194)							
FACILITIES							
OPER. & MAIN. (552,245)							
DISTRICT MANAGEMENT							
SCHOOL MANAGEMENT (245,888)							
CENTRAL OFF. MGT. (113,077)							
TRANSPORTATION (169,507)							
FOOD SERVICE (21,912)							
NON-PROGRAM (31,925)							

April 5, 1977

In the above chart of the instructional programs, we can see the relative costs of the various programs. We can see the highest dollar items which are the longest bars on the chart as the so-called basic skill areas and also the state-mandated program, specifically, Chapter 766. In the support area, the one that is outstanding is the physical plant operation and maintenance, heat, light, custodial, telephone, gas, water, etc. All of the other programs are relatively small to start with.

CHART F
SUDBURY PUBLIC SCHOOLS
BREAKDOWN OF \$300,000 BUDGET INCREASE

Supplies	\$ 28,000
Texts	18,000
Equipment	13,000
Contracted Serv.	38,000
Salaries - Union Contract Pers.	255,000
Other Personnel	75,000
Misc.	<u>10,000</u>
	\$437,000
Less Horse Pond closing in 1977 dollars	<u>-137,000</u>
	\$300,000

This chart basically defines where the \$300,000 increase comes from. We can see that supplies are up \$28,000. Texts are up \$18,000. Equipment is up \$12,000, contract services up \$38,000, union salaries up \$255,000, other salaries \$75,000, and miscellaneous up \$10,000, adding up to a gross increase of \$437,000. The net savings from the Horse Pond Road School closing is \$100,000, making a net increase of about \$300,000.

We have looked long and hard at the budget and the budget process. We are sensitive to increasing costs and are working hard towards efficiencies in our operations that we have not yet realized. But change in as important an area as public education has to be well thought out and smoothly implemented. We are working towards slowing the impact of inflation and declining enrollments, but we believe that this budget is a good budget. Many of you in this audience have benefited in the past from the quality of the Sudbury Public Schools or are currently benefiting in sending your children to our schools. We urge you to consider our position and we seek your support.

Mr. Powers, Chairman of the Board of Selectmen, then *moved that the motion of the Finance Committee be changed to read as follows: that the Town appropriate the sum of \$4,488,061 for the support of the Sudbury Public Schools to be expended under the direction and control of the Sudbury School Committee, said sum to be raised by transfer of \$19,663 from Public Law 874 Account, and the remaining sum of \$4,468,398 be raised by taxation; and appropriate \$20,000 for community use of schools, said sums to be raised by taxation.*

Board of Selectmen Report: (Mr. Powers)

Last night, the largest number of people that ever assembled at a town meeting in the Town of Sudbury's 340 year history came here to this hall. We had 1,833 counted residents. We had traffic parked back with another 400 or 500 that could not make it into the room. They came to deliver a message, and I think that those of us that are elected officials had better listen to the message very carefully and very thoughtfully.

All those of us who create budgets always look at issues. We tend to look at issues from the point of view of the preservation of the budget or the preservation of our program, whatever that may be. What we said last night, and what

April 5, 1977

we think the people of Sudbury mean is that we had better start addressing our budget questions not in terms of program, but in terms of the ability of this community to pay without destroying itself and destroying its character.

The simple realities about public education in the Town of Sudbury are these - and these are what not the educators or the committee members necessarily see, but what people talk to us about. Since 1971, the collective impact of all of the school systems of Sudbury has risen from \$4,500,000 to \$8,400,000. This is at the same time when there has been a decrease in student population of close to 30%.

Of the total budget increase of \$729,114, \$623,000 represents budget requests by two of the school systems and about half of that lies in the Sudbury School system's request for \$300,000 more.

We have a problem. It used to be that public education was considered to be a partnership. The people of a community were asked to reach into their pockets and pay on their property taxes an amount of money for the support of the public schools. To that amount of money was added a substantial sum of money from various chapters of the General Laws representing the State's commitment to public education in the Commonwealth and that is not raised on the property tax. That is raised on other methods of taxation.

That partnership has been breached by the Commonwealth of Massachusetts, and it is our duty to address that problem. You know the figures. They did not pay back to us \$70,000 in school transportation costs. They deleted another \$306,000 from their obligations under Chapter 70 account and numerous others. They gave us the gift of Chapter 766 with the promise it would be fully funded and the fact of the matter is that for every dollar refunded to us we pay six.

It is our position that this state has breached the partnership and that we cannot allow that breach to go on. It must be challenged and challenged directly and with vigor. If we do not, what has become fiscally convenient for the people on Beacon Hill this year will be a double serving of convenience next year and the year after as they once again try to balance their budgets by failing to meet their commitments.

We have to stop this. We are asking you to appropriate tonight an amount of money which represents, in fact, the amount of money you would be asked to raise and appropriate from your real property tax to support the budget that the School Committee has presented to you. What the \$211,000 plus represents is the amount of the State's failure to keep its part of the bargain. We are asking you not to appropriate that because if you do, you are agreeing with the State cut and that State policy. We don't think we can take that position. We don't think we should. We should pay our share and we suggest that we do that, but not pay theirs. We believe that in this manner we can properly bring to bear the proper forum for some success and victory in a battle to get the State to comply with the law that governs it.

Governor Dukakis was in Shrewsbury the other day, and he said that the law is the law, and the town has to obey it even if the State doesn't meet its commitments to its part of that law. We don't agree with that thinking. We think we should challenge it, and we hope that you will agree with us. Our Counsel agrees that we have a viable case, a very important issue, and one that must be raised.

We think that in doing this we have very little to lose and a great deal to gain. We do not have a disagreement about how much it takes to run a school. It is what the funding for it is and where it comes from. We realize, of course, that to vote such a cut and not accept the State's share of the burden means there will be a loss of some funding to our local school system until we have some success.

I would point out, that despite what has been said or what you may hear, the numbers are not really that much in terms of the operation of the schools. You heard the Finance Committee say that we have to review what we are going to do next year and to have a lot of committee meetings to see where we are going. I would point out that all of the committee meetings that have taken place to this day have only succeeded in boiling \$28,900 off of the Sudbury School Committee's budget.

But remember, if you vote this cut, agree with us and let us proceed with it, it is not as though you were taking money away from the amount the schools

April 5, 1977

had last year. What is left is \$88,000, or \$89,000 more than they had last year. This is also a year in which a school has been closed down. It represents in essence about a 4.5% cut out of the requested appropriation of the school budget. We think that we can live with that one. We think that the School Committee can live with that one if they try. And, if we are lucky, we can bring that money back from the State coffers to where it belongs and the sooner the better. That money will become immediately available to the schools.

We believe that any proper administrator can, in a \$4,700,000 budget, find a way of absorbing a 4.5% decrease, particularly when you realize that the budget is a non-segregated budget. It is a bottom line budget with one drawer full of money. The School Committee has great flexibility administratively in its budget.

We urge you to support us in this because we think it is a vote for you, and we think, as strange as it may seem, it is going to be a vote that will be very important for the future of Sudbury's education in terms of the availability of State funds for that educational establishment.

The Board of Selectmen have joined with the people from the Selectmens' Association, the Mayors' Association, the League of Cities and Towns, the Massachusetts Teachers' Association, the Massachusetts Junior Middle High School Principals' Association, the Massachusetts Secondary Schools Principals' Association, and many other organizations in a coalition to attack this problem of the reduction and slashes in State aid to education.

It is not that we do not support education, but we think we have to support it with the best tools we can get. The best tool right now is for the Town of Sudbury to take the position that it will fund its share, but it will not fund the State's share. That will put us in a posture to go and secure, in courts if necessary, the State's commitments and obligations.

Those are the reasons we are asking you to do this. We are not here playing a fiscal conservative game or anything of the sort. What we have at stake is every property owner in the Town of Sudbury.

In 1972, we had a large number of families in this town whose gross income was under the federal poverty level of \$3,900 per year. We had another number of families in town, at that time, whose gross family income was under \$9,000-\$10,000 per year. These people have been pushed to the brink of desperation. They are our old. They are our young. They are our low wage earners. They are good, prudent people of modest means, and we owe them this. We owe them our care and support. With your help and your guidance, we intend to win our battle with the State government on this school money. We want it back.

The Moderator then called on Town Counsel, Mr. Paul L. Kenny, to advise the hall of what the possible ramifications might be of the Town's appropriating less money than the school budget requests on the grounds that the State share has been diminished.

Town Counsel Opinion: The basic law governing the reduction of a school budget is what is known as the "fiscal autonomy law". It provides that ten taxpayers or the Attorney General can petition the Superior Court to replace the deficiency if a town fails to provide an amount necessary for the support of the public schools in its annual budget.

The position of the Selectmen is that they will be providing the amount necessary but that the State is not providing its share that is necessary, that has always been provided, and that is required by law to provide. I agree with that position and feel that we can support it.

Finance Committee Report on the Amendment: (Mr. Felleman)

I find myself standing in an awkward position to support the School Committee, an unusual Finance Committee position. The motion we have before us to reduce the school budget by some \$211,000 raises some very complex issues. I would like to address these and to point out a few facts.

First, the Finance Committee believes that action of this kind is both illogical and irresponsible. As you are aware, the argument for the decrease has its origin in the amount of State reimbursement for education as being smaller than our "entitlement" under the distribution formula. Every city and town in the Commonwealth will receive the same lower percentage of entitlement

April 5, 1977

that Sudbury receives next year. This discrepancy is due to several factors, most notably the State's firm plan to keep education aid fixed while an ever increasing proportion of that aid is allotted to special education programs.

But, keep one thing in mind. The Sudbury School Committee budget was prepared, examined, revised and voted by the School Committee with no consideration of state reimbursement. Their budget is a reflection of their estimate of what it will cost to operate the schools next year. We might quarrel with certain elements of their budget as to whether there is too much, but the budget as presented to the Town is their legal responsibility. My point here is that state reimbursements and the school budget have no direct relationship.

Secondly, let me talk a little bit about fiscal autonomy. School boards in the Commonwealth, as Town Counsel has just stated, are under law entitled to receive from the Town the amount requested. The Town has every right in town meeting to reduce that appropriation, but the School Committee or any ten citizens may institute law proceedings to recover the reduction in the requested funds. History has demonstrated that they invariably win, and not only are the funds restored, but an automatic penalty of 25% is usually added, which in this case is \$50,000.

The Finance Committee understands the frustration of the Selectmen, the frustration of the Town, but we cannot in good conscience support any action which will in all probability cost the taxpayers another \$50,000 this year.

Last night, a citizen quoting from the League of Women Voters handout told the Town that every dollar spent by the Town must be voted by this town meeting. That is not quite true. The Town of Sudbury is taxed by the state and county, just as you as individuals are taxed. You, as individuals, may elect not to pay your taxes. You know the consequences. The Town is in the same position. It cannot pay its taxes to the state and county, and what invariably happens is that they come and get it anyway with a penalty.

Last night's action will not prevent Landham Road land damages from being paid to the county. If it goes to court, we will pay not only that but another \$5,000. We have made our protest, and it has cost us.

Let us return now to the motion under discussion. This budget, for all practical purposes, is an assessment on the Town. We may not like it, but until the fiscal autonomy law is changed, we have to live with it.

The Town has other alternatives to reduce the budgets. We have Article 5 before us this evening which has many appropriation items in it, police, fire, highway, general government, library, park and recreation, health, and so forth. All represent services to the Town. We may not have much control over individual salaries within these departments due to collective bargaining agreements, but we can, by our vote, either maintain, increase or decrease those services. For example, we have the power in this meeting to cut our police or fire protection budgets in half or even more, close the library, do no road repairs and abandon our recreational programs. It is your decision to determine the services you want.

The Finance Committee has, as your representatives, attempted to balance what we felt were essential services to the quality of life in Sudbury with the concern over the ever increasing costs of those services.

I stated earlier that this amendment was illogical and irresponsible. It is illogical in that by suggesting a school budget reduction, the Selectmen do not attack the budget but are attacking the state government.

It is irresponsible in that by proposing this action, the Selectmen are aware of the certain outcome of court action and the probable financial impact.

Should we reduce the school budget? The Finance Committee believes that this expression of frustration by the Selectmen over state action is inappropriately directed at the Sudbury School Committee. It will in all likelihood result in higher taxes to the Town this year. We strongly urge that you defeat this amendment.

Sudbury School Committee Report on the Amendment: (Mr. N. Cornell Gray)

The Sudbury School Committee also strongly, emphatically, opposes the amendment offered by the Selectmen. Contrary to what the Selectmen say about the flexibility we have in moving monies around, let us look at where such a large cut can be made.

April 5, 1977

In Chart B [see page 31], you can see the bottom item, "D. All Other Expenses", which amounts to \$560,000, some odd dollars. Of that amount, about \$250,000 cannot really be touched because it includes such things as Chapter 766 tuition, negotiated course reimbursements to the teachers, extensions to that 766 collaborative effort and the substitutes in the school system which we need from time to time. Out of the \$566,000, we have perhaps \$300,000 and a little change which we can move around. It is quite clear that a reduction of \$212,000 could not possibly be taken out of there. It is quite clear that any budget reduction of this magnitude must come out of salaries. We all understand that.

I have been asked why we give the teachers all of that raise. The answer is that we agreed to it under collective bargaining on a three-year contract that was signed two years ago. We are legally bound to those increases. The only way out of those increases is if, on their own volition, the teachers decided to give the Town a break against the Chapter 70 and agreed to negotiate the salary part of the contract to reflect that change. I can't count on that and neither can you.

Where else could we find a cut in salaries of that magnitude. Everybody asks, why we don't just increase class size. That is exactly what you have to do. In order to increase class size, you have to have the children in the right place to increase it with. For instance, take a school with ninety children in the fourth grade and put them into three classrooms. I can't very easily, or perhaps it isn't right, to increase the class size by putting ninety children into two classes. It would be much better if I could get fifteen more children and make four classes of thirty-five kids.

What it really boils down to is the expedient way to increase classes and reduce the staff by the magnitude that is necessary to achieve a \$212,000 reduction. The best way to look at it is to close a second neighborhood school. I will show you what that means, besides a lot of grief. This is how it would work out. The second neighborhood school would have to be Fairbank, Loring or Nixon. That is alphabetical order not to indicate any preferences. Such a close would result in the reduction of eleven teachers at about \$143,000, a principal and secretary for about \$26,000.

We have to do a little more, too. Let's suggest we reduce, by one, the staff for each major subject area at Curtis Junior High School for an additional saving of \$42,000. As you can see, that brings us up pretty close to the \$212,000 we need. Close enough anyway.

What's some of the impact of that? The kindergartens would run somewhere over twenty-six students each. Grade one would be at twenty-eight, grade two at thirty, grade three at thirty-four and grade four at thirty-six. That is an average. That means at thirty-six, you would have some running forty and some running maybe thirty-two. Obviously, we have to do a little bit more moving around in order to accommodate this because you will have reached the level of pure physical overcrowding.

What are some of the other effects? The change at Curtis, reducing each of the major subject areas, would increase class sizes in the major subject areas to twenty-five for the low group, thirty for the middle group, and thirty-five for the high group. Plus, there would be some scheduling problems. The fewer sections you have, the more your scheduling problems get to be, and we would again run into, particularly in the science area, physical overcrowding.

The physical crowding of the neighborhood schools would require shifting more fourth graders into the Noyes School where there are, in fact, if you want to stretch things, a few more classrooms. Now, that would buy back some teachers. If we buy back some teachers, then we have to pay out more somewhere else to get to the \$212,000.

What would we do? One thing we might do is have one principal for the two small neighborhood schools. Or, we might go for the third consecutive year cutting the library program back to nothing or to just enough to keep them open and keep them going. That's where we've been for two and a half years now.

It is perhaps not necessary that an act so dramatic as closing a school would be the way to get the \$212,000. But frankly, whatever we do has to have a key-stone that is virtually that dramatic, and virtually as unpalatable to us. It would include maybe some smaller items, but all of them would be of similar response to us.

April 5, 1977

For instance, we could require all of the parents with children within a mile and a half of a bus stop to pay for their children's transportation. That would save \$25-30,000. There are things like that we could do.

We kind of wonder just what the Selectmen hope to accomplish by this amendment. The School Committee wasn't consulted on this matter. Most of us learned about the Selectmen's intentions from the newspapers Wednesday evening just before our last School Committee meeting.

Secondly, Chapter 70 funds are general reimbursements, and we cannot nail it to a specific program like Chapter 766. Although incompletely, the State funds according to its own formula and has right along. It's a terrible formula, but that's what they do. It should be clear that the School Committee has, does and will continue to object to the State's non-funding history. We are against this whole business of the Chapter 70 reductions.

Finally, what would be the real impact of the suit the towns might bring against the State. The argument as to whether towns must pay for state-mandated programs should stand on its own, and whether the lawsuit wins or loses, the schools are going to end up with a program which will deprive our children for the entire school year. Once we make one of those decisions, we can't change on November first when we get all of the money back into the school system because that would mean redistricting, moving everybody back and moving everybody around. We are stuck with it for a year.

Regardless of all the charts you have seen and might see that show how well the schools are managing their money, this School Committee is fully aware that we must do a better job. We know we must find more cost-effective ways of doing our job. Closing a school is one answer which we are accomplishing this year. But we must be, and, in fact, we are seeking new ways of doing business which break or at least significantly dull our recent pattern of per pupil cost outstripping the general cost of living. This Town and its teachers will be asked to understand and support new ways. For now, we have to ask again that you support the School Committee and reject this amendment.

During the discussion, the suggestion was made by Mr. Anton M. Johnson that the vote be taken by secret ballot.

After further discussion, the Moderator stated that he had sensed that the hall was ready to vote on the Selectmen's motion to amend the School Committee budget.

Mr. Powers raised a point of order and stated that he had a good deal of sympathy for Mr. Johnson and moved that we take this vote by secret ballot.

In response to a point of order by Mrs. D'Andrea of the School Committee, the Moderator ruled that making a motion was not a point of order and stated that he had, in effect, already moved the question. He then proceeded to take the vote on the Selectmen's amendment.

After several points of order and questions were raised, the Moderator stated again that he had sensed that the hall was ready to take a vote. He then asked for a show of hands to indicate whether or not the hall was ready to vote. He also asked for a show of hands to indicate whether or not the hall would have liked to have a secret ballot. The hands raised for and against both questions indicated that the hall was ready to vote and that it did not wish to have a secret ballot.

The Selectmen's amendment to decrease the amount appropriated for the Sudbury Schools was defeated.

Mr. Phillips B. Hunt, Jr., then raised a point of order and questioned the vote on the basis that all of the people in the hall were not eligible to vote.

The Moderator asked that everybody raise their blue cards, after which he stated that there should not be any question.

Dr. Donald R. Oasis then moved the question on the main motion, and the Moderator determined that "obviously more than two-thirds" were in favor of voting at that time on the main motion.

April 5, 1977

Mr. Robert J. Bailey then stated that he had had his hand up for the last five minutes and that he would like to have a count of the vote on the amendment.

The Moderator stated that the vote must be questioned by seven people and it was not. He then proceeded to take the vote on the main motion.

Mr. Bailey then stated that there were a lot of people in disagreement, and the Moderator appealed his ruling to the floor. He determined by a show of hands that a majority of the hall was in favor of the Moderator's determination that there was a majority in opposition to the Selectmen's motion to amend.

It was then

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$4,700,000 FOR THE SUPPORT OF THE SUDBURY PUBLIC SCHOOLS, TO BE EXPENDED UNDER THE DIRECTION AND CONTROL OF THE SUDBURY SCHOOL COMMITTEE, SAID SUM TO BE RAISED BY TRANSFER OF \$19,663 FROM PUBLIC LAW 874 ACCOUNT AND THE REMAINING SUM OF \$4,680,337 BE RAISED BY TAXATION, AND APPROPRIATE \$20,000 FOR COMMUNITY USE OF SCHOOLS, SAID SUMS TO BE RAISED BY TAXATION.

ARTICLE 5: 100 EDUCATION: 130 LINCOLN-SUDBURY REGIONAL SCHOOL DISTRICT

A. BUDGET	1975-76	1976-77	1977-78
	Expenditures	Budget	Budget
	(1919)	(1812)	(1730)
(pupils)			
1100 School Committee	6,672	8,650	5,998
1200 Superintendent's Office	120,321	132,303	143,505
<u>1000 ADMINISTRATION TOTAL</u>	<u>126,993</u>	<u>140,953</u>	<u>149,503</u>
2200 Principals	161,507	194,270	228,279
2300 Teaching	2,029,650	2,172,675	2,366,801
2400 Textbooks	20,939	28,770	31,245
2500 Library	59,085	60,984	72,694
2600 Audio Visual	38,152	44,851	50,373
2700 Pupil Services	161,357	206,298	209,461
2800 Psychological Services	38,332	44,005	35,713
Reduction in 2000 Account	-	-	(5,000)
<u>2000 INSTRUCTION TOTAL</u>	<u>2,509,022</u>	<u>2,751,853</u>	<u>2,989,566</u>
3100 Attendance	0	50	50
3200 Health Services	23,354	23,822	26,531
3300 Pupil Transportation	267,902	274,365	256,514
3400 Food Services	0	2,690	2,690
3500 Student Body Activities	52,727	60,897	64,966
<u>3000 OTHER SCHOOL SERVICES TOTAL</u>	<u>343,983</u>	<u>361,824</u>	<u>350,751</u>
4100 Operation of Plant	322,473	372,252	389,836
4200 Maintenance of Plant	238,464	234,128	229,390
<u>4000 OPERATION & MAINT. TOTAL</u>	<u>560,937</u>	<u>606,380</u>	<u>619,226</u>
5100 Employee Retirement Program	37,223	46,618	60,603
5200 Insurance Program	106,111	106,597	154,293
<u>5000 FIXED CHARGES TOTAL</u>	<u>143,334</u>	<u>153,215</u>	<u>214,896</u>
9100 Programs with Other Systems	90,116	105,000	184,465
Vocational	12,750	12,750	0
<u>9000 PROGRAMS WITH OTHER DISTRICTS</u>	<u>102,866</u>	<u>117,750</u>	<u>184,465</u>
<u>TOTAL 1977-78 OPERATING BUDGET</u>	<u>3,787,135</u>	<u>4,131,975</u>	<u>4,508,407</u>
Contingency		85,000	85,000
<u>TOTAL</u>		<u>4,216,975</u>	<u>4,593,407</u>
<u>6000 COMMUNITY SERVICES</u>	<u>1,264</u>	<u>1,800</u>	<u>1,800</u>
7200 Improvements	0	5,000	1,700
7300 New Equipment	35,971	35,773	26,000
7400 Replacement Equipment	17,371	29,066	27,879
<u>7000 ACQUISITION OF FIXED ASSETS</u>	<u>53,342</u>	<u>69,839</u>	<u>55,579</u>

April 5, 1977

	1975-76	1976-77	1977-78
	Expenditures	Budget	Budget
<u>8000 DEBT SERVICE</u>	<u>591,138</u>	<u>524,063</u>	<u>507,987.50</u>
<u>GROSS BUDGET</u>	<u>4,432,879</u>	<u>4,812,677</u>	<u>5,158,773.50</u>

+ Budget does not include programs applied for under special grants.

The Finance Committee has shown the Gross Budget to reflect the true cost of school operations.

B. SUDBURY ASSESSEMENT

Operating Expenses Including Contingency	2,718,874.56	3,113,557.80
Community Service	1,463.00	1,479.60
Equipment	55,542.53	45,685.94
Debt Service	<u>181,764.43</u>	<u>170,562.94</u>
<u>TOTAL ASSESSEMENT</u>	<u>2,957,644.52</u>	<u>3,331,286.28</u>

Mr. Alan H. Grathwohl of the Finance Committee *moved that the Town appropriate the sum of \$3,207,986.28 for the support of the Lincoln-Sudbury Regional High School, to be expended under the direction and control of the Lincoln-Sudbury Regional School District School Committee, said sum to be raised by taxation.*

Finance Committee Report: (Mr. Grathwohl)

Two concerns of this Finance Committee with respect to the Regional High School budget are, 1) where are we now, and 2) where are we going. Both are of equal importance, and both must be addressed.

First, the question of where are we now. In mid-February when the Finance Committee prepared its warrant report to the Town, we stated that the dominant issue facing this town meeting was the increase in our school budget. The Lincoln-Sudbury assessment increase is \$250,300. Why? Enrollment has decreased by eighty-two students, or 4.5%. The teaching staff has been reduced in accordance with the terms of the union contract. Yet the gross, or bottom line, is up 7.4% to \$5,159,000. This fiscal enigma, when reduced to simple terms, comes down to 1) salary increases - contractual up 11%, non-contractual 7%; 2) benefit cost increases - Blue Cross and life insurance up 45%, non-professional retirement up 30%; 3) staffing decreases - only by the terms of the union contract; 4) special needs educational increases - number of pupils increased 13%, amount of that portion of the budget increased 31%; 5) program changes - none.

Operating under the constraints of negotiated union contract, mandated special needs programs, little or no citizen demand for program re-organization or fiscal austerity, the School Committee believes that it has done a good job. Accepting these premises, the Finance Committee concurs.

However, there is a fine line of delineation between fiscal responsibility, fiscal intimidation and fiscal arrogance. The Finance Committee concludes that the Regional School Committee is fiscally responsible, does not deliberately intimidate, and is not by any interpretation of its actions, fiscally arrogant. In the exercise of their budget review and approval, they have been responsive, responsible and concerned.

In exercising one of our charges under the Town Bylaws, the Finance Committee, in its role of advising the citizens, must consider the budget not only for its educational impact, but also for 1) affordability - can the majority of the taxpayers afford the tax increases that are reflected by the present operating philosophy; 2) desirability - do the majority of Sudbury citizens want to maintain the level of education provided for in this budget; 3) credibility - can the average citizen understand and effectively comment on the budget; 4) accountability - is the School Committee in exercising the mandated concept of fiscal autonomy solely responsible for this budget.

The Finance Committee cannot in its collective wisdom unanimously say, "yes". You will help shape the answers to these questions by your voice and actions tonight and hopefully throughout the year.

April 5, 1977

The time to change this year's budget has, in our opinion, passed. Regardless of personal preference, this Committee now unanimously supports this budget. We cannot support, as a responsible advisory board, any other figure than that voted by the Regional School Committee. To add to potential legal costs and penalties with little or no tax relief to our already overburdened taxpayers, is unwise and irresponsible. In this your Finance Committee unanimously concurs.

And now to the question, where we are going. We believe that the time to begin work on next year's budget is now. One estimate of what that gross figure, based on the continuation of the present program and operating philosophy will be, is \$5,650,000. Consider what that estimate, based upon another 1% shift in pupil population from Lincoln to Sudbury, will do to your tax rate a year from now. Consider what that estimate, based on level income funding by the State with increased operating costs, will be. Also, consider what that figure will be if our Regional High School is not as fortunate next year with its share of cherry sheet revenue as it was this year.

These estimates could add \$1.80 to \$2.00 to your tax rate. These are but a few of the reasons for our concern.

What can be done? Your Finance Committee believes that a new approach is needed. To this end, we have begun formulating our plan for fiscal 1978-79. Our five point program includes:

- 1) Commencing budget reviews and preparation immediately following the conclusion of this town meeting. The budget projection is reason enough for this recommendation.
- 2) Adding Finance Committee input to salary negotiations to assess the financial impact of negotiated salary increases and staffing ratios to the Town tax rate. We have already participated and will continue to participate in the local school negotiations. We have been invited to participate in the Minuteman negotiations and we will do so. We have asked to participate in the Regional negotiations, and we would like to do so.
- 3) Instituting a non-contractual staffing review at the high school. Your Finance Committee has recommended and your School Committee is formulating plans to review the clerical, maintenance, para-professional, and support positions. We intend to participate.
- 4) Simplifying the budget format for presentation at town meeting and budget review. Budget credibility is a mutual concern of the School Committee and the Finance Committee. We invite your suggestions on budget simplification.
- 5) Obtaining responsible citizen input. The voice of the taxpayer is a very necessary component of the budgeting process. Fifty citizens telling the School Committee that they do not want or cannot afford the budget will have more impact than all the rhetoric the town officials can utter, or all the reports and statistics the Finance Committee can generate.

We seek your active participation in the development of next year's budget. We believe the School Committee cannot adequately prepare, nor the Finance Committee effectively review, the budget in the vacuum of citizen silence.

In summary of the questions of where we are and where we are going, the Finance Committee supports the budget the School Committee has presented. It is a little bit like the dose of cod liver oil that those of us over thirty-five took as children. After the first couple of years, no matter how much we were told we needed it and how good it was for us, if we were left to our own devices, we certainly wouldn't want it and probably wouldn't take it.

With the help of a knowledgeable school administration, a fiscally responsible School Committee, and a concerned public, we sincerely hope that next year's dose of medicine will be a little bit easier to swallow.

Lincoln-Sudbury Regional School District School Committee Report:
(Mr. Ronald Blecher)

The numbers in your warrant are different from the motion made, and I would like to re-emphasize why they are different and indicate how you should make that change. In your warrant, you have a number about \$3,331,000 as Sudbury's assessment for its share of the Lincoln-Sudbury Regional High School's budget. In truth,

April 5, 1977

the motion is \$3,207,986. The difference of \$123,300 is a reduction that pertains to the increase that we got, and therefore you got, in the regional cherry sheet. This is the first time we've gotten a cherry sheet in the regional. It is a new experience for us.

When we in fact noted that the cherry sheet was higher, at the urging of the Finance Committee I must admit, we voted at our meeting on March 22nd to reduce the total assessment to the two towns by \$150,000. Since Sudbury only pays a share of the school budget, its share of that reduction is reflected by \$123,300, or approximately 70¢ on your tax rate.

I would like to talk briefly about something other than just budget. I think a brief review of the past year at Lincoln-Sudbury is perhaps worthwhile. Many people here have participated in or know of activities related to the task force. Some people do not.

There were six task forces formed about a year and a half ago on six items: academic standards, vandalism, course offering, scheduling, graduation, and assessment. Those task forces were taken very seriously, and many hours were spent discussing them.

Many of the recommendations of those task forces have been implemented, and they are continually before us for review. In addition to that, of course, there was the N.I.E. study that you have heard a lot about. Unfortunately, that has not yet brought any fruit, but we keep looking at it, and we keep hoping that, with citizen input, we will be able to make some very rational decisions on the basis of new and innovative approaches to the budgeting process.

Hopefully, you have all noticed that the building condition, with the exception of the ceiling, is much better. We did not arrange the ceiling. It has been that way for a long time. The rest of the building is in much better shape, primarily due to the labors of Dick Santelle and his crew. We are very pleased with that progress. We keep looking for better improvements though.

The curriculum has stabilized as the Finance Committee indicated. We are not adding new programs. That is clearly a requirement in a time when we have declining enrollment.

In the area of student responsibility, we are expecting our students to be more responsible as adults. They are required to fulfill the attendance requirements and many other aspects of student discipline. We are pleased with the progress so far, and we intend to continue to pursue that.

Finally, and of course the thing we are here to talk primarily about, the budget. Last year's budget was \$4,432,000 [75/76], and the assessments were a little over \$3,600,000. The difference, of course, is the income factors. That was apportioned part to Lincoln and part to Sudbury which has by far the larger share of the students. At the same time, we have been facing so many other problems. Our enrollment has, in fact, been declining, and we anticipate going from 1,812 students this year to 1,730 next year. Costs are increasing. We are clearly aware of that, and we see an increase of about \$376,000. Assessments are also increasing, but not by as much because we got lucky. The cherry sheet helped.

The apportionments are changing. Sudbury continues to have larger and larger fractions each year of the number of students and consequently must bear a larger fraction of the cost of running this place.

Let's compare the budget of last year, the budget as originally submitted to the School Committee in October, and what we are finally faced with tonight. The primary factor and the thing we started with was not worrying about how much we would get back from the State, but trying to keep the operating budget as low and as realistic as we could. We started with last year's budget of about \$4,130,000 [76/77 Operating]. The administration came in with a request for \$4,600,000. We stand today at \$4,500,000 - \$103,000 of very, very hard money to get out of the budget. That's really where you have to work, in the operating budget, because that is the thing that we control.

Contingency is \$85,000 and has been for several years. Debt Service is, fortunately, going down and is clearly nothing we control.

There are other things which relate to purchase of equipment. We started at \$70,000, which was the same as last year. We took \$14,500 out of that but not willingly. That left us, therefore, with a request that had started with \$4,276,000 and we are at \$5,158,000.

April 5, 1977

We started this year thinking that we would be getting about \$1,130,000 in income. We got lucky, and we got \$1,285,000. You got lucky in that your assessment is lower. That is money that we were very happy to turn back once we became aware of the fact that it was additional revenue. What we see finally at the bottom line really is that Lincoln's assessment has actually gone down. Yes, the costs are up. The number of students is lower. Our costs are up because our number of students is also higher.

We see about an 8½% increase for Sudbury's assessment, which is the number which the Finance Committee presented to you. It might be interesting, and we certainly think it important, to note how we got to that number. Where did all this money come from, because as I said, it wasn't easy.

We took over \$100,000 out of the operating budget and almost \$15,000 out of outlay, which is deferral of purchases primarily. I want to emphasize, and the Finance Committee is very much aware of this, that we have reduced staff. We have reduced staff based upon a contract which is a legal obligation on us. We will have one staff person for every 15.6 students, and we are abiding by that, resulting in a reduction in staff. We have actually reduced the secretarial staff, and again we certainly concur with the Finance Committee. We intend to look very hard at that next year and see where our administrative costs are. We don't think they are grossly out of line, but we think that we should be able to take a harder look at it and perhaps, if necessary, squeeze out of that. Building operation and maintenance unfortunately bore quite a large share of the burden and that makes us very uncomfortable. If there are major expenses this coming year, we may have to go into the contingency which we hope that we do not have to spend. We're not planning on painting the roof either. On transportation, we have also changed our policy, just as the Sudbury Schools. We will not be providing transportation to those students who live less than 1½ miles from the school unless there are safety considerations.

In spite of that, the budget is up. We will tell you why it is up. Administration is up, primarily because of salary increases. The largest fraction of the increase is in staff, both regular and that attributable to 766. We segregate because 766 is reimbursable under the formula that reflects both the contract plus the reduction in force that goes with our formula.

The plant is up only by 4%. Transportation is actually down by \$10,000. Our fixed expenses, such as county retirement, Blue Cross/Blue Shield, are up 40%, and we are very dismayed about it. The Minuteman is beginning to show some rewards here as we will no longer be using vocational. We had some students in Waltham, for example. We are down \$10,000 on that because our students now go to the Minuteman. Of course, we pay for it in a different budget.

Finally, Chapter 766, which are things like tuitioned students out to other schools, is up by 35%, another \$80,000.

Your total increase from last year's operating budget of about \$375,000 represents a 14% increase per student. Our income was down until the cherry sheet came along. We had started in 1975/76, for example, with \$1,225,000. That was a good year. It went down last year to \$1,180,000. Because of history and because of concern and prudence, we estimated \$1,135,000 when, in fact, the cherry sheet indicated a number on the order of \$1,285,000. At the next meeting, we voted that reduction of \$150,000.

You might be interested to know what goes into the stuff that comes back to the region. It is not totally immersed within the Town as the Sudbury School reimbursements are. Some of them were distinct. Our regional aid was up somewhat. Transportation is supposed to be fully reimbursable. It is not, and it was down, lower than we expected. But our Special Education, 766, that we spent in the prior year was substantially up and the bulk is right there. In addition to that, we have reapportionment. Sometimes, in fact, you don't spend all the money, and hopefully you do that more often than not. That money comes back to the two towns in the proportion in which they paid it. We don't keep that money.

State construction aid was \$300,000. There are miscellaneous income figures which total the \$1,285,000.

The apportionments are changing. Lincoln has fewer students in the school. We have more. That number is 80.2% for Sudbury in 1975/76. We have gone up 2%. You might not think that is very much, but let me tell you, if our proportion of students had stayed exactly the same as last year, our assessment would be \$50,000 lower. If we have more kids, we have to pay it.

April 5, 1977

Finally, to end on what I hope is a note of the future. What do we intend to do for next year? Certainly we intend to keep looking at the task force reports. There is good information in those, and we intend to consider, to pursue the N.I.E. study. It should be published this coming year. Those aren't problems.

Our real problems, of course, are the declining enrollment, not only fewer students, but a lack of the dynamism one gets when new teachers come into the system. We won't have very much of that. We are rather concerned, and, as a result, we are spending a lot of our attention and some small amount of money on increasing the instructional effectiveness of those teachers that are going to be with us. We lose something when we don't get new teachers in, there is no question about that.

The thing that we are certainly very anxious to do with the Finance Committee is to work very hard on this budget review so that next year we can come back to you with as reasonable a budget as we can. I don't know what it will be. I don't know if we can get it down as low as the Finance Committee would like. But we're going to work very hard at it. We certainly hope that we can do that and still maintain quality education for all your students.

Mr. Ira M. Potell, of the Board of Selectmen, then *moved to amend the motion to appropriate \$3,207,986.28 for the Sudbury portion of the Lincoln-Sudbury Regional School District assessment for the fiscal year beginning July 1, 1977, reducing that amount by the elimination of Sudbury's share of the contingency so that the appropriation is reduced to \$3,138,116.28.*

Board of Selectmen Report: (Mr. Potell)

This whole question about the contingency started from the Board of Selectmen's viewpoint, when we received a copy of an audit done by the State. That audit was done and completed in 1975. There was a statement that "the examination of the District Committee's appropriations and resulting assessment showed an apportionment against the member towns of an item, contingency, in the amount of \$75,000 for the fiscal year budget and the amount of \$85,000 for this fiscal year 1976 budget. In this connection, it is again pointed out that there is no authority in the general statutes pertaining to contingency as it relates to budgetary procedures."

When they said "again", we decided we would ask for some older audit reports. We went back, and there was an audit report for 1971. What that audit report said was "the examination of the District Committee's appropriation and the resulting assessment showed an apportionment against the member towns for an item, contingency, in the amount of \$39,100. In this connection, it is pointed out that there is no authority in the general statutes pertaining to contingency as it relates to the budgetary procedure."

I am sure you are going to hear arguments as to why didn't we do anything about this.

It was our belief that the Regional got this same report and that they would do something about it. When the budget was voted, we found out that the line item called "contingency" was still in there. At that point, we decided that we would come to you, the Town, and say that we have an item here based upon opinion of Town Counsel, that if we do go to court, we will win because it is precluded by the statute.

In addition, it is apparent that, based on the original agreement which established the Regional School Committee, this Regional School Committee was precluded from taking advantage of the state statute which allows them to have a slush fund. They were specifically precluded in that original agreement.

I realize that maybe the Region, and everybody else, does need monies, and you need "a fund". But for an entire town we only keep a reserve fund of \$100,000, and the Regional is saying they need \$85,000 for themselves. I find this an interesting thing. I know we have seen a presentation of a very tight budget. Yet, if \$69,000 out of a \$5,100,000 budget is going to break that budget, I just don't believe it is that tight. I am sure many of you in this hall work on budgets, and if you put a \$5,100,000 budget together, you've got plenty of room because you anticipate things are going to get cut. Here things don't get cut. It doesn't happen.

We are informed that if this passes at this meeting, if you people vote to reduce this \$5,100,000 by \$69,000, we will be sued. That was a statement made. We believe that if we are sued, we will win. We are asking your support in doing

April 5, 1977

this. It is the only way, we believe, that anyone will every be able to touch this Regional budget. We would like you to do it. We would like the Region to stop using the contingency fund which they have been cautioned that they have no authority to use.

The Moderator then asked the Town Counsel to advise the hall of his opinion as to the legality of the motion to amend.

Town Counsel Opinion: (Mr. Kenny)

The Regional School District is subject to the same law that the Town school budgets are, the so-called "fiscal autonomy law". If the Town fails to appropriate funds that are necessary, the Attorney General or ten taxpayers, or, in this case, the Regional District School Committee can petition the Superior Court. If the Court finds that it is necessary for the support of the schools, they will assess the deficiency against the Town, and we would be subject to the 25% penalty as it stands.

I was requested by the Selectmen for an opinion about a month and a half ago, to determine whether or not the contingency funds was a legal fund. I viewed it as a reserve fund, or something similar to a reserve fund, that is not authorized under the statutes that authorize the regional school districts. Therefore, it was my opinion that the fund was not a legal fund that a school district could establish.

If that is correct, since the regional school is a creature of statute and has only those powers and authorities delegated to it by the statute, then the deficiency will not be awarded since it is an illegal fund. If, in fact, the Superior Court determines that it is necessary for the support of the schools, then the deficiency will be awarded and a penalty may or may not be imposed.

Finance Committee Report on the Amendment: (Mr. Grathwohl)

The Finance Committee is always responsive to responsible budge reductions. Collectively and individually, members have strong opinions on many aspects of this amendment. We shall confine our discussion to the fiscal question. We believe the taxpayers should know the financial impact.

What will the proposed amendment cost? The reduction in the Lincoln-Sudbury Regional assessment has a unique financial cause and effect relationship. The cause, assessment reduction, has an effect, legal action. This is not a supposition on which the proponents and opponents can score debating points. The General Laws of the Commonwealth are specific. The Regional School Committee shall sue. It is mandated by law.

CHART G

WHAT WILL IT COST?

<u>Assessment Reduction</u>		<u>Sudbury Loses</u>	<u>Sudbury Wins</u>
\$-69,870	Legal Fees - Town	\$ 5,000	\$ 5,000
	Legal Fees - Regional	8,000	6,576
	Interest - Regional	2,400	1,972
	Expended Contingency	32,000	26,304
	Assessment Differential	31,120	0
	Penalty - Town	17,467	0
	Interest - Town	5,100	0
		<u>\$101,096</u>	<u>\$39,852</u>
	Net Gain/Loss to Taxpayers	-31,226	+30,018

Assumptions:

- Case continues for one year
- School Committee will borrow \$40,000 to replace contingency
- Interest at 6%
- Sudbury pays 100% of Regional legal fees and interest if Town loses suit. 82.2%, if Town wins.

April 5, 1977

This chart shows the Finance Committee's estimates of the costs incurred relative to the assessment reduction of \$69,870. The first column shows the costs if the Town lost the court case. The second column shows them if the Town won. Legal fees are included for both the Town and the Regional. We pay both sides of the argument, or a portion of them, win or lose. The Regional has the right to borrow, and we will pay interest to borrow that money.

If the Town does not win in the courts, we have to pay interest and penalty plus the net difference in the assessment reduction and our share of the borrowed contingency. We question the financial wisdom of this amendment in the emotional atmosphere of Sudbury's fiscal plight.

The assessment reduction is, at best, a gamble, and, at worst, we are shooting legal craps with loaded dice. If you are willing to gamble \$30,000 on a single throw of the dice, vote for the amendment. If you are not, vote "No". Your Finance Committee does not like the odds. We will unanimously recommend a vote of "No".

Lincoln-Sudbury Regional School District School Committee Report on the Amendment:
(Mr. Richard Davison)

We urge your defeat of this amendment. The Selectmen, represented by Mr. Potell, claim that the Regional contingency is illegal. They base this on an audit report by the Bureau of Accounts, a fairly regular procedure every so many years. With this assumption of illegality, they conclude that the Town can and should strike the Sudbury portion of this item from the Lincoln-Sudbury budget.

Just what is this contingency? Why does it exist? How is it used and controlled? Is it an accepted practice? Is the practice illegal? Let me try to answer some of these questions for you.

The contingency is like, in many respects, the Town's reserve fund, in that it is a fund to draw on for emergency or unforeseen needs. By law, regional districts cannot come to the towns' reserve funds for transfers as can all other town boards and committees, including the elementary schools. We get funds once a year from the town meetings of Lincoln and Sudbury.

By separating out "contingency" as a separate line item when budgeting, this amount is highly visible. Historically it has been done this way because the finance committees of Sudbury and Lincoln, over the years, have felt this was the best way to handle this. No money is spent from "contingency" without a vote of the School Committee, and notification of the Sudbury and Lincoln finance committees is made each time this is done.

In this regional district and in many others, this is seen as the most visible and most preferred way to operate. You may ask if we traditionally spend all of this. In most cases, over the years, the contingency is pretty much returned to the Town.

The contingency fund is budgeted as a separate line item, but it can and is only spent for legitimate, legal purposes. Let me give you some examples: emergency building repairs, extraordinary snow removal costs, unanticipated increases in Blue Cross/Blue Shield hospitalization rates, or unanticipated special needs students, Chapter 766.

While I don't believe in the argument that if the other guy does it, it's OK, I do believe that you should know that the contingency funds are a common practice in many regions throughout the state of Massachusetts. Several do it exactly as we do - a single line item "contingency" within the operating budget. Several have contingencies, but they break it up into smaller items, so you have several smaller contingency items.

Several, and they asked not to be named, bury the contingency in a line item. In other words, they pad their accounts to the tune of two or three or five or eight per cent. This is the practice, and it is exactly the reason the Finance Committee consistently over the years has recommended that we don't do it in this fashion.

Finally, some hold over moneys from the prior end of the year cash balance as a kind of slush fund. This is a practice that is provided in state statute, but our Regional Agreement specifically precludes us from being able to do that because it is very hard to know what it is and what you are doing with it.

Well, what about this illegal charge? The Bureau of Accounts has said that there is no provision for contingency in statute. They have not said, by the

April 5, 1977

way, that it is illegal. In fact, until tonight, no one, except Mr. Potell and the Selectmen, have used the term "illegal". In fact, according to the memo which Mr. Wilson, the Town Accountant, sent to the Selectmen, he quotes the Bureau of Accounts as suggesting that this would not be a wise legal issue. Opinions which we have received indicate that this is an accounting problem.

The money is not spent on something called "contingency", because there is no such thing. It is spent on legitimate line items, and for that reason, our opinions have said that this is kind of a ridiculous legal matter.

If I were sitting where you are, I would be asking why we are discussing this. Why take town meeting time on an obvious technical issue? We might say that we elect you people to take care of items such as this and to solve them and not bring them to town meeting and waste time.

Mr. Wilson brought this subject of our contingency to the Selectmen on the twelfth of October, 1976. For whatever reason I don't know, the Selectmen never thought it important enough to have the courtesy of sending us a copy of that. In fact, we didn't know anything about their concern on the contingency until they brought it up a week ago. Our new Town Counsel, not one and a half months ago, but three months ago, on the sixth of January, was asked and gave an opinion on this subject. This communication was never made to the Regional Committee.

You may ask the Selectmen why they deliberately chose not to raise this issue over these many months. I suggest if they had, it could easily have been resolved last year before the budget was settled, and we wouldn't be wasting town meeting time tonight.

In our opinion, this issue would be a waste of your money and ours, as taxpayers, to fight this issue in the courts. By law, the Regional Committee must institute a suit to reclaim funds not voted. We have no choice. I don't think that Town Counsel stated it quite that way, but we have no choice in the matter. We represent students from more than one town. So, it is really up to the Selectmen to choose whether to waste our tax money on what may be a questionable suit and spend money to some lawyers. Or, I guess, up to you, if you vote down this amendment.

After this subject was sprung by the Selectmen last Tuesday, I talked to two of the three Selectmen. Frankly, I couldn't understand why the Selectmen, who apparently hadn't done their homework and obviously without all of the facts, have never raised the issue with the Regional School Committee, were so committed to this course of action. As a result of this meeting, the Regional School Committee met with the Selectmen early last evening before the beginning of town meeting to explain to them why we felt their amendment was ill advised. At that time, Mr. Potell said, "All you have to do is vote a \$69,000 reduction and we would be happy to drop the amendment." I find this sad behavior on the part of the Selectmen.

Where have they been in October, November and December when we have been dealing with budgets on a regular basis? How come they never asked to meet with us or asked us to come meet with them? To suppress material by two public officials, the Town Accountant and the Town Counsel, which is pertinent to the Regional High School for months and then to spring it just before town meeting - I can't understand what kind of responsible behavior that is.

The crime in all this behavior is that we have a serious financial problem in the Town, a significant part of which is due to the state legislature. I feel we should be working together as Town boards to set the tone and to suggest ways to help the situation. There are many people in serious financial trouble due to our problems the the State's problems. We do not, however, or should not have a Board of Selectmen going off on their own, never talking to anyone else and using a technical question to raise what is really a money issue.

When I met with the Selectmen at the Finance Committee meeting last week, Mr. Hotch, Chairman of the Finance Committee, asked then the question, and I asked it later, which is, "If you believe the Town cannot afford to absorb the reduction in state reimbursements, why don't you, as a Board of Selectmen, pick a dollar amount, 200, 250, 300,000 dollars, and propose to reduce all Town budgets on a proportional basis to accomplish this end result?" That would mean, by the way, that the schools would absorb about two-thirds of that reduction because we are two-thirds of the budget. The Selectmen refused. I guess I question whether their motivation is to save you money, or whether it is just because they feel they would like to attack the schools.

April 5, 1977

The Regional High School, as has been pointed out by Mr. Blecher, has already reduced its assessment to the towns by \$150,000. That was a result of the cherry sheet reimbursement.

I am willing, personally, to support an across-the-board cut, cuts to all departments, schools, police, fire and highway, to achieve an overall budget reduction for the Town. Let us not waste our time and money tonight on another court case to help solve our tax problem by taking those reductions totally out of the two school budgets. To me, it seems very irresponsible, and I urge you to vote "No" on Mr. Potell's amendment.

After further discussion, it was

VOTED: TO AMEND THE MOTION TO APPROPRIATE \$3,207,986.28 FOR THE SUDBURY PORTION OF THE LINCOLN-SUDBURY REGIONAL SCHOOL DISTRICT ASSESSMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 1977, REDUCING THAT AMOUNT BY THE ELIMINATION OF SUDBURY'S SHARE OF THE CONTINGENCY SO THAT THE APPROPRIATION IS REDUCED TO \$3,138,116.28.

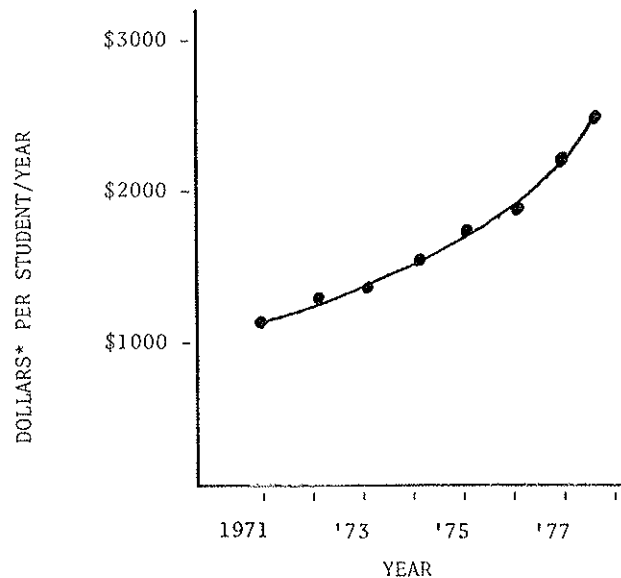
In favor - 374; Opposed - 348. (Total - 722)

Mr. Allan C. Morgan then *moved* to amend by changing the Lincoln-Sudbury Regional School District assessment from \$3,138,116.28 to \$3,000,000 even.

In support of his amendment, Mr. Morgan stated as follows:

CHART II

COST VERSUS TIME



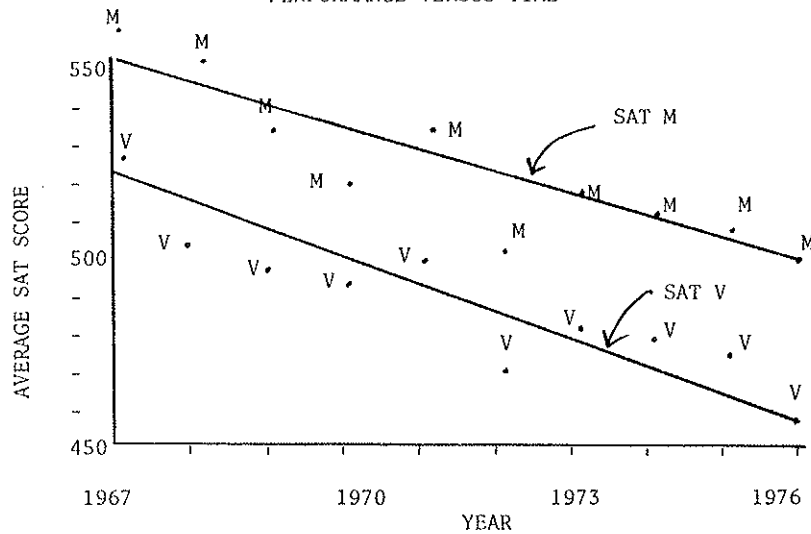
*OPERATING BUDGET/NUMBER OF STUDENTS

This chart shows the cost per student versus time. Starting in 1971, the cost per student was \$1,338. There were 1,722 students. Now, on the budget to be presented for next year, there will be 1,730 students, essentially the same number. The budget is approximately \$2,655 per student. That is the operating budget. If you take the entire figure cited in the warrant, you will find that the total budget is about \$2,982 per student, or nearly \$3,000. This gives you an idea of the cost versus time that we have in the high school.

April 5, 1977

CHART I

PERFORMANCE VERSUS TIME

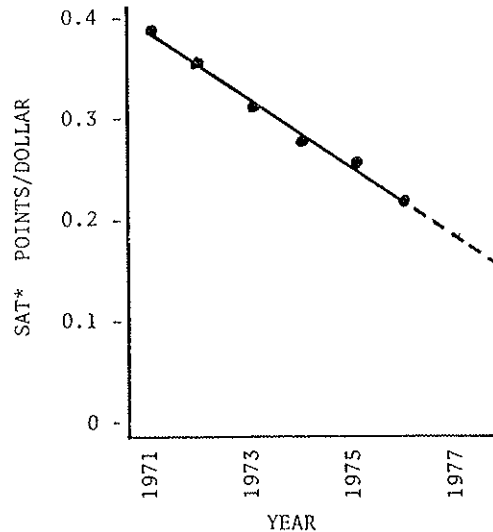


"THE SCHOOL COMMITTEE STATES THAT THE VOTERS OF LINCOLN AND SUBBURY MUST WANT THIS EDUCATIONAL PROGRAM...."

This chart shows that I measure performance at the high school versus time. What you have here are the average SAT scores on the verbal and math tests. We see that over a nine year period, the test scores on the average have declined approximately 10% each.

CHART J

PERFORMANCE/COST VERSUS TIME



*AVERAGE OF SAT V AND SAT M SCORES DIVIDED BY \$/STUDENT YEAR OPERATING BUDGET

If you take the average SAT scores and divide them by the number of dollars per student, you have a crude measure of how much the students learn, which is the value the community receives, versus how much it costs us, which is the value the community gives.

April 5, 1977

You will notice it is a perfect straight line. Those of you who are entranced with figures may justify this to yourselves if you will simply look up the numbers. I am reluctant to extrapolate this trend for another five years when it would intercept the axis.

I am very much in sympathy with the Finance Committee's concern about the interrelationship between the education and the salaries and benefits. I hope that the education and the salaries and benefits stop being interrelated in the way which is shown in this chart.

CHART K

LSRHS COST RATIO
1977-78 VERSUS 1975-76

PUPIL RATIO (1,730 versus 1,919)		0.902
*CONSUMER PRICE INDEX RATIO (1.091 X 1.048)	X	1.143
*MERIT RAISES OF 3.5% ABOVE CPI *(12.9 and 8.5% for a total of 22.5%)	X	1.071
<hr/>		
GENEROUS COST RATIO	=	1.104
ACTUAL COST RATIO		1.213

This chart shows that in two years, the number of pupils will have declined by this fall to 90% of what it was a year ago. If we assume a fee forward system where we take the preceding twelve month index and then project our next year's budget, the consumer price index for 1975 rose 9.1%, for 1976 it was 4.8%, and the total was a 14.3% rise. If we assume a 3.5% merit raise for two years, this would be two raises, one of 12.9% and one of 8.5% for a total raise in two years of 22.5%, generous by anybody's standards.

We get 7.1% for a total cost ratio which we should expect for the 77/78 budget of 1.1 compared with the 75/76 budget. In fact, the cost ratio is 1.2.

CHART L

LSRHS BUDGET

1975-76	\$3.8 MILLION	
	X	1.104
1977-78	\$4.2 MILLION	(REASONABLE)
	+	\$0.1 MILLION STATE MANDATED???
1977-78	\$4.3 MILLION	(POSSIBLY REASONABLE)
1977-78	\$4.6 MILLION	(ACTUAL)

WHERE IS THE \$0.3 MILLION DIFFERENCE BETWEEN THE ACTUAL AND THE POSSIBLY REASONABLE?

Putting this in terms of numbers, we started with \$3,800,000 a year ago. Next year's budget is going to be around \$4,600,000. It looks to me like that budget ought to be around \$4,300,000. Why do we have a \$300,000 discrepancy?

April 5, 1977

CHART M

LSRHS PAY

YEARS OF SERVICE IN 1976-77	PAY IN 1976-77	PAY IN 1977-78	% INCREASE ONE YEAR
<u>BACHELOR'S DEGREE</u>			
1	\$10,136	\$11,255	11.0
5	\$11,967	\$13,359	11.6
10	\$14,902	\$16,710	12.1
<u>MASTER'S DEGREE</u>			
1	\$10,934	\$12,168	11.3
5	\$12,942	\$14,502	12.1
10	\$16,344	\$18,263	11.7
CONSUMER PRICE INDEX			4.8

As you heard mentioned earlier by Mr. Grathwohl, the salary increases are impressive. At the high school this chart shows the type of arrangement that has been concluded between the teachers' union and the Committee. The average increase, as long as they are on the step increase portion, is right around 12%. Very impressive.

CHART N

WHERE TO CUT

1. "PRINCIPALS"	FROM \$228K TO \$178K	SAVE \$ 50,000
2. LEAVES OF ABSENCE	FROM \$84K TO \$30K	SAVE \$ 54,000
3. CURRICULUM DEV. AND EVAL.	FROM \$47K TO \$23K	SAVE \$ 24,000
4. PROFESSIONAL DEVELOPMENT	FROM \$12K TO \$6K	SAVE \$ 6,000
5. SUBSTITUTES	FROM \$30K TO \$20K	SAVE \$ 10,000
6. LIBRARY	FROM \$66.7 TO \$59.7K	SAVE \$ 7,000
7. AUDIO-VISUAL	FROM \$24K TO \$19K	SAVE \$ 5,000
8. PUPIL SERVICES	FROM \$147K TO \$138K	SAVE \$ 9,000
9. INSURANCE	FROM \$154K TO \$117K	SAVE \$ 37,000
10. CONTINGENCY	FROM \$85K TO \$0K	SAVE \$ 85,000
TOTAL		<u>\$287,000</u>

Where might we go about cutting this budget? If you look at your warrant, you will see that the children have better principals these days. They have 57% better principals next year than they had a year ago. Now, if we apply the 1.1, which is a reasonable cost ratio, including 22.5% raises assuming they had laid off people in proportion to the number of students, the principal's budget should have increased from \$161,000 to \$178,000. Instead, it came to \$228,000, even a stronger increase than Parkinson would predict. So we should be able to reduce this probably by removing three people by about \$50,000.

April 5, 1977

Similarly, by having fewer absent teachers, less research on curriculum and professional development and by having them teaching, we should be able to lower the needs of the substitute teachers, and we should be able to save about \$90,000 on items 2, 3, 4, and 5.

If you carefully read the budget, it will reveal that there are part-time or lower paying full-time job equivalents salted away in the library, audio-visual and pupil service items. These total \$21,000.

Finally, the insurance has jumped from \$106,000 to \$154,000 in the last year, and it would appear that there was no need for that generosity in addition to the 11 or 12% raises. I suggest, we could possibly reduce this to around \$117,000 and thereby save \$37,000.

I concur with the Selectmen in regard to removing the contingency fund to save another \$85,000. The total estimate is about \$287,000. Sudbury's 82% share is \$236,000, and I have submitted an amendment which asked for a reduction of about \$207,000. That, at least, perhaps will give the Committee some ideas about how they can do this in the future.

Finance Committee Report on the Amendment: (Mr. Grathwohl)

Mr. Morgan counted in the \$85,000 for contingency which we just removed \$69,000 of. He has taken out items that are part of a negotiated contract. He may not like that contract, I may not like that contract. You may not like it, but it was negotiated, fair and square, and I tend to honor my obligations. I think that to lower the assessment to \$3,000,000 is ludicrous and does a disservice to our Town. It is not thought out. Where were you in December, January and February, when we needed you very very badly.

The Moderator then asked the Town Counsel for his opinion on this amendment.

Town Counsel Opinion: (Mr. Kenny)

Fiscal autonomy law has once again come up tonight. The answer in this particular instance is that the Regional School District School Committee or ten taxpayers or the Attorney General can file suit in the Superior Court to restore the deficiency in the appropriation, and the Superior Court may impose a 25% penalty on top of the deficiency. I feel certain that such would be the case in this particular circumstance.

Mr. Morgan's amendment was defeated.

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$3,138,116.28 FOR THE SUPPORT OF THE LINCOLN-SUDBURY REGIONAL HIGH SCHOOL, TO BE EXPENDED UNDER THE DIRECTION AND CONTROL OF THE LINCOLN-SUDBURY REGIONAL SCHOOL DISTRICT SCHOOL COMMITTEE, SAID SUM TO BE RAISED BY TAXATION.

VOTED: TO ADJOURN THIS MEETING UNTIL WEDNESDAY, APRIL 6, 1977, AT 8:00 P.M. IN THIS HALL.

The meeting adjourned at 11:09 P.M.

[Number of names marked on the voting list as having attended the meeting: 1050]

PROCEEDINGS

ADJOURNED ANNUAL TOWN MEETING

April 6, 1977

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

He announced that a notice of intention to move to reconsider Article 5, 110: Sudbury Public Schools, had been filed with the Town Clerk before noon today. He stated that reconsideration would be the first order of business to be considered on Monday, April 11th.

He then stated that Mr. Allan C. Morgan has asked to be recognized for the purpose of offering to the meeting a resolution with respect to the Lincoln-Sudbury Regional High School budget.

He then recognized Mr. Morgan who presented the following resolution:

RESOLUTION

Let it be resolved that it is the express wish of the people of Sudbury that the LRSHS Operating Budget for 1978-79 not exceed the number given by the following formula.

$$\text{LRSHS Operating Budget for 1978-79} = \left[\text{LRSHS Operating Budget for 1977-78} \right] \times \text{Factor}$$

where

$$\text{Factor} = \left[\frac{\text{Number of Students from Lincoln and Sudbury in 1978-79}}{\text{Number of Students from Lincoln and Sudbury in 1977-78}} \right] \times \left[\frac{\text{CPI Dec. 1977}}{\text{CPI Dec. 1976}} \right] \times 1.02$$

CPI = Consumer Price Index

In support of his resolution, Mr. Morgan stated that last night we heard how there is not enough input from the townspeople during high school budgeting time. A number of times various people, myself included, were asked, "Where were you last October?" It is noted that everyone asked that question politely declined to ask the same question of the questioners. It was also pointed out that going to the October meetings might be a waste of time. So that the townspeople will not have to waste their time and so that the High School Committee and the Finance Committee will not have to suffer from lack of input from the townspeople, I propose that the resolution be adopted.

After asking for a show of hands indicating first approval and then disapproval of the resolution, the Moderator stated, "Since it is not binding, we will just have to declare that there is a very, very mixed opinion with respect to the resolution, and, for whatever guidance that is to the Lincoln-Sudbury Regional High School Committee, it is offered to them."

April 6, 1977

ARTICLE 5: 100 EDUCATION: 140 MINUTEMAN REGIONAL VOCATIONAL TECHNICAL HIGH SCHOOL

A. BUDGET	1975-76 Budget	1976-77 Budget	1977-78 Request
1100 School Committee	\$ 13,220	\$ 19,883	\$ 35,449
1200 Superintendent's Office	135,596	102,810	114,427
<u>1000 TOTAL</u>	<u>148,816</u>	<u>122,693</u>	<u>149,876</u>
2100 Supervision	59,175	55,672	62,602
2200 Principal's Office	40,877	112,331	195,210
2300 Teaching	985,888	1,359,081	2,030,877
Teaching, special needs	125,850	201,765	232,877
2400 Textbooks	25,000	22,025	39,550
2500 Library	74,470	75,513	86,803
2600 Audio Visual	39,450	15,225	37,850
2700 Guidance (SPC)	143,083	136,785	194,267
2800 Psychological	61,300	31,500	37,152
2900 Educational TV	9,000	875	2,500
<u>2000 TOTAL</u>	<u>1,564,093</u>	<u>2,010,772</u>	<u>2,919,688</u>
3100 Attendance	1,500	0	0
3200 Health	16,200	21,400	38,615
3300 Transportation	263,215	306,695	503,321
3400 Food Service	10,000	3,750	3,480
3500 Student Activities	12,000	36,460	69,545
<u>3000 TOTAL</u>	<u>302,915</u>	<u>368,305</u>	<u>614,961</u>
4100 Operation	318,051	406,821	514,411
4200 Maintenance	66,125	111,016	122,057
<u>4000 TOTAL</u>	<u>384,176</u>	<u>517,837</u>	<u>636,468</u>
5100 Retirement	-----	25,000	40,000
5200 Insurance	63,000	100,276	159,177
5300 Rental	-----	22,173	18,467
5400 Temporary Borrowing	25,000	0	25,000
<u>5000 TOTAL</u>	<u>88,000</u>	<u>147,449</u>	<u>242,644</u>
<u>6000 COMMUNITY SERVICE</u>	<u>10,000</u>	<u>2,000</u>	<u>0</u>
<u>7000 ACQUISITION/IMPROVEMENT</u>	<u>-----</u>	<u>17,013</u>	<u>60,350</u>
<u>OPERATING TOTAL</u>	<u>2,498,000</u>	<u>3,186,069</u>	<u>4,623,987</u>
8000 Capital Budget			
Principal	1,300,000	1,300,000	1,300,000
Interest	501,600	417,900	358,200
<u>CAPITAL TOTAL</u>	<u>1,801,600</u>	<u>1,717,900</u>	<u>1,658,200</u>
<u>TOTAL</u>	<u>4,299,600</u>	<u>4,903,969</u>	<u>6,282,187</u>
B. DISTRICT ASSESSMENT			
1. OPERATING BUDGET		1976-77	1977-78
Total Operating Budget		\$3,186,069	\$4,623,987
Reimbursement/Revenue		-658,227	-2,000,000
Surplus		-200,000	
Net Operating Budget		\$2,327,842	\$2,623,987
11. CAPITAL BUDGET			
Principal Payment		\$1,300,000	\$1,300,000
Interest		417,900	358,200
Total Capital Budget		1,717,900	1,658,200
Reimbursement		-1,103,135	-1,103,135
Net Capital Budget		614,765	555,065
<u>TOTAL ASSESSEMENT</u>		<u>\$2,942,607</u>	<u>\$3,179,052</u>
C. <u>SUDBURY ASSESSMENT</u>		<u>\$ 271,191</u>	<u>\$ 311,702</u>

Finance Committee Report: The Finance Committee is concerned that this year's budget approved by the Regional School Committee approaches the limits of our willingness to financially support the Minuteman Regional Vocational Technical program. This 46% increase in the operation and maintenance budget exceeds the projected 32% increase in total student enrollment.

April 6, 1977

However, Sudbury's assessment will represent a 15% increase, while our enrollment is projected to increase by some 35% to 132 students.

However, the Regional School Committee has taken steps for school year 1977/78's program to reduce spending if the enrollment does not meet their projections. This resulting surplus could be applied to the next year's budget to offset assessments to the twelve member towns. Recommend Approval.

Mr. Lawrence Bussey further reported to the meeting for the Finance Committee as follows:

The Minuteman Regional Vocational Technical High School budget is an assessment against the Town. The Minuteman School Committee has voted the budget which is a bottom line. Unlike both the Sudbury Elementary Schools and the Lincoln-Sudbury Regional, the Minuteman is experiencing growth in terms of student enrollment.

The projection for next year is that the total student enrollment will be up some 39%. The estimate is that the school will have a senior class and will have enrollment of 1,330 students. Right now, it has an enrollment of approximately 980 students. The school is growing, and it is adding a senior class.

The Minuteman School Committee presented a budget to us earlier this year. This budget, one might add, was some \$50,000 more than the assessment you see in the warrant. With the prodding of the Sudbury Finance Committee by sending that budget back to the Minuteman as did many other finance committees in the other participating towns, the Minuteman School Committee reconsidered their budget. They took another look at it, and we came up with another assessment.

This is a good example where the Finance Committee, not only of Sudbury but the other towns, are working for the benefit of stabilizing the tax rate.

The school is growing. The population is getting larger. They are adding a senior class. The number of students from Sudbury will increase by some 32%. Our assessment has only increased by 15% from last year. By any formula, I think that certainly is an advantage to the town.

Minuteman Vocational Technical High School Committee Report: (Dr. Lawrence Ovia)

Last July, I was asked to serve the unexpired term of Alfred Cron on the Minuteman Committee. What I did not realize was that the budget process at the Minuteman started about a month later. We have been working at the budget from about the early part of September until the final vote was taken in the latter part of January.

There are a couple of interesting features involved in the development of this budget. As Mr. Bussey has indicated, there is a Regional Advisory Committee, consisting of representatives from each of the twelve member towns and the finance committees in each of these twelve towns. These twelve finance committee representatives attended a majority, if not all, of our meetings and gave input into the budget formation. In addition to the role of the Regional Finance Committee, we had a Parent Advisory Committee which consisted of representative parents from the twelve member communities, and these people, likewise, shared in the deliberation of the budget.

Unlike my previous six years on the Sudbury Elementary Committee, all of our meetings were well attended, and we generally had a full house in all of the meetings we had. The budget itself was finally drafted in the early part of January.

Much to the shock of myself and other members of the Committee, what we thought was an accurate figure of the Sudbury assessment was revised about five minutes before our meeting with the Selectmen. I, the Selectmen and a few others had apoplexy. The following night, we had a meeting with the Finance Committee, and at that time, I indicated that the Minuteman Committee had not taken its final vote.

There were several unfortunate things that had taken place. The actual meeting with the Finance Committee here in Sudbury was much too late. Now, in an effort to take some corrective action as your representative to the Minuteman Committee, I made several motions to be in effect so that it will be binding upon the Minuteman Committee for future action. One was that all deliberations from the outset concerning the budget formation process be forwarded to the chairman of the Finance Committee as well as to the representative of the Sudbury Finance

April 6, 1977

Committee so that they would be fully apprised of what was happening. Secondly, that we propose that the meetings with the Finance Committee be held early rather than late in the stages of budget formation.

Last year, the Minuteman Committee came into this town meeting and asked for a reduction of their assessment by \$5,000. This was largely because the enrollments were not in a manner that they had planned. The motion that was put in was that if that trend continued and the enrollment figures that were being projected were not upheld, any money which had been budgeted should be set aside to reduce the following year's budget. That is a formal action that has been taken.

In addition, we did get the cherry sheet, and there were some mistakes on that. Several items we frankly never did receive, and we don't even anticipate ever getting them. There is a consensus of the committee that, if there is a surplus, this too will be used to reduce the assessment to the communities involved, the twelve member towns.

When we look at Sudbury's population growth at the Minuteman Regional, we find that the present ninth grade has thirty-three youngsters, the present tenth grade has twenty-nine youngsters, and the present eleventh grade has thirty-nine youngsters, a total of one hundred and one students currently attending the Minuteman Regional Vocational School. To date, we have thirty-one students that have already indicated they are going to be attending. Right now, one hundred and thirty-two students will be at Minuteman next September. If the figure goes as expected, it will be a little higher than that.

In the last two years, we have had a 50% increase of Sudbury students going to the Minuteman Regional Vocational School. On the other hand, we have a net increase in assessment of \$34,000. The increased assessment this year is about \$40,000. Hopefully, these figures will remain and will hold up.

One additional item that I think is going to have an impact, and I want to alert the town meeting to this effect, is that all of the State aid and estimates on the cherry sheet we have received to date were based upon a three year student population. Therefore, the aid coming to the Minuteman Regional Vocational School will be for three classes rather than four, even when the school has its fourth class. I would predict a stabilization and possibly even better than that in the years ahead. The State aid is always a year behind in regard to vocational schools.

I would hope that each and every one of you would continue to support the Minuteman budget as you have in the past.

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$311,702 FOR THE SUPPORT OF THE MINUTEMAN REGIONAL VOCATIONAL TECHNICAL HIGH SCHOOL DISTRICT, TO BE EXPENDED UNDER THE DIRECTION AND CONTROL OF THE MINUTEMAN REGIONAL VOCATIONAL TECHNICAL SCHOOL DISTRICT COMMITTEE, SAID SUM TO BE RAISED BY TAXATION.

ARTICLE 5: 200 DEBT SERVICE

	EXPENDITURES APPROPRIATED			EXPENDITURES		FISCAL YEAR 1978	
	7/1/75-	7/1/76-	7/1/76-	7/1/76-	7/1/77-6/30/78		
	6/30/76	6/30/77	12/31/76	REQUESTED	RECOMMENDED		
201 Loan Interest, Temp.	11,718	25,000	16,087	20,000	20,000		
202 School Bond Interest	86,183	66,955	38,833	53,102.50	53,102.50		
203 Other Bond Interest	12,647	2,688	0	0	0		
204 Principal, Schools	430,000	415,000	335,000	410,000	410,000		
205 Principal, Others	51,400	164,510	149,510	50,000	50,000		
TOTAL	591,948	674,153	539,430	533,102.50	533,102.50		

Finance Committee Report: (Mr. Felleman)

The Debt Service budget is to pay off the bonds that the Town has floated over the years for the various buildings and other things we bought by bonding. This is one item in our budget which we can say has gone down since last year. It has gone down 21%. We can all be grateful for that, and if we do not bond any more, it is going to continue to go down.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$533,102.50 AS SET FORTH IN THE RECOMMENDED COLUMN FOR ALL ITEMS IN ACCOUNT 200, DEBT SERVICE, AND THAT SAID SUM BE RAISED BY TAXATION.

April 6, 1977

The Moderator then announced that the remainder of the accounts in the budget are not bottom line accounts but are line item accounts. Each line item must be approved and not just the total that appears. He stated that he would go through each account by sections, and anyone who wished to discuss a particular item in the section should so indicate. Those sections in which nobody wants to hold a line item will be passed by consent under a motion that will be made at the end of the reading. Then, each held item will be discussed and voted separately.

ARTICLE 5: 300 PROTECTION OF PERSONS AND PROPERTY

	EXPENDITURES APPROPRIATED		EXPENDITURES 7/1/76- 12/31/76	FISCAL YEAR 1978	
	7/1/75- 6/30/76	7/1/76- 6/30/77		7/1/77-6/30/78 REQUESTED	RECOMMENDED
	<u>310 FIRE DEPARTMENT</u>				
310-10 Fire Chief's Salary	21,000	21,000	10,500	21,000	23,596
310-11 Salaries	343,288	343,727	184,489	347,446	347,446
310-12 Overtime	90,865	81,720	54,862	100,558	100,558
310-13 Clerical	0	7,617	2,895	7,617	8,558
310-21 General Expense	4,170	4,000	1,639	5,755	6,355
310-31 Maintenance Expense	24,717	26,874*	21,461	15,500	15,500
310-51 Equipment Purchase	6,460	18,000	12,735	15,500	13,000
310-61 Fire Alarm Exten.	0	500	25	0	0
310-62 Fire Alarm Maint.	9,923	6,500	4,845	7,000	7,000
310-71 Uniforms	3,888	4,000	1,943	4,360	4,360
310-81 Tuition Reimburse'm't	0	672	300	800	800
<u>310 TOTAL</u>	<u>504,311</u>	<u>514,610</u>	<u>295,694</u>	<u>525,536</u>	<u>527,173</u>
Federal Revenue					
Sharing	90,000	110,000		115,000	115,000
NET BUDGET	414,311	404,610	295,694	410,536	412,173
<u>320 POLICE DEPARTMENT</u>					
320-10 Police Chief's Salary	21,750	21,750	10,875	21,750	24,395
320-11 Salaries	306,689	332,428	172,277	338,967	380,864
320-12 Overtime & Ext. Hire	50,779	47,000	31,411	62,051	69,721
320-13 Clerical	8,485	8,580	4,620	8,580	9,641
320-16 Crossing Guards	4,424	4,599	1,896	4,599	5,168
320-21 General Expense	13,098	14,000	3,648	14,730	14,030
320-31 Maintenance	18,659	20,700	9,276	20,700	20,700
320-41 Travel Expense	824	1,000	180	1,000	650
320-51 Equipment Purchase	13,675	17,457*	1,158	19,100	19,000
320-61 Auxiliary Police	1,494	500	18	1,500	500
320-71 Uniforms	5,251	5,925	4,232	5,700	5,700
320-81 Tuition Reimburse'm't	4,783	3,000	0	6,000	6,000
<u>320 TOTAL</u>	<u>449,911</u>	<u>476,939</u>	<u>239,591</u>	<u>504,677</u>	<u>556,369</u>
Federal Revenue					
Sharing	90,000	110,000	0	115,000	115,000
NET BUDGET	359,911	366,939	239,591	389,677	441,369
<u>340 BUILDING INSPECTOR</u>					
340-11 Salaries	16,800	16,800	9,046	16,800	18,876
340-12 Overtime	722	500	309	500	562
340-13 Clerical	11,703	12,292	6,631	12,605	14,164
340-14 Deputy Inspector	410	1,000	350	1,000	1,000
340-15 Custodial	18,456	18,850	9,849	19,247	21,626
340-16 Plumbing	1,574	2,500	816	2,500	2,500
340-17 Retainer	0	1,000	500	1,000	1,000
340-21 General Expense	679	750	270	750	750
340-31 Vehicle Maint.	713	800	531	1,000	1,000
340-32 Town Hall Maint.	20,027	22,490	6,755	20,315	20,315
340-33 Centre School Maint.	11,200	10,500	4,768	12,750	12,000
340-34 Loring Parsonage					
Maintenance	2,421	2,620	1,221	5,636	5,636
340-35 Police Bldg. Maint.	6,420	5,250	2,266	6,225	6,580
340-36 Hosmer House Maint.	2,438	2,480	663	3,065	2,390
340-51 Equipment				0	0
<u>340 TOTAL</u>	<u>93,563</u>	<u>97,832</u>	<u>43,975</u>	<u>103,393</u>	<u>108,399</u>

April 6, 1977

ARTICLE 5 (300) (continued)	EXPENDITURES APPROPRIATED			EXPENDITURES		FISCAL YEAR 1978	
	7/1/75-	7/1/76-	7/1/76-	7/1/77-	6/30/78	7/1/77-	6/30/78
	6/30/76	6/30/77	12/31/76	REQUESTED	RECOMMENDED		
<u>350 DOG OFFICER</u>							
350-11 Salary, Deputy	8,412	8,412	4,529	8,441	9,485		
350-12 Overtime & Ext. Hire	0	420	193	420	472		
350-21 General Expense	7,545	6,000	2,556	5,750	5,750		
350-31 Vehicle Maint.	0	750	403	750	750		
350-51 Equipment Purchase	0	4,024*	4,204	0	0		
<u>350 TOTAL</u>	<u>15,957</u>	<u>19,606</u>	<u>11,705</u>	<u>15,361</u>	<u>16,457</u>		
<u>360 CONSERVATION COMMISSION</u>							
360-13 Clerical	1,175	1,661	504	1,724	1,937		
360-21 General Expense	376	3,350	117	5,350	5,350		
360-31 Maintenance	1,494	1,500	45	2,000	2,000		
360-41 Travel	33	100	3	150	150		
360-51 Conservation Fund	500	31,000	0	47,359	47,359		
<u>360 TOTAL</u>	<u>3,578</u>	<u>37,611</u>	<u>669</u>	<u>56,583</u>	<u>56,796</u>		
<u>370 BOARD OF APPEALS</u>							
370-13 Clerical	1,344	1,200	726	1,500	1,685		
370-21 General Expense	648	800	264	800	800		
<u>370 TOTAL</u>	<u>1,992</u>	<u>2,000</u>	<u>990</u>	<u>2,300</u>	<u>2,485</u>		
<u>380 INDUSTRIAL DEVELOPMENT COMMISSION</u>							
380-13 Clerical		100	0	100	0		
380-21 General Expense		1,000	0	100	0		
<u>380 TOTAL</u>		<u>1,100</u>	<u>0</u>	<u>200</u>	<u>0</u>		
<u>385 SIGN REVIEW BOARD</u>							
385-13 Clerical	521	500	142	500	562		
385-21 General Expense	34	200	0	200	100		
385-61 Professional Service	0	300	0	300	0		
<u>385 TOTAL</u>	<u>555</u>	<u>1,000</u>	<u>142</u>	<u>1,000</u>	<u>662</u>		
<u>390 CIVIL DEFENSE</u>							
390-21 General Expense	249	250	214	800	250		
390-31 Maintenance				200	0		
390-51 Equipment				1,300	0		
<u>390 TOTAL</u>	<u>249</u>	<u>250</u>	<u>214</u>	<u>2,300</u>	<u>250</u>		
<u>300 TOTAL</u>	<u>1,070,116</u>	<u>1,150,948</u>	<u>592,980</u>	<u>1,211,350</u>			

[NOTE: The figures appearing under the recommended column are those which appeared in the Finance Committee budget handout rather than those which appeared in the Warrant as distributed to the citizens.]

Finance Committee Report:

310 Fire Department: The Fire Department budget (excluding salaries) shows an overall increase of 1.9% over the current fiscal year and a 3.8% increase for the two year period commencing in fiscal 1975-76. The proposed budget provides for no increase in staff, but does include the additional accountability of providing the ambulance service approved at the 1976 Annual Town Meeting.

The \$18,838 (23.5%) increase in the Overtime Account reflects negotiated contractual items over which the Town can exercise no effective control.

Increase in General Expenses includes the Fire Chief's travel and disposable equipment items for fire trucks and the ambulance. The decrease in the Maintenance Account reflects the repowering of Engine #2 in fiscal 1976-77.

Major equipment purchases recommended in this budget include a departmental pickup truck (\$6,000), radios and receivers (\$2,200), new and replacement hose (\$2,400). Recommend Approval.

April 6, 1977

320 Police Department: The recommended budget reflects a 5.4% increase over the current appropriation. The staffing complement of 28 full-time and 11 part-time employees remains constant.

Police overtime has increased approximately \$15,000 or 32.2%. Like the Fire Department, the major portion of the line item is the result of contract negotiations.

The tuition account reflects a 100% increase from the current fiscal year. The police contract and Town Bylaws provide for tuition reimbursement. Revenue from the Federal Law Enforcement Assistance Program which partially funded tuition reimbursement has diminished.

Equipment Purchase (320-51) reflects three new police cruisers, one 4-door sedan, a photo enlarger and an electric calculator. Recommend Approval.

340 Building and Inspections: The budget reflects anticipated increases in the cost of utilities. Recommend Approval.

350 Dog Officer: There is a potential change for contract services. Recommend Approval.

360 Conservation Commission: By agreement with the Finance Committee in 1971, the Conservation Commission budgets .0275% of the Town's assessed value for the Conservation Fund. This accounts for the largest part of the increase in this budget. Small increases are provided for maintenance and use of expanded Conservation land. The increase in general expense covers specialized engineering services occasionally required for proper Wetland Protection Act administration. Recommend approval.

370 Board of Appeals: There is a small increase in the clerical account for additional applications. Recommend Approval.

380 Industrial Development Commission: Since no funds have been expended for two years by this Commission, none are needed. Recommend Approval.

385 Sign Review Board: Funds are still available in the current year for the catalogue of photography of signs proposed by the Sign Review Board and supported by the Finance Committee. Recommend Approval.

390 Civil Defense: The Finance Committee recommends \$250 to continue funding the program at its current level. Recommend Approval.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUMS OF MONEY SET FORTH IN THE RECOMMENDED COLUMN ON THE FINANCE COMMITTEE'S HANDOUT SHEET FOR ALL ITEMS IN ACCOUNT 300, PROTECTION OF PERSONS AND PROPERTY, EXCEPT 310-11, 310-12, 310-21, 310-51, 310-71, 320-10, 320-12, 320-21, 320-51, 320-61, 320-71, 320-81, 340-11, 340-17, 350-11, 350-12, 350-21, 350-31, 350-51, 360-51, AND THAT THE EXCEPTED ITEMS BE CONSIDERED INDIVIDUALLY; AND TO RAISE THIS APPROPRIATION THE SUM OF \$115,000 BE TRANSFERRED FROM PUBLIC LAW 92-512 TO ACCOUNT 320-11, AND THE BALANCE OF ACCOUNT 300 BE RAISED BY TAXATION.

Upon motions made by Mr. Grathwohl of the Finance Committee, it was

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$347,446 FOR ACCOUNT 310-11, SAID SUM TO BE RAISED BY TRANSFER OF \$115,000 FROM PUBLIC LAW 92-512, FEDERAL REVENUE SHARING ACCOUNT, AND THE BALANCE OF \$232,446 BE RAISED BY TAXATION.

VOTED: THAT THE TOWN RAISE AND APPROPRIATE THE SUM OF \$100,558 FOR LINE ITEM 310-12.

After several questions from voters on the following line items were answered by the Fire Chief, upon motions made by Mr. Grathwohl it was:

UNANIMOUSLY VOTED: THAT THE TOWN RAISE AND APPROPRIATE THE SUM OF \$6,355 FOR LINE ITEM 310-12, GENERAL EXPENSE.

VOTED: THAT THE TOWN RAISE AND APPROPRIATE THE SUM OF \$13,000 FOR LINE ITEM 310-51, EQUIPMENT PURCHASE.

VOTED: THAT THE TOWN RAISE AND APPROPRIATE THE SUM OF \$4,360 FOR LINE ITEM 310-71, UNIFORMS.

April 6, 1977

In response to a question concerning the Police Chief's salary increase, Mr. Toomey of the Board of Selectmen stated that the Police Chief's salary is mandated by the General Laws at 1.8% of the salary of the highest paid patrolman. Thereupon, under a motion made by Mrs. Linda E. Glass of the Finance Committee, it was

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$24,395 FOR LINE ITEM 320-12, POLICE CHIEF.

After several questions from voters on the following line item were answered by the Police Chief, the Executive Secretary, and the Town Accountant, upon a motion made by Mrs. Glass it was

VOTED: THAT THE TOWN RAISE AND APPROPRIATE \$69,721 FOR LINE ITEM 320-12, POLICE OVERTIME.

After asking a series of questions of the Police Chief, Mr. Hans J. Lopater *moved that line 320-21, the general expense item for the coming fiscal year be \$10,000.*

Mr. Grathwohl of the Finance Committee commented on Mr. Lopater's motion as follows:

The Chief for the past three or four years has been relatively level in his amount for general expense. A good part of his items in that are fixed. They are not variable items that wander up and down or that he has a choice on. The Finance Committee this year reviewed the items very carefully. We are quite satisfied with what is recommended here.

Mr. Lopater's motion was *defeated*.

Upon a motion made by Mrs. Glass, it was

VOTED: THAT THE TOWN RAISE AND APPROPRIATE THE SUM OF \$14,030 FOR LINE ITEM 320-21, GENERAL EXPENSE.

After asking several questions of the Police Chief, Mr. Robert H. Kelley stated that he wished to make an amendment to the Finance Committee motion when it is made.

Mrs. Glass of the Finance Committee *moved that the Town raise and appropriate the sum of \$19,000 for line item 320-51, Equipment Purchase.*

Mr. Kelley then *moved to amend the motion to add the sentence, "that the existing vehicles, three police cars and one four-door sedan, will be used as a turn-in towards the purchase of the new vehicles."*

Mr. Kelley's amendment was *voted*.

VOTED: THAT THE TOWN RAISE AND APPROPRIATE THE SUM OF \$19,000 FOR LINE ITEM 320-51, EQUIPMENT PURCHASE, AND THAT THE EXISTING VEHICLES, THREE POLICE CARS AND ONE FOUR-DOOR SEDAN, WILL BE USED AS A TURN-IN TOWARDS THE PURCHASE OF THE NEW VEHICLES.

Mr. Toomey of the Board of Selectmen then *moved that the Town raise and appropriate the sum of \$1,500 for account 320-61, said sum to be raised by taxation.*

In support of his motion, Mr. Toomey stated as follows:

I appeal to you tonight on behalf of the Police Chief, the Auxiliary Police, and the Board of Selectmen. We have had a very dedicated Auxiliary Police Department for the past two or three years, and they feel as though they have had no direction.

This \$1,500 that we are asking for is \$1,000 over the amount recommended by the Finance Committee. During our budget discussion, it was said that they haven't spent the money. There is a misdirection here.

April 6, 1977

We need these people, and they need our support. The Board of Selectmen supports them. Some of the things that they will do in the coming year with this type of support would be to patrol the conservation land. I believe the Conservation Commission is in support of this as well as a number of other boards and committees.

When you ask a person to expend between \$500 and \$600 out of their own pocket to be an Auxiliary Police Officer and then serve on weekends, holidays and Sundays, I think the Town should give this type of direction to them. Sometime in this town meeting, we are going to be voting between thirteen and fourteen million dollars. We are asking you for an additional thousand dollars in this account to support these people and the work they've done for the Town.

Auxiliary Police Report: (Mr. Roger S. Davis)

About three years ago, the Town asked for volunteers to form an Auxiliary Police Force in order to be able to assist the regular Department in anticipation of a surge of visitors and motor vehicles during the Bicentennial Celebration year. Some twenty of our good citizens got together and donated their nights, weekends, their energies and even some of their money to train, organize and equip the Auxiliary Police Department. We took a rather intensive cram course in first aid, crowd and traffic control, and other police procedures for an entire year.

About that time, in April of 1975, we felt we were ready to go. The exact date was the 19th of April, and on that great date, President Ford came to Concord and everyone else went there, too. We were left in Sudbury with not very much to do. However, we were ready.

Undeterred by a minor disappointment, we continued our training and our services full speed ahead. We are actually a part of the State civil defense structure, and our training and service go hand in hand to equip us to perform the civil defense emergency functions in the event of a state or local emergency and to assist the regular Police Department on a routine basis.

Our training and our service is mainly directed in four areas. Under the State laws, we are required to undergo the so-called "first responder training". Presently, all members have both an American Heart Association CPR card and a Red Cross standard first aid card. In the next twelve months, we will all undergo the full "first responder training".

We have undertaken a certain amount of legal training to acquaint the Auxiliary Police with the duties, powers and limitations of regular police and the laws of the Commonwealth in order to give us a foundation in the event of an emergency in which we are called out under the State law. We have also taken and qualified under the approved firearms range course similar to the FBI and the Massachusetts State Police course.

You have seen us on the streets at numerous public functions, such as Memorial Day, Fourth of July, Little League occasions, and two Bicentennial Balls. But, our most visible training and service is performed on Friday and Saturday evenings. On these occasions, there are at least two Auxiliary Police Officers on duty riding road patrol with the regular officers, assisting in such activities as motor vehicle stops, traffic assistance, at fires, first aid assistance at accidents and homes, missing persons, searches, neighborhood disturbances, and crime investigations. We think the presence of additional uniformed police officers in the Town of Sudbury during a time when vandalism and housebreaks are a problem in the suburbs, increases the visibility of the Police Department in general and acts as a deterrent in the area of crime.

In 1974, we performed a total of 2,548 man hours; in 1975, a total of 2,600 man hours; and last year, due to a temporary decrease in our enrollment, a total of 2,204 hours.

In no way are our services a substitution or a replacement for the services of the regular police. We augment them. We do not serve on any paid details, and we receive no compensation whatsoever for the services we perform.

To each of the members, it has cost somewhere in the area of \$300 for purchasing some of our own equipment and clothing, including raincoat, winter jacket, etc. The Town has budgeted \$500 in the last two years. This buys us initially a pair of pants, a shirt, a tie, belt and hat. This year we have already spent about \$300 including furnishing clothing items for four new members. Three of these new members are female, so that we support ERA also.

April 6, 1977

We are asking for an additional thousand dollars. We have been requested by the Selectmen and additional Town boards to provide additional Town services. The Conservation Commission has requested that we periodically undertake patrol of their land because over the years there has been a great deal of trail erosion and damage caused by minibikes, trail bikes, brush fires and littering. We think that patrolling on a regular basis by Auxiliary Officers will reduce this problem, and it will relieve the regular Police Department of a time-consuming activity which is probably of a lower priority than patrolling their residential areas.

We have also been requested by the Highway Department and Park and Recreation to patrol the Town buildings, cemeteries, schools, and those areas where our visibility would reduce the incidence of vandalism.

In addition to the modest expenditures for clothing, and to replace some of our threadbare trousers and shirts, we need the additional monies to perform additional patrol work, for the purchase of quality police radio equipment, lighting equipment for night patrol, office supplies, first aid equipment and supplies, and storage facilities. I am well aware of the sentiment in keeping down and reducing costs. But, in the area of police protection, you pay for what you get, and you get what you pay for.

The \$1,500 we hope that you will agree to spend will buy you 2,500 hours of auxiliary police protection. This works out to be 60¢ an hour. We think this is the biggest bargain in the Warrant, and we respectfully request your support.

Conservation Commission Report: (Mrs. Lynne H. Remington)

The Conservation Commission actively supports the Auxiliary Police in all their endeavors.

Civil Defense Director and Fire Chief Report: (Chief Josiah F. Frost)

The Civil Defense funds do not help the Auxiliary Police, and yet they are part of Civil Defense. These gentlemen have done an excellent job for both the Civil Defense and for the Police Department.

If these gentlemen can work with the Conservation Committee, they will stop much of the damage from fires in the conservation land which may amount to more than we are paying them tonight. I urge your support.

Finance Committee Report: (Mrs. Glass)

We also support the efforts of the Auxiliary Police. We think they have done a wonderful job. However, since the money that has been requested in this motion was not presented or specifically earmarked at the time of budget preparation, we feel that the Auxiliary Police should be able to do with the recommended amount which was \$500 originally. We recommend disapproval of this motion.

VOTED: THAT THE TOWN RAISE AND APPROPRIATE THE SUM OF \$1,500 FOR ACCOUNT 320-61, SAID SUM TO BE RAISED BY TAXATION.

Upon motions made by Mrs. Glass of the Finance Committee, it was

VOTED: THAT THE TOWN RAISE AND APPROPRIATE THE SUM OF \$5,700 FOR LINE ITEM 320-71, UNIFORMS.

VOTED: THAT THE TOWN RAISE AND APPROPRIATE THE SUM OF \$6,000 FOR ACCOUNT LINE ITEM 320-81, TUITION REIMBURSEMENT.

Upon motions made by Mr. Felleman of the Finance Committee, it was

VOTED: THAT THE TOWN RAISE AND APPROPRIATE THE SUM OF \$18,876 FOR LINE ITEM 340-11, BUILDING INSPECTOR.

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$1,000 FOR LINE ITEM 340-17, RETAINER.

Mr. Powers, Chairman of the Board of Selectmen, then *moved that the Town raise and appropriate the sum of \$3,000 for account 350, Dog Officer; that line item 350-11 be reduced to zero; that line item 350-12 be reduced to zero; and that line item 350-21 be reduced to \$3,000; and that line item 350-31 be reduced to zero.*

April 6, 1977

In support of his motion, Mr. Powers stated as follows:

Monday night, when the countless thousands assaulted the hall, they expressed very clearly their opinion by denying overwhelmingly the funds for the erection of a dog kennel. They indicated quite clearly that no longer has the Town an interest in continuing the expense connected with enforcement of the so-called Dog Control Law. The Board of Selectmen is responding to that vote and what we believe is the public will.

What is happening here is that starting July 1, we would eliminate the Deputy Dog Officer entirely as a position. We are asking, however, that Mr. White have for supplies, equipment, cremations and other necessary things, the sum of \$3,000 to handle the dogs that are not subject to the Dog Control Law but are subject to the State law dealing with strays.

The State law mandates that we must pick up and handle the stray dogs which represent a very small portion of what was true under the old Dog Control Law. This motion is a response to your request not to enforce the Dog Control Law, and next year, when the warrant opportunity arises, we will put in an article specifically to revoke the Dog Control Law to bring it into line with what we are proposing.

After some discussion, Mr. Powers' motion was defeated.

Mr. Felleman of the Finance Committee then moved that the Town raise and appropriate \$9,485 for line item 350-11, Deputy Dog Officer; that the Town raise and appropriate the sum of \$472 for line item 350-12, Overtime; that the Town raise and appropriate \$5,750 for line item 350-21, General Expense; the Town raise and appropriate the amount of \$750 for line item 350-31, Vehicle Maintenance.

In response to questions from Mr. Sydney Self and Mr. Donald D. Bishop concerning whether or not Mr. Felleman's motion constituted reconsideration, the Moderator stated that under a specific set of facts, asking to reconsider a very small difference in an amount of money that had been dealt with would be a motion for reconsideration. This is not the case in this particular instance. What has been done is that there was a main motion to appropriate \$3,000. That was defeated. This is a new main motion to appropriate more money. It is perfectly in order.

Mr. Eugene P. Mondani moved that the motion be amended to require the funding for this program to be assessed in fines to those persons whose dogs are picked up.

The Moderator requested an opinion of Town Counsel, who stated that the fines are now covered by the law and that the motion would be out of order.

The Moderator then requested and received consent of the hall that Mr. Mondani withdraw his motion.

After further discussion, it was

VOTED: THAT THE TOWN RAISE AND APPROPRIATE \$9,485 FOR LINE ITEM 350-11, DEPUTY DOG OFFICER; THAT THE TOWN RAISE AND APPROPRIATE THE SUM OF \$472 FOR LINE ITEM 350-12, OVERTIME; THAT THE TOWN RAISE AND APPROPRIATE \$5,750 FOR LINE ITEM 350-21, GENERAL EXPENSE; THE TOWN RAISE AND APPROPRIATE THE AMOUNT OF \$750 FOR LINE ITEM 350-31, VEHICLE MAINTENANCE.

In favor - 238; Opposed - 174. (Total - 412)

Mr. John R. Blanchette moved that line item 360-51, Conservation Fund, be reduced to zero.

In support of his motion, Mr. Blanchette stated as follows:

In this year, when things are so difficult for the Town and the various departments and the State have mandated that we should pay so much in taxes, I think that the item called Conservation Fund, for \$47,359, could be omitted. Perhaps it could be brought up next year.

April 6, 1977

The \$47,359 was arrived at by a formula that says, .0275% of the total valuation should be set aside in this fund. The Town valuation is about 174 million dollars.

We can't afford the luxury of taking additional funds to put in escrow. It is not as though they had something dire they were going to purchase. It is just that they are going to put it in escrow until they find a convenient piece of swamp to buy.

Conservation Commission Report: (Mr. John Cutting)

In 1960, the Town established the Conservation Commission to promote, conserve and protect natural resources of Sudbury. Part of this role is fulfilled through a program of land acquisition which seeks to secure land considered worthy of being retained in a natural state.

In 1961, the Conservation Fund Act was adopted. This allows the Town to set aside money in a building account to be expended for conservation purposes. Last year, our request was considerably lower, at \$31,000, because a majority of the Conservation Commission felt that, since \$16,500 of anticipated reimbursements had not been received, we would reduce our request by that amount.

Over the years, this fund and some additional money has acquired 357 acres for a little under \$590,000. By applying and qualifying for reimbursements, we have returned \$293,475 to the Town. The reimbursement goes directly into the General Fund and not to the Conservation Commission. This works out to a cost of about \$822 per acre paid directly by the Town after reimbursements.

The fund has worked well for Sudbury in the past and has been administered responsibly. The Conservation Commission can spend money without town meeting approval. While this is technically accurate, it is an absurdity from a practical point of view. We have always had the policy of bringing any acquisition proposal exceeding \$10,000 before town meeting. One reason for this is that town meeting approval is one of the eligibility requirements for reimbursements. Secondly, and more important, we feel town meeting should have a voice in determining how these dollars are expended. We are acutely aware that there would be no more effective way of destroying the concept of the fund than by expending it solely at our own discretion.

There are other reasons why it is in the Town's best interest to continue this fund. The Commission has had a detailed Open Space Acquisition Plan since 1970. This identifies pieces of land we feel should be acquired. Obviously this is a flexible plan. It is only a guide and requires periodic update and cannot be followed exactly. It is a plan that recognizes, at some point, the acquisition phase would be terminated.

To implement this Plan, a financial reserve is necessary. If a choice piece of land comes on the market, money is needed immediately for appraisals, surveyors, purchasing options, etc. The existence of the fund gives us a much better negotiating position with a seller. He can see some funds are available and that the Town is serious about land acquisition.

Thirdly, public knowledge that the fund exists has led land owners to inform us that property is for sale. Additionally, when the fund is in a period of accumulation, it is invested by the Treasurer and the interest is added to the balance. This will mean that dollars appropriated now will grow and help offset the continually rising price of land.

Lastly, the effect of this on the tax rate this year is minimal and will amount to 2¢ per thousand.

The argument is to defer the Conservation Fund for this year. In all probability next year, the fiscal situation will not be much better. We will be asked to defer it again and again and again.

I don't think all the Town's worthwhile programs should be sacrificed because the cost of our collective school systems are so high. The land acquisition program contributes substantially to the quality of life in the Town and helps preserve the environment of Sudbury. It will be even more appreciated in the years to come.

I believe Sudbury will continue to acquire conservation land. I don't necessarily feel the entire Open Space Plan will be implemented. The Conservation Commission is not oblivious to Sudbury's fiscal situation. We will, in all likelihood, be purchasing more land. By contributing annually to the fund, we accrue

April 6, 1977

the interest and will be faced with lower bond interest costs should bonding be required in future purchases.

According to the Planning Board's questionnaire of 1974, which was reinforced in the Town's recently completed Growth Policy Report, people moved to or remain in Sudbury primarily because of the Town's character. Our land acquisition program not only protects some very interesting, diverse and delicate local habitats, swamps, etc., but it also contributes significantly to the Town's character through the preservation of open space. Maintenance of the Conservation Fund continues the Town's commitment to this policy and greatly facilitates the Conservation Commission's ability to carry out a program.

Please vote "No" on this motion.

VOTED: THAT LINE ITEM 360-51, CONSERVATION FUND, BE REDUCED TO ZERO.

In accordance with the Bylaws, the meeting was adjourned until Monday, April 11, 1977, at 8 P.M.

The meeting adjourned at 11:16 P.M.

[Number of names marked on the voting list as having attended the meeting: 641]

PROCEEDINGS

ADJOURNED ANNUAL TOWN MEETING

April 11, 1977

The Moderator called the meeting to order at 8:06 P.M. at the Lincoln-Sudbury Regional High School Auditorium. He announced that a quorum was present.

He announced that the first order of business for this evening would be a motion for reconsideration of the action taken on Tuesday, April 5th, relative to Article 5, Account 110 and 120, Sudbury School Budget. The Moderator then explained the procedure relative to reconsideration and recognized Mr. Russell P. Kirby, the individual who had filed notice of his intent with the Town Clerk as required under the Bylaws.

Mr. Kirby *moved* that the Town reconsider the action taken at the April 5th session of the 1977 Annual Town Meeting relative to Article 5, Accounts 110 and 120, Sudbury Public Schools.

In support of his motion, Mr. Kirby stated as follows:

You have before you a motion to reconsider the action taken by this Annual Town Meeting relative to Article 5, Accounts 110 and 120, and an amendment to that article. The amendment is not part of the motion. However, it is a pertinent item in my presentation.

The merits of Article 5 and the amendment must not be a part of the deliberation on reconsideration. Those who supported the amendment last Tuesday may have come here with the intent of supporting reconsideration. Those who opposed the amendment may now plan to vote against this motion. I ask you to keep an open mind during my presentation and the discussion to follow. What is to be considered is far more than the school appropriation for the coming year. The fundamental machinery of the town meeting itself and the validity of the action of last Tuesday night are what are to be examined and are the reason for my being here right now.

Each person in the hall came here for his or her own reasons. Those reasons vary depending upon the interests and concerns of the individual. But, we have one reason in common. We believe that our individual vote counts. If there is anyone here who does not believe that, then I strongly suggest that you leave right now because you are wasting your time if you remain.

No one left, so I guess we've established that the vote for each and every person does have some value. Let us consider why that is so. There are certain rights and privileges granted to each of us under the laws of the Town, the Commonwealth and the federal government. Certain of those rights and privileges are reserved for the registered voters of this Town and are enjoyed by no one else. Among them is the right to participate in Sudbury town meetings.

In addition to participation is the right to appeal any action taken which is believed to be in conflict with the laws of the town, state or nation.

This motion for reconsideration is one such appeal. But there are others which can be made immediately when a right or privilege has been compromised and there is, of course, a court challenge. If at any time, the right of one person is denied for any reason, then the rights of all are placed in jeopardy. This statement is not an attempt to be melodramatic. It is a simple fact.

If such a situation occurs in my presence, and neither I nor anyone else does anything about it, then I can expect that my rights would be abridged anytime I find myself in a similar situation. So far, I have not said anything that has not been said many times before. What I will now attempt to do is relate the question of rights under the law to the proceedings of last Tuesday night.

I ask that you pay close attention because there was much confusion in the hall at that time and it may be difficult to follow. The proceedings of every town meeting session are recorded on tape so that any question, such as the one I raised, may be studied and any doubts resolved. I spent a considerable amount of time studying the tape of last Tuesday night to make sure in my own mind that discussion of reconsideration would not be a waste of time and an unnecessary delay in the business of this meeting.

April 11, 1977

I will read to you now from notes I took while reviewing that tape. They cover the time from the vote on the motion to amend Article 5 through the vote on the main motion. I have tried not to take anything out of context and have included direct quotes where appropriate. The Moderator and the Town Clerk have reviewed the same portion of this tape, so you have little to fear regarding any attempt by me to deliberately distort the facts. Remember that what we are looking for is an indication that the rights of persons authorized to vote and otherwise participate in this town meeting were denied for any reason.

I pick it up at the request to vote on the Selectmen's motion to amend Article 5 by reducing the appropriation by \$211,939. My notes are very brief. I do have a complete transcript from the Town Clerk but I'll go to my notes because I don't believe I have omitted anything which is pertinent. I don't believe I have made any significant distortions, and they are considerably briefer.

A point of order was made by John Powers regarding a secret ballot being used. This had been raised by a previous speaker as a question. No motion was made nor was one sought by the Moderator. The Moderator stated that he had, in effect, moved the question. Another point of order was raised to determine if the vote was to be on the amendment or on the main motion. This was followed by still another point of order requesting clarification of whether a majority vote would suffice to pass the amendment. The Moderator stated that a majority vote would be all that was necessary.

A question was then raised regarding the use of a secret ballot to take the vote, but this question was not put in the form of a motion. A vote on the amendment was then taken by a show of hands and the Moderator ruled that a majority had voted in the negative.

Then Mr. Phil Hunt raised a point of order, and he said, "I question the vote. I believe there are those in here who do not have green cards." The Moderator responded, "There is no question in my mind that there was a majority in opposition, so the vote carries." The Moderator then began to phrase a question, and it tailed off, and he never completed it. Then he said, "Let's see whether you need seven people to do that." Mr. Hunt attempted to clarify his question, and he said, "The question is, Mr. Moderator, are all the people in here eligible to vote?" The Moderator then responded, "Will everyone raise your blue cards who have them."

On the tape that I listened to, there was a voice in the background. I don't know whether it was in jest or not. You can be your own judge, but this is a direct quote. It said, "Well, at least there are a majority of people with blue cards."

Then Dr. Oasis moved the question on the main motion, and it was seconded. Mr. Robert Bailey was recognized, and he said, "Mr. Moderator, I've had my hand up for the last five minutes. I'd like to have a count of that vote prior to this." Then his voice was obscured on the tape for a few phrases, and it wound up by saying, "a hand count of the last vote." The Moderator responded, "It has to be questioned by seven people, and it was not. We are now going to vote on the main motion." There was a response from the floor. It said, "I do not believe there was a majority."

The Chairman of the Board of Selectmen, Mr. Powers, spoke and said, "I would respectfully point out to the chair and everyone else, we do have a Bylaw provision that says if seven voters ask for a counted ballot they are entitled to it." The Moderator responded, "I heard from only one, and that's why I went ahead."

The Moderator then accepted the appeal of his ruling as a privileged motion. He called for what amounts to a vote of confidence and asked for a show of hands favoring the Moderator's ruling and those opposed. The Moderator then announced the majority favors the Moderator. A vote was then taken on the main motion, Article 5, Account 110, and the motion was carried.

Now what I have just read and what you have just heard is an attempt by two registered voters of this Town to establish an accurate count of the legitimate votes cast both for and against a properly moved and seconded amendment to an article in the Warrant. Perhaps it was because of the confusion in the hall at that time, but the fact of the matter is that they were denied that right.

The vote in question was taken by a show of hands. The Moderator judged that a majority of hands raised were in opposition to the motion to amend. The two speakers on the floor wished to establish to whom those hands belonged.

April 11, 1977

There is a non-voter section reserved at every session of town meeting. However, there are some non-voters who chose to sit among the voters. The only way to tell them apart is by the colored card given to each voter for that purpose at the time they enter the hall. A standing count of persons holding these cards is the only positive protection against persons who are not authorized from exercising a right that is reserved for we, the registered voters of the Town.

If there is anyone here who thinks that this is a trivial point, let me remind them that on last Monday night there were more than 500 non-voters in the various halls according to police estimates published in the Sudbury Globe. That figure represents 25% of the total people in attendance that night. I have no idea how many people were seated in the voter section on Tuesday night that had no right to vote. But, if the proportion was anything like the estimate of Monday, the potential for a distorted vote on a show of hands was very real.

It was this concern that prompted Mr. Hunt to raise his question to the chair. Perhaps the Moderator misunderstood the point being raised, but failure to count the hall leaves serious doubt as to the validity of the vote that was recorded. It is now impossible to determine if the will of the registered voters of this town is what was expressed on that amendment. The possibility remains that the outcome of that vote was affected by the participation of persons admitted to the hall as observers.

If any non-voters raised their hands, they were, in effect, stuffing the ballot box, and that is a punishable offense under some circumstances. If there is anyone here who can ignore that possibility or who is so irresponsible as to condone such action, let them consider one more reason why we should return to Article 5, Account 110, and do it all over again.

There was a call for a count by Mr. Bailey. I call your attention to Chapter 39, Section 15, of the General Laws of the Commonwealth which reads as follows: "The Moderator shall preside and regulate the proceedings, decide all questions of order and make public declaration of all votes and may administer at open meeting the oath of office to any town officer chosen thereat. If a vote so declared is immediately questioned by seven or more voters he shall verify it by polling the voters or by dividing the meeting unless the town has by a previous order or by bylaw provided another method. If a two-thirds, four-fifths, or nine-tenths vote of the town meeting is required by statute, the count shall be taken and the vote shall be recorded in the records by the clerk. But if the vote is unanimous, a count need not be taken, and the clerk shall record the vote as unanimous."

That is a complete paragraph out of the law with no omission.

The wording of this law is clear and no one can argue that Mr. Bailey's question was not immediate. In the confusion that resulted from the many points of order, questions and challenges, the Moderator neglected to determine if there were six or more persons who also questioned the vote. He is not compelled by law to seek these, but this has been a tradition in the Sudbury town meeting for as long as I have been coming. I am certain there are more than seven voters here tonight who would state under oath that they were present at the time of that vote and would have seconded Mr. Bailey's challenge if they had been given the opportunity to do so.

In conclusion, I would like to say that we have what appears to be an amendment to the public school appropriation that was not properly voted. What some may not realize is that a main motion cannot be voted on until any and all amendments to it have been either passed or defeated. If the vote taken on this amendment was done so under circumstances that were in violation of state law and which violated the rights of the voters of the Town of Sudbury, then the vote on the main motion was out of order and itself subject to challenge in court. I would suggest that those who oppose the reduction of the school appropriation by some \$211,000 contemplate the possibility of its being reduced to zero if this motion for reconsideration is defeated.

That is not meant to be a threat but rather a word of caution. This town and the people in it are not the least bit bashful when it comes to court action. And remember, too, that almost every year the voters are reminded that if they cut the school budget, they face a suit in court to restore the funds. So don't be too complacent about the possibility of action against the school budget in this instance.

April 11, 1977

I hope that the vote on this motion to reconsider is based on a desire on the part of the voters of this town to restore the democratic principles to this town meeting that have been its strength for centuries. A vote in favor of reconsideration is a demonstration of one's belief that their vote counts and that they intend to protect their rights under the law. A vote against reconsideration, in this case, is an indication that the rights of others need not be considered and not worth the time to debate the school budget one more time. I urge you to vote in favor of reconsideration of Article 5, Accounts 110 and 120.

Mr. Kirby's motion was defeated. In favor - 380; Opposed - 485. (Total - 865)

ARTICLE 5: 400 HIGHWAY DEPARTMENT

	EXPENDITURES APPROPRIATED			FISCAL YEAR 1978	
	7/1/75- 6/30/76	7/1/76- 6/30/77	7/1/76- 12/31/76	7/1/77-6/30/78 REQUESTED	RECOMMENDED
410-10 Supt's Salary		19,800	10,661	19,800	22,000
410-11 Asst. Supt's Sal.	47,121	15,100	8,131	15,100	16,960
410-12 Oper. Asst.'s Sal.		13,000	6,268	13,000	13,144
410-13 Clerical	12,410	14,376	7,260	15,538	17,458
410-14 Tree Warden (1)	1,175	500	250	500	500
410-21 General Expense	5,589	6,000	920	4,500	4,500
410-31 Maintenance	13,464	2,000	386	3,000	3,000
410-32 Utilities		11,000	4,304	12,400	12,400
410-41 Travel	134	150	8	150	150
410-42 Out-of-State Travel	0	100	0	300	300
410-51 Admin. Equipment	998	530	70	250	250
410-71 Uniforms	5,351	4,000	3,191	4,400	4,400
<u>410 Sum</u>	<u>86,242</u>	<u>86,556</u>	<u>41,449</u>	<u>88,938</u>	<u>95,062</u>
420-11 Operating Salary	232,527	243,909	125,723	250,558	250,558
420-12 Extra Hire	20,070	12,000	8,173	13,250	14,907
420-13 Overtime		11,000	5,265	11,500	12,938
<u>420-10 Sum</u>	<u>252,597</u>	<u>266,909</u>	<u>139,161</u>	<u>275,308</u>	<u>278,403</u>
420-20 Road Work					
- 1 Operating Materials	16,600	17,000	3,017	16,000	16,000
- 3 Hired Equipment	2,700	6,000	2,095	6,000	6,000
- 4 Street Seal	52,618	75,000	52,090	60,000	60,000
- 5 Signs & Markings	10,487	7,500	1,283	13,400	7,500
- 6 Street Maint.	34,497	34,500	2,568	34,500	34,500
- 7 Drainage	24,843				
- 8 Sweeping		14,000	17	14,000	14,000
<u>420-20 Sum</u>	<u>141,745</u>	<u>154,000</u>	<u>61,070</u>	<u>143,900</u>	<u>138,000</u>
420-30 Trees					
- 1 Tree Materials	2,484	2,500	232	2,500	2,500
- 4 Contractors	7,667	5,000	17	5,000	5,000
<u>420-30 Sum</u>	<u>10,151</u>	<u>7,500</u>	<u>249</u>	<u>7,500</u>	<u>7,500</u>
420-40 Landfill					
- 1 Contractors	5,380	0			
- 3 Hired Equipment	3,971	7,000	5,070	9,000	9,000
- 4 Utilities	367	400	41	330	330
- 5 Maintenance				300	300
- 6 Physical Plant		1,000	809	0	0
<u>420-40 Sum</u>	<u>9,718</u>	<u>8,400</u>	<u>5,920</u>	<u>9,630</u>	<u>9,630</u>
420-50 Cemeteries					
- 1 Materials	1,997	2,700	264	2,000	2,000
- 5 Contractors	2,225	500	0	0	0
<u>420-50 Sum</u>	<u>4,222</u>	<u>3,200</u>	<u>264</u>	<u>2,000</u>	<u>2,000</u>
420-62 Chap. 90 Maint.	6,132	6,000	0	6,000	6,000
420-63 Chap. 90 Const.	75	39,300	0	39,300	39,300
<u>420-60 Sum</u>	<u>6,207</u>	<u>45,300</u>	<u>0</u>	<u>45,300</u>	<u>45,300</u>

(1) Until July 1, 1976, this line item was called "Commission Salary".

April 11, 1977

ARTICLE 5 (400) (continued)	EXPENDITURES APPROPRIATED EXPENDITURES			FISCAL YEAR 1978	
	7/1/75-	7/1/76-	7/1/76-	7/1/77-6/30/78	
	6/30/76	6/30/77	12/31/76	REQUESTED	RECOMMENDED
430 Machinery					
-20 Fuels & Lubr.	21,204	17,000	7,206	23,750	23,750
-30 Parts & Repairs	34,511	35,000	18,448	38,225	38,225
-40 Equipment	3,500	21,750	16,068	30,000	30,000
430 Sum	59,215	73,750	41,722	91,975	91,975
460 Snow & Ice					
-12 Overtime	17,806	16,000	2,490	20,000	22,502
-30 Materials	45,972*	40,000	5,055	40,000	40,000
-40 Equipment	8,247	6,000	986	6,600	6,600
-50 Contractors	14,153	20,000	590	20,000	20,000
-60 Sweeping	13,168				
460 Sum	99,346	82,000	9,121	86,600	89,102
470 Street Lighting	26,210	28,500	11,946	33,000	32,000
New Locations	0	1,000	0	1,000	1,000
470 Sum	26,210	29,500	11,946	34,000	33,000
400 TOTAL	695,653	757,115	310,902	785,151	789,972
Chapter 825 + Interest					93,942
Anti-Recession Title II					25,000
Chapter 90 Improvement					6,000
Cemetery: New Town					2,000
Road Machinery Fund					500.47
NET BUDGET					662,529.53

[NOTE: The figures appearing under the recommended column are those which appeared in the Finance Committee budget handout rather than those which appeared in the Warrant as distributed to the citizens.]

Finance Committee Report:

400 Highway: The recommended amounts in the various Highway Accounts reflect the historical pattern of actual expenses, adjusted for plans and anticipated price levels. The major reduction is in Account 420-20: Road Work, and the major increase is Account 430: Machinery.

Account 420-25 continues the Street Seal resurfacing program formally begun in 1973. Eighty miles have been resurfaced at a cost of \$526,000 under this Account. Now a lower level of activity and budget is required to maintain the existing conditions. Chapter 90 refers to County roads, the maintenance of which is reimbursed annually, up to a stated limit, if previously specifically appropriated and spent for that purpose. An annual accumulation was similarly made to a Chapter 90 construction account which was then spent for major county road construction projects. The \$288,000 anticipated accumulation may be adequate for completing reconstruction of Landham Road, to the Framingham Town Line, but no reimbursement is expected this year.

The major budget increase appears in Account 430: Machinery. The largest increase is proposed to purchase a 9-ton roller, a 4-wheel drive 3/4-ton truck with crew cab, a sedan for the Highway Surveyor and a berm box for forming molded road edges (rounded black curbs). All these items appear in previous equipment plans for purchase in this and prior years.

The Highway Surveyor requested a total budget increase of 3.7%. The Finance Committee recommends your approval of a 2.8% increase to \$778,251.

Upon a motion made by Mr. Bishop of the Finance Committee, it was

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUMS OF MONEY SET FORTH IN THE RECOMMENDED COLUMN ON THE FINANCE COMMITTEE'S HANDOUT SHEET FOR ALL ITEMS IN ACCOUNT 400, HIGHWAY DEPARTMENT, EXCEPT 410-42, 420-26, 420-62, 420-63, 430-40 AND 470, NEW LOCATIONS, AND THAT THE EXCEPTED ITEMS BE CONSIDERED

April 11, 1977

INDIVIDUALLY, AND TO RAISE THIS APPROPRIATION, THE SUM OF \$94,844.86 BE TRANSFERRED FROM THE CHAPTER 825 ACCOUNT TO ACCOUNT 420-11, THE SUM OF \$27,824.54 BE TRANSFERRED FROM THE ANTI-RECESSION TITLE II ACCOUNT TO ACCOUNT 420-11, THE SUM OF \$2,000 BE TRANSFERRED FROM THE NEW TOWN CEMETERY INCOME ACCOUNT TO ACCOUNT 420-11, AND THE BALANCE OF ALL ITEMS IN ACCOUNT 400 BE RAISED BY TAXATION.

Mr. Frederick Welch then moved zero dollars for Account 420-42. He stated as follows:

This is a relatively small account in comparison to the entire highway budget. However, it seems that, in the spirit of the Selectmen's opening remarks at this Annual Town Meeting, one thing we can defer is out-of-state travel for one year. \$300 certainly isn't going to hurt the highway budget or many of the people in the Town of Sudbury. We heard earlier, I think in the order of about 2,000 people in our town are below poverty level. It is certain that they are not going to be able to afford going out of state for a vacation. I would suggest that in this one year, we can defer that kind of expense.

Highway Surveyor Report: (Mr. Robert A. Noyes)

The \$300 is for the American Public Works Conference in Chicago. In the past, I do not believe the Highway Superintendent travelled out of state, and I think the money has been turned back. This year, however, I intend to go if the money is voted. I would hope you support my recommendation for making it \$300, not zero.

Mr. Welch's motion was defeated.

Upon a motion made by Mr. Bishop, it was

VOTED: THAT THE TOWN RAISE AND APPROPRIATE \$300 AS RECOMMENDED BY THE FINANCE COMMITTEE IN THEIR HANDOUT FOR THIS MEETING FOR ACCOUNT 410-42, OUT-OF-STATE TRAVEL.

Mr. Frederick Welch then moved \$25,000 for line item 420-26. He commented as follows:

On the Consent Calendar which was handed out at the beginning of this meeting, there is a request for the Town to pass Article 23. This is sort of an either/or situation. Many of you without knowing it living on streets that are not public ways. To give you a good example, during the period of time that I was on the Highway Commission, we found that Marlboro Road, Morse Road, Mossman Road, Fairbank Road, Dutton Road, part of Peakham Road, Old Garrison Road, and a few other streets in Town are not accepted public ways.

If you pass Article 23, what that means is you people who live on streets that are not accepted public ways are going to pay the entire cost to fix those streets out of your own pockets. You have to put it up in advance before they get fixed. You will note, if you look in your Warrant, that this particular line item has not been reduced. My intention in moving \$25,000 is to give you an either/or situation. Either you defeat the motion for \$25,000 and kill Article 23, or you can vote the \$25,000 and accept Article 23. It is as simple as that.

Highway Surveyor Report: (Mr. Noyes)

I fail to see how this has any bearing on that at all. The \$34,500 is to be used for the street maintenance program as it has been in past years. It is combined with the street seal program and used for leveling and different types of treatments for streets in Sudbury. I would hope everyone would vote for the total amount of \$34,500.

Finance Committee Report: (Mr. Bishop)

Those who have watched highway budgets over the years have seen \$34,500 repeatedly in this account. It has not been raised for inflation or for any other reason. It is a venerable sum calculated under an old method whereby there was some reimbursement from the county and state. That reimbursement is not there any more. We used to have to put up the money anyway and then, by a calculation, we got some back. We have gone through the same calculation and come up with the same number regardless of inflation. There isn't any coming back, but it's the same number you've seen year after year.

April 11, 1977

Mr. Welch's motion for \$25,000 was defeated.

Upon a motion made by Mr. Bishop, it was

VOTED: *THAT THE TOWN RAISE AND APPROPRIATE \$34,500 FOR ACCOUNT 420-26, STREET MAINTENANCE.*

Also upon a motion by Mr. Bishop, it was

VOTED: *THAT THE TOWN APPROPRIATE \$6,000 AS SHOWN IN THE RECOMMENDED COLUMN ON THE FINANCE COMMITTEE'S HANDOUT SHEET FOR ACCOUNT 420-62, THAT SAID SUM TO BE RAISED BY TRANSFER OF \$6,000 FROM CHAPTER 90 IMPROVEMENTS ACCOUNT TO ACCOUNT 420-62.*

Mr. Noyes then moved zero dollars for line item 420-63, Chapter 90 Construction.

In support of his motion, Mr. Noyes commented as follows:

As of this meeting, the state budget has not been passed by the legislature. At the present time, I do not have a confirmed dollar amount for this fiscal year 1978, for the 1977 reimbursement under line item 420-63. In addition, I feel that the vote taken Monday evening, April 4th, on the reimbursement to the county on land damages on Landham Road indicates that another look should be taken before the project is finalized.

On March 28th, I received a copy of the letter from District 4, State Department of Public Works. It indicated that, at the present time, there are sufficient funds under previously signed contracts to build the remaining portion of the road. The amount of money originally requested in this line item was intended for the final coat of bituminous concrete.

Since it now appears that the funds are not needed, I hope you will support my motion to move zero amount for line item 420-63. By the time of the next Annual Town Meeting or even a special town meeting, I will have a firmer figure from the state, and I believe it will be 100% reimbursed, so I intend to ask for a town meeting vote to appropriate a definite amount of money.

After discussion, it was

VOTED: *THAT THE TOWN APPROPRIATE THE SUM OF ZERO DOLLARS FOR LINE ITEM 420-63, CHAPTER 90 CONSTRUCTION.*

Mr. Welch then moved \$15,000 for line item 430-40, Equipment.

Mr. Welch stated that the Highway Surveyor has a very definite plan with regards to the road roller I am attempting to cut from this budget. I am attempting to cut it for two reasons. One, the latest price available on the open market for a 9-12 ton, pneumatic type road roller is averaged at \$21,000. That is the price I got Friday, not \$15,000.

I found a used one that could be purchased for \$18,000. That is still in excess of what was requested for the appropriation.

My second reason is that a road roller in the average highway department is used for approximately a month and a half per year for stone seal and sand seal operations. At the cost of the purchase price of \$21,000 plus maintenance, plus equipment operator's salary, for a month and a half use per year, it would take 420.983 years to amortize the investment. That's a little much.

If the the piece of equipment was used for every single hour the Highway Department operates during the year, it would take 52.676 years to amortize the investment.

The investment you are making, by the way, is not \$15,000. It is \$102,720 over the fifteen year life of the equipment.

On the other hand, if the equipment is rented at the current rental price of \$12 per hour, it would take only 45 years to pay it off or the equipment rental comes down to \$43,920 for a month and a half's use per year for fifteen years.

April 11, 1977

Highway Surveyor Report: (Mr. Noyes)

The request is for an 8-10 ton roller, not 9-12 as was stated. The roller that we now have was purchased in 1956, and it has seen better days. What I had in mind was keeping it as a backup. We do need a new roller.

Some towns rent equipment. It is a relatively short period of time that it is used, but a lot of times rollers are not available for rent because other towns are renting them, too. Other contractors are renting them. The construction reason is a short period of time, so it would be better for us to buy our own roller. With the type of operation we are doing, a lot of the work is now being done in-house.

Mr. Bishop stated that there was some clarification needed. Mr. Welch's motion says to change an amount, but he does not say whether we will appropriate it or where it comes from. There is a small account the Town Accountant and the Finance Committee would like to clean up by using it to fund this line item.

Mr. Welch stated that he had thought the \$500 and some change from the former Road Machinery Account had been included in the Finance Committee's main motion. His intention would be to include it within the \$15,000.

Mr. Bishop moved to amend by transferring the sum of \$500.47 from the Road Machinery Account to Account 430-40, and the balance to be raised by taxation.

Mr. Bishop's motion to amend was voted.

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$15,000 FOR LINE ITEM 430-40, EQUIPMENT, BY TRANSFERRING THE SUM OF \$500.47 FROM THE ROAD MACHINERY ACCOUNT, AND THE BALANCE TO BE RAISED BY TAXATION.

In favor - 281; Opposed - 232. (Total - 513)

Mr. Bishop of the Finance Committee moved that the Town raise and appropriate \$1,000 for account 470, New Locations.

Mr. T. Basil Smith moved to amend that motion to change the sum \$1,000 to zero. In support of his amendment, Mr. Smith stated that they have not spent any money for new locations since July 1975, despite appropriations for new locations. It seems foolish to appropriate \$1,000 when there is apparently no place to install new lighting. Also for any new street lights that are installed, we will have to pay for the electricity to run them.

Finance Committee Report: (Mr. Bishop)

This money is not necessarily for the installation. Lists were presented to Boston Edison with dollar limits and lists of locations for new street lights. Edison did not act.

For the two prior years' appropriation there was \$523 spent as of November 30th. The last location was submitted on February 4, 1976, and still has to come in. This is a question of the Edison delay.

The reason for this account goes back some five or six years when there was a petition article to add street lights in Town. If you do not want to add new lights, you may support the amendment. That was not the prior view in this Town.

On the other hand, Edison may well come along with the lists that have been submitted and put in the new lights. If that happens, we will have a valid electric bill. The effect of a vote in support of this amendment will be that the Highway Surveyor will not ask Edison for new installations until such time as the Town later indicates a desire for new installations.

The \$32,000 to continue the street lights has already been appropriated.

After discussion, Mr. Smith's amendment was defeated.

VOTED: THAT THE TOWN RAISE AND APPROPRIATE \$1,000 FOR ACCOUNT 470, NEW LOCATIONS.

April 11, 1977

ARTICLE 5: 500 GENERAL GOVERNMENT

	EXPENDITURES APPROPRIATED		EXPENDITURES	FISCAL YEAR 1978	
	7/1/75- 6/30/76	7/1/76- 6/30/77	7/1/76- 12/31/76	7/1/77-6/30/78 REQUESTED	RECOMMENDED
<u>501 SELECTMEN</u>					
501-11 Exec. Sec'y Salary	25,800	25,800	13,892	25,800	28,991
501-12 Overtime	439	500	348	500	562
501-13 Clerical Salary	29,356*	28,475	13,108	28,390	31,900
501-14 Selectmen's Salary	1,600	1,600	800	1,600	1,600
501-21 General Expense	4,550	5,000	2,739	5,000	5,000
501-31 Equip. Maint.	334	300	61	300	300
501-41 Travel	1,973	2,200	1,310	2,200	2,200
501-51 Equipment Purchase	763	100	0	800	600
501-71 Out-of-State Travel	920*	1,000	908	1,000	1,000
501-81 Surveys & Studies	1,716*	2,000	88	2,000	2,000
<u>501 TOTAL</u>	<u>67,451</u>	<u>66,975</u>	<u>33,254</u>	<u>67,590</u>	<u>74,153</u>
<u>502 ENGINEERING</u>					
502-10 Town Engineer Sal.	20,200	20,200	10,877	20,200	22,697
502-11 Salaries	50,443	51,486	27,640	51,862	58,273
502-12 Overtime	420	2,170	193	2,170	2,438
502-13 Clerical Salary	7,886	8,120	4,334	8,412	9,453
502-14 Temp. Eng. Aides	12,547	10,850	4,750	10,850	12,192
502-21 General Expense	5,325	6,840	2,445	6,340	6,340
502-31 Maint. & Repair Vehicles	2,042	2,300	829	2,300	2,300
502-41 Travel Expense	103	100	0	100	100
502-51 Equipment Purchase	100	6,800	6,800	5,500	5,500
<u>502 TOTAL</u>	<u>99,066</u>	<u>108,866</u>	<u>57,868</u>	<u>107,734</u>	<u>119,293</u>
<u>503 LAW</u>					
503-10 Retainer	10,500	10,500	5,250	11,000	11,000
503-11 Salaries	0	8,500	4,577	8,500	9,551
503-21 General Expense	14,813*	10,000	4,093	11,000	11,000
<u>503 TOTAL</u>	<u>25,313</u>	<u>29,000</u>	<u>13,920</u>	<u>30,500</u>	<u>31,551</u>
<u>504 ASSESSORS</u>					
504-13 Clerical	16,215	20,300	8,896	20,900	23,484
504-14 Assessors' Salary	2,500	2,500	1,250	2,500	2,500
504-21 General Expense	4,064	5,500	2,568	5,480	5,480
504-31 Equipment Repair		25	0	125	125
504-41 Travel	1,200*	1,200	536	1,600	1,600
504-51 Equipment Purchase	465	250	0	0	0
<u>504 TOTAL</u>	<u>24,444</u>	<u>29,775</u>	<u>13,250</u>	<u>30,605</u>	<u>33,189</u>
<u>505 TAX COLLECTOR</u>					
505-11 Collector's Salary	10,000	10,000	5,000	10,500	11,200
505-12 Overtime				200	225
505-13 Clerical Salary	11,283	12,640	6,377	14,001	15,733
505-14 Attorney's Salary	0	3,000	0	0	0
505-21 General Expense	4,457*	2,840	825	2,315	2,315
505-31 Maintenance	21	75	0	75	75
505-41 Travel Expense	18	100	15	150	300
505-51 Equipment Purchase	141*	0	0	0	0
<u>505 TOTAL</u>	<u>25,920</u>	<u>28,655</u>	<u>12,217</u>	<u>27,241</u>	<u>29,848</u>
<u>506 TOWN CLERK & REGISTRARS</u>					
506-11 Town Clerk's Sal.	10,290	10,290	5,145	11,225	12,500
506-13 Clerical Salary	20,123	23,475	12,506	24,609	27,651
506-14 Registrars	500	550	550	550	550
506-21 General Expense	8,059*	8,300	2,443	8,050	8,360
506-31 Maintenance		270	87	320	320
506-41 Travel Expense	300	300	10	350	350
506-51 Equipment Purchase	997*	4,450*	4,442	150	150
506-61 Elections	5,027	8,285	5,499	3,136	3,332
<u>506 TOTAL</u>	<u>45,296</u>	<u>55,920</u>	<u>30,682</u>	<u>48,390</u>	<u>53,213</u>

April 11, 1977

ARTICLE 5 (500) (continued)	EXPENDITURES APPROPRIATED			EXPENDITURES		FISCAL YEAR 1978	
	7/1/75- 6/30/76	7/1/76- 6/30/77	7/1/76- 12/31/76	7/1/77-6/30/78 REQUESTED	RECOMMENDED		
<u>507 TREASURER</u>							
507-11 Treasurer's Salary	8,000	8,000	4,000	12,000	9,000		
507-13 Clerical Salary	4,714	5,200	2,963	6,550	7,264		
507-21 General Expense	266	550	270	500	500		
507-31 Maintenance				100	100		
507-41 Travel Expense	250	250	179	500	850		
507-51 Equipment Purchase		0	0	0	0		
507-61 Tax Title Expense	18	200	26	1,000	1,000		
507-71 Bond & Note Issue Exp.	142*	100	65	150	150		
507-81 Tuitions				200	200		
<u>507 TOTAL</u>	<u>13,390</u>	<u>14,300</u>	<u>7,503</u>	<u>21,000</u>	<u>19,064</u>		
<u>508 FINANCE COMMITTEE</u>							
508-13 Clerical Salary	1,085	1,700	432	1,700	1,911		
508-21 General Expense	200	250	96	200	200		
508-41 Travel Expense	20	50	0	50	50		
<u>508 TOTAL</u>	<u>1,305</u>	<u>2,000</u>	<u>528</u>	<u>1,950</u>	<u>2,161</u>		
<u>509 MODERATOR SALARY</u>	60	100	0	100	100		
<u>510 PERMANENT BUILDING COMMISSION</u>							
510-13 Clerical Salary	74	360	0	360	56		
510-21 General Expense	0	100	0	100	50		
<u>510 TOTAL</u>	<u>74</u>	<u>460</u>	<u>0</u>	<u>460</u>	<u>106</u>		
<u>511 PERSONNEL BOARD</u>							
511-13 Clerical Salary	654	1,000	871	1,600	1,573		
511-21 General Expense	310	300	20	300	200		
<u>511 TOTAL</u>	<u>964</u>	<u>1,300</u>	<u>891</u>	<u>1,900</u>	<u>1,773</u>		
<u>512 PLANNING BOARD</u>							
512-13 Clerical Salary	2,423	4,000	744	3,000	3,371		
512-21 General Expense	1,792	2,000	202	1,250	1,250		
512-31 Maintenance	36	50		50	50		
512-41 Travel	181	300		100	100		
512-61 Special Studies	3,727*	3,000	7,325**	16,000	16,000		
<u>512 TOTAL</u>	<u>8,159</u>	<u>9,350</u>	<u>8,271</u>	<u>20,400</u>	<u>20,771</u>		
** Amount paid to planner from Article 9 ATM 1976 included in this expenditure.							
<u>513 ANCIENT DOCUMENTS COMMITTEE</u>							
513-21 General Expense	349	1,800	21	1,800	1,800		
<u>514 HISTORIC DISTRICTS COMMISSION</u>							
514-13 Clerical	30	174	0	174	112		
514-21 General Expense	69	100	12	100	50		
<u>514 TOTAL</u>	<u>99</u>	<u>274</u>	<u>12</u>	<u>274</u>	<u>162</u>		
<u>518 COUNCIL ON AGING</u>							
518-21 General Expense	528*	643	286	643	643		
518-51 Equipment	576	375	0	375	375		
518-61 Senior Citizen Prog.	971	1,000	0	1,250	1,250		
518-62 Transp. Programs	175	800	254	800	800		
<u>518 TOTAL</u>	<u>2,250</u>	<u>2,818</u>	<u>540</u>	<u>3,068</u>	<u>3,068</u>		
<u>519 TALENT SEARCH COMMITTEE</u>	0	100	0	100	0		
<u>520 COM. ON TOWN ADMINISTRATION</u>							
520-13 Clerical		100	0	0	0		
520-21 General Expense	10	50	0	100	50		
<u>520 TOTAL</u>	<u>10</u>	<u>150</u>	<u>0</u>	<u>100</u>	<u>50</u>		

April 11, 1977

ARTICLE 5 (500) (continued)	EXPENDITURES APPROPRIATED		EXPENDITURES	FISCAL YEAR 1978	
	7/1/75- 6/30/76	7/1/76- 6/30/77	7/1/76- 12/31/76	7/1/77-6/30/78 REQUESTED	RECOMMENDED
<u>521 ACCOUNTING</u>					
521-11 Town Accountant. Sal.	16,500	16,500	8,567	16,500	18,876
521-12 Overtime	153	488	274	488	550
521-13 Clerical	17,878	17,903	8,171	18,180	20,428
521-21 General Expense	688	950	302	965	965
521-31 Maintenance	396	800	232	3,400	3,400
521-41 Travel	450	300	188	450	450
521-51 Equipment Purchase	514*	300	154	13,250	13,250
521-61 Payroll Processing	2,921	4,200	1,516	500	500
521-62 Data Proc. Training		500	0	0	0
<u>521 TOTAL</u>	<u>39,500</u>	<u>41,941</u>	<u>19,404</u>	<u>53,733</u>	<u>58,419</u>
<u>500 TOTAL</u>	<u>353,650</u>	<u>393,784</u>	<u>198,361</u>	<u>416,945</u>	

[NOTE: The figures appearing under the recommended column are those which appeared in the Finance Committee budget handout rather than those which appeared in the Warrant as distributed to the citizens.]

Finance Committee Report:

502 Engineering: The Engineering budget reflects a decrease of \$1132 or 1.0%. The Department's staff and accountability remains constant. A station wagon to replace the 1972 Ford Pinto is the only new equipment purchase. Recommend Approval.

503 Law: This budget allows for a modest increase for the Town Counsel retainer and an increase for litigations and union negotiations. Recommend Approval.

504 Assessors: There is an increase in the travel account which is necessary due to growth in the number of building permits. The part-time clerical positions become full-time. Recommend Approval.

505 Tax Collector: Recommend Approval.

506 Town Clerk: The Town Clerk salary reflects the acceptance of the article which allows the Town Clerk to return all fees collected, to the Town, and is not a salary increase. Clerical salaries reflect step increases. There is a decrease in the equipment as the Town spent \$4,400 this year for three voting machines. There is also a decrease in the Elections account as there will be only one election this year instead of the three in the present year. Recommend Approval.

507 Treasurer: The recommendation reflects an increase in the Travel Account to permit attendance at an Annual Conference for both the Treasurer and Assistant Treasurer, and an increase in the Tax Title Expense. The addition of a Tuition Account supports the provisions of the Personnel Bylaw. Recommend Approval.

510 Permanent Building Committee: This Committee is active only when new municipal buildings are being planned and constructed. This is not the case this year, and no articles contemplate new activities. Much reduced amounts are recommended merely to sustain the Committee at the anticipated level of action. Recommend Approval.

511 Personnel Board: The increase in this account represents greater use of a part-time clerk in connection with proposed expanded activity of the Personnel Board. Recommend Approval.

512 Planning Board: The contract for the Planner, which has previously appeared as a special article in the Annual Town Meeting Warrant, is now included as part of the Planning Board budget. Recommend Approval.

513 Ancient Documents Committee: The recommended budget of \$1,800 will permit the continuation of the microfilming of the Town's records and the orderly restoration of the Town's ancient books and documents. Recommend Approval.

514 Historic Districts Commission: The recommended budget reflects the Finance Committee's evaluation of the actual expenditures of this Commission in recent years. Recommend Approval.

518 Council on Aging: The rise in the Senior Citizen Travel Account is a direct result of the greater number of residents aged 60 and over, including the additional residents of Musketahquid Village. The increase will permit a second bus for some trips. Recommend Approval.

April 11, 1977

520 Committee on Town Administration: The recommended budget represents a reduction of \$50 from the Committee on Town Administration's original budget submission reflecting their actual expenditures in the current fiscal year. Recommend Approval.

521 Accounting: The major change represented in this budget is for the acquisition of a new accounting machine. This machine will be acquired by means of a five-year lease-purchase agreement, with the anticipated annual costs being \$12,000 for the second year and \$10,000 for the third through fifth years. There will also be a yearly cost of about \$2,700 for maintenance. This new machine is to replace an antiquated and unreliable machine and can provide complete appropriation accounting capability for the Town. Additionally, it is anticipated that the Tax Collector and Town Clerk can make use of the machine for tax billing and voting lists. This facility will reduce the costs of payroll processing. Recommend Approval.

Upon a motion made by Mr. Philip G. Felleman of the Finance Committee, it was

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUMS OF MONEY SET FORTH IN THE RECOMMENDED COLUMN FOR ALL ITEMS IN ACCOUNT 500, GENERAL GOVERNMENT, AS SET FORTH IN THE FINANCE COMMITTEE'S HANDOUT SHEET, EXCEPT 501-71, 503-10, 512-61, 513-21, 521-51, 521-61, AND THAT THE EXCEPTED ITEMS BE CONSIDERED INDIVIDUALLY, SAID SUMS TO BE RAISED BY TAXATION.

Mr. Felleman moved that the Town raise and appropriate \$1,000 for line item 501-71, *Out-of-State Travel*.

Mr. Ivan H. Lubash then moved that line item 501-71 be amended to read zero dollars. In support of his amendment, Mr. Lubash stated as follows:

Basically, in the spirit of the Selectmen's comments earlier this week, I move that they live with their own words.

Mr. Richard E. Thompson, Executive Secretary, then commented as follows:

I hope that the town meeting will not use this opportunity to make this line item zero. I believe the benefits that are derived from it are much more than a thousand dollars.

This line item is for all the department heads under the Board of Selectmen. It has been the policy of the Board that they would allow a department head to belong to one national organization and to attend one regional or local meeting per year. The State of Massachusetts, by statute, requires that out-of-state travel has to be voted by a separate line item. If it is not, you cannot leave the State of Massachusetts or receive reimbursement for doing so. If a meeting is held in New Hampshire or Connecticut, many of the department heads could not go if the money has not been appropriated. I would hope, and respectfully request, that you defeat the proposed amendment.

Mr. Lubash's amendment was defeated.

VOTED: THAT THE TOWN RAISE AND APPROPRIATE \$1,000 FOR LINE ITEM 501-71, OUT-OF-STATE TRAVEL.

Mr. Felleman moved that the Town appropriate the sum of \$11,000 for line item 503-10, *Retainer*.

Mr. Powers, Chairman of the Board of Selectmen, then moved to amend as follows: that the Town appropriate \$16,000 for line item 503-10, *Retainer*, said sum to be raised by taxation.

In support of his amendment, Mr. Powers stated as follows:

This amounts to a \$5,000 increase in the line that is listed as Retainer. As you know, the Town lost the services of Town Counsel, David Lee Turner, who moved on to the Town of Brookline and several other towns. We engaged in a rather extensive search for Town Counsel, screening over fifty applications and interviewing over twenty-seven. When we engaged Counsel, we understood and explained to him that we had an Assistant Town Counsel that we actually obtained originally through CETA and that you will find in the line below, listed "Salaries".

April 11, 1977

We felt that the new Town Counsel should have an opportunity to review, over a six month period, the work of that person and the arrangements between the two to determine whether or not, in his judgment, he felt that the work should be continued to be performed on a basis with the Assistant Town Counsel and Town Counsel, or whether or not he felt that it was something that he would rather do another way, perhaps with personnel in his office. In order to be able to meet that commitment, we need to have some money in the account to give us some room to adjust.

The second comment I would like to make is that we told Town Counsel when he came to Sudbury that we had some issues that were rather major issues that were going to have to be fought. They are not the routine, normal situation. We have said from the beginning of this meeting that we have massive amounts of money that, in our opinion, are due and owing to the Town of Sudbury from the Commonwealth of Massachusetts, and we intend to get them. We have several things that we know are matters of concern to you, that you have told us you want us to do. We have a question of bringing final action to bear in the suit we already have pending in the Supreme Judicial Court on the matter of assessments. We believe the time has come to ask the court to require the Department of Corporations and Taxation to deliver to us the results of the Sudbury decision.

In terms of what that means to you as taxpayers is that there are some \$600-700,000 in aid to education alone that is due and owing to us if compliance is brought in all the cities and towns in the Commonwealth.

We have a question of the MBTA and actions to get ourselves out of the MBTA. That will mean, if we are successful and we believe we can be, a savings to you specifically of \$174,000 this year and that is raised from local taxation alone.

We also have in front of us the very important question we have discussed from both sides of the aisle, the School Committee and our side. We have a very firm feeling that we must attempt to get back to the Town the amount of money that we believe was illegally sneaked out of the cherry sheet and should be going to schools. That amounts to not only \$219,000, but it also includes the \$70,000 on school bus transportation.

These are not simple, easy or routine matters, but collectively they amount to a possibility of obtaining more than a million dollars for the taxpayers of this Town. We intend to proceed on a collective basis with other towns, but we have to have some latitude. I think a \$5,000 investment is a minor investment for these goals.

Finance Committee Report: (Mr. Felleman)

I would like to make a few observations using our perennial whipping boy, the Sudbury Public School System. In four years, the per pupil cost on the Sudbury Schools has gone up about 60%, a pretty impressive number. Some people have claimed that it is outrageous.

In the same time period, our per capita cost in the law category has gone up 90%.

Projecting the 1977 cost, if you adopt the Finance Committee's recommendation, that would represent basically 120% increase in the law account over four years. The Finance Committee does not question that these increases are reasonable in some cases. In 1976, as stated earlier, we did hire an Assistant Town Counsel and that represents some of the increase, but not an awful lot of it.

At what rate should we keep going up in this account? Mr. Powers has stated that we have a lot of important battles to fight in the courts. We already have fought some of them. We won the Sudbury Decision, and we are still waiting for some money to come in on that one. If we keep on tilting at legal windmills, I am afraid that we are not going to see the top for a long time.

On December 27th, the Selectmen voted to retain Mr. Kenny as Town Counsel through the end of this month at an annual retainer of \$11,000. That was a small increase over the retainer paid the Town Counsel that we had last year. On February 23rd, which was less than two months later, the Selectmen voted to request a \$5,000 increase, which is 45% in the Town Counsel's retainer. It was at the same meeting that the Selectmen, in reviewing the individually-rated employees, stated that they were opposed to any increases greater than 6% in view of the Selectmen's position against salaries presently being paid to the staffs of the Lincoln-Sudbury Regional School District, the Sudbury School System, and the Minuteman Regional Vocational School District.

April 11, 1977

The Finance Committee has a great deal of difficulty following this sort of logic. We have heard words about moratoriums and ceilings, and then we turn around and we get a request to give an employee with only a few months on the job a 45% raise. I don't mean this to reflect in any way on Mr. Kenny's ability, but we are concerned that this budget is going out of sight.

In the minutes of the Selectmen's meeting, Mr. Kenny has commented that in his experience as a Town Counsel during the past four or five years, the work load on a daily basis has just about doubled each year. I have in the past been chastized by the legal profession about trying to interpret legal matters, and I find on rare occasions that as a mathematician I can get back at the legal profession. If it doubles every year for five years, we have a million dollar budget in five years in this account, and I don't think we are prepared for that.

In this case, we are asking the Selectmen to exercise a little bit of fiscal restraint, and we strongly urge that you defeat this amendment.

Mr. Powers' amendment was defeated.

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$11,000 FOR LINE ITEM 503-10, RETAINER.

Mr. Felleman moved that the Town appropriate \$16,000 for line item 512-61, *Special Studies*, and stated that he would like to defer discussion on this item to the Planning Board.

Mr. Edward W. Connors, Jr., of the Planning Board stated as follows:

In asking you for this appropriation, the Planning Board believes the services the Town receives well warrant the expenditure. Sudbury's Town Planner has been with us for a little over two years, not as a Town employee, but as a consultant, providing planning services to all elected and appointed Town boards and committees as well as citizens' groups requesting such services.

To begin with, the Town Planner's activities have brought to Sudbury from HUD \$30,000 for beginning the development of the Haskell Land, \$30,000 for a home rehabilitation program which will enable twenty to forty Sudbury families to do much needed repairs to their homes and thus prevent deterioration of neighborhoods due to homeowners' inability to finance necessary home maintenance. Also pending are several other applications that may bring dollars into Sudbury, such as an application to HUD for \$150,000 for an expanded home repair program; an application, at the request of the Selectmen, to the Economic Development Administration for \$1,300,000 for building the police and fire headquarters; an application to the Economic Development Administration for \$403,000 for road improvements.

Each of the applications results in a document two to three inches thick and requires not only considerable time and expertise to complete satisfactorily, but much additional time and expertise to guide through all the phases. In addition to these services, the Town Planner has completed a number of projects which the Planning Board needs to do its job, and if contracted out, would cost many thousands of dollars for consulting fees.

Completed to date is the Natural Resources Planning Program, which produced thirty-five resource overlay maps and a handbook explaining how to use the overlay system for land use analysis. Also completed is a hydrology study of Sudbury's ground water resources by Dr. Ward S. Motts, a hydro-geologist from the University of Massachusetts. The final report of this study would not have been as complete and useful for land use planning without the direct assistance of Sudbury's Town Planner.

The Town Planner works closely with local planning agencies, such as the Metropolitan Area Planning Council, the Mass. Department of Community Affairs, and the Mass. Office of State Planning, to ensure that Sudbury's interests are represented.

The most important projected activity which must be completed by June 30, 1978, is revising Sudbury's Zoning Bylaws to bring them into conformity with the latest changes in the Zoning Enabling Act, Chapter 808, which was enacted by the Massachusetts Legislature last year. Another important activity for fiscal '78 is the coordination of the hydrology study recommendations with our resource studies.

April 11, 1977

The Town Planner must combine the resource overlay maps with the hydrology maps to identify areas where zoning restrictions or other measures would protect Sudbury's water quality and water resources.

The Planning Board is convinced that it is in the best interests of the Town to continue the services of the Town Planner as a consultant and asks for your support for this item in the Planning Board budget.

After some discussion, the presence of a quorum was questioned by seven voters in the hall. The Moderator stated that he had intended to handle just one more item and then leave the Accounting budget until tomorrow. He then proceeded to have the hall counted and following that count, he declared that there were more than 200 voters in the hall.

VOTED: THAT THE TOWN APPROPRIATE \$16,000 FOR LINE ITEM 512-61, SPECIAL STUDIES.

Upon a motion made by Mr. Felleman, it was

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$1,800 FOR LINE ITEM 513-21, GENERAL EXPENSE. [ANCIENT DOCUMENTS COMMITTEE]

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

VOTED: TO ADJOURN TO TOMORROW EVENING AT 8 P.M.

The meeting adjourned at 10:59 P.M.

[Number of names marked on the voting list as having attended the meeting: 924]

PROCEEDINGS

ADJOURNED ANNUAL TOWN MEETING

April 12, 1977

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

The Moderator announced that line item 521-51, Equipment Purchase, under Article 5, Account 500, General Government, was before the hall.

Mr. Felleman of the Finance Committee *moved that the Town raise and appropriate \$18,250 for line item 521-51, Equipment Purchase.*

Mr. Ita M. Potell then *moved to amend that amount under line item 521-51 to \$8,500, said sum to be raised by taxation.*

Board of Selectmen Minority Report: (Mr. Potell)

Talk about the accounting machine has been going on for a lot of years. I am one of the first to agree that for the piece of equipment that we have at Town Hall, I'm not sure you could get much even in a flea market. It is not very good. It does not work well. It is going to break down. It is many, many years old.

What I am objecting to is the Town's expending, over a five year period, almost \$65,000 to replace the equipment. I believe we can do it for \$8,500 without going into new programs or "better service" or more paper or more reports.

We should get a proper piece of equipment in there which will do the job and won't do anything more. I am not sure we really need anything more. I think it unwise to ask the Town to go out and spend \$65,000 for a piece of equipment that is going to do more for you. Maybe it will. Maybe the Town Clerk will use it to produce lists and maybe we will use it for other things, but we don't know.

What happens if and when Mr. Wilson moves on to some other town. Then who is going to run this thing? It is an individual thing that has been started. I think we could have solved this problem many years ago when a CTA sub-committee made this identical recommendation which was turned down in favor of getting a bigger and better machine to do more. That was almost four years ago, and we are still sitting with the same thing. Still the fight goes on for a bigger, better machine to do more, and nothing has happened yet except what we have gets older and older and is a hardship on everybody's ears at Town Hall.

I am really asking the Town, at the present time, to continue what we are doing. Let's not "up the services" which you, the citizens, will not see any benefit from. You are being asked to spend money for more services to produce more reports that we don't currently have.

I'm sure that many of you who are familiar with computers or electronic equipment know what happens once you have machines to produce more reports. The proliferation of paper is enormous, and half the time nobody looks at it, nobody really needs it.

If you feel that you do want all that paper, and maybe you're going to get something out of it, then I would say go with the big chunk of money. I think we can do what we have to do for \$8,500 and not for almost \$65,000.

Board of Selectmen Majority Report: (Mr. Powers)

A majority of the Board of Selectmen supports Mr. Wilson and the Finance Committee.

Town Accountant Report: (Mr. John H. Wilson)

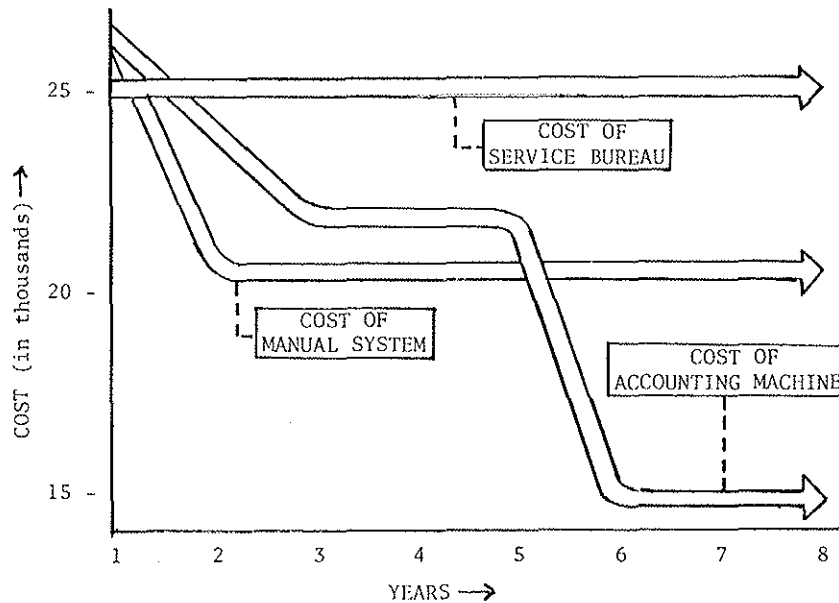
The Town of Sudbury is currently, and has for twenty years, used an accounting system processing payrolls and bills payable on office equipment designed for our needs in the 1960's when the Town's total expenditure was less than \$3,000,000, including schools and general government. We are using the same equipment today to process all of the bills and all of the payrolls for a much larger operation which, this year, is going to total over \$13,000,000.

It is my opinion, the opinion of the Board of Selectmen, the Finance Committee and an independent group of interested citizens who worked with me in this evaluation process, that not only is it essential to improve our equipment, but the most feasible solution is the lease-purchase of a good basic accounting machine. The benefits are obvious.

April 12, 1977

The system we are working under now requires a manual process. Mr. Potell is advocating that we purchase an \$8,500 machine this year to take the place of the bookkeeping machine we have in the office now. That machine is only a book-keeping machine. It is used manually and is very difficult to keep up with all the processing that is necessary in this Town.

CHART O



The method I am recommending and I think is cost-effective shows that it does cost money in the first few years. It is an expensive machine. The reason it is expensive is that we are going to internalize some of the methods that we now have out at service bureaus for payroll and tax bills. These costs will be absorbed by the Town. Over a ten year period, even though we will have the same number of employees and those costs will remain the same, the method will more than pay for itself. Also the departments with which I have to work every day will get much better service, and therefore, I think the people will get much better service.

It is my opinion that when a desire to limit spending that is really needed by government cuts out the expenditures that are necessary for the effective processing of government payrolls, government appropriations and the total expenditures, then that is as much to be condemned as a waste of government money.

Finance Committee Report: (Mr. Felleman)

There are some interesting statistics that will support Mr. Wilson. The cost of the basic machine is \$32,500, which we are going to pay off over five years. Supplies are estimated to cost about \$1,650 a year for ten years. We will have some costs for programs for the first two years. We have a maintenance contract of \$3,000 a year. The net cost over ten years to the Town is \$86,700.

There will also be some savings which I have estimated. The first year, we expect to save \$3,700 by not sending our payroll out to be processed. In subsequent years, the saving is \$7,500. That covers the payrolls, the tax billing, and perhaps the voting list. So, the net cost to the Town, if we purchase this machine over the ten year period, will be \$15,500.

If you follow Mr. Potell's suggestion, certainly we would have a much smaller investment of \$8,500. Supplies I'll estimate at \$500 per year because that is about what we are paying now. Over the ten years that comes to \$5,000. There would be no cost for programs. Maintenance would be about \$500 per year, or another \$5,000. The grand total would be \$18,500. But, then we have non-savings. That is all the things that we could have done. Those come out to \$71,200, and that cost to the Town is almost \$90,000.

I think it makes very prudent fiscal sense to buy this piece of capital equipment. I am not even discussing whether we are getting better service or fancier reports or anything. This is purely dollars, and the dollars to the Town make very good sense. The cheaper machine, in the end, isn't so cheap.

April 12, 1977

After considerable discussion, Mr. Potell's amendment was defeated.

After further discussion, a voter made a short statement and then moved the question.

Mr. Floyd L. Stiles, Jr., raised a point of order stating that he believed the Bylaws of the Town indicated that a motion to move the question cannot be preceded by a speech.

The Moderator ruled that a motion of the question is non-debatable, but it may be preceded by a speech.

VOTED: THAT THE TOWN RAISE AND APPROPRIATE \$13,250 FOR LINE ITEM 521-51, EQUIPMENT PURCHASE.

Upon a motion made by Mr. Felleman, it was

VOTED: THAT THE TOWN RAISE AND APPROPRIATE \$500 FOR LINE ITEM 521-61, PAYROLL PROCESSING.

ARTICLE 5: 600 GOODNOW LIBRARY

	EXPENDITURES APPROPRIATED		EXPENDITURES		FISCAL YEAR 1978	
	7/1/75- 6/30/76	7/1/76- 6/30/77	7/1/76- 12/31/76	7/1/77-6/30/78	REQUESTED	RECOMMENDED
600-11 Library Director		15,000	7,400	15,435	15,500	
600-13 Clerical		35,219	21,519	46,073	49,200	
600-14 Salaries	82,276	26,081	12,391	26,079	29,303	
600-15 Custodial		4,774	1,757	3,565	4,006	
600-16 Salaries, Pages		7,332	4,415	7,946	7,781	
600-21 General Expense	5,119*	5,462	1,897	5,663	5,663	
600-31 Maintenance	11,497	18,040	8,424	11,550	11,550	
600-41 Travel	195*	200	85	250	250	
600-51 Equipment	993	1,500	902	3,060	2,000	
600-52 Books	23,292*	25,200	15,264	28,500	28,500	
600-71 Out-of-State Travel	68	60	27	540	540	
<u>600</u> TOTAL	123,440	138,868	74,081	148,661	154,293	
State Aid						-5,064.75
NET BUDGET						149,228.25

Finance Committee Report:

600 Library: The recommended budget is a 3.6% increase over the appropriation for the current fiscal year. The clerical account reflects step increases and the addition of a full-time Junior Clerk. We recommend \$2,000 for the equipment account to enable the Library to purchase those items deemed a high priority. The increase in the books account reflects the increase in the cost of books to maintain the Library at its current level of circulation. We recommend \$540 for the Out-of-State Travel Account to enable the Library Director and some staff attendance at professional meetings and conferences.

Opening the Library for four hours on Sundays would provide additional service to the Town, but the Finance Committee does not support the requested \$3,226 for this purpose. We encourage re-scheduling of current employee work hours to meet this need. Recommend Approval.

Upon a motion made by Mrs. Carol McKinley of the Finance Committee, it was

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE AND RAISE THE SUM OF MONEY SET FORTH IN THE RECOMMENDED COLUMN FOR ALL ITEMS IN ACCOUNT 600, GOODNOW LIBRARY, AS SET FORTH IN THE FINANCE COMMITTEE'S HANDOUT SHEET, EXCEPT 600-13 AND 600-16, AND THAT THE EXCEPTED ITEMS BE CONSIDERED INDIVIDUALLY, AND TO RAISE THIS APPROPRIATION, THE SUM OF \$5,064.75 BE TRANSFERRED FROM THE LIBRARY'S STATE AID ACCOUNT TO ACCOUNT 600-52, AND THE BALANCE OF ALL ITEMS IN ACCOUNT 600 BE RAISED BY TAXATION.

April 12, 1977

Mrs. McKinley then moved that the Town raise and appropriate \$49,200 for line item 600-13.

Mrs. Sylvia M. Throckmorton, a Trustee of the Goodnow Library, moved to amend by striking the sum of \$49,200 from line item 600-13 and replacing it with the amount of \$51,769, and to amend the original motion on line item 600-16 to increase it by \$1,056, for a total of \$8,837.

Mrs. Throckmorton then commented in support of her amendments as follows:

The Goodnow Library Trustees seek the amendments to line items 600-13 and 600-16 in order to allow for the opening of the library on Sundays from 1 P.M. to 5 P.M., from September through June. The library would remain closed on Sundays during July and August.

We believe that the additional cost of \$2,659 for clerical help in line item 13 and \$1,056 in line item 16 are minimal costs and can be justified in view of the extra services available to every citizen of Sudbury. The Trustees and the Library Director have made every effort to keep costs at a minimum, services at a reasonable level and, at the same time, react to the overwhelming majority of library users.

We have not come to our decision hastily or without considerable investigation of this situation.

First, why open the library on Sundays? We, the Trustees, have asked the same question. Our answers, I believe, are clear and simple. First, the public demand for Sunday hours has increased during the last year. Current active library users have pressed us on the matter, and we believe that more potential users would avail themselves of the services offered.

Second, we felt that if we sensed an increased demand, we should verify it through a survey. Of those replying to our survey, over 70%, an overwhelming majority, said that they would vote to appropriate the funds needed for Sunday openings at town meetings.

When asked about family use of the library on Sunday, the response was equally positive and equally impressive.

Third, if present users were so heavily in favor of Sunday opening, what about potential users? What about those working people who cannot get to the library during weekdays or evenings? Surely there are many more potential users who would welcome the chance to make use of the library on the one day of the week that is not devoted to work either in an office or around home.

Fourth, we believe the cost to be reasonable.

In order to offer library services, we must have some trained personnel available. If we were to eliminate trained personnel, we could do no more than let people take out and drop off books. Therefore, we will incur some minimal costs. That cost, by the way, would be approximately 2¢ on your tax rate dollar.

Keep in mind, also, that the entire library budget is only 83.5¢ of your tax bill. As you can see, we are a miniscule portion of costs to the taxpayer, providing a vital service to every citizen of the community.

Finally, the trustees looked beyond the Town to see what has happened across the state. At the end of 1976, there were fifty-one towns in the state that were open on Sundays. A survey was done by another town considering Sunday hours. Respondents to their survey were all quite pleased with citizen reaction to Sunday hours and, indeed, some said it has become their busiest and most popular time of the week.

Everyone here should bear in mind just how Sudbury's library ranks in the state. In towns with populations between 10,000 and 25,000, our circulation per capita is 11.46, or in the 85th percentile, and in comparison with the same population groups of other towns, we are in the 65th percentile in percapita spending. This means that we are an extremely library-oriented town for our size, and we are providing services at a very reasonable cost.

Our citizens used our library 186,000 times last year. There are strong indications that they want more library time. More than half of our citizens have library cards, while the national average in any town is one-third of the citizens.

We have considered the alternatives of volunteer help and of shorter hours during the week. Our library staff is no different from any of you sitting here

April 12, 1977

tonight in as much as they would not be generally in favor of working a thirty-five hour, six-day week, which includes Sunday working hours at regular pay. An alternative might be overtime pay but that would cost even more money.

Our present clerical and page staff would, of course, be given the option of working during the Sunday openings, but we would expect staffing to be done primarily by other experienced persons in the community or by students from Simmons College.

Another suggested alternative would be the use of volunteer help. I think that you will agree that volunteer work on a regular basis on Sunday afternoons would be extremely difficult to get at best.

The Finance Committee has said that it is in favor of Sunday hours but balks at the extra cost and suggests shorter weekday hours. The Trustees and the Library Director can assure you that our current small staff is hard pressed to keep up with all of the clerical and operational duties of running the library. A reduction in weekday work hours would seriously hamper our operations as well as serve to reduce our current level of efficiency. Neither the Trustees or the Town would benefit from reduced weekday hours.

We, the Trustees, believe that there is a need, a demand for Sunday openings. We believe the small amount of money is worth it, and we hope you will support us in our amendment to these line items.

The Moderator stated that he had a procedural problem in that the main motion deals only with line item 600-13 and that Mrs. Throckmorton's amendment deals with both 600-13 and 600-16. With Mrs. Throckmorton's agreement, the Moderator asked and received the consent of the hall to withdraw the second part of the amendment leaving only the amendment relative to line item 600-13 before the hall.

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$51,769 FOR LINE ITEM 600-13.

Mrs. McKinley then *moved* that the Town raise and appropriate \$7,781 for line item 600-16, Salaries, Pages.

In response to a point of order asking whether or not the hall needed to vote on the main motion under line item 600-13 as well as Mrs. Throckmorton's amendment, the Moderator stated that he had rephrased the amendment since it was a money item and the motion to amend made the main motion impossible to pass. It would have been, in effect, a reconsideration to entertain the main motion.

Mrs. Throckmorton then *moved* to amend the original motion on line item 600-16 to increase it by \$1,058, for a total of \$8,837.

Prior to taking a vote, the Moderator explained that in passing this motion to amend, you will be making the main motion null and void. The motion, then, that you will be voting on is to raise and appropriate the sum of \$8,837 for line item 600-16, Salaries, Pages, rather than the \$7,781 which is in the recommended column of the Finance Committee's handout.

VOTED: THAT THE TOWN RAISE AND APPROPRIATE \$8,837 FOR LINE ITEM 600-16, SALARIES, PAGES.

ARTICLE 5: 700 PARK AND RECREATION

	EXPENDITURES APPROPRIATED			FISCAL YEAR 1978	
	7/1/75-	7/1/76-	7/1/76-	7/1/77-6/30/78	
	6/30/76	6/30/77	12/31/76	REQUESTED	RECOMMENDED
700-11 Maintenance Foreman	11,000	11,000	5,923	12,000	12,720
700-12 Overtime	141	800	162	400	450
700-15 Salaries	42,711	46,690	33,433	47,226	53,064
700-21 General Expense	978	1,000	421	1,000	1,000
700-31 Maintenance	23,852	25,000	8,406	25,000	25,000
700-41 Travel	300	300	211	500	500
700-51 Equipment	2,992	4,000	3,976	3,000	3,000
700-61 Special Programs	17,982	19,150	13,210	18,900	18,900
700-72 Uniforms		350	69	500	500
<u>700 TOTAL</u>	<u>99,956</u>	<u>108,290</u>	<u>65,811</u>	<u>108,526</u>	<u>115,134</u>

April 12, 1977

Finance Committee Report:

700 Park and Recreation: The Finance Committee is pleased that this is the second consecutive year the Park and Recreation has displayed its fiscal responsibility by maintaining the same level of expenditure. Recommend Approval.

The Moderator pointed out that there had been a misprint in the Warrant. Under line item 700-71, there appears the description, "Out-of-State Travel". Actually the line item is 700-72, and the correct designation is "Uniforms".

Upon a motion made by Karl E. Clough of the Finance Committee, it was

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUMS OF MONEY SET FORTH IN THE RECOMMENDED COLUMN FOR ALL ITEMS IN ACCOUNT 700, PARK AND RECREATION, AS SET FORTH IN THE FINANCE COMMITTEE'S HANDOUT SHEET, EXCEPT LINE ITEMS 700-11 AND 700-15, AND THAT THE EXCEPTED ITEMS BE CONSIDERED INDIVIDUALLY, SAID SUMS TO BE RAISED BY TAXATION.

After several questions raised by former Fire Chief, Albert St. Germain, were answered by Mr. Piscitelli of the Park and Recreation Commission, upon motions made by Mr. Clough, it was

VOTED: THAT THE TOWN RAISE AND APPROPRIATE FOR LINE ITEM 700-11, MAINTENANCE FOREMAN, THE SUM OF \$12,720.

VOTED: THAT THE TOWN RAISE AND APPROPRIATE FOR 700-15, SALARIES, THE SUM OF \$53,064.

ARTICLE 5: 800 HEALTH

	EXPENDITURES APPROPRIATED		EXPENDITURES		FISCAL YEAR 1978	
	7/1/75- 6/30/76	7/1/76- 6/30/77	7/1/76- 12/31/76	7/1/77-6/30/78 REQUESTED	RECOMMENDED	
800-11 Director's Salary	17,000	17,000	9,154	19,000	19,101	
800-13 Clerical Salary	5,513	6,500	3,057	6,500	7,304	
800-15 Animal Inspector	800	800	400	900	800	
800-21 General Expense	983	1,700	330	1,200	1,200	
800-31 Lab Expense	842	1,200	418	1,200	1,200	
800-41 Travel	1,095	1,300	734	1,400	1,400	
800-51 Equipment	0	400	364	0	0	
800-61 SPHNA	22,444	22,892	11,444	26,148	26,148	
800-71 Mosquito Control	13,500	15,000	14,000	16,000	16,000	
800-75 Septage Disposal		30,000	0	50,000	50,000	
800-81 Consultant Fees	0	250	0	250	250	
800-91 Mental Health	4,740	4,750	1,580	4,750	4,750	
<u>800 TOTAL</u>	<u>66,917</u>	<u>101,792</u>	<u>41,481</u>	<u>127,348</u>	<u>128,153</u>	

Finance Committee Report:

800 Board of Health: The Finance Committee recommends approval of \$126,248 for the Board of Health budget.

Two line items are primarily responsible for the total budget increase. SPHNA costs are up 14.2% due to nurses' salary increases and additional clerical help. No salary increases were included in last year's SPHNA budget.

The recommended amount of \$50,000 in the -75 account reflects one-half of the anticipated cost for the Wayland-Sudbury Joint Septage Disposal Facility. Both Towns have agreed to this anticipated need and unspent monies will be returned to the Towns under our contract. Construction of this facility was approved at the 1975 Annual Town Meeting and Sudbury is responsible for one-half of the total cost. Recommend Approval.

Upon a motion made by Mrs. Carol McKinley, it was

VOTED: THAT THE TOWN RAISE AND APPROPRIATE THE SUMS OF MONEY SET FORTH IN THE RECOMMENDED COLUMN FOR ALL ITEMS IN ACCOUNT 800, HEALTH, AS SET FORTH IN THE FINANCE COMMITTEE'S HANDOUT SHEET, EXCEPT LINE ITEM 800-75, AND THAT THE EXCEPTED ITEM BE CONSIDERED INDIVIDUALLY, SAID SUMS TO BE RAISED BY TAXATION.

April 12, 1977

UNANIMOUSLY VOTED: THAT THE TOWN RAISE AND APPROPRIATE \$22,405 FOR LINE ITEM 800-75, SEPTAGE DISPOSAL.

Mrs. McKinley commented relative to line item 800-75 as follows:

The total expenditure for the fiscal year 1978 is now anticipated to be \$44,810. That amount represents the cost of engineering and legal fees only, with Wayland providing \$22,405 and Sudbury providing \$22,405.

ARTICLE 5: 900 VETERANS

	EXPENDITURES APPROPRIATED			EXPENDITURES		FISCAL YEAR 1978	
	7/1/75- 6/30/76	7/1/76- 6/30/77	7/1/76- 12/31/76	7/1/77-6/30/78 REQUESTED	7/1/77-6/30/78 RECOMMENDED		
900-11 Agent's Salary	1,524	1,524	752	1,524	1,712		
900-21 General Expense	246	300	47	350	350		
900-61 Benefits	6,448	10,000	4,338	10,000	10,000		
<u>900 TOTAL</u>	<u>8,218</u>	<u>11,824</u>	<u>5,137</u>	<u>11,874</u>	<u>12,062</u>		

Finance Committee Report:

900 Veterans: The requirements for a benefit fund are defined under General Laws of the Commonwealth and the amount is the same as last year with only a slight increase in general expense. Recommend Approval.

Upon a motion made by Mrs. Linda Glass of the Finance Committee, it was

VOTED: THAT THE TOWN APPROPRIATE THE SUMS OF MONEY SET FORTH IN THE RECOMMENDED COLUMN FOR ALL ITEMS IN ACCOUNT 900, VETERANS, AS SET FORTH ON THE FINANCE COMMITTEE'S HANDOUT, SAID SUMS TO BE RAISED BY TAXATION.

ARTICLE 5: 950 UNCLASSIFIED

	EXPENDITURES APPROPRIATED			EXPENDITURES		FISCAL YEAR 1978	
	7/1/75- 6/30/76	7/1/76- 6/30/77	7/1/76- 12/31/76	7/1/77-6/30/78 REQUESTED	7/1/77-6/30/78 RECOMMENDED		
950-11 Blue Cross/Shield	151,808	200,000	72,436	225,000	200,000		
950-12 Life Insurance	3,382	4,400	1,400	4,400	4,400		
950-21 Fidelity Bonds	1,102	1,500	1,087	1,500	1,500		
950-31 Casualty Insurance	56,804	66,000	55,658	75,000	75,000		
950-41 Print Town Report	2,916	4,000	0	4,000	4,000		
950-51 Memorial Day	800	1,000	0	1,200	1,000		
950-61 Veterans' Graves	292	500	0	300	300		
950-71 Fire Pension	1,500	1,500	875	1,500	1,500		
950-81 Reserve Fund	55,791	100,000	17,258	100,000	100,000		
950-91 Hosmer House Cont.	2,000	2,000	1,169	2,000	2,000		
950-92 Communications	3,779*	3,500	1,985	3,500	3,500		
950-93 Hydrant Rental	21,525	21,630	16,223	21,805	21,805		
950-94 Copying Service	5,194*	5,000	2,186	6,000	6,000		
950-96 Retirement Fund	159,050	200,446*	200,446	240,000	207,742		
950-97 Town Meetings	5,158	7,000	0	8,400	8,400		
950-98 Postage	4,000	9,500	3,851	9,500	9,500		
950-99 Telephone	9,045*	11,000	2,638	11,000	11,000		
<u>950 TOTAL</u>	<u>484,146</u>	<u>638,976</u>	<u>377,212</u>	<u>715,105</u>	<u>657,647</u>		
Overlay Reserve					-100,000		
NET BUDGET					557,647		

Finance Committee Report:

950 Unclassified: The major increases in this account are Blue Cross/Blue Shield (up 12.5%), Casualty Insurance (up 13.6%) and Retirement Fund (up 20%). The other accounts remain essentially the same as last year. Recommend Approval.

Reserve Fund Transfers 7/1/75 to 2/23/76:

200 DEBT SERVICE		\$ 6,000.00
Interest on Temporary Loans	\$ 6,000.00	

April 12, 1977

<u>300 PROTECTION</u>		\$ 12,004.63
Dog Officer - Equipment	\$ 273.63	
Police - Equipment	857.00	
Fire - Maintenance	10,874.00	
<u>400 HIGHWAY</u>		10,000.00
Parts and Repairs	10,000.00	
<u>500 GENERAL GOVERNMENT</u>		5,195.00
Law - Retainer	250.00	
Law - Equipment	400.00	
Town Clerk - Equipment	4,400.00	
Treasurer - Bond & Note Issue	145.00	
<u>950 UNCLASSIFIED</u>		853.08
Retirement Fund	853.08	
<u>Total Amount Transferred</u>		<u>\$ 34,052.71</u>

Upon a motion made by Mr. Felleman of the Finance Committee, it was

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUMS OF MONEY SET FORTH IN THE RECOMMENDED COLUMN FOR ALL ITEMS IN ACCOUNT 950, UNCLASSIFIED, AS SET FORTH IN THE FINANCE COMMITTEE'S HANDOUT SHEET, AND TO RAISE THIS APPROPRIATION, THE SUM OF \$100,000 BE TRANSFERRED FROM THE OVERLAY SURPLUS ACCOUNT TO ACCOUNT 950-81, AND THE BALANCE OF ALL ITEMS IN ACCOUNT 950 BE RAISED BY TAXATION.

Mr. Powers, Chairman of the Board of Selectmen, was then recognized for the purpose of presenting the following resolution, approval of which was clearly demonstrated by applause.

VOTED:

WHEREAS *INDIVIDUAL MEMBERS OF THE SUDBURY REVOLUTIONARY WAR BICENTENNIAL COMMITTEE HAVE EXPRESSED THEIR INTENTION TO MAKE A GIFT TO THE TOWN OF \$100 FOR THE TOWN'S CELEBRATION OF THE TERCENTENARY OF THE UNITED STATES; AND*

WHEREAS *THE FUND CREATED BY THIS GIFT WILL AID THE TOWN ONLY FOR THE PURPOSE OF PROPERLY CELEBRATING THE TERCENTENARY:*

THEREFORE, BE IT

RESOLVED *THAT THE TOWN ACCEPTS AND EXTENDS ITS APPRECIATION FOR THIS GIFT.*

Mr. Powers explained that this money came out of the farewell dinner that the members of the Revolutionary War Bicentennial Committee had for each other. Everybody threw some money on the table. We had Mr. Wilson try to figure out what a hundred dollars, invested for one hundred years, would amount to. We are pleased to say that the Tercentenary Committee, whoever they may be, will have something in excess of \$175,000 to work with. We wish somebody had done this for us in 1875.

Upon a motion made by Mr. Felleman of the Finance Committee, it was

UNANIMOUSLY VOTED:

THAT THE TOWN APPROPRIATE AND TRANSFER \$250,000 FROM FREE CASH TO BE APPLIED UNDER THE APPROPRIATIONS VOTED UNDER ARTICLE 5, WITH THE INSTRUCTION TO THE TOWN ACCOUNTANT TO REDUCE THE TOTAL APPROPRIATIONS FOR ARTICLE 5 BY THAT AMOUNT;

THAT SALARY AND OVERTIME APPROPRIATIONS WITHIN A DEPARTMENTAL BUDGET ARE FUNDED HEREUNDER AS INTEGRATED LINE ITEMS, PROVIDED, HOWEVER, THAT THE DEPARTMENTAL APPROPRIATIONS FOR ONE SUCH LINE ITEM CANNOT BE USED FOR ANOTHER LINE ITEM WITHOUT PRIOR APPROVAL, IN EACH INSTANCE, BY THE FINANCE COMMITTEE;

THAT THE SNOW AND ICE LINE ITEMS 460-30, MATERIALS, 460-40, EQUIPMENT, AND 460-50, CONTRACTORS, ARE FUNDED HEREUNDER AS INTEGRATED LINE ITEMS PROVIDED, HOWEVER, THAT THE APPROPRIATIONS FOR ONE LINE ITEM CANNOT BE USED FOR ANOTHER LINE ITEM WITHOUT PRIOR APPROVAL, IN EACH INSTANCE, BY THE FINANCE COMMITTEE;

April 12, 1977

THAT, WITH THE EXCEPTION OF ACCOUNT 100, EDUCATION, AND THE INTEGRATED LINE ITEMS PROVIDED BY THIS MOTION, ALL OTHER LINE ITEMS IN ALL OTHER ACCOUNTS HAVE BEEN VOTED AS SEGREGATED LINE ITEMS FOR ACCOUNTING AND EXPENDITURE PURPOSES;

THAT ALL AUTOMOBILE MILEAGE SHALL BE PAID AT THE RATE OF 14¢ PER MILE UPON SUBMISSION OF THE PROPER VOUCHER; AND

THAT ALL APPROPRIATIONS UNDER ARTICLE 5 SHALL BE FOR FISCAL YEAR FROM JULY 1, 1977, TO JUNE 30, 1978.

The Moderator then took up the Consent Calendar which had been distributed earlier, containing the articles proposed for consent, the motions, and the necessary reports. After calling the Consent Calendar, during which several of the proposed articles were removed by voters, it was

UNANIMOUSLY VOTED: ARTICLES 6, 11, 12, 13, 19, 21 AND 29, IN THE WORDS OF THE MOTIONS AS DISTRIBUTED.

[See individual articles for reports and motions voted.]

ARTICLE 6: To see if the Town will vote to accept Chapter 379 of the Acts of 1976, entitled: "An Act Relative to Certain Fees Paid to the Town Clerk in the Town of Sudbury", and to amend Article III, Section 7, of the Town Bylaws, entitled: "Town Affairs", by deleting therefrom the second sentence; or act on anything relative thereto.
 Amend Bylaws Art. III, 7
 §
 Accept Ch. 379, Submitted by the Committee on Town Administration and the Town Clerk.
 Acts of 1976
 Town Clerk
 Fees

Committee on Town Administration and Town Clerk Report: At the 1976 Annual Town Meeting, the Town voted to petition the General Court for a special act to permit the Town Clerk to pay over to the Town Treasurer the fees from dog licenses and from fish and game licenses currently being retained by her as part of her salary as provided in the General Laws. The special act also provides for a salary adjustment substantially equal to the fees at such time as these fees are paid over to the Town.

At the 1976 Annual Town Meeting, the Town also voted to amend Article III, Section 7 of the Town Bylaws to exempt these fees, thus resolving technical difficulties with the Bylaw until such time as the General Court could take action on the special act and until the Town Meeting would have an opportunity to decide the procedure it wishes to have followed with respect to these fees.

The General Court has passed the special act, Chapter 379 of the Acts of 1976, as it was submitted and the full text appears below.

This article is being presented to give the Town Meeting the opportunity to decide whether or not it wishes to have the Town Clerk paid entirely by appropriated salary rather than by a combination of salary and fees.

The salary adjustment of \$935, substantially equal to the fees retained during fiscal 1976, appears in the budget under line item 506-11, Town Clerk Salary.

If the Town Meeting wishes to have the Town Clerk paid entirely by appropriated salary, it should vote in favor of the salary adjustment under the budget and in favor of this article. Such votes will adjust the salary as provided in Section 1 of the special act, accept the special act, and at the same time, delete the exemption of the fees from the Bylaw as that exemption will no longer be needed.

The Committee on Town Administration and the Town Clerk recommend favorable action on the salary adjustment and on this article. Favorable action will allow a uniform system among all town departments and officers for the handling of fees.

Note 1) Section 7 of Article III presently reads as follows:

"Section 7. All town officers shall pay into the Town Treasury all fees received by them by virtue of their office. The fees retained by the Town Clerk under the provisions of Chapter 140, Section 147, and under Chapter

April 12, 1977

131, Section 17, of the General Laws, are specifically exempted from this bylaw, and shall not be required to be paid into the Town Treasury by reason of this bylaw."

Note 2) Chapter 379 of the Acts of 1976 reads as follows:

"An Act relative to certain fees paid to the Town Clerk in the Town of Sudbury.

SECTION 1. The town clerk of the town of Sudbury shall, commencing July first, nineteen hundred and seventy-seven, and on the first Monday of each month thereafter, pay over to the town treasurer, that part of the dog license funds formerly retained by such clerk under the provisions of section one hundred and forty-seven of chapter one hundred and forty of the General Laws, and that part of the fish and game license funds formerly retained by such clerk under the provisions of section seventeen of chapter one hundred and thirty-one of the General Laws; provided that the town clerk's salary, to be effective July first, nineteen hundred and seventy-seven, shall, in addition to any general salary increases voted from time to time for elected officials, include an amount substantially equal to the fees retained under the above two sections of the General Laws during the fiscal year July first, nineteen hundred and seventy-five, to June thirtieth, nineteen hundred and seventy-six.

SECTION 2. The town clerk of the town of Sudbury shall continue to pay over to the town treasurer on the first Monday of each month, fees collected under sections thirty-four and thirty-four A of chapter two hundred and sixty-two of the General Laws.

SECTION 3. Money paid over to the town treasurer under sections one and two above shall become part of the estimated receipts of the town of Sudbury.

SECTION 4. This act shall take effect upon its acceptance by the town of Sudbury."

Finance Committee Report: This article is the second and final step necessary to bring a uniform policy to Town government regarding fees. The Town in approving Article 16 at the 1976 Annual Town Meeting approved the petition to the General Court and in Article 17 made a corresponding change in the Town Bylaws. This article allows the Town to accept the special legislation and to return the Bylaws to their original form. Recommend Approval.

Town Counsel Opinion: It is the opinion of Town Counsel that if the Bylaw amendment proposed in Article 6 in the Warrant for the 1977 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.

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

ARTICLE 7: To see if the Town will vote to accept General Laws, Chapter 41, Section 100 I, which provides that the Town shall indemnify and save harmless municipal officers, elected or appointed, from personal financial loss and expense including reasonable legal fees and costs, if any, in an amount not to exceed one million dollars, arising out of any claim, demand, suit or judgment by reason of any act or omission including a violation of the civil rights of any person under any federal law, if the official at the time of such act or omission was acting within the scope of his official duties or employment, or act on anything relative thereto.

Submitted by the Board of Selectmen.

Board of Selectmen Report: This legislation authorizing indemnification of municipal officers was recently (December 15, 1975) enacted and approved by the Massachusetts Legislature. If General Laws Chapter 41, 100 I is accepted by the Town, it will protect municipal officers, elected or appointed, from claims against them up to \$1,000,000 from an act or omission, including violations of the civil rights of anyone under federal law, if the official was acting within

April 12, 1977

the scope of his official duties and was not acting in a grossly negligent, willful or malicious manner. The acceptance of this act will also help relieve the pressure and tension under which many town officials work - that their personal property and homes may be attached in a legal suit or claim resulting from an action taken during the performance of their duties. The Selectmen recommend approval of this article.

Finance Committee Report: Acceptance of this article will provide authority to insure all municipal officers. The insurance policy covering some of the officers would cost the Town approximately \$1,200 in the first year. Recommend Approval.

Mr. Powers, Chairman of the Board of Selectmen, made the main motion under the article.

Mr. Robert K. Coe then *moved to amend the motion under Article 7 by inserting at the end thereof, "and was not acting in a grossly negligent, willful or malicious manner"*.

In support of his amendment, Mr. Coe stated as follows:

I make this motion to bring the phrasing of the article into conformance with the phrasing in the Board of Selectmen report which states that this will only be true if the official was acting within the scope of his official duties and not acting in a grossly negligent, willful or malicious manner. This may, in fact, be irrelevant for practical purposes because the situation may never come up that we have a town official who is deemed to have acted in a grossly negligent or malicious manner.

We can't foresee what might happen in the future, and there may be some bad apple that will turn up some time. Therefore, it seems to me reasonable that this phrasing be put in. To some extent, this article is quoting the General Laws, and if, in fact, the General Laws exempt this willful and malicious conduct, then we had better think a little hard about passing the article at all.

Mr. Coe's amendment was voted. *In favor - 167; Opposed - 122. (Total - 289)*

After discussion, it was

VOTED: THAT THE TOWN ACCEPT PROVISIONS OF GENERAL LAWS, CHAPTER 41, SECTION 100 I, TO INDEMNIFY AND SAVE HARMLESS MUNICIPAL OFFICERS, ELECTED OR APPOINTED, FROM PERSONAL FINANCIAL LOSS AND EXPENSE INCLUDING REASONABLE LEGAL FEES AND COSTS, IF ANY, IN AN AMOUNT NOT TO EXCEED ONE MILLION DOLLARS, ARISING OUT OF ANY CLAIM, DEMAND, SUIT OR JUDGMENT BY REASON OF ANY ACT OR OMISSION INCLUDING A VIOLATION OF THE CIVIL RIGHTS OF ANY PERSON UNDER ANY FEDERAL LAW, IF THE OFFICIAL AT THE TIME OF SUCH ACT OR OMISSION WAS ACTING WITHIN THE SCOPE OF HIS OFFICIAL DUTIES OR EMPLOYMENT AND WAS NOT ACTING IN A GROSSLY NEGLIGENT, WILLFUL OR MALICIOUS MANNER.

ARTICLE 8: To see if the Town will vote to authorize the Board of Selectmen, in the name and behalf of the Town of Sudbury, to grant to the Commonwealth of Massachusetts, through its Department of Public Works, whose post office address is 100 Nashua Street, Boston, Massachusetts 02214, all right, title, claim and demand whatsoever as the Town has, or ought to have in and to a certain vehicular bridge being Bridge S-31-2 and being identified as Railroad Bridge No. 18-86, said bridge bring a continuation and extension of a public way known as Landham Road in the Town of Sudbury providing vehicular passage for the public over the tracks of the Boston and Maine Railroad, or act on anything relative thereto.

Submitted by the Board of Selectmen.

Board of Selectmen Report: The Town is presently responsible for the maintenance and repair of the Landham Road railroad overpass. This article transfers the Town's responsibility to the State Department of Public Works, and is authorized by Chapter 634 of the Acts of 1971.

April 12, 1977

Finance Committee Report: Difficulties arose in the past regarding the costs of and authority to repair Landham Bridge. Now the Town can transfer title and responsibility, at a cost of preparing the necessary documents and recording the deed, to be paid from Account 503-Law. The Highway Department agrees and we recommend approval.

VOTED: THAT THE TOWN AUTHORIZE THE BOARD OF SELECTMEN, IN THE NAME AND BEHALF OF THE TOWN OF SUDBURY, TO EXECUTE A DEED OR SUCH OTHER INSTRUMENT FOR A NOMINAL CONSIDERATION TO GRANT TO THE COMMONWEALTH OF MASSACHUSETTS, THROUGH ITS DEPARTMENT OF PUBLIC WORKS, ALL RIGHT, TITLE, CLAIM AND DEMAND WHATSOEVER AS THE TOWN HAS, OR OUGHT TO HAVE, IN AND TO A CERTAIN VEHICULAR BRIDGE BEING BRIDGE S-31-2 AND BEING IDENTIFIED AS RAILROAD BRIDGE NUMBER 18-86, SAID BRIDGE BEING A CONTINUATION AND EXTENSION OF A PUBLIC WAY KNOWN AS LANDHAM ROAD IN THE TOWN OF SUDBURY PROVIDING VEHICULAR PASSAGE FOR THE PUBLIC OVER THE TRACKS OF THE BOSTON AND MAINE RAILROAD.

ARTICLE 9: To see if the Town will vote to authorize and empower the Selectmen to acquire easements, by purchase, gift or by a taking by eminent domain, for walkway and sidewalk construction, maintenance, reconstruction and use purposes, and for roadway widening purposes, over, across and through the land shown on a plan entitled: "Plan of the Alteration of the Crossing of the Penn Central Railroad and Hudson Road, Sudbury, Massachusetts", drawn by: Town of Sudbury Engineering Department, dated: May 28, 1976, and to amend the vote passed under Article 13 of the 1976 Annual Town Meeting to authorize the Selectmen to expend funds appropriated under said article for the acquisition or taking of these easements, or act on anything relative thereto.

Hudson Rd.
Walkway -
Railroad
Crossing

Submitted by the Board of Selectmen.

Board of Selectmen Report: This article allows the Town to acquire the necessary easements over the Penn Central Railroad at Hudson Road. The construction of the walkway has previously been approved by the Town, and the County has determined the limits of the alteration over the tracks. All that remains now is for the Town to acquire the easements.

Finance Committee Report: In order to complete the walkway voted at the Annual Town Meeting in 1975, it is necessary to acquire this easement. Recommend Approval.

UNANIMOUSLY VOTED: IN THE WORDS OF THE ARTICLE.

ARTICLE 10: To see if the Town will vote to authorize and empower the Selectmen to acquire easements, by purchase, gift or by a taking by eminent domain, for walkway and sidewalk construction, maintenance, reconstruction and use purposes, and for roadway widening purposes, over, across and through the land shown on a plan entitled: "Plan of the Alteration of the Crossing of the the Penn Central Railroad and Old Lancaster Road, Sudbury, Massachusetts," drawn by: Town of Sudbury Engineering Department, dated: May 28, 1976, and to amend the vote passed under Article 13 of the 1976 Annual Town Meeting to authorize the Selectmen to expend funds appropriated under said article for the acquisition or taking of these easements, or act on anything relative thereto.

Old
Lancaster
Road
Walkway -
Railroad
Crossing

Submitted by the Board of Selectmen.

Board of Selectmen Report: Although construction of the Old Lancaster Road walkway was previously approved by the Town, it is necessary that easements be obtained over the Penn Central railroad tracks. This article will allow those easements to be obtained.

Finance Committee Report: In order to finish this walkway voted at the 1976 Annual Town Meeting, the Town must acquire this easement. Recommend Approval.

UNANIMOUSLY VOTED: IN THE WORDS OF THE ARTICLE.

April 12, 1977

ARTICLE 11: To see if the Town will vote to amend the Town of Sudbury Bylaws by adding a new article to read as follows:

Amend
Bylaw

"ARTICLE XVI
TOWN SEAL

Town
Seal

SECTION 1. The Town Seal, or any reproduction or facsimile thereof, shall not be used, unless authorized by law, without the written authorization of the Town Clerk.";

or act on anything relative thereto.

Submitted by the Selectmen.

Board of Selectmen Report: The General Laws allow certain uses of the Town Seal only upon proper authorization, but does not state who shall give the authorization. This article amends the Bylaws to provide that such authorization shall come from the Town Clerk.

Finance Committee Report: This addition to the bylaws identifies the responsible authority for the Town Seal. Recommend Approval.

Town Counsel Opinion: It is the opinion of Town Counsel that if the Bylaw amendment proposed in Article 11 in the Warrant for the 1977 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.

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

ARTICLE 12: To see if the Town will vote to abolish or dissolve the Power and Light Committee, or act on anything relative thereto.

Abolish

Power &
Light Comm.

Submitted by the Board of Selectmen and Moderator.

Board of Selectmen Report: The Power and Light Committee was established by Article 17 at the 1963 Annual Town Meeting; its main function to be to continue to study the matter of the proposed Boston Edison Company high tension transmission lines.

A motion was made in the words of Article 17 at the 1963 Annual Town Meeting with the deletion of the words, "to investigate requests by the Company (Boston Edison) for location of new poles, relocation or replacement of existing poles". The foregoing has turned out to be the only function of the Committee over the past few years, since no new or proposed high tension transmission lines have been proposed for Sudbury for several years. In addition, there has been only one active member of the Committee for the past four years and no new appointment made by the Moderator.

In joint meeting with the Moderator on March 8, 1976, the Board of Selectmen unanimously voted, "in view of the fact that the term of the remaining Power and Light Committee members expires on April 30, 1976, to place an article in the next annual or special Town Meeting, requesting abolition of this Committee, its original purpose having been completed."

The Selectmen and the Moderator recommend approval of this article.

Finance Committee Report: Recommend Approval.

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

ARTICLE 13: To see if the Town will vote to amend Article I, Section 3 of the Town Bylaws, entitled: "Town Meetings", by deleting from the first sentence thereof the words, "time appointed for such meeting" and

Amend Bylaws

Art. I,3

Town
Meetings

by substituting therefor the words, "Annual Meeting and at least fourteen days before any special town meeting," so that the first sentence will read as follows:

"Notice of every town meeting shall be given by posting printed attested copies of the warrant therefor at the Town Hall and such other places as the Selectmen deem appropriate, but not less than three in each precinct, and

April 12, 1977

not less than a total of twelve in the Town, at least seven days before the Annual Meeting and at least fourteen days before any special town meeting.";

or act on anything relative thereto.

Submitted by the Committee on Town Administration.

Committee on Town Administration Report: Chapter 272 of the Acts of 1976 amended the General Laws by increasing from seven to fourteen days the time required for notice prior to a special town meeting. This article would bring the Town Bylaws into conformity with the provisions of the General Laws.

Finance Committee Report: Recommend Approval.

Town Counsel Opinion: It is the opinion of Town Counsel that if the Bylaw amendment proposed in Article 13 in the Warrant for the 1977 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.

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

ARTICLE 14: To see if the Town will vote to appropriate from available funds a sum of money to pay any one or more of the following unpaid bills totaling \$22,160.51:

Unpaid
Bills

\$5,292.32	to pay Fire Department employees for earned overtime pay (Fire Department);
436.09	to pay Municipal Signal & Supply Co. for repairs to traffic signal equipment (Board of Selectmen);
242.84	to pay Southern Middlesex Registry of Deeds (Board of Selectmen)
99.02	to pay Boston Gas for outstanding balance (Sudbury School Committee);
74.95	to pay Simmons College re college work-study program (Goodnow Library);
16,015.29	to pay various bills detailed on a schedule of departmental bills payable, dated December 15, 1976 (Sudbury School Committee);

or act on anything relative thereto.

Submitted by the Town Accountant.

Town Accountant Report: The Town can only pay unpaid bills from a prior fiscal or budget year by vote of the Town Meeting or by a Special Act of the State Legislature.

Finance Committee Report: Recommend Approval.

After some discussion, upon a motion made by Mr. John H. Wilson, Town Accountant, it was

VOTED: THAT THE TOWN APPROPRIATE \$21,639.10 FOR THE PAYMENT OF UNPAID BILLS INCURRED, WHICH MAY BE LEGALLY UNENFORCEABLE DUE TO THE INSUFFICIENCY OF THE APPROPRIATION IN THE YEAR IN WHICH SUCH BILL WAS INCURRED, AS FOLLOWS:

FIRE DEPARTMENT OVERTIME	\$5,292.32
MUNICIPAL SIGNAL AND SUPPLY CO.	436.09
REGISTRY OF DEEDS	242.84
BOSTON GAS	99.02
SIMMONS COLLEGE	74.95

AND BILLS PAYABLE BY THE SUDBURY SCHOOL DEPARTMENT ON A SCHEDULE OF DECEMBER 15, 1976, \$15,493.88, SAID SUMS TO BE TRANSFERRED FROM FREE CASH.

The Moderator announced that the motion had carried by a four-fifths vote.

April 12, 1977

Mr. William F. Toomey of the Board of Selectmen then *moved that we adjourn and take Article 15 as the first item of business tomorrow night.*

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

ARTICLE 15: To see if the Town will vote to raise and appropriate the sum of \$124,000.00 to be expended under the direction of the Sudbury School Committee for the purpose of keeping open and operating Horse Pond Road School as a school building for the year 1977-78, or act on anything relative thereto.
Fund Horse Committee
Pond Road Road School
School anything relative thereto.
Petition Submitted by Petition.

On behalf of the Petitioners, Mr. Patrick Nolan *moved that the Town appropriate the sum of \$124,000, to be expended under the direction of the Sudbury School Committee, for the purpose of operating the Horse Pond Road School as a school building for the year 1977-78, the appropriation made under this article to be raised by taxation.*

Petitioners' Report: (Mr. Nolan)

This appropriation obviously is to overturn School Committee action, the action to close the Horse Pond Road School. Let us examine for a moment, the impact on the other schools. Originally when the vote was taken, Plan I, as it is being referred to, was to put the Horse Pond Road School kids into three of the other schools in Town. This would have meant that almost half of the classes in that system would be above the recommended class size as recommended by the Task Force.

Now we understand that a vote was taken two weeks ago and a plan is put forth to put five classes of fourth graders at Noyes School where, it is said, classrooms are available. One Committee member expressed some concern publicly about this possibility before Plan I was presented and the original vote was taken.

This new plan was proposed after the decision to close Horse Pond School and was voted, three-to-two, just two weeks ago. It seems that the Committee voted to close the school before they had a clear picture of what to do with the children and what impact the Horse Pond students would have on the entire system.

I understand that notice that the School Committee was holding a hearing to close the Horse Pond School was sent out to all of the people in the Town. I personally did not hear about that action until just before the second vote was taken, but that may be because I don't get the word on a lot of things. At that second meeting, public expression was outrageously discouraged. If you were there, you know what I mean.

The administration has recommended that the school not be closed this year. The Task Force has recommended that the school remain open this year. Many interested parents have suggested that the school remain open this year. I myself am not sure that the Horse Pond Road School should not be closed, but I do not have all the facts.

Those who seem to have the facts, at least those we elect and appoint to gather the facts in matters like these, seem to disagree. In fact, it almost seems that there were several minds made up before the subject was totally explored.

The first question we need to address ourselves to tonight is this: Does the School Committee have the right and the power to close one-fifth of the system and profoundly impact the other four-fifths without town meeting approval? They certainly cannot build a school without town meeting approval. They cannot pay salaries without town meeting approval. They cannot have the roof fixed without town meeting appropriation and approval. How is it then that they can remove an entire school from the system without coming to the town meeting?

Let us now look at the money involved, for that is what many of you will consider voting on. Closing the Horse Pond Road School seems at the outset to save \$124,000, and there will probably be some discussion that that figure is this way or that. That figure is the figure from the School Committee.

Anyone who has attended town meeting this year even for a moment knows how the people of this Town feel about spending money. Somewhere out there is a

April 12, 1977

10-ton roller salesman who knows exactly how the fiscal frugality of this august body is feeling. But let us ask ourselves if we are really saving and at what expense.

There is an article that will follow, that will ask you to appropriate \$50,000 to change the school so that it may be used to train firefighters. If the fourth graders are distributed to the Noyes School, there will be additional bus expense, so we can deduct that. I am not sure what that figure is, but the student body at Noyes now assembles at 8:30 and the fourth grade assembles at 9:00. There is going to be the same problem when they return home at the end of the day. We are going to have some bus conflicts, or we are going to change somebody's schedule.

There will, of course, be additional expense for at least two additional teachers who will have to teach those fourth graders at Noyes. That is additional to the plan to move everybody around to the other three schools and possibly an additional Assistant Principal. Mr. Stowe and his staff are covering a lot of ground as it is without giving them a cadre of fourth graders.

We are talking about spending at least \$35,000, possibly \$50,000, plus the \$50,000 that you are going to be asked to renovate the Horse Pond School for the next article, or in the neighborhood of \$85,000 to \$100,000 to save \$124,000.

On the face of it, that is not a bad trade, a \$25,000 gain, from the banking standpoint, but what about from the student impact standpoint?

What are we buying in overcrowded classrooms? What are we buying in longer bus trips each day? What are we buying in less library and music room space? What are we buying in more people for lunch every day and more people to give individual attention in each school? Who really knows? Who really knows the answers to these questions?

I suggest that there isn't anyone in this room or in this town who really knows the impact this decision will have on the school year 1977-78.

But is money the real issue here? It has been said, in this hall, that one vote counts, and I am here to testify that one vote does count. I drove 400 miles in time to cast my vote in a municipal election, and the man I voted for won by exactly one vote.

This powerful decision, which will impact every child in the Sudbury School system, was made by one vote. One person decided to close one-fifth of the system and change the rest. One person.

I said that we had to ask a question of whether or not the School Committee acting on its own has the power and the right to close a school. Now, we have to ask, "Does one person have the right to close a school? The vote of the School Committee was three-to-two. Three-to-two means one person decided to close that school, the person who cast the third vote was one vote. One person decided to close the school.

If closing a school or any other action with this wide-ranging effect on people of the Town is so clear cut, so obvious, so without criticism, shouldn't the vote have been a unanimous one? If they all looked at the same facts and they all acted with the same selfless motivation as we believe they did, if the matter was that clear that it is, in fact, the right thing to do, shouldn't the vote have been five-to-nothing? Shouldn't the vote have been unanimous? I submit to you that it should have been, if this decision was that clear.

Even if there was no room for speculation or second guessing, if this was straightforward, and even if the School Committee said with one voice that the Horse Pond Road School should be closed, they still should present their case to the open town meeting with their careful, considered recommendation and ask the open town meeting, the people of Sudbury, to affirm their recommendation. The people of Sudbury have the right and the duty to make that decision.

We are not talking about a line item in the highway budget to allow a department head to spend \$300 on out-of-state travel. That issue was brought up at this town meeting, and we did have to vote on it last night.

We are talking about closing one-fifth of our school system and affecting the other four-fifths, all on the strength of that one single Committee vote. This is a duly constituted legislative body, and it is the oldest form of self government in America. It is a form of government that has functioned without exception for 340 years. This town meeting assembled must act to rezone a piece of property. This body, representing the will of the people of Sudbury, just vote to send out

April 12, 1977

fire fighters to a medical emergency training school before they are allowed to learn the life saving techniques that will protect us all. This town meeting will be asked for years to come to approve the money to buy the blue ribbons for the Fourth of July field day events. Yet, this town meeting was not asked to affirm or deny the elimination of one-fifth of our school system.

This article to keep the Horse Pond Road School open for just one more year is not a vote for expending money, not a financial decision. It is a decision on whether the School Committee by a vote of three-to-two can close a school. Do they have a right to make a binding decision that affects every school child and every family with school children without presenting the facts to this town meeting and asking for an expression of our will? I say they do not. I say that we remind the School Committee that, while we deeply appreciate their efforts and their time and their experience and their dedication, we are the voice of the Town, and we are the ones that will decide any important issue that is this important and this far reaching. I ask you to join me and vote in the affirmative on this important article.

Finance Committee Report: (Mr. Bussey)

Mr. Nolan made the point that the School Committee must come to the town meeting in order to set its policy. I would like to remind the Town that the School Committee can vote on a budget without coming to the Town.

Historically, they have come to the Town for advice, to get a feeling concerning what effects it will have on the tax rate. Basically the School Committee does not have to come to the town meeting to get advice in terms of setting its policy, be it on budget or on closing a particular school.

The issue really is money. It is not the closing of the school. If the issue was only the closing of Horse Pond Road School and the School Committee with its current budget was able to open the school, I am sure that there is no one in this room who would oppose that.

The concern is that this additional \$124,000 would increase the school budget almost 10% over last year. We have already gotten the sentiment that the 6.8% increase over last year might be much.

On the question of policy, there is no question that the School Committee has the right and the authority to set policy, be it in terms of starting sex education courses or teaching fundamentalism in the school. This is their right and this is what they are elected for. It is their right to set these policies, and this would also go for the closing of a particular school.

The Finance Committee has attended the hearings. We have listened to the arguments on both sides. Our unanimous conclusion is that we do not recommend the \$124,000 in this article, basically for money issues.

Board of Selectmen Report: (Mr. Powers)

As indicated at the beginning of the meeting, the Selectmen unanimously support the Finance Committee and the School Committee in opposition to this article.

Sudbury School Committee Report: (Mr. N. Cornell Gray)

The School Committee, at this point, unanimously is behind the closing of the Horse Pond Road School, even though the vote was three-to-two.

I would like to address some of the issues which were incorrect in Mr. Nolan's presentation. First of all, next year class sizes will not increase. There will be a full size classroom for each of the learning centers in the library, the same as there is this year. There will be libraries in every single school. The cost of bussing will not increase appreciably, if at all. It will all be within the 55 miles per day limit that we have on our buses. We do not need extra buses.

There will be adequate space for all other facilities in the school per recommendations of the study committee. On top of that, there will still remain, albeit we move some children to the Noyes School, some seven classrooms system-wide which will not be used to house a class of children. There is a lot of space in our schools.

The subject of closing a school was studied thoroughly for one and a half years before the decision was made.

April 12, 1977

For the audience's information, the article to follow will be indefinitely postponed because, in fact, we have received a very excellent contract for the use of the Horse Pond School whereby all fees will be paid by the leasee. Also, provisions will be made for the use of the playground and the general area around the Horse Pond School for recreation.

The Task Force never did recommend that the school not be closed this year. That was incorrect. The Task Force provided the information and the framework upon which we would make that decision. We did not violate that framework in any way.

We all unanimously support the closing of the Horse Pond School at this time and beseech you, the Town, to so vote.

After discussion, a motion of the question was made and seconded. The Moderator declared that the motion was carried by two-thirds.

A voter then questioned the presence of a quorum, and the Moderator determined that there were at least six other voters who also questioned the quorum. After counting the hall, the Moderator announced that there were 297 voters present.

The Moderator then proceeded to take the vote on Mr. Nolan's motion and determined that the motion was defeated.

In accordance with the Bylaws, the meeting adjourned to tomorrow night at 8 P.M.

The meeting adjourned at 11:15 P.M.

[Number of names marked on the voting list as having attended the meeting: 424]

PROCEEDINGS

ADJOURNED ANNUAL TOWN MEETING

April 13, 1977

The Moderator called the meeting to order at 8:12 P.M. at the Lincoln-Sudbury Regional High School Auditorium. He announced that a quorum was present.

ARTICLE 16: To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$50,000, or any other sum, to be used for renovation, alteration or modification to the Horse Pond Road School under the direction of the School Committee; or act on anything relative thereto.

Use of
Horse Pond
Rd. School
Bldg.

Submitted by the Sudbury School Committee.

Sudbury School Committee Report: The School Committee has voted to close the Horse Pond Road School as of September, 1977. The School Committee has determined that the building will be available for other use for a period of at least five years. A committee made up of representatives of the school community, interested Town boards and citizens is currently investigating alternate use(s) for the facility. The School Committee will have specific recommendations for use of the school and required modifications, if any, to report at Town Meeting.

Mrs. Phyllis Prager of the Sudbury School Committee *moved Indefinite Postponement of Article 16.*

In response to a request by Mr. Potell that the School Committee tell the Town Meeting what the proposed use of the building is, Mr. Richard F. Brooks commented as follows:

I was on the committee which studied the proposed uses of the building. We did, in fact, study many possible uses by community groups and so forth. We had the Massachusetts Firefighters' Academy, which has a facility out in Stow, come up with the proposal to utilize the entire building, to take over all of the costs associated with the building including any upkeep, maintenance, allow community use and also use for the playground program in the summer. After deliberations of various lengths of time, the committee decided that this was an excellent proposition.

We recommended it to the School Committee and the School Committee then voted unanimously to go along with that. They are in the process of drawing up a contract now which would put them into the building in the fall.

Mrs. Prager continued as follows:

What Mr. Brooks has said is essentially correct. The Firefighting Academy, represented by Mr. Winslow who is the Director, is going to use it primarily as a school. They have firefighters who come from all parts of Massachusetts, and they want room for them to sleep over, shower and have a lounge. The only time that the area might get any amount of traffic or crowding will be at their graduation ceremony.

VOTED: INDEFINITE POSTPONEMENT.

ARTICLE 17: To see if the Town will vote to appropriate and transfer from the "Summer School - Reserved for Appropriation" Account the sum of \$4,350 for the 1977 Summer School Program, or act on anything relative thereto.

Summer
School

Submitted by the Sudbury School Committee.

Sudbury School Committee Report: The General Laws of the Commonwealth do not provide any authorization for direct payment of tuition for summer school by the participants; therefore, it is necessary for any tuition payments which are received, to be "reserved for appropriation" by the Town Accountant and later voted by Town Meeting. This motion is made to apply the tuition collected from the 1976 summer school program to the 1977 program. If the total cost is more than the \$4,350, then the annual school appropriation will absorb the amount of overage.

April 13, 1977

Finance Committee Report: This article would establish a summer school account, as suggested by the Bureau of Accounts. An appropriation of \$4,350 will provide advanced funding. Thereafter, tuition payments will be segregated for annual vote of the Town to be used to support the Summer School. Recommend Approval.

After discussion, under a motion made by Mrs. Prager, it was

VOTED: IN THE WORDS OF THE ARTICLE.

ARTICLE 18: To see if the Town will vote to approve the petition set forth herein relative to the appointment of special police officers 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:

Special Act
Special
Police

"The Commonwealth of Massachusetts

In the year one thousand nine hundred and seventy-seven.
An Act relative to the appointment of special police in the Town of Sudbury.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

Section 1. The Board of Selectmen, the appointing authority, may appoint special police officers, hereinafter called special police, in the Town of Sudbury. Such appointments shall not be subject to the provisions of General Laws, Chapter 31, as amended. Special police shall be appointed for 1 year terms, provided, however, that an appointment may be revoked at any time, with or without cause, by the appointing authority.

Section 2. Special police may be given, by the appointing authority, all or any part of portion of the powers and authority of police officers appointed under the provisions of General Laws, Chapter 31, as amended, and General Laws, Chapter 41, Section 96, as amended, hereinafter called police officers. Special police shall be assigned duties or tasks by the Chief of Police, by the acting Chief of Police in absence of a Chief of Police, or by the senior police officer on duty (subject to written rules and regulations concerning special police established by the Chief of Police). Special police shall not be assigned duties or tasks that deprive a police officer of regular employment or overtime employment requested by a police officer.

Section 3. This Act shall take effect upon its passage.;"

or act on anything relative thereto.

Submitted by the Board of Selectmen.

Board of Selectmen Report: On June 7, 1976, the Board of Selectmen voted: "That it would be the policy of the Board, until it is advised that it has other authority, rather than to appoint Special Police Officers, as that term has been known, to appoint, in their stead, Special Constables under the provisions of Chapter 90, Section 29 of the General Laws, as recommended by Town Counsel in his memorandum of April 1, 1976." However, Special Constables under the law are limited in their power to only "the enforcement of all laws and regulations concerning motor vehicles".

Therefore, the purpose of this article is to present special legislation to the General Court so that the Board of Selectmen would be authorized to appoint Special Police Officers, as has been the practice in the past, with the powers and duties which the Police Chief feels they should have to carry out their job. To state in more simple terms this correcting legislation is needed (1) so that the title Special Police may be used in future appointments; and (2) to seek legislative clarification of the powers of Special Police Officers.

To quote from Town Counsel's memorandum of April 1, mentioned above:

April 13, 1977

"Many towns still follow the practice of appointing special police officers; this is usually not a matter of reliance upon an interpretation of a particular statute, but is based on habit and custom. It is my opinion that custom and usage should not be relied on in so important a matter."

The Selectmen recommend approval of this article.

Finance Committee Report: The purpose of this article is to provide by special legislation, specific authority to the Board of Selectmen that was previously assumed. Under existing law, the duties of Special Constables and/or Auxiliary Police are limited. Upon passage of this Special Act by the legislature, the authority provided Special Police is consistent with authority provided the Regular Police. The passage of this article has no effect upon Constables or Auxiliary Police. While recognizing the need provided for in this article, members of the Finance Committee expressed concern relating to:

1. Number of Special Police to be authorized.
2. Arming and training of the Special Police Force.
3. Lack of specific rules and regulations relating to this force.

The Finance Committee recommends approval of this article.

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

VOTED: IN THE WORDS OF THE ARTICLE.

ARTICLE 19: To see if the Town will vote to amend Article IX of the Town Bylaws, entitled: "Zoning Bylaw", Section VI, "Administration", paragraph D, "Penalty", by amending the paragraph to read as follows:

Amend Bylaws	"D. Penalty
Art. IX, VI, D	Any person violating any provision of this bylaw shall be subject to a fine not exceeding \$100.00 for each violation. Each day during which any violation exists shall be deemed a separate offense.";
Penalty	

or act on anything relative thereto.

Submitted by the Board of Selectmen.

Board of Selectmen Report: This article proposes to amend the Penalty section of the local Zoning Bylaws by making it a \$100 fine for each violation, instead of \$20. Certain members of the court have suggested such an increase in local fines to help discourage the few citizens who do violate the local bylaws from doing so. The maximum fine is in accordance with State statute. The Selectmen recommend approval of this article.

Finance Committee Report: Recommend Approval.

Planning Board Report: The Planning Board recommends approval of this article.

Town Counsel Opinion: It is the opinion of Town Counsel that, if the Zoning Bylaw change set forth in Article 19 in the Warrant for the 1977 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 Bylaws.

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

ARTICLE 20: To see if the Town will vote to amend Section 2 of Article VI of Town of Sudbury Bylaws, entitled: "Enforcement", by amending the section to read as follows:

Amend Bylaws	"Section 2. Every violation of the foregoing bylaws, not otherwise provided for herein or by the General Laws or special laws of the Commonwealth, shall be punished by a fine of not more than two hundred dollars, and all penalties
Art. VI, 2	
Enforcement	

April 13, 1977

recovered from such violations shall be paid into the Town Treasury to enure to such use as the Town shall from time to time direct.";

or act on anything relative thereto.

Submitted by the Board of Selectmen.

Board of Selectmen Report: This article proposes to amend the Enforcement section of the Town Bylaws by making it a \$200 fine for every violation, instead of \$20, for the same reason as stated in the preceding article. The reason for the difference in maximum fines is because of limitations set by State statute. The Selectmen recommend approval of this article.

Finance Committee Report: Recommend Approval.

Town Counsel Opinion: It is the opinion of Town Counsel that if the Bylaw amendment proposed in Article 20 in the Warrant for the 1977 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.

After discussion, upon a motion made by Mr. Potell of the Board of Selectmen, it was

VOTED: IN THE WORDS OF THE ARTICLE.

ARTICLE 21: To see if the Town will vote to amend Sections 11 and 12 of Article V of the Town of Sudbury Bylaws, entitled: "Public Safety", by deleting therefrom the words "Highway Commission" wherever appearing and substituting therefor the words "Board of Selectmen", or act on anything relative thereto.
Amend
Bylaws
Art. V,
11 & 12
Submitted by the Board of Selectmen.
Public
Safety

Board of Selectmen Report: This article amends the Bylaws concerning landfill identification cards and permits to reflect the Selectmen's jurisdiction in this area, which was formerly under the control of the Highway Commission.

Finance Committee Report: Recommend Approval.

Town Counsel Opinion: It is the opinion of Town Counsel that if the Bylaw amendment proposed in Article 21 in the Warrant for the 1977 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.

UNANIMOUSLY VOTED: (CONSENT CALENDAR) THAT SECTIONS 11 AND 12 OF ARTICLE V OF THE TOWN BYLAWS, ENTITLED: "PUBLIC SAFETY", BE AMENDED BY DELETING THEREFROM THE WORDS, "HIGHWAY COMMISSION", WHEREVER APPEARING AND SUBSTITUTING THEREFOR THE WORDS, "BOARD OF SELECTMEN".

ARTICLE 22: To see if the Town will vote to adopt the following "Town of Sudbury Cemetery Rules and Regulations":
Cemetery
Rules and
Regulations
"Town of Sudbury
Cemetery Rules and Regulations

Purpose

It is the expressed intent and purpose of these rules and regulations to preserve and protect that land dedicated within the Town of Sudbury for cemetery purposes in order to insure its proper administration and perpetual care for the ultimate benefit of the public good.

General

The Town of Sudbury, through its citizens, has recognized and provided for the future care of its departed citizens through the dedication of appropriate resting places, and now provides a system of rules and regulations.

April 13, 1977

Section I. Definitions

1. "Selectmen", the Board of Selectmen of the Town of Sudbury.
2. "Board of Health", the Board of Health of the Town of Sudbury.
3. "Superintendent", the Superintendent of Cemeteries appointed by the Selectmen.
4. "Family", a person's spouse, parents and children, or others related by blood or marriage.
5. "Grave", a burial site sufficient for the interment of one person.
6. "Lot", a burial site of one or more graves transferred on a single deed.

Section II. Powers and Duties

1. The Board of Selectmen shall have all of the powers and duties over public cemeteries as authorized by law and these rules and regulations.
2. The Selectmen shall annually appoint a Superintendent of Cemeteries, who shall be their agent and shall have such powers and duties as the Selectmen shall delegate to him. The Superintendent shall serve until removed by the Selectmen, or until his successor is appointed.

Section III. Sale of Lots

1. The Selectmen shall from time to time designate which burial lots are available for sale in the several public cemeteries. No unprepared lots shall be available for sale.
2. The sale of lots shall be accomplished by the Superintendent, who shall give to the proprietor a deed therefor, said deed to be made and executed in a manner and form determined by the Selectmen.
3. At the time of such sale the Superintendent shall collect the purchase price of the lot plus a one dollar recording fee, and shall transmit the funds collected to the Town Treasurer. The Superintendent shall transmit a copy of the deed to the Town Clerk.
4. No lot shall be sold to any association, group, or organization or to any person other than those indicated herein.
5. The sale of lots shall be restricted to the following persons:
 - A. residents and former residents of the Town of Sudbury
 - B. a member of the family of a deceased resident, or a person in his line of descent, where such deceased resident is or shall be interred in the cemetery in which the lot purchased is located.

Section IV. Burial

1. No burial lot shall be used for the interment of any person other than the proprietor thereof and members of his family.
2. The interment of any casket shall be made within a grave box or vault of a type approved by the Superintendent.
3. Burials shall comply with all pertinent rules and regulations of the Board of Health and the Department of Health of the Commonwealth of Massachusetts.

Section V. Monuments

1. No monument shall exceed three feet in height. The type and location of monuments shall be approved by the Superintendent.

Section VI. Plantings

1. The planting of trees is not allowed within any public cemetery except such trees as may be planted by or at the direction of the Superintendent.

April 13, 1977

Section VI. Plantings (continued)

2. The planting of shrubs may be done only with the prior approval of the Superintendent. Shrubs shall not exceed the height of the monument.
3. The planting of flowers is limited to the immediate area in front of a lot monument, subject to the approval of the Superintendent.

Section VII. Fees

1. Graves and Lots. The purchase price for the right to burial in graves and lots shall be determined, and may from time to time be amended, by the Board of Selectmen. A schedule of such fees shall be filed with the Town Clerk.
2. The Selectmen shall from time to time determine the portion of such purchase price which shall be used for the perpetual care of the lot; the remaining portion being used to reimburse the Town for the cost of the land, its care, improvement and embellishment, or the enlargement of its cemeteries.
3. Services. The Selectmen may set and from time to time amend fees for the opening and closing of graves, the use of lowering devices and artificial grass, and any additional services which may be provided by the Town. A schedule of such fees shall be filed with the Town Clerk.

Section VIII. Perpetual Care

1. The Selectmen shall pay over to the Treasurer all sums collected for gifts or bequests for the perpetual care and maintenance, preservation, improvement, or embellishment of any public or private burial grounds or place within the Town, which funds shall be kept separate and apart from all other funds of the Town.
2. The Treasurer shall invest all such funds in accordance with the stipulations, if any, accompanying them, otherwise he shall invest them as ordered by the Board of Selectmen and pay the income therefrom only upon their order or with their approval, but not otherwise.

Section IX. Alienation of Burial Lots

1. All lots shall be held indivisible.
2. The sale of developed land can be transacted between individual citizens of the Town for the amount of the original purchase price, subject to the provisions of Section IX.4, hereunder, provided the deed is properly recorded.
3. Unused lots may be sold or conveyed to the Town of Sudbury which, acting by the Selectmen or Superintendent, who are hereby authorized to so act without further approval of the Town, shall repurchase such lot for the amount of the original purchase price.
4. Upon any conveyance of a lot the proprietor shall return his deed to the Superintendent, who shall, in the case of a conveyance under paragraph 2 of this section, collect a one dollar recording fee and execute and deliver a new deed to the grantee of the lot.
5. In the event that there are no claimants to an unused lot it will revert to the Town after seventy (70) years and a reasonable effort by the Town to find claimants.

Section X. Representative of Burial Lot

1. If, upon the death of a proprietor, two or more persons claim to be entitled to the possession, care and control of the burial lot, they shall so notify the Town Clerk in accordance with the provisions of Chapter 114, Section 29 of the General Laws.

April 13, 1977

Section X. Representative of Burial Lot (continued)

2. Upon receipt of notification of such a dispute, the Town Clerk shall notify the Board of Health which, under the provisions of Chapter 114, Section 30 of the General Laws, shall hold a hearing to determine who shall represent the lot during such default.
3. The Board of Health shall, within sixty days of notice to it and after a hearing as provided by Section 30 of Chapter 114 of the General Laws, designate who shall represent the lot during such default.

Section XI. General Regulations

1. Behavior unbecoming the sanctity of a cemetery shall be prohibited.
2. No persons shall cause water to drain, flow, or be diverted from private or public property onto, over, under or across any public or private burial ground within the Town without the written consent of the Board of Selectmen, Board of Health, and the Department of Health of the Commonwealth of Massachusetts.
3. No person shall harm, injure, mark, tamper with, or destroy any marker, headstone, monument, tomb, or other structure or anything of any kind or description, located in a public or private cemetery or burial place in the Town.
4. The Superintendent may approve requests from the owners of lots for the establishment of plantings on their lots that are decorative in nature, provided such plantings are not in violation of the rules and regulations established by the Board of Health or the Department of Health of the Commonwealth of Massachusetts.
5. No person shall deposit or leave any rubbish or refuse of any kind or description within a public or private cemetery or burial place.
6. Permission for gravestone rubbing must be obtained from the Superintendent of Cemeteries.

Section XII. Enforcement

The Board of Selectmen, its agents, and all law enforcement officers shall enforce these rules and regulations and subsequent additions thereto through appropriate legal procedures and proceedings.

Section XIII. Additional Regulations

The Board of Selectmen may make such additional rules and regulations, not inconsistent with law or these rules and regulations, as it may deem necessary and appropriate for the proper administration and protection of the duties and responsibilities entrusted to it without further submission to the Town Meeting for approval. Such additional rules and regulations shall be filed with the Town Clerk

Section XIV. Hardship

In any case where the strict enforcement of any rules or regulations would, in the opinion of the Selectmen, create a hardship, injustice, or unforeseen result, the Selectmen may suspend or alter the application of such rule or regulation in that case.

Section XV. Partial Invalidity

If any provision of these rules and regulations is for any reason declared to be unconstitutional or otherwise invalid, such unconstitutionality or invalidity shall not affect the validity of the remaining portions of these rules and regulations.";

or act on anything relative thereto.

Submitted by the Board of Selectmen.

April 13, 1977

Board of Selectmen Report: The Board of Selectmen in October of 1976 established a Cemetery Study Committee for the purpose of preparing rules and regulations for all Town cemeteries and appointed the following persons:

Rabbi Lawrence Kushner	Algy Alexander
Dr. Norman L. Pollock	Ralph H. Barton
Reverend Homer A. Goddard	Frank L. Dowling
Father Joseph F. Gough	Mrs. L. Rose Ellis
Reverend Stanley G. Russell	W. James Hodder
Reverend Richard M. Spierling	Mrs. Marilyn A. MacLean
Reverend Shephard S. Johnson	F. Alvin Noyes

The Committee completed its assigned task on November 22, and submitted to the Selectmen drafted Cemetery Rules and Regulations recommending that they be included as an article in the 1977 Annual Town Meeting. The Board of Selectmen voted on November 29 to include the Committee's recommended Cemetery Rules and Regulations as an article in the Warrant for the 1977 Annual Town Meeting, subject to revision by Town Counsel's Office.

These rules and regulations must be adopted by action of the Town Meeting in accordance with Chapter 114, Section 15 of the Massachusetts General Laws. The Board of Selectmen will make further report at Town Meeting.

After making the motion under the article, Mr. Toomey further reported to the meeting for the Board of Selectmen as follows:

The Town Meeting indexes from 1866 to the present show no record of the Town adopting any cemetery rules and regulations. The Town has been legally operating under General Laws, Chapter 114, which deals with cemeteries.

The former Highway Commission adopted cemetery rules and regulations on April 28, 1964, but they were never filed with the Town Clerk or approved by the Town Meeting as required by statute. In good faith, the Highway Commission adopted the policies and regulations. They were just never passed.

The Committee that we appointed to study cemetery rules and regulations was composed of the clergy in Town and a number of lay people. They worked very diligently on this.

Their other recommendation, which you don't have before you, is to increase the purchase price of graves. Their recommendation that we have accepted is \$150 for one grave, \$350 for two graves, and \$500 for four graves. This is in our Town cemeteries and includes perpetual care. The figures that they submitted to us were checked, and they did check additional towns. They are consistent with the purchase of graves in the greater Middlesex area.

Finance Committee Report: The Finance Committee supports this motion.

Mr. John C. Powers, speaking as an individual and not as a member of the Board of Selectmen, then *moved to amend the Cemetery Rules and Regulations as printed in the Warrant for this meeting by adding to Section 3, Sale of Lots, a new sub-section as follows: 6. No person shall be denied the right to purchase any lot in the public cemetery because of his or her race, creed, sex or religion.*

Cemetery Study Committee Report: (Rev. Homer A. Goddard, III)

The Committee was formed in October to deal with a serious human religious issue confronting our community, and I would like to speak specifically to this amendment, which, although it appears very innocuous and reasonable, affects gravely many citizens of Sudbury. I would like to give you the facts and history and the result that this amendment would have on the total Rules and Regulations.

The Committee formed in October was composed of six Sudbury clergymen and eight lay men and women. The specific reason that it was composed in this manner, with almost 50% of the persons being clergymen, is because of the unique, sensitive religious and human values involved that affect all of the citizens of Sudbury.

We were asked to do two things. The first was to re-write the Rules and Regulations which we have done and which are submitted tonight.

Secondly, we were asked to help resolve the problem which precipitated this issue in the first place. That was the burial of Sudbury's religious Jews in our Town cemeteries.

The Committee had to study in two areas. One was the area of religious needs, and the second was that of the legality of what we wanted to do.

April 13, 1977

As far as religious needs are concerned, practicing Jews must by religious law be buried in adjacent, consecrated plots. As far as legal aspects are concerned, this is an area that has to be very, very carefully gone into because of the obvious possibility of a problem with the separation of church and state.

Article 18 of the Amendments to the Massachusetts Constitution reads as follows: "No use of public money or property shall be authorized for the purpose of founding, maintaining or aiding any church, religious denomination or society."

Our solution was simple, and we believe legal. We recommended, at the same time we submitted the new Rules and Regulations, that the Selectmen pass an item specifically that said that individual Jewish citizens would be permitted to buy individual lots adjacent to those now owned by fifteen Jewish citizens as they become available before the public.

The letter that we submitted and that was passed by the Selectmen says that as one of the four contiguous areas to that already owned by the Jewish citizens becomes opened up in the next twenty-five or thirty years, the Jewish citizens as residents and citizens of Sudbury and not as part of any organization, can come and buy these. It also says that the Selectmen will keep them off the market for up to thirty days so that the Jewish citizens can buy lots contiguous to those they already have.

If this amendment is passed, it will exclude the religious Jews in Sudbury from our Town cemeteries. We feel this is wrong. We feel that any resident of Sudbury should be able to be buried according to his religious needs, and if this passes, it will prevent this. We feel that all of the facilities and certainly our cemeteries in Sudbury should be inclusive, not exclusive.

We ask that this amendment be defeated and that you support the Rules and Regulations.

Father Joseph F. Gough continued the report of the Cemetery Study Committee as follows:

The Committee that worked on this spent many hours at it. It took some weeks, and we thoroughly explored all of the facets of the problem. What we arrived at, we felt was truly an amicable set of regulations which would do a disservice to no one and would be very much a service to a religious group in our community showing that we had sensitivity to them in a real human need that they had.

Frankly, I see no reason for the amendment that has been offered by Mr. Powers. I think we did our homework. So many times, as the homework is done in committees, then the general assembly may well presume that the recommendation is made after a great deal of thought and consideration - and even prayerful consideration. So, I would support Rev. Goddard in saying that we have no need of this amendment. I would ask that the Town Meeting endorse the Rules and Regulations that we have so carefully worked out with thoughtfulness and with a sensitivity to the needs of our brethren, all our brethren, in the community of Sudbury.

Mrs. Santa Jean DeSantis then stated that due to the sensitive nature of this particular amendment and this particular article, she moved that all voting pertaining to this be done by secret ballot.

After a short discussion, the motion for a secret ballot was defeated.

In support of his amendment, Mr. Powers then commented as follows:

It is never pleasant to find yourself having a disagreement with our good friends, the members of the clergy of the various faiths, but that does not mean that you should not have a discussion when there is a matter that affects your own conscience and affects what I think are some very fundamental truths.

I am very much aware of the sensitive, human, religious problem with which the Cemetery Study Committee has been wrestling. I have no disagreement with that at all. The Board of Selectmen agreed in what we have been referring, perhaps rather improperly, to as a "Gentlemen's Agreement" between the clerical members of that Committee and the Board of Selectmen relative to making available to members of the Jewish community various lots located in areas that they were concerned about. I have no disagreement with that.

But, I have said from day one here, that you have to remember that what you are dealing with is the Constitution of the United States and public property. I have said, and no one has disagreed with me, that we can have such an agreement, and we can, to the greatest extent of our ability, persuade away somebody from

April 13, 1977

buying a lot if two people compete for it in a location. We can try to urge upon them that we really would like to keep this particular area for the particular sensitive human problem the Rev. Goddard refers to.

But I know, and I submit that the Committee knows, that if that person, whoever he may be, whatever his religion or lack of religion, whatever his race, creed, sex, or age, looks the Board of Selectmen square in the eye and says, "I want that lot, and I want you to tell me now if you are denying me the right to purchase that lot because I do not belong to a particular religious group", in all candor, if we are honest men, we would have to say, "Yes". If we said such a thing, we would be violating the Constitution of the United States and our oath of office. We would be discriminating against somebody solely because of his or her religious beliefs. In this country, that is not permitted.

I am saying that we would try to meet the sensitive problem with an informal arrangement indicating that we would try to persuade away contests over a particular piece of ground. But, if we are not successful in that, then we are facing a monumental constitutional question. The Supreme Court of the United States has repeatedly ruled that black citizens of the United States cannot be excluded from any cemetery, and we all applauded that. There is nothing different in this.

We had a discussion the other night about indemnity. Ray Clark asked that we give any example of a case in which a public official could make a decision that would affect somebody's constitutional rights. You are looking at it here.

I tried to make my amendment as limited in effect as possible and as minimal as possible to allow the greatest degree of latitude to give effect to what the Committee and the Selectmen were trying to do. But, I feel as a matter of conscience that we must state for the record that we recognize our constitutional obligations in back of it. I moved this amendment because I think the rights of all of the people in this community are very special and are very sacred. I think we owe a duty to use wisdom and care.

I hope you will vote for my amendment because it will not disturb in any way the arrangement that has been entered into, but it will recognize that we understand there are constitutional limitations and that we respect the Constitution of the United States and the rights of anybody, whether they belong to a religious group or not, to be treated equally. If we do not vote for the amendment, it would be a most peculiar and very ironic thing - to say that we did not believe in the first amendment rights of the Constitution of the United States.

The amendment does no harm to the Cemetery Rules and Regulations with which I am in full accord, but it makes it clear that we understand that there are book marks. Whether you vote for the amendment or not, with or without the amendment, any person can raise the question I proposed to you and, in fact, that unfortunately and tragically sooner or later will happen.

I would, at least, like this Town Meeting to go on record indicating that in the solemn deliberations that it has undertaken in this matter, it recognizes the Constitution and that it supports the Constitution. It can do that without in any way jeopardizing what the only real powers of an elected Board of Selectmen, or any other board, are - powers subject to the Constitution.

It does not upset a delicate religious problem. I think it helps us to face it in context and face it clearly.

This is a matter with which I have personally wrestled for many months. I have made the amendment solely on the basis of the deepest matter of personal conscience that I possess. I hope you will give me at least the credibility of some respect for some very deep personal feelings that I have.

Finance Committee Report on the Amendment: (Mr. Grathwohl)

The Finance Committee is also an advisory board. It advises the Town on the disposition of various articles and amendments. In relation to the article, we, too, spent a lot of time and a lot of deliberation and came up with our recommended approval. We, too, knew of the possibility of an amendment. We asked the nature of that amendment. We did not find out until tonight.

The Finance Committee unanimously recommends disapproval of this amendment.

After discussion, Mr. Powers' amendment was defeated.

April 13, 1977

VOTED: THAT THE TOWN ADOPT, PURSUANT TO THE MASSACHUSETTS GENERAL LAWS, CHAPTER 114, SECTION 15, CEMETERY RULES AND REGULATIONS AS SET FORTH IN ARTICLE 22 OF THE WARRANT FOR THIS MEETING, WITH THE EXCEPTION THAT SECTION 13 SHALL READ AS FOLLOWS:

SECTION XIII. POLICIES AND PROCEDURES

THE BOARD OF SELECTMEN MAY MAKE SUCH ADDITIONAL POLICIES AND PROCEDURES, NOT INCONSISTENT WITH THE LAW OR THESE RULES AND REGULATIONS, AS IT MAY DEEM NECESSARY AND APPROPRIATE FOR THE PROPER ADMINISTRATION AND PROTECTION OF THE DUTIES AND RESPONSIBILITIES ENTRUSTED TO IT WITHOUT FURTHER SUBMISSION TO THE TOWN MEETING FOR APPROVAL. SUCH ADDITIONAL POLICIES OR PROCEDURES SHALL BE FILED WITH THE TOWN CLERK.

ARTICLE 23: To see if the Town will vote to accept Section 6N of Chapter 40 of the General Laws, authorizing the Town to make certain temporary repairs on private ways; or act on anything relative thereto.

Accept s.6N
G.L.ch.40

Temporary
Repairs on
Private Ways

Submitted by the Highway Surveyor.

Highway Surveyor Report: This article was submitted by the Highway Surveyor. The intent of the article is, if 50% of the abutters along a private way wish to have the potholes repaired by the local Highway Department or contracted by the Town, they must petition the Town for this purpose. The cost of all the repairs shall be paid in full and in advance by the abutters. There is no liability or cost to the Town if this article is passed.

Section 6N of the General Laws, Chapter 40, reads as follows:

"A city which accepts this section by vote of its city council, subject to the provisions of its charter, or a town which accepts the same at an annual town meeting, may make temporary repairs on private ways which have been opened to public use for six years or more, and in such cases section twenty-five of chapter eighty-four shall not apply. Said repairs shall not include construction, reconstruction or resurfacing of such ways. The cost of such repairs shall be paid by the abutters. Such repairs shall be made only if petitioned for by the abutters who own fifty per cent of the linear footage of such way. No such repairs shall be commenced unless and until a cash deposit equal in amount to the estimated cost of such repairs as determined by the city or town department or contractor duly authorized by said city or town to do the work, is paid over to said city or town. Said temporary repairs shall only include the filling in of holes and depressions with sand, gravel, cinders or other suitable materials and shall not include the resurfacing or permanent construction of said ways. The city or town shall be held harmless on account of any damages whatever caused by such repairs by agreements executed by the abutters who petitioned therefor."

Finance Committee Report: Approximately 10% of 120 miles of Sudbury roads remain private ways, built by developers or owners. In the last four years the Town has accepted twenty-one miles as public ways. The Highway Department does plow all roads, but may not repair potholes on private ways unless this article is passed. Repair must cost nothing in Town funds, but will reduce the danger to our plows in winter, and to cars throughout the year. Recommend Approval.

After discussion, Dr. Joseph F. Adolph moved Indefinite Postponement.

In support of his motion, Dr. Adolph stated that he would like to defer this matter until a proper list of accepted or non-accepted roads can be offered to the Town.

After further discussion, the motion for Indefinite Postponement was defeated.

After still further discussion, it was

VOTED: IN THE WORDS OF THE ARTICLE.

April 13, 1977

ARTICLE 24: To see if the Town will vote to authorize the Selectmen under the provisions of Chapter 40, Section 4A of the General Laws to negotiate an agreement with certain other towns, in Middlesex County to provide for a joint communications and dispatch center for fire and ambulance services, with the final agreement and funding to be subject to the approval of a future town meeting; or act on anything relative thereto.

Area
Dispatch
Center

Submitted by the Fire Chief.

Fire Chief Report: This article has been placed on the Annual Town Meeting Warrant to seek from you, the taxpayer, permission for the Board of Selectmen to negotiate with the surrounding towns of Acton, Concord, Maynard and Stow for the establishment of a Central Dispatch Center.

In this day of financial stress on all public safety budgets, it would appear that good management practices dictate that the consolidation of dispatching duties can only result in savings to each community involved.

Studies show that fire protection costs, to be equitable for the services required, must be spread over a population base of 70,000 to 125,000 people. Our proposed initial area has a population of slightly more than 72,000 residents.

It is apparent to the chiefs in this area, and they are the ones being pressured to economize, that an area-wide dispatch center could provide substantial financial relief to each town, as well as providing the opportunity for increased efficiency in manpower and equipment usage. Firefighters who now must act as dispatchers can be released from this duty and respond on the initial response apparatus. In addition, all area towns would benefit by the use of specialty equipment such as aerial ladders, Hurst tools, ambulances and rescue equipment which are not economical for each town to purchase.

Multiple alarm situations would, of course, be handled much more smoothly by one dispatch center than is now possible under our present system.

This concept of an Area Dispatch Center, which may appear new to the people in this area, is not a new concept and has been used successfully elsewhere in New England as well as across the country.

With the establishment of this Center, and if the idea of this type of consolidation is followed to its logical conclusion as the fire chiefs of this area believe will occur through common sense evolution over the next fifteen to twenty years, all of our communities should begin to receive the benefits of consolidated dispatching, bulk purchasing, area training, central motorized maintenance and area fire prevention and education programs. To continue to serve our areas in our present fashion will continue to result in duplication of equipment and other unnecessary expenditures.

I, your Fire Chief, and my fellow chiefs are looking to you, the taxpayers, for your help and support of this concept and the passage of this article.

Chief Josiah F. Frost further reported to the meeting as follows:

The reason for entering into an agreement for an Area Dispatch Center is purely economical. Presently, each town - Sudbury, Maynard, Acton, Concord, and Stow - has to have four men as a minimum to answer the telephone and dispatch the apparatus. This can all be done with approximately eight men if you have an Area Dispatch Center.

This is one of the first times in a long history of the fire service, particularly in Massachusetts, where you have a group of chiefs that are interested, from a financial standpoint, in working together relinquishing some of their own responsibility and some of their own little kingdoms so that we may have a better response time, better use of equipment, and a better use of manpower.

In the beginning, when the chiefs got together and worked with counsel to draw up an agreement, we estimated on a formula basis what each town would be paying for this service. At the time we estimated this cost, the towns that were involved and mentioned in the Warrant article were Sudbury, Concord, Maynard, Acton and Stow. As of tonight, Acton has not put this article in its warrant. The other towns have. Tonight is the first night it has come up in any of the towns, so they are all looking at us.

At the time we met with the Selectmen of all the towns concerned at a joint meeting, we estimated that the cost to the Town of Sudbury would be approximately

April 13, 1977

\$22,000. We believe that even if Acton does not come into the group, that the cost by the same formula to the Town of Sudbury would be close to \$28,000.

Let us take this \$28,000 against approximately \$60,000 that we are paying out firefighters on a rotation basis to man the fire alarm room in the fire headquarters. By spending the \$21,000 or \$28,000, or whatever the agreement comes out to, we will be releasing trained firefighters, in whom you all have a financial interest, that would no longer be required to man that fire alarm room.

I am asking you to give your opinion to the Board of Selectmen. This is an enabling piece of legislation. We are not asking you for money tonight. We are not asking you to agree to an agreement tonight. We are asking you to give the Selectmen your feelings as to whether you think this is a wise and cost saving arrangement so that they, in turn, may meet with their fellow members of other boards of selectmen and work out an agreement and an assessment factor. After they complete this agreement, they, in turn, must come back to you and say, "We have studied this. We have worked on an agreement with X number of towns. We feel it is going to cost Sudbury X number of dollars. We believe that it should be done, and we ask you support for the appropriation of the funds to finish the assigned agreement."

All we are asking tonight is that you give the Selectmen the power to go ahead and initiate an agreement and come back to you at a later town meeting with a figure and with the agreement. I would hope that you would support this managerial request. I think it is in the best interest of the Town and the best interest of the fire service.

Finance Committee Report: (Mr. Grathwohl)

The Finance Committee supports this article. We believe that it is worth a look. A look does not cost us anything, and it is an interesting little proposition to keep the Board of Selectmen busy over the winter time.

After a short discussion, it was

VOTED: IN THE WORDS OF THE ARTICLE.

ARTICLE 25: To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$3,500, or any other sum, for a study to reevaluate the Town's clerical positions to be done by an outside consulting firm, or act on anything relative thereto.

Submitted by the Personnel Board.

Personnel Board Report: (Mrs. Bonarrigo)

It is the responsibility of the Personnel Board under its Personnel Bylaw at least every three years to review the Classification Plan set forth in the Bylaw. The Board "shall review every three years, or more often if it considers it advisable, a. all positions subject to the Classification Plan to determine whether each group continues to include those positions which involve substantially similar work or which have substantially equal responsibility; and, b. the Salary Plan to determine whether it sets forth fair and equitable pay levels. After each review, the Board shall recommend to the Town the action which it considers advisable."

Trying to reevaluate the Classification Plan is a very difficult thing to do. It is sufficiently difficult that over the past years, it has been done in a fairly random way. There was an attempt, within the last few years, to redo the Classification Plan by using CETA personnel. The results were hardly spectacular. They were quite unsatisfactory because the people who were involved in doing the plan did not have the kind of expertise to properly evaluate the clerical positions in Town.

It seems to me that not only is it a requirement of the Bylaws that the Personnel Board do this, it is also a question of good management. The Personnel Board came to you on the first night of the Town Meeting asking for raises for the employees of the Town. The raises that were requested for all employees were a straight 6%. This was done in a year when there was a real attempt to try to keep a tight rein on the budget, and the 6% raises were considered a minimal kind of cost of living raise.

April 13, 1977

At the same time, as a member of the Personnel Board, I feel that the obligation to reevaluate the clerical positions and all of the positions in Town is a very real responsibility. We are trying to evaluate the efficiency and effectiveness of our government. The plan is to have an outside expert, either from Civil Service Division or an outside consulting firm, come in, review the jobs performed by our clerical personnel, write job descriptions, evaluate the level of performance of the people on those jobs and make recommendations as to whether or not those people are currently being properly paid and are properly categorized in the levels that we now have them.

What we would find out is whether or not the Town is getting its money's worth and whether or not the people are being properly paid for the work that they do. We are asking to spend \$3,500 to do this, and I think that it will be well worth the money.

Part of the work can be done in-house on the individually rated positions working with the Executive Secretary. The Selectmen have already committed themselves to trying to determine whether or not the rates at which people are being paid in those positions are appropriate for the positions.

It is very difficult to do the clerical positions in-house because of the slight gradations and the different kinds of responsibilities that people have. It is also an area in which outside consulting firms have developed a kind of expertise which is very helpful to have the advantage of.

For these reasons, we request that the Town appropriate the money for the plan.

Board of Selectmen Report: (Mr. Richard E. Thompson, Executive Secretary)

The Board of Selectmen unanimously supports this article.

Over the past three years, we have been working with the U.S. Civil Service Commission, and we have been trying to get this done by an outside agency at no cost to the Town. We have tried to do it in-house with the CETA personnel. But, with that personnel we were mainly trying to develop a job description manual which we do not have. We were trying to give the Personnel Board some staff assistance which we will continue to do in the future.

Even though you approve the \$3,500, the cost will probably exceed that unless we provide some in-house assistance and staff support for whoever does this study.

The Selectmen have been holding and not recommending upgrading some clerical positions for the last three years. The Finance Committee approved money in the budget as did Town Meeting for up-grading. However, because of the discrepancies and inadequacies of some of the job descriptions and no evaluation mechanism, these up-gradings have been pending for three years.

It is important to realize that this study may indicate where we need up-gradings. It also will indicate where we possibly should have some down-gradings. For example, we have two people with exactly the same title doing exactly the same work. They sit in the same chair at different times of the day, and one is paid \$25 per week more than the other.

Finance Committee Report: Passage of this article will permit the Personnel Board to contract for the review of all clerical positions in the Classification Plan as required by the bylaw every three years. Different job descriptions presently carry the same titles. Recommend Approval.

After discussion, it was

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$3,500 FOR A STUDY TO REEVALUATE THE TOWN'S CLERICAL POSITIONS TO BE DONE BY AN OUTSIDE CONSULTING FIRM, AND THAT SUCH APPROPRIATION BE RAISED BY TAXATION.

Upon a motion made by Mr. Powers, it was

VOTED: THAT THE MEETING BE ADJOURNED TO APRIL 25, 1977, AT 8 P.M. IN THIS HALL.

The meeting adjourned at 10:50 P.M.

[Number of names marked on voting list as having attended the meeting: 431]

PROCEEDINGS

ADJOURNED ANNUAL TOWN MEETING

April 25, 1977

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

- ARTICLE 26: To see if the Town will vote to establish a housing policy and direct certain Town boards and/or committees to study specific alternatives and report thereon.
- Establish
Sudbury
Housing
Policy
- A. Provisions of the Sudbury Housing Policy are as follows:
1. Recognition of the social obligation to include in available housing supply residential units for a broad spectrum of families in differing economic conditions; i.e., low, moderate and high income units.
 2. Whenever possible the approach to meeting all these needs should be left to the private economic sector and governmental administrative rules and practices should be so constructed and applied as to encourage the private sector. Resources such as community development block grant funds, other available funds and programs such as CETA (Comprehensive Employment and Training Act) should be sought to the extent that Sudbury is eligible for same.
- B. The following alternatives for housing needs shall be studied by the listed boards or committees (not outside consultants) and reports thereon shall be made to the Town at the next Annual Meeting by the Planning Board.
1. Planned Unit Development (PUD) -- Planning Board/Health Department/Non-Profit Housing Corporation
 2. Cluster Zoning -- Planning Board/Health Department
 3. Tax Abatement or Deferral -- Housing Authority/Board of Assessors
 4. Multi-unit Housing of Moderate Density -- Planning Board/Housing Authority/Health Department/Building Inspector/Non-Profit Housing Corporation
 5. Transfer of Development Rights -- Planning Board/Board of Health/Conservation Commission
- C. There shall be a citizen group consisting of 3-5 people, appointed by the Moderator, to work with the various groups charged with the above studies. These people shall not be on Town boards or committees or in housing groups.
- D. The Sudbury Housing Authority shall report annually to the Town on the condition of the housing supply especially as applied to Sudbury persons of low or moderate income and elderly persons for the next five years (to 1982) or to such further time as it may deem appropriate;
- or act on anything relative thereto.

Planning Board Report: Recognizing a demonstrated need for housing in Sudbury for families of moderate income including elderly persons, town employees, newly formed families (usually offspring of Sudbury families) and persons employed in the Town, the Housing Issues Group met informally beginning in September 1976. The group is comprised of representatives of the Board of Health, Finance Committee, Sudbury Housing Authority, Sudbury Non-Profit Housing Corporation, and the Planning Board. We held several meetings (and subcommittee meetings), discussed the housing problems at length, and decided to submit this Article for consideration by the Town.

When the Town Meeting recognizes the need for action, its representatives can act with authority and effect. To meet the requirements of Chapter 774, Sudbury needs 376 units of subsidized low and moderate income housing; we currently have 64. This leaves a deficiency of 312 units based on the current total of 3764 housing units existing in the Town at this time.

April 25, 1977

Elsewhere in this Warrant, there is what we believe to be a logical step to help answer the need for less expensive housing for our citizens. There are a number of other possibilities, and this article directs your Town boards and committees to study some of these and report thereon to you.

We believe in the free enterprise system, and we are confident that with your support that system and your public laws and servants can and will supply legitimate answers to these problems.

The Town Meeting is responsible for establishing policy. This includes housing policy. We should meet our obligations for housing by making positive statements in this vital area. This is an opportunity for the Town Meeting to seize the initiative in this area and to avoid merely reacting.

The best reason for you, the Sudbury voter, to act is that by your timely action Sudbury's legitimate interest in preserving its Town character, both physical and social, will be served. If you do not act, eventually "big government" will act, and it will not be as responsive to Sudbury's legitimate interests as your local committees and boards.

Mr. Richard F. Brooks further reported to the meeting for the Planning Board as follows:

The Town Meeting is supposed to run the Town of Sudbury. The boards and committees are supposed to act as servants and caretakers between meetings.

Article 26 is designed to put the meeting into the driver's seat with respect to housing within the Town. In the past, we have had articles on housing, zoning and so forth. Some passed, such as housing for low income elderly. Some have not passed, such as apartment standards. And, we have had resolutions. These resolutions have been passed, at times, without prior notice in the printed Warrant, and these resolutions have been used as a basis for actions by public or semi-public agencies in the Town.

All of this has been good, bad or mixed for Sudbury, depending upon your bias.

We believe it is time for some clear policy statement and direction by the Town Meeting on housing before we, or any other agencies, pursue our pet alternatives. Article 26 articulates basic premises concerning the social aspects of housing and a re-affirmation of the free enterprise creed concerning who should build housing. It then directs that certain alternatives be studied. It directs the results of the studies be reported back to this meeting before action is taken by anyone. This keeps you, the voter, in charge.

If we do not take positive action, your housing groups, developers, the State, MAPC, HUD and the others will fill the vacuum with programs and ideas of their own. These will not all be subject to your approval. These will not all be good for the Town or consistent with our traditional values.

The Planning Board unanimously urges you to take charge of this important aspect of our lives and give direction to all concerned. Only then will these various forces have a common Sudbury policy with which to be guided.

Housing policy in the Town of Sudbury has been kind of a haphazard thing. There isn't any policy of the Town Meeting with respect to housing. Various attempts have been made to do different things in the Town on housing. Some of them have passed, and some of them have not passed. The Town Meeting should state what it believes about housing clearly and not just in connection with a particular housing issue such as rezoning a parcel of this or that land for apartments, multi-family housing, or two-family housing.

This article attempts to get the Town Meeting to state some basic premises about housing and to direct Town boards and committees to study specific alternatives. They should not take action on those alternatives but come back and report their findings. Then, let the Town take it from there and decide if, in its wisdom, it wishes to make some changes in the basic zoning codes of the Town.

Sudbury Housing Authority Report: (Mr. Robert B. Williams)

The question we who are concerned with housing are presenting to this Town Meeting this evening is really a question of how to govern complex elements of this Town between town meetings. I think that issue has been raised in this Town Meeting on several occasions.

April 25, 1977

One appropriate answer for that question is for Town Meeting to thoroughly consider and to have a much stronger role as the single legislative body in this Town which is responsible for establishing policy and for giving direction to the Town boards and committees which exist. That is what this article would do.

We all know that for the past several years, those of us who have lived here have seen the problems of this Town and the activities that have been structured to deal with those problems multiply in great number. As this happens, there is a tendency for things to become fragmented, to lack coordination and direction.

This article would give you, the members of Town Meeting, the opportunity to provide coordinated effort, require direction in one very important area with which this Town is faced right now, and this is housing - the need to meet the housing needs of the people of Sudbury.

The Finance Committee report on this article raised the concern about conducting a study on the floor of Town Meeting. It is not the intent to conduct a study on Town Meeting floor. We intend only that this Town Meeting establish a broad policy framework as indicated in Part A of this article. Part A is composed of two very broad statements which would give some framework and policy direction to people who are working on housing. In this framework, within this policy, the specific proposals can and should be made again back to this legislative body, the Town Meeting.

The recommendations that were made may be contained in Part B, or they may come from ideas that some of you have, some of you who would participate in the deliberations.

Studies will not be presented on Town Meeting floor. Studies will support specific recommendations that are made on Town Meeting floor, specific activities.

This article represents a commitment which is held by all known groups concerned with housing in Sudbury to work through the town meeting process. The Non-Profit Corporation, the Housing Authority, every group that we have come in contact with which has associated itself with planning and thinking about housing, is thoroughly committed to coming back to Town Meeting regardless of any idea that it has, presenting that idea to Town Meeting and taking your advice, your guidance and your direction on the implementation of any construction or development of housing, or development of a specific action to meet the housing needs of this Town.

This article provides for continuing Town Meeting involvement. The Moderator is given the responsibility for appointing a three-to-five person committee which will represent the best interests of the Town in deliberations of the housing group which is to address the immediate issues of finding housing to meet needs in Sudbury. This committee would be an independent committee. It would be able to report separately, in support of or in opposition to any proposals that are generated within the framework of this article and presented to future town meetings.

This provides a good check and balance for the Town and for the members who come to these meetings, cast their votes and attempt to influence the direction this Town will take.

We need this article. We know that federal activity in the recent past has lagged. We also know that there are new things that loom in the future, new policies that will be developed and implemented. There will be new money that will attract new activity. Some of that activity will be new construction.

We feel that the only way to best guide this Town and the best plan to meet the housing needs of this Town is to give the Town Meeting a direct role in determining the policy and to come up with a plan that protects the integrity of this Town and develops the tools that can best be used by this particular Town in meeting those housing needs.

The State continues to be active in trying to meet some of the housing needs of the State, not always in conjunction with the best wishes of the individual cities and towns. There is legislation which has been introduced which would empower the Department of Community Affairs to enter into direct leases for pieces of property. Other proposals advocate the formation of Departments of Community Development in small cities and towns. The DCA is making its own moves to meet the housing needs of the State, and I think that this Town should be prepared to act on its own and form a policy that makes sense.

April 25, 1977

An affirmative vote for this article represents a reaffirmation of things that you have voted in the past, things of which I, as one individual, am particularly proud. I feel really good when I can pick up copies of the Boston Globe and read articles that condemn suburban towns for not taking appropriate action to meet the needs of low and moderate income families and read, in that same article, that Sudbury has done constructive things. I like to feel that Sudbury will continue to do constructive things, and I am sure that this Town will vote to do that. I have pride in what Sudbury has done in the votes to proceed with the 705 program, in the constructive way you have helped us to develop Musketahquid Village housing sixty-four elderly and handicapped families. I am sure with your help we are going to move forward and we are going to do an even better job in the future in meeting the housing needs of our people.

Conservation Commission Report: (Mrs. Kathleen M. Brown)

The Conservation Commission supports this article. We feel that several of the alternatives to be studied could offer a realistic approach to housing that would allow development with reduced negative impact upon the environment and help preserve open spaces. This article will initiate the studies that should be undertaken by all related boards and commissions.

Finance Committee Report: The Finance Committee recognizes the need for an acceptable Housing Policy for the Town. This policy should include housing needs for people of all economic conditions, family size and age. The Committee believes that the proper approach to the establishment of such a policy is to present the results of a coordinated study by the appropriate groups to the Town for discussion. All of the alternatives presented in this article, as well as any others, should be considered. The results of the Town-wide survey conducted in January 1974 should be consulted for guidance. The Finance Committee believes that this study should be under the auspices of the Planning Board since housing policy is an integral part of planning. It is hoped that this study can be conducted this year and that the Planning Board can submit the results to the Town at the next Annual Town Meeting. This article would result in the study being performed on the floor of Town Meeting which is inappropriate. Recommend Disapproval.

Mrs. Martha J. Coe moved to amend by deleting the words, "Non-Profit Housing Corporation" from Section B., paragraphs 1 and 4.

In support of her amendment, Mrs. Coe stated as follows:

I have a question about the participation of the Non-Profit Housing Corporation as a Town board. The article says to direct boards and committees set forth in said housing policy to report to the Town Meeting, and then in Section B, paragraphs 1 and 4, it has the Non-Profit Housing Corporation. Here we have a case of a builder acting as a Town board.

Mrs. Coe's amendment was defeated.

After discussion, it was

VOTED: *IN THE WORDS OF THE ARTICLE.*

ARTICLE 27: To see if the Town will vote to amend the Zoning Bylaws, Article IX, Section III, A, entitled: "Residence Districts", by adding a new subsection 2, entitled: "Special Provisions for Single Accessory Dwelling Units", to read as follows:

Amend
Bylaws
Art. IX,
III, A
Single
Accessory
Dwelling
Units

"A. Purpose

The special regulations contained in this section have been enacted for the purpose of encouraging the creation of a limited number of housing units suitable for occupancy by persons such as Town employees, young people, elderly people and persons of low and moderate income, while ensuring compliance with local planning standards and policies and in keeping with the character of the Town. These include land use, building design, and requirements of health, safety, convenience and general welfare of the inhabitants of the Town.

April 25, 1977

B. Single Accessory Dwelling Unit Bylaw

1. An owner or owners of a residence in Districts A-1 and C-1, including Historic Districts, may apply to the Board of Appeals for a special permit to convert space within said residence to a single accessory dwelling unit. The application shall be in the required Board of Appeals format.
2. After due notice and a public hearing in accordance with the General Laws, and after due consideration of the reports and recommendations of the Planning Board and the Board of Health, (and the Historic Districts Commission, where applicable), the Board of Appeals may grant such a special permit provided that:
 - (A) The accessory dwelling unit is accessory to the principal residence and either the accessory dwelling unit or the principal residence is occupied by the owner of the lot on which the accessory dwelling unit is to be located, except for bona fide temporary absences of up to one year;
 - (B) Adequate provision can be made for the disposal of sewage, waste and drainage generated by the occupancy of such accessory dwelling unit in accordance with the requirements of the Board of Health;
 - (C) Applicable requirements of the Massachusetts State Building Code must be met;
 - (D) The conversion to and occupancy of the accessory dwelling unit will not be detrimental to the neighborhood in which the subject lot is located, or injurious to persons or property;
 - (E) The building in which the accessory dwelling unit is to be constructed existed on April 1, 1977.
3. The number of accessory dwelling units permitted under this bylaw shall not exceed five per cent of the total number of single-family residences existing in the Town at the beginning of the year in which the application was filed nor more than two per cent in any single precinct as delineated on April 1, 1977. For the purposes of this bylaw, a residential structure which contains an accessory dwelling unit permitted hereunder shall be counted as a single-family residence.
4. In order to ensure compliance with paragraph 2 (B) above, the applicant shall cause to be submitted to the Board of Appeals prior to the hearing, a written report of the Board of Health.
5. In connection with the application for a special permit under this section, the Planning Board shall submit, in writing, prior to the hearing, its recommendation and report to the Board of Appeals. The Planning Board may supplement its report within five days after the hearing. The report of the Planning Board shall include as a minimum:
 - (A) Verification of the general accuracy of the plan submitted with the application to the Board of Appeals;
 - (B) A general description of the neighborhood in which the lot lies and the effect of the proposed accessory dwelling unit on the neighborhood;
 - (C) The Planning Board's recommendations as to the advisability of granting the special permit and as to any restrictions which should be imposed as a condition of such permit.
6. The Board of Appeals shall give due consideration to the report of the Planning Board, and where its decision differs from the recommendation of the Planning Board, shall state the reasons therefor in writing.
7. A special permit granted hereunder shall lapse within one year from the grant thereof if a substantial use thereof has not sooner commenced except for good cause.

April 25, 1977

C. Other Requirements

1. Except as provided herein, all requirements of Single Residence Districts apply as provided in this Bylaw.;"

or act on anything relative thereto.

Submitted by the Planning Board.

Mr. Eben B. Stevens of the Planning Board *moved* that the Zoning Bylaw, Article IX, Section III, A, entitled: "Residence Districts", be amended by adding a new subsection 2, entitled: "Special Provisions for Single Accessory Dwelling Units", as set forth in Article 27 in the Warrant for this meeting, except that paragraph B, 2 (A) will read as follows:

- (A) *At the time the special permit is granted and all times thereafter, the accessory dwelling unit is and will be accessory to the principal residence and either the accessory dwelling unit or the principal residence is and will be occupied by the owner of the lot on which the accessory dwelling unit is to be located, except for bona fide temporary absences up to one year.;*

and that paragraph B, 3 read as follows:

3. *The number of accessory dwelling units permitted under this Bylaw shall not exceed five per cent of the total number of single family residences existing in the Town at the beginning of the year in which the application was filed and shall not exceed more than two per cent of the total number of single family residences existing in the Town at the beginning of the year in any single precinct as delineated on April 1, 1977. For the purposes of this Bylaw, a residential structure which contains an accessory dwelling unit permitted hereunder shall be counted as a single family residence.*

Planning Board Report: This article would enable a small number of existing homeowners to convert excess space in their homes or attached garages to an apartment. This would enable some elderly homeowners to remain in their homes because of income that would be derived, or it would enable other families to find suitable housing in Sudbury through the economy of a rental unit.

Through the Board of Appeals and Planning Board reviews, the Town would retain the protection it needs to preserve the essential character of its neighborhoods.

The Sudbury Council on Aging has unanimously voted to support this article. The Sudbury Housing Authority and the Sudbury Non-Profit Housing Corporation have also voted to support this article.

Mr. Stevens further reported to the meeting for the Planning Board as follows:

To say that the present tax burden in Sudbury presents no financial hardship to the elderly, to the young, to those on fixed incomes is to be like the proverbial ostrich with his head in the sand. To say that this article is premature, as the Finance Committee states, is to deny the obvious.

People have been forced to leave Sudbury. People, not just the elderly, are being forced to sell their homes and the Town's young people, married and unmarried, can't even find an economical place in Town to live.

That is the problem. It is here. It is a fact, and the Planning Board feels that the Zoning Bylaw should and must have some flexibility which promotes the health, safety and welfare of all its citizens and not just those with rapidly rising incomes.

The Planning Board has, over the years, studied, discussed and supported programs to solve this problem. The Board feels that this article represents a fair attempt by the Town to meet the problem with minimal effect on the Town's character and rural charm.

We strongly recommend approval and urge your support.

Sudbury Housing Authority Report: (Mrs. Anita E. Cohen)

Article 27 provides the zoning necessary to allow the creation of accessory dwelling units in existing homes. It has the capability of fulfilling two types of housing needs in one step. First, it will provide another option to a couple other than moving out of a home which may be dear to them and in which they have

April 25, 1977

raised their children. Now, if they find their home to be too large and expensive for their needs, they have only the option of selling and, in most cases, leaving Sudbury. If this article is passed, they may convert part of their home into a second dwelling which will bring in rent, thus lowering the cost of the upkeep of their home and their real estate taxes.

Second, the dwelling unit created will, in most cases, be small. It will provide a form of housing now in very short supply, housing suitable for a young couple or single person working in Sudbury who maybe grew up in the Town but cannot afford to purchase a home. Or, it may provide housing suitable for an elderly couple who have decided to sell their home, but whose income is too high to gain them admittance to the elderly housing such as Musketahquid Village.

It may allow a couple of modest means to find housing in Sudbury with the help of Section 8 Rental Assistance. This is an assistance program sponsored by the Department of Housing and Urban Affairs. The Sudbury Housing Authority received funds from HUD a year ago for ten units of Section 8 housing in Sudbury. Applications were received from at least ten families, but as no rental units could be found within the monetary limits allowed by HUD, the money had to be returned to HUD last month.

What are the advantages to Sudbury if this article receives your support? Upper middle class families now have no problem finding a home in Sudbury. The average selling price is now about \$70,000. But the young, whose income is still modest, or the elderly, past their peak earning years, cannot find housing in our community. Providing housing to allow these persons to stay in Sudbury will make Sudbury a better community with the diversity of age groups which the Town is losing more and more of every year under present housing conditions.

This bylaw will allow this using existing housing and thus will not change the character of Sudbury. This bylaw allows for the dwelling units to be created in an orderly and controlled manner with many safeguards built in for the homeowner, abutters, and the community at large.

Let us consider the provisions of the bylaw. The homeowner wishing to convert part of his house into an accessory dwelling unit must draw up plans for conversion and present them to the Board of Appeals for approval. The Board of Appeals must hold a public hearing. Notice of that hearing must be sent to all abutters.

A report of the Planning Board is required which will contain the following: 1) verification of the general accuracy of the plan submitted to the Board of Appeals; 2) a description of the neighborhood in which the home lies and the effect the proposed accessory dwelling unit will have on the neighborhood; 3) the Planning Board's recommendation as to the advisability of granting a special permit and any restrictions which should be included in the permit. A report of the Board of Health is required to verify that adequate provision can be made for disposal of sewage and waste generated by the accessory dwelling.

Only homes now built may be considered for conversion. This is to prevent the building of new homes already containing an accessory dwelling. If such were allowed, the purpose of this bylaw would be defeated, which is to aid persons now living in Sudbury to remain here.

The home must be owner-occupied. The purpose of this bylaw is to keep people in Sudbury who wish to stay, not to increase the profits of an absentee landlord. The accessory unit must be part of the main structure. This is to ensure that the appearance of the neighborhood will not be changed. To allow a unit in a separate building would be in conflict with the present Zoning Bylaw.

There is a limit to how many homes may be converted. Only five per cent of the housing now existing may be so converted. This means not more than 190 units in the entire Town. Also, not more than two per cent of such units may be located in any one precinct. That is not more than 76 units.

We feel that these provisions will adequately protect the interest of the Town and the abutters.

What experience has another Town had with such a bylaw? A bylaw quite similar to the one being proposed went into effect in Lincoln in 1972. The Lincoln Board of Appeals now receives four to five applications each year. That is more than when the bylaw first went into effect. There are 22 accessory units now in existence in Lincoln. They are scattered quite nicely about Lincoln. In Lincoln, applications have generally come from people who are alone in a large house, often elderly. Their tenants tend to be professional people of moderate income.

April 25, 1977

This proposed bylaw is the result of a suggestion of Col. Leahy of the Sudbury Council on Aging who is concerned about the number of elderly in large homes they can no longer afford due to high taxes and upkeep. The provisions of the bylaw were worked out by a process which the Housing Authority has been advocating since its creation - coordination of efforts by Town boards to provide needed housing types in a manner which will retain the character of Sudbury. This bylaw is the result of a number of meetings held since last September of the Ad Hoc Housing Task Force composed of representatives of the Planning Board, the Board of Health, the Council on Aging, the Non-Profit Housing Corporation and the Housing Authority.

The Housing Authority together with the Planning Board, the Council on Aging, and the Non-Profit Housing Corporation urge you to vote in favor of this article.

Council on Aging Report: (Col. Paul J. Leahy)

If I gained nothing else from my twenty-seven years in the military service, I gained the idea that I should be a realist and face up to problems and meet them. We have a problem here in Sudbury with our elderly people. We have approximately 750 elderly people over sixty years of age. Of those 750, 86 are on welfare. These are not my figures. These are figures that I got from the State House and the Department of Public Assistance.

Their primary concern, and what forces them into these straits, is your spiralling high tax rate plus the spiralling high tax the Arabs are putting on us through our oil crunch. We have elderly people in this Town who can't pay for their oil. We have elderly people here in this Town who, in the past winter, have had to resort to selling their furniture and selling their houses to pay their taxes and pay their oil bills. I see no relief in sight for them. I was able to help a few of them myself through the South Middlesex Opportunity Council where I could get free oil in 150 gallon increments. But this isn't going to last forever, and this is not the cure for these people.

We've got to do something to help them. This article is not a panacea in that direction. There are a lot of stumbling blocks, but it is an article which would, at least, give them a chance to work their way out of these dilemmas.

We have elderly people in their eighties who are living in big old Victorian type houses all alone. They are rattling around like a couple of dice in a box. The ceilings are fourteen and fifteen feet high, and it costs them \$1,500 a year to heat the house. If they could get some money from somewhere, they could remodel and make another apartment upstairs. This would help them pay their taxes and oil bills and would allow them to stay in the house.

Many of these people were born here in Sudbury eighty-odd years ago, and they don't want to leave.

Recently we had a very popular novel called "Roots" by Alex Haley. These people got their roots here and their cemeteries are here. Their parents are here and their families. They want to stay here, and it would be cruel to force them to move out.

I don't envision that there will be too many that will apply because I fancy a lot of stumbling blocks down the road, one of which is mortgage money. How are they going to get the \$10,000 or \$15,000 to remodel their house? If you are over 55, banks today don't want to give you mortgage money.

Many of you remember Satchel Page, the famous black baseball pitcher. He made a very famous remark. He said, "Don't look back - somebody might be gaining on you." I believe in Satchel Page's ability as a pitcher, but I don't believe in his philosophy. I think by looking back sometimes, we can gain a lot from the past. We can learn by the mistakes our fathers made.

I call to mind tonight that sixty years and ten days ago, a man rose up in the halls of Congress. It was about ten o'clock at night. He said, "Gentlemen, for God's sake, if you're going to declare war, let's do it now before it becomes Good Friday." I think it is almost Good Friday for a lot of our people.

I urge your support of this article.

Finance Committee Report: (Mrs. Anne W. Donald)

The Finance Committee recommended disapproval of this article for the very reasons that were given for asking you to vote in favor of the previous one - that a study should be made, the results should be presented to the Town Meeting, and then a decision should be made. We feel this is spot zoning that is being taken bodily out of the study and being decided on its own without studying the merits of the other parts of that policy study that you have just voted in favor of.

April 25, 1977

Town Counsel Opinion: It is the opinion of Town Counsel that, if the Zoning Bylaw change set forth in Article 27 in the Warrant for the 1977 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 some discussion, Mr. Russell P. Kirby was recognized and stated as follows:

There are three aspects of this article that I find very disturbing. I think that it is subject to abuse. I think the bylaw is presently abused. If the Zoning Enforcement Officer is in the hall, I would like him to report whether or not there are any properties in the Town today that have already taken advantage of the provisions of this bylaw prior to its passage.

I think this article should have three amendments put before the floor. One is that not more than one special permit be granted to the same owner-occupant. I see no provisions in this article that would prohibit someone, once they received a permit, to add more than one accessory dwelling unit to the same building. If he has an upper story on a house and he gets a permit to provide accessory dwellings, there is nothing to say whether that would accommodate one person, ten people, one family or three families. It could be construed to accommodate as many people as he wished.

Also, I would like to see this amended so that such permit would be non-transferable upon sale of the principal residence. This would prevent the problem of someone establishing an elaborate apartment complex within a house as an income property and then increasing the sales value of it, putting the piece of property on the market and perpetuating the situation. Once it is established, it is established permanently. Then someone else who comes along a few years later and finds himself in a similar position would be unable to obtain the same sort of liberties because the quota has been used up.

I would like to see some provision in here that says that no permit be issued to any applicant not in conformance with the Zoning Bylaws as of April 1, 1977. If there are properties in Town today which are not in compliance with the Zoning Bylaw, I would not want to see any action taken on this floor tonight suddenly make those in compliance. Granted, they are operating without a permit. If they have been operating without a permit to this point, there is no reason why they should not continue to do so. I think it defeats the purpose for which this article is intended.

I would like to propose, if we can find a way to do so, to amend this article to cover these three provisions.

After a question by the Moderator, Mr. Kirby stated that since he was equally concerned about each one, he would like to move each amendment independently. He stated that his first amendment would be that *not more than one special permit be granted to the same property and that this wording should be placed in Section B, paragraph 8.*

Mr. Stevens of the Planning Board then pointed out that in Section B, paragraph 1, there appears the phrase that an owner of a residence may apply to the Board of Appeals for a special permit to convert space within said residence to a single accessory dwelling unit.

Mr. Kirby stated that he saw nothing to prevent the individual from applying for more than one permit. The Board of Appeals could grant a permit again on a subsequent date.

The Moderator then requested an opinion of Town Counsel concerning this provision.

Town Counsel stated as follows:

It is my opinion that the bylaw written as a whole restricts it to one accessory dwelling unit. The wording throughout the bylaw is a single accessory dwelling unit and that follows throughout the proposed amendment.

The Moderator asked whether or not Mr. Kirby still wished to make his amendment. Mr. Kirby then asked for another opinion of Town Counsel as follows:

In the event that an individual is granted such a permit and he sells the property and buys another, can he be issued another one on the second piece of property?

April 25, 1977

Town Counsel stated that he could so long as the restrictions on the number of units in Town had not been exceeded.

Mr. Kirby then stated that he would withdraw his first amendment but would like to go on to the other two. He then *moved to amend the motion under Article 27 to read in the appropriate place that any permit issued to the owner of a piece of property not be transferable to a successor owner upon sale or transfer of that property.*

After a short discussion of the amendment, Mr. Potell requested that Town Counsel give his opinion as to the legality of the amendment.

Town Counsel gave an opinion as follows:

There are some serious considerations as to the legality of putting a time limit or requiring someone to take out an apartment after he has installed it. I think perhaps it would be illegal.

Mr. Kirby's amendment was then *defeated*.

Mr. Kirby then stated that he would like assistance from Town Counsel before proposing his final amendment. He asked, "Would it be permissible to put a restriction in this bylaw so that it would not apply to anyone who is not in compliance with the provisions of the bylaw as of April 1, 1977?" He stated that he was referring to an instance in which an individual already has an accessory unit in his home without a permit and would seek a permit to validate the illegal pre-existing use.

Mr. Kenny stated that he believed it would be beyond the zoning power. If someone were to meet the criteria necessary for a special permit, then you could not preclude them from getting the special permit. It would not be possible by wording of the bylaw.

Mr. Kirby then stated that he would not make an amendment in this case but would strongly urge that the main motion be defeated because of the weaknesses that are in this bylaw and the fact that it is subject to abuse.

After further discussion, the Moderator asked for a show of hands in favor of and opposed to the motion of the Planning Board under the article. He announced that the motion was *defeated* by a vast majority. It needed two-thirds to pass, and there were more than two-thirds against it. He then asked if anyone would like a standing count on the article and determined that no one did.

The Moderator then recognized Mr. Powers for the purpose of presenting two resolutions. Mr. Powers stated that the first resolution would name the White Building for the recently deceased principal of our high school. The White Building, over which Mr. Flynn presided as superintendent and principal for twenty-five years, would be named the Alan F. Flynn Building. The resolution was presented on behalf of the Board of Selectmen and the Sudbury School Committee jointly.

VOTED:

WHEREAS THE TOWN OF SUDBURY EXTENDS ITS HEARTFELT SYMPATHY TO THE FAMILY OF ALAN F. FLYNN (1896-1976) AND TAKES COGNIZANCE OF HIS SERVICES, WHICH, SINCE HIS MOVE TO SUDBURY IN 1927, HAVE INCLUDED SERVING AS PRINCIPAL OF SCHOOLS FROM 1927-1950, SCHOOL GUIDANCE DIRECTOR AND TEACHER FROM 1950-1960, TOWN ELECTION OFFICER FROM 1961-1963 AND 1965-1970, AND BOARD OF APPEALS ASSOCIATE MEMBER FROM 1964-1967; AND

WHEREAS THE TOWN OF SUDBURY IS INDEBTED TO ALAN FOSTER FLYNN FOR HIS DEDICATED SERVICE TO THE SUDBURY SCHOOL SYSTEM OVER A PERIOD OF SOME THIRTY-THREE YEARS; AND

WHEREAS FROM 1927-1950 MR. FLYNN WAS PRINCIPAL OF SUDBURY'S ONLY SCHOOL, ENCOMPASSING GRADES 1-12, AND ALMOST SINGLE-HAND-EDLY DISPENSED A SUPERIOR EDUCATION TO THE CHILDREN OF THIS TOWN WITH INDUSTRY, CONCERN, WISDOM AND IMAGINATION. TALL, RESERVED, AND INTENSELY DEVOTED TO HIS PROFESSION, HE POSSESSED THE RARE GIFTS OF INSIGHT, DIGNITY AND PERSISTENCE WHICH MADE BOTH PARENTS AND STUDENTS SHARE IN HIS BELIEF THAT AN EDUCATION WAS A PRIVILEGE TO BE SOUGHT WITH ENERGY, DISCIPLINE, AND DEDICATION; AND

April 25, 1977

WHEREAS MR. FLYNN IS RECOGNIZED AS HAVING INITIATED THE FIRST PUBLIC SCHOOL DRIVER TRAINING IN MASSACHUSETTS AND AS HAVING INTRODUCED VOCATIONAL GUIDANCE INTO THE SUDBURY SCHOOLS;

THEREFORE, BE IT

RESOLVED THAT THE WHITE BUILDING, WHICH WAS THE SCHOOL OVER WHICH HE PRESIDED, BE RENAMED THE ALAN F. FLYNN BUILDING IN HIS MEMORY.

Mr. Powers then presented the second resolution, an honorarium for those of our citizens and former officials who have passed from us: Mr. Paul J. Buxbaum, Mr. F. Alvin Noyes, Mrs. Caroline Maude Evans Stone, and Mr. Ernest C. Trimper. He asked that we vote on this by having a standing moment of silence.

The Moderator asked those persons who favor the resolution to stand and observe a moment of silence. He then asked that it be recorded that everybody in the room stood and observed the moment of silence in honor of those persons named.

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 SOME OF ITS CITIZENS WHO HAVE PASSED FROM AMONG US;

THEREFORE, BE IT

RESOLVED THAT THE TOWN EXTEND ITS HEARTFELT SYMPATHY TO THE FAMILIES OF THESE PERSONS AND TAKE COGNIZANCE OF THEIR SERVICE AND DEDICATION:

PAUL J. BUXBAUM 1937-1976. MOVED TO SUDBURY IN 1969. MASSACHUSETTS BAY TRANSPORTATION AUTHORITY ADVISORY BOARD DESIGNEE: 1971-1974. SUDBURY BUS TRANSPORTATION COMMITTEE: 1974-1975. PAUL BUXBAUM BROUGHT TO US HIS INQUISITIVE MIND, HIS FLAIR FOR EXPERIMENTATION AND A DEEP CONVICTION THAT BOTH PEOPLE AND THE ENVIRONMENT WOULD BE BETTER OFF WITH LESS DEPENDENCY UPON THE AUTOMOBILE. FOR PAUL, EFFICIENT MASS TRANSPORTATION WAS SOMETHING INEVITABLE. HE DID NOT SEE IT IN HIS TIME, BUT HE HAS LIGHTED THE PATH OF THE FUTURE.

F. ALVIN NOYES 1902-1976. LIFETIME SUDBURY RESIDENT. CALL FIRE FIGHTER: 1931-1953. SUPERINTENDENT OF CEMETERIES: 1938-1964. SPECIAL POLICE OFFICER: 1940-1953. ELECTION OFFICER: 1945-1959. BOARD OF APPEALS ASSOCIATE MEMBER: 1953-1954. BOARD OF APPEALS: 1955-1957. HIGHWAY SURVEYOR: 1958-1964. MOSQUITO CONTROL COMMITTEE: 1960-1967. HIGHWAY SUPERINTENDENT: 1964-1967. DEPUTY TREE WARDEN: 1966-1967. CEMETERY STUDY COMMITTEE: 1976. F. ALVIN NOYES CARED FOR THE TOWN OF SUDBURY WITH A CONSTANCY AND FERVOR WHICH RIVALS ONLY THAT OF HIS FOREBEARS WHO FOUNDED THE TOWN. FOR FORTY-FIVE YEARS HE WAS THERE. QUIET, HONEST, STEADY - WITH A FLASH OF YANKEE HUMOR, HE CARED FOR THAT PIECE OF EARTH WHICH HE KNEW BEST. HE GAVE SUDBURY NEW SURFACES ON ANCIENT ROADS, AND OLD VALUES TO NEW CITIZENS. HE WAS THERE TO HELP US ON OUR PUBLIC WAY IN LIFE, AND LOVINGLY CHERISHED THOSE WHO PASSED INTO OUR ANCIENT CEMETERIES. HE WAS ALL THAT IS UNIQUE AND GOOD ABOUT NEW ENGLAND.

April 25, 1977

CAROLINE MAUDE
EVANS STONE

1888-1976. MOVED TO SUDBURY IN 1908. SCHOOL SEWING SUPERVISOR: 1927-1941. CHAMBER OF COMMERCE AWARD, "CITIZEN OF YEAR": 1959. SOME PEOPLE ARE SPECIAL TO A TOWN NOT BECAUSE OF THEIR PUBLIC OFFICE, BUT BECAUSE OF SPECIAL GIFTS OF CHARACTER. CAROLINE STONE WAS SUCH A PERSON. WIDOWED WITH SMALL CHILDREN, ONE OF WHOM WAS BLIND, SHE FACED ADVERSITY WITH A STEADY EYE, A WARM SMILE AND A DETERMINATION THAT HARD WORK CAN OVERCOME ANY OBSTACLE. NOT ONLY DID SHE WIN - BUT EXHIBITED SUCH AID, CARE AND CONCERN FOR EVERYONE ELSE WHO WAS IN DIFFICULTY, THAT SHE TAUGHT US MUCH OF CHARACTER. IN 1959 SHE WAS AWARDED THE CITIZEN OF THE YEAR AWARD FOR ATTENDING HER 50TH CONSECUTIVE TOWN MEETING.

ERNEST C. TRIMPER 1926-1977. MOVED TO SUDBURY IN 1961. PARK AND RECREATION COMMISSION: 1971-1974. PERMANENT BUILDING COMMITTEE: 1969-1972. SUDBURY LITTLE LEAGUE COACH AND MEMBER OF BOARD OF DIRECTORS. ERNEST TRIMPER POSSESSED AN INFINITE LOVE OF CHILDREN. HE HAD A VERY SPECIAL KNACK OF UNDERSTANDING, REACHING, AND ENJOYING THEM. HE GAVE TO THE CHILDREN OF THIS TOWN MUCH OF HIMSELF - NOT JUST THE COUNTLESS HOURS OF COMMITTEE MEETINGS, BUT THE YEARS OF PATIENTLY COACHING LITTLE LEAGUE TEAMS ON HIS OWN TIME, EARLY IN THE MORNING AND LATE AT NIGHT. HE GAVE TO HIS TOWN PARK AND RECREATION PROGRAMS, TENNIS COURTS - AND MORE IMPORTANTLY, A WARM FEELING IN OUR HEARTS.

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 APPRECIATION FOR THEIR EFFORTS TO OUR TOWN.

ARTICLE 28: To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$100,000, or any other sum, for the planning, engineering, and construction of walkways, such funds to be expended in the following manner:

Walkway
Planning &
Construc-
tion

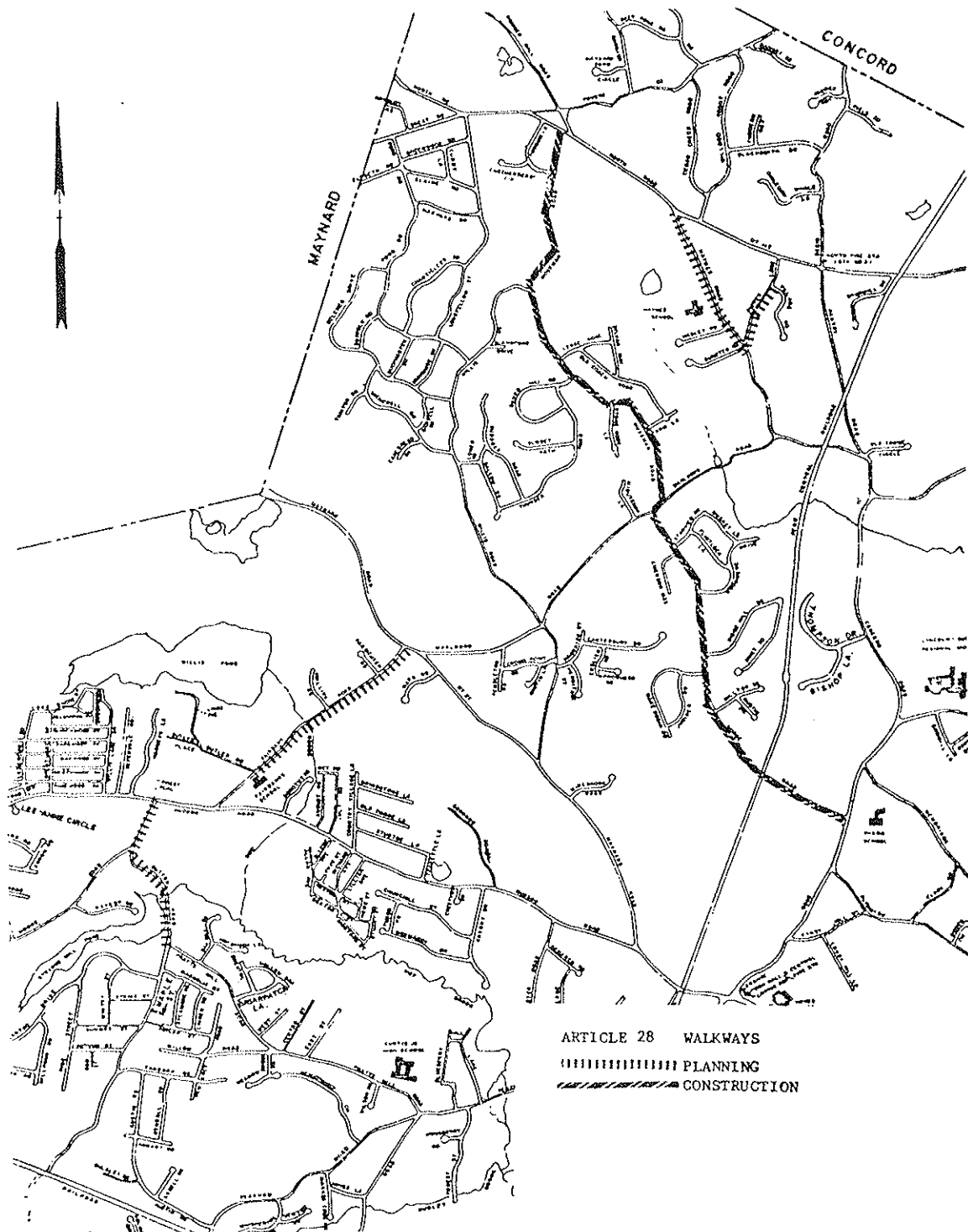
- 1) Planning and engineering funds as necessary to be expended under the direction of the Planning Board, through the office of the Town Engineer, for walkways along the following roads:
 - A) Haynes Road from North Road to Dunster Road and Puffer Lane from Haynes Road to Village Road;
 - B) Fairbank Road from Butler Road to Maynard Road;
 - C) Dutton Road from Hudson Road to Pratts Mill Road;
- 2) Construction funds as necessary to be expended under the direction of the Highway Surveyor, for walkways (approximately 7,000 feet) along the following roads:
 - A) Morse Road from Concord Road to Marlboro Road;
 - B) Mossman Road from Marlboro Road to North Road;

or act on anything relative thereto.

Submitted by the Planning Board.

Mr. Edward W. Connors, Jr., of the Planning Board moved that the Town appropriate the sum of \$50,000 to be expended under the direction of the Highway Surveyor, for the construction of a walkway (approximately 7,000 feet) along Morse Road from Concord Road to Marlboro Road; said sum to be raised by a transfer of \$23,000 from Article 31 of 1974 Annual Town Meeting and the balance of \$27,000 to be raised by taxation.

April 25, 1977



Planning Board Report: (Mr. Connors)

Sudbury today has approximately thirteen miles of walkways. The first walkway network was laid out in the 1962 Master Plan, and the first walkway was built as a result of town meeting action at the 1963 Annual Town Meeting.

Since that time, Sudbury has, as a result of town meeting action, invested in continued walkway development. In recent years, the annual rate of investment has been \$100,000 per year. This year, because of Sudbury's fiscal plight, the Planning Board and the Walkway Committee have voted to accept the recommendation of the Long Range Capital Expenditures Committee to reduce the funding level of the walkway program to \$50,000, thus continuing walkway development as a high priority program.

April 25, 1977

For the past three years, we have been getting walkways constructed for an average cost of \$6 to \$7 per foot. Earlier walkway construction has cost an average of \$8 to \$10 per foot. The Town Engineer has attributed the reduced cost to a slowdown in the construction industry. Contractors today are bidding jobs at lower prices just to stay in business and keep their key men working. The Town today is getting more walkway per dollar invested than ever before. This is true not only from a unit cost point of view, but also quality. Contractors are building better quality walkways because the competition for additional work is fierce.

Given that the cost must be lower, it still is not the only factor considered in awarding contracts. It is therefore the position of the Planning Board and the Walkway Committee that to defer the walkway program to later years can only result in higher costs and is not a cost-effective means of continuing the walkway program. The construction industry will probably be booming again in approximately two to five years.

If the walkway program is deferred this year, it will mean at least a two year delay in the long range development of the walkways in Sudbury and certainly will mean higher costs. By appropriating only \$50,000 this year, we will not, in the short term, noticeably slow the long range walkway program.

Last year's appropriation of \$100,000 still has monies left to complete the construction of walkways along Peakham and Old Lancaster Roads and complete the engineering of the Mossman Road walkway. The reduced appropriation will mean only that walkways recommended for planning and engineering this year must be deferred until next year.

These walkways are still given the highest priority by the Walkway Committee, but, if we were to fund the plan and engineer these walkways this year, we would not have adequate funds even at the past funding level of \$100,000 per year to construct these walkways until the 1979 construction season.

Final engineering of the Mossman Road walkway will be completed this year. Construction of the Morse Road walkway, if funded, will begin this year. Construction of the Morse Road walkway is the highest priority item in the long range walkway development program. The Morse Road walkway is a key link in the walkway network. It will provide access from the northern section of Town to the existing walkway network.

This section of Sudbury currently has no safe, convenient means of walking anywhere. The Morse Road walkway will provide walkers from the northern section of Town with safe, convenient access to parks, shopping, schools, churches and public facilities. This is especially true of walkers to the high school.

As of September 1977, the Regional School Committee will not provide bus transportation for those students living within one and a half miles of the high school. Most of Morse Road is within one and a half miles of the high school.

The length of time required to complete the total walkway network is, of course, a function of both the Town's willingness to invest the necessary funds as well as the rate at which the funds are appropriated for outside state and federal funding sources can be identified and applied to. The prioritizing of which walkway is constructed first and when is a function of many variables which can only be properly evaluated on a short range basis.

As of now, the walkways explained in this presentation and listed in Article 28 of the Warrant for this year's Town Meeting have the highest priority. The Planning Board and the Walkway Committee of the Planning Board ask for your vote to continue the long range walkway development program in Sudbury at the reduced funding level of \$50,000, only \$27,000 of which is to be appropriated from this year's tax rate.

We feel this is a small price to pay for a safe, convenient and inexpensive means of getting around Town. This is a capital investment and something which becomes an asset to the community, allows greater flexibility in planning school programs and athletic programs, allows citizens to depend less on automobiles for transportation and provides a source of recreation for walking and jogging.

Finance Committee Report: The Town has followed a pay as you go policy for planning and construction of walkways. However, the Finance Committee believes that the walkway program can be deferred to later years. Recommend Disapproval.

Board of Selectmen Report: (Mr. Potell)

The Board of Selectmen in a unanimous opinion concurs with the Finance Committee.

April 25, 1977

Mr. Potell then *moved Indefinite Postponement of this article*. He continued the Selectmen's report as follows:

The reason we are moving Indefinite Postponement is that the one year delay in the walkway program will not seriously hurt the Town. We have seen this Town Meeting ask that the Conservation Fund be delayed for a year. We feel that this is a year of a very high tax increase and anything that can be saved from it at this point should be. While \$27,000 may not seem like a lot of money, it is another quarter on the tax rate. To some people, that is going to mean a lot of money, not just a little. We are just asking that this be delayed for one year.

After discussion, the motion for Indefinite Postponement was *defeated*.

After further discussion, it was

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$50,000 TO BE EXPENDED UNDER THE DIRECTION OF THE HIGHWAY SURVEYOR, FOR THE CONSTRUCTION OF A WALKWAY (APPROXIMATELY 7,000 FEET) ALONG MORSE ROAD FROM CONCORD ROAD TO MARLBORO ROAD; SAID SUM TO BE RAISED BY A TRANSFER OF \$23,000 FROM ARTICLE 31 OF 1974 ANNUAL TOWN MEETING AND THE BALANCE OF \$27,000 TO BE RAISED BY TAXATION.

The Moderator recognized Mr. Powers for the purpose of presenting the following resolution which was

VOTED:

WHEREAS COMPULSORY AND BINDING ARBITRATION FOR POLICE AND FIRE NEGOTIATIONS HAS BEEN SHOWN TO UNDERCUT SEVERELY THE POWERS OF HOME RULE BY REQUIRING AN OUTSIDE ARBITRATOR TO CHOOSE THE FINAL SETTLEMENT; AND

WHEREAS THE EFFECT OF THE TRIAL PERIOD OF THIS LAW HAS BEEN TO UNDERMINE EFFECTIVE COLLECTIVE BARGAINING; AND

WHEREAS THIS LAW HAS CONTRIBUTED SIGNIFICANTLY TO HIGHER LOCAL BUDGETS AND INCREASED PROPERTY TAXES BY RAISING THE LEVEL OF ALL LOCAL WAGE SETTLEMENTS;

NOW, THEREFORE, BE IT

RESOLVED THAT THE SUDBURY TOWN MEETING HEREBY VOTES TO CONVEY TO THE GOVERNOR OUR DESIRE THAT THERE BE NO EXTENSION OF COMPULSORY AND BINDING ARBITRATION BEYOND ITS TERMINATION DATE OF JUNE 30, 1977, AND, FURTHER, TO INSTRUCT OUR ELECTED STATE REPRESENTATIVES AND SENATOR TO VOTE TO TERMINATE SAID COMPULSORY AND BINDING ARBITRATION AS OF JUNE 30, 1977, SO THAT FINAL AUTHORITY FOR DETERMINING LOCAL EXPENDITURES BE RETURNED TO TOWN MEETING.

ARTICLE 29: To see if the Town will vote to accept the layout of the following way:

Street
Acceptance

Bowen Circle -- from Plympton Road northeasterly,
approximately 490 feet to a dead end

Bowen
Circle

as laid out by the Board of Selectmen, in accordance with the descriptions and plans now on file in the Town Clerk's office; to authorize the acquisition, by purchase, by gift, or by taking by eminent domain, of the property shown on said plans, in fee simple; and to raise and appropriate, or appropriate from available funds, \$50, or any other sum, therefor, and all expenses in connection therewith, or act on anything relative thereto.

Submitted by the Highway Surveyor.

Highway Surveyor Report: This article is a result of the combined efforts of the Highway Surveyor and the Planning Board to present to the Town those public ways that meet the Board's requirements for acceptance by the Town and provide for maintenance and repair by the Town.

Finance Committee Report: Recommend Approval.

Planning Board Report: The Planning Board recommends approval of this article.

April 25, 1977

UNANIMOUSLY VOTED: (CONSENT CALENDAR) IN THE WORDS OF THE ARTICLE,
WITH THE SUM OF \$50 TO BE RAISED BY TAXATION.

ARTICLE 30: 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, Street Acceptance to the Maynard Town Line, as laid out by the Board of Selectmen, 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 Elsbeth Road shown on said plans; and to raise and appropriate, or appropriate from available funds, \$7500, or any other sum, therefor, and the repair thereof, or act on anything relative thereto.

Submitted by the Highway Surveyor.

Highway Surveyor Report: This article was submitted by the Highway Surveyor in an effort to legally accept this street, so that it may be properly maintained by the Highway Department. The funds required are only enough to repair and/or reconstruct the street by the Highway Department. Once the street has been accepted and rebuilt, it will be integrated into our road maintenance program.

Mr. Robert A. Noyes, Highway Surveyor, further reported to the meeting as follows:

This particular street has not been accepted. In this particular subdivision, all the other streets were accepted in 1958. There was a bond of \$600 in 1975, and because of Town Counsel's advice that the \$600 was not adequate to make the necessary repairs, it was released by the Planning Board. Another reason Elsbeth Road was not accepted was because existing drainage was in such disrepair that the road needed to be completely rebuilt before it could be integrated into our street maintenance program.

Finance Committee Report: The Town has accepted 21 miles of private ways as public in the last four years. Most of them were accepted in good condition, as left by the developer. A few needed repair to qualify as public ways. Acceptance of Elsbeth Road was proposed in 1974, but there was disagreement among the Town departments regarding the developer's responsibilities and his previously posted performance bonds. The road was not properly constructed by the developer and reconstruction is required; not mere repair of potholes. \$7,500 is needed to make Elsbeth Road acceptable as a public way. Recommend Approval.

Planning Board Report: The Planning Board recommends approval of this article.

UNANIMOUSLY VOTED: THAT THE TOWN ACCEPT THE LAYOUT OF THE WAY KNOWN AS ELSBETH ROAD, AS A PUBLIC WAY, FROM FORD ROAD, SOUTHWESTERLY, A DISTANCE OF 767 FEET, MORE OR LESS, TO THE MAYNARD TOWN LINE, AS LAID OUT BY THE BOARD OF SELECTMEN, IN ACCORDANCE WITH THE DESCRIPTION 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 TAKING BY EMINENT DOMAIN, OF THE PROPERTY SHOWN ON SAID PLANS; AND TO APPROPRIATE THE SUM OF \$7,500 FOR THE EXPENSES INCURRED IN THE REPAIR THEREOF, SAID SUM TO BE RAISED BY TRANSFER OF \$1,500 FROM ARTICLE 37 OF THE 1974 ANNUAL TOWN MEETING, \$2,000 FROM ARTICLE 30 OF THE 1975 ANNUAL TOWN MEETING, AND THE BALANCE OF \$4,000 TO BE RAISED BY TAXATION.

Mr. Powers then moved to continue this meeting in session until the completion of the Warrant.

Mr. Powers' motion was defeated.

In accordance with the Bylaws, the meeting was adjourned until tomorrow night at 8 P.M. in the same hall.

The meeting adjourned at 11:05 P.M.

[Number of names marked on voting list as having attended the meeting: 458]

PROCEEDINGS

ADJOURNED ANNUAL TOWN MEETING

April 26, 1977

The Moderator called the meeting to order at 8:25 P.M. at the Lincoln-Sudbury Regional High School Auditorium. He announced that a quorum was not present.

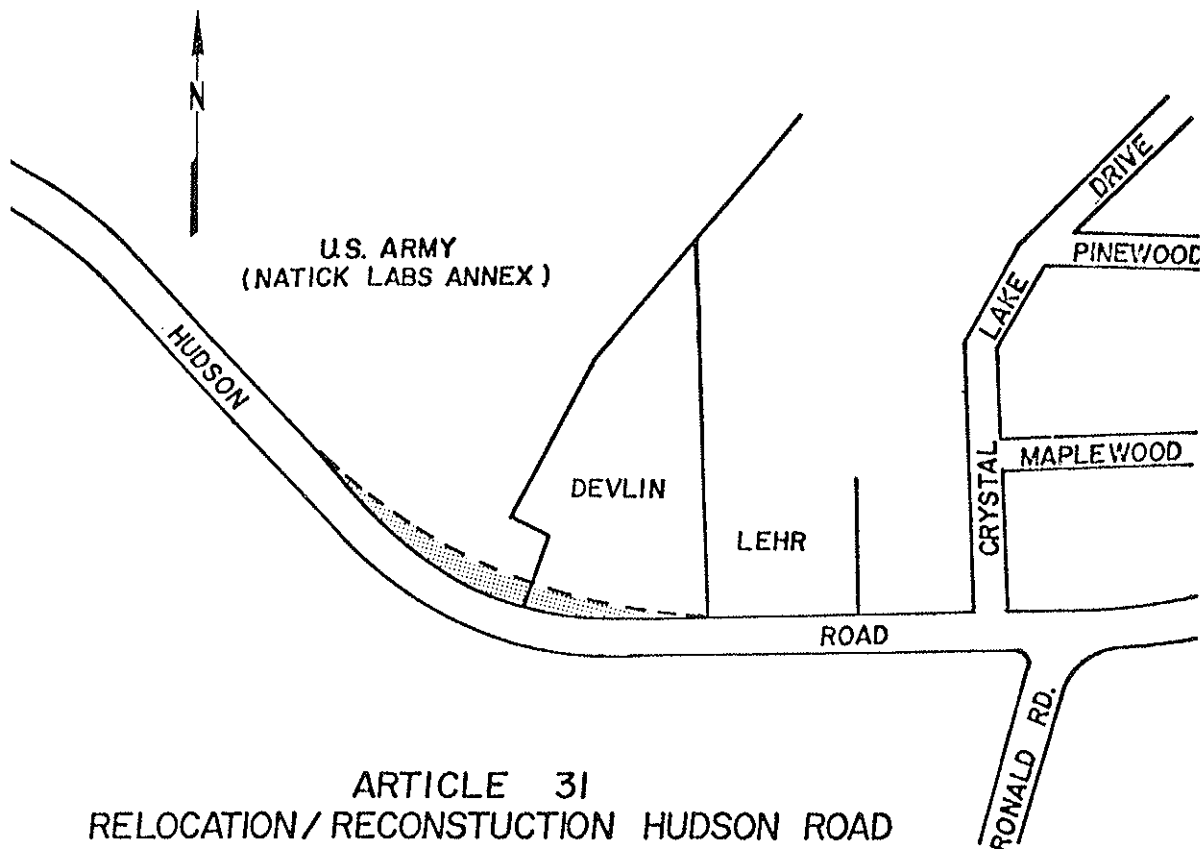
Upon a motion made by Mr. John C. Powers, Chairman of the Board of Selectmen, it was

VOTED: THAT THE MEETING BE ADJOURNED TO 9:00 P.M.

The Moderator called the meeting to order at 8:35 P.M. and announced that a quorum had assembled. He requested and received unanimous consent of the hall to proceed with the meeting prior to 9:00 P.M.

ARTICLE 31: To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$20,000, or any other sum, to be expended under the direction of the Highway Surveyor, to alter and reconstruct a portion of Hudson Road, in accordance with plans prepared by the Middlesex County Engineer's Office, with a portion of said funds to be used for the purchase of an easement or other interest in land from the United States Government, or act on anything relative thereto.

Submitted by the Highway Surveyor.



Highway Surveyor Report: This article was submitted by the Highway Surveyor to correct a roadway condition that, in his opinion, is unsafe for vehicular travel. The Middlesex County Engineer's Office has prepared plans and cost estimates for this project. It is the intention of the Highway Surveyor to perform the actual construction "in-house", utilizing departmental personnel.

April 26, 1977

Mr. Robert A. Noyes, Highway Surveyor, further reported to the meeting as follows:

Over the past several years, there have been numerous vehicle accidents at this location. During the past winter, one of our own snow plows was involved in a head-on collision at this bad curve. Hudson Road carries a heavy load of vehicle traffic all year long and is used quite extensively by Sudbury residents going to Lake Boone during the summer season. It is the intent of the Highway Department to relocate this road in-house as we did the Route 117, North Road, hazardous area.

Planning Board Report: (Mr. William Firth)

The Planning Board unanimously recommends this proposed relocation and reconstruction of a portion of Hudson Road be approved.

Finance Committee Report: Last year an article for this purpose was not acted upon at the Annual Town Meeting for lack of a quorum. The question of land title and usage now seems to be settled, permitting the Town to proceed to correct a dangerous curve. Recommend Approval.

VOTED: *IN THE WORDS OF THE ARTICLE.*

ARTICLE 32: To see if the Town will vote to authorize the Board of Selectmen to apply for and expend funds under the Public Works Employment Act of 1976 (P.L. 94-369), or act on anything relative thereto.
 Act Funds Submitted by the Board of Selectmen.

Mr. Richard E. Thompson, Executive Secretary, *moved that the Town authorize the Board of Selectmen to apply for and expend funds under the Public Works Employment Act of 1976 (Public Law 94-369) for the following projects only:*

- New Centralized Police and Fire Headquarters Building, in the amount of \$1,166,000;*
- Road Intersection Reconstruction, Concord/Lincoln Road, in the amount of \$58,700; and the*
- Road Resurfacing Projects, in the amount of \$344,132.*

Board of Selectmen Report: The Congress has enacted and funded the Public Works Employment Act of 1976 (P.L. 94-369). The proposed rules and regulations for the title I Public Works Program were issued on August 23, 1976, in the federal register by the Economic Development Administration (EDA). In order to allow the Selectmen, in a timely manner, to react to the opportunities which this Act provides, a blanket authorization for the purpose of making future applications and receiving and expending grant awards is requested.

The Board of Selectmen submitted applications for funding under the so-called Local Public Works Capital Development and Investment Program for:

- . New Centralized Police & Fire Headquarters Building (\$1,166,000) dated October 20, 1976
- . Road Intersection Reconstruction - Concord/Lincoln Road (\$58,700) dated November 18, 1976
- . Various Road Resurfacing Projects (\$344,132) dated November 18, 1976

In the event that EDA made a grant award (100% federal funds) to the Town of Sudbury for one or all of the above projects, it would be necessary to obtain town meeting ratification of the application(s). The purpose of this article then is to authorize the Board of Selectmen to apply for and expend funds under the Public Works Employment Act of 1976. The Selectmen recommend approval of this article.

Mr. Thompson further reported to the meeting for the Board of Selectmen as follows:

This article was not moved "in the words of the article" because the Board of Selectmen met with the Finance Committee after the Warrant was printed and both the Finance Committee and the Board of Selectmen are now in agreement.

April 26, 1977

This allows the Town to apply for funds under the Public Works Employment Act of 1976 which is 100% reimbursable. These are the projects that we prepared applications for and submitted to the federal government in the first round of funding. Sudbury was not selected in the first round of funding. Of the 323 applications for projects that were submitted, Sudbury was given a priority of 120. The federal government actually went through and funded or approved 70 applications. We were not far off from being funded.

As many of you know from recent press, President Carter has supported an additional four billion dollars for this program. It is our hope and our belief that when these applications are resubmitted, we will have a good chance of having them funded. I would recommend that you approve the article.

Finance Committee Report: The Finance Committee heartily endorses the actions of the Selectmen in applying for funds. However, this article provides the Selectmen with the opportunity to apply for and expend Federal Aid funds for as yet unnamed projects without approval by the Town. If the article were explicitly constrained to the three projects named, the Committee would support it. The Committee disapproves of blanket authority to expend funds be they local, state or federal, without prior approval of the Town. Recommend Disapproval.

Mr. Philip G. Felleman of the Finance Committee further reported to the meeting as follows:

The Finance Committee supports this article in this form.

Mr. Sydney Self moved that we divide this article so that we can vote on the three elements of it separately.

In support of his motion, Mr. Self stated as follows:

When we are talking about the Police and Fire Headquarters Building, we are talking about something that the Town turned down several years ago. If we turned it down several years ago because we felt it was inefficient, it seems to me it is equally improper to go ahead and ask the federal government to build something that we would not build on our own. Therefore, I think we ought to vote on it separately.

Mr. Self's motion was defeated.

After some discussion, Mr. Paul H. McNally moved to amend the words of the article by deleting on the second line the words "and expend", so that the motion would read, "That the Town authorize the Board of Selectmen to apply for funds under the Public Works Employment Act...".

In support of his motion, Mr. McNally stated as follows:

We have heard from the Board of Selectmen that they will come to the Town for approval of the projects if they receive the funding. We have heard that there is a time period and a kind of an emergency situation in getting the Town's approval for these types of projects. I question whether or not we are going to be able to look at designs of buildings and roads and plans and alternatives to plans in a short period of time. I am a little fearful that we, under the main motion, are granting that the Board of Selectmen expend these funds. If they get into a bind, or if the Town Meeting is unable to act, we might have a project here that the Town has lost control over. I would urge that this amendment be carried by the hall. If we have to come back for an emergency meeting, I don't see any problem with that - having further discussion of the specific Headquarters Building, the intersection plans and also the resurfacing projects. I would like to know more about all of these things at the time that the Town votes to go ahead with them.

Mr. Felleman of the Finance Committee then stated as follows:

I would urge the defeat of this amendment for several reasons. I think Mr. McNally's argument about wanting to examine alternatives is not appropriate. These projects are approved for the submitted plan, not for a bunch of alternative plans. There is only one plan that the project can be approved for and that is the one that has been submitted.

In all three cases, these projects that we are discussing have been submitted as a matter of fact and been rejected the first time around. It is hoped they would be approved the second time around.

April 26, 1977

The question of applying for funds - the Selectmen have that authority right now and have already done so. The intent of this article is to enable them, if fortune smiles upon the Town, to act upon the grant that would be given the Town.

Mr. Thompson, the Executive Secretary, then stated as follows:

Before you can apply, you have to have projects that are already through the design stage. If I am not mistaken, most of the Town Meeting members are aware of what the design for the Fire and Police Headquarters were. We have fifty copies of those plans in the Town Hall and in the Engineering Department.

As far as the intersection at Concord and Lincoln Roads is concerned, this was on the Selectmen's agenda several times and at the Regional High School. We did have public hearings on this application, and the designs were available at that time.

As far as the third project is concerned, the roads include Maynard Road, Old Sudbury Road, Route 117, Nobscot Road, Goodman Hill Road, Mossman Road, Morse Road, Union Avenue, Wayside Inn Road and Concord Road from the Center to Route 117.

We are not trying to put anything over on the Town. We are trying to use the expertise that we have in the Town that can put an application like this together and make this money available to the Town to offset the tax rate.

These are projects that may not be done today or tomorrow, but will be done sometime in the future.

I recall that when the Fire and Police Headquarters came up, many persons did not speak against the need for a new Fire and Police Headquarters, but spoke against spending the money at that time and indicated that we could not afford it at that time. We, as the staff of the Board of Selectmen, put the applications together in the hope that we could fulfill the need without a cost to the Town.

Under the present law that is interpreted by the federal government with some help from the State, the Board of Selectmen on their own initiative, may make an application. The Board of Selectmen is recognized as the chief executive officer, and they can make an application. The time restraint of fifteen to twenty-one days is put in because they want you to get going. There is a stipulation that a town meeting must authorize the expenditure if the grant is approved.

Mr. McNally's amendment was defeated.

Mr. Sydney Self then moved Indefinite Postponement.

In support of his motion, Mr. Self stated as follows:

I'd like to know where are the people from Landham Road now that we need them. They were complaining that they bought a pig in a poke a while back, and look what happened to Landham Road.

Now we are being asked for three things that we don't really know very much about. We all know that it takes years though to plan a Central Police/Fire Headquarters, and it takes a good many months to plan a road intersection. Yet we are being asked to accept these funds. Once those funds are here, you know perfectly well that we are going to have to spend them and spend them soon without even knowing what it is we are buying.

I attended the meeting where we were discussing the Police and Fire Headquarters, and I don't quite agree with Mr. Thompson's interpretation of what the Town Meeting said at that time. The Town Meeting feeling, in my view at that time, was "Yes, we'd like to have them, but we don't feel we need as elaborate and expensive Civil Headquarters as we talked about then."

So now here we're going in with a plan. It is obviously the plan that was prepared a few years ago for that Central Fire Headquarters Building that the Town turned down. If it is a different plan, where is it? Why don't we see it?

The same way with that road intersection reconstruction. If there is a plan, if the plan is all done, why do we not see it so we have a chance to vote on it? We should turn this thing down until we have a chance to see what we are voting on.

Mr. Powers of the Board of Selectmen then stated as follows:

Mr. Self persists in not seeing. We have said it many times tonight, and, at the risk of being redundant, I am going to say it one more time. What we are

April 26, 1977

doing is asking you to support this article to put this Town in a ready position, so that it will be able to act if the federal government happens to approve three specific projects that are before it. This is 100% federal financing.

Mr. Self knows that the Fire/Police Station was a matter of considerable debate, much discussion over many weeks with many boards and committees involved. The final product of that he knows full well because he sat on the floor while we discussed it. There is nothing about it he does not know. It is, in fact, the same thing he saw before. That is what has been projected. Nothing else. No changes. No variants.

The project on Lincoln and Concord Roads has been discussed repeatedly. The plans are on file and have been on file for months. I submit that Mr. Self can find those very easily. Even if he can't, we have said it before tonight, and we will say it again, before we can spend one dime on any one of those projects, should the federal government grant us the 100% federal money, we will come to you, and you can discuss them and make up your mind whether you want to receive \$1,166,000 for a Police/Fire Station which has been a top priority under the Long Range Capital Planning Program of this Town for the last five years.

There is nothing new and nothing surprising and certainly not for somebody who has been attending town meetings as regularly and faithfully as Mr. Self has.

We are asking a very simple thing. We have a possibility of getting massive 100% federal aid into the Town. We have a good possibility of getting a \$1,166,000 construction project on land that the Town bought for the purpose of the Fire/Police Headquarters, with the collective jobs and other employment that goes along with it and is available to the people in this Town and in the environs. That is what we are talking about.

The road resurfacings are road resurfacings. They are not road widenings. They are not road narrowings. We are not involved in Landham Road or discussions about walkways or any of that. We are talking about regular routine road surfacing on some of the roads that really badly need it.

We are talking about a major safety program up at the corner of Lincoln and Concord Roads.

If you will support us, we can effectively seek and obtain those grants. When we receive the grant, we have to be in a position to accept it. Then we have to be in a position, after we accept it, to come to you and ask you to approve the expenditure of it. That is all in the world that we are talking about.

This Town is in a very serious fiscal problem right now. We have an article later on in this Warrant that has to do with the fact that the entire septic system under the Central Fire Station has gone on the fritz. It's a mess. The building should be condemned. If we could pick up for this Town, at 100% federal funding, a brand new Fire/Police complex which has been studied so many years by so many committees, I think we ought to do it. I hope you will defeat the motion for Indefinite Postponement, and I hope that then we will get to take a vote on this article and move on with the Warrant.

After discussion, Mr. Self's motion was defeated.

VOTED: THAT THE TOWN AUTHORIZE THE BOARD OF SELECTMEN TO APPLY FOR AND EXPEND FUNDS UNDER THE PUBLIC WORKS EMPLOYMENT ACT OF 1976 (PUBLIC LAW 94-369) FOR THE FOLLOWING PROJECTS ONLY:

NEW CENTRALIZED POLICE AND FIRE HEADQUARTERS BUILDING
IN THE AMOUNT OF \$1,166,000;

ROAD INTERSECTION RECONSTRUCTION - CONCORD/LINCOLN ROAD
IN THE AMOUNT OF \$58,700; AND THE

ROAD RESURFACING PROJECTS IN THE AMOUNT OF \$344,132.

ARTICLE 33: 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 Town Engineer, for engineering drawings and specifications for drainage system construction as follows:

Drainage
Study

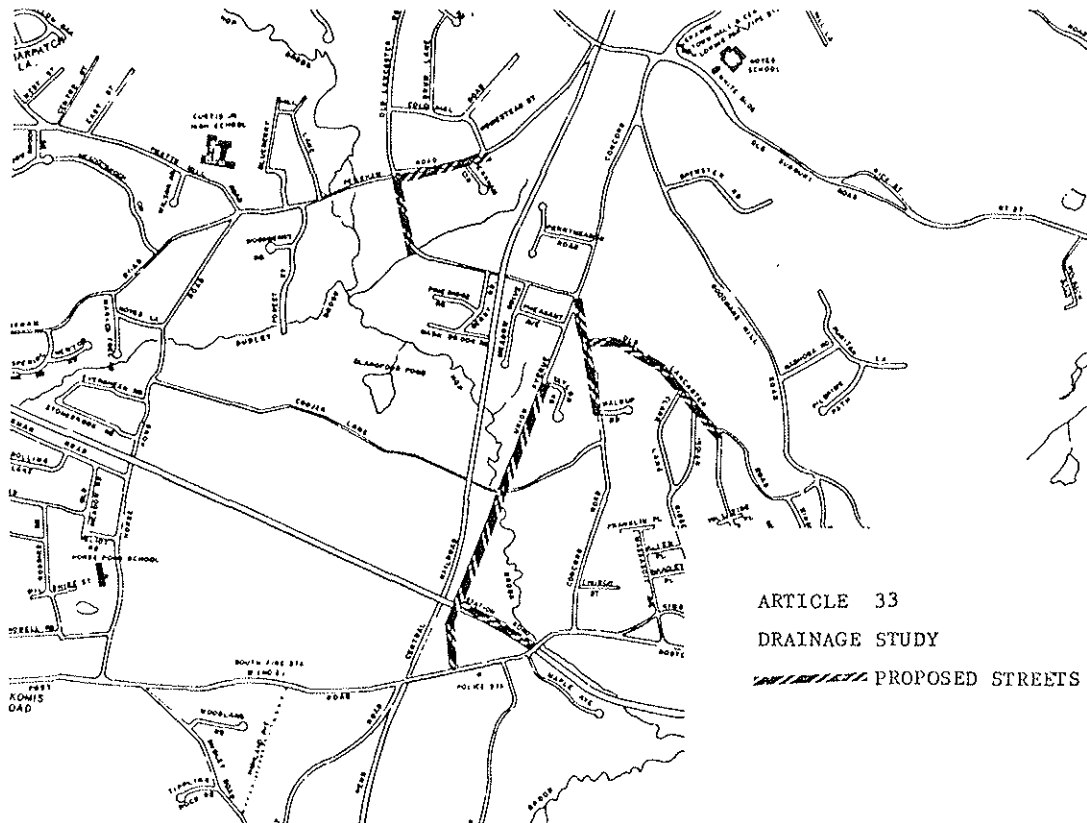
- (1) Peakham Road - Homestead Street to Old Lancaster Road, 1200 feet; Old Lancaster Road - Peakham Road to existing brook located at entrance to the Highway Department Garage, 1030 feet;

April 26, 1977

- (2) Union Avenue - Taylor Road to the intersection of Route 20, Boston Post Road, 3570 feet;
- (3) Concord Road - Union Avenue to Walkup Road, 1520 feet;
- (4) Old Lancaster Road - Pokonoket Avenue to Concord Road, 2260 feet;
- (5) Station Road - Union Avenue to Boston Post Road, 1250 feet;

or act on anything relative thereto.

Submitted by the Highway Surveyor and the Town Engineer.



ARTICLE 33
DRAINAGE STUDY
PROPOSED STREETS

Highway Surveyor and Town Engineer Report: This article was submitted by the Highway Surveyor and the Town Engineer. The purpose of the article is to eliminate serious drainage problems at various locations within the Town. Once the study has been completed and detailed plans prepared, the Highway Department will undertake a five-year construction program.

Mr. Robert A. Noyes, Highway Surveyor, further reported to the meeting as follows:

Much discussion has centered around drainage problems at town meetings over the past few years. The problems are scattered throughout the Town and are not easily corrected without much forethought and planning. Any improvement in one location might just move the problem from that location to another downstream.

As a direct result of these problems, Town Meeting in April of 1973 authorized the then Highway Commission to hire a consulting engineering firm to provide the Town with a Master Drainage Plan. The completed report prepared by Weston and Sampson, Engineers, of Boston, in 1974, has been used as a guide in the solution to the most difficult and costly problems.

At the Annual Town Meeting in April 1974, the first of the high priority problem areas was recommended by the Highway Commission as the place to begin in the implementation of improvements to the Town drainage problems. At that meeting, \$13,500 was voted for the purpose of purchasing contract engineering drawings and specifications for drainage system construction in the Pine Lakes area.

April 26, 1977

The following year, at the 1975 Annual Town Meeting, \$83,000 was voted for the construction of a surface drainage system in the Pine Lakes area. Last year, at the 1976 Annual Town Meeting, the Highway Commission requested \$25,000 for the purpose of contract engineering drawings and specifications for drainage system construction in various parts of Sudbury, specifically Woodside Road, Warren Road, Alta Road, Patricia Road, Wagonwheel Road, Murray Drive, Ames Road and Stockfarm Road. This article was submitted by the Highway Commission before they were voted out of existence at the Special Town Meeting of December 1975.

As a result of this change in administration, I am presently charged with the responsibility and duties of the former Highway Commission. Knowing that we have a very qualified and capable engineering department, I suggested to the Selectmen that I did not see why we could not prepare the contract drawings in-house at a substantial saving to the Town.

At the 1976 Annual Town Meeting, Mr. Toomey of the Board of Selectmen moved that the Town reduce the request of \$25,000 to \$10,000, and that sum was expended under the direction of the Board of Selectmen. I am pleased to report to the Town Meeting at this time that the Engineering Department has nearly completed this project, and the final cost to the Town is far within the \$10,000 appropriated.

This year we are back again to request Town Meeting to approve the expenditure of \$10,000 for engineering drawings and specifications for drainage system construction as outlined in Article 33. The five locations mentioned in this article are well known for their drainage problems and have been given a high priority by the Town Master Drainage Plan, myself and the Engineering Department. It is within our long range plans to begin implementation of these drainage projects over the next five years, with a recommended \$100,000 request per year from Town Meeting.

I strongly urge your support of Article 33 and the overall plan to correct some of the more troublesome drainage areas in the Town at what we believe will be the least cost to the taxpayer of the Town of Sudbury.

Finance Committee Report: After correcting other situations in Town, these are now the top priority road drainage problem areas. Conservation Commission approval of each plan is required under the Wetlands Protection Act. Recommend Approval.

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$10,000, TO BE EXPENDED UNDER THE DIRECTION OF THE TOWN ENGINEER, FOR ENGINEERING DRAWINGS AND SPECIFICATIONS FOR DRAINAGE SYSTEM CONSTRUCTION, AS SET FORTH IN ARTICLE 33 IN THE WARRANT FOR THIS MEETING, SAID SUM TO BE RAISED BY TAXATION.

ARTICLE 34: 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 Engineering Department and the Board of Health, for the construction of a new sewerage system as designed by the Engineering Department, to replace the non-functioning system at the Town Hall and Fire Station and for future use by the Loring Parsonage and the Centre School Building; or act on anything relative thereto.
Submitted by the Building Inspector.

Building Inspector Report: The present sewerage system has failed and requires regular pumping at approximately \$90 per month. A new system is mandatory to meet State Board of Health standards. I recommend approval of this article.

Finance Committee Report: The funds requested are to correct a problem that exists at the Town Hall and Central Fire Station. The proposed new sewerage system can also be utilized in the future by the Loring Parsonage and White Building, should it become necessary. Recommend Approval.

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$12,000, TO BE EXPENDED UNDER THE DIRECTION OF THE TOWN ENGINEER AND THE BOARD OF HEALTH, FOR THE CONSTRUCTION OF A NEW SEWERAGE SYSTEM AS DESIGNED BY THE ENGINEERING DEPARTMENT, TO REPLACE THE NON-FUNCTIONING SYSTEM AT THE TOWN HALL AND FIRE STATION AND FOR FUTURE USE BY THE LORING PARSONAGE AND CENTER SCHOOL BUILDING, SAID SUM TO BE RAISED BY TAXATION.

April 26, 1977

The Moderator then recognized Mr. Potell of the Board of Selectmen, upon whose motion the following resolution was

VOTED:

WHEREAS THE TOWN IS IN THE PROCESS OF INSTITUTING AN EMERGENCY AMBULANCE SERVICE; AND

WHEREAS THE EXPENSE INVOLVED FOR VEHICLE PURCHASE AND MAINTENANCE, EMERGENCY MEDICAL TRAINING, AND MANNING FOR THIS AMBULANCE SERVICE WILL BE CONSIDERABLE;

THEREFORE, BE IT

RESOLVED THAT THE TOWN MEETING HERE ASSEMBLED SUPPORTS A CHARGE SYSTEM FOR PROVIDING EMERGENCY MEDICAL AMBULANCE SERVICE AFTER JULY 1, 1977, WITH ALL INVOICING TO BE UNDER THE DIRECTION OF THE TOWN ACCOUNTANT.

ARTICLE 35: To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$8,500, or any other sum, to replace, or to change the fuel supply to and rebuild, the emergency generator at the Town Hall; or act on anything relative thereto.

Town Hall
Generator

Submitted by the Building Inspector.

Building Inspector Report: This emergency generator is our main source of emergency electrical supply for the operation and heating of the Town Hall and radios for the Police and Fire Departments. The generator is forty years old and gasoline fueled. Due to its age it is not reliable, and the gasoline fuel presents a safety hazard. I recommend that a new natural gas fueled generator be purchased for the above purposes, as well as to operate the proposed new sewerage system for the Town Hall which, in the future, will have to be operated by a pumping station to a leaching field at a higher elevation.

If the Town Meeting does not approve funds for a new generator, I strongly recommend that the existing generator be rebuilt and the fuel supply changed to natural gas fuel, at an estimated cost of \$4,000.

Finance Committee Report: The Finance Committee agrees with the need for a new emergency generator at Town Hall. It is not a good policy to expend significant funds to repair the present gasoline generator. Recommend Approval.

After discussion, it was

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$8,500 TO REPLACE THE EMERGENCY GENERATOR AT THE TOWN HALL, SAID SUM TO BE RAISED BY TAXATION.

ARTICLE 36: To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$13,000, or any other sum, to be expended under the direction of the Highway Surveyor, for the purpose of extending the present Goodnow Library parking area, constructing an exit driveway from the parking area to Concord Road on the south side of the Library property, and installing curbing along the existing driveway in front of the Library; or act on anything relative thereto.

Library
Parking Lot
& Driveway

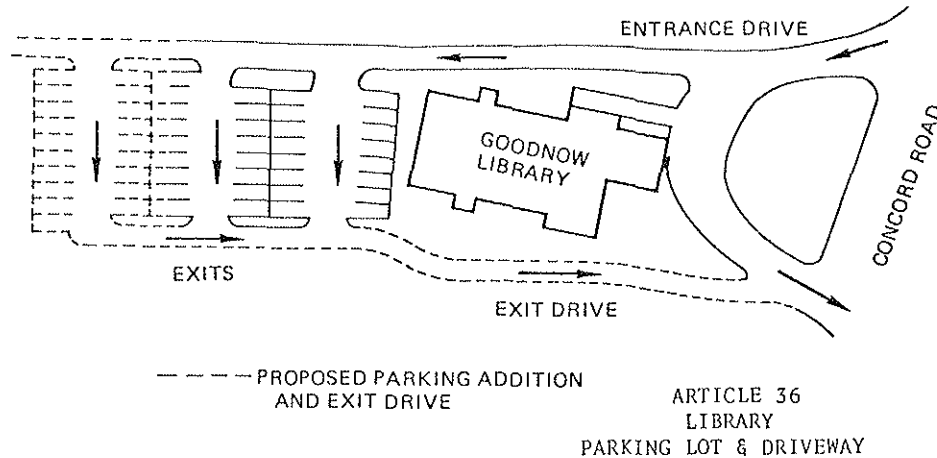
Submitted by the Trustees of the Goodnow Library.

Mrs. Carol McKinley of the Finance Committee *moved that the Town raise and appropriate the sum of \$2,000, to be expended under the direction of the Highway Surveyor, for the purpose of constructing an exit driveway from the parking lot area to Concord Road on the south side of the Library property and installing curbing along the existing driveway in front of the Library, said sum to be raised by taxation.*

Goodnow Library Trustees Report: (Mr. George D. Max)

Since the construction of the new Library addition, the Trustees have noted that certain corrective actions were coming due in order to keep the older building in repair and maintain the grounds and to improve, in some way, the Library traffic pattern and parking facilities.

April 26, 1977



Last year, you provided the Library Trustees with \$6,000 to re-mortar the brick work on the old Library and to install new windows, and now this work has been done. This year, the Trustees bring for your consideration a plan for the improvement of the driveway system around the Library, namely installation of bituminous concrete curbing along the circular front drive and the construction of an exit drive from the parking area to Concord Road along the south side of the Library property.

The meager front lawn is being chewed away by the wheels of Library users who park carelessly in their haste to enter old Goodnow. Curbsings would provide the restraints necessary to stop these off-drive intrusions.

Library Trustees have been accused severely of lack of aesthetic taste because the lawn of the Library is strewn with large rocks and boulders. We put them in in an effort to prevent cars from intruding upon the grassways. Some of them have been moved away by snow removal equipment. If this article is passed, however, we will have a rock and roll party down there. You all may come.

The drive on the north side has had to serve as a parking lot entrance and exit. Two cars meeting cannot pass. This situation is dangerous, and as we have seen in the past winter with snow high on either side, wholly impassible. When the parking lot is heavily in use, the traffic jam on Library Lane is wholly believable.

What are our options in this situation? Should we widen the drive on the north side? We considered that solution and discarded it. Exiting traffic would still have to move through the congested circular drive onto Concord Road. When the cars are parked on both sides of the driveway, a car can hardly thread its way through. The widened drive would still be too narrow for all season use. This construction would require the removal of too many substantial trees. This we would not want to do.

Another solution which we have explored in the past is the movement of the exiting cars from the parking area to Concord Road through the MacKinnon business property. This, too, is not an operable solution and has been discussed. Mr. MacKinnon as a practical business man is not interested in encumbering his property with an easement which we requested of him when the new addition was built at Goodnow. Further, have you ever tried to turn right or left on Concord Road at the corner of MacKinnon's liquor store? This way is not a solution to our problem.

We recommend, then, an exit drive on the Library's south side from the parking area to Concord Road as I have said before. This will create a one-way, single-lane driveway, a loop around the Library. Loss of trees on the south side is minimal. They are trash and brush. They serve as a screen now, but they are not necessary. They certainly don't, in any way, enhance the Library property.

Further, Goodnow would not stand completely surrounded by black top. There will still be patches of green although small. The positive effort to provide safe means of exit and egress will have been met, however, with this system.

I have made no reference to the proposed expansion of the parking lot. It is true that an increase of twenty-eight parking spaces from our present twenty-three for a total of fifty-one would insure adequate and convenient parking for many years to come.

April 26, 1977

We concur in these days, however, of fiscal difficulties, with the Finance Committee that the proposed expansion, while not a luxury, is an unnecessary expenditure in view of the virtually unlimited parking possibilities in proximity to the Library. We have, accordingly, reduced the scope of the original article. We recommend your approval of the expenditure of \$2,000 for this purpose.

The sum of \$13,000 appears in the Warrant article as being required for the work. Mr. Merloni supplied us with engineering drawings and with an estimate of what an outside firm would charge to do the work. Later, when we presented the article to the Finance Committee, we had talked about using highway equipment and personnel and their purchase of materials. The cost was further reduced \$6,500 for the whole job, the parking lot, the driveway exit and the circular driveway curbing. However, in view of the situation that faces the Town, the Library Trustees are quite willing to defer to some future time, the expansion of the parking lot.

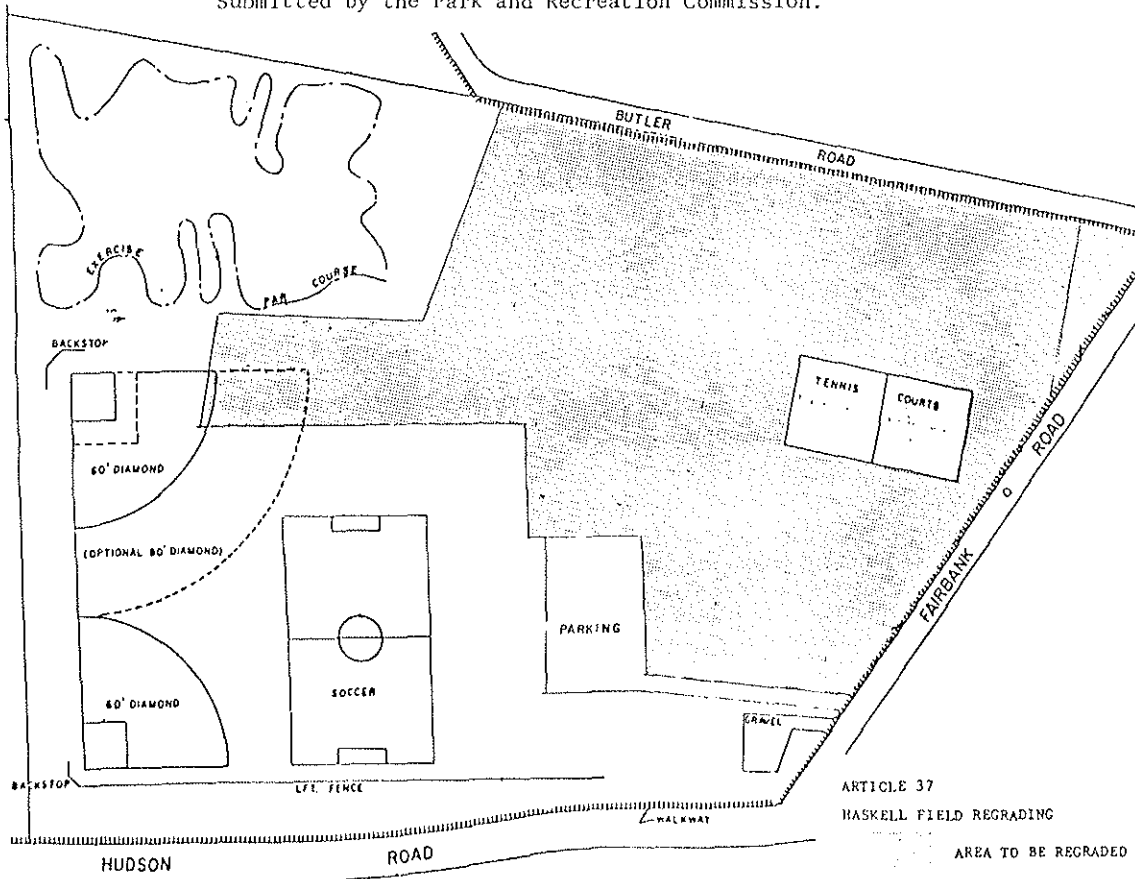
Finance Committee Report: The Finance Committee does concur with the need to ease the traffic pattern at the Library, but not the expense of additional parking. The estimated cost of the new driveway and curbing is \$2,000. Recommend Approval.

After discussion, it was

VOTED: THAT THE TOWN RAISE AND APPROPRIATE THE SUM OF \$2,000, TO BE EXPENDED UNDER THE DIRECTION OF THE HIGHWAY SURVEYOR, FOR THE PURPOSE OF CONSTRUCTING AN EXIT DRIVEWAY FROM THE PARKING LOT AREA TO CONCORD ROAD ON THE SOUTH SIDE OF THE LIBRARY PROPERTY AND INSTALLING CURBING ALONG THE EXISTING DRIVEWAY IN FRONT OF THE LIBRARY, SAID SUM TO BE RAISED BY TAXATION.

ARTICLE 37: To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$6,500, or any other sum, to be expended by the Haskell Land Development Park and Recreation Commission, for the purpose of bringing to finish grading and seeding approximately eight acres of a partially developed area of the so-called "Haskell Land"; or act on anything relative thereto.

Submitted by the Park and Recreation Commission.



April 26, 1977

Park and Recreation Commission Report: (Mr. John R. Carter)

In 1973, the Town of Sudbury purchased approximately thirty acres of farm land from Mr. Haskell for the purpose of developing a park and recreational facility. The \$180,000 purchase price was substantially offset by a \$90,000 federal reimbursement obtained through the Bureau of Outdoor Recreation. This brought the average per acre purchase cost to the Town down to about \$3,000.

The 1974 Annual Town Meeting approved the expenditure of \$10,000 for preparation and construction of two sixty-foot diamonds and two soccer-sized fields.

Last year, a \$12,000 request was granted for the purchase and installation of 700 feet of fencing along Hudson Road and a back stop, plus the construction of a parking area and a fitness trail. Also last year, the Town received a federal grant of \$30,000 to be expended exclusively for the construction of tennis courts on the Haskell land. These have essentially been completed and should be ready for play soon.

This year, the Park and Recreation Commission is asking the Town to grant a request for \$6,500 in order to bring the remaining portion of the parcel to finish grade and seeding according to a plan developed by the Engineering Department. Contrary to the experience of many home owners this past winter, the early snow cover we received was beneficial to the existing playing surfaces in the Town. However, two winters ago, we had heavy rains prior to a long winter freeze. The run-off from the unfinished portion covered the playing fields and turned the area into a virtual skating rink.

While this may have provided a great deal of winter fun to area residents, it did much manage to the turf, as anyone who used the fields last spring will attest. Not only will the work that we propose help to prevent the loss of previous investment in the property, but it will provide the only large open area of Town recreation land that is not dedicated to formally organized activities. Many townspeople on occasion have asked the Commission to provide an area more suitable to individualistic forms of recreation. This area will provide that function.

If this article passes, the total purchase and construction cost will be under \$4,000 per acre. The Park and Recreation Commission feels that this has been money well spent and urges your support of this article.

Board of Selectmen Report: (Mr. Toomey)

I speak in support of this article. The Park and Recreation Commission in the past has developed their programs. We have Featherland Park. We have Raymond Road. Now we are developing this recreational facility on the Haskell property. It is in a highly populated area, and I think that we should endorse their activities and finish this project.

Finance Committee Report: Passage of this article will permit the Park and Recreation Commission to finish grading the open area around the fields and tennis courts for use as a general play area. Recommend Approval.

VOTED: *THAT THE TOWN APPROPRIATE THE SUM OF \$6,500, TO BE EXPENDED BY THE PARK AND RECREATION COMMISSION, FOR THE PURPOSE OF BRINGING TO FINISH GRADING AND SEEDING APPROXIMATELY EIGHT ACRES OF PARTIALLY DEVELOPED AREA OF THE SO-CALLED HASKELL LAND, SAID SUM TO BE RAISED BY TAXATION.*

ARTICLE 38: To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$54,000, or any other sum, to be expended under the direction of the Board of Assessors for updating property values in the Town of Sudbury in order to comply with the Massachusetts Supreme Judicial Court ruling requiring all property in the Commonwealth of Massachusetts be valued at a full and fair cash value; or act on anything relative thereto.

Update
Property
Values

Submitted by the Board of Assessors.

Mr. Arthur A. Babigian of the Board of Assessors *moved* that the Town appropriate the sum of \$54,000, to be expended under the direction of the Board of Assessors, for updating property values in the Town of Sudbury, in order to comply with the Massachusetts Supreme Judicial Court ruling requiring all property in the Commonwealth of Massachusetts to be valued at full and fair cash value, said sum to be raised by taxation.

April 26, 1977

Board of Assessors Report: (Mr. Babigian)

The Sudbury Board of Assessors is required by law to make certain that the real properties in the Town of Sudbury are assessed at full and fair cash value at the first of any given taxable year. This oath is taken by the Assessors each and every time they are elected or re-elected. Based upon that oath, I am required to make the following presentation to my fellow townspeople.

Why should Sudbury perform a revaluation? We would perform revaluation to comply with the Sudbury court decision that all cities and towns be assessed at 100%. In this fashion, we can distribute the tax burden to all taxpayers in a fair and equitable manner.

Why can't we wait? Why should we be assessed now? There are homes in Sudbury that are under-assessed versus the market value today due to the fact that during the 1969-70 revaluation, these homes were in poor condition and their assessments reflected that condition. But since that time, improvements have been made to these homes. There is now a big disparity between the assessed valuation and the market value of these properties. Many of these homes that were renovated did not take out building permits, which is, incidentally, a major vehicle by which the Assessors are aware that changes have been made to configuration, size and additives. Because the exterior configuration was not changed, additional bathrooms and fireplaces were not added. They, in most cases, were just replaced. Therefore, no building permit during this time frame was taken out.

It is now different. All changes in interior or exterior configurations require that building permits be taken out. This also applies to wiring permits and plumbing permits, another vehicle by which we are aware of or knowledgeable of the fact that there are changes being made.

Again, it is a court mandate that we perform this revaluation.

We also want to correct some inequities that exist. We recognize that slowly but surely, all these revaluation firms will be saturated with work, and it will be difficult to hire a firm that has a top-flight reputation in doing an outstanding job in revaluation of properties. Also, a better job can be accomplished without the pressures of schedules which may be mandated by the State and end up with a job that may contain more inequities due to errors caused by rushing.

We are also being pressured by the Commonwealth of Massachusetts, and I refer to a copy of a transcript that we received quoting Mrs. Ruth Kleinfeld, who is Associate Commissioner of the State Tax Commission. "We now have the benefit of the information from the equalized valuation files in determining the proper course of action. By spring [meaning 1977] we will be ready, if necessary, to seek court orders compelling the appropriation of funds or other local action to bring a community into compliance with the Supreme Court decision."

This last statement could also mean, again, that there could be action taken by the State Tax Commission by hiring a firm of their own choice, using any method they deem necessary and perform a revaluation. We would lose local autonomy. It would require the taxpayers to argue their cases with the State rather than the local Assessors. I consider the State to be totally unknowledgable of properties, locations and any other facts about properties here in Sudbury.

The bill for performing a revaluation, if refused to be paid by the Town, could be taken off our cherry sheet reimbursements. I don't think we want to pay double or treble the estimates we already have from various firms if State bureaucracies step in and take over. This is a fact, and it could happen.

Presently the State Commission records show that 79 communities are assessed at 85% value or better, including 19 communities that implemented revaluation and were used for the fiscal 1977 tax bills. Also, they claim they are checking on the compliance state-wide, and they expect to find that nearly 80% of the 351 cities and towns are moving forward with an approved program.

What will happen to our tax rate? With revaluation, our tax rate will go down.

What will happen to our tax bills? That's a good question. There are three things that could happen. If your home and your property were over-assessed, it would come down. I find that highly unlikely. If your home were consistent in value with the market value, then it would remain pretty much the same. If your home were undervalued, then your tax bill would increase. The Board of Assessors' personal appraisal is that generally there would be a washout except if your property is grossly undervalued. Then you will end up paying more taxes. But, this will eliminate inequities that do exist.

April 26, 1977

Why have you chosen a computerized assessment approach? Why not the traditional approach? I am going to give you a little background on the market value system. This is a set of computer programs which estimate the market value of residential, improved and residential land properties and will provide the Town with accurate, defensible property values. The system basically computes property values by selecting and analyzing comparable sales. It requires, as an input, property characteristics on all parcels to be valued and also a history of recent sales.

Before using these characteristics, they are automatically checked for errors and inconsistencies. Formulae are developed to calculate the market value of properties using commonly available characteristics such as square footage, living area, type construction, number of bathrooms, fireplaces, chimneys, etc.

Such formulae are called valuation models since it is impractical to use one model to value various types of property. The system classifies the residential property market into various segments such that a single model can be used to compute the fair market value of all properties in a given segment or group. Valuation models for each market segment are developed by statistical methods.

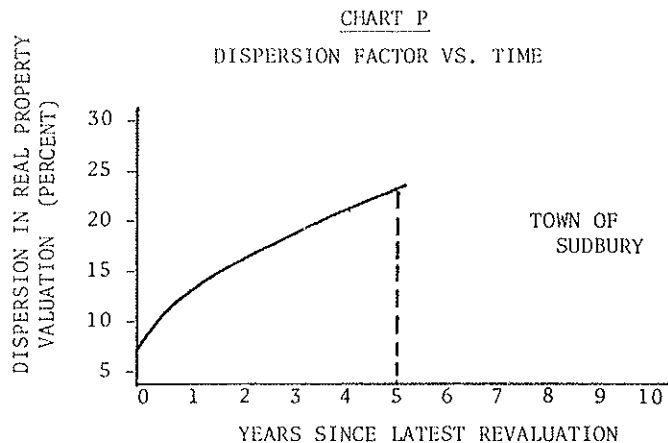
Although these models can be used to establish the fair market value of each parcel, the system takes a more traditional approach to valuation. First, comparable properties which have recently been sold are selected. The valuation models are then used to adjust the sales price of the comparable properties for differences in property characteristics between them and the subject property. Thus, a number of estimates of the subject value are maintained which are used to determine a single market estimate.

We feel that the values which are produced will be accurate and up to date to reflect the current market conditions. The system that I have briefly summarized is the approach that the Board of Assessors and our independent study committee recommends that we use in revaluating the Town of Sudbury.

Incidentally, the four gentlemen that served on this committee were Dave Hubbard, Jack Heiser, Joel Kruger and Doug Dalton, and I want to personally thank them for a job well done.

The revaluation also has a second part to it which is the revaluation of industrial and commercial properties. This would best be accomplished by using the traditional approach because of the various natures of the buildings involved, the types of businesses, the differences from commercial versus industrial and many other factors that make it impractical to use the computerized approach.

Some of the cities and towns that have used the computerized approach are Acton, Concord, Lynnfield, Duxbury, Weston, Shrewsbury, Northboro, Dennis, Holliston, Lynn, Wilmington, and Essex, and most of these are in progress right now. According to what we have heard, some towns are highly satisfied.



This is a graphical presentation to show you dispersion in real property values which is in percentiles versus our last valuation. A couple of years ago, at a special town meeting, I made a presentation, and that first dotted line shows you where we were at that point in time. Today, we are sitting at approximately 60-65% of value.

April 26, 1977

What impact will revaluation to 100% have on the cherry sheet? That is a good question. The State, every two years, comes up with a new equalized value. It just so happens, we are in that second year right now. They come up with this equalized value by taking the sales information on Sudbury homes that we are required to supply them by law. We also have to supply them, incidentally, with the present assessed valuation of that piece of property, and based upon this, they are able to figure out what the difference is between the market value and the assessed value. Now, maybe they use some other hokum I don't know about, but this is what we understand happens at the State with regard to coming up with equalized value.

Why do we need \$54,000 in addition to the \$6,000 voted in the previous town meeting? There is one other aspect to revaluation that must be addressed again, and that is the cost of implementation. We feel, for the number of parcels we have in Town plus the fact that we are pretty close to being up to date on our field data, the cost of implementing the system would be approximately as follows:

\$6,000 for in-house activity performed with the additional clerks preparing forms ready for keypunch;
 \$36,000 for the computerized market value system;
 \$18,000 for the traditional approach for the commercial and industrial properties.

This comes to a grand total of \$60,000.

I want you to know that we had \$6,000 appropriated two years ago at a special town meeting, and we have not expended one cent to date for planning. We have done it all with volunteer help. We are not about to just go out for the sake of spending money.

In 1970, we valued all the properties of Sudbury to 100%. From 1970 to the present, we have been constantly updating our property values. In 1975, we got the \$6,000 to seek a system of market data valuation and property value updating. In 1977, we are asking for the appropriation of funds for a computerized approach, the revaluation of homes and funds for updating commercial and industrial properties via the traditional approach. In 19??, we will start and/or complete any automated market value and property value updating system.

Finance Committee Report: (Mr. Bishop)

Through this Town Meeting we have heard some boards who have no fear of litigation and apparently the Assessors would like to put us in a position to avoid a threat of some State action. It is true that in Article 13 of the 1975 Town Meeting, in which the Assessors asked for \$60,000, the Finance Committee recommended \$6,000 to prepare a specific plan. The Town voted \$6,000.

In this Warrant, we are asked for the balance. But the Finance Committee has asked for a specific plan. We had thought we might see a specific plan at this Town Meeting. Maybe the price was right at \$60,000 in 1975. Maybe the price is right at \$60,000 now. The point is that we really don't know the cost.

If the State does come up and thrust some assessment procedure on us, I believe we will have all the time necessary to come up with the money for that purpose, as we would for the federal aid funds or any other quick action required.

In essence, the Finance Committee is still waiting for the plan. The Finance Committee recognizes the Sudbury suit and our position in the State as a result of that. Because the Finance Committee also recognizes our experience as a result of that valuation, the first valuation in conformance with the Supreme Court in 1970, we are not too eager to be first. We might be less reluctant to be first after Boston. At this time, this additional \$54,000 is not necessary.

After discussion, Mr. Babigian's motion was defeated.

Upon a motion made by Mr. Powers, it was

VOTED: THAT THIS TOWN MEETING STAND ADJOURNED.

The meeting adjourned at 10:48 P.M.

[Number of names marked on the voting list as having attended the meeting: 389]

A True Record, Attest:

Betsy M. Powers

Betsy M. Powers
 Town Clerk

PROCEEDINGS
SPECIAL TOWN MEETING

June 29, 1977

Since a quorum was not present at 8:30 P.M., the Moderator recognized Mr. John C. Powers, Chairman of the Board of Selectmen, upon whose motion it was

UNANIMOUSLY VOTED: THAT THE MEETING STAND ADJOURNED FOR THIRTY MINUTES.

The Moderator called the meeting to order at 9:00 P.M. at the Lincoln-Sudbury Regional High School Auditorium. He announced that a quorum was present.

He stated that he had examined the call of the meeting, the officer's return of service and the Town Clerk's return of mailing notice to each household and had found each of them to be in order.

He recognized Rev. Paul Tivnan of Our Lady of Fatima Parish for the purpose of an invocation, following which he led the citizens in the pledge of allegiance to our flag.

He announced that the amount of free cash as certified by the Town Accountant was \$109,942.51.

Upon a motion by Mr. Powers, it was

UNANIMOUSLY VOTED: TO DISPERSE WITH THE READING OF THE WARRANT.

ARTICLE 1: To see if the Town will vote to amend Fire Department categories in the Classification Plan and Salary Plan, Schedules A & B, in Article Personnel Bylaw XI of the Town Bylaws as follows:

Art. XI "1976-77

Class. & CLASSIFICATION PLAN AND SALARY PLAN
Salary Plan

	SCHEDULE A	SCHEDULE B				
CLASSIFICATION	HRS PER WEEK	START	STEP 1	STEP 2	STEP 3	STEP 4
<u>FIRE DEPARTMENT</u>						
<u>ANNUALLY RATED</u>						
Fire Captain	42	\$13,879	\$14,199	\$14,528	\$14,850	\$15,203
Fire Fighter	42	11,284	11,544	11,811	12,073	12,360
Fire Fighter/Emergency	42	11,284	11,544	11,811	12,073	12,360
Medical Technician						
<u>SINGLE RATED</u>						
Call Firefighter		\$54.39 per year and \$5.24 per hour				
Fire Prevention Officer		\$ 600 per year				
Fire Alarm Superintendent		\$ 600 per year				
Master Mechanic		\$ 600 per year";				

or act on anything relative thereto.

Submitted by the Board of Selectmen.

Town Counsel Opinion: It is the opinion of Town Counsel that if the Bylaw amendment proposed in Article 1 in the Warrant for the June 29, 1977, Special 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.

Personnel Board Report: (Mr. Daniel P. McLean)

The changes to the Classification Plan are the results of the collective bargaining agreement which was recently reached between the Town and the Firefighters' Association. The figures are as printed in the Warrant.

Finance Committee Report: The Finance Committee recommends approval of Article 1.

June 29, 1977

Board of Selectmen Report: (Mr. Powers)

The Selectmen recommend approval of Article 1.

Upon a motion made by Mr. McLean of the Personnel Board, it was

UNANIMOUSLY VOTED: THAT THE TOWN AMEND THE CLASSIFICATION PLAN AND SALARY PLAN, SCHEDULES A & B, OF ARTICLE XI OF THE TOWN BYLAWS AS VOTED AT THE APRIL 1977 SPECIAL TOWN MEETING TO CHANGE OR ADD CERTAIN FIRE DEPARTMENT SALARY SCHEDULES AS SET FORTH IN ARTICLE 1 OF THE WARRANT FOR THIS MEETING.

ARTICLE 2: To see if the Town will vote to appropriate from available funds the following sums, or any other sum or sums, as additions to the line item appropriations in Article 6 of the 1976 Annual Town Meeting, to be paid retroactively to Fire Department employees for fiscal year 1976-77 in accordance with the following schedule, or act on anything relative thereto:

Budget
Adjustment
for
Collective
Bargaining
1976-77

ACCOUNT

Protection

310-11 Fire Salaries	\$22,700
310-12 Fire Overtime	\$ 3,335

Submitted by the Board of Selectmen.

Board of Selectmen Report: (Mr. Powers)

The Board of Selectmen recommends approval.

Upon a motion made by Mrs. Anne W. Donald of the Finance Committee, it was

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE \$26,035, WITH SAID SUM TO BE ADDED TO THE LINE ITEM APPROPRIATIONS OF ARTICLE 6 OF THE 1976 ANNUAL TOWN MEETING AS SET FORTH IN ARTICLE 2 IN THE WARRANT FOR THIS MEETING; SAID SUM TO BE RAISED BY TRANSFER FROM FREE CASH.

ARTICLE 3: To see if the Town will vote to amend Fire Department categories in the Classification Plan and Salary Plan, Schedules A & B, in Article XI of the Town Bylaws as follows:

Personnel
Bylaw

Art. XI "1977-78

Class. & CLASSIFICATION PLAN AND SALARY PLAN
Salary Plan

CLASSIFICATION	HRS PER WEEK	SCHEDULE B				
		START	STEP 1	STEP 2	STEP 3	STEP 4
<u>FIRE DEPARTMENT</u>						
<u>ANNUALLY RATED</u>						
Fire Captain	42	\$14,743	\$15,083	\$15,433	\$15,775	\$16,146
Firefighter	42	11,986	12,263	12,547	12,825	13,127
Firefighter/Emergency Medical Technician	42	11,986	12,263	12,547	12,825	13,127
<u>SINGLE RATED</u>						
Call Firefighter		\$57.76 per year and \$5.56 per hour				
Fire Prevention Officer		\$ 600 per year				
Fire Alarm Superintendent		\$ 600 per year				
Master Mechanic		\$ 600 per year";				

or act on anything relative thereto.

Submitted by the Board of Selectmen.

Town Counsel Opinion: It is the opinion of Town Counsel that if the Bylaw amendment proposed in Article 3 in the Warrant for the June 29, 1977, Special 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.

June 29, 1977

Finance Committee Report: (Mr. Robert A. Norling)

The Finance Committee recommends approval of Article 3.

Board of Selectmen Report: (Mr. Powers)

The Board of Selectmen recommends approval of Article 3.

Upon a motion made by Mr. McLean of the Personnel Board, it was

UNANIMOUSLY VOTED: THAT THE TOWN AMEND THE CLASSIFICATION AND SALARY PLAN, SCHEDULES A & B, OF ARTICLE XI OF THE TOWN BYLAW AS VOTED AT THE 1977 ANNUAL TOWN MEETING TO CHANGE OR ADD CERTAIN FIRE DEPARTMENT SALARY SCHEDULES AS SET FORTH IN ARTICLE 3 OF THE WARRANT FOR THIS MEETING.

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, as additions to the line item appropriations in Article 5, voted at the 1977 Annual Town Meeting, in accordance with the following schedule which is incorporated herein by reference, or act on anything relative thereto:

ACCOUNT

Protection

310-11 Fire Salaries	\$44,126
310-12 Fire Overtime	\$14,680
310-71 Uniforms	\$ 680

Submitted by the Board of Selectmen.

Board of Selectmen Report: (Mr. Powers)

The Board of Selectmen is in favor.

Upon a motion made by Mrs. Donald of the Finance Committee, it was

VOTED: THAT THE TOWN APPROPRIATE \$59,486, WITH SAID SUM TO BE ADDED TO THE LINE ITEM APPROPRIATIONS OF ARTICLE 5 OF THE 1977 ANNUAL TOWN MEETING AS SET FORTH IN ARTICLE 4 OF THE WARRANT FOR THIS MEETING; SAID SUM TO BE RAISED BY TAXATION.

ARTICLE 5: To see if the Town will vote to authorize the Board of Selectmen to expend \$190,000, or any other sum, under the Public Works Employment Act of 1976 (P.L. 94-369) for construction project(s) in reference to Article 32 of the 1977 Annual Town Meeting, or act on anything relative thereto.

Public
Works
Employment
Act Funds

Submitted by the Board of Selectmen.

Board of Selectmen Report: (Mr. Powers)

This is 100% federal money that is available to the Town. The allocation figure of \$190,000 has been arrived at by the federal government. This does not call upon us to match funds. It is necessary that we have your vote so that we can proceed to expend the funds for the projects that are set forth.

Finance Committee Report: (Mr. Philip Felleman)

The Finance Committee supported the Article 32 at the Annual Town Meeting. For the benefit of the Town, we would like to know what roads are going to be resurfaced.

In response to the request of the Finance Committee, Mr. Robert A. Noyes, Highway Surveyor, displayed the following chart on the viewgraph and read the items listed:

June 29, 1977

CHART A

PUBLIC WORKS EMPLOYMENT ACT	\$190,000.00
Lincoln Road and Concord Road Intersection [Reconstruction]	\$ 65,000.00
Maynard Road (Ward Road to Hudson Road) 1,728.38 tons at \$18.00/ton	\$ 31,110.84
Concord Road (Pantry Road to Town Line) 2,113.42 tons at \$18.00/ton	\$ 38,041.56
North Road (Haynes Road to Relocation) [Davis Curve] 1,070.66 tons at \$18.00/ton	\$ 19,271.88
Great Road (Town Line to Longfellow Street) 405.08 tons at \$18.00/ton	\$ 7,291.44
North Road (Longfellow Street to Haynes Road) 11,687 sq.yds. at \$.38/sq.yd.	\$ 4,441.00
Goodman's Hill Road 18,491 sq.yds. \$.38/sq.yd.	\$ 7,026.58
Trenches 80 tons at \$30.00/ton [Leveling]	\$ 2,400.00
Old Sudbury Road (Methodist Church to Rice Road) 6,111.11 sq.yds. at \$.38/sq.yd.	\$ 2,322.22
Miscellaneous Leveling for Sand Seal	\$ 5,000.00
Miscellaneous Leveling for Stone Seal	\$ 2,375.00
30 Structures to be raised at 100/structure	\$ 3,000.00
(Police Detail)	\$ 2,720.00
	<u>\$190,000.00</u>

In response to a question from Mr. Joseph A. Klein, Mr. Noyes stated that the thirty structures to be raised were manhole structures and catch basins. Some of these are on North Road. Most of them are on Maynard Road. They are to be raised up 1 1/2 - 2 inches for the road resurfacing.

UNANIMOUSLY VOTED: THAT THE TOWN AUTHORIZE THE BOARD OF SELECTMEN TO MAKE APPLICATION FOR AND EXPEND \$190,000, OR ANY OTHER SUM, UNDER THE PUBLIC WORKS EMPLOYMENT ACT OF 1977 - ROUND II (PUBLIC LAW 95-28) FOR CONSTRUCTION PROJECTS IN REFERENCE TO ARTICLE 32 OF THE 1977 ANNUAL TOWN MEETING FOR ROAD INTERSECTION RECONSTRUCTION AT CONCORD AND LINCOLN ROADS AND VARIOUS ROAD RESURFACING PROJECTS.

ARTICLE 6: To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$41,750.05, or any other sum, for reimbursement to the County of Middlesex for land damages awarded in connection with the County relocation of a portion of Landham Road in Sudbury; or act on anything relative thereto.

Submitted by the Board of Selectmen.

Board of Selectmen Report: (Mr. Powers)

This article was on the Warrant for the Annual Town Meeting and the Town saw fit to reject it. I don't think that there was a full explanation at that time, and we will make one now.

The Town of Sudbury entered into a contract with Middlesex County under which Middlesex County acquired certain lands to be used in conjunction with the reconstruction of Landham Road. It acquired that land in the name of the Town under a normal Chapter 90 agreement. Under that agreement the County expends the money, makes the taking, and the Town is contractually obligated to reimburse it for the money that has been paid.

This has absolutely nothing to do with design. This is a contract commitment which must be met. As far as we are concerned, the design question is still open and will continue to be until the Town Meeting gives us some wisdom on it.

June 29, 1977

We thought that when the Annual Town Meeting rejected it, it would simply be laid off against us in the Cherry Sheet by the County as an assessment. Our Counsel has discovered that that was not the case, and that if we don't meet this obligation to reimburse the County, then we are going to be faced with the rather incredible proposition of having the County sue us. We will be in a position where we will have no defense. The only question is whether or not we executed the contract. If the County prevails, by statute it can add to that amount of money a penal sum of 10% of the entire cost.

If we don't appropriate to meet the commitment of the community, we are going to be faced with a lawsuit. We are going to be faced with an expenditure of \$4,000-\$7,000 for absolutely nothing. We don't think you would like to have us do this with your money.

So we would rather hope that you voted for this article.

Again, I would give you the assurance of the Board of Selectmen that this has nothing to do with the design question that I know you are very concerned about. That question is open.

Finance Committee Report: (Mr. Felleman)

The Finance Committee again supports this article. It's foolhardy to reject it and be faced with certain penalty. We have to pay it. It's a bill. Let's go ahead and do it.

After some discussion, upon a motion made by Mr. Powers, it was

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$41,750.05 FOR REIMBURSEMENT TO THE COUNTY OF MIDDLESEX FOR LAND DAMAGES AWARDED IN CONNECTION WITH THE COUNTY RELOCATION OF A PORTION OF LANDHAM ROAD, SAID SUM TO BE RAISED BY TRANSFER FROM FREE CASH.

VOTED: THAT THE MEETING BE DISSOLVED.

The meeting dissolved at 9:47 P.M.

[Number of names marked on the voting list as having attended the meeting: 215]

A True Record, Attest:

Detroy M. Powers
Town Clerk

